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Transcribed Statement of Joseph Smyth 2015-04-06 Cpl. Monty Henstridge
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Digital Recording
File: 2015-376186

STATEMENT OF: Constable Joe SMYTH

INTERVIEWED BY: Cpl. Monty HENSTRIDGE, RCMP Major Crime Unit
April 6th, 2015 commencing at 15:30 hours

1 **Henstridge:** The time according to my watch is 15:30 hours. The date is April 6th,
2 2015. My name is Corporal Monty Henstridge with the RCMP Major
3 Crime Unit out of St. John's, Newfoundland. I would note that the correct
4 time is 15:30 hours. I believe the time on the recording device is – is
5 inaccurate. Ah, I'm sitting at the, again at the, RCMP Headquarters
6 building and I'm about to interview ah Constable Joe SMYTH, in relation to
7 a shooting that occurred yesterday in the community of Mitchell's Brook.
8 And Constable SMYTH is actually here now for an interview so I'm gonna
9 go up and escort him down to the room. Also in attendance will be
10 Constable 'er Corporal Steven Burke with the RCMP Major Crime Unit as
11 well. ... (*background talking*) ... Please have a seat. I apologize for the
12 chair. She's drilled down so that the camera can pick you up.

13 **Smyth:** No trouble. I get that.

14 **Henstridge:** This is, ah, Steve Burke. He's the Primary on the file.

15 **Smyth:** Steve.

16 **Burke:** How you doin' Joe?

17 **Henstridge:** ... (unintel) ... So we're gonna go absolutely as slow as you wanna go ...

18 **Smyth:** Sure.

19 **Henstridge:** ... and, ah, I'm familiar enough with, ah, - I'm familiar enough with human
20 memory to know that things don't happen like a video camera so if you
21 need to go back at any point and rethink what you're initial version is or
22 anything like that, don't worry about it. Just do whatever you need to do to

1 – to get through. And again we're gonna go as absolutely as slow as you
2 wanna go. Ah, I think probably the best thing to do is get a pure version
3 from you right off the get go ...

4 **Smyth:** Yeah.

5 **Henstridge:** ... just kind of start from the beginning and – and tell us what happened.

6 **Smyth:** That's – that's my notes. I don't know if you want those or.

7 **Henstridge:** You can use 'em if you want. Yeah, if you want to. Like any ...

8 **Smyth:** The only part of it, I guess, that is – that will, to some degree be a little bit,
9 ah, I don't wanna say inconsistent, is the conversation we were having
10 leading up to it. Cause he was doing so much repetitive talk.

11 **Henstridge:** Okay.

12 **Smyth:** And he was saying the same thing over and over again. And there was
13 points where I literally was not listening to him ...

14 **Henstridge:** Yeah.

15 **Smyth:** ... cause I'm looking around the room and he's getting agitated. And –
16 and so there's – and I'm gettin' bits and ...

17 **Henstridge:** Right.

18 **Smyth:** ... and it was really hard when I was doing this to properly piece that
19 together cause, you know, you're sitting there and he's talking and he's
20 saying this – he's saying a lot of the same things. You know like, ah...

21 **Henstridge:** Sure.

22 **Smyth:** ... you're an arm of the government, you're a puppet, and all this kind of
23 stuff. That – that stuff kind of kept up. If he said that three times or he
24 said it five I, you know, I can't say. So that's – just so you know.

1 **Henstridge:** Yeah. No, that's fine.

2 **Smyth:** I – I might go back over that part a couple times and have to ...

3 **Henstridge:** Sure.

4 **Smyth:** ... to rethink it but.

5 **Henstridge:** You go ahead and start where – where – I guess the most reasonable
6 place to start is how you came to be there in the first place.

7 **Smyth:** Sure. Ah, so I guess it was Friday afternoon I got an email from, ah, well
8 she's the Premier's staff, from the Communications Assistants. And she
9 had forwarded me something that we get pretty regularly. It was – I mean
10 the email subject was tweet of concern. And it's an FYI. They've been
11 instructed for a very long time if they ever get information that's
12 disconcerting for any reason, if it comes by social media, handwritten
13 letter or a comment in person that, you know, we want to be notified.

14 **Henstridge:** Uhm...uhm.

15 **Smyth:** And we wanna know as much detail as we can so we can, depending on –
16 on the situation, initiate an intelligence based investigation to do a threat
17 assessment on – on the subject. And – and as was the case here. So,
18 you know, she sent the message. It was, you know, I had a cursory look
19 at the – the, ah, the tweet which, you know, made some pretty ambiguous
20 reference to, ah, to prick dead MHA's and hurting, causing harm to their
21 families. But it was – again it was ambiguous. There was no – certainly
22 no criminal threats by any stretch, ah, but enough that in light of his
23 previous history, ah, social media history which was constant, ah, you
24 know, commentary around his issues with government and, ah,
25 particularly Worker's Compensation. These were the – the source of his
26 grievance seems to come from. And so, you know, I looked at this one
27 and I, you know, I understood the concern. It was – if I was the subject of
28 it I would – I would be concerned as well. I would want to know. So for –

1 for me that – that met our test for, you know, a full intelligence file to find –
2 do a threat assessment on this person, attempt to identify if they are any
3 risk to carry out an act of target violence and if so what we feel that is and
4 then we can properly brief the Premier and staff or who – whoever –
5 whoever is impacted. In this case, probably a couple of Ministers and –
6 and some of their staff, maybe even Workplace Health and Safety
7 Compensation staff. Ah, so it wasn't until Saturday that I was able to even
8 identify who the individual was. It was Don Dunphy. I had that name. Of
9 course, when I just did our – our basic checks on Don Dunphy I did it on,
10 you know, ICAN and MRD. Nothing on our local system and MRD had
11 Don Dunphys all across the Province. And – and – I was – so I take a
12 shot in the dark with the age just in light of some of the comments he
13 made in his injury came from but it was moot to some degree. I needed
14 more information to try to narrow it down. So I ended up getting hold of
15 somebody with Work – ah, Worker's Compensation and it was Tom
16 Mahoney. And he was very familiar with the individual, familiar with the
17 file. And said that they've had concern with him before too and they've
18 had an investigator assigned to, you know, his file as he's caused concern
19 for their staff. So I told him what I was looking for. I said really all I need
20 is something to narrow my search. And so he was able to give me where
21 this guy, ah, what area of the Province he lived in which was, ah, Mount
22 Carmel. And, ah, so he, ah, once he did that, you know, and he gave me
23 some phone numbers and I knew where I was going. So it was then
24 Sunday before I picked it up again cause he was late Saturday evening
25 before he gave me this. And, you know, albeit this is the kind of stuff we
26 wanna deal with immediately, I don't feel the need necessarily to get down
27 there that night. So mid-morning Sunday I - I called – I did all the – you
28 know, I had a date of birth. I did all the full CPIC, CFRO. All these things.
29 It was really – it was nothing in ICAN. There was nothing that we had
30 from CPIC or anyone else that – that caused me any degree of concern.
31 You know, his driver's license was good. He had a car registered to him.
32 Ah, so I then called you – called RCMP Com Centre and asked to speak
33 to a member in Holyrood. And so they got me Adrian Cox. So I told him

1 exactly what I was doing and could be looking to speak to this individual
2 and asked him if he could check PROS and see if it was any, again,
3 anything of concern there that, ah, you know, we need – need to know
4 about, one for the visit and two for – for the prior based intelligence file.
5 And – and there – there wasn't. He had a – he was charged with uttering
6 threats about ten years ago in relation to a family member, a family
7 dispute, and that was ultimately withdrawn. And, ah, I think it was a
8 domestic which I think is where the charges came from. And so, you
9 know, he didn't pick anything out there that caused me any great – great
10 degree of concern. There was no – it wasn't any lengthy mental health
11 complaints or violence or firearms. None of it. And Adrian offered even if
12 you wanted me to go. Want me to go ...

13 **Henstridge:** Uhm.

14 **Smyth:** ... go down with you and attend. Ah, you know, my, I guess, philosophy in
15 a lot of these, dealing with these types of people is that a uniform
16 presence or even multiple officer presence it throws 'em off and it shuts
17 'em up and you don't – you don't get anywhere. Based on – now if history
18 had been at all different, if there had been any indication of violence,
19 firearms, anything like that, there – there would be no question. I – you
20 know, I probably would have grabbed another plain clothes officer at the
21 very least.

22 **Henstridge:** Uhm...uhm.

23 **Smyth:** And, ah, but this one I – you know, I really wasn't and I was – my intention
24 was go down there and develop a rapport with this guy, try to get into a
25 conversation about, you know, his comments, what his, ah, you know,
26 where he wants to go with this. Try to get, you know, an assessment
27 done of what his social support network is and where's he living, what's
28 the crux of his grievance, where is he – who's he speaking to and where's
29 he plan on going. You know, is he at the end of his rope or does he – you
30 know, is he making headway in one way or another and all factors that –

1 that play into our – our RTA. And, ah, so I made my way down there and
2 eventually found the house and went up the driveway. And it was, you
3 know, how would say quintessential derelict home. It was really bad. And
4 had the sign, and I've seen these things before, you know, a number of
5 our persons of interest files have these signs on their houses referencing
6 particular politicians or no political figures welcomed here. And his was,
7 ah, you know, warning house, ah, is, ah, the state of poverty because of
8 Worker's Compensation issues since 1984. You know, I'm sure you have
9 photos of it if I'm not ...

10 **Henstridge:** Uhm.

11 **Smyth:** ... exactly right and it was no political, ah, officials, I think, welcome unless
12 – and I couldn't make out the words. It was – looked like it probably been
13 there for twenty years. And so I – I looked – walked up around the house
14 cats everywhere. I looked in the window and – and I see garbage all over
15 the floor. So, you know, right off the bat I'm – I'm thinking there's – this
16 guy's got – he's got some issues of some sort to be living in – in this type
17 of situation. But it was empty. I felt, ah ...

18 **Henstridge:** Uhm.

19 **Smyth:** ... Jesus Christ, you know, what are we – what is this person into. That's
20 what I was feeling. It was – ah, cause I – my thought was, you know, if
21 you're in a munic – a municipality you – I don't think you would be subject
22 to this. You wouldn't – you couldn't be living in this. This is not even
23 habitable. But nonetheless I banged on the window and no sign of
24 anybody. There was no movement. Nobody came to the door and so I
25 figured he's gone. No vehicle. So I – I pulled out and I pulled into the –
26 the driveway next to him, the closest house. And at that point really –
27 solely for the purpose of probably intel gathering, chat to him to see if they
28 knew anything about the neighbor, did they have problems with him, is he,
29 you know, is he outside howling at the moon, is he ranting and raving
30 about politicians, is he over, you know, the kind of stuff you look for.

1 Again to lend to the threat assessment. Have you had ongoing issues
2 over a period of time and so I spoke to a female at the door and she told
3 me right away that she was the sister-in-law of, ah, the guy I was looking
4 for, Don Dunphy, and that Don's brother was there at the house and
5 downstairs. So she was – she was very cooperative and happy to speak
6 to me about – about Don and about a very lengthy history with him, the
7 problems they've had, you know, with him in terms of disputes with
8 property and. You know, she kind of described him as an antagonist,
9 somebody that just had a grudge against the world, a problem with
10 everybody and everything. Very reclusive. No friends, no family. He – he
11 had a daughter who he didn't see very much although she suspected that
12 that's probably where he was because he – she couldn't think of anywhere
13 else he would be. And she told me where she lived. Kind of give me a
14 description on Salmonier Line where – where she was cause I was
15 probably gonna make an effort to see if I couldn't find him out there on my
16 way – way out. And, ah, I gotta think what else she said now of relevance.
17 You know, I don't think it was a whole lot. We talked about the cats and
18 ...

19 **Henstridge:** Uhm.

20 **Smyth:** ... the problems they had. She did say that he had been charged
21 threatening her and it turned into a peace bond so he never, you know,
22 paid any attention to the conditions of the peace bond. Ah, she said she
23 wasn't really afraid of him. I asked are you afraid – been afraid that he's
24 gonna hurt you. She said, no, I'm just – he makes me uneasy, I don't like
25 being outside if he's outside. And – and I asked again about firearms. I
26 specifically asked did they have – does he have any access to firearms or
27 does he have firearms you know of or any weapons and he said, no, no
28 firearms and he's not a hunter. And I said, okay, good. So I left there
29 again thinking I'm going now out Salmonier Line to – where the daughter's
30 house and if I didn't see him at the daughter's house I was heading back
31 to St. John's and would – would have made another attempt to probably

1 today or tomorrow. In actuality it probably would have been my
2 counterpart. Ah, probably wouldn't have been me. Ah, so I left. I – the
3 driveway is right next door so I went down his driveway and I saw the
4 vehicle there. Okay perfect, he's – he's there, I'll make an effort to speak
5 to him. And so I – you know, I pull up and – and I went through the same
6 routine as I originally went and had a look around the house again and –
7 and just look around the corner. I didn't walk around the back at any
8 point. And I banged on the window. It was, ah, - you walk up to the – the
9 front door and it was very make shift. It was, ah, I think a tire and a – and
10 a stump or something you had to step on in order to get to the step. So I
11 wasn't even at that point sure if that's what you – they used. So I banged
12 on the window, the front window, which appeared to be the living room.
13 There was a couch and chair but a lot of garbage and a lot of cats. So he
14 came to the door and I showed him my identification. The first thing I did
15 was pull out my badge and ID and I told him my name and I was with the
16 RNC. I ask – asked he mind if he – I came in to speak to him and he said,
17 yeah, no problem. He was cordial. Didn't seem agitated in any way. He
18 said, yeah, come on in. Alright. So I step up over on the – the deck and
19 get into his porch and he what's the RNC doing here now. And I said, well
20 I'm looking to chat to you about some comments you made and went right
21 into kind of a rapport building phase. And, you know, got into his chatter
22 about having an injury and I understand you were injured at work. And so
23 he was happy enough to go into that story. He went – and he walked right
24 into his living room and sat – plopped right down on his – on a chair. So if
25 you walk in to the door and you – you come around to your right ...

26 **Henstridge:** Uhm...uhm.

27 **Smyth:** ... there's the living room and then immediately to your right again is – is
28 the chair which is where he was ultimately found. And he went right to
29 that and kept telling me to sit down and he was adamant for me to sit
30 down. And you know, one thing that prevented me from sitting down, and
31 I'd like to say it was some tactical intuition, but it was filth.

1 **Henstridge:** Uhm.

2 **Smyth:** It was dirty and I felt bad about offending the guy.

3 **Henstridge:** Uhm...uhm.

4 **Smyth:** Cause I felt like he was just offended that ...

5 **Henstridge:** Uhm.

6 **Smyth:** ... I didn't wanna sit down. I just kept saying that's okay. But it was really
7 – it was really dirty. And, ah, it was a lot of garbage around. So he was
8 talking again about – he asked where I was from and talked about his
9 injury. He was hit by a dump truck or run over by a dump truck and – and
10 again it was – it was all cordial. He seemed fine. He seemed calm. And I
11 wasn't paying too much attention to his body language or anything. I was
12 looking at – at my file there and I was kind of reading through the – the –
13 some of the information I had there and while also just engaging him in
14 conversation. And so he – you know, he said what's this all about and
15 what are you here for. And that was kind of when it just turned fairly
16 quickly, his tone. And I said well okay we, you know, it's in relation to
17 some comments you made on Twitter. Ah, and he – you know, phfffff,
18 immediately kind of reacted like that. And said yeah, I say lots of stuff on
19 Twitter. I said, okay, well there's one in particular that has caused some
20 concern for some staff and I – I wanna talk to you about it. And I – I
21 named the tweet and I read it out. And talking about two prick dead
22 MHA's and – and, you know, he was kind of – you know, laughed it off and
23 he – but also a bit angry. He said fuckin' MHAs. MHAs dead – dead
24 MHAs died – MHAs have died before and MHAs will die again. And – and
25 so, you know, I tried to ask him what he – what he meant by that and –
26 and he was becoming increasingly more agitated at this point. And he
27 started to get into calling me ... (unintel)... who sent you here, who sent
28 you here, you sent you here anyway. And I said, Don, nobody sent me
29 here. I, you know, I'm here - I just wanna talk to you about, you know,

1 these comments you made. And he'd go back into that – fuckin' two dead
2 MHAs, who fuckin' cares. MHAs died, died. Maynard died. He named
3 another name and – and I had no idea what he was talking about. And
4 Maynard was the only one I – I remember. And, ah, I tried to delve into
5 that. Who sent you here anyway as I'm starting to talk to him about it.
6 Who sent you? I said, Don, nobody sent me here, look calm down, I'm not
7 here to arrest you. You're not under arrest. And, ah, you're nothing but
8 an arm government fuckin' puppet. You fuckin' puppet. And, ah, so I –
9 and he's squirming around now. He's – he's getting agitated because I'm
10 looking around. I'm doing a lot of looking around the house cause his –
11 his behaviour changed and – and I still wasn't – I didn't feel threatened. I
12 was just at the point like, oh man, what's this sorry case.

13 **Henstridge:** Uhm.

14 **Smyth:** And I was looking around the house and he was what are you looking
15 around for. Why are looking around. What are you looking for, what are
16 you looking for. And, ah, there was a bat next to him like a piece of wood
17 with some duct tape on it.

18 **Henstridge:** Uhm...uhm.

19 **Smyth:** And so, Don, what's – what are you doing with the bat. Well, protect
20 myself. I gotta protect myself. You never who's gonna come here, you
21 never know who's gonna show up here and you gotta be able to protect
22 yourself.

23 **Henstridge:** Uhm.

24 **Smyth:** I said okay, well as long as it stays where it is.

25 **Henstridge:** Uhm.

26 **Smyth:** And it wasn't, you know, like it was – it was a big stick I think. I don't even
27 know if it was an actual bat. I think it was just a piece of wood, like a

1 rounded piece of wood. And, ah, I still didn't feel, you know, intimidated or
2 imposed by him. I saw him – and he's – by this time he's starting to froth.
3 All his mouth is starting to gum up. Ah, you know, when you get a really
4 dry mouth. You know, I think we've probably all seen that ...

5 **Henstridge:** Yeah.

6 **Smyth:** ... in front line policing when you deal with somebody that gets agitated
7 and they start to – to foam. Like the corners of their mouth get the – the
8 white and has he's talking it's stretching out. So that concerned me a little
9 bit cause I, you know, I just recognize that as kind of your – you're getting
10 some of those physiological signs of agitation and – ah, but still not – I'm
11 still thinking, you know, you're not a big guy and ...

12 **Henstridge:** Uhm.

13 **Smyth:** ... if you did decide to do anything I'm, you know, it's not going anywhere.
14 Ah, and that was all very much in the back of my mind. It wasn't even the
15 focus of my thought. And so he – he kept this up with this, you know,
16 what are doing – or who sent you. You're an arm – you're just another
17 arm of the government. And I, you know, I tried to refocus his – what he's
18 saying on – on the topic and he would rant about that again and he'd
19 laugh at one point and say something pretty indiscernible and kind of
20 mumble and then – and the whole time he's, you know, he's – now he's
21 doing this and coming forward and sitting back, telling me to sit down and
22 – and, ah, ah, he would say again what are you looking for, what are you
23 looking at, what you looking at. And I was looking around the house.
24 Cause just his behaviour, ah, I'm starting to think who – anybody else
25 here.

26 **Henstridge:** Uhm.

27 **Smyth:** And I had asked him anybody else in the house. No, I'm by myself before
28 he had gotten agitated. And so if – if this – if I'm him where he's sat down
29 in the chair then I would be, you know, where Steve is, further back,

1 leaning against – there's like a mantel in the – I think it's a mantel above
2 the fireplace in the – in the living room, right below the TV.
3 ... (coughing)... And I had the – the file in my hand and I started to – I think
4 I was just pretending to write or I might have wrote some of the names
5 that he was saying and I was only really doing that to kind of try to de-
6 escalate him a little bit ...

7 **Henstridge:** Right.

8 **Smyth:** ... stop looking around cause that's agitating him. And, ah, - I – did I tell
9 you – I told you I kicked some – moved some stuff, right.

10 **Henstridge:** Uhm...no.

11 **Smyth:** Yeah, okay so, the garbage on the floor, at one point, there was a lot of
12 garbage and there was bugs – there was actually bugs walking around
13 and I'm – I'm in this – I'm in this mode of man you're – like you're a sorry
14 ...

15 **Henstridge:** Uhm.

16 **Smyth:** ... a sorry case, you need help. And like I moved some of the garbage. I
17 said, Don, there's a lot of bugs down here. And he said yeah, yeah, well
18 that's because of the – the state that you've put me in and the
19 government's put in and they don't care for injured workers. And I wasn't
20 gonna get in the argument with ...

21 **Henstridge:** Uhm...uhm.

22 **Smyth:** ... with him on his – on his issue and you – you never do. I said I got real
23 concerns here and he took – I think he took that as like, you know, I – I got
24 a problem with him.

25 **Henstridge:** Uhm...uhm.

26 **Smyth:** What – what I was trying to say was I got concerns for you.

1 **Henstridge:** That's right.

2 **Smyth:** You know, you're living in absolute squalor here and, you know, I –
3 thinking my own body language, I'm stood up and I'm – I got the file folder
4 in my hand and I'm doing this and I was saying, Don – Don, I got real
5 concerns for you. And he's over here and, you know, he got agitated by
6 that. You could tell his body language changed again and – and he went
7 back to all the other conversation around the tweets around dead MHAs
8 and again you're an arm of the government. You're a fuckin' puppet.
9 And, ah, and that's when I started – I started to write something and I was
10 – I was stood up and I saw – like I went peripheral vision. I saw like the
11 barrel of a rifle and – and – and from there everything was just so fast and
12 so instinctive. Like I – if it – if it was a second that's all it was.

13 **Henstridge:** Uhm.

14 **Smyth:** And I – I looked and – and my head hadn't come up at this point. And I
15 just – it was processing. Like it happened so ...

16 **Henstridge:** Uhm.

17 **Smyth:** ... so fast. And I was saying to you coming in here, you go through these
18 – these situations a thousand times in your head and especially in our line
19 – in protective policing it's all you do. You go to an event, you go
20 somewhere with your – your primary – I know you've done protective
21 work, you know it, when – you're just going through scenarios.

22 **Henstridge:** Uhm.

23 **Smyth:** If – if X comes in here and has a weapon, okay, I'm gonna react this way.
24 The egress points are here. Steve is gonna take primary, go that exit, I'm
25 gonna engage subject...

26 **Henstridge:** Uhm.

1 **Smyth:** ... okay, and another guy walks in, if he brings out a weapon, he does this,
2 that's all you're doing. You're constantly doing that. But for – and having
3 gone, and I think we do it in any level of policing, front line policing, and
4 having gone through that in your head so many times. For me it was
5 always a very methodical process in so much that, you know, you're able
6 to say, okay, if your threat comes out, he shows a gun, I draw my firearm.
7 I'm in low ready. You know, if the threat is – is more imminent, I raise my
8 firearm, I start verbal commands, police drop your weapon, drop your
9 weapon. If the threat continues your finger goes off the rail on the trigger
10 and I engage the threat. And that's – to me that was kind of the process.
11 Well it was – like this was – I – I guess I'm somewhat embarrassed to say
12 it was not even fuckin' close to that.

13 **Henstridge:** Uhm.

14 **Smyth:** Cause for me all I did was I dropped the paper and I put my hand up. You
15 know, again you're rethinking it what the fuck you doin' with your hand up.
16 Am I gonna catch it. And so the gun – now I see the gun and the gun is
17 coming up towards me. And – and I – I just – I (Unintel). I'm thinking
18 egress points. So if Steve was him and Steve's kind of facing me, and I
19 feel like I – I was further away but, you know, I'd have to be there again
20 now to even get a sense of how far away I was cause I know it also was
21 not far. The distance was not far. So he's coming towards me with the
22 gun and the gun is pointed at me and I'm moving away from it. So I start
23 to move away and I draw my firearm and the gun is still coming at me and
24 I'm going towards the door. And I – like there was never – there was
25 never a point – the only thing I said was no. I said no, no, no. No, no, no,
26 is what I was saying. And I just – I started firing. And I think – I think I still
27 had my hand up and I fired two shots in center mass. And I don't know –
28 like I wasn't sure if it – if it connected, if it hit. He was still moving and he
29 still had – the weapon was still in his hands and I kept moving towards the
30 door. Like it was no – I'm describing this but I – it's very fluid and it's all –
31 there was never a stoppage in the – in the shots being fired. And I don't

1 know if my hand stayed up or if I brought it together. I – I – I'm not sure.
2 And so I – I came over to the body and I – and I – I shot at his head and I
3 don't know if I hit it. And as I'm still moving and I don't know if I hit his
4 head and I – it's a second shot which I know connected. In the side of the
5 head. I saw it and I – like I saw the – the movement of his head and he
6 just, you know in that flash – cause by this time I'm – I'm pretty much
7 alongside of him now ...

8 **Henstridge:** Okay.

9 **Smyth:** ... when this last shot even – you know, I – I've – and I don't – even the
10 gun is in his hands and I don't know now if it's – I'm focused on more of
11 his core.

12 **Henstridge:** Uhm.

13 **Smyth:** And I hit him in the side of the head and I'm bootin er out of the room.

14 **Henstridge:** Okay.

15 **Smyth:** Like that. It was – it was one second of – of like hand up, bang, bang,
16 bang, bang and out of the room. I was – I was out. And then it was – I
17 was still – I'm thinking, okay, the threat still there.

18 **Henstridge:** Uhm.

19 **Smyth:** Ah, and I started cutting the pie... come back in the room. And I'm coming
20 back in to see if – I don't – I'm – I don't know if he's on the ground, holding
21 the gun and he's kind of pointed back at me. I don't know what I'm gonna
22 see here. So I face around and I see the gun on the floor. The gun is now
23 in front of the chair. I come around and I see his – his head is up and he
24 has fallen – fallen back into the chair and he's – his head is up. To me he
25 looked deceased immediately. That's what it looked like to me. And, ah, I
26 I'm still very much still in like full adrenalin mode cause now I'm like – my
27 mind – my thought process switches to the neighbors, his bro – his brother

1 lived next door. And I said, okay, it's just been shots fired, I don't know if
2 his gun fired and I didn't – no idea.

3 **Henstridge:** Sure.

4 **Smyth:** As soon as my first shot went off, it was just biinngg. Everything was just
5 like almost silent. And, ah, I – I moved over to the front door and I'm
6 looking out the front door and in my head I'm seeing – I'm seeing like two
7 guys coming over with guns. This is what I'm – this is what's gonna
8 happen now.

9 **Henstridge:** Okay.

10 **Smyth:** To me. I think this is – the threat's not gone, now the – the family are
11 coming they know – ah, they know I've shot their brother. They're coming
12 – it's gonna be a holy war.

13 **Henstridge:** Sure.

14 **Smyth:** So I'm still really, really hyped up. In my head I'm thinking, and this is –
15 this is happening in like seconds ...

16 **Henstridge:** Sure.

17 **Smyth:** ... and probably – I'm – I'm – like three seconds from having just fired the
18 last shots. And, ah, I, ah, I remember I was thinking do – what do –
19 should I do tactical reload. I believed I had shot four times. You might tell
20 me I shot eight. I really don't know.

21 **Henstridge:** Yeah.

22 **Smyth:** But I feel confident that it was four. And so in my – while I'm doing the
23 math in my head, okay, you got eight rounds left. Ah, you do tactical
24 reload you'll have thirteen. Ah, you know, you know that eight rounds is a
25 good number or rounds, you should keep that cause you might drop the –
26 you drop your mag and – and you're gonna – those are your rounds are

1 gone. So keep your – this is what's goin' on in my head. And I'm slowly
2 kind of starting to – to breathe again. I'm still looking out the window. I'm
3 looking behind me. I don't know if someone's coming from elsewhere in
4 the house and, you know, I just kind of backed myself into a corner there
5 where I could see out the front, the driveway and I could glance over my
6 shoulder and look behind me. And a couple of more seconds and I start
7 to kind of – my hearing is starting to come back and, ah, I'm starting to
8 get, you know, relaxed as much as I guess you – you can. And so then
9 this – okay, let's - I need to get a call out here. So I pick up the phone and
10 my first call was to Com Centre here.

11 **Henstridge:** Uhm...uhm.

12 **Smyth:** And just hit one for the Emergency. Cause I had called 'em earlier so, you
13 know, I just, ah, ah, cycled down my phone and found the number and hit
14 it and hit one and they said what's your emergency and I – I told 'em, ah,
15 who I was, where I was and that I had shots fired and I needed
16 paramedics and I needed officers.

17 **Henstridge:** Okay. And you were inside the house when you made the phone call?

18 **Smyth:** Yeah.

19 **Henstridge:** Okay.

20 **Smyth:** I was – yeah.

21 **Henstridge:** So what do you recall happening after that?

22 **Smyth:** Ah, I stayed – I stayed there for what felt like an eternity. Like right there
23 in that spot. I'm still – you know, I'm – I'm now looking at him. I'm
24 assessing him and I'm – it's starting to be pretty confident he's deceased.

25 **Henstridge:** Uhm...uhm.

1 **Smyth:** And, ah, ah, I'm still back and forth there, the front door. I'm just pacing
2 back and forth. Look at him, the door. Ah, I did – there was a big piece of
3 plywood and write this in there. I'm just remembering this now.

4 **Henstridge:** Uhm...uhm.

5 **Smyth:** There was a big piece of plywood over the kitchen. Ah, I moved that
6 cause now I'm starting to think, okay, you got – needed to do some house
7 clearing, right. I don't know who else is here. And I didn't do much of a
8 house clearing. Pulled the plywood out, walked into the kitchen saw like a
9 grow op. It was a lot of – a lot of pot plants there. And so I didn't see
10 anybody there. Stepped out and, you know, I'm doing the verbal
11 command thing and, ah, I walk into another room. There's another big pot
12 plant there and again verbal commands. And that – that was the extent of
13 my – my house check.

14 **Henstridge:** Okay.

15 **Smyth:** And I went back and I was – I stayed right there for it was an extended
16 period of time. I'm still really – the adrenalin is still I'm hyped. I had
17 holstered my – my weapon and, ah, again, you know, I kept checking on
18 him and, ah, it became pretty clear to me and I looked around the front of
19 his face and realized that – that it looked like my first head shot had – I
20 don't know it looked like – I didn't get a good look, it was – it's not
21 something I was ...

22 **Henstridge:** Uhm.

23 **Smyth:** ... don't normally have issues with dead bodies but this one really ...

24 **Henstridge:** Of course.

25 **Smyth:** ... really hit home like when I saw a wound in the front of his head and I
26 was like holy f – it was just like oh my God.

27 **Henstridge:** Uhm. Okay.

1 **Smyth:** And, ah, so everything – like every – I can't – I don't know if I felt his neck
2 or not. But I was looking for breathing and there was no signs of breathing
3 and I don't think I touched his neck. There was nothing there that said to
4 me this guy had any signs of life whatsoever. And it wasn't too long after
5 that the Com Centre – I had called our Com Centre right after I called
6 yours even though I told them to call 'em. And I called 'em, I don't know
7 why. I just – just did.

8 **Henstridge:** Yeah.

9 **Smyth:** I just told 'em what happened and needed to notify Duty NCO. And I told
10 'em to call Humane Services out.

11 **Henstridge:** Like it was a lot of cats.

12 **Smyth:** Yeah, I don't – yeah, not ...

13 **Henstridge:** Uhm.

14 **Smyth:** ... exactly what you should be thinking at the time, like.

15 **Henstridge:** Uhm.

16 **Smyth:** Deal with the guy – yeah, I need Humane Services. I think I told 'em to
17 come – I think I told your people to call Forensics and Major Crime like.

18 **Henstridge:** Uhm.

19 **Smyth:** I – and I realize in hindsight that that's obviously not your priority but it's
20 what came out.

21 **Henstridge:** No, it's...

22 **Smyth:** And – and, ah, I'm sure somebody listened to that recording - no shit.

23 **Henstridge:** Well no, I think anybody listening to that recording is probably gonna say
24 holy shit.

1 **Smyth:** Yeah.

2 **Henstridge:** You had a lot goin' on in your head and the fact that you were thinking
3 about that stuff I don't – that's certainly understandable.

4 **Smyth:** So I eventually went outside and, ah, I – I don't think I came back inside
5 after that. I went outside after a few minutes and I don't know if it was –
6 like I feel like it was probably fifteen minutes of being inside, mostly stood
7 up there in the doorway. And so I went outside and I remember I got
8 thirsty like instantaneously.

9 **Henstridge:** Yeah.

10 **Smyth:** My mouth went just bone dry. And – and I was just – and once I started to
11 calm down a bit and assess everything I was like I need water. Really,
12 really need water. And I walked out to the – to my vehicle and – and
13 hauled out a bottle of water there and just kind of like decompressing a bit
14 and stood there. And I said I stayed right there and I believe the brother
15 and sister might have driven up and down the road. Ah, so I don't know if
16 they turned on the – I wanted to turn the lights on the car as well, the
17 emergency lights.

18 **Henstridge:** Right.

19 **Smyth:** Cause it's an unmarked Yukon so I was fearful of you guys not being able
20 to find me.

21 **Henstridge:** Right.

22 **Smyth:** Ah, I don't – I don't know how much longer it was after that Adrian showed
23 up. I told him what happened. I, you know, he – I told him exactly what
24 happened.

25 **Henstridge:** Yeah.

26 **Smyth:** Not in this explicit detail.

1 **Henstridge:** Sure.

2 **Smyth:** But, you know, the core of it that where I was standing, that I shot him,
3 what had happened. Told him there was a firearm on the floor.

4 **Henstridge:** Okay.

5 **Smyth:** You know, and that he was deceased. Cause your Com Centre had
6 called back at one point in time too and said Health Sciences wanted to
7 know if they needed an air evacuation done. You know, I said, well I – I
8 don't know if I'm the right one to give ...

9 **Henstridge:** Yeah.

10 **Smyth:** ... make that call but to me he's dead.

11 **Henstridge:** Yeah.

12 **Smyth:** Air evacuation is pointless.

13 **Henstridge:** Yeah.

14 **Smyth:** I'm looking at a dead body. And, ah, and then it was all just kind of setting
15 in and – and I think even when I said that it was like, oh fuck, maybe you
16 should – who are you to say he's dead. You know, I knew. I knew. I
17 knew the guy's dead even though every ounce of me wanted to say ...

18 **Henstridge:** Uhm.

19 **Smyth:** ... say be alive.

20 **Henstridge:** Uhm.

21 **Smyth:** But he was – it was just – there was no question in my mind.

22 **Henstridge:** Okay.

1 **Smyth:** And so, yeah, then more of you guys showed up and the paramedics
2 showed up and, you know, I told what I had to tell ...

3 **Henstridge:** Uhm.

4 **Smyth:** ...you know, for their safety and that of course and made sure they knew I
5 didn't – I didn't do a proper, thorough clearing on the house. And I'm not
6 sure what - of also relevance ... (unintel) ... to see if I missed anything
7 here.

8 **Henstridge:** Yeah, we're gonna go back anyway but ...

9 **Smyth:** Yeah.

10 **Henstridge:** ... you can go ahead.

11 **Smyth:** And I said I was talking to the brother and sister before I went - entering.

12 **Henstridge:** Yeah.

13 **Smyth:** I remember he – he said to me he could say what he wants on social
14 media.

15 **Henstridge:** Okay.

16 **Smyth:** And that's what lead into the lots of dead MHAs, there will be more dead
17 out – dead MHAs. But he said that a lot – a number of different times, in
18 different ways. And I told him that he was not under arrest and I just
19 wanted to get a sense of what he meant by his comments. I think I said
20 that. Yeah, I don't think there's anything ...

21 **Henstridge:** Joe, what I'd like to do is kind of go back and recap what you've – what
22 you told me, is – at least what I understand it to be. Correct me at any
23 point, add any detail that you think you left out or I'm stimulating a memory
24 that – that didn't occur to you initially. It's my understanding that Friday
25 evening sometime you received an email. Is that how the initial complaint
26 came in?

1 **Smyth:** That's right.

2 **Henstridge:** And it came from the office of the Premier's office.

3 **Smyth:** Yeah, Donna Ivey.

4 **Henstridge:** Okay. Donna Ivey.

5 **Smyth:** Yeah.

6 **Henstridge:** Okay. And it had something to do with threats on – on Twitter.

7 **Smyth:** Yeah.

8 **Henstridge:** So between Friday and Saturday you commenced an investigation to kind
9 of figure out who the person was ...

10 **Smyth:** Right.

11 **Henstridge:** ... what the nature of the threats were, some background Indices checks
12 and so on. You were able to find an address through MRD for Donald
13 Dunphy in Mount Carmel and you travelled down there Sunday. At what
14 time did you go down there?

15 **Smyth:** Ah, I got it here. I'll give you the exact time.

16 **Henstridge:** Yeah. Sure.

17 **Smyth:** It was 11:22 when I contacted you guys and said I was going out there
18 and I got around three thir – 'er one – one thirty is when I located the
19 Dunphy residence.

20 **Henstridge:** Okay.

21 **Smyth:** Yeah.

22 **Henstridge:** Okay, so you called in. You basically let our shop know that you're in the
23 area and you spoke to Adrian Cox. Is that right?

1 **Smyth:** Yeah.

2 **Henstridge:** And he wanted to know if you wanted any assistance and based on your
3 threat assessment at that time you didn't think that that would help. In fact
4 you felt that that would probably aggravate things ...

5 **Smyth:** Yeah.

6 **Henstridge:** ... is my understanding. So you go down and you go to the house and
7 you're immediately struck by the deplorable conditions of the house and
8 you walk kind of around the house. Is that ...

9 **Smyth:** Didn't go – just to the side.

10 **Henstridge:** The side.

11 **Smyth:** Yeah. The side and front, yeah.

12 **Henstridge:** Took note of the sign, attempted to knock on the window and there was no
13 indication of anybody being there. So you leave then and you go to the
14 neighbors and you find out, you speak to the female resident. Is that
15 right?

16 **Smyth:** Yes.

17 **Henstridge:** Initially.

18 **Smyth:** Yeah.

19 **Henstridge:** You speak to the female resident and you learn that that's the sister-in-
20 law. So you engage in a conversation with her, again I guess, to assess
21 risk, to determine specific risks and general risks.

22 **Smyth:** Yes, that's right, yeah.

1 **Henstridge:** Ah, and learn that there's been some issues, family squabbles and so on
2 and that some of his behaviour is somewhat erratic. Ah, did the – did the
3 brother show up at some point?

4 **Smyth:** He did, yeah.

5 **Henstridge:** Okay. And you asked both of them at the same time.

6 **Smyth:** Mind if ...

7 **Henstridge:** Yeah, go ahead.

8 **Smyth:** Okay, so that's ... (unintel) ... (*telephone conversation*)... Hello, hi Sir.
9 Yeah, no I'm just here at the – the RCMP there now so I'm giving a
10 statement. I was just lettin' you know I was on my way down there. So
11 that was all. Okay, thank you. ... (*telephone conversation ends*)... Sorry.

12 **Henstridge:** ... (unintel) ... So, ah, you asked some specifically about whether or not
13 they felt physically threatened by the brother and she seemed to indicate
14 to you that he made her uneasy but ...

15 **Smyth:** Yeah. I said do you feel like he – he'd hurt ya.

16 **Henstridge:** Yeah.

17 **Smyth:** She said noooo. She was reluc – she didn't give me a clear answer.

18 **Henstridge:** Yeah.

19 **Smyth:** She said, no not really, he makes me feel uneasy. She talked about
20 gardening, how she likes to – to go out and garden and I think they have
21 a, ah, a handicap child ...

22 **Henstridge:** That's right.

1 **Smyth:** ... and find it therapeutic to go out in the garden. She said it's one of the
2 things I enjoy and I can't do that. I can't do it because if he's home I can't
3 do it and if he's gone I'm – I'm okay.

4 **Henstridge:** How long do you figure you were there at her place?

5 **Smyth:** I'd say twenty-five minutes, twenty minutes.

6 **Henstridge:** And you asked specifically about firearms when you were there and they
7 didn't think there were any firearms in the house.

8 **Smyth:** No. He said no.

9 **Henstridge:** He said no.

10 **Smyth:** To me it felt like he knew.

11 **Henstridge:** Okay.

12 **Smyth:** He said no. That he's – he remarked that he was not a hunter and ...

13 **Henstridge:** Okay.

14 **Smyth:** ... said no, no, no, no, no firearms there.

15 **Henstridge:** Okay. So you – you leave and when you leave, I guess your initial
16 intention is to just continue on up Salmonier Line but you noticed in the
17 driveway that there's a – the vehicle is parked there.

18 **Smyth:** Yeah. When I checked the driveway before I left ...

19 **Henstridge:** Okay.

20 **Smyth:** ... when I was there.

21 **Henstridge:** Yeah.

22 **Smyth:** No, I didn't think it'd be there.

1 **Henstridge:** Yeah.

2 **Smyth:** I didn't feel like I was there all that long but ...

3 **Henstridge:** Yeah.

4 **Smyth:** ... (unintel) ... was.

5 **Henstridge:** So you drive up the driveway, ah, and park and get out. Do you recall if
6 you called in your location or anything along those lines at that point?
7 They already knew.

8 **Smyth:** Yeah.

9 **Henstridge:** Our Telecoms knew where you were gonna be anyway.

10 **Smyth:** Yeah.

11 **Henstridge:** So you get out and again you kind of do an assessment of the side of the
12 house and the front of the house. When you look in the – in the window
13 as you're approaching, can you see him in there?

14 **Smyth:** No.

15 **Henstridge:** No. So it's at this point you knock on the window again. Is that right?

16 **Smyth:** Uhm...uhm.

17 **Henstridge:** And what – what he – does he shout out to you or?

18 **Smyth:** No, he just opened the door.

19 **Henstridge:** So he opened the door.

20 **Smyth:** He opened the front door and I walked over towards it.

21 **Henstridge:** Okay.

22 **Smyth:** Cause I couldn't – cause the – the door ... (unintel)... a little bit.

1 **Henstridge:** Yeah.

2 **Smyth:** So I heard the door open cause I was still kind of at the corner of the
3 residence.

4 **Henstridge:** Yeah.

5 **Smyth:** And I walk over.

6 **Henstridge:** Right.

7 **Smyth:** He – he stood there like.

8 **Henstridge:** And at what point did you identify yourself?

9 **Smyth:** Immediately.

10 **Henstridge:** Before you went in the house?

11 **Smyth:** Oh yeah.

12 **Henstridge:** Okay.

13 **Smyth:** From – I was still stood down on the grass.

14 **Henstridge:** Oh okay, you were still on the grass.

15 **Smyth:** Yeah.

16 **Henstridge:** Okay. And what was his response? He invited you in ... (unintel)...

17 **Smyth:** He said, no problem, come on in.

18 **Henstridge:** Okay. What intervention options did you have with you at that point?

19 **Smyth:** Pepper spray and firearm ...

20 **Henstridge:** Okay.

1 **Smyth:** ... and handcuffs.

2 **Henstridge:** Did you have your vest on at that time?

3 **Smyth:** No.

4 **Henstridge:** Okay. So you walk in. Where's he? Like he – he – he invites you in so
5 where does he go immediately? Does he go immediately into the living
6 room or does he talk to you outside?

7 **Smyth:** Out – it was in the foyer there for a bit.

8 **Henstridge:** Okay.

9 **Smyth:** Yeah.

10 **Henstridge:** And, ah, and you said then at some point he invites you to come on in to
11 the living room or.

12 **Smyth:** Yeah, he says come in, come in, sit down, sit down.

13 **Henstridge:** Okay. So he comes in and he sits in the chair. I – I know the one you're
14 talking about which is on the opposite side of the wall when you kind of
15 enter the foyer – the living room.

16 **Smyth:** Right. Yeah, he'd have to come right around ...

17 **Henstridge:** Yeah. And you're speaking to him. You said you were kind of looking
18 around. When you say you're looking around, were you looking around
19 the rest of the house or ...

20 **Smyth:** Yeah.

21 **Henstridge:** Okay.

22 **Smyth:** And I didn't move to the rest of the house.

23 **Henstridge:** Okay.

1 **Smyth:** You know, I did look down the hallway and I noticed that woodwork over
2 the ...

3 **Henstridge:** Okay.

4 **Smyth:** ... over a room. I didn't know what was in there.

5 **Henstridge:** Okay.

6 **Smyth:** And I just had a poke – poke my head down there. It looked like ...

7 **Henstridge:** Right.

8 **Smyth:** ... clo – closed doors.

9 **Henstridge:** Yeah.

10 **Smyth:** And, ah, and then I just kind of back – I went right to the back of the – the
11 living room.

12 **Henstridge:** Is that where you spent of your time ...

13 **Smyth:** Yeah.

14 **Henstridge:** ... talking to him, in the back of the living room?

15 **Smyth:** Yeah.

16 **Henstridge:** And you said initially – so you're – your kind of – your threat cues are very
17 low at this point because he's a small guy. You do notice that he's not
18 acting, you know, agitated or anything at least initially.

19 **Smyth:** Right.

20 **Henstridge:** And then as the conversation progresses he becomes increasingly
21 agitated particularly around the issue of the MHAs and dead MHAs and so
22 on. And you said you noticed at some point the stick or the bat, as you
23 described it. Where – where was that situated in relation to him?

1 **Smyth:** Ah, right – on the left side of the chair.

2 **Henstridge:** On the left side of his chair.

3 **Smyth:** He could have – he could have reached down and got it.

4 **Henstridge:** Right. Yeah okay, so you talk to him about that. He indicated that it was
5 for protection. At some point, you said out of concern for his health and
6 welfare you – you made mention that, you know, there's bugs and so on
7 and you kicked some garbage out the way.

8 **Smyth:** Yeah.

9 **Henstridge:** That was still over by the mantle. Is that right?

10 **Smyth:** Yeah. I was pretty much – I was by – pretty close to standing in the
11 middle of living room when I kicked the stuff out of the way and it was ...

12 **Henstridge:** Okay.

13 **Smyth:** ... I think they were carpenters.

14 **Henstridge:** Okay. And was it your understanding this agitated him even more or.

15 **Smyth:** I don't know if it was that or if he was just escalating on his own. I don't
16 know. Like ...

17 **Henstridge:** Okay.

18 **Smyth:** ... you know, see – his agitation it just seemed to me, you know, in
19 reflection, that it just kind of hit him like there's a cop in my house ...

20 **Henstridge:** Right.

21 **Smyth:** ... and he's questioning me and I don't like it.

22 **Henstridge:** Okay.

1 **Smyth:** Uhm. That's – you know, I don't know if it was anything specific ...

2 **Henstridge:** Yeah.

3 **Smyth:** ... that really started that agitation.

4 **Henstridge:** From the time you were invited into the house, or your initial contact when
5 you spoke with him, to the point where, ah, you noticed the firearm, you
6 have an estimate about how long that – that exchange was? Just to give
7 me some idea.

8 **Smyth:** Fifteen minutes.

9 **Henstridge:** Fifteen minutes. Okay. And you said you were ...

10 **Smyth:** And that's a really – like I said, real guestimate, you know, cause I wasn't
11 – I didn't – I hadn't looked at times and.

12 **Henstridge:** I know. I know. I know. So again rightfully you're kind of looking around
13 for threat cues and the more you look the more he becomes agitated by –
14 by what you're doing so you decide that you're going to either – you can't
15 remember if you wrote or you pretended to write something in your notes.

16 **Smyth:** Yeah.

17 **Henstridge:** And so your head was down but you still had him in your peripheral. And
18 it's my understanding that the way you described it is I saw in a peripheral
19 of my vision the barrel ...

20 **Smyth:** Yeah.

21 **Henstridge:** ... of a gun.

22 **Smyth:** A barrel.

23 **Henstridge:** Did you see where it came from?

24 **Smyth:** No, that's what I've been racking my brains over.

1 **Henstridge:** Okay.

2 **Smyth:** It came – it came from his right side. So I don't know if it came from the
3 chair ...

4 **Henstridge:** Okay.

5 **Smyth:** ... or if it came – like if he had it, you know, jimmy rigged to the side of the
6 chair ...

7 **Henstridge:** Okay.

8 **Smyth:** ... or if he reached down on the floor.

9 **Henstridge:** So you never – you didn't have an opportunity before that to kind of see
10 what was going on in the right side ...

11 **Smyth:** No.

12 **Henstridge:** ... of the chair.

13 **Smyth:** It was only – it was all peripheral and – and he was doing lots of – lots of
14 this and lots of moving around so it wouldn't – it didn't – I guess his
15 moving wasn't drawing my attention. It wasn't until I saw – and I think I
16 even might have thought like – my first – maybe like a broom stick or
17 something.

18 **Henstridge:** Right.

19 **Smyth:** You know, like that was- you know what you're peripheral vision is like.
20 You just get kind of shapes and – but as soon as my eyes moved that ...

21 **Henstridge:** Yeah.

22 **Smyth:** ... that little bit it was – gun. It was no question.

23 **Henstridge:** And you said rifle. The next – from this point on to the point where your
24 last shot is fired is probably less than a couple of seconds.

1 **Smyth:** Oh absolutely. Yeah.

2 **Henstridge:** You said that your hand came up and you almost simultaneously started
3 moving towards the exit.

4 **Smyth:** Yeah.

5 **Henstridge:** And as your moving towards the exit the firearm is – is following you
6 across and you're shouting – you think you might have been shouting
7 no...

8 **Smyth:** No. I was...

9 **Henstridge:** And ...

10 **Smyth:** ...definitely saying no.

11 **Henstridge:** You shot two, as you recall, two to the centre mass. As you're moving
12 you fire a third and a fourth ...

13 **Smyth:** Yeah.

14 **Henstridge:** ... in the area of his head.

15 **Smyth:** Yeah.

16 **Henstridge:** At this point you don't even know, with the exception of the last round, you
17 – at that point, you don't know if you've hit him or not.

18 **Smyth:** No.

19 **Henstridge:** So ...

20 **Smyth:** Like even though – in hindsight, looking back at it ...

21 **Henstridge:** Yeah.

22 **Smyth:** ... I know those centre mass shots, they had to hit.

1 **Henstridge:** Yeah.

2 **Smyth:** I – I mean, you might – you might correct me and say, no boy, they were
3 fuckin' five feet away but you know I really feel now that I re-evaluate,
4 think back on this, I was – I mean I was close.

5 **Henstridge:** Yeah.

6 **Smyth:** And it was pure instinctive shooting.

7 **Henstridge:** Sure.

8 **Smyth:** It was not far. Like I – they're – if those shots missed I don't know what to
9 say.

10 **Henstridge:** Are you able to estimate how far you were when the initial shot was
11 taken? I'm asking – it's kind of asking you a lot but, ah. Do you think you
12 were closer to the mantle or were you kind of closer to the mantle ...

13 **Smyth:** Oh, I was right at the mantle.

14 **Henstridge:** ... (unintel) ... You were at the mantle.

15 **Smyth:** Yeah, I was. Yeah, I was right there. I'm just tryin to give you a distance.
16 I was definitely at the mantle. You know, I – all I – I had done enough to –
17 this arm had dropped paper and – and my hand came up.

18 **Henstridge:** Okay.

19 **Smyth:** There was – there was a table there.

20 **Henstridge:** Yeah.

21 **Smyth:** And I was stood kind of back from that table.

22 **Henstridge:** Okay.

1 **Smyth:** I think there was a coffee table there. And so I was behind that and at –
2 well not even necessarily behind that. I think – so the table was right
3 here...

4 **Henstridge:** Yeah.

5 **Smyth:** ... I was probably just to say the corner of the table might have been right
6 here. I think I went behind it. I don't know which side of the table I went.

7 **Henstridge:** And in a matter of one to two seconds you – you get – your hand may
8 have been up. You said you're not a hundred percent sure if it was up.

9 **Smyth:** It started up for sure.

10 **Henstridge:** And then you may have come back down. It's hard to say. And there
11 were, as you remember, four rounds, two to the body and two to the head.
12 You go out. You basically step out. You cut the pie coming back to sort of
13 assess him and it's your – it's – it's at this point that you realize that you've
14 hit him. Is that right?

15 **Smyth:** Yeah.

16 **Henstridge:** And you realize you've hit him – where do you realize you've hit him at
17 that point?

18 **Smyth:** I knew – I – I saw – I could see the bullet hole in his temple.

19 **Henstridge:** Okay.

20 **Smyth:** And, ah, eventually when I got around the front and I saw – it can't be the
21 same one. You know, unless I was – unless this one came from more
22 from behind. But I don't think that's possible.

23 **Henstridge:** Okay. And, ah, so when you come back after that – after that last round
24 and you assess his damage, where's the firearm at this point?

25 **Smyth:** Ah, his firearm?

1 **Henstridge:** Yeah.

2 **Smyth:** On the floor. That's the first thing I saw.

3 **Henstridge:** Did you – did you move the firearm or ...

4 **Smyth:** No.

5 **Henstridge:** ... touch or ...

6 **Smyth:** I didn't touch it.

7 **Henstridge:** Okay. You never touched it. Okay. And so then you're in a state where
8 you're saying well he's presumably, there's been gunshots fired, I could be
9 getting approached by any of the neighbors that are not particularly happy
10 that I ...

11 **Smyth:** Shot their brother.

12 **Henstridge:** ... happy about what just happened. So you attempted to clear the house
13 on some level. Ah, you said you kind of, not – I don't know if you used the
14 word did but you kind of went to a corner. Do you remember where that
15 was?

16 **Smyth:** It was just in – in the front door.

17 **Henstridge:** Okay.

18 **Smyth:** It wasn't really a corner. It was where the door – like right at threshold of
19 the door per se.

20 **Henstridge:** Okay.

21 **Smyth:** Basically leaning against the – the wall, the threshold.

22 **Henstridge:** Yeah.

23 **Smyth:** The screen door. I think it was – pretty sure there's a screen door there.

1 **Henstridge:** Yeah.

2 **Smyth:** And so I got a – a visual of like the driveway. I could see some of the, you
3 know, the access, a couple of trees from ... (unintel)... a neighbor's yard.
4 And I could – you know, I could glance over my shoulder and see over my
5 shoulder.

6 **Henstridge:** And you said there was a piece of plywood in the kitchen area that you
7 removed because you wanted to be able to see through the back.

8 **Smyth:** Yeah.

9 **Henstridge:** And, ah, it's at this point, and correct me if I'm wrong, that you made the
10 phone call to our Telecoms operator.

11 **Smyth:** I don't know if I made that before I checked or. I think I called the Com – I
12 think I called Telecoms before I even cleared the house.

13 **Henstridge:** Okay. And then you called your – your group. And I guess there's –
14 there's a few different conversations with Telecoms prior to Adrian
15 showing up. Is that right?

16 **Smyth:** Ah, they called back again and asked about a potential airlift.

17 **Henstridge:** Yeah.

18 **Smyth:** And I don't know if they called for something else. They might have.

19 **Henstridge:** Okay. And then you, ah, - at some point you leave the house. This is
20 prior to Adrian showing up.

21 **Smyth:** Yeah.

22 **Henstridge:** And you go to your PC and you activate the lights. Is that right?

23 **Smyth:** Yeah.

1 **Henstridge:** And you notice that the brother and the sister that you'd been speaking to
2 moments drove up the road.

3 **Smyth:** I think it was him. I can't say for sure. It was black – I think probably a
4 Chevy Impala, a newer style.

5 **Henstridge:** Did anybody approach you, any of the neighbors or anybody? So the first
6 person you spoke to after all this happened was Adrian.

7 **Smyth:** Adrian Cox.

8 **Henstridge:** And he shows up and your estimate is maybe fifteen ...

9 **Smyth:** ... (unintel)...

10 **Henstridge:** Did you say how long it took to – for the ...

11 **Smyth:** I was thinking for him to get there was probably closer to half an hour.

12 **Henstridge:** Was it. Okay.

13 **Smyth:** Maybe. I could be wrong, I really could – like it was – some things
14 seemed to happen in the flash of an eye. Other things ...

15 **Henstridge:** Sure.

16 **Smyth:** ... felt like an eternity.

17 **Henstridge:** Sure. Okay. And then ...

18 **Smyth:** I feel like I was in the house for fifteen minutes...

19 **Henstridge:** Yeah.

20 **Smyth:** ... before I even came outside. And then I feel like I was probably outside
21 for another ten minutes.

22 **Henstridge:** Yeah. Yeah.

1 **Smyth:** But you might tell me that's ten minutes ...

2 **Henstridge:** No.

3 **Smyth:** ...from the time I called to ...

4 **Henstridge:** Your sense of time during that kind of incident is kind of warped
5 sometimes, you know. Ah, so when he shows up you kind of give him the
6 Reader's Digest version of what had just happened ...

7 **Smyth:** Yeah.

8 **Henstridge:** ... and, ah, do you recall turning your firearm over or any of that stuff?

9 **Smyth:** Yeah. I'm thinking to Trevor.

10 **Henstridge:** Okay. Okay.

11 **Smyth:** I might not have the name right.

12 **Henstridge:** Yeah, Trevor.

13 **Smyth:** Uhm.

14 **Henstridge:** And, ah, and from that point, how do you get back to Holyrood?

15 **Smyth:** Another member. Officer. I can't remember his name.

16 **Henstridge:** Okay.

17 **Smyth:** He took me in the Tahoe.

18 **Henstridge:** Okay.

19 **Smyth:** They – the Paramedics wanted to take my vitals and stuff...

20 **Henstridge:** Sure.

21 **Smyth:** ... my blood pressure and ...

1 **Henstridge:** Sure.

2 **Smyth:** So I was there for a little while and I guess, you know, the family started to
3 arrive, the media started to arrive and ...

4 **Henstridge:** Yeah.

5 **Smyth:** ... they said let's get you out of here so.

6 **Henstridge:** Good. You gave a very thorough account. I really appreciate it. I'm just
7 gonna see if there's any questions that I, ah, that I need to cover off. You
8 indicated that you had no previous contact with him. You'd never spoken
9 to him before...

10 **Smyth:** No.

11 **Henstridge:** ... but you did do some research on the Internet to see kind of what types
12 of tweets he was making.

13 **Smyth:** Yeah.

14 **Henstridge:** Okay. And what – were there any other kind of threatening tweets or were
15 they all ...

16 **Smyth:** Not – not that I saw.

17 **Henstridge:** Okay.

18 **Smyth:** He's got – I think something like twenty-six thousand.

19 **Henstridge:** Okay.

20 **Smyth:** So I'd – you know, I'd be lying if I said I went through every one of 'em.

21 **Henstridge:** Right.

22 **Smyth:** A lot of 'em are re-tweets.

1 **Henstridge:** Right.

2 **Smyth:** Just – I mean, I went – I went back - I like to say I went back a year...

3 **Henstridge:** Okay.

4 **Smyth:** ... and, ah, you know, you're skimming these through. It's a little bit tough
5 too cause you get into conversations with other people and you – you
6 don't necessarily see that on his feed and.

7 **Henstridge:** Yeah.

8 **Smyth:** So no, I – that was – probably that was the most disconcerting one I saw.
9 Lots of aggressive kind of language and ...

10 **Henstridge:** Yeah.

11 **Smyth:** But, ah ...

12 **Henstridge:** Ah, ...

13 **Smyth:** Yeah. That comment was not out of the norm with what we'd seen.

14 **Henstridge:** No.

15 **Smyth:** You know, it was – we've had a number of those and I'd – a far cry now to
16 call it routine but ...

17 **Henstridge:** You got a fair amount of training in, ah, in, ah, I guess, firearms and stuff
18 like that. You're a TRU¹ member, is that right?

19 **Smyth:** No.

20 **Henstridge:** You're not a TRU member?

21 **Smyth:** No.

¹ TRU – Tactical Response Unit.

- 1 **Henstridge:** So when was – do you recall when your last recert was for firearms?
- 2 **Smyth:** I'd say the fall.
- 3 **Henstridge:** Okay. Are you a fairly good shot?
- 4 **Smyth:** Yeah.
- 5 **Henstridge:** Okay.
- 6 **Smyth:** I believe so.
- 7 **Henstridge:** Yeah.
- 8 **Smyth:** I'm usually, you know, within a couple of points of a perfect score. If not...
- 9 **Henstridge:** Okay.
- 10 **Smyth:** ... a perfect score.
- 11 **Henstridge:** So that's good to know. Ah, when did you initially take notes on – on this
12 whole thing?
- 13 **Smyth:** This morning.
- 14 **Henstridge:** This morning. Okay. And you gave me a fairly clear picture in times of –
15 in terms of timeframes.
- 16 **Smyth:** Some of the times I got off my cell phone.
- 17 **Henstridge:** Okay.
- 18 **Smyth:** Cause I went with – when I called your Com Centre...
- 19 **Henstridge:** Yeah.
- 20 **Smyth:** ... that was my – I know I called at 11:22 cause I looked at my phone.
- 21 **Henstridge:** Right.

1 **Smyth:** Eleven. And I know exactly when I called 'em the next time because ...

2 **Henstridge:** Yeah.

3 **Smyth:** ... it come from – that's where I got some of my time references.

4 **Henstridge:** Okay. You said your – the notes that you were taking was a folder was it?

5 **Smyth:** Yeah, it's just a yellow – it was - ... (unintel)... except yellow.

6 **Henstridge:** Do you remember putting it down or throwing it down or dropping it?

7 Remember how that ended up ...

8 **Smyth:** Just dropped it.

9 **Henstridge:** You just dropped it. Okay. And you wouldn't remember kind of where it
10 ended up because you were focused on the threat.

11 **Smyth:** Yeah. No idea. I never thought about it after.

12 **Henstridge:** No. Okay. Ah, you said you're not sure if you checked a pulse or not but
13 you were trying to monitor for breathing, couldn't indicate any. And as far
14 as you could see, based on the injuries, there was no indication of life.

15 **Smyth:** No.

16 **Henstridge:** So there was very little point, I guess, in trying to render medical
17 assistance at that point.

18 **Smyth:** No.

19 **Henstridge:** Ah, ...

20 **Smyth:** I – I did see – I did notice like gray matter as well on the side of his ...

21 **Henstridge:** Yeah.

22 **Smyth:** ... it looked like it anyway to me.

1 **Henstridge:** Yeah.

2 **Smyth:** On the side of his head.

3 **Henstridge:** Okay. And you're getting lots of support.

4 **Smyth:** Yeah.

5 **Henstridge:** Is that fair to say? Ah, Steve, I've ...

6 **Burke:** I'm just wanna ask a couple of quick questions that are – I've wrote some
7 notes here and, ah, ah, you spoke with someone at Worker's Comp,
8 someone Mahoney.

9 **Smyth:** Yeah. Tom.

10 **Burke:** What was – Tom.

11 **Smyth:** Tom, yeah.

12 **Burke:** You answered a lot of the questions that I had ...

13 **Henstridge:** Yeah, me too.

14 **Burke:** ... when I was going through 'em here. When you, ah, identified yourself,
15 can you take us through that? What, you know, did you use your badge,
16 your police ID, and how you identified yourself as – were you a member of
17 the Premier's Protective Detail ...

18 **Smyth:** No.

19 **Burke:** ... were you a member of the RNC.

20 **Smyth:** RNC.

21 **Burke:** Can you just take us ...

1 **Smyth:** Joe – yeah, I didn't use – I don't – I don't - never use rank and I bloody
2 know how rank - Acting Sergeant for two years so ...

3 **Burke:** Uhm.

4 **Smyth:** ... I don't know what it is myself – like – so I – I – and I don't – I don't do
5 that anyway.

6 **Henstridge:** Yeah.

7 **Smyth:** You know, it's just – as matter of, you know, rapport. So I just took the –
8 like the badge and wallet is always in this pocket.

9 **Henstridge:** Yeah

10 **Smyth:** And I just took my – I took it out there today, so it's this ID ...

11 **Henstridge:** Yeah.

12 **Smyth:** ... is vertically here and the badge falls right below it which is our...

13 **Henstridge:** Oh.

14 **Smyth:** ... our full size. The same as our breast shield.

15 **Henstridge:** Okay.

16 **Smyth:** And so I just – I held the whole thing up ...

17 **Henstridge:** Yeah.

18 **Smyth:** ... vertically like that and I said Joe Smyth with the RNC.

19 **Henstridge:** Yeah.

20 **Smyth:** Could I come in and talk to you for a minute.

21 **Henstridge:** Okay. He was – so he – as far as you could see he understood that you
22 were, or at least he should have understood that you were a police officer.

1 **Smyth:** Oh yeah. Yeah.

2 **Henstridge:** But he continued to ask you about who sent you.

3 **Smyth:** Yeah. He didn't ask that until ...

4 **Henstridge:** Okay.

5 **Smyth:** ... he started to get to that agitated state.

6 **Henstridge:** Right.

7 **Smyth:** Ah, he – yeah, he knew I was police officer. He asked RNC, you know,
8 what you doin' out here, this is RCMP area.

9 **Henstridge:** Oh is that right.

10 **Smyth:** Yeah, he said that.

11 **Henstridge:** Okay.

12 **Smyth:** And, ah, so I told him. I never did tell him what I did.

13 **Henstridge:** Uhm.

14 **Smyth:** You know, specifically what unit I worked with. I mean, I guess he – he
15 may have gathered ...

16 **Henstridge:** Yeah.

17 **Smyth:** ... once I identified exactly what I was investigating.

18 **Henstridge:** Yeah. Okay.

19 **Burke:** You went through it a little bit. Did you move anything at the scene at all?
20 I know the plywood up against the, ah, kitchen doorway. Anything else
21 that you moved in – at the scene at all, just so we – we know?

1 **Smyth:** I don't think so. You asked me about the gun. And I – I don't think I
2 moved a – cause now I'm thinking you should have fuckin' moved it.

3 **Henstridge:** But – not if he was – not if you were assessing the fact that he was dead.

4 **Smyth:** That's right. Yeah. No, I was seeing him as dead but I think I was
5 thinking – you get – you get your kind of crime scene mode in.

6 **Henstridge:** Right.

7 **Smyth:** Don't touch anything.

8 **Henstridge:** Yeah.

9 **Smyth:** Brain – you don't gotta touch.

10 **Henstridge:** Uhm...uhm.

11 **Smyth:** But part of me said, well – well you probably should have cleared that gun
12 and being safe and – but I don't think I did.

13 **Henstridge:** No. No, I wasn't asking for that reason.

14 **Smyth:** Yeah. No.

15 **Henstridge:** I was asking just to determine whether or not ...

16 **Smyth:** I can say with pretty high degree of confidence where you found that gun
17 that's where it fell.

18 **Henstridge:** Okay.

19 **Smyth:** Yeah.

20 **Burke:** Fine.

21 **Henstridge:** Okay.

22 **Smyth:** Excuse me, I'm just – like I'm trying ...

1 **Henstridge:** Take your time.

2 **Smyth:** ... I wanna make sure I'm saying the – I got this all clear. Yeah, I moved
3 the plywood. I think I open – I – the door where the – the – there was a
4 huge pot plant. One pot plant in – in a room off the hallway. Ah, I don't
5 know if that door was open or partially open. I might have used the door
6 now or pushed it. I don't ...

7 **Henstridge:** Okay.

8 **Burke:** And just one more question from – from – for me right now. Ah, you said it
9 was instinctive shooting. Was there any aim at all?

10 **Smyth:** No.

11 **Burke:** So were you shooting from the low – you know, a low position or a – up to
12 your eyes?

13 **Smyth:** Ah, it was – it was never my eye level. I was never – I was always looking
14 at him.

15 **Burke:** Uhm...uhm.

16 **Smyth:** I – I think the first shot probably came from down here somewhere.

17 **Henstridge:** Right.

18 **Burke:** Uhm...uhm.

19 **Smyth:** And I think as soon as I got – I got it out and got it pointed at him, and I
20 was starting to go low myself, and move towards the door. So I'm
21 thinking, you know, it might have been something like – like in a hand out.
22 And I'm thinking – I'm guessing it was something like this.

23 **Burke:** Uhm...uhm.

24 **Henstridge:** Was he saying anything when ...

1 **Smyth:** No.

2 **Henstridge:** ... when – at this stage?

3 **Smyth:** Nothing. He never said a peep.

4 **Burke:** And just one more thing. Yeah, can you kind of give us, ah, what you saw
5 him doing, ah, when he takes the firearm? Does he stay seated? Does
6 he stand up? What – at what point does he present a firearm in full view?
7 Can you kind of take us through his actions as ...

8 **Smyth:** I'd have to say he's like – he wasn't out of the chair. Like he wasn't – he
9 wasn't standing.

10 **Henstridge:** Okay.

11 **Burke:** Okay.

12 **Smyth:** So to me it was like this. And – and he kept coming – firearm. And, you
13 know, if it was like this or like this or like this ...

14 **Henstridge:** Uhm...uhm.

15 **Smyth:** ... he was somewhere in that – that range. Cause once I saw that gun, it's
16 really where I first focused on. And I know it's a small barrel and I think I
17 saw a bolt. And beyond that, like the – the bolt on the – on the firearm. I
18 remember seeing that and I was very focused on that and watching that.
19 So he was somewhere between seated, still seated ...

20 **Henstridge:** Uhm.

21 **Smyth:** ...or right here. But he was not fully upright ever at any point in time.
22 And, yeah, it was – and the gun was moving. It was coming like following
23 me. And he didn't say anything.

24 **Burke:** Okay.

1 **Smyth:** And it was just – and if he did, I didn't hear him cause I was yelling myself
2 and I was focused and, ah, it – I was just saying no.

3 **Burke:** Uhm.

4 **Smyth:** I remember saying no. ... (unintel)... thinking ... (unintel)..

5 **Burke:** Uhm.

6 **Smyth:** Saying no.

7 **Burke:** Uhm.

8 **Smyth:** Train for it a thousand times and I don't think I trained once to say no.

9 **Henstridge:** I just wanna go out and see if – there's a monitor out there and in case
10 they might have more questions.

11 **Smyth:** Sure.

12 **Henstridge:** I don't. I certainly don't.

13 **Burke:** So you're holding up okay.

14 **Smyth:** Yeah. You know, I think there's still a bit of a – still a bit of adrenalin rush,
15 you know. It's still there. Like it's not ...

16 **Burke:** Yeah.

17 **Smyth:** ... it didn't come out of me. I still get – you know, especially now I start
18 talking about it.

19 **Burke:** You're recounting events, yeah.

20 **Smyth:** And I can feel my blood pressure going up and ...

21 **Burke:** Yeah.

22 **Smyth:** ... getting a little bit of that – that feeling back.

1 **Burke:** Yeah.

2 **Smyth:** But you know overall I – I feel okay. I'd just know – you know, you beat
3 yourself up about everything you do leading up to it.

4 **Burke:** Uhm...uhm.

5 **Smyth:** But I have no – I have no qualms or no question about that split second
6 decision.

7 **Burke:** Sure.

8 **Smyth:** You know, so whether I should have done certain things leading up to that
9 better. Should I have waited ...

10 **Burke:** Sure.

11 **Smyth:** ... for another day. Should I have been – invited a tactical team.

12 **Burke:** Yeah.

13 **Smyth:** You know, I don't know.

14 **Burke:** Yeah.

15 **Smyth:** I can analyze – I feel like I can analyze the living hell out of that.

16 **Burke:** Uhm...uhm.

17 **Smyth:** Cause part of me says well you should have took a uniform. Would that
18 have prevented him doing that? I don't know.

19 **Burke:** Of course.

20 **Smyth:** Conversely would it have given him the opportunity to see the uniform and
21 know that we were police ...

22 **Burke:** Uhm...uhm.

- 1 **Smyth:** ... and stand up and pick us off ...
- 2 **Burke:** Right.
- 3 **Smyth:** ... through the window.
- 4 **Burke:** Yeah.
- 5 **Smyth:** So I can go either side of it, right. So part of me says well maybe you
6 should have took another member and well you did all the due diligence
7 checks.
- 8 **Burke:** You'll always second guessing.
- 9 **Smyth:** But it – the only thing I haven't – I didn't second guess was that ...
- 10 **Burke:** Yeah.
- 11 **Smyth:** ... that we did – it was instinctive. It really was. It was just second – it
12 was never ...
- 13 **Henstridge:** Ah, just a couple of questions. And like if you're okay with this, I was
14 gonna get you to draw a diagram just to kind of illustrate to us the best you
15 can. Obviously a diagram is – is a diagram but. Ah, is there any way he
16 could have any notion that you were coming? Like do you think that he
17 might have been tipped off by anybody or anything like that? Were you
18 aware of him having a phone in the house?
- 19 **Smyth:** He had a phone. I knew he had a phone. I had his phone numbers.
- 20 **Henstridge:** Okay.
- 21 **Smyth:** I don't know. His brother could have called him but I don't think so. I
22 didn't get that impression from them.
- 23 **Henstridge:** Okay.
- 24 **Smyth:** Like I – I – you don't ...

1 **Henstridge:** So he didn't seem to feel – like when you – when you – when you kind of
2 approached him, ah, he was legitimately surprised that you were there, I
3 guess, would be my question.

4 **Smyth:** Yeah. He didn't seemed surprised I was there but – he definitely wasn't
5 surprised.

6 **Henstridge:** Okay.

7 **Smyth:** But he wasn't – I think he was just – he was pretty calm demeanor.

8 **Henstridge:** Okay.

9 **Smyth:** If someone showed up at your door, I don't – you or I would probably have
10 reacted no differently.

11 **Henstridge:** Yeah. Right. His head position. Did it change at all like from the time – I
12 think initially you said when you checked on him his head was in what
13 position?

14 **Smyth:** I think it was like this.

15 **Henstridge:** Okay. Was his head ever in a different position than that or – that you
16 recall?

17 **Smyth:** Not that I recall, no. It was ...

18 **Henstridge:** Okay.

19 **Smyth:** ... I don't know how far back it was. I – it was almost just like, you know,
20 right here.

21 **Henstridge:** Yeah.

22 **Smyth:** I don't know if it might have went back more or forward more. I – I don't
23 know.

1 **Henstridge:** Okay. And, ah, that's basically it with the exception of a diagram of the
2 living room, if you're – if you'd be willing to ...

3 **Smyth:** Yeah, I can.

4 **Henstridge:** ...to draw something for us.

5 **Smyth:** Are – are you able to confirm how many times I did hit him or?

6 **Henstridge:** Ah...

7 **Burke:** We're – well it's – he hasn't had the autopsy yet ...

8 **Smyth:** Yeah.

9 **Henstridge:** And we haven't had a file ...

10 **Burke:** ... we don't wanna ...

11 **Smyth:** Yeah. No, I – I understand that.

12 **Burke:** Right. We kind of have our suspicions but there's nothing that we can say
13 that's concrete.

14 **Smyth:** And what about my – my firearm. Was it four rounds missing from that?

15 **Burke:** And the scene is still being processed as well. And the firearm stuff hasn't
16 been – been processed yet, so.

17 **Smyth:** Okay.

18 **Henstridge:** I will say trust your memory.

19 **Smyth:** Yeah.

20 **Henstridge:** Yeah. That's fair to say.

21 **Burke:** Yeah. And you know, you're account of – of what you gave us and what
22 we – we know is pretty accurate.

- 1 **Henstridge:** Pretty consistent.
- 2 **Burke:** Yeah. And I – like I said, we – we don't know all the ...
- 3 **Smyth:** I wanna ask you ...
- 4 **Burke:** ... answers.
- 5 **Smyth:** ... I wanna ask you if his firearm was loaded but, you know what, I don't
6 know if I wanna know the answer. Do you know what I mean?
- 7 **Burke:** Yeah.
- 8 **Smyth:** Cause if – to me it changes the water on the beans a bit for how I'm gonna
9 feel.
- 10 **Henstridge:** Of course it does.
- 11 **Smyth:** Well if he knew it was – if it was loaded, you can, I can say with some
12 degree of confidence what his intentions were. If it was unloaded I can
13 also say what, to some degree – what ...
- 14 **Henstridge:** Can you just give us one second? Can you start that and we'll, ah, - just
15 come on out here for a second and I'll be right back.
- 16 **Smyth:** And I don't know if I wanna know the answer to that ever.
- 17 **Henstridge:** That's a pretty good diagram. Okay.
- 18 **Smyth:** So I got this here as the front door.
- 19 **Henstridge:** Yeah.
- 20 **Smyth:** That's being the hallway when you come in. That's being – I'm pretty sure
21 that's a full wall. Right here entrance into the living room. This is your
22 wall. This is your front window. And there was a table there in front of him
23 and it had – it had like some, I'm pretty sure, some drug paraphernalia on
24 it. A coffee table over here. I don't know what was on that, if anything.

1 Nothing of any consequence. Ah, that was chair he was seated in. It
2 wasn't a ton of room down here ...

3 **Henstridge:** Uhm.

4 **Smyth:** ... between, probably a bit more than what I got there to scale, but it
5 wasn't a lot of room. It was full of garbage.

6 **Henstridge:** Uhm.

7 **Smyth:** It was like Boost containers is what I noticed a lot of and where a lot of
8 food, related garbage. This was the chair that he – he was in for pretty
9 much the duration.

10 **Henstridge:** Okay.

11 **Smyth:** And I was stood – you know, I was back and forth here.

12 **Henstridge:** Uhm...uhm.

13 **Smyth:** But this is the reason I would have been when – when I initially perceived
14 that threat. I don't – I don't really don't know if I ran – came that way or
15 that way. I'm thinking this way.

16 **Henstridge:** Okay.

17 **Smyth:** And here again this is just a rough ...

18 **Henstridge:** ...(unintel) ... estimate out of where the rounds were fired from.

19 **Smyth:** No, I was – I was on the move ...

20 **Henstridge:** Yeah.

21 **Smyth:** ... as fast as I could fuckin' go.

22 **Henstridge:** Yeah.

1 **Smyth:** And that's it.

2 **Henstridge:** That's perfect.

3 **Smyth:** And then by the time I was out here within – by the time it would have
4 taken you to fire the fifth shot I was not even in sight of him.

5 **Henstridge:** Yeah. No, that's perfect. You asked, ah, or you were about to ask a
6 question. You're not sure if you wanna ask it or not about whether or not
7 there was a round in the chamber. So I – I just wanted to check with
8 Steve and the Team Commander on that just to see if it'd be okay for us to
9 answer that question. If you wanna know the answer to that question,
10 we'll tell you the answer to that question. You don't have to ask it now if
11 you don't want to. If you wanna call me two hours or two days from now,
12 you can, ah, you can do it. But if you wanna know the answer we can tell
13 you. ... (tapping noise)...

14 **Smyth:** I don't know if I wanna know. Cause I feel like if the answer is no, then I
15 don't know what he was doing. You know, did he – did he a. want to die
16 or did - or was he just trying to intimidate me. Did he even know I was
17 carrying a firearm? You know, is he old school thinking RNC, they don't
18 carry firearms, I'm giving him the fuckin' shock of his life. And I don't know
19 if it's – if it was loaded then I walk out of here feeling like I have saved my
20 life.

21 **Henstridge:** You saved your life.

22 **Smyth:** If it's not loaded I feel like I just fuckin' killed a guy.

23 **Henstridge:** You saved your life. Okay.

24 **Smyth:** Okay. Yeah. So.

25 **Henstridge:** Cause I don't want you leaving here dwelling on that.

26 **Smyth:** You understand that?

1 **Henstridge:** Oh absolutely. I'd – I'd be asking the same question if I was sitting where
2 you are. But I'd also not want to know if it was – if it was empty. There
3 was one in the chamber.

4 **Smyth:** Okay.

5 **Henstridge:** Okay.

6 **Smyth:** Alright, that's good to know.

7 **Henstridge:** And like I told you before, his brother and sister, ah, have said nothing but
8 support for you. They feel bad for what you're going through and, ah, so
9 you – you don't need to think about that either.

10 **Smyth:** What about his daughter?

11 **Henstridge:** His daughter has got a lot of questions. Some of her questions are
12 relevant and some of 'em are not really relevant at all. She just wants
13 answers as to what happened. Ah, no one, by their account, was aware
14 that there was a firearm in – in the house really. But yeah, there's a lot of
15 questions from her but not much that you can answer. So that's where
16 we're at. But you gave an amazing account and like that was incredible.
17 I'm glad we waited to be honest because, ah ...

18 **Smyth:** Yeah, no me too. I – I – I don't know if I would have ...

19 **Henstridge:** Yeah.

20 **Smyth:** ... you know, fully been able to do that ...

21 **Henstridge:** Yeah.

22 **Smyth:** ... yesterday. You know, I was ...

23 **Henstridge:** Yeah.

24 **Smyth:** ... some of that stuff I remembered. Probably some of it irrelevant.

1 **Henstridge:** Yeah.

2 **Smyth:** But, you know, just some of the pieces of the conversation...

3 **Henstridge:** Yeah. For sure.

4 **Smyth:** Well yeah, it probably would have been a lot more disjointed I think if we
5 had done it last night.

6 **Henstridge:** Yeah.

7 **Smyth:** But anyway it's all ...

8 **Henstridge:** Do you have any questions for us, Joe, at this stage?

9 **Smyth:** I don't think so. Wha – what – what - you know, what do – what do you
10 need me to do? What – what happens from here?

11 **Burke:** Ah, you know, we're doing, you know, a thorough investigation of what
12 went on and, of course you know, a major part of that is talking to you.
13 You're the only witness, you know what I mean.

14 **Smyth:** Yeah.

15 **Burke:** So, ah ...

16 **Smyth:** And nothing in those cameras, eh? Had no ...

17 **Burke:** No.

18 **Smyth:** No.

19 **Henstridge:** I don't know if they'd be probably much help anyway. They were outside.

20 **Smyth:** Outside. I'm sure they wouldn't have been.

21 **Henstridge:** Yeah.

1 **Burke:** So, you know, we're, you know, just trying to gain as much information as
2 we can as you know. We're gonna have a talk to his – we spoke to some
3 of his family members. We're gonna talk to some others. Ah, you know,
4 get the members accounts that were at – initially at the scene.
5 ... (unintel) ...

6 **Henstridge:** The biggest jist of the – the investigation now is to try to figure out what
7 happened in his head. You know, what was he thinking and so on, right,
8 but ...

9 **Smyth:** No notes or anything there. No ...

10 **Henstridge:** I don't know what's there, cause the boys were out looking at the scene
11 last night.

12 **Smyth:** I can't see ...

13 **Burke:** ... (unintel) ... you mean.

14 **Smyth:** ... I can't – can't see it being planned. He didn't know I was coming.

15 **Henstridge:** No.

16 **Smyth:** If he knew I was coming it wouldn't have been any more than a minute or
17 two.

18 **Henstridge:** Yeah.

19 **Smyth:** So to plan something, I – no.

20 **Burke:** You know, and our initial findings is that he wasn't in any state that he was
21 – go out, you know, guns a blazing type situation. He was fairly – fairly
22 level headed at – at that ...

23 **Smyth:** Yeah.

24 **Burke:** ... time in his life. But ...

- 1 **Henstridge:** Relatively, yeah.
- 2 **Burke:** Yeah. You know what I mean.
- 3 **Smyth:** Yeah, within reason.
- 4 **Burke:** He had some issues but, ah, ...
- 5 **Smyth:** Not that kind of ...
- 6 **Burke:** ... nothing that would say, you know, he was waiting for you to come down
7 and this is the way he was gonna go.
- 8 **Smyth:** Yeah.
- 9 **Burke:** Yeah, so.
- 10 **Smyth:** Do you know where that firearm came from? Like – I mean it's probably
11 pointless. It probably doesn't matter but.
- 12 **Burke:** Well there were firearms – there's one firearm un – unaccounted for in that
13 family. And I don't know if his – his brother knew where it was or, you
14 know, ah, without giving too much detail, his father passed away years
15 ago and had three firearms. His brother had two of 'em. That one you
16 spoke to before you went to Donald Dunphy's. And there was one
17 outstanding, so.
- 18 **Smyth:** Can you say what kind of firearm it was?
- 19 **Burke:** We're not really sure yet.
- 20 **Smyth:** Okay. And do you know if it came from couch or the floor? I mean, you'll
21 probably never know.
- 22 **Burke:** There's – we don't know that either and we can only speculate.
- 23 **Smyth:** It wasn't like – it wasn't like a gun holster on the side of the ...

- 1 **Burke:** Not ...
- 2 **Smyth:** ... chair or anything.
- 3 **Burke:** ... no. No.
- 4 **Smyth:** And what about – was there anything else found in the house? Any other
5 weapons do you know or?
- 6 **Burke:** The scene is still being processed. Nothing else has come to light yet
7 basically.
- 8 **Smyth:** And – and I know he's got a license to – to grow.
- 9 **Henstridge:** Yeah.
- 10 **Smyth:** Do you know what quantity? Like was his quantity – you don't know.
- 11 **Burke:** We don't have the license yet, so.
- 12 **Smyth:** What's that? You ...
- 13 **Burke:** We ...
- 14 **Smyth:** ... you haven't seen the license.
- 15 **Burke:** No. No.
- 16 **Henstridge:** My understanding – just curious – that's why the camera was up there
17 though. Apparently that had something to do with the licensing. He had
18 to have it in order to get a license. Ah, but yeah, he was – he smoked a
19 lot of pot. That we do know. Wasn't a drinker.
- 20 **Smyth:** I'm just wondering if his license was for – if he had a lot more than what
21 his license was for. Was he in fear of prosecution by me being there.
- 22 **Henstridge:** He's been busted before, you know, for – for that kind for stuff, so.

1 **Smyth:** Maybe. Who knows?

2 **Burke:** Again – and he would have had the drug paraphernalia on – on that table
3 in front of him, right.

4 **Smyth:** Yeah.

5 **Burke:** ... (unintel)... saw that there, yeah.

6 **Henstridge:** So he might have – yeah, he might have been nervous over that. Who
7 knows, right.

8 **Smyth:** Yeah.

9 **Henstridge:** Hopefully we'll be able to answer a lot more questions. I suspect that
10 once the investigation is complete that Steve will probably be able to sit
11 down with you and kind of do a fairly thorough debriefing of what's – of
12 what's happened.

13 **Burke:** Like we're not – I'm – we're not trying to withhold any information from
14 you. It's just that ...

15 **Smyth:** It's the system.

16 **Burke:** ... you know, we don't have, you know, we're ...

17 **Smyth:** And don't feel like I'd – I'd be bothered if you were.

18 **Burke:** No (laughing) ...

19 **Smyth:** It's part of what you gotta do. I don't – that doesn't bother me for a
20 second.

21 **Burke:** It's not, you know, it's – it's – you know, we don't know a lot of things ...

22 **Smyth:** Yeah.

23 **Burke:** ... yet and, ah, ...

1 **Smyth:** No, I ... (unintel) ...

2 **Henstridge:** We ... (unintel)...

3 **Smyth:** You're in good company there. If ...

4 **Henstridge:** Yeah.

5 **Smyth:** ... you got to withhold stuff don't ...

6 **Henstridge:** Yeah. They wouldn't – they won't do the autopsy until we spoke with you
7 too. They needed that information to be able to sort of assess what they
8 were looking at. And, ah, so that's why it was kind of important. And I
9 didn't mean – I didn't really wanna call you today until you were ready to
10 call me but they can't do the autopsy until. So it was ...

11 **Smyth:** Yeah.

12 **Henstridge:** ... there's a little bit of pressure on that front to – to see if you were okay to
13 do it.

14 **Smyth:** Yeah. No, and I was – I was doin' it today. I was ...

15 **Henstridge:** Yeah.

16 **Smyth:** ... the only delay actually was the Association lawyer was in a, you know,
17 a grievance hearing and he was gettin' the afternoon, he said he – he
18 wasn't gonna be available. I'm like well I – I'm sorry I got ...

19 **Henstridge:** Yeah.

20 **Smyth:** ... I'm comfortable doing this.

21 **Henstridge:** Yeah.

22 **Smyth:** I appreciate your ...

23 **Henstridge:** Yeah.

1 **Smyth:** ... you wanna be there or you wanna ...

2 **Henstridge:** Yeah.

3 **Smyth:** ... go over it with me but this, to me, this is what it is.

4 **Henstridge:** Yeah.

5 **Smyth:** And you being there or anyone else being there is not gonna change that,
6 so unless you got some really good reason for me not to go down there by
7 myself, I'm going down there.

8 **Henstridge:** Okay.

9 **Smyth:** So ...

10 **Henstridge:** We certainly appreciate you coming down because, ah, your account is –
11 is – it's pretty powerful. I think that's fair to say.

12 **Burke:** Yeah.

13 **Henstridge:** And, ah ...

14 **Burke:** From what we do know, you know, it's ...

15 **Henstridge:** And I will say that I don't think you need to second guess anything that
16 happened in that room. I don't know if I'm supposed to say that or not,
17 Steve, but I think you can leave the room if you feeling that way.

18 **Burke:** Yeah.

19 **Henstridge:** That's my assessment anyway.

20 **Smyth:** I appreciate that. I – I do feel that way as ...

21 **Burke:** Yeah. And you know like, we're – you know, we have your account and I
22 know you have some time off and try to, you know, ah ...

- 1 **Smyth:** ... (unintel) ...
- 2 **Burke:** ... and I know it's – it's a ... (unintel)... and that with all – wouldn't want to
3 have but, you know, you know, we don't foresee having to contact you and
4 I'm sure if we did, ah, you'd be owed to that.
- 5 **Smyth:** Oh, call anytime.
- 6 **Burke:** We're gonna try to ...
- 7 **Smyth:** You know, I wanna be available to you. I want ...
- 8 **Burke:** Yeah.
- 9 **Smyth:** ... anything I can do. If there's anything else I remember, you'll be the first
10 to hear from me. Ah, but I don't have any problem talking about this.
- 11 **Burke:** No.
- 12 **Smyth:** From what I can gather ...
- 13 **Burke:** Appreciate that.
- 14 **Smyth:** ... it's important to talk about it and – and, ah, it's not like me to kind of
15 keep things bottled up. I – I'll yabber, yabber and yabber. Ah, so don't –
16 don't feel like you're bothering me at any time ...
- 17 **Burke:** Yeah.
- 18 **Smyth:** ... for anything. And, ah, it might sound crazy but if – if the family want to
19 talk to me I would have no problem with that. And I appreciate that it'll
20 probably never go there but ...
- 21 **Henstridge:** No.
- 22 **Smyth:** ... it would – I wouldn't have a problem

1 **Henstridge:** I – I – I don't see that as being – it's not gonna be helpful to us in our
2 investigation. And, ah, I don't see any benefit to that. I mean, who knows
3 what's gonna happen down the road but you have to make the decisions
4 based on a set number of factors that were pretty – pretty clear at that
5 moment, right. So if members – some members of the family may never
6 understand that.

7 **Smyth:** No, for sure, you know. You all know and – and, you're right, the general
8 population ...

9 **Henstridge:** Uhm.

10 **Smyth:** ... you know will ask why you didn't shoot him in the knee.

11 **Henstridge:** Oh yeah.

12 **Smyth:** All those que – I mean, we know the difference of that. But ...

13 **Henstridge:** Well I mean we had an incident out in – a few years ago where members
14 were approached by a guy and they shot him in the arm and we were
15 praised cause we shot him in the arm. The only reason we shot him in the
16 arm was because we missed.

17 **Smyth:** That's where he hit, yeah. Yeah, we had the same ...

18 **Henstridge:** Do you know what I mean.

19 **Smyth:** ... with – with [REDACTED] here ...

20 **Henstridge:** Yeah.

21 **Smyth:** ...when our Tactical Team shot him.

22 **Henstridge:** Yeah.

23 **Smyth:** You know, it wasn't – it was because he had his arm out in front of him
24 and it didn't penetrate.

1 **Henstridge:** That's right. The general public doesn't understand the kind of pressure
2 that we're under, I don't think, and – and they never will.

3 **Smyth:** No.

4 **Henstridge:** And, ah, so keep that mind as all media starts swirling around this. Cause
5 that's probably not gonna be easy for you to see and ...

6 **Smyth:** And – and I know I'll be forever probably criticized for shooting him four
7 times and twice in the head. You know, it's ...

8 **Henstridge:** But they're ...

9 **Smyth:** .. but to try to explain that to someone who doesn't understand that the –
10 that stressful situation and how fast it happens.

11 **Henstridge:** It's impossible.

12 **Smyth:** It's just ...

13 **Henstridge:** It's impossible.

14 **Smyth:** ... it means all that put it into a second. Must – you can't conceptualize ...

15 **Henstridge:** No they can't.

16 **Smyth:** ... what unfolds ...

17 **Henstridge:** Uhm...uhm.

18 **Smyth:** ... in, you know, a second. Maybe one point five seconds.

19 **Henstridge:** Uhm...uhm.

20 **Smyth:** In one point five seconds he had four – he had four bullets in him or I think
21 at least three. And, ah, you know, to try to say to some people I didn't – I
22 wasn't sure if I hit him – hit him in the head. Well why didn't you stop and

1 assess it. I mean, these are the things I know you're – you're gonna get
2 but anyway I'll deal with that.

3 **Henstridge:** And you have no – like you – I don't know what you can do to respond to
4 that really. Like – hopefully our investigation will kind of help in that regard
5 a little bit but ...

6 **Smyth:** ... (unintel) ...

7 **Henstridge:** ... there's only so much that we can release too, right.

8 **Smyth:** Yeah, sure. Do you know what – at what point in time you'll be making
9 any type of media statement or?

10 **Burke:** Ah, I – the plan on daily basis and there may be something going out
11 tonight. And we're attempting – there's a lot of rumours going around and
12 there's a lot of people putting their own spin on what happened and we're
13 gonna try to put out as much detail as we can.

14 **Smyth:** That Paul Davis sent out an assassin.

15 **Burke:** Well exactly, right. So we're gonna try to, you know, we're – we're
16 assessing and we're trying to put as much detail as possible to kind of
17 dispel a lot of the rumours that are ...

18 **Smyth:** Yeah.

19 **Burke:** ... are going around.

20 **Smyth:** Good. Good.

21 **Burke:** On social media and things like that.

22 **Smyth:** Like what ...

23 **Burke:** Which will probably help you as well, right?

- 1 **Smyth:** I'm not even looking at it what kind of rumors are – oh well it'll be
2 outlandish stuff, I don't care about that. That's ...
- 3 **Burke:** Yeah, and, you know, I'm not really up on the – everything that's out there
4 but there's, you know, people putting there, ah, kind of – not having a
5 whole lot of information and, ah ...
- 6 **Henstridge:** Conspiracy theorists basically.
- 7 **Burke:** ... and saying ...
- 8 **Henstridge:** Like – like you were getting on with, right.
- 9 **Smyth:** Yeah right.
- 10 **Henstridge:** Yeah, no, Paul Davis is Premier and you're with the RNC and we're with
11 the RCMP so there's – there's a big cover up or whatever. That's what
12 people say. They – they – it's a resort to effort.
- 13 **Smyth:** Yeah. Yeah.
- 14 **Henstridge:** It's a bunch of people on the Internet and we deal with it on one of our files
15 in particular every day.
- 16 **Smyth:** Yeah.
- 17 **Henstridge:** It's frustrating cause you wanna get out there and just ... (unintel)...
- 18 **Smyth:** I can guess which one that one is .
- 19 **Henstridge:** Yeah. So, we get that, right. And we can't ask any more of you then what
20 you've done here today and, ah, you know, ...
- 21 **Smyth:** Yeah.
- 22 **Henstridge:** ... hopefully our media release will be specific enough to dispel ...
- 23 **Smyth:** Yeah.

- 1 **Henstridge:** ... some of the ...
- 2 **Smyth:** Yeah.
- 3 **Henstridge:** ... some of that, ah, ...
- 4 **Smyth:** Yeah.
- 5 **Burke:** You know, it's – it's probably the best for all that are involved, right, for
6 you, the family, to get as much information out there that ...
- 7 **Smyth:** Yeah.
- 8 **Burke:** ... that would kind of ...
- 9 **Smyth:** Yeah. And – and you know if you – if you're talking to the family and you
10 feel it's appropriate to – you know, pass on my ...
- 11 **Henstridge:** Uhm.
- 12 **Smyth:** ... my condolences for whatever it's – it's worth.
- 13 **Henstridge:** Yeah.
- 14 **Smyth:** You know, I hope that they don't think that I
- 15 **Henstridge:** They don't even know – like the ...
- 16 **Smyth:** ... (unintel) ...
- 17 **Henstridge:** ... the brother and the sister-in-law don't even under – don't even know
18 the details of what happened in that house and they still – their
19 sympathies are with you.
- 20 **Smyth:** Uhm.
- 21 **Henstridge:** Cause we – we weren't able to say anything to them at this point. And so,
22 there – there seemed to me to be sort of an innate understanding that

1 whatever happened there was precipitated by something that he must
2 have done, right.

3 **Smyth:** Yeah. Yeah, that's...

4 **Henstridge:** So ...

5 **Third Per:** ... there's some solace in that, guess.

6 **Henstridge:** Yeah.

7 **Burke:** They know him well enough that, you know, you know, they could believe
8 that something happened there.

9 **Smyth:** He's capable of anything. Yeah.

10 **Burke:** Yeah. Yeah. And they – the first that, ah, the, ah, wife mentioned ...

11 **Henstridge:** That'd be ...

12 **Burke:** ... the sister-in-law was concern for you. You know, she really feels ...
13 (unintel)... was involved, so.

14 **Henstridge:** Yeah, that says a lot.

15 **Smyth:** Yeah, it absolutely does and it says a lot about them.

16 **Henstridge:** Yeah, for sure. But you need to get back to your life too, you know that.

17 **Smyth:** Yeah.

18 **Burke:** You know, like I said, we're gonna, you know, really good statement. We
19 should have everything we need from you at this point. Just take some
20 time off and relax and you know if you wanna call us and get an update,
21 that's fine. But you know, we'll leave you alone unless ...

22 **Smyth:** Don't ... (unintel)... anything

1 **Burke:** ... (unintel) ...

2 **Smyth:** ... you feel you wanna update with me. I'll appreciate it and I – anything
3 you think is relevant I'd love to hear it.

4 **Henstridge:** Yeah.

5 **Smyth:** But other than that I certainly won't be pestering you.

6 **Burke:** No, no.

7 **Smyth:** Cause I know what that's like too.

8 **Henstridge:** I think – like I think it'll be fair to you at some point and – and cause we're
9 probably gonna do that with the family as well, ah, in the not too distant
10 future, sit down and just basically talk about what our investigation has
11 revealed. And, ah, that's only fair to you and I think, you know, that'll be
12 happening.

13 **Smyth:** Yeah. Yeah, sure ...

14 **Henstridge:** You know.

15 **Smyth:** ... I'd like to see that.

16 **Henstridge:** Yeah.

17 **Smyth:** And, ah, ah, they got me going through a debriefing process now this
18 week.

19 **Henstridge:** Okay.

20 **Smyth:** And I don't know if any of your members, ah ...

21 **Henstridge:** ... (unintel)...

22 **Smyth:** (unintel) ... I assume with ... (unintel) ... probably.

1 **Henstridge:** We have critical incident if they need it. I don't know if – we usually do it
2 on all these files.

3 **Smyth:** Yeah.

4 **Henstridge:** But I mean the most important person in this whole picture now is you for
5 sure. But, ah, I don't hav – have anything else for you, Joe, unless you
6 have something for me.

7 **Smyth:** No. ... (unintel) ... good for me.

8 **Henstridge:** Okay.

9 **Smyth:** I'll get out of your hair.

10 **Henstridge:** Thanks very much for coming in.

11 **Smyth:** My pleasure.

12 **Henstridge:** I'll show you out. I gotta come back here and clue everything anyways so.
13 ... (background voices)... The time now is 17:06 hours according to my
14 watch and this concludes the interview of Constable Joe Smyth. The time
15 now is 1706 hrs according to my watch and this concludes the interview
16 with Cst. Joe SMYTH.

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25 *Transcribed by: Brenda P. Spurrell*

26 *Transcribed statement provided to investigator: 2015-05-14*

27 *Proofread by: Cpl. Monty HENSTRIDGE on 2015-05-14*

28

29

Cpl. Monty Henstridge
"B" Division Major Crime Unit