

# 19-year-old says cop shot her

By SHIRLEY L. SMITH  
Daily News Staff

A 19-year-old woman was in stable condition Thursday night at St. Thomas Hospital after being shot in the back on Oct. 7 by a man she identified as a police officer.

Magdalin Jerson said the bullet went through her back on her left

side and down to her abdomen.

There was no mention of the shooting in the police blotter on Saturday, Sunday or Monday.

Police Chief Al Donastorg Sr. said Thursday "the matter was under investigation." He would not speak further about the case.

Deputy Police Commissioner Hugo Hodge said Thursday he

found out about the shooting Wednesday, but did not know the circumstances surrounding the incident.

Hodge said he called Sylvia Thomas, deputy chief of internal affairs, Thursday and was told the Internal Affairs Bureau is in-

See SHOOTING, page 12

## Shooting

(Continued from page 1)  
investigating the matter.

Police Commissioner Milton Frett could not be reached for comment.

Jerson said she was rushed to the hospital by three police officers following the incident. However, she did not know the names of the officers and could only give a brief description of the driver.

She spoke from her hospital bed Thursday night.

On Oct. 7 Jerson said she was shot in the back while driving from her father's Lindbergh Bay home to her aunt's house, located in the same area. Jerson, who said she is visiting on St. Thomas, stays with her aunt.

On her way home, Jerson said she and a family friend stopped and talked for about 10 minutes in the Kirwan Terrace playground. She acknowledged that it was about 15 minutes after curfew.

Jerson said the friend drove out of the playground area slowly but before they reached the main street, she heard a loud noise and had a feeling like the breath was knocked out of her.

She said she turned around and saw a man in blue heading toward the car with a flash light in his left hand and something in his right hand.

Jerson said she was only about a minute from her aunt's house, but

told her friend to drive her back to her father's house when she realized someone was shooting at them.

Her aunt, Agnes Chitolie, said she recalls hearing about 17 shots fired that night.

Jerson said she didn't realize she was shot until she felt a pain in her back. "Then I touched it and there was blood all over me," she said. "I was shot before, I turned around."

She said she went inside to her father and when she went outside, the police were there. Her father asked them to take her to the hospital.

Jerson said there were three policemen. She said the officer who was driving the car told her, "didn't you hear? I said, police, stop." And, then she said he told her to get in the car.

Jerson underwent surgery shortly after arriving at the hospital.

She said the area where the incident occurred was dark. "There were no street lights, no houses."

Jerson said she did not hear sirens, see flashing lights or hear anyone shouting at her.

"I would never have guessed it was the police," she said, thinking at first the man was some sort of security guard from the school.

"I don't recall giving the police any reason whatsoever to shoot me."

Jerson said she would be able to recognize the driver of the police car.

She said the 17-year-old friend who was with her was arrested for curfew violation and released the morning of Oct. 8.

The minor did not return a call to the Daily News.

While in intensive care, Jerson said a nurse told her that a police investigator called Monday and wanted to talk to her. She said she hasn't talked to anyone yet.

The car that her friend was driving was confiscated by the police, Chitolie said. She said the minor told her that the police would not let him see the car.

"I'm just happy I'm alive. I'm so grateful," Jerson said. "But nobody in my family is going to rest until I get some kind of justice."

Jerson's brother, Lucius Camsel, said the police arrested him on Oct. 7 after he made a scene because they would not let him see his sister in the emergency room.

Camsel said the police handcuffed him, his brother Bertram Camsel, and their cousin Jimmy Chitolie. They were put in a police station holding cell, he said.

Lucius Camsel said the police did not read him his rights and the trio was in the cell for nearly an hour. No one was charged, he said.

## Berry wants probe into shooting of 19-year-old

By SHIRLEY L. SMITH  
Daily News Staff

Sen. Lorraine Berry is calling for a three-member commission made up of community leaders to investigate the Oct. 7 shooting of a 19-year-old woman,

who charged she was shot in the back by a police officer.

Berry wrote Gov. Alexander Farrelly that she was dismayed by the woman's account of the shooting, and she was amazed the woman allegedly was shot "for no reason other than that she was in violation of the curfew."

She recommended that Farrelly form a commission consisting of respected community leaders to investigate the matter "to ensure that the citizenry will have confidence in the probity of all police officers."

Police Chief Alberto Donastorg Sr.

See SHOOTING, page 12

### Shooting

(Continued from page 1)

would not discuss the shooting incident with The Daily News. He would only say that "the matter was under investigation."

Deputy Commissioner Hugo Hodge said he was told by Deputy Police Chief Sylvia Thomas that the incident was being investigated by the Internal Affairs Bureau.

Magdalin Jerson, the shooting victim, told The Daily News her only crime was being out past the 10 p.m. curfew.

An examination of two police reports indicates that police might have been at the Kirwan Terrace Elementary School investigating reports of a burglary when the shooting occurred.

However, police officials have not confirmed one incident was related to the other.

Jerson was shot in the back by a man she said is a police officer.

She said she visited her father in Lindbergh Bay the night of Oct. 7, later hitching a ride with a family friend to her aunt's house where she resides. Her aunt also lives in the Lindbergh Bay area, Jerson said.

Jerson, who said she recently moved to St. Thomas with plans to attend the University of the Virgin Islands, said she and the friend stopped briefly at the Kirwan Terrace playground to talk.

She said before she could get to the main road from the school, a man in blue with a flashlight came at the car firing shots.

"I want to know why they shot me," Jerson said Friday night from her St. Thomas Hospital room. She is recovering from surgery to remove a bullet, which entered the left side of her back and moved to the abdomen.

The police report does not explain how Jerson was shot.

One report states that "On Oct. 7, at about 2300 hours (11 p.m.) unit 136 was dispatched to investigate a shooting . . . that took place in the area of Kirwan Terrace."

Jerson said two police officers from the Internal Affairs Bureau came to talk to her Friday about the shooting; however, she refused until she consults her lawyer.

Attached to the police department's report on the shooting, was a report of an alleged third-degree burglary.

In that report, Zellin Gumbs, of Hospital Ground, along with Viola Herbert, of Anna's Fancy #62, made a statement to police indicating that Kirwan Terrace Elementary School was broken into.

It is not clear in the report which woman said what to police. However, the report states that on Oct. 7 at approximately 9:25 p.m., one of the women found that a classroom door and eight louvers were missing.

One of the women also said that no guard was at the school when she arrived for her 8 a.m. to 4 p.m. shift — indicating at least one of the women worked at the school.

# Frett says charges will be filed in Kirwan Terrace shooting case

By SHIRLEY L. SMITH  
Daily News Staff

Charges will be filed against one or more officers involved in the Oct. 7 shooting of a 19-year-old St. Thomas woman who said she was shot in the back by a police officer, Police Commissioner Milton Frett said Monday.

But police will not release any details of an investigation into the incident until after a hearing later this month, Frett said.

The shooting victim, Magdalin Jerson, spent nine days at St. Thomas Hospital after the incident in the Kirwan Terrace area. She said her only crime was violating by 15 minutes the then-10

p.m. curfew while driving home with a friend.

Jerson underwent surgery that night, and said Monday that her spleen was removed.

Frett said Assistant Police Commissioner Anthon Christian will conduct a hearing "mid-month" with the officers involved.

The question of why the shooting was not reported on the police blotter most likely will be discussed at the hearing, Frett said.

Although details of the incidents will be disclosed after the hearing, Frett said the Police Department's "contractual agreement prohibits disclosure of any disciplinary action taken by the department against police officers."

Frett said he realizes the community wants answers about what happened.

"I understand how the community feels, but they (the officers) have to be given due process."

Jerson said Monday she was not informed about the status of the investigation, and she has sent to her lawyer all investigators and police officers who have come to question her.

Her attorney, Francis Jackson, said no officer has spoken to him about the case.

Sen. Lorraine Berry, after reading about the shooting, asked Gov. Alexander Farrelly to appoint a three-member commission to investigate the incident.