

December 20, 2016

INTERVIEW OF SGT. MONTY HENSTRIDGE

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1 MS. O'BRIEN:
2 Q. Good morning, this is an interview in the
3 course of the Inquiry respecting the death
4 of Donald Dunphy. It is December 20th, 2016
5 and the witness to be deposed today is Cpl.
6 Monty Henstridge. This interview is taking
7 place at the Commission's offices in St.
8 John's. Present with Cpl. (sic.) Henstridge
9 is counsel for the RCMP, Mark Freeman; and
10 speaking and conducting the interview is co-
11 counsel for the Inquiry, Kate O'Brien. Cpl.
12 Henstridge, before we begin I'm going to ask
13 that you affirm your evidence here today.
14 Do you affirm that the information that
15 you'll give to me in this interview will be
16 the truth, the whole truth and nothing but
17 the truth?
18 SGT. HENSTRIDGE:
19 A. I do.
20 MS. O'BRIEN:
21 Q. Thank you. Could you state your full name,
22 address and date of birth for the record
23 please?
24 SGT. HENSTRIDGE:
25 A. Sgt. Monty Matthew Henstridge, born [REDACTED]

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<p>1 Q. Okay, so you don't remember who else? So</p> <p>2 you went in, did you speak to Cst. Smyth?</p> <p>3 SGT. HENSTRIDGE:</p> <p>4 A. Yeah, I did, actually.</p> <p>5 MS. O'BRIEN:</p> <p>6 Q. Okay, so what was the conversation?</p> <p>7 SGT. HENSTRIDGE:</p> <p>8 A. The conversation was effectively would you</p> <p>9 be willing to provide a statement at this</p> <p>10 time? And he was stating that he wanted to,</p> <p>11 but he felt that he should wait and I</p> <p>12 believe Sullivan spoke up and said, you</p> <p>13 know, he wants to co-operate but we know</p> <p>14 that recall is better after a period of time</p> <p>15 and it would be better if he had time to</p> <p>16 sort of calm down.</p> <p>17 MS. O'BRIEN:</p> <p>18 Q. Okay. And what did you say in response to</p> <p>19 that?</p> <p>20 SGT. HENSTRIDGE:</p> <p>21 A. I told him that I thought that that was</p> <p>22 appropriate. I had received some training</p> <p>23 sometime before regarding recall and</p> <p>24 traumatic event incidents like this and I</p> <p>25 knew that you tend to get a full picture if</p>	<p>1 officers in particular immediately after the</p> <p>2 event and the reality is that recall is best</p> <p>3 sometime later.</p> <p>4 MS. O'BRIEN:</p> <p>5 Q. That training was just with respect to</p> <p>6 police officers?</p> <p>7 SGT. HENSTRIDGE:</p> <p>8 A. Yeah, it was. I believe it was a critical</p> <p>9 incident debriefing that I had gone on in</p> <p>10 relation to another file.</p> <p>11 MS. O'BRIEN:</p> <p>12 Q. Have you ever received training that, you</p> <p>13 know, along the lines of people who have</p> <p>14 been involved in shooting incidents or</p> <p>15 traumatic incidents, potential subjects of</p> <p>16 investigation or witnesses should be given</p> <p>17 time prior to giving their statement?</p> <p>18 SGT. HENSTRIDGE:</p> <p>19 A. The information that I had at the time was</p> <p>20 that it related to police officers because I</p> <p>21 believe it had something to do with, like I</p> <p>22 said, a critical incident debriefing that I</p> <p>23 was a part of and I can't even specifically</p> <p>24 say which one, but it seems to me that</p> <p>25 that's what it was. I would suspect if we</p>
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<p>1 you waited awhile. I also knew that we had</p> <p>2 an initial account from him, if we had</p> <p>3 nothing from him at that point I would have</p> <p>4 been, I think, more adamant about getting an</p> <p>5 account earlier, but we had an account that</p> <p>6 he provided to the member at the scene, as</p> <p>7 far as I knew, based on what S/Sgt. Tiller</p> <p>8 had told us during the briefing at 1700. I</p> <p>9 also knew that I, prior to interviewing him,</p> <p>10 I wanted to have a look at the scene. The</p> <p>11 reason for that is I wanted to sort of have</p> <p>12 an understanding of kind of where things</p> <p>13 were in the house because I hadn't seen the</p> <p>14 scene prior to conducting the interview, as</p> <p>15 a frame of reference, I suppose.</p> <p>16 MS. O'BRIEN:</p> <p>17 Q. What training had you received that you're</p> <p>18 referring to here?</p> <p>19 SGT. HENSTRIDGE:</p> <p>20 A. It may have been a critical incident</p> <p>21 debriefing that I had gone through. I can't</p> <p>22 recall exactly what the training was, but I</p> <p>23 do remember getting some training about the</p> <p>24 fact that, you know, in the past we've been</p> <p>25 very eager to get statements from police</p>	<p>1 can extrapolate that same information to</p> <p>2 individuals that are directly involved in</p> <p>3 any critical incident where something</p> <p>4 traumatic like that happens.</p> <p>5 MS. O'BRIEN:</p> <p>6 Q. Okay, have you ever given the subject of a</p> <p>7 major criminal investigation time prior to</p> <p>8 asking for an interview?</p> <p>9 SGT. HENSTRIDGE:</p> <p>10 A. I've never offered time, but I've never been</p> <p>11 asked for time either, so I've never</p> <p>12 volunteered and said, listen, it would be</p> <p>13 better if we spoke to you tomorrow. I would</p> <p>14 have preferred to have as much information</p> <p>15 now and if that, you know, if there was more</p> <p>16 information to follow later, then of course</p> <p>17 we could always take another statement. But</p> <p>18 in this case, it was clear that he was not</p> <p>19 fully prepared to talk to me at that time,</p> <p>20 so –</p> <p>21 MS. O'BRIEN:</p> <p>22 Q. Is it fair to say that you didn't try to</p> <p>23 persuade him?</p> <p>24 SGT. HENSTRIDGE:</p> <p>25 A. No.</p>

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1 MS. O'BRIEN:
 2 Q. So is that fair to say?
 3 SGT. HENSTRIDGE:
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 5 to persuade him.
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 8 MS. O'BRIEN:
 9 Q. Did you see any risk in providing Cst. Smyth
 10 time, risk to the investigation in providing
 11 Cst. Smyth time before giving his
 12 statements; in other words, did you see any
 13 downsides to that?
 14 SGT. HENSTRIDGE:
 15 A. I guess potentially there was, there's
 16 always the issue of, I'm not sure I thought
 17 of it at the time, but looking back, I guess
 18 by allowing more time, you run into the
 19 issue of him telling his story to different
 20 people, confabulation of details is a
 21 concern, so you, you start sort of, not
 22 necessarily inventing things but
 23 misremembering how things went down and
 24 confabulation is an issue with memory that
 25 we know happens sometimes. I didn't at that

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1 time have any concerns that it would give
 2 him time to make up a fictitious account or
 3 anything like that, if that's what you're
 4 asking, but –
 5 MS. O'BRIEN:
 6 Q. Why didn't you have that kind of a concern?
 7 SGT. HENSTRIDGE:
 8 A. Because he had already provided the gist of
 9 his account to an investigator and I don't
 10 think at that time I was thinking that he
 11 was going to do anything along those lines.
 12 It may have been wrong, I don't know, but –
 13 MS. O'BRIEN:
 14 Q. But why would you at that time think he
 15 wouldn't do that?
 16 SGT. HENSTRIDGE:
 17 A. I can't say why I didn't think that that was
 18 going to happen. I just didn't believe that
 19 that was the case at the time. I felt that
 20 the evidence would either establish or
 21 refute his account and that I'd be, it would
 22 be reasonable to let him wait until he sort
 23 of had a time to catch his breath.
 24 MS. O'BRIEN:
 25 Q. Did his being a police officer factor into

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1 your view –
 2 SGT. HENSTRIDGE:
 3 A. Of that assessment? I will say, I don't
 4 think it specifically affected it, but I
 5 will say that I had enormous empathy for the
 6 situation and I looked at him and I felt
 7 that he had likely been through a lot. I
 8 hadn't been at the scene at that point, so I
 9 wasn't certain as to all of the information
 10 or all the details, but I would say that I
 11 had empathy for the situation as I saw it at
 12 that time.
 13 MS. O'BRIEN:
 14 Q. And would that be because you related to him
 15 as another police officer?
 16 SGT. HENSTRIDGE:
 17 A. Yes.
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 20 MS. O'BRIEN:
 21 Q. Okay. When you asked whether or not the
 22 Dunphys told Cst. Smyth whether or not Mr.
 23 Donald Dunphy had a gun, do you recall what
 24 their answers were?
 25 SGT. HENSTRIDGE:

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1 A. I'm not sure what Debbie said, but I believe
 2 that Richard who goes by Dick indicated that
 3 he had told Cst. Smyth initially when he had
 4 spoken to him that he didn't believe there
 5 was a gun, but after Cst. Smyth left, it
 6 occurred to him that there potentially was
 7 two firearms in the house, a shotgun, I
 8 believe and a .22. So, that occurred to
 9 Dick Dunphy post Cst. Smyth actually
 10 attending the residence, but I believe that
 11 came up in Richard Dunphy's statement to me.
 12 MS. O'BRIEN:
 13 Q. Do you recall what Cst. Smyth reported in
 14 his statement to you as to what the Dunphys
 15 told him about there being a gun in Donald
 16 Dunphy's house?
 17 SGT. HENSTRIDGE:
 18 A. I believe he told me that they indicated
 19 there was no gun.
 20 MS. O'BRIEN:
 21 Q. That there was no gun?
 22 SGT. HENSTRIDGE:
 23 A. Yeah.
 24 MS. O'BRIEN:
 25 Q. Okay. Did you note any inconsistency

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<p>1 between what Cst. Smyth was telling you the</p> <p>2 Dunphys said and what the Dunphys told you</p> <p>3 they said?</p> <p>4 SGT. HENSTRIDGE:</p> <p>5 A. No, I'd have to go back and look –</p> <p>6 MS. O'BRIEN:</p> <p>7 Q. I have both Dunphys statements here.</p> <p>8 SGT. HENSTRIDGE:</p> <p>9 A. I can tell you now that I never noted any</p> <p>10 inconsistencies at the time, I suppose, to</p> <p>11 answer your question.</p> <p>12 MS. O'BRIEN:</p> <p>13 Q. Okay. I think when we look at the</p> <p>14 statements Debbie Dunphy says that she told</p> <p>15 him she didn't know.</p> <p>16 SGT. HENSTRIDGE:</p> <p>17 A. Okay.</p> <p>18 MS. O'BRIEN:</p> <p>19 Q. And Dick Dunphy says "I don't know" and then</p> <p>20 he goes on to say something like "I don't</p> <p>21 believe because he's not a hunter".</p> <p>22 SGT. HENSTRIDGE:</p> <p>23 A. Right.</p> <p>24 MS. O'BRIEN:</p> <p>25 Q. But he does say the words "I don't know"</p>	<p>1 Joe Smyth I would have felt obliged if I had</p> <p>2 noted any consistency to raise it, but no, I</p> <p>3 didn't, if that makes sense. Because the</p> <p>4 thing is is that in this particular case</p> <p>5 there was really just myself and Cst.</p> <p>6 Nippard that were involved in taking</p> <p>7 statements. But in some files there may be</p> <p>8 8, 9 investigators, so it would be</p> <p>9 impossible to know whether or not there's an</p> <p>10 inconsistency based on my role as a tasker.</p> <p>11 In this case though, you're right, if I had</p> <p>12 seen something that I thought was an</p> <p>13 inconsistency, I would have had to raise it</p> <p>14 with the primary investigator.</p> <p>15 MS. O'BRIEN:</p> <p>16 Q. To me it seems that this would be on a</p> <p>17 significant issue, an important issue, an</p> <p>18 inconsistency on an important issue, would</p> <p>19 you agree with that?</p> <p>20 SGT. HENSTRIDGE:</p> <p>21 A. Regarding whether or not the brother and</p> <p>22 sister-in-law told Smyth that there was a</p> <p>23 firearm?</p> <p>24 MS. O'BRIEN:</p> <p>25 Q. Yes.</p>
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<p>1 according to the statement.</p> <p>2 SGT. HENSTRIDGE:</p> <p>3 A. Okay.</p> <p>4 MS. O'BRIEN:</p> <p>5 Q. So, you didn't notice that inconsistency at</p> <p>6 all?</p> <p>7 SGT. HENSTRIDGE:</p> <p>8 A. No, I did not.</p> <p>9 MS. O'BRIEN:</p> <p>10 Q. Okay. Would it have been your—would that</p> <p>11 have been one of your duties or jobs to, you</p> <p>12 know, be looking for these kinds of</p> <p>13 inconsistencies between statements or is</p> <p>14 that something you just leave to the primary</p> <p>15 investigator, he supposed to review it and</p> <p>16 he's supposed to note these things.</p> <p>17 SGT. HENSTRIDGE:</p> <p>18 A. No, if it was something obvious that came to</p> <p>19 me, I would certainly note it and advise the</p> <p>20 primary of it, but yeah, the primary is the</p> <p>21 final arbiter of the information that comes</p> <p>22 in because he's fully aware of all the</p> <p>23 statements that have been taken. Now, in</p> <p>24 this case because I had taken the statements</p> <p>25 from Debbie Dunphy and Richard Dunphy and</p>	<p>1 SGT. HENSTRIDGE:</p> <p>2 A. Yes, if they had said that there's</p> <p>3 definitely not a firearm, but to me their</p> <p>4 answer was simply we don't know and we don't</p> <p>5 think so.</p> <p>6 MS. O'BRIEN:</p> <p>7 Q. And his statement is that they told him</p> <p>8 there wasn't one.</p> <p>9 SGT. HENSTRIDGE:</p> <p>10 A. That was his interpretation of what they</p> <p>11 said, yeah.</p> <p>12 MS. O'BRIEN:</p> <p>13 Q. Well, I don't know whether it was his</p> <p>14 interpretation or what, but he said, "they</p> <p>15 told me", you know, "there wasn't one".</p> <p>16 SGT. HENSTRIDGE:</p> <p>17 A. That's right.</p> <p>18 MS. O'BRIEN:</p> <p>19 Q. Okay. So, would you not—given that this is</p> <p>20 a use of force investigation and I guess one</p> <p>21 of the things that you're looking at is the</p> <p>22 circumstances under which he arrived at the</p> <p>23 house.</p> <p>24 SGT. HENSTRIDGE:</p> <p>25 A. Yeah, in retrospect now I would say that</p>

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1 that would be something that I would p
 2 further for sure. At the time it didn't
 3 strike me as a huge inconsistency.
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 19 MS. O'BRIEN:
 20 Q. Okay. Going to Cst. Smyth's statement and
 21 this is his April 6th statement, prior to
 22 going into this interview, so the interview
 23 is conducted by you and Cpl. Burke and I
 24 understand it was monitored by Kent Osmond.
 25 SGT. HENSTRIDGE:

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1 A. Yes.
 2 MS. O'BRIEN:
 3 Q. Did you have an interview plan for this
 4 interview in advance?
 5 SGT. HENSTRIDGE:
 6 A. I don't believe I drafted a formal interview
 7 plan on this. I typically do, but I didn't
 8 on this interview. My goal in this
 9 interview, at least from my perspective and
 10 the perspective of the team was to get a
 11 pure version account of what Cst. Smyth had
 12 to say about the incident in as much detail
 13 as possible, but no, I don't believe I had a
 14 formal interview plan. If I had, I would
 15 have disclosed it.
 16 MS. O'BRIEN:
 17 Q. Okay, so tell me about that, you say you
 18 normally do do an interview plan –
 19 SGT. HENSTRIDGE:
 20 A. If I have time, if I have time, I usually
 21 draft kind of questions that I might have,
 22 issues that I might want to deal with, but
 23 in this case and I'm not sure if it was
 24 because of the time constraints, we had been
 25 working all the night before, the following

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1 morning we were engaged in the investigation
 2 as well. I have no idea why I didn't
 3 formulate an interview plan, but I just
 4 don't—I don't believe I did on this one.
 5 MS. O'BRIEN:
 6 Q. Okay.
 7 SGT. HENSTRIDGE:
 8 A. If I'm taking a pure version statement from
 9 somebody, it's not common, I say I usually
 10 do, if it was a caution statement, I would
 11 definitely have one; this wasn't a caution
 12 interview and I was interested in getting a
 13 pure version account from him as to what had
 14 happened. So I think that's the rationale
 15 that I probably would have used at the time,
 16 that there was no need.
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1 [REDACTED]
2 [REDACTED]
3 MS. O'BRIEN:
4 Q. Did you and Cpl. Burke have any strategy
5 discussion or, I know you said you didn't
6 form an interview plan, but did you meet in
7 advance to do any strategizing or discussion
8 of how you –
9 SGT. HENSTRIDGE:
10 A. I think we did talk about whether or not the
11 police caution would be warranted. I don't
12 have it in my notes anywhere, but it seems
13 to me that we did have that conversation and
14 it may have been myself and Kent and Steve
15 at the time—sorry, Sgt. Osmond and Cpl.
16 Burke. It seems to me that we had that
17 conversation and it was decided that based
18 on the information that we had now, that
19 this was not—that he had no jeopardy, as we
20 saw it, that he was a witness in this matter
21 and that the caution was not really
22 necessary. Secondary to that, we were, at
23 least I was of the opinion that should a
24 caution come out now, it might overinflate
25 what we believed at that time to be his

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INTERVIEW OF SGT. MONTY HENSTRIDGE

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1 culpability and might make him less i
 2 to speak to us.
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 5 MS. O'BRIEN:
 6 Q. Okay, and we're going to get to during the
 7 interview. Did you believe that this was a
 8 thorough interview?
 9 SGT. HENSTRIDGE:
 10 A. I thought so at the time, yeah.
 11 MS. O'BRIEN:
 12 Q. Okay, do you still think so now?
 13 SGT. HENSTRIDGE:
 14 A. I do at this point. I went through it, I
 15 think the format that I used in terms of
 16 obtaining a pure version from him,
 17 uncontaminated pure version and then
 18 following up with reiterating what he said
 19 and some probing questions in relation to
 20 that, I think the format of the interview
 21 itself was solid. I do believe that there
 22 were things that I had said in that
 23 interview that should not have been said.
 24 MS. O'BRIEN:
 25 Q. Okay, what things do you think you said in

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1 that interview that should not have been
 2 said?
 3 SGT. HENSTRIDGE:
 4 A. I'll just reference a couple of sections
 5 here. In terms of the firearm, that's the
 6 thing that pops into my mind
 7 instantaneously, towards the end of the
 8 interview Cst. Smyth had some concerns about
 9 whether or not there was a round in the
 10 chamber and while I didn't provide him
 11 information in terms of how many rounds had
 12 been fired because I felt that that would
 13 directly contaminate the information that he
 14 was providing, the fact that there was or
 15 wasn't a round found in the chamber was
 16 something that at that time I felt really
 17 didn't have a lot of bearing on his
 18 evidence, but could go a long ways in
 19 alleviating some of the stress that he was
 20 under. I remember going out and having a
 21 conversation with Sgt. Osmond and Cpl. Burke
 22 and advocating, my position was to advocate
 23 that if he wanted to know that, that there
 24 was no real reason why we shouldn't. I
 25 think in retrospect looking at that

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1 interview, I don't think that that was an
 2 appropriate thing to do and I think that in
 3 some ways I was perhaps motivated by a sense
 4 of empathy that I had for Cst. Smyth at the
 5 time.
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