

June 10, 2015

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Commanding Officer Tracy Hardy  
Assistant Commissioner  
RCMP Newfoundland and Labrador  
"B" Division  
P.O. Box 9700  
East White Hills Road  
St. John's, NL A1A 3T5

Dear Commanding Officer Hardy:

RE: RCMP investigation into the death of Donald Dunphy

I write to you on behalf of my client, Ms. Meghan Dunphy. Meghan Dunphy is the sole daughter of Mr. Donald Dunphy who was shot and killed in his home in Mount Carmel by a member of the Royal Newfoundland Constabulary on Sunday, April 5, 2015.

Ms. Dunphy continues in her request to bring in an outside force for the criminal investigation.

I acknowledge receipt of your correspondence dated June 1, 2015. I also acknowledge that earlier this morning Ms. Dunphy was contacted by Corporal Burke to request permission for the independent observer to enter Mr. Dunphy's home. Ms. Dunphy grants the permission.

Ms. Dunphy is very confused as to why she was told on or about April 27, 2015 by the RCMP that an out-of-province non-police expert in the area of 3-dimensional crime scene photography was being brought in and why her permission was sought to allow this expert to enter her father's residence. At that time, the police indicated that they were in the process of selecting the expert and that the expert was expected to come to Newfoundland in next few weeks. Approximately one month later, Ms. Dunphy was then told that the expert did not need to enter the home and would not become involved until after August 15, 2015. Now, it appears from your latest correspondence that this in fact may not be the case as the RCMP are "still exploring the option".

The residence where the shooting took place is in a very dilapidated condition. Ms. Dunphy has been doing her best to deal with her father's outstanding estate issues. Ms.

Dunphy will have to make some important decisions regarding the future of the residence, i.e. its very existence, in the near future.

As we have stated numerous times, Ms. Dunphy's priority at this time remains ensuring a thorough and objective investigation into her father's death. Since the RCMP told her an expert would be travelling to Newfoundland and requested her permission to allow the expert to enter the home she naturally believed that this would in fact take place and that it was a necessary investigative step. As such, Ms. Dunphy has ensured to date that the residence remains. Ms. Dunphy certainly does not want to make any decisions regarding the residence that could be detrimental to this or any other expert's work or negatively impact this or any future investigation in any way.

Ms. Dunphy does not understand why she has received contrary messages from the investigative team and you as Commanding Officer. This is very concerning as one of Ms. Dunphy's main complaints when she first came to my office in the days immediately following her father's death was that she was not being treated with respect by the RCMP and that she had been lied to repeatedly regarding her ability to see her father's body. Sergeant Kent Osmond in fact provided an apology in person to Ms. Dunphy at a meeting on April 8, 2015 regarding the way that she had been treated and assured her that this was an error that would not continue.

Ms. Dunphy is not satisfied with the RCMP response of "should we require the assistance of Ms. Dunphy we will advise accordingly" without any further explanation. Ms. Dunphy feels that this is a disrespectful and dismissive response to her legitimate inquiry precipitated solely by information provided and a request made to her by the RCMP.

Ms. Dunphy requires this information forthwith in order to make appropriate decisions with respect to her father's home. Please advise as soon as possible as to whether this or any other contemplated expert or investigator will require future entry into the home.

Ms. Dunphy awaits your response.

Yours truly,

  
ERIN BREEN  
PARTNER