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Supp Report of Cst. Adrian COX

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COX, Adrian	P	

Supplementary Occurrence Report

RCMP-GRC , B Division

Printed: 2015/04/10 12:41 by 000132482

Occurrence: **2015376186 Pointing a firearm 87(2) CC (FIP) @2015/04/05 14:28**

Author: #000129874 COX, A.

Report time: 2015/04/05 16:36

Entered by: #000129874 COX, A.

Entered time: 2015/04/05 16:36

Remarks:

Folder 003 - Scene Security

Report:

2015-04-05 hours

On the above noted date and time the Holyrood RCMP received a call from Sgt. Joe SMYTH of the RNC in St. John's reporting that he had fired multiple shots at a suspect in a residence in Mount Carmel, NL. He was requesting immediate assistance at the scene.

Please note that prior to Sgt. SMYTH attending this residence he called the Holyrood Detachment and spoke to Cst. COX. He informed Cst. COX that he was going to the residence of Donald DUNPHY (DOB: 1956-07-26) of #270 Main Road, Mitchell's Brook, NL. He asked Cst. COX if the RCMP had any files on their system relating to DUNPHY as he had to speak to him about threats that he made against the Premier. Cst. COX checked PROS and noted that there were 3 files associated to DUNPHY none of which were in relation to violence. Cst. COX informed SSgt. SMYTH of this and then asked Sgt. SMYTH if he wanted Cst. COX to attend the residence with him. Sgt. SMYTH stated that he didn't think that he needed Cst. COX to attend and stated that he thought that the marked police car and police uniform might set DUNPHY off. Cst. COX told Sgt. SMYTH to call if he needed anything.

Immediate patrol made to the scene by Cst. COX, Cpl. O'KEEFE, Cst. DOWNEY, Cst. [REDACTED], and Cst. WILLIAMS. While en route to the scene members determined through OCC that Sgt. SMYTH was not injured and that DUNPHY was deceased as a result of gunshots sustained to his person from Sgt. SMYTH's service pistol. IDENT was contacted en route and requested at the scene as this was an officer involved shooting in the RCMP's jurisdiction.

At 1455 hours Cst. COX arrived on scene and was the first member to arrive. Cst. COX immediately noted that Sgt. SMYTH was standing in the driveway of the residence next to the black Yukon that he had previously told Cst. COX that he was driving. Cst. COX noted that Sgt. SMYTH was dressed in plain clothes. When Cst. COX approached Sgt. SMYTH he pulled the right bottom of his leather jacket to the side and showed Cst. COX his RNC badge that was attached to his belt. Cst. COX spoke to Sgt. SMYTH and asked him if he was injured and he stated that he was not injured however, DUNPHY was deceased inside the residence. Cst. COX approached the front window of the residence and looked through the living room picture window. Cst. COX did observe a male sitting in a recliner style chair on the left hand side of the living room window inside the living room. The male who was identified to Cst. COX as DUNPHY by Sgt. SMYTH had one visible wound to the right front part of his forehead that Cst. COX could see from the window. Cst. COX could also see the barrel of what appeared to be a rifle pointing down and back toward DUNPHY's left leg as he sat in the chair. All that was visible was the end of the barrel of the rifle and it appeared to be dark in colour.

Cst. COX returned to speak to Sgt. SMYTH and asked him what happened. He informed Cst. COX that he was standing in the living room speaking to DUNPHY and DUNPHY was becoming increasingly agitated while speaking to him. He said that DUNPHY reached down along side of his chair and picked up a firearm and started to point it at Sgt. SMYTH. He said that he kept saying to DUNPHY, "NO NO NO". Sgt. SMYTH proceeded to move and while doing so discharged his service pistol at DUNPHY as he moved because DUNPHY was following Cst. SMYTH with his firearm. Sgt. SMYTH later was speaking to someone on his cell phone while in the driveway of DUNPHY's residence and Cst. COX noted that Sgt. SMYTH told the person on the phone that he fired 3-4 shots.

Cst. COX took Sgt. SMYTH to his police vehicle and had him wait inside the vehicle until Cpl. O'KEEFE arrived. Sgt. SMYTH

Protected B

informed Cst. COX that the residence wasn't completely cleared after the shooting.

At 1501 hours Cst. DOWNEY arrived on scene.

At 1502 hours Cpl. O'KEEFE arrived on scene and met with Cst. COX and Cst. SMYTH.

At 1507 hours Cst. COX and Cpl. O'KEEFE made entry into the residence via that front door for the purpose of clearing the residence of further persons. Upon entry into the residence Cst. COX noted that the the living room where DUNPHY was located was on the right hand side of the front hallway. Cst. COX made his way to the left and cleared each room of the residence starting with the washroom and continuing back to the front hallway again. While clearing the residence Cst. COX noted that there was a closed door on the left hand side of the hallway at the end of the hallway. Cst. COX opened the door and noted that there was an active marihuana grow inside that room and the lights were still on for the grow. Cst. COX then proceeded into the kitchen area in the rear of the residence and found a second marihuana grow in the little room off the rear right of the kitchen. No other persons were located inside the residence. Once Cst. COX and Cpl. O'KEEFE finished clearing the residence Cst. COX again noted DUNPHY sitting in the chair to the right hand side of the living room door. He was sitting with his back flat against the chair back and head resting on the chair back as well. Cst. COX observed what appeared to be a bullet entry point on DUNPHY's left temple area that had a small trickle of blood coming from it and running down the left side of his face. There was also a quantity of blood visible from inside DUNPHY's left ear also running down the left side of his face slightly. Cst. COX noted that to the left of DUNPHY's chair there was a blue coloured Rubbermaid tub on the floor and the rifle was half resting on the side of it and the barrel was pointing down the floor to the left of DUNPHY's chair. The rifle was constructed of a brown and what appeared to be wooden stock with a brown barrel. Cst. COX took note that the rifle was a bolt action rifle and it appeared that the bolt on the rifle was open as it rested on the Rubbermaid tub and floor. No members moved or touched the rifle and the rifle was left in the exact position that it was found and undisturbed.

At 1510 hours DUNPHY was checked by paramedics while he sat in the chair in the living room where he was when Cst. COX arrived on scene. Paramedics were Nancy LINEHAN and Kevin BISHOP. No vital signs were noted for DUNPHY. Please note that Cst. COX observed Paramedic LINEHAN as she checked DUNPHY for vital signs and while doing so at no time did any part of her person come into contact with the rifle only with DUNPHY.

At 1513 hours Cst. COX, Cpl. O'KEEFE and both paramedics exited the residence. No one left inside the residence other than DUNPHY.

Cst COX and Cst. DOWNEY secured the property and scene with yellow police line.

Once the scene was secure with the police line no persons entered the scene.

Cst. COX spoke to S/Sgt. TILLER and updated him on the situation.

At 1649 hours Cpl. FOOTE arrived on scene.

At 1651 hours Cpl. FOOTE and Cpl. O'KEEFE crossed the scene tape and proceeded up the driveway. Cpl. FOOTE proceeded further into the scene out of sight.

At 1707 hours Cpl. O'KEEFE exited the scene.

At 1907 hours Cpl. Steve BURKE and Cpl. Monty HENSTRIDGE into the scene and S/Sgt. CONOHAN. Cpl. O'KEEFE cross scene tape as well.

At 1909 hours Cpl. O'KEEFE back out of scene across scene tape.

At 1919 hours Cpl. BURKE and Cpl. HENSTRIDGE out of the scene and past the scene tape.

At 1921 hours S/Sgt. CONOHAN outside the scene tape.

At 2037 hours IDENT arrived on scene. Cpl. SEWARD and Cst. GALWAY also on scene.

At 2051 hours Cst. GALWAY entered the scene crossing the scene tape.

At 2053 hours Cst. GALWAY back outside scene again.

At 2053 hours Sgt. SAUNDERS and Cpl. LEE entered scene crossing scene tape.

At 2054 hours Cpl. LEE exited scene then went right back in seconds later.

At 2057 hours Sgt. SAUNDERS and Cpl. LEE exited the scene.

At 2105 hours Sgt. SAUNDERS and Cpl. LEE entered the scene.

At 2107 hours Cpl. FOOTE exited the scene.

At 2136 hours Sgt. SAUNDERS out of the scene past the scene tape. Spoke to Sgt. SAUNDERS and he asked to have the RNC Yukon remain inside the scene until they are able to process it in the daylight tomorrow.

At 2142 hours Sgt. SAUNDERS re entered the scene.

At 2214 hours Cpl. LEE exited the scene.

At 2222 hours Cpl. LEE re entered the scene.

At 2229 hours Sgt. SAUNDERS exited scene.

At 2229 hours Cst. [REDACTED] on scene to relieve Cst. COX.

At 2230 hours Cst. COX turned this scene log over to Cst. [REDACTED]

At 2230 Cst. COX departed scene.

TL - FIR. ac 56125