



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 2
2015-04-05 14:28:00

Task Assignment: 2 - Notes

On April 5th, 2015 at approx. 1428hrs, Cst. Downey was patrolling the Trans Canada Highway around the Foxtrap area when a call came in for assistance of shots fired. Cst. Downey listened as Cst. Cox tried to get more details. It was determined that an RNC officer had been involved in a shooting in Mitchell's Brook and was requesting an ambulance.

Cst. Downey went lights and siren westbound on the TCH to that location while trying to obtain the location of Cst. Cox and Cpl. O'Keefe. Cst. Cox took the shotgun and rifle from Holyrood Detachment and proceeded to the scene. Cpl. O'Keefe was just behind Cst. Downey on the TCH westbound.

When Cst. Downey turned off the highway at Salmonier Line, it was determined that Cst. Cox was ahead of Cst. Downey still enroute to the scene. Cpl. O'Keefe was just behind Cst. Downey.

/jl

Action: 14
K DOWNEY



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Call received from Telecoms stating that Sgt Joe SMYTH of the RNC had been involved in a shooting at a residence in Mitchell's Brook. The information passed along was that shots were fired and that he (SMYTH) was now outside the residence.

Action: 31
T O'KEEFE

From the initial call, it was unclear if Sgt SMYTH was injured or if there was a barricaded shooter in the home.

Cpl. O'KEEFE, as the supervisor on duty, took supervision of the call. Csts COX (Holyrood) and DOWNEY (Traffic Services) also responded. Csts WILLIAMS and [redacted] of Ferryland detachment were dispatched as well.

A call was placed by Cpl. O'KEEFE to Telecoms for clearer details.

Roxanne [redacted] of Telecoms advised that Sgt SMYTH had fired shots at a residence in Mitchell's Brook, he was now outside of the home and uninjured. The status of the male inside the home wasn't yet confirmed. An ambulance had been dispatched.

While enroute, S/Sgt TILLER was immediately contacted and advised of the situation thus far. He would contact MCU and DPO, Supt ZETTLER.

Telecoms then advised that the male inside the home was deceased. S/Sgt TILLER was advised of same.

Cpl. O'KEEFE advised Telecoms to contact Sgt SAUNDERS of FIS and have him attend the scene as soon as possible. Telecoms advised he would leave immediately.

Cpl. O'KEEFE was aware of Sgt SMYTH's attendance at Don DUNPHY's home from a call that SMYTH had placed to Holyrood detachment earlier in the morning. Cst. COX advised Cpl. O'KEEFE that he had spoke to Sgt SMYTH and that he was going to speak with Don DUNPHY in Mitchell's Brook regarding threats to the Premier over Twitter. Cst. COX advised that he asked Sgt SMYTH if he required Holyrood Members to attend and assist but the offer was declined.

Following Sgt SMYTH's call, Cpl. O'KEEFE checked Mr DUNPHY on PROS and there was nothing to raise any concerns. Three entries were found. He was a complainant on two files (Sec 253 in 2011 and Sec 430 in 2013.) DUNPHY was also arrested without charge in 2012 for CDSA. It was confirmed by those Members that DUNPHY had a permit to grow marijuana for medicinal purposes.



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/jl

Task Assignment: 3 - Notes

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

Action: 75
A COX

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

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

/jl



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Task No: 3
2015-04-05 14:30:00

At approximately 14:30 on 2015/04/04 Cst [redacted] heard a dispatch to Holyrood members that there was a report of shots fired in Mitchell's Brook/ Mt Carmel area. It was further reported that there was a Royal Newfoundland Constabulary member involved. It was reported that an ambulance was dispatched. It was unclear at that time what the extent, if any, that the injuries might be. The dispatch was that the RNC member needed immediate assistance at that scene.

Cst [redacted] contacted Cst COX once the radio was clear and it was confirmed for writer to start heading that way to assist.

Cst [redacted] contacted Cst WILLIAMS while enroute to inform him that he may be needed to assist at the scene or to cover calls for both Ferryland and Holyrood while members dealt with the incident. As WILLIAMS was actually closer than writer then WILLIAMS continued to dispatch address. Both members were at that point covering both Ferryland and Holyrood but positioning to assist as needed.

Cst [redacted] continued to monitor radio transmissions to ensure that the risk assessment and needs were not changing. At several points Cst [redacted] updated both Cst COX and Cpl O'Keefe that members were enroute.

/jl

Action: 45

Task No: 3
2015-04-05 14:31:00

Cst.WILLIAMS was contacted at his residence by Cst. [redacted] He advised that there had been a call over the radio of shots fired and that members of the Holyrood Det needed back up in the Mount Carmel area. Cst. WILLIAMS put his police gear and headed towards Mount Carmel with emergency equipment activated. Cst.WILLIAMS learned while en route that the residence where the incident had occurred was in Mitchell's Brook, a small town located near Mount Carmel. The residence would be easy to locate as the police vehicles were outside of the residence.

/jl

Action: 1018
D WILLIAMS



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Action ID:

Task No: 37
2015-04-05 14:43:00

Task Assignment: 37 - Notes

S/Sgt TILLER at home received a call from Cpl. Trevor O'Keefe who is on shift, advised that an RNC member following up on a threat on the Premier was involved in a shooting in the Mount Carmel area appears that one male is deceased. S/Sgt. TILLER advised Cpl. O'Keefe to attend scene ASAP - contain the scene - seize the members firearm and other use of force equipment.

Immediately advised DPO Jamie Zettler by phone. Discussion in regards to getting MCU / FIS involved - scene containment.

S/Sgt TILLER contacted Telecoms asked for MCU member on call, was put onto Sgt. Jaques Morneau as OCC advised that is only on call member. Morneau advised to contact Sgt. Kent Osmond.

S/Sgt TILLER contacted Sgt. Kent Osmond by phone, briefed on the matter, he advised that he will get a team together and attend to assist.

/jl

Action: 263
R TILLER

Task No: 1
2015-04-05 14:50:00

Task Assignment: 1 - Notes

Cpl HENSTRIDGE received a call at home from Sgt OSMOND advising that there had been a shooting near Mt Carmel. RNC members involved. Injuries were unknown at that time.

/jl

Action: 1
M HENSTRIDGE

Task No: 1
2015-04-05 14:52:00

Cpl HENSTRIDGE called Cpl BURKE to advise.

/jl

Action: 2
M HENSTRIDGE



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Task No: 3
2015-04-05 14:55:00

Task Assignment: 3 - Notes

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

Action: 76
A COX

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

Cst. COX took Sgt. SMYTH to his police vehicle and had him wait inside the vehicle until Cpl. O'KEEFE arrived. Sgt. SMYTH informed Cst. COX that the residence wasn't completely cleared after the shooting.

/jl



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Task No: 2
2015-04-05 15:00:00

Task Assignment: 2 - Notes

At approx. 1500hrs, Cst. Downey arrived on scene. Cst. Cox was parked on the side of the road and Cst. SMYTHE was in the driveway of the residence on his cell phone. He was dressed in civilian clothing (jeans and black jacket). There were 2 vehicles parked in the driveway, A black yukon and a black jeep parked in front of that closer to the house.

Cst. Cox asked Cst. Downey to assist in securing the shotgun and rifle he had brought into the trunk. Same was done. Cst. SMYTHE then came down to the police vehicle and Cst. Downey asked him if he was ok. He confirmed he was but he was visibly shaken. He did not speak much.

Cst. Downey and Cst. Cox then secured the scene with yellow police tape.

Cst. Downey had a very brief conversation with Cst. SMYTHE in the driveway of the residence where he stated that everything started off good. SMYTHE identified himself to DUNPHY, Dunphy invited him inside the residence, they began having a conversation. He described it as very "cordial" at first. However, he stated that DUNPHY's demeanor quickly changed. DUNPHY began asking Cst. SMYTHE questions such as who he was and who he worked for. Cst. SMYTHE stated that DUNPHY asked him if he worked for the government. That was the extent of my conversation with Cst. SMYTHE as GIBBONS ambulance arrived on scene and were looking for an escort inside the residence to pronounce Mr. DUNPHY. Member did not speak with the male ambulance driver or female paramedic.

Cst. Cox and Cpl. O'Keefe escorted the ambulance attendants inside the residence while member stayed outside the residence and guarded the scene. Cst. Downey returned to 1C14 to write some notes.

/jl

Action: 15
K DOWNEY



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Task No: 12
2015-04-05 15:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE was called by Cpl. HENSTRIDGE at home advising that there was a RNC member involved shooting in the community of Mount Carmel, NL. Cpl BURKE aware that Mount Carmel falls under RCMP Holyrood jurisdiction. Cpl. HENSTRIDGE had no other details to offer and was just determining my ability to attend.

/jl

Action: 828
S BURKE

Task No: 3
2015-04-05 15:01:00

Task Assignment: 3 - Notes

At 1501 hours Cst. DOWNEY arrived on scene.

/jl

Action: 77
A COX

Task No: 37
2015-04-05 15:01:00

Task Assignment: 37 - Notes

S/Sgt TILLER called Cpl. Shawn Seward, briefed on matter, requested he attend office to assist.

/jl

Action: 264
R TILLER

Task No: 2
2015-04-05 15:01:00

Task Assignment: 2 - Notes

Cpl SEWARD was RTO when he recieved a phone call from S/SGT Tiller advising that there had been ashooting in Mitchell's Brook. He advised a RNC member fatally shot a person. Asked if Cpl SEWARD was able to come in. Advised Cpl SEWARD would be there within the hour.

Returned to his residence and got his work clothes on and was 10-17 to Holyrood Office.

/jl

Action: 954
S SEWARD



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Task No: 2
2015-04-05 15:02:00

Cpl. O'KEEFE arrived on scene. Csts COX & DOWNEY had arrived just prior. The house was located at #270 Main Rd in Mitchell's Brook just past the scrapyard wharf. In the driveway was a black Suburban, CVG-309, still running.

Cst COX and DOWNEY were immediately tasked with taping off and securing the area.

Cpl. O'KEEFE met and introduced himself to Sgt SMYTH in the driveway. SMYTH appeared shaken by the experience. He stated that he was speaking to DUNPHY, DUNPHY became agitated, pointed a gun at him and this forced him to pull his sidearm and shoot DUNPHY as he (SMYTH) was retreating from the situation. He stated that you could see Mr DUNPHY from the living room window. SMYTH was not physically injured.

The ambulance was also on scene.

/jl

Action: 32
T O'KEEFE

Task Assignment: 3 - Notes

Task No: 3
2015-04-05 15:02:00

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

/jl

Action: 78
A COX

Task Assignment: 2 - Notes

Task No: 2
2015-04-05 15:05:00

Cpl. O'KEEFE seized Sgt SMYTH's sidearm and magazines. The sidearm was unloaded and cleared with Cpl. O'KEEFE present. Same was secured in Sgt SMYTH's grey lockbox. Keys for the lock were also seized.

/jl

Action: 33
T O'KEEFE



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Task No: 3
2015-04-05 15:07:00

Task Assignment: 3 - Notes

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

Action: 79
A COX

/jl



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Task No: 2
2015-04-05 15:08:00

Task Assignment: 2 - Notes

Cpl. O'KEEFE and Cst. COX went towards the residence and looked through the window. There was a male to the left sitting in a chair that appeared deceased.

Both Members entered the home through the front door and went through to ensure no one else was inside.

The male was in the living room sitting in a chair in the corner. He had what appeared to be 2 gunshot wounds to his head. One to the forehead, another to the left temple. Some blood was in his left ear. A long gun was on the floor at his feet.

In the first bedroom to the left of the hall was a large marijuana plant with lighting. In the rear of the home, in the porch off the kitchen was a number of smaller plants.

The home was extremely untidy, unkempt and in a state of disrepair. The same could be said of the property outside.

There were numerous cats in the home and on the surrounding property. The house smelled of cat urine. Feces was on the property outside.

There was no other person(s) located in the home.

/jl

Action: 34
T O'KEEFE

Task No: 3
2015-04-05 15:10:00

Task Assignment: 3 - Notes

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

/jl

Action: 80
A COX



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Task No: 2
2015-04-05 15:13:00

Task Assignment: 2 - Notes

Once the home was cleared, paramedics from Gibbons' Ambulance were brought inside to check on Mr DUNPHY. Paramedics Nancy LINEHAN and Kevin BISHOP pronounced Mr DUNPHY.

Both Members and the paramedics then departed the home and the scene was completely locked down.

S/Sgt TILLER was advised of that the scene was fully secured and he was updated on the investigation thus far.

Csts DOWNEY was assigned to traffic control and the road was locked down except for local traffic.

Cst COX was assigned to to perimeter security. Cpl. O'KEEFE maintained supervision of the entire scene.

/jl

Action: 35
T O'KEEFE

Task No: 3
2015-04-05 15:13:00

Task Assignment: 3 - Notes

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

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

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

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

/jl

Action: 81
A COX



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Task No: 37
2015-04-05 15:13:00

Task Assignment: 37 - Notes

S/Sgt TILLER enroute to Detachment called both GIS members on cell, no answer. Contacted OCC, requested they contact both members, message to call me on cell. Received a call from both within minutes, briefed and requested they attend to assist.

Cpl. O'Keefe called and advised that he was at scene - he had contacted FIS and they would be attending. He advised that the RNC member appears to be physically OK, firearm seized.

/jl

Action: 265
R TILLER

Task No: 3
2015-04-05 15:15:00

Task Assignment: 3 - Notes

At approximately 15:15 Cst [redacted] arrived on scene and spoke to Cpl O'Keefe. Cst [redacted] assisted with traffic until it was decided to transport SMYTH to the Holyrood detachment.

/jl

Action: 46

Task No: 4
2015-04-05 15:15:00

Task Assignment: 4 - Exhibit Custodian

Cst GALWAY received a call from Telecoms, requesting that he call S/Sgt. TILLER, as there had been a shooting.

/jl

Action: 359
J GALWAY

Task No: 4
2015-04-05 15:20:00

Cst GALWAY called S/Sgt. TILLER, and he stated that there had been a shooting, near Mt. Carmel, and that an RNC officer was involved. He advised that there would be a debrief at the Holyrood office.

/jl

Action: 360
J GALWAY

Task No: 2
2015-04-05 15:25:00

Task Assignment: 2 - Notes

Cst. WILLIAMS arrived on scene in 2B11

/jl

Action: 16
K DOWNEY



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Task No: 2
2015-04-05 15:25:00

Csts WILLIAMS and [REDACTED] arrived in the area and assisted in security and traffic. Two Members from Whitbourne detachment attended but were removed from the area as enough resources were deployed and it was imperative to keep the number of Members in the area to a minimum.

/jl

Action: 36
T O'KEEFE

Task Assignment: 3 - Notes

Task No: 3
2015-04-05 15:26:00

Cst.WILLIAMS arrived on scene. Cst.WILLIAMS was advised that there was one deceased male inside of the residence. Cst.WILLIAMS was requested by Cpl. O'KEEFE to do traffic control on the road as the incident was on the media and it was thought that a large number of people would be coming to the area in attempts to see what was on going.

/jl

(Supplementary Report provided time: 13:26 hrs. This was not sequential to previous TA of Cst. WILLIAMS. Cpl LUNNEN checked his hand-written notes and observed that the time noted was 15:26hrs)

Action: 1019
D WILLIAMS

Task Assignment: 2 - Notes

Task No: 2
2015-04-05 15:27:00

Cst. SMYTHE is now in Cst. Cox's vehicle, 2B2

/jl

Action: 17
K DOWNEY

Task No: 2
2015-04-05 15:30:00

Cpl. O'Keefe asked Cst. Downey if she could move back further and block off the road only letting traffic through that lived further down the shore. Same was done.

/jl

Action: 18
K DOWNEY

Task No: 2
2015-04-05 15:34:00

Meghan DUNPHY arrived with her boyfriend in a black honda and was wanting to know if her dad was ok. Cpl. O'KEEFE spoke with her and updated her.

/jl

Action: 19
K DOWNEY



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Task No: 2
2015-04-05 15:35:00

Cpl. O'KEEFE was advised by Cst. DOWNEY that Mr DUNPHY's daughter, Meghan DUNPHY had arrived on scene.
/jl

Action: 37
T O'KEEFE

Task No: 2
2015-04-05 15:37:00

Cpl. O'KEEFE met with Meghan DUNPHY and her boyfriend, Billy CORCORAN in her vehicle, just down from the scene.
She was told by a friend that police cars were at her father's house. She had seen the cars pass her home on the Salmonier Line. She was also told that shots had been fired.
Meghan was then advised that her father was deceased. It was explained to her that an RNC Member had gone to her father's home to speak to him about threats towards the Premier.
Meghan was told that her father had been shot and was deceased. She asked if her father had a gun and she then continued by stating that it was most likely her grandfather's old gun and it probably wasn't even loaded.
She was not given specific details of what happened or the location of her father's injuries.
/jl

Action: 38
T O'KEEFE

Task No: 2
2015-04-05 15:38:00

Cst. Downey spoke with Billy Corcoran (Meghan's boyfriend) inside of 1C14 where he stated that the three of them (Meghan, Billy and Donald) had just gotten back from dinner at the Woodstock in Paradise. Billy told Don DUNPHY to take his jeep down to his house as he was having mechanical problems with his own vehicle. Billy and Meghan live approx. 6kms down from the TCH on Salmonier Line. Billy stated that someone called Meghan and told her about her dad and they came down right away. Billy also stated that Meghans mom died of a heart attack when Meghan was only 2 years old, so her father raised her. The conversation was then interrupted by family members arriving on scene.
/jl

Action: 20
K DOWNEY



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S/Sgt TILLER spoke with the DPO again by phone updated him.
/jl

Action: 266
R TILLER

Task Assignment: 2 - Notes

Task No: 2
2015-04-05 15:42:00

White toyota pick up # [redacted] arrived with 1 female and 1 male.
Billy then got out of the police vehicle to speak with them.
Member continued to assist with traffic duties
/jl

Action: 21
K DOWNEY

Task Assignment: 1 - Notes

Task No: 1
2015-04-05 15:45:00

Cpl HENSTRIDGE attended HQ and was advised by Sgt OSMOND
that a briefing would be held in Holyrood but that the victim was
deceased.
/jl

Action: 3
M HENSTRIDGE

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-05 15:45:00

Cpl BURKE attended "B" Division HQ to prepare to attend the area of
Mount Carmel (Mitchell's Brook) to assist Holyrood RCMP. Sgt.
OSMOND added that there was an RNC member in Mitchell's Brook
to investigate an Uttering Threats complaint. A shooting occurred and
one person was deceased.
/jl

Action: 829
S BURKE



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Task Assignment: 37 - Notes

S/Sgt TILLER spoke to O'Keefe again, he advised that he had spoken with the daughter of the victim, Meghan Dunphy and gave her brief details. There did not appear to be any significant concerns. Noted Megan's contact # as [REDACTED] 682. He advised that the member involved is Sgt. Joe Smyth and the deceased is Donald Dumphy - approx 60 years of age. Advised that we would like to get Smyth back to the office here at Holyrood Detachment. He also advised that the residence contained a significant number of cats inside the house, body present. Also noted a grow operation of weed.

/jl

Action: 267
R TILLER

Task No: 37
2015-04-05 15:49:00

S/St. TILLER updated Sgt. Kent Osmond MCU.. He was enroute with his team.

/jl

Action: 268
R TILLER

Task No: 1
2015-04-05 15:50:00

Task Assignment: 1 - Notes

Cpl HENSTRIDGE contacted Dr. AVIS residence but was advised that he was away until later that night. Dr DENIC may be on call.

/jl

Action: 4
M HENSTRIDGE

Task No: 36
2015-04-05 15:52:00

Task Assignment: 36 - Notes

On Sunday, April 5, 2015 Cpl FOOTE was contacted by telecoms requesting that I contact S/Sgt Tiller. S/Sgt Tiller asked for my assisting with a shooting file in Mount Carmel.

1552 - Writer 10-7 Holyrood detachment

/jl

Action: 250
D FOOTE



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Date / Time:

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Action ID:

Task No: 1
2015-04-05 16:00:00

Task Assignment: 1 - Notes

Cpl HENSTRIDGE spoke to Dr. DENIC and gave him the few details that Cpl HENSTRIDGE had at that time. He asked to be contacted later once we had more information.

/jl

Action: 5
M HENSTRIDGE

Task No: 3
2015-04-05 16:00:00

Task Assignment: 3 - Notes

Cst CRUMMEY began shift in Holyrood. S/Sgt Tiller asked Cst CRUMMEY to attend Mt. Carmel to assist Cpl. O'Keefe with a shooting file.

/jl

Action: 52
G CRUMMEY

Task No: 37
2015-04-05 16:00:00

Task Assignment: 37 - Notes

S/Sgt TILLER contacted Sgt. Chris Saunders FIS - confirmed attendance, discussed cat issue. Suggested we will have to contain the scene and protect from cats.

Matter discussed with Cpl. Dion Foote, he agreed to attend scene - inside house with body to ensure security.

/jl

Action: 269
R TILLER

Task No: 36
2015-04-05 16:05:00

Task Assignment: 36 - Notes

Cpl FOOTE contacted by Cpl Henstridge MCU with ME Dr Denic's phone number.

/jl

Action: 251
D FOOTE



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File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 1
2015-04-05 16:06:00

Task Assignment: 1 - Notes

Cpl HENSTRIDGE spoke to Cpl FOOTE to arrange from someone to attend the hospital, seize and secure the body (It was Cpl HENSTRIDGE's understanding at this time that the body had been transported to hospital.)

/jl

Action: 6
M HENSTRIDGE

Task No: 2
2015-04-05 16:09:00

Task Assignment: 2 - Notes

Cst. [REDACTED] and Cst. SMYTHE departed the scene.

/jl

Action: 22
K DOWNEY

Task No: 3
2015-04-05 16:10:00

Task Assignment: 3 - Notes

Writer left with SMYTH.

/jl

Action: 47
[REDACTED]

Task No: 36
2015-04-05 16:10:00

Task Assignment: 36 - Notes

Concerns over scene contamination as the house is full of cats. S/Sgt Tiller asks that Cpl FOOTE attend the interior of the residence and deal with the cats ensuring they stay away from the deceased and out of the room where the shooting took place. Cpl FOOTE to stay at the residence until cleared by FIS.

/jl

Action: 252
D FOOTE

Task No: 2
2015-04-05 16:13:00

Task Assignment: 2 - Notes

Cst. [REDACTED] advises that the news crews are en-route to scene.

/jl

Action: 23
K DOWNEY

Task No: 2
2015-04-05 16:15:00

News Crews arrive on scene. Cst. Downey told them to move back and Cpl. O'Keefe would come down and speak with them shortly.

/jl

Action: 24
K DOWNEY



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Date / Time:

Action:

Action ID:

Task No: 2
2015-04-05 16:15:00

Sgt SMYTH was taken from the scene and brought to Holyrood detachment by Cst. [REDACTED]. Prior to his departure, he passed over his OC Spray to Cpl. O'KEEFE. Same was secured.

Action: 39
T O'KEEFE

/jl

Task Assignment: 37 - Notes

Task No: 37
2015-04-05 16:15:00

Acting Insp. Adams and S/Sgt. Reg Tilley of RNC Street Patrol unit attended Holyrood Det. advised they are present only for support for Sgt. Smyth - would like to see him - offer their support - not to interfere with the investigation. Also provided contact info for SPCA in St. John's.. Noted number of [REDACTED] 301..

Action: 270
R TILLER

/jl
(S/Sgt TLLER)

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-05 16:15:00

Cst GALWAY 10-7 at the office, and speak with S/Sgt. TILLER. Two members from the RNC were present, as well.

Action: 361
J GALWAY

/jl



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Date / Time:

Action:

Action ID:

Task No: 42
2015-04-05 16:15:00

Task Assignment: 42 - SPCA Liaison

S/Sgt TILLER at Holyrood Detachment when visited by Acting Insp. Adams and acting S/Sgt. Reg Tilley of the Royal Newfoundland Constabulary. They were present as a support for the member involved in the shooting. S/Sgt TILLER had inquired if they have any contact information for SPCA in St. John's.. Was given the number [redacted]301. S/Sgt TILLER immediately called that number but answering machine - closed for weekend - message left. RNC member then provided me with the contact person named Kristy [redacted] who could be reached by cell at [redacted]397. S/Sgt TILLER immediately called and spoke with Krissy and asked if assistance could be provided - she advised that it could but it will take a few days. She will wait our confirmation for when they will be required. She also noted that she wanted the family to be aware that they will attempt to adopt out the cats but some may not be able to and may have to be put to sleep.

Message later passed to Cpl. O'Keefe to follow up.

/jl

Action: 396
R TILLER



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-05 16:20:00

Task Assignment: 3 - Notes

Cst [redacted] stopped for gas at the local North Atlantic station.

Action: 48

During the transport the conversation was limited to Cst [redacted] and SMYTH talking about where they were from, how long they had been in each service and the people that they knew in each others respective forces.

Cst [redacted] did not question SMYTH on any aspects of the incident.

At one point Cst [redacted] mentioned that he knew SMYTH form various officer bulletins that he had read that SMYTH put out while in CID. Cst [redacted] asked if SMYTH was still in CID.

SMYTH then stated that he was part of the Close Protective unit. He said that was what brought him there as there were threats on social media. Cst [redacted] did not question it further. SMYTH went on to say that it was a JFO unit and mentioned an RCMP member that was on the unit.

SMYTH at one point stated. "no matter how confident you are about diffusing a situation it is different when it happens". " Only had time to say no, no, no, and that was it".

Cst [redacted] quickly diverted the conversation away from the comments and back to years of service general conversation.

Cst [redacted] arrived at the detachment and met S/Sgt TILLER at the back door and SMYTH went with him and several RNC members.

/jl

Task No: 37
2015-04-05 16:45:00

Task Assignment: 37 - Notes

Sgt. Smyth attended Holyrood Detachment, immediately brought him to an office upstairs, let him speak with the two RNC support staff. Sgt. Kent Osmond was advised of same.

Action: 271
R TILLER

/jl
(S/Sgt TILLER)



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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-05 16:45:00

Task Assignment: 4 - Exhibit Custodian

Cst GALWAY called Dr. DENIC (ME), and updated him on what we had. Dr. DENIC thought that the body was already at the hospital. He was updated that Cpl. FOOTE was at the scene, with the body, as we speak. Dr. DENIC would like an update, when more info is known: how many shots were fired?, from what distance?, etc.

Dr. DENIC said the autopsy will be conducted tomorrow at 0900.

Action: 362
J GALWAY

/jl

Task No: 2
2015-04-05 16:49:00

Task Assignment: 2 - Notes

Cpl. FOOTE arrives on scene and enters residence with Cpl. O'KEEFE

Action: 25
K DOWNEY

Task No: 3
2015-04-05 16:49:00

Task Assignment: 3 - Notes

At 1649 hours Cpl. FOOTE arrived on scene.

Action: 82
A COX

/jl

Task No: 3
2015-04-05 16:51:00

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

Action: 83
A COX

/jl

Task No: 36
2015-04-05 16:51:00

Task Assignment: 36 - Notes

CPI FOOTE at the property of Donnie Dunphy

Action: 253
D FOOTE

/jl



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Date / Time:

Action:

Action ID:

Task No: 36
2015-04-05 16:57:00

Cpl FOOTE inside the residence. Cpl O'Keefe explained where the deceased was located. First room on the left once you enter the residence. Deceased is sitting to the right of the entrance. Cpl FOOTE shoo three cats out of the living room without any of them getting near the deceased body. Deceased is sitting upright in his recliner with what appears to be a gunshot wound to the center of his forehead and another gunshot wound to his left temple. There was a small amount of blood on the side of the deceased's face and some blood pooling in his left ear. Deceased was wearing a black/blue long sleeved collared shirt, black plaid pajama pants and dark socks. No shell casings visible. Cpl FOOTE did not go inside the entire room, instead stayed at the entrance to ensure the cats remained outside. There was a shot gun on the floor in front of the deceased's left foot with the barrel touching the floor and the handle leaning on a plastic storage tub. The deceased hands were by the sides of his legs and were in a position as if they were still holding something.

The residence was extremely dirty and unkept and smelled of fecis, urine and marijuana. There was garbage on the floor everywhere and cat food spread all throughout the house.

/jl

Action: 254
D FOOTE



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Date / Time:

Action:

Action ID:

Task No: 43
2015-04-05 16:57:00

Task Assignment: 43 - Marihuana Grow Operation

S/Sgt CONOHAN speaking with Sgt. Kent Osmond, NCO I/C as I was in the office working on another matter. Trying to determine whether or not they required analytical support from my unit. Sgt. Osmond advised that it was not required at that immediate moment but he did require my assistance as there was a marihuana grow operation in the residence where the shooting occurred in Mitchell's Brook. S/Sgt CONOHAN advised him that he was in the office and could attend and he advised we were to meet at Holyrood detachment.

S/Sgt CONOHAN notified my Supt. S. Sachsse and advised that he was going to attend the scene in the capacity of the Clandestine Lab team leader and she advised that he would take his direction from MCU. S/Sgt CONOHAN gathered the required safety equipment and patrolled to Holyrood Detachment arriving 1800hrs.

Spoke with Sgt. Osmond upon my arrival. S/Sgt CONOHAN was unaware whether or not the accused had a medical marihuana. Was informed that there had been previous marihuana grow operation seized from Mr. Dunphy's property. Phoned the law enforcement line of MMAR and left a message for them to call the back line at Holyrood detachment. Advised that I was only to enter the crime scene at this time to render the scene safe but not to disassemble the grow operation until FIS was done.

Departed Holyrood detachment and patrolled to Mitchell's Brook, NL to the residence of Mr. Dunphy. Sgt. Henstridge and Cpl. Burke of MCU arrived at the same time.

/jl

Action: 407
S CONOHAN

Task No: 1
2015-04-05 17:00:00

Task Assignment: 1 - Notes

Cpl HENSTRIDGE arrived in Holyrood and attended a briefing with Cpl SEWARD, Cst GALWAY, Cst NIPPARD, Cpl BURKE, S/Sgt TILLER and Sgt OSMOND. Cpl HENSTRIDGE learned that the member was Cst Joe SMYTH and that the deceased's name was Don DUNPHY. According to the few details we had at that time, the deceased was shot twice in the head by Cst SMYTH when he pointed a rifle at Cst SMYTH.

/jl

Action: 7
M HENSTRIDGE



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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-05 17:00:00

Task Assignment: 4 - Exhibit Custodian

Debrief at Holyrood office, with: S/Sgt. TILLER, Sgt. OSMOND, Cpl. HENSTRIDGE, Cpl. SEWARD, Cpl. BURKE, and Cst. NIPPARD.

Cst GALWAY was assigned the task to complete the ME 1, and he will attend the autopsy, along with Cpl. SEWARD.

A short while later, Cst GALWAY was advised, by Cpl. BURKE, that he would be the exhibit custodian. Cst GALWAY was to seize the clothing worn by Sgt. SMYTH. Someone is en route with a change of clothes for him.

/jl

Action: 363
J GALWAY

Task No: 12
2015-04-05 17:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE attended Holyrood Detachment for briefing. Cpl BURKE learned that the RNC member involved was Cst. Joe SMYTH of the Premier's Protective Detail. He was currently at Holyrood Detachments as well meeting with other RNC members. Cpl BURKE assigned Primary Investigator duties by Sgt. OSMOND.

Sgt. OSMOND took notes of briefing.

Cpl BURKE and Cpl. HENSTRIDGE to obtain a statement from Cst. SMYTH.

/jl

Action: 830
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 2
2015-04-05 17:00:00

Task Assignment: 2 - Notes

Briefing with S/SGT Tiller, Sgt Osmond, Cst Galway, Cpl Henstridge, Cpl Burke and Cst Nippard.

Sgt Osmond took notes.

Advised of the RNC member involved in shooting was Sgt Joe Smyth.

Deceased was Mr. Donald Dunphy.

Only task to date was assigned to Cpl SEWARD and Cst Galway was to attend the autopsy in the morning for 0900 at HSC.

/jl

Action: 955
S SEWARD

Task No: 37
2015-04-05 17:02:00

Task Assignment: 37 - Notes

S/Sgt TILLER was advised by RNC that [redacted] from SPCA can be contacted by cell at [redacted] 397.. Same passed onto Cpl. O'Keefe for follow up..

/jl

Action: 272
R TILLER

Task No: 2
2015-04-05 17:05:00

Task Assignment: 2 - Notes

Black ford pick-up truck # [redacted] [redacted] with 2 males (1 is Meghan's uncle) arrives and uncle speaks with Meghan.

/jl

Action: 26
K DOWNEY

Task No: 3
2015-04-05 17:07:00

Task Assignment: 3 - Notes

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

/jl

Action: 84
A COX



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Date / Time:

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Action ID:

Task No: 2
2015-04-05 17:12:00

Task Assignment: 2 - Notes

The male in the white tacoma p/u truck leaves the scene.

/jl

Action: 27
K DOWNEY

Task No: 37
2015-04-05 17:15:00

Task Assignment: 37 - Notes

S/Sgt TILLER met with MCU Team at Det.. as well as Foote, Galway, Seward and briefly discussed this matter. Notes taken by Sgt. Kent Osmond of MCU - tasks assigned - Autopsy, exhibit control, scene control, ME1, interviews, neighborhood inquiries etc..

/jl

Action: 273
R TILLER

Task No: 3
2015-04-05 17:20:00

Task Assignment: 3 - Notes

Cst.WILLIAMS left the scene as Cst. CRUMMY was coming on to relieve Cst.WILLIAMS as Cst.WILLIAMS was the only member on night shift in Ferryland area.

DW/

/jl

Action: 1020
D WILLIAMS

Task No: 2
2015-04-05 17:25:00

Task Assignment: 2 - Notes

Cst. CRUMMEY arrives on scene to relieve Cst. DOWNEY

/jl

Action: 28
K DOWNEY



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-05 17:25:00

Task Assignment: 3 - Notes

Cst CRUMMEY arrived at Donald Dumphy residence in Mitchell's brook. Cst CRUMMEY spoke with Cpl. O'keefe and Cst Downey. Cpl. O'Keefe advised Cst CRUMMEY to contain the main road and let only residents of the area through. Cst CRUMMEY partially blocked the main road to deal with incoming traffic in the area. Cpl. O'Keefe told Cst CRUMMEY Cpl Foote was inside the residence and Cst Cox was set up and the end of Donald Dumphy's driveway.

/jl

Action: 53
G CRUMMEY

Task No: 2
2015-04-05 17:28:00

Task Assignment: 2 - Notes

Cst. DOWNEY 10-8 from scene
This concludes members involvement in this matter. Cst. Kelly Downey #49264

/jl

Action: 29
K DOWNEY

Task No: 1
2015-04-05 17:30:00

Task Assignment: 1 - Notes

(Approx Time) Cpl HENSTRIDGE spoke briefly with Cst SMYTH who had several RNC members with him for support including Warren SULLIVAN of the RNC Association. SMYTH was shaken but cooperative. He stated he very much wanted to provide a statement immediately but would prefer to wait until tomorrow once he settled. SULLIVAN noted that he advised SMYTH of this given the research which showed recall was stronger and more accurate the following day. Cpl HENSTRIDGE agreed and advised that this would not be a problem. Cpl HENSTRIDGE provided his business card and asked Cst SMYTH to contact him as soon as he was up to it in the morning.

/jl

Action: 8
M HENSTRIDGE

Task No: 3
2015-04-05 17:30:00

Task Assignment: 3 - Notes

Cst Downey left area.

/jl

Action: 54
G CRUMMEY



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Action ID:

Task No: 12
2015-04-05 17:45:00

Task Assignment: 12 - Notes - Primary Investigator

Briefing completed. Cst. SMYTH advised that he was not prepared to provide a statement at this time but would in the next couple of days.

/jl

Action: 831
S BURKE

Task No: 1
2015-04-05 17:50:00

Task Assignment: 1 - Notes

Cpl HENSTRIDGE again spoke to Cst SMYTH and obtained his bio information: Joseph Edward SMYTH (redacted) Cell # (redacted) 610. SMYTH noted that prior to entering the property he noted a camera outside. He was unsure if there was a camera in the dwelling or not. He also noted that he had spoken to the deceaseds brother and sister in law who lived next door just prior to going to the deceaseds residence. He said DUNPHY's brothers name was Dick and his sister in laws name was Debbie. SMYTH said he had never had contact with this individual before. He also stated that all of his notes relating to the the call were still inside the residence. Cpl HENSTRIDGE also advised Cst SMYTH that we would require his clothing as part of the investigation. He said that would be not problem and arrangements were made by his supporters to have clothing brought to him.

/jl

Action: 9
M HENSTRIDGE

Task No: 25
2015-04-05 17:50:00

Task Assignment: 25 - Statement

CI HENSTRIDGE spoke briefly with Cst SMYTH in a vacant office at Holyrood Detachment. There were several other RNC officers there with him for support including Warren SULLIVAN (RNC Police Association). Cpl HENSTRIDGE explained that he would like to get a statement from him. He stated that he will certainly provide an account and was eager to do so but under the advise of his representative, he would like to wait until tomorrow to provide his statement. Cpl HENSTRIDGE had no issue with this and is aware of research which indicates that a persons' memory is most clear hours after a critical incident. There was no indication from SMYTH that he was avoiding me and in fact appeared to be very cooperative.

/jl

Action: 201
M HENSTRIDGE



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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-05 18:50:00

Task Assignment: 4 - Exhibit Custodian

CSt GALWAY accompanied SMYTH into the male changeroom, at the Holyrood office. Cst GALWAY seized all his clothing, except his underwear. The following items were seized:

Action: 364
J GALWAY

- 1 pair of brown casual pants
1 black, long sleeve, polo shirt
1 pair of black ankle socks
1 brown v-neck t-shirt
1 pair of brown leather shoes
1 brown leather belt
RNC badge # 610
1 black "Safariland" holster
1 set of handcuffs, still in the "Safariland" black holder
1 black leather jacket, which SMYTH retrieved from the office down the hall

/jl

Task No: 37
2015-04-05 18:51:00

Task Assignment: 37 - Notes

S/Sgt TILLER received a call from Health Canada for S/Sgt. Steve Conohan in inquired with them regarding any Marihuana Lincenses issued to the deceased. Was advised that a Licence was issued for deceased in August 3, 2013 for both possession and production of marihuana and is still valid as of todays date. Note the permit has maximum quantities of 20 plants, possession of 120 grams with a maximum storage of 900 grams.

Action: 274
R TILLER

/jl



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Date / Time:

Action:

Action ID:

Task No: 1
2015-04-05 19:07:00

Task Assignment: 1 - Notes

Cpl BURKE and Cpl HENSTRIDGE attended to the residence of Donald DUNPHY in Mitchell's Brook. Upon entry, Cpl HENSTRIDGE noted a living room area to his immediate right after a short hall-way (4 ft). Cpl FOOTE was guarding the entryway to prevent cats from entering the immediate scene. Cpl HENSTRIDGE first noted a bolt action rifle to the right of the entryway and towards the center of the room (Appeared to be a .22 calibre). The rifle was leaning against a blue tupperware container. The deceased was sitting in a arm chair which was positioned against the wall (The same wall that separated the living room and the entryway). The firearm was approximately 2 feet in front of the deceased. Cpl HENSTRIDGE noted a round circular hole on the left side of the subject's head near the temple (Consistent with a bullet hole). As Cpl HENSTRIDGE took an additional step inside the room, he noted an open wound in the front of the subjects head just above the nose. This was an open wound and appeared to be 3-6 cms in diameter. Cpl HENSTRIDGE saw what he believed to be brain matter inside of the wound. The subject's hands were positioned as if he were holding a rifle. The living room and entire house was in disarray with numerous cats walking in and out of the residence. The television in the living room didn't appear to be connected to cable. "Audio" was flashing on the blank screen. There were several propane tanks (small "camp size") strewn around the room. One of these tanks was connected to a heating device and was situated approximately 2 feet to the left of the deceased. Cpl HENSTRIDGE also noted a long plastic bottle on the table in front of the deceased and an ice cream tub (2 litre). S/Sgt CONOHAN checked otehr rooms in the house in his capacity as a Clan Lab expert. Cpl HENSTRIDGE's purpose for entering the dwelling was to assess the room and proximics in preparation for an interview with Cst SMYTH. Upon exiting the residence at 1920 Cpl HENSTRIDGE noted a black jeep (NL LP# [REDACTED] [REDACTED] in the driveway. Behind the jeep was a black Yukon NL LP #CVG 309) which had been running. Cpl HENSTRIDGE asked Cpl O'KEEFE to shut the vehicle off, lock it and seize the keys as there were documents inside which needed to be secure. O'KEEFE also confirmed that he had secured SMYTHs firearm, pepper spray and mag.

Action: 10
M HENSTRIDGE

/jl



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-05 19:07:00

Task Assignment: 3 - Notes

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

/jl

Action: 85
A COX



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-05 19:07:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE along with Cpl. HENSTRIDGE attended the scene of the shooting in Mitchell's Brook. Cpl BURKE identified self with Cst. COX who was maintaining a security log. Cpl BURKE as Primary Investigator entered the scene to get an initial visual of the scene and for interviewing purposes. Cpl BURKE stayed in porch area and did not disturb the scene in anyway. Due to the fact there were in excess of 40 cats known to be at the residence, Cpl. FOOTE was posted inside the residence to attempt keep the cats away from the scene and the deceased. Of note is that the residence was very dirty (garbage/state of disrepair) and cats were observed wondering at various locations of the residence. Members made every attempt to maintain the integrity of the scene. Members were aware of the existence of a marihuana grow operation in the residence and S/Sgt Steve CONOHAN was also present to ensure there was no safety concerns.

Cpl BURKE observed the deceased sitting in a chair in the living room with what appeared to be a bullet hole in the left hand side temple and another wound to his forehead. CPI BURKE observed a long barrelled firearm on the floor to the left of the deceased, brown stock and black barrel. Cpl BURKE noted that the deceased's hands were positioned in such a fashion that is appeared he was hold a long gun (his right hand was facing the floor and his left hand was facing up). There were numerous cats present both in the house and outside. Cpl BURKE observed several propane cylinders scattered throughout the residence including on the coffee table directly in front of the deceased (btb used to burn marihuana for ingestion).

Cpl BURKE advised by S/Sgt. CONOHAN that there were a number of marihuana plants located throughout the residence but there were no safety concerns.

Cpl BURKE observed a space heater on the floor in the living room that was on. Cpl BURKE unsure if that heater was electric or propane.

Cpl BURKE noted the unmarked RNC vehicle in driveway GMC Yukon NL marker CVG 309 and a Jeep NL marker [redacted]

/jl

Action: 832
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-05 19:08:00

Task Assignment: 3 - Notes

Major crime unit arrived Cst CRUMMEY told Cpl. Henstridge were to locate Cpl. O'keefe and where the Dumphy residence was located.

Action: 55
G CRUMMEY

/jl

Task No: 3
2015-04-05 19:09:00

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

Action: 86
A COX

/jl

Task Assignment: 2 - Notes

Task No: 2
2015-04-05 19:10:00

Cpls BURKE and HENSTRIDGE of MCU advised that the RNC vehicle could be shut off and secured. Same completed, keys secured with Cpl. O'KEEFE.

Action: 40
T O'KEEFE

Cpl. O'KEEFE remained on scene throughout the evening and co-ordinated site security.

/jl

Task Assignment: 37 - Notes

Task No: 37
2015-04-05 19:10:00

advance message forwarded but as directed by CROPS only sent to CROPS Officer, S/Sgt. Chris Fitzgerald, DPO East, OPS Support Officer and Sgt. Kent Osmond.

Action: 275
R TILLER

/jl
(S/Sgt TILLER)



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File No: 2015-376186

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Date / Time:

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Action ID:

Task No: 43
2015-04-05 19:10:00

Task Assignment: 43 - Marihuana Grow Operation

Sgt CONOHAN, Sgt. Henstridge and Cpl. Burke entered the crime scene area. Upon the approach to the house it was noted that there was a strong odour of cannabis marihuana. There was also an overwhelming odour from the fecal matter and urine from a large amount of cats that were inhabiting the house with Mr. Dunphy. The estimate I would put is at between 40-50 cats.

S/Sgt CONOHAN first walked into the kitchen area and in a hallway area between there and the laundry room there were 19 vegetative marihuana plants that were being grown under a 1000w light attached to a 1000w electrical ballast. There was an additional plant in the laundry room. There were no electrical by-passes and Mr. Dunphy had a simple two stage grow operation. S/Sgt CONOHAN unplugged the electrical ballast as it can hold a charge for over a half hour and could pose a shock hazard. The high pressure light bulb if touched while operating could explode and send glass shards flying so it needed to cool.

There was one other large mother plant located in the house and it was located in a room by itself at the end of the main hallway to your left. It was being grown under a 1000w light attached to a 1000w electrical ballast as well. That ballast was unplugged as well. No plants were removed at this time. S/Sgt CONOHAN did not enter the main living room but was able to see the deceased seated in a chair with his hands as if they were holding a long rifle. The bolt action rifle was in front of him with the stock on a rubbermaid tub and barrel towards the floor.

/jl

Action: 408
S CONOHAN

Task No: 36
2015-04-05 19:11:00

Task Assignment: 36 - Notes

MCU members, Cpl Henstridge and Cpl Burke enter the porch. Quick look in the room. S/Sgt Conohan also eneter the house as there is a grow operation on site.

/jl
(Cpl FOOTE)

Action: 255
D FOOTE



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Action ID:

Task No: 36
2015-04-05 19:17:00

All members leave the residence.
/jl
(Cpl FOOTE)

Action: 256
D FOOTE

Task Assignment: 43 - Marihuana Grow Operation

Task No: 43
2015-04-05 19:17:00

S/Sgt COOHAN departed the residence. There was an electrical cord noted running to an adjacent outbuilding. S/Sgt CONOHAN checked that for additional marihuana plants and no further plants were found. There were an additional 8-10 cats living in the outbuilding. A second outbuilding did not contain either cats or marihuana.
/jl

Action: 409
S CONOHAN

Task Assignment: 3 - Notes

Task No: 3
2015-04-05 19:19:00

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

Action: 87
A COX

Task No: 3
2015-04-05 19:21:00

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

Action: 88
A COX

Task Assignment: 43 - Marihuana Grow Operation

Task No: 43
2015-04-05 19:22:00

S/Sgt CONOHAN departed the secure area.
/jl

Action: 410
S CONOHAN



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Action ID:

Task No: 5
2015-04-05 19:23:00

Task Assignment: 5 - Neighbourhood Inquires

Cst NIPPARD began an audio recorded statement of Rochelle Nolan. The following was noted:

Action: 110
M NIPPARD

Rochelle Nolan. [redacted] Dunphy is her neighbour and has been a widower for approximately 26 years. His wife died of diabetes after slipping into a diabetic coma. Dunphy has one child. Megan Dunphy. Approximately 28 years old. Was only 2-3 years old when her mother died. Megan lives on Salmonier Line with her common-law spouse, Billy (LNU). They have no children. Megan wasn't at her fathers house everyday but Nolan described her as "Daddy's girl". Dunphy's mother and father are both deceased and they used to live 2 houses to the west of where Donald's house is now. Donald Dunphy got hurt working with "the highways" Story is that he got squat between two trucks and hurt his back. Dunphy has been collecting workers compensation ever since the accident. Nolan describes him as a loner who keeps to himself. Nolan did not have any issues with him until her son [redacted] went to save one of Dunphy's cats from falling into the water. Dunphy " went off his head at her son who was 9 years old at the time" Nolan had words with Dunphy regarding this matter and she got the impression at that time that he was "burnt" and "paranoid". She warned her kids to stay away from him, and felt he had a propensity for violence. Dunphy has many cats and that they roam everywhere. She had contacted the SPCA regarding this as well. Strong odour of cat urine in the area during the summer time. Dunphy grows marihuana in his residence and apparently has a license to grow same for medicinal purposes. She has heard that he is selling the marihuana as well. Donald Dunphy has 2 brothers that Nolan is aware of. Dick Dunphy, who lives next door to Donald and one that lives on 9 mile/Collinet Road but she does not know his name. Nolan stated that her friend Trina [redacted] had texted Megan about the police being at her fathers residence. [redacted] use to work with Megan. Megan in turn apparently got a ride to the scene with an RCMP officer. Nolan heard that Megan didn't know her father had a gun. Other persons in the community have told Nolan that he does in fact have a gun.



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Nolan then told Cst NIPPARD about a black SUV that was parked on the road in front on her home.
 The vehicle was a new, black SUV, male occupant.
 Her son said it was a "Undercover cop".
 The vehicle was parked there for 5-7 minutes. Around 1:20 - 1:30 p.m.
 She thought it was just someone on their cell phone but didn't see the person on a phone.
 The vehicle was parked facing Donald Dunphy's residence.
 The male driver did not get out of the vehicle while there.
 Nolan did not hear any gunshots. She had family over for Easter dinner and there were grandchildren running around, the T.V was on, It was windy outside and given all this they never heard anything alarming.
 Nolan's son [REDACTED] called her at 2:47 p.m. telling her about several police cars heading down the bay with lights on.
 Time between the black SUV being in front of her residence and police cars arriving at the scene was approximately 1 1/2 hours.
 Nolan heard on VOICM that a "shooter was still at large and to lock your doors."
 Nolan's son [REDACTED] told me that a couple of days ago he was walking up the road and noticed a new sign attached to Donald Dunphy's residence. It read "Warning, do not enter."
 Nolan heard through hearsay that Donald Dunphy was sending threatening letters to the Government.
 Donald Dunphy had a working vehicle that he used on a regular basis.
 Donald Dunphy was a frequent user of "open line" a radio show that allowed callers to discuss current issues specifically surrounding provincial government. He had issues with Workers Compensation and the amount of compensation that he received in order to live.

/jl

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-05 19:25:00

All exhibits were placed in the far right exhibit locker, with the assistance of Cpl. SEWARD. Sticker was placed over the seam of the locker to show continuity.

/jl
(Cst GALWAY)

Action: 365
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-05 19:30:00

Task Assignment: 3 - Notes

Cst. HANN was contacted at home by Cst. Michael HUSK to assist Holyrood RCMP in keeping the scene secure at the DUNPHY residence in Mitchell's Brok, NL.

Cst. HANN was on Bell Island and immediately departed his residence and went to Holyrood Detachment to gather instructions from S/Sgt. Rod TILLER. TILLER advised that HANN would have to stay at the scene and monitor any activity of any persons or vehicles in the area until relief was available in the am.

/jl

Action: 58
M HANN



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Action:

Action ID:

Task No: 9
2015-04-05 19:43:00

Task Assignment: 9 - Statement

Cpl BURKE and Cpl HENSTRIDGE attended the residence of Richard Joseph DUNPHY [REDACTED], [REDACTED] [REDACTED] Mt Carmel, Ph (709) [REDACTED] 843. Richard aka "Dick" lives in the house immediately west of the deceased. Mr DUNPHY provided the following information in an audio recorded statement:

Donald DUNPHY is his younger brother.
Donald has not had much contact with his brothers since the death of their father some 12 years ago.
Sometime around 1 o'clock today, he came into the house and there was a police officer in the house talking to his wife. The officer was saying that he wanted to talk to his brother over some threatening letters to the government. The officer asked if there was any guns in the house and he told him he didn't think so because he didn't hunt or anything.. After the officer left, he remembered that when his father died, He (Dick) took possession of two shot guns and the third gun which was a .22 rifle bolt action with a wooden stalk (Possibly a light coloured brown). The .22 was left in his brother's house although he is unsure if the gun is still there now. He had not seen the .22 in twelve years.
He said his brother had a fallen out and he "was a brother ya couldn't deal with". The falling out had to do with some land across the road and there was a dispute between them over ownership of this land.
His brother is currently on worker's comp. He previously worked with dept of highways but hasn't had a job for several years. He also worked in Bull Arm. He see's a doctor (Originally he saw Dr. Paul [REDACTED] in Holyrood but had a falling out with him and was now being seen by Dr. McGARRY (Sp)) these visits are in an effort to get Workers Comp.
His brother would be on "Open Line" talking about his family. He once said on open line that the RNC stopped him for dope in St. John's and they were fine fellows because they let him go.
He doesn't believe his brother had any issues with the police.
He has no idea what might have happened. He hadn't had any contact with his brother for several years. He doesn't think he spoke to his brother in 10 years.
He doesn't believe his brother was ever treated for mental illness. He was injured in an industrial accident about 20 years ago. His wife died about 25 years ago.
His brother is not close to any of his family. His family couldn't trust him because they didn't know what he might have "over there". When asked to explain, he said that his brother was difficult to deal with, he would froth at the mouth. He's threatened his wife.
He is unsure of the relationship between Donald's daughter and her

Action: 159
M HENSTRIDGE



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father. They don't maintain contact with Donald's daughter either.
He feels his brother always felt somebody owed him something.
He said one of his buddy's is Collin DINN. Someone told him that Don called Collin DINN around 2:00 p.m.
When asked if he was surprised when this happened, he said that he wasn't surprised because they were "nervous" there with him living next door.
He has another brother Bart DUNPHY in Seal Cove ph: [REDACTED] 404 who might be able to provide more background.

/jl

Task Assignment: 37 - Notes

Task No: 37
2015-04-05 19:50:00

S/Sgt. Steve Conohan advised of the Marihuana Lincence Information.

/jl
(S/Sgt TILLER)

Action: 276
R TILLER

Task Assignment: 5 - Neighbourhood Inquires

Task No: 5
2015-04-05 20:02:00

Statement was concluded. Nolan thanked for her time.

/jl

Action: 111
M NIPPARD



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Task No: 17
2015-04-05 20:02:00

Task Assignment: 17 - Statement

Cpl HENSTRIDGE obtained an audio recorded statement from Debbie DUNPHY [REDACTED] (Cpl BURKE was also in attendance during the interview). Mrs. DUNPHY provided the following information:

Action: 157
M HENSTRIDGE

She said that after dinner, a Sergeant knocked on her door, he identified himself to her and asked her where her next door neighbour was. She told him that he might be at his daughter's. She asked the officer what was wrong and he told her that he was investigating letters of threat against the government. She told him where Donald's daughter lived and that he might be there for dinner.

They talked a bit about Don and that they didn't get along and there was no communication over the past years because of things that had happened.

On one occasion, she had a peace bond against Don because he had come on her property and put "something" on her trees (Which she could smell). He also threatened her on one occasion that he would "beat the head off" her if he ever said anything like that again (This was in relation to an incident where she suggested to Don's daughter that he should get mental help). Don also erected a stick on her property with a rubber glove perched on top with the middle finger sticking up. On another occasion, she believes he may have been near her window at night. Because of this, she never felt very secure with Don living next door.

A part of the issue arose out of a controversy over the land which is in front of their house. Don would put his car wrecks on the land which was an eyesore. This was a sore point for her.

She recalls a long time ago, when they were on good terms, Don had her type up a letter on the computer (She couldn't recall to whom it was directed). Within the letter, there was threatening language but she deleted it and told him it was not appropriate.

She said she never felt safe there and would close her curtains and lock her door if she was there alone.

She told the officer that she didn't know if he had a gun or not.

She knew that he was eventually going to "lose it" because he has such a short fuse. She felt there might be a confrontation but didn't think there would be violence.

She believes that the officer was at her place sometime around 2 p.m.

She didn't hear anything because she had her dryer on and it was squeaking. She later heard about what happened from her daughter.

She indicated that she felt bad for the officer, because she assumes that he shot Don and even if it was in self-defence, she would feel bad if that happened to her.

She noted that she doesn't feel sadness for him but for Meghan.



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She said his only friend was Collin DINN and she is unaware of anyone else going there.
This report along with the CD containing the audio recording of this statement submitted to Cpl S BURKE for his review.

This task recommended for conclusion here.

Monty HENSTRIDGE

/jl

Task Assignment: 9 - Statement

Task No: 9
2015-04-05 20:02:00

Statement concluded.

/jl
(Statement of Richard DUNPHY)

Action: 160
M HENSTRIDGE



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Date / Time:

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Action ID:

Task No: 5
2015-04-05 20:23:00

Task Assignment: 5 - Neighbourhood Inquires

Cst NIPPARD attended the residence that neighbours Rochelle Nolan's. Kevin [redacted] answered the door and invited me in to speak with him concerning this matter. Cst NIPPARD sat with him and his wife Michelle [redacted] and obtained further information much of which resembled what Nolan had told me.

Action: 112
M NIPPARD

The following was noted during the conversation:

Donald Dunphy was a loner. He had 3 brothers, Dick Kevin and Bart Dunphy. None of which seem to have anything to do with him. Dunphy does smoke weed and has a license for same for medicinal purposes. [redacted] re-iterated that Donald Dunphy had crushed between a forklift and a truck up on the Trans Canada Highway and his pelvis was crushed. He was on workers compensation ever since then. They offered that Donald had issues with the government but didn't know what exactly. The [redacted] were away living in Ontario for 18 years and only moved back here in 2011 and therefore do not know much of his current history. Tom Hearn was a name mentioned as someone who visited Donald from time to time. They were home but did not hear any gunshots or alarming noises. They did not know what had happened until Rochelle Nolan called and told them. Donald Dunphy's wife's name was Lousie Bennett and Michelle [redacted] was a friend of hers before she died.

/jl

Task No: 3
2015-04-05 20:37:00

Task Assignment: 3 - Notes

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

Action: 89
A COX

/jl



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Action ID:

Task No: 4
2015-04-05 20:40:00

Task Assignment: 4 - Exhibit Custodian

Cst GALWAY 10-7 at the scene, with Cpl. SEWARD. Speak with FIS members, Cpl. LEE and Sgt. SAUNDERS. They will photograph the scene, first, and then we will go inside and seize any exhibits.
Following members were currently on scene: S/Sgt. CONOHAN, Cpl. O'KEEFE, Cst. COX, Cpl. FOOTE, Cst. CRUMMEY.

Action: 366
J GALWAY

/jl

Task No: 4
2015-04-05 20:40:00

(Cpl SEWARD) attended scene at Mitchell's Brook with Cst Galway to render any possible assistance with exhibits and check on resources.

Action: 956
S SEWARD

Members present were Cpl. O'Keefe, Cst Cox, S/SGT Conohan, Cpl. Foote and Cst Crummey.

There was also two ident members Sgt Saunders and Cpl. Lee.

/jl

Task No: 5
2015-04-05 20:45:00

Task Assignment: 5 - Neighbourhood Inquires

End of noted information. Thanked for their time and provided information to contact Cst NIPPARD if needed.

Action: 113
M NIPPARD

Task No: 3
2015-04-05 20:50:00

Task Assignment: 3 - Notes

Ident Cpl. Lee and Sgt. Saunders arrived.

Action: 56
G CRUMMEY

Cst CRUMMEY provided phone number for Gibbons funeral home to Cpl. Seward.

/jl



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Task No: 5
2015-04-05 20:50:00

Task Assignment: 5 - Neighbourhood Inquires

Cst NIPPARD attended the residence of Tom Hearn. Residence was 5 houses to the west of Donald Dunphy's and on the same side of the road. Tom Hearn answered the door and invited me in to speak with him concerning this matter. Cst NIPPARD sat with him and obtained further information much of which resembled what Rochelle Nolan had told me.

Action: 114
M NIPPARD

The following was noted during the conversation:

Tom Hearn. [redacted] Mitchell's Brook, NL. Hearn knew Donald Dunphy and spoke to him probably every 2-3 weeks. The conversations would be general regarding the weather, cutting wood and most recently concerning an Argo that Donald had purchased. Donald Dunphy never mentioned anything about any ongoing investigation into himself. Hearn guessed that Dunphy had 45 cats on his property and that he did look after them very well. Donald Dunphy had 1 daughter, Megan. She moved out of her fathers home 5-6 years ago. Hearn stated that Dunphy's wife actually died from a heart attack while mowing the lawn. Hearn advised he had 18 members of his family over to his house today for Easter dinner and that no one there heard any gun shots. Hearn did not know if Dunphy had a gun or not and that Dunphy never mentioned owning one to him. Hearn knew about Donald's accident and his ensuing issues with workers compensation. He was always a caller to the "open line" radio show. Hearn knew that Dunphy smoked weed and seen the plants in his residence. He knew that Dunphy had a license to do same for medicinal purposes. Donald Dunphy did not seem like a violent person. Colin Dinn was someone who use to visit Donald Dunphy as well. (Lives next door to Hearn) Donald Dunphy was in the hospital last year and had an operation. He was in the hospital for a bit and did not cut any firewood this year. The first Hearn heard of what happened is when he seen the story online with VOCM. End of information. Thanked for their time and provided information to contact Cst NIPPARD if needed.

/jl



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Task Assignment: 3 - Notes

Task No: 3
2015-04-05 20:51:00

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

Action: 90
A COX

/jl

Task Assignment: 24 - Statement

Task No: 24
2015-04-05 20:52:00

Cpl HENTRIDGE contacted Collin DINN using the telephone number provided by his parents. DINN advised that he had a medical appt in the am but would meet with Cpl HENSTRIDE in the afternoon.

Action: 196
M HENSTRIDGE

/jl

Task Assignment: 3 - Notes

Task No: 3
2015-04-05 20:53:00

At 2053 hours Cst. GALWAY back outside scene again.
At 2053 hours Sgt. SAUNDERS and Cpl. LEE entered scene crossing scene tape.

Action: 91
A COX

/jl

Task No: 3
2015-04-05 20:54:00

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

Action: 92
A COX

/jl



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Task No: 43
2015-04-05 20:55:00

Task Assignment: 43 - Marihuana Grow Operation

Sgt. Saunders and Cpl. Lee of FIS prepared to enter residence. S/Sgt CONOHAN spoke to Sgt. Saunders outside of the secure area and advised that it was a rather simplistic grow and I that I had been in already and rendered it safe and unplugged the two ballasts.

S/Sgt CONOHAN waited on scene with scene security until 2245hrs and departed when advised that FIS would need to hold the scene until at least in the morning to take phtos etc... during daylight hours. Departed scene and drove to Holyrood Detachment and spoke briefly with S/Sgt. Tiller and drove back to St. John's.

/jl

Action: 411
S CONOHAN

Task No: 3
2015-04-05 20:57:00

Task Assignment: 3 - Notes

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

/jl

Action: 93
A COX

Task No: 3
2015-04-05 21:05:00

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

/jl

Action: 94
A COX

Task No: 3
2015-04-05 21:07:00

At 2107 hours Cpl. FOOTE exited the scene.

/jl

Action: 95
A COX

Task Assignment: 36 - Notes

Task No: 36
2015-04-05 21:07:00

Sgt Saunders and Cpl Lee attend the residence. Cpl FOOTE released from the residence.

/jl
(Cpl FOOTE)

Action: 257
D FOOTE



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Task No: 5
2015-04-05 21:20:00

Task Assignment: 5 - Neighbourhood Inquires

Cst NIPPARD attended the residence of Scott [redacted] Residence was next door to Dick Dunphy's residence. 2 houses to the west of Donald Dunphy's and on the same side of the road. Scott [redacted] answered the door and invited me in to speak with him concerning this matter. Cst NIPPARD spoke with him and obtained further information however he was drinking alcohol with a friend and Cst NIPPARD therefore put off obtaining further details until a later date if they were required.

Action: 115
M NIPPARD

The following was noted during the conversation:

Scott [redacted]. DOB: [redacted] Lives in St.John's, NL however this residence is his summer home. He purchased this home from Donald Dunphy. It use to belong to Dunphy's parents. [redacted] was not home when this incident took place earlier today. He did not arrive there until 6 p.m. [redacted] knows Donald Dunphy and last spoke to him a couple of weeks ago. [redacted] re-iterated the common story of Dunphy having been injured in an accident years ago and having been collecting workers compensation ever since. [redacted] knew Dunphy was having issues with the Government and apparently had threatened the premier on social media via "Twitter", an online social media network. He described Dunphy as smart and well spoken. Dunphy was not a violent person and he does not know what happened. Make the statement "unless Don snapped". Donald Dunphy did smoke weed legally. [redacted] advised he would be around tomorrow for a statement if needed and otherwise if needed at a later date then he lived in St.John's and provided his cell number.

/jl

Task No: 12
2015-04-05 21:20:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE spoke with Cpl. FOOTE and requested that he contact an area funeral home for transportation of body to Health Sciences Centre Morgue on released by the OCME (Dr. DENIC).

Action: 833
S BURKE

/jl



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Task No: 4
2015-04-05 21:21:00

Task Assignment: 4 - Exhibit Custodian

Cpl. SEWARD called Gibbons Funeral Home, and updated them on the file. They are on standby.

Action: 367
J GALWAY

/jl
(Cst GALWAY)

Task No: 4
2015-04-05 21:21:00

(Cpl SEWARD) called Gibbons funeral home to be on standby once the body was released.

Action: 957
S SEWARD

/jl

Task Assignment: 3 - Notes

Task No: 3
2015-04-05 21:36:00

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

Action: 96
A COX

/jl



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Task No: 16
2015-04-05 21:36:00

Task Assignment: 16 - Statement

Cpl BURKE and Cpl HENSTRIDGE attended ██████████ Salmonier Line and met with Meghan Donell DUNPHY who is the daughter of Donald DUNPHY. Meghan provided the following information in an audio recorded statement:

Action: 154
M HENSTRIDGE

She went for lunch with her father today at the Woodstock Restaurant. He stopped in her place at 1:03 on his way back to his home.

His mood was very good today and only complained about a bad leg.

She sees her father frequently and speaks to him 3-5 times a day. They are very close.

When asked if he had any mental issues, she stated that her dad has had a rough life. When he was 28 years old he got crushed by a backhoe, they also lost a child and when she was three her mother died. It was rough raising a girl with little money. There's been a falling out with his family over land. She said she would not say he had mental issues but he spent a lot of time alone and blamed workers comp for his financial situation.

When he was frustrated he expressed his opinions. She described him as being confrontational and 'flighty'. She said they're close but they have certainly fought.

She said that over the past few days and weeks, has been some of the best time he's been. She said he was looking forward to turning 60.

She was last at his house this past Thursday or Friday to pick him up, She is unaware of him having any firearms in the house. She can't say if she ever saw a firearm there or not because he is a hoarder and collects everything that's old. She did recall seeing an old stick there which he said he had to protect against anyone that might try to come in and rob him.

She said that her dad complains about workers comp a lot.

He is on Twitter a lot to talk to politicians to help him with his Workers Comp issues. She is unsure of exactly what the issue was.

She described him as a rambler who would get something on his mind and he would talk on and on about it.

She noted that the "cop" told her that he was shot in the living room and that there was a rifle in the living room.

She felt it was strange that an investigator would attend her dad's residence alone and on Easter Sunday.

She said the only way that her father would threaten him is if he didn't know he was a cop. She was adamant that if the RNC officer says that he identified himself than he's lying because his father wouldn't want to risk himself with a cop.

She said he was not suicidal and not depressed. He didn't take any other drugs other than some pain killers and weed. He doesn't drink.



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She doesn't believe the camera on the house was functioning. It was there to dissuade people who might try to rob him. She believes that the RNC went into the house and didn't identify himself as a police officer. She found out about what had happened when a friend of her called and told her about all the police cars around her fathers' place. She went down there and received another call from her friend and said that she'd heard that there were shots fired. She wanted to know if she'd be able to talk to the officer. Cpl HENSTRIDGE explained that this was not something that we'd be prepared to entertain at this time.

/jl

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-05 21:40:00

Cst GALWAY called Dr. DENIC, and updated him on the file. He would like photos of the scene, before the autopsy. Cst GALWAY told him he will check with Cpl. LEE

Action: 368
J GALWAY

/jl

Task Assignment: 3 - Notes

Task No: 3
2015-04-05 21:42:00

At 2142 hours Sgt. SAUNDERS re entered the scene.

Action: 97
A COX

/jl

Task Assignment: 2 - Notes

Task No: 2
2015-04-05 21:50:00

Sgt SMYTH's firearm, magazines and OC Spray were turned over to Cst. GALWAY, exhibit custodian. Keys to the RNC vehicle were also turned over to Cst GALWAY.

Action: 41
T O'KEEFE

/jl



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File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-05 21:50:00

Task Assignment: 4 - Exhibit Custodian

Cpl. O'KEEFE hands over lockbox, belonging to SMYTH, which he had seized, earlier. This was done in the backseat of the Ford ELV. Cpl. SEWARD was also present.

Action: 369
J GALWAY

Cpl. O'KEEFE opened the box, and the contents were checked:

1 black pistol, in lockback...Cpl. O'KEEFE had cleared the gun when he seized it. No mag in the gun.

2 black mags...1 mag is laid flat. Cpl. O'KEEFE had done this to indicate that this was the mag that was in the gun, at the time it was seized

1 can of OC spray, still in its pouch

The box was locked, again, and Cst GALWAY seized the keys from Cpl. O'KEEFE. Ct GALWAY also seized the keys to SMYTH's veh., from Cpl. O'KEEFE. SMYTH's veh. is still in DUNPHY's driveway.

Cpl. O'KEEFE advised that the NOK was Meghan DUNPHY ([REDACTED]), [REDACTED] 682, lives on Salmonier Line. Cpl. O'KEEFE said that the deceased did not work, and was on disability.

/jl
(Cst GALWAY)

Task No: 36
2015-04-05 21:56:00

Task Assignment: 36 - Notes

Cpl FOOTE 10-8 from scene and 10-17 to Holyrood detachment.

Action: 258
D FOOTE

/jl



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Date / Time:

Action:

Action ID:

Task No: 16
2015-04-05 22:00:00

Task Assignment: 16 - Statement

Statement concluded. This report along with a CD containing the audio recording turned into Cpl BURKE for his review. This task recommended for conclusion at this time.

Action: 155
M HENSTRIDGE

Monty HENSTRIDGE

/jl

Task No: 3
2015-04-05 22:14:00

Task Assignment: 3 - Notes

At 2214 hours Cpl. LEE exited the scene.

Action: 98
A COX

/jl

Task No: 2
2015-04-05 22:15:00

Task Assignment: 2 - Notes

Departed scene in Mitchell's Brook. Site containment turned over to Csts [redacted] & HANN.

Action: 42
T O'KEEFE

Task No: 3
2015-04-05 22:15:00

Task Assignment: 3 - Notes

Cst [redacted] attended the scene as he was requested to do scene security. Cst [redacted] took over for Cst Cox at this time. Cst [redacted] maintained the scene log until approximately 8:15 when he turned it over to Cpl O'KEEFE.

Action: 49

There were no concerns during this time.

/jl

Task No: 3
2015-04-05 22:22:00

At 2222 hours Cpl. LEE re entered the scene.

Action: 99
A COX

/jl



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-05 22:29:00

At 2229 hours Sgt. SAUNDERS exited scene.
At 2229 hours Cst. [redacted] on scene to relieve Cst. COX.
/jl

Action: 100
A COX

Task No: 3
2015-04-05 22:30:00

Cst. HANN arrived in Mitchell's Brook. Cst. HANN was met on the roadway near Mr. DUNPHY'S driveway by Cst. COX.
/jl

Action: 59
M HANN

Task No: 3
2015-04-05 22:30:00

At 2230 hours Cst. COX turned this scene log over to Cst. [redacted]
At 2230 Cst. COX departed scene.
TL - FIR. ac 56125
/jl

Action: 101
A COX

Task Assignment: 36 - Notes

Task No: 36
2015-04-05 22:31:00

CPI FOOTE at Holyrood detachment.
/jl

Action: 259
D FOOTE

Task Assignment: 3 - Notes

Task No: 3
2015-04-05 22:34:00

Cst CRUMMEY left residence handed over to Cst Mike Hann.
Copy of Cst CRUMMEY's notes provided to Cpl. Foote.
G.C 56212

Action: 57
G CRUMMEY

Task Assignment: 36 - Notes

Task No: 36
2015-04-05 22:45:00

Cpl FOOTE update S/Sgt Tiller.
/jl

Action: 260
D FOOTE



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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-05 23:00:00

Task Assignment: 12 - Notes - Primary Investigator

Off duty
(S.D. BURKE) Cpl.

/jl

Action: 834
S BURKE

Task No: 36
2015-04-05 23:15:00

Task Assignment: 36 - Notes

PROS updated. CH
D Foote Cpl 51545

/jl

Action: 261
D FOOTE

Task No: 3
2015-04-05 23:30:00

Task Assignment: 3 - Notes

A Mr. Scott [REDACTED] from Mitchell's Brook was permitted to pass by as his house was near the end of Mitchell's Brook. Mr. [REDACTED] was driving his personal vehicle.

/jl

Action: 60
M HANN

Task No: 2
2015-04-05 23:50:00

Task Assignment: 2 - Notes

Completed shift.
O'Keefe, Cpl.

/jl

Action: 43
T O'KEEFE

Task No: 37
2015-04-05 23:59:00

Task Assignment: 37 - Notes

S/Sgt TILLER continued shift in completion of notes, getting resources in line with scene containment.

Midnight - shift completion.

/jl

Action: 277
R TILLER



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Date / Time:

Action:

Action ID:

Task Assignment: 3 - Notes

Task No: 3
2015-04-06 0:06:00

A Ms. Madeline [redacted] and a Mr. Mike [redacted] (common law partners) were permitted to pass through as their house was also located in the lower end of Mitchell's Brook.

Action: 61
M HANN

/jl

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-06 0:45:00

Speak with Sgt. SAUNDERS, who advises that FIS is done with the scene, for now. Funeral home has been on scene for a while, now, as well.

Action: 370
J GALWAY

/jl
(Cst GALWAY)

Task No: 4
2015-04-06 0:55:00

Cst GALWAY and Cpl. SEWARD enter the house, with both FIS members still inside.

Action: 371
J GALWAY

Sgt. SAUNDERS said he will package each exhibit, and then hand them over to Cst GALWAY.

/jl

Task No: 4
2015-04-06 0:55:00

Cpl SEWARD entered the home with Cst Galway. He seized exhibits.

Action: 958
S SEWARD

/jl

Task Assignment: 1 - Notes

Task No: 1
2015-04-06 0:59:00

Cpl HENSTRIDGE received a call from Sgt SAUNDERS advising that he has located 4 40 cal spent cartridges and what appears to be one round in the wall. He noted he would be consulting with firearms to ensure he's covered everything off. After hanging up with SAUNDERS, Cpl HENSTRIDGE contacted Cpl BURKE to advise him of the initial findings.

Action: 11
M HENSTRIDGE

M. HENSTRIDGE

/jl



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Date / Time:	Action:	Action ID:
Task Assignment: 4 - Exhibit Custodian		
Task No: 4 2015-04-06 1:11:00	Cst GALWAY seized 4 small containers from Sgt. SAUNDERS, each containing 1 .40 cal. casing. All casings were located in the living room. /jl	Action: 372 J GALWAY
Task No: 4 2015-04-06 1:14:00	Cst GALWAY seized 1 small container from Sgt. SAUNDERS, which contained 1 live .22 cal. round, which was taken out of the rifle. /jl	Action: 373 J GALWAY
Task No: 4 2015-04-06 1:18:00	Cst GALWAY seized 1 small container from Sgt. SAUNDERS, which contained 1 live .22 cal. round, which was found on a round table, in front of the deceased. /jl	Action: 374 J GALWAY
Task No: 4 2015-04-06 1:21:00	Cst GALWAY seized 1 rifle from Sgt. SAUNDERS, which he had wrapped in brown paper. /jl	Action: 375 J GALWAY
Task No: 4 2015-04-06 1:23:00	Cst GALWAY seized 1 Iphone from Sgt. SAUNDERS, which was located on a coffee table in the living room. /jl	Action: 376 J GALWAY
Task Assignment: 3 - Notes		
Task No: 3 2015-04-06 1:25:00	Cst. HANN was asked by Cpl. SEWARD to allow Mr. George GIBBONS from Gibbons Ambulance to come through and park at the end of driveway. Mr. GIBBONS was on scene to transport Mr. DUNPHY to the Health Sciences. /jl	Action: 62 M HANN



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Date / Time:

Action:

Action ID:

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-06 1:25:00

Cst GALWAY seized 1 yellow file folder from Sgt. SAUNDERS, which was found on the coffee table, in the living room.

Action: 377
J GALWAY

/jl

Task No: 4
2015-04-06 1:27:00

Cst GALWAY seized 1 wooden club from Sgt. SAUNDERS, which had been laying on the floor, next to the chair that the deceased was sitting in. Club is a tree branch, with duct tape on the end.

Action: 378
J GALWAY

After the items were seized, Cst GALWAY placed all the exhibits in the Ford ELV, and locked the door.

Cst GALWAY and Cpl. SEWARD helped lift the body into the body bag, and load it up into the back of the funeral home SUV.

/jl

Task Assignment: 3 - Notes

Task No: 3
2015-04-06 1:29:00

Cst. HANN allowed Mr. GIBBONS to go through.

Action: 63
M HANN

/jl

Task No: 3
2015-04-06 1:44:00

Cpl. SEWARD, Cst. GALWAY and Mr. GIBBONS left the scene with Mr. DUNPHY.

Action: 64
M HANN

Sgt. Chris SAUNDERS and Cpl. Kelly LEE still on scene.

/jl

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-06 1:45:00

Cst GALWAY finished at the scene. 10-17 to Holyrood detachment to lock up the firearms. Gibbons Funeral Home SUV followed behind.

Action: 379
J GALWAY

/jl

Task No: 4
2015-04-06 1:45:00

placed body in bodybag and departed scene.

Action: 959
S SEWARD

/jl



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Table with 3 columns: Date / Time, Action, and Action ID. Contains multiple rows of task logs including dates like 2015-04-06 and times like 2:25:00, with actions such as 'Cst GALWAY dropped off exhibits' and 'attended Holyrood office to secure exhibits'.



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Date / Time:	Action:	Action ID:
Task Assignment: 4 - Exhibit Custodian		
Task No: 4 2015-04-06 3:40:00	Cst GALWAY call Dr. DENIC, and update him that members are just finishing up. He said that it would be okay for the auatopsy to be completed at 11:00. Cst GALWAY called Cpl. SEWARD and Sgt. SAUNDERS, and updated them on the new time for the autopsy. /jl	Action: 384 J GALWAY
Task No: 4 2015-04-06 3:45:00	End of day. Cst. John GALWAY	Action: 385 J GALWAY
Task Assignment: 37 - Notes		
Task No: 37 2015-04-06 7:40:00	S/Sgt TILLER spoke with Sgt. Greg Hicks - noted that he was doing radio interview at 0805 hours.. /jl	Action: 278 R TILLER
Task No: 37 2015-04-06 8:00:00	S/Sgt TILLER spoke with Cpl. Trevor O'Keefe whom is on site at scene - update all is well. /jl	Action: 279 R TILLER
Task Assignment: 12 - Notes - Primary Investigator		
Task No: 12 2015-04-06 8:00:00	Cpl BURKE on duty at B Division HQ. During the morning there was some varience in the time of the autopsy of Donald DUNPHY. At first it was scheduled for 11 am then it was postponed until Cst. SMYTH'S statement was obtained. Final time of autopsy was confirmed at 09:00 am on 2015-04-07. /jl	Action: 835 S BURKE
Task Assignment: 37 - Notes		
Task No: 37 2015-04-06 8:10:00	S/Sgt TILLER spoke with Cpl. Seward, note that Autopsy was delayed till 11 AM this morning. /jl	Action: 280 R TILLER



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Date / Time:

Action:

Action ID:

Task Assignment: 3 - Notes

Task No: 3
2015-04-06 8:25:00

Cst REMILLARD arrived in Mitchell's Brook scene and replaced nite shift Cst's [redacted] and Hann with static guard. Cst Okeefe on scene for the day.
/jl

Action: 992
S REMILLARD

Task No: 3
2015-04-06 8:30:00

Approximately 0830 hrs. Cpl. Trevor O'KEEFE arrived on scene.
/jl

Action: 65
M HANN

Task Assignment: 37 - Notes

Task No: 37
2015-04-06 8:30:00

S/Sgt TILLER updated Supt. Zettler
/jlti

Action: 281
R TILLER

Task Assignment: 3 - Notes

Task No: 3
2015-04-06 8:37:00

Cst [redacted] departed the scene.
NFA by writer.
Cst [redacted]
Ferryland
/jl

Action: 50
[redacted]

Task Assignment: 43 - Marihuana Grow Operation

Task No: 43
2015-04-06 8:40:00

S/Sgt CONOHAN arrived back on scene. FIS was not yet there, so S/Sgt CONOHAN sat with scene security. When FIS did arrive it was only Cpl. Lee who advised that they still had a number of things to do.
/jl

Action: 412
S CONOHAN

Task Assignment: 3 - Notes

Task No: 3
2015-04-06 8:40:00

S/Sgt Steve Conahan arrived at scene awaiting Ident before going in.
/jl

Action: 993
S REMILLARD



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-06 9:00:00

Approximately 0900 hrs. Cst. Stephane REMILLARD arrived on scene.
Cst. HANN left the area and went to Holyrood Detachment.

Action: 66
M HANN

/jl

Task Assignment: 22 - Scene Examination

Task No: 22
2015-04-06 9:00:00

Cpl.BURKE contacted Cpl. Oliver WHIFFEN of B Division Traffic Services to inquire about if the "Total Station" (a piece of equipment used to map traffic investigation scenes) would be an option for our investigation with the scene being inside a residence.

Action: 186
S BURKE

/jl

Task Assignment: 6 - Operations Communication Centre (OCC)

Task No: 6
2015-04-06 9:30:00

Cst NIPPARD was assigned a task to obtain OCC recordings from both RCMP "B" Division Telecom's and RNC telecom's in relation to this incident.

Action: 118
M NIPPARD

/jl

Task Assignment: 7 - Operations Communication Centre (OCC)

Task No: 7
2015-04-06 9:30:00

Cst NIPPARD was assigned a task to obtain OCC recordings from both RCMP "B" Division Telecom's and RNC telecom's in relation to this incident.

Action: 125
M NIPPARD

/jl

Task Assignment: 6 - Operations Communication Centre (OCC)

Task No: 6
2015-04-06 9:55:00

Cst NIPPARD completed the OCC recording request form and handed same to Valerie [redacted] with RCMP telecom's. She advised she will complete same immediately.

Action: 119
M NIPPARD

/jl



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Date / Time:

Action:

Action ID:

Task No: 22
2015-04-06 9:57:00

Task Assignment: 22 - Scene Examination

Cpl. WHIFFEN sent the following e-mail:

Steve:

In regards to our phone conversation this morning. I can map the interior of a residence with a total station. It has been my experience that the smaller the room the more difficult the task and the more room for error. Are you looking at a single room or the entire residence? I am more than willing to assist if needed.

Oliver

/jl

Action: 187
S BURKE

Task No: 22
2015-04-06 10:02:00

Cpl BURKE responded to Cpl. WHIFFEN with the following:

I was just speaking Ident and they doing a plan drawing of residence. That may be our most accurate reading?

Steve

/jl

Action: 188
S BURKE

Task Assignment: 7 - Operations Communication Centre (OCC)

Task No: 7
2015-04-06 10:07:00

Cst NIPPARD contacted RNC telecom's and requested their recordings, if any of this incident as well. Operator advised me that Sgt. Devereaux handles these request and he is off today. Sgt. Fifield handles these request in his absence however he is off as well today. E-mail was provided to me for Sgt. Devereaux as Peterd [REDACTED]

/jl

Action: 126
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 22
2015-04-06 10:08:00

Task Assignment: 22 - Scene Examination

Cpl. WHIFFEN replied:
I'd agree on that.

/jl

Action: 189
S BURKE

Task No: 10
2015-04-06 10:30:00

Task Assignment: 10 - Autopsy

Cpl SEWARD attended OCME office. Advised by Dr. Denic and Dr. Avis that they wanted to see the scene photos first and have all information in regards to the incident. That being the statement from Sgt Smyth.

Cpl SEWARD advised him that was suppose to be done sometime today but nothing was engraved in stone.

He advised that without that information the autopsy would have to be postponed until tomorrow morning at 0900 hrs. Writer and Cst Galway to attend to same.

Cpl. Burke and S/SGT Tiller advised.

S Seward Cpl.

/jl

Action: 968
S SEWARD

Task No: 38
2015-04-06 10:41:00

Task Assignment: 38 - Notes

On the above noted date and time Cst. COX spoke to Gerald David DALTON at the Holyrood Detachment. He attended the Holyrood Detachment to speak to a member in relation to DUNPHY after the shooting incident in Mitchell's Brook the previous date. DALTON stated that he didn't have anything to add about the actual shooting incident however, he has had dealings with DUNPHY's family for years, He felt that he could provide insight into the mental health of DUNPHY over the years.

/jl

Action: 319
A COX



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Date / Time:

Action:

Action ID:

Task No: 15
2015-04-06 11:00:00

Task Assignment: 15 - Family Liaison

Cst GALWAY met Cpl. SEWARD at the ME's office. Sgt. SAUNDERS was inside talking to Dr. AVIS and Dr. DENIC.

The MEs decided to wait until tomorrow (0900) to perform the autopsy, as they would like to wait and see what was said in Sgt. SMYTH's statement.

/jl

Action: 142
J GALWAY

Task No: 9
2015-04-06 11:10:00

Task Assignment: 9 - Statement

Cpl HENSTRIDGE completed this report and submitted it along with a CD containing the audio statement to Cpl BURKE for his review.

This task concluded here.

Cpl M. HENSTRIDGE

/jl

Action: 161
M HENSTRIDGE

Task No: 38
2015-04-06 11:29:00

Task Assignment: 38 - Notes

At 1129 hours as per the request of S/Sgt. TILLER Cst. COX faxed a copy of his report from the previous day to Dr. DENIC at the Office of the Chief Medical Examiner. Cst. COX printed off his report and faxed same. Copy provided to Cpl. FOOTE as per his request.

/jl

Action: 320
A COX

Task No: 3
2015-04-06 12:00:00

Task Assignment: 3 - Notes

Cpl Kelly Ident arrived at scene and entered scene at 12:22hrs

/jl

Action: 994
S REMILLARD

Task No: 3
2015-04-06 12:02:00

Cst. HANN arrived at Bell Island Detachment.

/jl

Action: 67
M HANN



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Date / Time:

Action:

Action ID:

Task No: 25
2015-04-06 12:25:00

Task Assignment: 25 - Statement

Cpl HENSTRIDGE received a call from Cst SMYTH who noted that he was currently at the RNC HQ and would be taking part in a critical incident debriefing at 1400 hrs. He was also going to be speaking to legal counsel [REDACTED] prior to attending for the interview but believed he'd be available at 1600 hrs. Cpl HENSTRIDGE advised him that this would be fine.

/jl

Action: 202
M HENSTRIDGE

Task No: 3
2015-04-06 12:35:00

Task Assignment: 3 - Notes

Cst REMILLARD departed scene, Cpl O'Keefe remaining

/jl

Action: 995
S REMILLARD

Task No: 15
2015-04-06 12:50:00

Task Assignment: 15 - Family Liaison

Cst GALWAY 10-7 at Holyrood Det.

/jl

Action: 143
J GALWAY

Task No: 15
2015-04-06 13:00:00

Debrief with S/Sgt. TILLER in his office. Teleconference with Sgt. OSMOND. Cst GALWAY will be the contact person for the family.

/jl

Action: 144
J GALWAY

Task No: 9
2015-04-06 13:16:00

Task Assignment: 9 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) CPL.

Primary Investigator

/jl

Action: 162
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 15
2015-04-06 13:20:00

Task Assignment: 15 - Family Liaison

Call daughter, Meghan DUNPHY, who said it was fine if I (Cst GALWAY) drop by.

/jl

Action: 145
J GALWAY

Task No: 17
2015-04-06 13:21:00

Task Assignment: 17 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) Cpl

Primary Investigator

/jl

Action: 158
S BURKE

Task No: 24
2015-04-06 13:29:00

Task Assignment: 24 - Statement

Cpl HENSTRIDGE received a call from DINN advising that he was currently at the Walmart in Mount Pearl but would attend HQ within the hour. He asked if it was true that "Donny" drew a shot gun on the member and Cpl HENSTRIDGE advised that in the interest of maintaining the integrity of the investigation, he could not disclose any information. He said he understood.

/jl

Action: 197
M HENSTRIDGE

Task No: 37
2015-04-06 13:30:00

Task Assignment: 37 - Notes

Teleconferance with DPO, CROPS, Major Crime et al - updates with respect to investigation. Follow up with Press Release and ensuring that Megan Dunphy is aware of the Press Release via Cst. John Galway.

/jl
(S/Sgt TILLER)

Action: 282
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 19
2015-04-06 13:32:00

Task Assignment: 19 - Attending Paramedics

Cst NIPPARD was assigned a task to obtain statements from the paramedics that attended the scene in Mitchell's Brook, NL.

Cst NIPPARD contacted Don gibbons Ambulance Service (709-████████610) and left his name and number with the clerk to provide to the manager to contact me.

/jl

Action: 164
M NIPPARD

Task No: 12
2015-04-06 13:33:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE attended briefing / tele-conference @ B Div 4th Floor Boardroom. The following were in attendance:

-C/Supt BOLAND

-Sgt. OSMOND

-S/Sgt. TILLER

-Insp. CAHILL

-Supt. ZETTLER

/jl

Action: 836
S BURKE

Task No: 43
2015-04-06 13:34:00

Task Assignment: 43 - Marihuana Grow Operation

S/Sgt CONOHAN phoned Sgt. Saunders who advised that he was still in St. John's He advised that he would not be able to release the scene to have the plants removed for some time. He asked that S/Sgt CONOHAN phone him at 1800hrs. and he would be better able to provide him with a time to come back to the scene. S/Sgt CONOHAN departed the area and patrolled to Holyrood detachment.

/jl

Action: 413
S CONOHAN



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Date / Time:

Action:

Action ID:

Task No: 6
2015-04-06 13:35:00

Task Assignment: 6 - Operations Communication Centre (OCC)

Valerie with RCMP telecom's advised the recordings were completed for pick-up.

/jl

Action: 120
M NIPPARD

Task No: 6
2015-04-06 13:40:00

CstNIPPARD received the recordings from Valerie and signed for same. Placed on hardcopy file.

/jl

Action: 121
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 15
2015-04-06 13:45:00

Task Assignment: 15 - Family Liaison

Speak with Meghan DUNPHY, at her res. on Salmonier Line. Her boyfriend, Billy CORCORAN, was also present.

Action: 146
J GALWAY

Meghan was open to talking about things, as she had several questions for police. She felt that the RCMP had not done anything that she had requested, so far. This was in reference to the name of her father being released. Cst GALWAY told her that it was not the RCMP that released his name, and that we had no control over where this info had come from. She also took issue with SMYTH walking around the scene...she felt he should be in custody. Cs GALWAY explained to her why this was not the case. She also felt that police were painting her father as the bad guy, talking about his drug use, the firearm, the state of the house, and all the cats.

Cst GALWAY asked her if she had any questions for police, and she listed the following:

- 1. she wants to shut down her father's Twitter account, as it is still getting a lot of activity
2. at some point, in the future, she would like to speak with the RNC officer - Cst GALWAY told her that this is highly unusual, but he said he would forward her request.
3. she would like to take possession of two, specific, cats from her dad's home. She said that they would come to her if she called them, from out on the street.
4. she wants to be the main point of contact for the family. She is an only child, and her mother is deceased.
5. she wants her father's cell phone. It is her phone, but he used it. The account is in her name, and she pays the bill.
6. she wanted to see her father's body, as soon as possible, after the autopsy. She was advised that this is usually done at the funeral home

Cst GALWAY told her he would look into these things, and get back to her. Cst GALWAY gave her his card, including his cell number.

She, also, advised that her father's silver Honda Civic was parked at her house, as her boyfriend was doing some repairs on it. Her boyfriend's Jeep was parked in the deceased's driveway, as he was using it, while his car was being fixed.

She also said that her father was mobile, and able bodied. He drove into St. John's, frequently, on his own. She also mentioned that his middle name was James.



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Her father's cell phone was hers, but he used it. It was her old phone. It is on her account (Telus), which she pays.

/jl

Task Assignment: 6 - Operations Communication Centre (OCC)

Task No: 6
2015-04-06 13:49:00

E-mail sent to Peter [redacted] requesting any applicable recordings of this incident. E-mail as follows:

Action: 122
M NIPPARD

Hello Peter,

My name is Cst. Mike Nippard with the RCMP major crimes unit. I am looking to obtain any recordings that your dispatch may have relating to the shooting incident that took place in Mitchell's Brook yesterday, April 5th, 2015.

If there is a formal request form that needs to be completed, please advise and I certainly complete same.

Thanks,

Mike

/jl



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 7
2015-04-06 13:49:00

Task Assignment: 7 - Operations Communication Centre (OCC)

E-mail sent to Peter [redacted] requesting any applicable recordings of this incident. E-mail as follows:

Hello Peter,

My name is Cst. Mike Nippard with the RCMP major crimes unit. I am looking to obtain any recordings that your dispatch may have relating to the shooting incident that took place in Mitchell's Brook yesterday, April 5th, 2015.

If there is a formal request form that needs to be completed, please advise and I certainly complete same.

Thanks,

Mike

/jl

Action: 127
M NIPPARD

Task No: 23
2015-04-06 14:18:00

Task Assignment: 23 - Statement

Cst NIPPARD was assigned a task to locate and interview Bart Dunphy, the brother of Donald Dunphy. The name was queried with 'B' Division OCC to determine any drivers license information. Obtained the following:

Bartholomew Dunphy

DOB: [redacted]

[redacted] Conception Bay Highway, Conception Bay South, NL

/jl

Action: 191
M NIPPARD

Task No: 23
2015-04-06 14:27:00

A query of Canada 411. ca showed a Bart Dunphy in Seal Cove, NL with a related number. Cst NIPPARD called Bart and confirmed that he was in fact the brother of Donald Dunphy. He was asked to provide a statement and agreed to same and told me I could attend his home immediately and provided directions.

/jl

Action: 192
M NIPPARD



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Action:

Action ID:

Task No: 24
2015-04-06 14:30:00

Task Assignment: 24 - Statement

Colin Thomas Gerard DINN (B: [redacted] attended HQ and provided an audio recorded statement. Mr DINN stated:

Action: 198
M HENSTRIDGE

He had been in his shed on the day of the incident putting together some tool. He was told that Police Cars and Ambulance were going through town and that it had something to do with a shooting. He is unsure of who called his house with this information.
DUNPHY texted DINN at about quarter to two asking him to come down for a 'draw'. He advised that he had deleted his text messages but that the message he received was something to the effect of "\$ cash here, drop down for one" which according to DINN is DUNPHY's code for come over and smoke marihuana.
DINN said he's hung out with DUNPHY for 25 years. Aside from smoking pot, they had both been injured at work and were on workers compensation. He said DUNPHY has numerous medical problems and is often in severe pain.
DUNPHY often spoke to him about being screwed over by Workers Compensation. DINN tried to explain that when DUNPHY spoke he sounded logical but his overall comments often didn't make sense as it always came back to how Workers Comp and this often didn't make sense to DINN.
When asked if DUNPHY was violent, DINN said he wasn't really violent but very angry. He said he was very gentle with his cats.
When asked if he was ever paranoid, DINN stated that he recalled an incident in January or February when he visited DUNPHY who had just tweeted something. (He's unsure of what the tweet said but believed it was directed to some government agency probably Workers Comp). In discussing the tweet, DUNPHY said "I wouldn't be surprised if they come for me some day...Let em come". DINN never questioned him on this and tried to change the subject.
DINN has never seen a firearm in DUNPHY's house and was shocked to learn that there was one there.
He said that in terms of his mental stability, DUNPHY was worse when two years ago when his pain was very bad. His mental health seemed to be connected to his physical health. In recent months, he seemed to be doing better.

/jl



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Date / Time:

Action:

Action ID:

Task No: 38
2015-04-06 14:36:00

Task Assignment: 38 - Notes

At 1436 hours Cst. COX forwarded a copy of the contact information for Gerald DALTON to Cpl. FOOTE as per his request.

Cst. COX's notebook notes from the previous shift and this shift also provided to Cpl. FOOTE.

/jl

Action: 321
A COX

Task No: 15
2015-04-06 14:50:00

Task Assignment: 15 - Family Liaison

Cst GALWAY 10-17 back to office.

/jl

Action: 147
J GALWAY

Task No: 6
2015-04-06 14:58:00

Task Assignment: 6 - Operations Communication Centre (OCC)

Valerie [redacted] contacted Cst NIPPARD and advised there was a phone call that Sgt. SMYTH had made to the OCC that wasn't on the recording and that she has completed another copy for me to pick up. Same done and placed on file.

/jl

Action: 123
M NIPPARD

Task No: 3
2015-04-06 15:00:00

Task Assignment: 3 - Notes

As per S/Sgt. TILLER's request Cst.WILLIAMS scheduled for an overtime shift guarding the scene in Mitchells Brook. Cst.WILLIAMS left his residence to be on scene for around 1600 hrs.

/jl

Action: 1014
D WILLIAMS



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 24
2015-04-06 15:03:00

Task Assignment: 24 - Statement

Statement concluded at 15:03 hrs.

This task recommended for conclusion here. This report, my handwritten notes and a CD containing the audio recorded statement forwarded to Cpl BURKE for his review.

Monty HENSTRIDGE

/jl
(Statement of Colin DINN)

Action: 199
M HENSTRIDGE

Task No: 15
2015-04-06 15:05:00

Task Assignment: 15 - Family Liaison

Cst GALWAY 10-7 at office. Begin writing up file.

/jl

Action: 148
J GALWAY

Task No: 4
2015-04-06 15:18:00

Task Assignment: 4 - Exhibit Custodian

Task reviewed

SUI
(S.D. BURKE) CPL.

Primary Investigator

/jl
(Folder 04 - PROS)

Action: 386
S BURKE



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File No: 2015-376186

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Date / Time:

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Action ID:

Task No: 25
2015-04-06 15:20:00

Task Assignment: 25 - Statement

Cpl HENSTRIDGEI received a call from Cst SMYTH who advised he was enroute to provide his statement.

/jl

Action: 203
M HENSTRIDGE

Task No: 3
2015-04-06 15:25:00

Task Assignment: 3 - Notes

Cst REMILLARD back to guarding scene and Cpl Okeefe departed to go to office.

/jl

Action: 996
S REMILLARD

Task No: 25
2015-04-06 15:30:00

Task Assignment: 25 - Statement

Cpl HENSTRIDGEI was advised by the Commissionaires that Cst SMYTH was at the entrance. Cpl HENSTRIDGE initiated the recording and introduced the interview on both my audio and video recorder.

/jl

Action: 204
M HENSTRIDGE



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File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 25
2015-04-06 15:33:00

Cst SMYTH enters the interview room and provides his account of the events of April 5th, 2015. Cst SMYTH provided the following information:

Action: 205
M HENSTRIDGE

On Friday afternoon he received an email from a communications assistant (Donna IVEY). The subject "Tweet of concern". Their office has been advised to turn over any information they receive which is a concern. He looked at the tweet something like "two prick dead MHA's" he felt the threats were ambiguous but given his previous online history and his grievances toward Workers Comp and government, he determined to investigate further by way of an "intelligence file" to determine a Threat Assessment.

On Saturday he was able to identify the individual as Don DUNPHY. He had no previous dealings with this individual and reviewed some of his existing tweets (There were in excess of 27,000). While there was aggressive language the only one that was concerning was the one he had been advised of the day before. He checked MRD and ICAN (ICAN had nothing and there were numerous Don DUNPHY's throughout the province) and was able to ultimately locate his address through Tom MOHONEY at Workers Comp. MAHONEY also indicated they had concern with the individual as well. On Sunday he determined to attend and assess Mr DUNPHY.

Mid-Morning Sunday, he completed a full indices check through CPIC CFRO and there was nothing of concern. He then contacted Adrian COX at 11:22 hrs. and advise him he would be attending. He also asked COX to run a Pros check as well. There was little that concerned him. There was an uttering threats from several years ago involving a family member in which the charges were withdrawn. There were no lengthy firearms complaints or other indicators of firearms or violence. COX offered to attend with him but he felt given his low risk assessment that a uniformed member would likely hinder his ability to build rapport with DUNPHY and was not required.

He eventually found the house at 1322 hrs. and noted that the house was derelict and noted a sign on the house (Which was not uncommon in the types of people he deals with). The sign said something about the house being in a state of poverty because of workers comp and something about no political figures welcomed. He noted numerous cats and he felt empathy towards him because of the conditions he lived in. He knocked on the window but there was no sign of anyone being there.

He then went to the house next door to gather intel to determine what DUNPHY had been up to and whether they have had ongoing issues with him. The female identified herself as the sister-in-law and described a lengthy history she'd had with him over property disputes. She described him of being a recluse, being antagonistic, having a grudge against the world, no friends, no family. She said he didn't



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see his daughter often but that she suspected that would be where he was at this time. She told him where the daughter lived. She mentioned that he had been charged with threatening her but that it turned into a Peace Bond and he never really abided by it. He asked her if he was fearful of him hurting her and she replied "No he just makes me uneasy. I don't like being outside when he's outside." He specifically asked both the female and the brother about firearms and other weapons and they responded that no he didn't have any firearms and that he wasn't a hunter. His plan was then to travel to Salmonier and try to locate him there. He believes he may have been at that residence for about 20-25 minutes.

As he backed out of the neighbours he decided to make another attempt at his residence and noted that there was a vehicle parked in the driveway. He entered the driveway and again assessed the house from the outside. He walked towards the door and knocked on the window. (He noted there appeared to be a stump and a step of some kind leading to the front door so he wasn't sure if that was in fact the entryway that was typically used.). He noted that there was a lot of cats and garbage inside but he couldn't see the subject. When DUNPHY came to the door, he identified himself by name and that he was a police officer with the RNC and showed him his badge and ID (SMYTH was still standing on the grass at that time). SMYTH asked if he minded if he came in to speak to him. He said "Ya, no problem" and was cordial. DUNPHY asked why the RNC was out there given this was RCMP territory. He told him he was there to discuss some comments he'd made. SMYTH then engaged him in some rapport building and talked a bit about an injury he had sustained when he was struck by a dump truck.

DUNPHY entered the living room and sat in the chair in which he was found. DUNPHY was adamant that he sit down and kept asking him to sit down. SMYTH noted that he refused to sit not because of any tactical decision but simply because the house was so dirty he simply didn't want to sit. He felt bad to offend him but it was really dirty. DUNPHY asked him where he was from and the conversation was cordial and DUNPHY was fine. SMYTH was reviewing his file and engaging him in conversation. Then DUNPHY's tone turned and he said "So what are you here for". He responded "Some things that were said on twitter" and read out the tweet in question. Dunphy said he could say whatever he liked on the Internet. laughed it off and said something to the effect of "Fuckin MHA's" "Dead MHA's died before and MHA's will die again". SMYTH asked to explain what he meant by this. DUNPHY became more agitated asking "Who sent you here, Who sent you here anyway". He told him no one had sent him there and he simply wanted to talk about the comments. Again DUNPHY went into "MHA's die, MAYNARD died". DUNPHY then said "Who sent you here anyway" "Your just an arm of the government, a fuckin



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puppet". SMYTH told him that he was not there to arrest him or anything and that he should calm down. DUNPHY was 'squirming around' in his chair. He becomes more agitated when SMYTH is looking around the house because of the condition of the house in terms of the filth. DUNPHY was upset and kept asking "What are you looking for, what are you looking for?" Despite his agitation, SMYTH still doesn't feel particularly alarmed as he felt if DUNPHY tried anything he'd easily be able to deal with him physically. SMYTH notes a bat or a piece of wood to the left of DUNPHY's chair and he asked him about it. DUNPHY said it was for protection. SMYTH said "OK as long as it stays where it is". He noted at this point, DUNPHY's mouth began to froth and this concerned about him somewhat because he recognized it as a threat cue but he still was not concerned because of DUNPHY's size. DUNPHY kept ranting and laughing about things indiscernible and saying "Arm of the government" and "What are you looking at?" (SMYTH acknowledged he was looking around primarily because DUNPHY's behaviour made him question whether there might be someone else in the house). At one point, SMYTH noted some garbage on the floor and when he kicked it, he saw bugs running around. He noted to Don that there was a lot of bugs down there. DUNPHY replied "Ya that's because of the state you put me in, the governments put me in. They don't care for injured workers". SMYTH said "I've got real concerns here" referencing the state of the house. SMYTH believes that DUNPHY may have taken this as he had a problem with him when in fact he meant that he had concerns for him living in squalor. DUNPHY then returned to "Dead MHA's, your an arm of the government, you a fuckin puppet"

He was leaning against a mantle opposite DUNPHY in the room. He began to write in his notes as a way of calming DUNPHY and show that he wasn't looking around the house. It was an attempt to de-escalate. In his peripheral vision, he saw the barrel of a rifle which came from the right side of Dunphy's chair (He couldn't see exactly where it came from but knew it was coming from the right). He noted a small barrel and a bolt. He said from this point everything was so fast and instinctive (He estimates less than a second from the time he spotted the rifle to the last shot he fired). He noted that everything happened so quickly and didn't resemble any training he received in Protective Policing simply because of the timing. After he saw the rifle, he dropped the paper, held his hand up and drew his pistol. He recalled moving toward the door and the rifle following him. He yelled "no no no, no no no" and fired two shots toward center mass. DUNPHY was still moving and the weapon was still in his hands. As he continued to move toward the door and the rifle continued to be pointed at him he fired again toward his head (He was unsure if it connected) and then he fired the last shot and saw it impact the side



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of his head as he was going through the entry way. During the shooting, SMYTH never raised the firearm to his eye level. He was low himself as he moved and shot from the waist area. As he was shooting DUNPHY was not standing but moving in the chair with the gun following him. DUNPHY didn't say anything that he remembers. He estimates that from the time he entered the house to the time he fired his final shot was about 15 minutes but he couldn't be sure.

Because he still thought the threat was still there, he edged his way back into the room (Cut the pie) and was concerned that he might still have the gun aimed at him. As he looked again, he realized that the gun was now on the floor and DUNPHY's head was up. He looked deceased immediately. He checked for breathing and noted none. He's not sure if he checked for a pulse. He wasn't sure if DUNPHY's gun went off or not. He was very amped up and then went into protective mode. He considered whether he should perform a tactical reload as he felt that he had fired 4 times which left him with 8 rounds. His concern now was that the family heard the shots and would be coming over and possibly pose an additional threat toward him. He attempted to find cover in the entryway. He's looking to see if there was anyone else in the house.

He then calls RCMP telecoms and relays that there were shots fired and he needed paramedics and officers. He then called his RNC comms center as well and told them to notify the Duty NCO. He stayed in the entryway for what felt like an eternity. He paces between DUNPHY and the door and is now confident that DUNPHY was dead. He tries to do a house clearing by yelling out verbal commands but admits it wasn't a very good house clearing. He went into the kitchen and noted a grow op and he took down a piece of plywood in the kitchen which was obstructing a window. He doesn't believe he touched the firearm (He notes that he now feels that he probably should have made the firearm safe but didn't think of that at the time)

He believes he may have been in the house approximately 15 minutes after the shot was fired before he eventually went out to his vehicle and turned on the emergency lights so that members would more easily locate him. He believes that DUNPHY's brother and sister in law may have driven by at this time but he is not certain. He recalls his mouth became bone dry so he got a bottle of water from his vehicle. He believes it was approximately 30 minutes from the time he called to the time COX arrived.

He recalls Telecoms calling at one point to inquire if an air ambulance was required. He responded that he didn't believe there was any chance of him being alive.

When Adrian COX arrived, he gave him an account of what happened, that there was a firearm on the ground. He told them that he didn't do a thorough proper clearing.



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He recalls turning over his firearm and pepper Spray to a member named "Trevor". and returned to Holyrood Detachment with another member after getting checked over by the paramedics.

He was questioned about DUNPHY's head position during and after the shooting but he couldn't be sure. He said his head was more or less upright after the shooting.

He advised that he is a good shot and typically scores either a perfect score or within a couple of points of a perfect score. He last re-cert for firearms was this past fall. At the time of the incident, SMYTH had his firearm, pepper spray and handcuffs. He was not wearing his vest. He asked what the RNC was up to down there.

He doesn't have any way of knowing if DUNPHY could have been tipped off prior to his arrival but he reacted as would be expected if someone showed up at anyone's door.

/jl



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Task No: 23
2015-04-06 15:38:00

Task Assignment: 23 - Statement

CSt NIPPARD began the statement of Bart Dunphy. It is audio recorded while sitting in his living room with him and his wife. The following was noted from this interview:

Action: 193
M NIPPARD

He hasn't spoken to or as far as he can recall even seen his brother Donald in 13 years. Basically ever since their father died.

He lived with Donald only until Donald was about 7 years old. This was because Bart was 10 years older and was in a different stage of life and moved out at that point. Given this they were never really close.

Both their mother and father are deceased. Father died 13 years ago as mentioned and the mother 15 years ago.

For siblings there is Donald, Bart, Kevin and Dick Dunphy.

Donald had a falling out with his family when their father died. Mainly over who took possession of the home, land and earthly possessions.

Dick and Debbie Dunphy had more of an issue with this than the others because originally it was their son that was going to be named as the inheritor.

Louise [REDACTED] was the wife of Donald Dunphy. She died when her Daughter Megan was only 3 years old. She died from a heart attack while at home playing with Megan. Donald was present when this happened.

Donald never re-married or had another spouse to his knowledge.

Donald got hurt bad while working with [REDACTED] Construction. He was working on a fuelling truck when another man on a tractor squat Don, crushing his pelvis. The tractors gears were faulty. This happened in the early 1980's.

Once the aftermath of that accident happened Don worked with the department of transportation clearing snow.

Bart was aware Donald smoked weed and guessed he had done so since he was 16 years old.

Bart described Don as being very hard to deal with. He was loud and complained about issues until he got himself angry.

He was not a gun person. When their father died he left 3 guns. A .22 calibre rifle, a double barrel shotgun and another unknown make rifle. Dick Dunphy had two of the guns. Donald had the .22 calibre rifle.

Donald always had an issues with his sister in law Debbie Dunphy. She taught Donald in School and would tell his mother about his behaviour. Donald did not like this or her as a result.

Donald had surgery last year on his bowels and to repair a hernia. He was laid up for awhile. He also apparently had a heart issue 3 years ago as well.

Donald was not a drinker of alcohol nor was he a user of chemical



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drugs.
Bart was surprised that Donald had the gun and believed that Dick was suppose to take possession of it.
When Bart first heard about this incident his brother Dick called him and told him. Bart's first thought was that this was a "suicide by cop" situation.
Bart finds this weird after learning that Donald had financial things he was looking forward to in his life and seemed happy lately according to his daughter.
Donald was not physically violent for Bart to know of. He was verbally abusive and had an issue with authority. Found this whole incident strange.

/jl

Task Assignment: 3 - Notes

Task No: 3
2015-04-06 16:11:00

Cpl Lee came out of residence.

/jl

Action: 997
S REMILLARD



PROJECT DUNPHY
File No: 2015-376186

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Action:

Action ID:

Task No: 23
2015-04-06 16:13:00

Task Assignment: 23 - Statement

Statement was concluded and Bart was given card to contact Cst NIPPARD with any further information.

Action: 194
M NIPPARD

Before leaving Bart brought up something he thought may provide a reason for Donald's issue with authority. He went on to tell me that when they were boys growing up [REDACTED]

[REDACTED] Donald had gotten very ill [REDACTED]
[REDACTED]
[REDACTED] This would have happened when Donald was 10-11 years old.

Left the residence. Statement burned to disc and placed on hardcopy file.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit.

/jl

Task No: 3
2015-04-06 16:22:00

Task Assignment: 3 - Notes

Cst Danny William arrived and replaced Cst REMILLARD.

Action: 998
S REMILLARD

/jl

Task No: 3
2015-04-06 16:22:00

Cst.WILLIAMS arrived on scene to complete scene security. Cst.WILLIAMS took over for Cst. REMILLARD. Cst.WILLIAMS made all necessary notes on scene report. Cst. HUSK later came to do scene security with Cst.WILLIAMS.

Action: 1015
D WILLIAMS

/jl



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Date / Time:

Action:

Action ID:

Task No: 25
2015-04-06 16:40:00

Task Assignment: 25 - Statement

SMYTH agreed to provide a diagram of his relative position and that of DUNPHY in the living room. The drawing also shows approximately where he believes each round was fired from. Prior to concluding the interview, SMYTH asked if DUNPHY's firearm was loaded (After consulting with Sgt OSMOND and Cpl BURKE) I advised him that there was a round in the chamber. This was provided as it was felt that it did not compromise the investigation but would possibly give SMYTH some relief knowing that

/jl

Action: 206
M HENSTRIDGE

Task No: 19
2015-04-06 16:46:00

Task Assignment: 19 - Attending Paramedics

Cst NIPPARD received a call from George with Gibbons Ambulance and he advised the following contact information for the paramedics that attended the scene:

Nancy Linehan - 709-984

Kevin Bishop - 709-601

Both are presently working until 7 p.m. this evening and are then off until Wednesday at 7 p.m.

/jl

Action: 165
M NIPPARD

Task No: 21
2015-04-06 16:53:00

Task Assignment: 21 - Medical Records

On Monday, April 6th, 2015 at approximately 1540 hrs Cpl FOOTE contacted Bonita at the Medical Examiner's Office requesting assistance with getting Mr. Donald Dunphy's medical records. Bonita requested Mr Dunphy's family Dr and writer passed on the names, Dr Walsh and more recently Dr McGarry. Bonita advised she'd look into it and get back to writer tomorrow morning. SUI

D Foote Cpl 51545

/jl

Action: 177
D FOOTE



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File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 48
2015-04-06 16:56:00

Task Assignment: 48 - Town Council Liaison

After repeated attempts to make contact with David [redacted] (Mayor of Mount Carmel) finally able to make contact by phone. Briefly discussed this matter and advised that as a result of the ongoing investigation, we are able to only release information that will not negatively affect the investigation. S/Sgt TILLER did advise him that when the investigation is completed then he could meet with him and the council to provide information on this and to answer any questions they may have. He was very pleased with this and thought it was an excellent idea. Suggested time line would be for me to contact him again in a couple of weeks, all agreed. He did not have any concerns and did note that there is much media attention and they have been trying to conact with him.

SUI.

/jl

Action: 445
R TILLER

Task No: 37
2015-04-06 17:00:00

Task Assignment: 37 - Notes

a number of calls made to Mayor of Mount Carmel, finally made contact by phone. Separate task set up for same. See that task for full details.

/jl
(S/Sgt TILLER)

Action: 283
R TILLER



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 25
2015-04-06 17:06:00

Task Assignment: 25 - Statement

Statement concluded.

This report, my handwritten notes, 3 DVD containing the video recorded statement and the diagram prepared by Cst SMYTH turned over to Cpl BURKE for his review.

This task recommended for conclusion here.

Monty HENSTRIDGE

/jl

Action: 207
M HENSTRIDGE

Task No: 15
2015-04-06 17:25:00

Task Assignment: 15 - Family Liaison

After calling the ME's office, Cs GALWAY called Meghan and told her that there is no viewing room at the morgue. She advised that she has already been talking to the funeral home, and has arranged a viewing.

She was told that an e-mail had been sent to MCU, regarding her requests, mentioned above.

She also asked if I could arrange for a member, at the scene, to get some special cat food which was located in the bathroom closet. Apparently, two cats are on a special diet, and will not eat the regular cat food. Cst GALWAY told her he will look into it.

/jl

Action: 149
J GALWAY

Task No: 15
2015-04-06 17:35:00

Cst GALWAY called Cst. WILLIAMS, and updated him on the cat food issue. He said he will take care of it.

/jl

Action: 150
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-06 17:38:00

Task Assignment: 3 - Notes

Cst HUSK arrived at the scene in Mitchell's Brook and remained outside on the roadway to assist in scene security. Cst. WILLIAMS was already at the scene at this time providing scene security.

Cpl. LEE and Sgt. SAUNDERS were at the scene at this time.

/jl

Action: 1012
M HUSK

Task No: 43
2015-04-06 17:53:00

Task Assignment: 43 - Marihuana Grow Operation

S/Sgt CONOHAN spoke with Sgt. Saunders and he advised that they would be approx. another hour.

/jl

Action: 414
S CONOHAN



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 26
2015-04-06 18:00:00

Task Assignment: 26 - Social Media

Cst NIPPARD was assigned a task to review the social media "Twitter" account Donald Dunphy and make a copy of the post made by him in the recent past to further the insight into the mind frame of Dunphy around this time.

Cst NIPPARD located the page related to Donald Dunphy. His page name is:

Donahue2DonDunphy@sculpen

1,999 people/pages following. This simply means the number of people / pages that Donald Dunphy was following the post of.

1,139 people were followers of him. This means how many people / pages were followers of the post made by Donald Dunphy.

299 screen shot pictures were taken of Donald Dunphy's page, which included post by him and post that were made by others and then "retweeted" by him for his followers to view.

After reviewing the post made, which date back to March 27th, 2015 and are in excess of 500 post over that short time frame. A few conclusions appear obvious regarding Dunphy.

- He is a protester of sorts against government mis-conduct and believes the current Canadian government will be the ruination of the Country. Many of his post are politically charged and take a bashing tone towards the Federal and Provincial Governments.

- He is very pro animal rights and a clear lover of any creature.

- He is an advocate for the use of marihuana for medicinal purposes and as well as the full legalization.

- He is an advocate of preserving the earths resources and takes a green approach to energy use and production.

- Many pictures are posted citing quotes from well known persons such as: Nelson Mandela, Martin Luther King Jr, Bob Marley, Albert Einstein, Jon Stewart, Adolf Hitler, Barrack Obama, and many quotes from politicians that take a negative stance.

- He is against any actions of war by the Canadian government.

Action: 209
M NIPPARD



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Action:

Action ID:

- He has obvious issues with workers compensation and the treatment of any injured worker. (He was one himself.)
- Some post are directed towards the Premier of NL and other politicians.
All images burned to disc. Post directly related to the investigation being conducted by the RNC are printed and placed on file.

/jl

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-06 19:00:00

End of day.
Cst. John GALWAY

/jl

Action: 151
J GALWAY

Task Assignment: 43 - Marihuana Grow Operation

Task No: 43
2015-04-06 19:00:00

S/Sgt CONOHAN patrolled to the scene once again. Spoke briefly with Cst. Husk and Cst. Williams who were conducting scene security.

/jl

Action: 415
S CONOHAN

Task No: 43
2015-04-06 19:25:00

S/Sgt CONOHAN started donning the personal protective equipment.

/jl

Action: 416
S CONOHAN

Task No: 43
2015-04-06 19:31:00

S/Sgt CONOHAN entered the secure area and went to the kitchen area first and started cutting down the marihuana plants. Sgt. Saunders had advised what the contents were of the rubbermaid tub and a container in front of the accused so there was no need to check that room. S/Sgt CONOHAN next went to the room where the mother plant was and placed these plants in an extra large transparent exhibit bag. S/Sgt CONOHAN nwas aware from Health Canada that the accused had a permit to have an additional 900g of dried marihuana at his residence. He looked briefly in the common areas of the home were there were drawers and through the kitchen cupboards and fridge. No further drugs were found.

/jl

Action: 417
S CONOHAN



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Date / Time:

Action:

Action ID:

Task No: 43
2015-04-06 19:57:00

S/Sgt CONOHAN exited the secure area with the marihuana plants. removed the respirator and protective clothing and drove to headquarters in St. John's where the plants were secured in the basement in CIS locker.

S/Sgt CONOHAN did not initially have access to the file as it was restricted. Notes added this date. HSC3515 has been completed. Spoke to federal crown Andrew [redacted] Emergency destruction order sought to simply destroy the plants. HSC3515 completed under Mr. Dunphy's name and faxed for authorization. Awaiting same.

/jl

Action: 418
S CONOHAN

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-06 21:30:00

Off duty
(S.D. BURKE) Cpl.

/jl

Action: 837
S BURKE

Task Assignment: 42 - SPCA Liaison

Task No: 42
2015-04-06 22:24:00

Email from O'Keefe advising that Kristy continues to be our contact at the SPCA and is available when required.

/jl
(S/Sgt TILLER)

Action: 397
R TILLER

Task Assignment: 3 - Notes

Task No: 3
2015-04-06 23:53:00

Cst.'s MacDONALD and BORDON attended the scene and took of for Cst.WILLIAMS and Cst. HUSK. There were no documented issues on scene while Cst.WILLIAMS and Cst. HUSK on scene.

/jl

Action: 1016
D WILLIAMS

Task No: 3
2015-04-06 23:55:00

Cst. BOURDEN arrived on-site in Mitchell's Brook, NL to begin perimeter security. He met with Cst. HUSK and Cst. WILLIAMS.

/jl

Action: 1007
D BOURDEN



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-06 23:58:00

Cst. MACDONALD arrived on-site.
/jl

Action: 1008
D BOURDEN



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Table with 3 columns: Date / Time, Action, and Action ID. It contains 6 rows of task logs detailing police activities on 2015-04-07, including arrival at scene, service at Mitchell's Brook, and departure.



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Date / Time:

Action:

Action ID:

Task No: 37
2015-04-07 8:00:00

Task Assignment: 37 - Notes

Received a call from Cpl. Seward who was at the Autopsy, advised that the medical examiner wanted to obtain all medications at the scene. Requested dayshift member to attend, Cst. Cox.. Given the circumstances, accompanied Cst. Cox with this task.

Action: 284
R TILLER

/jl
(Note: Time not provided in PROS Report, just said "AM")

Task No: 12
2015-04-07 8:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE on duty at B Division HQ

Action: 838
S BURKE

/jl

Task No: 3
2015-04-07 8:10:00

Task Assignment: 3 - Notes

Cst REMILLARD replaced Cst's Mcdonald and Bourden.

Action: 999
S REMILLARD

/jl

Task No: 3
2015-04-07 8:11:00

Cst. REMILLARD arrived on-site.

Action: 1010
D BOURDEN

/jl

Task No: 1
2015-04-07 8:15:00

Task Assignment: 1 - Notes

Cpl HENSTRIDGE attended the OCME and turned over several documents to Dr DENIC's secretary including supplementary reports of first responders, Statement synopsis of all witnesses interviewed to date including Joe SMYTH, a DVD containing the interview with SMYTH as well as the diagram SMYTH prepared during the interview.

Action: 13
M HENSTRIDGE

M. HENSTRIDGE

/jl



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-07 8:16:00

Task Assignment: 3 - Notes

Cst. BOURDEN and Cst. MACDONALD left the area.
Cst. BOURDEN, 56015
/jl

Action: 1011
D BOURDEN

Task No: 10
2015-04-07 8:45:00

Task Assignment: 10 - Autopsy

Cst GALWAY arrived at the ME's office, where Cpl. SEWARD and Cpl. LEE were already present.

Action: 1029
J GALWAY

Task No: 33
2015-04-07 9:00:00

Task Assignment: 33 - PROS File restriction

Cst NIPPARD was assigned a task to have access to this PROS file restricted to approved members.
/jl

Action: 241
M NIPPARD

Task No: 10
2015-04-07 9:00:00

Task Assignment: 10 - Autopsy

Cpl SEWARD attended the OCME office today. Present were myself, Cst John Galway and Cpl Kelly Lee from FIS.
The autopsy was presided over by Dr. Simon Avis, Chief Medical Examiner.
Cst Galway was exhibit member and seized all exhibits. I will let him speak to that issue.
The autopsy was completed in three hours and cause of death as expected was from a gunshot wound(s).
Dr. Avis had no issue with the releasing of the residence. His report will be forthcoming. Cause of death fatal gunshot wounds.
S Seward Cpl.
/jl

Action: 967
S SEWARD



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Date / Time:

Action:

Action ID:

Task No: 15
2015-04-07 9:00:00

Task Assignment: 15 - Family Liaison

Cst GALWAY called Meghan DUNPHY, and updated her on the concerns she had put forward, yesterday. She was very appreciative of this.

/jl

Action: 1030
J GALWAY

Task No: 10
2015-04-07 9:45:00

Task Assignment: 10 - Autopsy

Cst GALWAY in autopsy room, with Cpl. SEWARD and Cpl. LEE. Dr. AVIS and DR. DENIC came in and out of the room. There were two other medical staff present, as well.

/jl

Action: 1031
J GALWAY

Task No: 32
2015-04-07 9:57:00

Task Assignment: 32 - Statement

Cst NIPPARD got in contact with RNC telecom's this date to obtain contact information for Cst. Warren Sullivan. Same obtained.

/jl

Action: 235
M NIPPARD

Task No: 37
2015-04-07 10:04:00

Task Assignment: 37 - Notes

S/Sgt TILLER at scene, present when Cst. Cox obtained 2 exhibit bags of medication bottles etc.. Much was in an ice cream container near the chair where victim was shot - other on top of the fridge and other was in and about both areas.

/jl

Action: 285
R TILLER

Task No: 32
2015-04-07 10:05:00

Task Assignment: 32 - Statement

Cst NIPPARD spoke with Cst. Warren Sullivan. He was asked to provide a statement as to his interaction with Sgt.Smyth in this matter. He advised he had meetings this a.m. however sometime after 2 p.m. would be a good time to meet.

/jl

Action: 236
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 38
2015-04-07 10:24:00

Task Assignment: 38 - Notes

On the above noted date and time Cst. COX and S/Sgt. TILLER attended the DUNPHY residence in Mitchell's Brook and entered the residence at the request of Cpl. SEWARD how was with the medical examiner at the Health Sciences Centre. The Medical Examiner requested the medications of DUNPHY be retrieved and brought to their office.

Cst. COX and S/Sgt. TILLER retrieved a large quantity of medications from a 2 litre ice cream tub that was in the living room to the right of the chair that DUNPHY was in at the time of the incident. Medications were also retrieved from the side pockets of the recliner chair and from on top of the fridge in the kitchen. All medications were sealed in RCMP exhibit bags and taken to Cst. COX's police vehicle 2B5.

/jl

Action: 315
A COX

Task No: 3
2015-04-07 10:25:00

Task Assignment: 3 - Notes

Cst Cox and S/Sgt Tiller arrived at scene to retrieve medications from house

/jl

Action: 1000
S REMILLARD

Task No: 3
2015-04-07 10:26:00

Cst Cox and S/Sgt Tiller entered house

/jl

Action: 1001
S REMILLARD

Task No: 31
2015-04-07 10:30:00

Task Assignment: 31 - Statement

Cst NIPPARD called the RNC to speak with A/Insp. Mike Adams and/or A/S/Sgt.Reg Tilley.

Cst NIPPARD was informed that Reg Tilley is working nightshifts at 7 p.m. and can be reached then.

A/Insp. Mike Adams is out right now. Message left for him to call Cst NIPPARD back.

Action: 231
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-07 10:34:00

Task Assignment: 3 - Notes

Cst Cox and S/Sgt Tiller exited house with 2 exhibit bag of medications and departed scene.

/jl

Action: 1002
S REMILLARD

Task No: 28
2015-04-07 10:35:00

Task Assignment: 28 - Statement

Cpl HENSTRIDGE contacted the voice mail for Tom MAHONEY at this time (Ph [REDACTED] 000). Cpl HENSTRIDGE left message for him to call me at his convenience.

M. HENSTRIDGE

/jl

Action: 217
M HENSTRIDGE

Task No: 37
2015-04-07 10:35:00

Task Assignment: 37 - Notes

Left scene

/jl
(S/Sgt TILLER)

Action: 286
R TILLER

Task No: 38
2015-04-07 10:35:00

Task Assignment: 38 - Notes

At 1035 hours Cst. COX and S/Sgt. TILLER exited the scene and departed for the Holyrood Detachment.

/jl

Action: 316
A COX

Task No: 27
2015-04-07 10:53:00

Task Assignment: 27 - Statement

Cpl HENSTRIDGE left a message for Dawn IVEY at the Premiers Office ([REDACTED] 300). Her assistant advised she would have her call me.

M. HENSTRIDGE

/jl

Action: 212
M HENSTRIDGE



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Date / Time:

Action:

Action ID:

Task No: 19
2015-04-07 10:58:00

Task Assignment: 19 - Attending Paramedics

Cst NIPPARD contacted Nancy Linehan. She was currently in St. Johns dropping off her husband at the airport who was leaving for work. Asked if she could come by the RCMP headquarters to provide a statement regarding this incident. Nancy advised she could and was provided directions on how to get here.

/jl

Action: 166
M NIPPARD

Task No: 31
2015-04-07 11:07:00

Task Assignment: 31 - Statement

(Cst NIPPARD) Call received back from A/Insp. Mike Adams. He is free now to speak with investigators. Told an investigator would be over to speak with him at RNC headquarters.

/jl

Action: 232
M NIPPARD

Task No: 19
2015-04-07 11:10:00

Task Assignment: 19 - Attending Paramedics

Nancy Linehan called Cst NIPPARD back to let him know she could not make it due to having limited time here today. She needed to bring items back home to her son that she was picking up right now. He to was leaving for work today and need the items ASAP. Advised she was working Thursday all day and this would be a good day for me to speak with her and the other paramedic Kevin Bishop. Advised I would call her Thursday.

/jl

Action: 167
M NIPPARD

Task No: 38
2015-04-07 11:16:00

Task Assignment: 38 - Notes

At 1116 hours Cst. COX turned the medications over to Cst. THISTLE at the Holyrood Detachment and he transported same to the Medical Examiners Office.

TL - FIR. ac 56125

/jl

Action: 317
A COX



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Date / Time:

Action:

Action ID:

Task No: 31
2015-04-07 11:35:00

Task Assignment: 31 - Statement

Cst NIPPARD and Cpl HENSTRIDGE attended the RNC Headquarters building and conducted an audio recorded interview with A/Inspector Mike ADAMS. Inspector ADAMS provided the following information regarding his involvement in this matter:

Action: 229
M HENSTRIDGE

He is the acting Inspector in charge of Patrol Division.
S/Sgt TILLEY called him to advise that he needed to return to HQ at 1442 hrs.
He was advised that there had been a shooting in Mitchells Brook. According to the information he received, Sgt. Joey SMYTH had been involved and he had called the RCMP and an ambulance.
He made calls to upper management to advise and confirmed that as this had occurred in RCMP jurisdiction, they would lead the investigation.
He and S/Sgt TILLEY determined to attend to lend support to Sgt SMYTH (Inspector ADAMS is a Critical Incident Debriefing) and to check on his well-being.
While enroute he called SMYTH who advised him that the RCMP were enroute.
Before they arrived in Mitchells Brook, he received a call from D/Chief SINGLETON who told him that Joe was being brought to the RCMP Detachment in Holyrood and they should meet him there.
Upon arrival at the detachment, he met with S/Sgt Rod TILLER and advised him that the RNC members were not there to interfere in any way with the investigation but were there to lend support to their member. He emphasized that he did not want to be informed of any details of the investigation as this was outside of his role. TILLER was very accommodating and provided them a place to wait for SMYTH.
He also assisted S/Sgt TILLER in contacting the SPCA as there was some issue with cats at the residence and he had a contact with the SPCA.
When SMYTH arrived, he along with S/SGT TILLEY and SMYTH went into an office upstairs. He conducted a critical incident debriefing with SMYTH and encouraged him to avail of the Employee Assistance Program.
SMYTH was shaking somewhat but was very eager to provide his account. ADAMS encouraged him to wait until he had calmed down and collected his thoughts. Although ADAMS discouraged SMYTH from telling even the RNC members what had happened, SMYTH was persistent and stated that:
He was there on an investigation
He had advised the RCMP prior to attending the scene.
He was concerned for the man because of the conditions in which he



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was living.
He noted a bat or stick near the man and paid some attention to it while he spoke to him.
While Joe was writing on his file, DUNPHY became agitated.
Dunphy pulled a gun out and Joey said "no no no no"
He believes he may have shot 3 or 4 times.
ADAMS believes he may have been with SMYTH for about an hour.
He left and was assured that Warren SULLIVAN would provide him a ride home.
He noted that he didn't write notes while he was with SMYTH as he wanted to ensure SMYTH understood that he was there in his capacity to provide support and a critical incident debriefing.
He prepared notes after returning to the RNC building (Copy of these notes provided to Cst NIPPARD and added to the file)
This task now recommended for conclusion. This report along with HENSTRIDGE's handwritten notes, copy of Inspector ADAM's notes and the CD containing the audio recorded statement forwarded to Cpl BURKE for his review.

Monty HENSTRIDGE

/jl

Task No: 31
2015-04-07 11:43:00

(Cst NIPPARD) Statement began of A/Insp. Mike Adams. Taken by Cpl.Monty Henstridge and Cst NIPPARD was present as well.

Action: 233
M NIPPARD

/jl

Task Assignment: 37 - Notes

Task No: 37
2015-04-07 11:58:00

Keys provided to Cpl. Doug Noel - RCMP member part of the Premiers Detail.

Action: 288
R TILLER

/jl
(S/Sgt TILLER)



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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-07 11:58:00

Task Assignment: 4 - Exhibit Custodian

E-mail received from S/Sgt. TILLER, who advised that he had taken the keys to the RNC veh. out of the exhibit room @ 11:30, and had handed them over to the Premier's detail at 11:58.

/jl

Action: 1032
J GALWAY

Task No: 26
2015-04-07 12:00:00

Task Assignment: 26 - Social Media

Appears the site has been deactivated or not functioning properly. Megan Dunphy has apparently been trying to have the page closed.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl
(No time on Supplementary Report)

Action: 210
M NIPPARD

Task No: 37
2015-04-07 12:00:00

Task Assignment: 37 - Notes

Teleconference with CROPS / DPO / MCU etc.. update on file.

SUI

/jl
(S/Sgt TILLER)

Action: 289
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-07 12:00:00

Task Assignment: 12 - Notes - Primary Investigator

Briefing / Media tele-conference B Div 4th Floor Boardroom In attendance were the following:

- C/Supt BOLAND
- S/Sgt. FITZGERALD
- Sgt. OSMOND
- Cpl. FOOTE
- Supt ZETTLER
- S/Sgt. TILLER
- Insp. CAHILL

/jl

Action: 839
S BURKE

Task No: 7
2015-04-07 12:17:00

Task Assignment: 7 - Operations Communication Centre (OCC)

Cst NIPPARD spoke with A/Insp. Mike Adams at RNC headquarters. He had been interviewed on this matter and Cst NIPPARD asked him if Sgt. Dveraux or Fifield were in today. He made a call and found that neither were there. Deveraux would return next Monday as he was on leave this week. Fifield would be back on Friday nightshift.

/jl

Action: 128
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 31
2015-04-07 12:17:00

Task Assignment: 31 - Statement

Statement is concluded. A copy of A/Insp. Mike Adams notes were taken for the hard copy file as well.

Action: 234
M NIPPARD

Notes copied and report printed. Placed on file.

Cst.Mike Nippard 55787

RCMP Major Crimes Unit

/jl

Task No: 33
2015-04-07 12:40:00

Task Assignment: 33 - PROS File restriction

E-mail received from Shelly [REDACTED] PROS file now restricted to members listed in document. Form placed on hardcopy file along with printed E-mails.

Action: 243
M NIPPARD

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Task No: 3
2015-04-07 12:50:00

Task Assignment: 3 - Notes

RCMP Cpl Doug Noel and RNC Eddy Benoit arrived at scene. Benoit removed black Yukon from scene and departed with it.

Action: 1003
S REMILLARD

/jl



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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-07 13:28:00

Task Assignment: 4 - Exhibit Custodian

Once autopsy was over, Cst GALWAY took possession of all exhibits from Cpl. LEE and Dr. AVIS. All items were placed in individual bags, and then placed in larger yellow bags. Clothing items would need to be dried, once back at the office.

/jl

Action: 1033
J GALWAY

Task No: 32
2015-04-07 14:00:00

Task Assignment: 32 - Statement

Cst NIPPARD called Cst.Sullivan, he was still busy with another matter. He would attend the RCMP headquarters to provide a statement once free.

/jl

Action: 237
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 27
2015-04-07 14:10:00

Task Assignment: 27 - Statement

Cpl HENSTRIDGE attended the office of Donna IVEY (Special Assistant Communications Director) who provided an audio recorded statement. She provided the following information in her statement:

Action: 214
M HENSTRIDGE

As part of her duties she monitors media including social media and also posts to the Government FB Page and the Premiers' page. On Good Friday, she was at home browsing through media and noted a series of tweets composed by "Donahue2DonDunphy" The tweets were in response to a tweet by Minister COLLINS but did not appear related to his initial tweet. There were 6 or 7 tweets the majority of which were not threatening in any way and simply dissatisfaction with Workers Comp. She was aware of Mr DUNPHY's posts as he had posted in the past expressing the same types of concerns. One of the 7 tweets did concern her as there was some mention of 'hurting' family members. She felt the "Hurt" may have be a physical threat and forwarded the message via email to Sgt. SMYTH and Cpl NOEL for their action. This was not a unique occurrence and it is not uncommon for staff to forward letters, tweets etc to Protective Services for assessment. Later that afternoon, or on Saturday, SMYTH called her for some context regarding Don DUNPHY. She explained that she didn't have a lot of information other than he was an injured worker who was disgruntled. She suggested that Joe call Workers Comp who might be able to provide more information. On Sunday, she was cooking Easter dinner and heard on the media that there had been a shooting in Mitchells Brook. She later received a call from Communications Director Heather McCLEAN who asked her to forward her initial email to McCLEAN. She then did some research and noted a Don DUNPHY in Mitchells Brook and was fairly certain it was related to the tip she had passed on to Sgt SMYTH. This concluded her involvement in the matter

/jl



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Date / Time:

Action:

Action ID:

Task No: 27
2015-04-07 14:20:00

Conclusion of the interview. Ms IVEY advised that she would forward Cpl HENSTRIDGE the email communications she had in relation to her involvement. When Cpl HENSTRIDGE arrived back at HQ, the emails were in my account. Cpl HENSTRIDGE printed same and added them to the associated folder.

Action: 215
M HENSTRIDGE

This task recommended for conclusion here. The noted emails, my handwritten notes, this report and a CD containing the audio recorded statement forwarded to Cpl BURKE for his review.

Monty HENSTRIDGE

/jl



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Date / Time:

Action:

Action ID:

Task No: 32
2015-04-07 15:11:00

Task Assignment: 32 - Statement

Cst NIPPARD began an audio statement taken from Warren Sullivan with the RNC. Sullivan is the president of the Members Association and attended Holyrood RCMP detachment on April 5th, 2015 in an effort to support Sgt.Smyth with anything he may need. The following is a synopsis of this statement:

Action: 238
M NIPPARD

In his position with the Union he typically receives a call in which any major incident has taken place that could possibly have issues of consequence for the involved member. He received a call in the early afternoon from the Chief advising him of a police related shooting involving Joe Smyth. He tried to contact Smyth via call/text and got a text reply saying that coverage in the area was not good. Smyth later called Sullivan and told him that he was ok, the RCMP were there and he was currently sitting outside the residence alone in his vehicle. Sullivan told him he was on the way to be with him. Sullivan picked up another RNC officer, Scott Harris and they both travelled to the Holyrood Detachment together. Harris is another member of the Union. On the way Sullivan learned that Acting/Insp. Mike Adams and Acting/S/Sgt. Reg Tilley were also on their way to meet with Smyth at Holyrood Detachment. Sullivan arrived at the detachment around 5: 30 p.m. and met the investigative team and introduced himself. Sullivan went down to the room with Smyth. Tilley and Adams were already there with him. They talked to Smyth trying to keep the conversation off of the topic at hand as much as possible. Smyth really badly wanted to give his version of the event to investigators. They told him it would be best if he waited until he calmed down and maybe do it at a later time. Smyth did tell them a cold notes version of the events that happened. Smyth relayed that he was in the area to conduct an assessment on a threat that was received. (Sullivan knew that Smyth was on the Premiers detail.) Smyth went to the residence in question and no one was home. He then went next door and spoke with the subjects brother and sister in law for a short time. He then returned to the residence and the subject was then home. Smyth was inside the residence speaking with him and making notes when the subject became agitated and pulled a gun out and Smyth reacted. Sullivan advised he was there in a role of support to Smyth during this time and offered to assist him in whatever way he possibly could.



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Sullivan gave his opinion that from what he heard it was a "text book" situation.

Smyth later made a comment to the effect of " I'm mad at him now." "If I could only shake him alive and say what the fuck you doing." "What did you do this for?"

Sullivan got in contact with a Fred [REDACTED] who is a retired member of the RNC. [REDACTED] was said to have been involved in a fatal shooting himself in Corner Brook, NL in the early 1990's. He did this as it may be helpful for Smyth to talk to him as someone who could relate to what was happening.

Sullivan arranged for a RNC member to go to Smyth's residence and pick up clothes for him due to the RCMP seizing what he was wearing.

Sullivan advised nothing that Smyth said in his account was alarming to him in any way other then the obvious fact of it being a shooting incident.

He was with Smyth for a couple of hours and dropped him off at home that evening.

Sullivan went over legal representation options and how that would work in the event that it was required.

Smyth had made a call to his wife already and made her aware of what had happened.

/jl

Task No: 32
2015-04-07 15:25:00

Statement was concluded. Sullivan thanked for his time and escorted out of the building.

Notes copied and placed on hardcopy file with the statement disc and this report.

/jl
(Cst NIPPARD)

Action: 239
M NIPPARD

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-07 15:48:00

All exhibits placed in main exhibit room with Cpl. SEWARD. Will be sorted and dried at a later date, as Cst GLWAY was required to head down to the DUNPHY res. to meet with Chief Supt. BOLAND, Supt. SACHSSE, and S/Sgt. FITZGERALD.

/jl

Action: 1034
J GALWAY



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Action ID:

Task No: 21
2015-04-07 15:54:00

Task Assignment: 21 - Medical Records

On Tuesday, April 7, 2015 at approximately 0824 hrs Cpl FOOTE attended the Medical Examiner's office at the Health Science Center and spoke with Bonita [REDACTED] Bonita advised Dr Avis hasn't had an opportunity to review Mr Dunphy's medical records as of yet and will get back to Cpl FOOTE once he does. Cpl FOOTE contacted Cst Galway who is attending the autopsy and asked him to follow up with getting Mr Dunphy's medical records.

D Foote Cpl 51545

/jl

Action: 178
D FOOTE



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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-07 16:53:00

Task Assignment: 12 - Notes - Primary Investigator

Briefing Investigative Team. In attendance and information presented as follows:

Action: 840
S BURKE

-Cpl. FOOTE

In the process of creating tasks and organizing hard copy file;
Spoke with Dr. MCGARRY who advised that he will get back to Cpl. FOOTE tomorrow;
In process of obtaining medical records of Donald DUNPHY

-Cst. NIPPARD

In process of obtaining Telecoms recording from RNC, member advised that he may get same from RNC Supt. SHEPPARD;
To interview paramedics on Thursday morning;
Interviewed Warren SULLIVAN of RNC Association, he was with Cst. SMYTH after incident is a supportative role. He was briefed by Cst. SMYTH about what happened. SULLIVAN gave SMYTH a ride home after incident;
Interview with HARRIS of RNCA tomorrow;
Obtained RCMP OCC recordings of incident with SMYTH reporting that shots were fired and that he required members attendance and paramedics;
Restricted PROS file

-Cpl. HENSTRIDGE

Dropped package off to OCME prior to autopsy containing file synopsis
Interviewed RNC A/Insp. Mike ADAMS who was with Cst. SMYTH in Holyrood after the incident. He was there in a supportive role, not investigative. Advised SMYTH to have Critical Incident Debriefing. Said that SMYTH was very interesting in providing his account of what happened, provided account to ADAMS. Notes that ADAMS took were handed over to Cpl. HENSTRIDGE;
Interviewed Donna IVY of Premier's Office. She monitored various social media on behalf of Premier's Office. Saw tweet by Donald DUNPHY that required investigation, forwarded to Cst. SMYTH, Cpl. Doug NOEL (Premier's Detail).. Added that this was not uncommon. She spoke with SMYTH on Saturday about the Donald DUNPHY Tweet;
emails regarding her involvement handed over to Cpl. HENSTRIDGE.

Sgt. OSMOND



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Action ID:

Media Release
C-237

/jl

Task Assignment: 3 - Notes

Task No: 3
2015-04-07 17:15:00

Cst GALWAY 10-7 at DUNPHY res., along with S/Sgt. TILLER.

Cst. REMILLARD is guarding the scene, and is told he can head back, as the scene will be released, once Chief Supt. BOLAND, Supt. SACHSSE, and S/Sgt. FITZGERALD have a look around. Meghan DUNPHY is on her way down to the residence at 18:30 to meet with myself and S/Sgt. TILLER.

/jl

Action: 1035
J GALWAY

Task No: 3
2015-04-07 17:20:00

S/Sgt Tiller and Cst Gallway arrived on scene and turned over to them

/jl

Action: 1004
S REMILLARD

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-07 17:25:00

Briefing completed.

/jl

Action: 841
S BURKE

Task Assignment: 3 - Notes

Task No: 3
2015-04-07 17:25:00

Cst REMILLARD departed scene.

CH, CstRemillard

/jl

Action: 1005
S REMILLARD



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Date / Time:

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Action ID:

Task No: 3
2015-04-07 17:35:00

Chief Supt. BOLAND, Supt. SACHSSE, and S/Sgt. FITZGERALD arrive on scene. Myself and S/Sgt. TILLER show them around the residence. Chief Supt. BOLAND advises us that the scene may not be released, after all, as an independent 3rd party may be called in to oversee the investigation. As it turns out, we will seek consent from Meghan to use the residence, again.

Action: 1036
J GALWAY

/jl

Task Assignment: 42 - SPCA Liaison

Task No: 42
2015-04-07 18:30:00

At the deceased residence and met with the daughter of the victim Megan Dunphy, along with Cst. Galway. It was discussed with her regarding the assistance of the SPCA in addressing the cat situation. Megan was very pleased with the assistance if it could be provided - was briefed on expectations of adoptions. She was aware of the problems with same and had no concerns - really appreciated the help. She did state that there were 2 tame house cats that were inside the residence that she wanted to keep for herself. She advised that we could pass her information - name and contact number to Krissy. Megan also advised that she will continue to feed and water the cats daily so not an urgent need at this time but she does appreciate the help.

Action: 398
R TILLER

/jl
(S/Sgt TILLER)

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-07 18:40:00

Megan DUNPHY arrives, along with her boyfriend, Billy CORCORAN. She is updated on these latest developments, and is happy that a 3rd party is being brought in. She has no issues with the police using the house, again.

Action: 1037
J GALWAY

Cst GALWAY, then, help Meghan feed the cats in the house, in the shed, and in the pen, up on back of the res.

/jl



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Action ID:

Task No: 12
2015-04-07 19:00:00

Task Assignment: 12 - Notes - Primary Investigator

Off Duty
(S.D. BURKE) Cpl.

/jl

Action: 842
S BURKE

Task No: 30
2015-04-07 19:10:00

Task Assignment: 30 - Statement

On Tuesday, April 7, 2015 at approximately 1605 hrs Cpl FOOTE contacted Dr McGarry, Donald Dunphy's current family Dr. Writer requested a statement from Dr McGarry regarding Dunphy's recent state of mind and questioned if there were any mental health concerns. Dr McGarry advised he'd like to seek legal advice before he spoke with Cpl FOOTE. Dr McGarry did state "I had no concerns", "he was fine". Dr McGarry advised he would call Cpl FOOTE tomorrow.

D Foote Cpl 51545

/jl

Action: 225
D FOOTE

Task No: 15
2015-04-07 19:20:00

Task Assignment: 15 - Family Liaison

Meghan and CORCORAN leave.

/jl

Action: 1038
J GALWAY



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Action ID:

Task No: 52
2015-04-07 20:00:00

Task Assignment: 52 - Re-enactment #1

Cpl BURKE and Sgt. OSMOND discussed the benefit and have SMYTH complete an re-enactment. Both agreed that if SMYTH was up for it a re-enactment would help to provide a clear picture of the events at the scene as detailed by SMYTH.

Action: 453
S BURKE

Cpl BURKE called SMYTH and he was willing to complete an re-enactment adding he would assist in anyway he could. Cpl BURKE advised SMYTH to take some time to think about it.

Cpl BURKE called Sgt. SAUNDERS of FIS and advised him of our intentions of completing an re-enactment over the next couple of days.

Cpl BURKE received a return call from SMYTH advising that he would do an re-enactment but he had a 2 pm appointment (critical debriefing) that he wanted to attend and suggested mid-morning.

Cpl BURKE discussed timeframe with Sgt. SAUNDERS and 11 am for re-enactment with Cpl. Kelly LEE was a possibility.

Re-enactment was arranged for 11 am on 2015-04-08 through SMYTH and FIS.

/jl

Task No: 12
2015-04-07 20:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl. BURKE was contacted by Sgt. OSMOND and was advised that he saw a lady on the news form an injured workers groups discussing Donald DUNPHY. He name was Trish DODD. Please see specific task for further information into interactive with DODD

Action: 843
S BURKE

Cpl. BURKE also arranged with SMYTH and FIS to have an re-enactment completed. Please see specific task for re-enactment for further details.

/jl



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Task No: 15
2015-04-07 20:20:00

Task Assignment: 15 - Family Liaison

Cst GALWAY and S/Sgt. TILLER look around the house, and make sure that both doors are locked. We found DUNPHY's wallet, inside a coat, that was hung on a kitchen chair. Meghan had mentioned that she would like to have this.

We leave the scene, unguarded, but leave the police tape up.

/jl

Action: 1039
J GALWAY

Task No: 15
2015-04-07 20:30:00

Call Meghan, again, but no answer.

/jl

Action: 1040
J GALWAY



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Action ID:

Task No: 35
2015-04-07 20:40:00

Task Assignment: 35 - Statement

At this time Cpl HENSTRIDGE attended the RNC Headquarters building and obtained an audio recorded statement from S/Sgt Reginald TILLEY (B [REDACTED] S/Sgt TILLEY provided the following information:

On April 5th at 2:33 p.m., he received a call from Sgt RYAN of the Comms Center advising him that there had been an incident in Mitchells Brook. The incident involved A/Sgt Joe SMYTH and shots had been fired.

He contacted A/Inspector Mike ADAMS and they both arranged to drive out to provide support to the member not to interfere with the RCMP investigation. They left the RNC building at 1520 hrs.

When they got to Salmonier Line, he was notified from Comms that SMYTH was enroute to Holyrood.

When they arrived at the Holyrood Detachment, they were met by S/Sgt Rod TILLER and again told him the reason for their attendance was to provide moral support for SMYTH and not to interfere.

At 4:30 p.m. he called Warren SULLIVAN (Pres of the RNC Members Association). Warren told him that he had already spoken to SMYTH.

Shortly after this conversation, SMYTH arrived and the three RNC members went to a room on the second floor of the detachment.

They spoke to him and tried to put him at ease. They chatted with SMYTH and he noted that SMYTH was upset but maintained his composure.

They told SMYTH that they were not there to ask questions but just wanted to help him relax in a stressful situation.

SMYTH told them that:

He had attended the RNC building in the morning and signed on.

He was investigating a threats investigation.

He was at the building to make notes and conduct background checks.

He notified the RCMP he was going to be in the Mitchell Brook area.

He stopped and talked to the brother or the brothers wife (of the deceased)

He then went to the house and spoke the guy. The house was deplorable with cats and feces around. He mentioned to the deceased that he had concerns for his health and well-being and this seemed to agitate the guy.

He had a folder that he was making notes in. the guy became agitated.

SMYTH noted a stick or a bat near the man.

While making his notes, he glimpsed in the corner of his eye long barrel gun (possibly a small barrel). The man pointed it at him and he discharged 3 or 4 times but he was not sure how many times.

Action: 247
M HENSTRIDGE



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He recalls saying "NO" as he fired.
They did not ask SMYTH any follow up questions.
SULLIVAN and Scott HARRIS arrived at 5:30 p.m and brought SMYTH coffee and a sandwich
He and ADAMS stayed for about another 30 minutes.
Prior to me (HENSTRIDGE) asking if SMYTH was willing to provide a statement, he told the members that he wanted to tell his story but felt it would be better to wait. He was concerned that this would appear as if he was being uncooperative.
He called Comms to arrange for clothes to be delivered to SMYTH as I (HENSTRIDGE) had indicated his clothes would need to be seized.
He and ADAMS left the detachment at 1800 hrs.

/jl

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-07 20:50:00

Drop by Meghan's house, but nobody is home.

/jl

Action: 1041
J GALWAY

Task No: 15
2015-04-07 21:00:00

Wallet is locked up in my personal locker, and will be dropped off tomorrow.

End of day.

Cst. John GALWAY

/jl

Action: 1042
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 35
2015-04-07 21:06:00

Task Assignment: 35 - Statement

Statement concluded at 21:06 hrs.

Task recommended for conclusion here. This report along with my handwritten notes and a CD containing the audio statement forwarded to Cpl BURKE for his review.

Monty HENSTRIDGE

/jl

Action: 248
M HENSTRIDGE

Task No: 30
2015-04-07 21:27:00

Task Assignment: 30 - Statement

Call from Dr McGarry Advising he would not be contacting Cpl FOOTE tomorrow as he could not get clarification as to whether he could legally give writer a statement. Cpl FOOTE to call Dr McGarry back early next week.

/jl

Action: 226
D FOOTE



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Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-08 8:00:00

Cpl BURKE on duty at B Division HQ.

/jl

Action: 844
S BURKE

Task Assignment: 47 - Statement

Task No: 47
2015-04-08 8:05:00

Cst NIPPARD got in contact with RNC officer Scott Harris. He was available to meet with me this morning to provide a statement. Advised he would attend RCMP headquarters at 10 a.m.

/jl

Action: 436
M NIPPARD

Task Assignment: 52 - Re-enactment #1

Task No: 52
2015-04-08 8:30:00

Cpl FOOTE requested by Cpl Burke to attend Mitchell's Brook for the re-enactment which was scheduled for 1100

/jl

Action: 464
D FOOTE

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-08 8:45:00

Lawyer, Erin BREEN, calls Cst GALWAY to advise that she has been hired by Meghan DUNPHY. She said she will be forwarding CST GALWAY a letter, later on in the day.

Speak with S/Sgt. TILLER, who advises that we will need to obtain the keys from Meghan, as a reenactment will need to be carried out.

/jl

Action: 785
J GALWAY

Task Assignment: 37 - Notes

Task No: 37
2015-04-08 9:00:00

S/Sgt TILLER was advised that a re-enactment will take place at the scene.

/jl

Action: 290
R TILLER



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Action ID:

Task No: 12
2015-04-08 9:05:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE in conversation with Sgt. OSMOND was advised that the scene was released once the autopsy was completed. Mr. DUNPHY'S daughter had requested that the police tape remain a the residence and gave her consent for police to attend the residence if required. Cpl BURKE advised that Cst. GALWAY had the keys to the residence.

/jl

Action: 845
S BURKE

Task No: 46
2015-04-08 9:08:00

Task Assignment: 46 - Statement

Cst NIPPARD was assigned a task to locate and obtain a statement from Kevin Dunphy. Brother of Donald Dunphy.

0908 Hrs - Ran name with dispatch and found match:

Kevin Dunphy

[Redacted]

[Redacted] Mount Carmel, St.Mary's Bay, NL

His criminal history was ran and it was negative for any hits. I queried Canada411.ca but there were no matches for a phone number.

/jl

Action: 427
M NIPPARD

Task No: 15
2015-04-08 9:15:00

Task Assignment: 15 - Family Liaison

(Cst GALWAY) Call and speak with Meghan, and update her that I have her dad's wallet, and that we would like to get the keys from her.

/jl

Action: 786
J GALWAY



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Action ID:

Task Assignment: 52 - Re-enactment #1

Task No: 52
2015-04-08 9:30:00

Cpl BURKE with Cpl. FOOTE departed B Division HQ en route to Mitchell's Brook to complete the re-enactment.

Action: 454
S BURKE

/jl

Task Assignment: 47 - Statement

Task No: 47
2015-04-08 9:42:00

Cst NIPPARD contacted Scott Harris and advised him he will need to arrange the interview for a later time as he was required to attend the Mount Carmel area for other statements. This was fine with him and he suggested Cst NIPPARD give him a call when I was available.

Action: 437
M NIPPARD

/jl

Task Assignment: 52 - Re-enactment #1

Task No: 52
2015-04-08 9:44:00

Cpl FOOTE 10-8 HQ with Cpl Burke

Action: 465
D FOOTE

/jl

Task Assignment: 37 - Notes

Task No: 37
2015-04-08 9:45:00

S/Sgt TILLER accompanied Cst. John Galway to residence of Megan Dunphy. Intent was to request the keys to residence and consent for investigators to attend. Conversation went on for estimate 20 minutes. Cst. Galway took the lead in conversation, note that she is very interested in getting the whole story at some point - of great concern to her. She did acknowledge that her father does have a temper, and in her words can go from calm demeanor to high level when there is something he does not like. When he decides your out of the residence, you will know it is time to leave. She noted that he escorted her out of the residence by the arm a number of times. She continues to be confused about the circumstances. She also noted that she will be getting a lawyer to assist her with this matter. She appologized for same and advised that it is nothing to do with us - suggesting the members present. She advised that she does not know where to start with such a matter. She was aware that sghe can withdraw consent for us to be in the house at any time.

Action: 291
R TILLER

/jl



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Date / Time:

Action:

Action ID:

Task No: 52
2015-04-08 9:45:00

Task Assignment: 52 - Re-enactment #1

Cpl FOOTE 10-17 to Mitchell's Brook. While enroute to Mitchell's Brook Cpl FOOTE was advised by Cpl Burke the the independent oversight will be attending and the re-enactment is delayed.

/jl

Action: 466
D FOOTE

Task No: 15
2015-04-08 9:45:00

Task Assignment: 15 - Family Liaison

Cst GALWAY 10-7 at Meghan's house, along with S/Sgt. TILLER.

She is given the wallet, along with some lotto tickets and cash, which was in one of his pockets. She hands over both keys to her father's house.

She advised that her father is being cremated tomorrow, and that she has hired Erin BREEN, just to make sure that the legal aspects of things are being taken care of.

/jl

Action: 787
J GALWAY

Task No: 52
2015-04-08 10:00:00

Task Assignment: 52 - Re-enactment #1

Cpl BURKE received a call from Sgt. OSMOND advising that they were in the process of arranging to have an observer attend the re-enactment and wanted same delayed. Cpl BURKE stressed the wish to accommodate SMYTH'S schedule, Sgt. OSMOND understood and would get back to member.

/jl

Action: 455
S BURKE

Task No: 52
2015-04-08 10:05:00

Cpl BURKE spoke with SMYTH and advised that we were in the process of having a person oversee our investigation and that we were making arrangements to have that person attend the re-enactment. Cpl BURKE added that this would cause a delay. SMYTH said he was happy to have the observer then and said he was willing to make arrangement to alter his schedule.

/jl

Action: 456
S BURKE



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Action:

Action ID:

Task No: 52
2015-04-08 10:23:00

Cpl BURKE was advised by Sgt. OSMOND that retired judge David RICHE was names as the independent observer and they were leaving St. John's at 12 noon to attend the re-enactment (now set for 1 pm). Cpl BURKE advised SMYTH and he was fine with the new time.

/jl

Action: 457
S BURKE

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-08 10:23:00

Cpl BURKE advised by Sgt. OSMOND that a retired judge, David RICHE will be an independent observer of the investigation.

/jl

Action: 846
S BURKE

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-08 10:30:00

Cst GALWAY back at the office.

/jl

Action: 788
J GALWAY

Task Assignment: 37 - Notes

Task No: 37
2015-04-08 10:46:00

Email from Supt. Zettler advising that Retired Justice David Rich has been appointed as an Independent Observer to this file - to advise Megan of same. Same passed onto Cst. Galway to advise Megan Dunphy of same.

/jl
(S/Sgt TILLER)

Action: 292
R TILLER

Task Assignment: 19 - Attending Paramedics

Task No: 19
2015-04-08 10:49:00

Cst NIPPARD was in Mount Carmel, NL to conduct interviews and called Nancy Linehan at this time to see if she was available to provide a statement today. She advised she was free and I could come by this morning.

/jl

Action: 168
M NIPPARD



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Date / Time:	Action:	Action ID:
<p>Task No: 52 2015-04-08 10:50:00</p>	<p>Task Assignment: 52 - Re-enactment #1</p> <p>At Holyrood detachment. Cpl FOOTE advised by Cpl Burke that retired Judge Riche was assigned as independent overview.</p> <p>/jl</p>	<p>Action: 467 D FOOTE</p>
<p>Task No: 15 2015-04-08 11:00:00</p>	<p>Task Assignment: 15 - Family Liaison</p> <p>Debrief with S/Sgt. TILLER, Cpl. BURKE, Cpl. FOOTE, and Cpl. SEWARD. Reenactment will take place at 13:00, today.</p> <p>/jl</p>	<p>Action: 789 J GALWAY</p>
<p>Task No: 52 2015-04-08 11:05:00</p>	<p>Task Assignment: 52 - Re-enactment #1</p> <p>Debrief at Holyrood detachment regarding consent from Megan Dunphy (deceased's daughter) to access the residence and uniform assistance to monitor the scene while the re-enactment is taking place. S/Sgt Tiller, Cpl Burke, Cpl Seward, Cst Galway and Cpl FOOTE.</p>	<p>Action: 468 D FOOTE</p>
<p>Task No: 37 2015-04-08 11:10:00</p>	<p>Task Assignment: 37 - Notes</p> <p>S/Sgt TILLER present when Cst. Galway contacted Megan Dunphy by phone and advised her of same. Email to Supt Zettler confirming that Megan Dunphy has been advised of same.</p> <p>/jlti</p>	<p>Action: 293 R TILLER</p>
<p>Task No: 15 2015-04-08 11:10:00</p>	<p>Task Assignment: 15 - Family Liaison</p> <p>(Cst GALWAY) Call Meghan and advise her that retired judge, David RICHE, has agreed to be the independent 3rd party. She was also told that police will be back at her dad's house, sometime today.</p> <p>/jl</p>	<p>Action: 790 J GALWAY</p>
<p>Task No: 15 2015-04-08 11:15:00</p>	<p>(Cst GALWAY) Work on exhibits with Cpl. SEWARD.</p>	<p>Action: 791 J GALWAY</p>



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Action:

Action ID:

Task No: 52
2015-04-08 11:17:00

Task Assignment: 52 - Re-enactment #1

Debrief ends

/jl

Action: 469

D FOOTE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 19
2015-04-08 11:20:00

Task Assignment: 19 - Attending Paramedics

Cst NIPPARD began the audio recorded statement of Nancy Linehan. Statement taken while sitting with her at her residence in O'Donnell's, NL. The following was noted:

Action: 169
M NIPPARD

She works as a paramedic for Don Gibbons Ambulance Service. She has done so for 7 years.

On April 5th, 2015 she received the call in question at 2:31 p.m.

The dispatch advised that a male was shot. En-route they were advised the male was deceased.

Normally Mount Carmel has their own ambulance service that would take this call however they were already out on another call.

It took her and Kevin Bishop about 35 minutes to get to the scene from St. Mary's, NL.

When they arrived there were several RCMP police cars there as well as a black SUV in the driveway of the residence in behind the police scene tape.

Members on scene allowed them to enter the residence after waiting for a short time.

Once inside she recalled the victim sitting in a chair in the living room and he was facing perpendicular to the front window.

She observed an obvious gunshot wound to the forehead and at first when she seen the firearm thought that the victim had done this to himself. She also noted blood trickling from the side of the head.

The firearm was on the floor to the left of the victim. Nancy described how the victims arms were positioned and imitated this to me. Left hand was lower. (Similar to a hand position one would assume to hold a long barrel gun)

Recalled the gun had a brown stalk and was a bolt action.

She completed a standard 4 step process that is used in cases of obvious death. (Checked the carotid artery, pupils, breathing and heart)

Victim was deceased and this was obvious to her.

She recalled the house was not clean and that there was cat food all over the floor and there were many cats outside but none inside with them.

She was only in the residence for 5 minutes at most.

After she was finished inside the residence her, Kevin and the 2 officers all left the residence at the same time.

She seen the RNC officer in plain clothes. Knew his name was Joe Smyth and she asked him if he wanted to be checked out. He did go to the ambulance and have his vitals checked by her. His blood pressure was high and she suggested that he sit in his vehicle and try to calm down the best that he could.

Smyth did this and she later checked his vitals again before leaving.



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Action ID:

She could not recall anything else specific from the scene.
The victim was wearing pajama pants and a t-shirt.
The RNC plain clothes officer was wearing brown pants, a leather jacket and had a holster on his side but did not know if his gun was in the holster. She said the officer was "dressed up".
She estimated that she was at the scene for 1 - 1 1/2 hours. They arrived around 3:05 and left between 4 and 4:30 p.m.

/jl

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-08 11:20:00

Cpl BURKE was present when Cst. GALWAY called Meghan DUNPHY and informed her that an independent reviewer was assigned the the investigation and police would attend her father's residence at some point. Meghan did not have any issues.

Action: 847
S BURKE

/jl

Task Assignment: 37 - Notes

Task No: 37
2015-04-08 11:30:00

S/Sgt TILLER entered the main locker to remove keys for the police vehicle parked at that scene. Same was requested by the lead investigator and note that the main exhibit custodian was not available.

Action: 287
R TILLER

/jl



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 19
2015-04-08 11:44:00

Task Assignment: 19 - Attending Paramedics

Statement concluded. Given card to contact Cst NIPPARD with any questions or concerns.

Before Cst NIPPARD left Nancy mentioned that Megan Dunphy had came to the scene and that she spoke to her. She did not tell Megan anything about the scene. Megan asked her to go and see her later but she has not done this yet. Megan use to work with Gibbons Ambulance Service and with Nancy directly

Cst NIPPARD was in Mount Carmel, NL to conduct interviews and called Kevin Bishop around noon to see if he was available to provide a statement today. He advised he was free and Cst NIPPARD could come by anytime.

/jl

Action: 170
M NIPPARD

Task No: 46
2015-04-08 12:24:00

Task Assignment: 46 - Statement

Cst NIPPARD contacted Bart Dunphy and spoke to his wife. She was able to provide me with a number for Kevin Dunphy as 709-267. Cst NIPPARD called Kevin Dunphy and he advised he was free to speak with me anytime today and provided directions for me to go to his home in Collinet/ 9 mile road area.

/jl

Action: 428
M NIPPARD

Task No: 52
2015-04-08 12:50:00

Task Assignment: 52 - Re-enactment #1

Cpl BURKE and Cpl. FOOTE arrived in Mitchell's Brook and completed a walk through of the residence with Cpl LEE (FIS) to ensure the residence was setup as it was on the day of the incident.

/jl

Action: 458
S BURKE

Task No: 52
2015-04-08 12:50:00

Cpl FOOTE at Donald Dunphy residence. Cpl Burke, Cpl Lee, Cst Nippard and Cst Galway.

/jl

Action: 470
D FOOTE



PROJECT DUNPHY
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Date / Time:	Action:	Action ID:
<p>Task No: 15 2015-04-08 12:58:00</p>	<p>Task Assignment: 15 - Family Liaison</p> <p>Cst GALWAY 10-7 at DUNPHY res. for reenactment.</p>	<p>Action: 792 J GALWAY</p>
<p>Task No: 52 2015-04-08 13:09:00</p>	<p>Task Assignment: 52 - Re-enactment #1</p> <p>Sgt Osmond and ret. judge Riche onscene. /jl (Cpl FOOTE)</p>	<p>Action: 471 D FOOTE</p>
<p>Task No: 52 2015-04-08 13:15:00</p>	<p>Cst Joe Smyth and Bill James of RNC onscene. /jl (Cpl FOOTE)</p>	<p>Action: 472 D FOOTE</p>
<p>Task No: 52 2015-04-08 13:22:00</p>	<p>Re-enactment started: Present was the following: Cpl. Kelly LEE - FIS - operating audio/video A/Sgt Joe SMYTH Retired Judge David RICHE - independent observer Bill JAMES - RNC, support for SMYTH Cpl. Dion FOOTE - assisting member /jl (Cpl BURKE)</p>	<p>Action: 459 S BURKE</p>



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Date / Time:

Action:

Action ID:

Task No: 52
2015-04-08 13:22:00

Re-enactment begins. Present are, ret. judge Riche, Cpl Lee, Cst Smyth, Cpl Burke, Cst James and Cpl FOOTE. Please note - Cpl FOOTE heard the majority of what Cst Smyth had to say however due to the small space and the number of people present inside the residence writer observed very little of Cst Smyth's re-enactment.

Action: 473
D FOOTE

Cpl FOOTE stands on the front step holding the door as Cst Smyth goes through his account. Cst Smyth walks up the driveway explaining that he was conducting a scan of the property, noting there were several cats on the property and that the property was in poor shape, with garbage lying around everywhere. Cst Smyth advised that as he approached the front window of the residence he knocked on the outside and identified himself. A few seconds later a man came to the door and he asked his name and was advised by the gentleman that he was Donald Dunphy. He showed Mr Dunphy his credentials and Mr Dunphy invited him inside. Once inside the residence Smyth had to pause because of his memory of the overwhelming odour inside the residence. Smyth eventually gathered himself and continued talking. They initially talked in the porch area for a bit and eventually Mr Dunphy went into the living room and sat in a recliner. Smyth explained why he was there advising it had to do with some comments on twitter that were concerning to the police. Mr Dunphy offered Cst Smyth a seat but Smyth refused because the house was filled with garbage and was extremely dirty. Smyth eventually ended up in front of the fireplace/mantle advising he continued to scan the interior of the residence in case there was someone else in the house. Smyth advised Mr Dunphy asked him to sit down on more than one occasion. Smyth referenced the abnormal number of cats in the house along with all the garbage lying around. Advised he was disgusted by the filth in the residence. As he talked us through the re-enactment Smyth continued to struggle with the odour. Smyth was holding a file folder in his hands. Smyth referenced the content of the tweet and used the term prick dead and also said something to the effect of dead MHA's. Smyth noticed Dunphy was becoming agitated however they continued to talk. Smyth noticed Dunphy was beginning to form a white foam around his lips as he got more agitated. Smyth moved some paper on the floor and noticed a bug moving and advised Dunphy that he was concerned. (Writer saw Smyth act this out)



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Dunphy at one point advised Smyth that he was an arm of the government a "puppet".
 Smyth began writing or mimicked writing in an attempt to calm Dunphy down. (Writer saw this)
 Smyth noticed Dunphy moving in his chair and looked in his direction.
 Smyth observed Dunphy holding a long barrelled gun in his hands. Smyth could not say how Dunphy got the gun or where the gun came from.
 Smyth dropped the file and put out his left hand yelling "no, no, no". (Writer saw this)
 Smyth advised he was expecting to get shot and was waiting to feel the hurt/pain from the bullet.
 Smyth pulled his pistol from his holster and believes he may have shot one round towards Dunphy immediately as his pistol was out of the holster and shot again as he started moving to his right to get out of the room. (Writer saw this)
 Then shot two more rounds off.
 Smyth could see the barrel of the gun follow him as he moved to his right.
 Smyth shot four times in all.
 Saw one shot hit Smyth in the forehead and then saw another shot hit Smyth in his left temple area.
 Smyth was immediately concerned there may be more people in the residence and conducted a quick check of the residence.
 Moved a piece of plywood away from the entrance to the kitchen.
 Noticed marijuana plants in a couple areas of the house.
 Was concerned someone else might have heard shots and be coming for him.
 Yelled out several times to see if there was anyone else there.
 Was thinking about how many bullets he had left in his gun and if he should reload.
 Kept checking to see if anyone else was coming.
 Looked in at Dunphy and was certain he was deceased.
 Saw the rifle on the floor in front of Dunphy with one end resting up against something
 Thought about clearing the gun to ensure safety.
 Thought about checking Dunphy's vitals to see if he was deceased but is unsure if he did or not. Doesn't think he did.
 Called RCMP telecoms as he had the number in his phone from a previous call. Advised RCMP telecoms to send members and paramedics
 Continued to scan for any other threats.
 Called RNC telecoms to advise of the incident
 Was asked by RNC telecoms if air ambulance was required and advised he was confident the person he shot was deceased.
 Waited for RCMP and ambulance to show up.



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Seemed like he waited a long time.
 Was extremely thirsty and went to his truck for a drink.
 Saw a vehicle drive by so he turned on his emergency lights. Also, hoped the lights would help other responding officers.
 Remembers dealing with RCMP cst Cox. Gave him an account of the incident.
 Paramedics show up and went inside to check on Mr Dunphy
 Paramedics check Smyth's vitals.
 Smyth turned his gun over to the RCMP
 Smyth was eventually escorted to the RCMP Holyrood detachment
 For the vast majority of the second half of the re-enactment Cpl FOOTE was standing on the front step holding the door as it continued to move in the wind banging up against the frame and being a distraction.

This covers what Cpl FOOTE remembers Cst Smyth say during his re-enactment.

D Foote Cpl 51545

/jl

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-08 13:22:00

Re-enactment started.

/jl

Action: 848
S BURKE

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-08 14:09:00

Cst GALWAY finished at scene.

jl

Action: 793
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 52
2015-04-08 14:10:00

Task Assignment: 52 - Re-enactment #1

Re-enactment completed. Synopsis to be completed when video is available.

SUI

(S.D. BURKE) Cpl.

/jl

Action: 460
S BURKE

Task No: 12
2015-04-08 14:10:00

Task Assignment: 12 - Notes - Primary Investigator

Re-enactment completed, see applicable task.

/jl

Action: 849
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 46
2015-04-08 14:49:00

Task Assignment: 46 - Statement

Cst NIPPARD began the audio recorded statement of Kevin Dunphy. Statement was taken while sitting with him in his kitchen at his residence. No one else was present at this time. The following was noted:

Action: 429
M NIPPARD

His brother Donald did go to School and got along with everyone. He did graduate and went to trade school after that.

Donald always had constant issues with his brother Dick (Richard) and his wife Debbie Dunphy. Part of this stems from Debbie having taught Donald in school and she use to tell his mother about his bad behaviour.

Don injured himself in a workplace accident in the 80's. He was crushed by a tractor that had malfunctioned while being used by someone.

After this accident Donald was received workers compensation as income.

Kevin believed that this is where it all started and his issues from recently all stem from this accident and the aftermath.

13 years ago Donald inherited his fathers home and land after he passed away. This started another area of contention in the family because Donald sold the land which the family wanted kept in the Dunphy name.

Among their fathers belongings was 3 guns. A .22 caliber rifle and double barrel shotgun as well as another rifle. Donald had the .22 caliber gun. Kevin did not believe that this gun could fire anymore as he dropped it many years ago.

Kevin was shocked when he heard that Donald had a gun and had pointed it at the officer. He said that once he heard that the incident was done for him right there and he felt for the officer involved and asked how he was doing.

Donald was never a gun person according to Kevin.

Donald was never a person who would resort to physical violence or even be threatening.

Tom Hearn is a friend of Donalds and has kept Kevin updated as to the condition of Donald's home and living environment. Kevin knew this condition to be very poor and dirty.

Kevin indicated that while Donald's wife was alive and then while Megan was living with him the home was kept up and he owned just 2-3 cats. However ever since Megan moved out 6 years ago Donald has become very dirty, the house condition has decreased significantly and the number of cats he now has is very high. This was a gradual thing that happened over the years.

Kevin mentioned that Donald smokes marihuana and he didn't know if this had an effect on his mental health or not.



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Action:

Action ID:

Donald was easily angered when he started talking about an issue that bothered him and he would get himself worked up but never violent.

He knew Donald was an avid user of open line and social media in which to debate issues that he took with government agencies.

/jl

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-08 14:52:00

Cst GALWAY 10-7 at office.

Action: 794
J GALWAY

/jl

Task No: 15
2015-04-08 15:10:00

Cst GALWAY continue with exhibits.

Action: 795
J GALWAY

/jl

Task Assignment: 46 - Statement

Task No: 46
2015-04-08 15:20:00

Statement Concluded. Kevin provided my card in the event he needed to get in touch. Thanked for his time.

Action: 430
M NIPPARD

/jl

Task Assignment: 47 - Statement

Task No: 47
2015-04-08 15:49:00

Cst NIPPARD contacted Scott Harris and advised him I was busy for the rest of this date and I would contact him tomorrow. This was fine with him.

Action: 438
M NIPPARD

/jl

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-08 16:20:00

All exhibits processed. Clothing that needed to be dried was processed in accordance with what Cpl. LEE had advised.

Action: 796
J GALWAY

/jl



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Date / Time:

Action:

Action ID:

Task No: 19
2015-04-08 16:25:00

Task Assignment: 19 - Attending Paramedics

Cst NIPPARD began the audio recorded statement of Kevin Bishop. Statement taken while sitting with him at his residence in St. Mary's, NL. The following was noted:

Action: 171
M NIPPARD

He works with Don Gibbons Ambulance Service. He has done so for 2 years.
On April 5th, 2015 they received the call in question at approximately 2:30 p.m.
The dispatch advised that they had a possible gunshot victim. En-route they were advised the male was deceased.
They continued to the scene as though it was still an emergency.
When they arrived there were several RCMP police cars.
Members on scene allowed them to enter the residence after waiting for a short time.
He recalled the house was not clean and that there was cat food all over the floor and there were many cats outside but none inside with them.
Once inside he recalled the victim sitting in a chair in the living room.
He observed an obvious gunshot wound to the forehead.
The firearm was on the floor to the left of the victim. It was up off the floor a few inches resting on the victim or the chair itself. Barrel towards the victim.
Recalled the gun looked old. He did not know what type of gun it was.
Nancy completed her checks and determined the victim was deceased. He did not touch the body in any manner nor anything inside the residence.
They was only in the residence for 5 minutes at most.
After they were finished Nancy seen the RNC officer and that he looked "shook up" and asked him if he wanted to be checked out. He did go to the ambulance and have his vitals checked by her. His blood pressure was high. He was checked a second time before he left the scene.
The RNC plain clothes officer was wearing a leather jacket and had a holster on his side and he believed the gun was in the holster. He also wore a badge on his hip and had no visible bullet proof vest on.
The only injury he recalled was that to the victims forehead.
Megan Dunphy came to the scene while they were there. Nancy gave her a hug. No conversation had concerning the scene. Megan was still there when they left.

/jl



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Date / Time:

Action:

Action ID:

Task No: 19
2015-04-08 16:40:00

Statement concluded. Given card to contact Cst NIPPARD with any questions or concerns.

Statements burned to disc. Notes copied and placed with report on file.

This task concluded here.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 172
M NIPPARD

Task No: 37
2015-04-08 17:00:00

At approximately this noted time, Supt. Zettler contacted S/Sgt TILLER by phone - requested that he follow up with determining what support resources are available within Holyrood Det. area that Megan Dunphy may avail of. Advised that will follow up in the AM

/jl

Task Assignment: 37 - Notes

Action: 294
R TILLER

Task No: 15
2015-04-08 17:00:00

End of day.

Cst. John GALWAY

/jl

Task Assignment: 15 - Family Liaison

Action: 797
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 37
2015-04-08 18:00:00

Task Assignment: 37 - Notes

S/Sgt TILLER received a call call from Sgt. Kent Osmond - MCU advising that he will be meeting with the Lawyer this evening and requested my attendance - 8:15 PM at HQ.. Intent was to discuss the case with lawyer Breen and Megan Dunphy.. Note that Cst. Galway was the main contact with Dunphy but he was not available this evening.

/jl

Action: 295
R TILLER

Task No: 37
2015-04-08 19:45:00

S/Sgt TILLER attended HQ - met with MCU members. During this meet determined that the Lead Investigator was also tasked with the identification of resources available for support.

/jl

Action: 296
R TILLER

Task No: 3
2015-04-08 19:47:00

Task Assignment: 3 - Notes

Task reviewed and reworked for date correction.

(S.D. BURKE) Cpl

Primary Investigator

/jl

(Supplementary of Cst MDONALD)

Action: 71
S BURKE

Task No: 37
2015-04-08 20:15:00

Task Assignment: 37 - Notes

S/Sgt TILLER met with Sgt. Osmond, Lawyer Breen, Megan Dunphy and her common law spouse. The meet was video taped - significant amount of disclosure made. Details as per tape interview.

SUI

/jl

Action: 297
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 61
2015-04-08 20:22:00

Task Assignment: 61 - Statement

Cpl BURKE monitored interview of Meghan DUNPHY by Sgt. Kent OSMOND. The following are noted I made during that interview:

Action: 485
S BURKE

Present:

- Sgt. OSMOND
S/Sgt. TILLER
Meghan DUNPHY
Megan's Boyfriend
Erin BREEN (lawyer)

New information by Meghan DUNPHY:

- gun in house belonged to grandfather. He died and everything was moved to their house
-Jan Feb 2015 father in hospital. Meghan would feed cats / clean up. Saw gun behind the couch, left it there. Mentioned to father he said it was his father's gun. 2 uncles knew exactly what the gun her father had. They claimed in broken and warped up.
-her issue was how her father went behind the couch to get the gun when member was there
-father smoked weed
-out of house since she was 19 years old
-spoke about stick her father had. thinks it was by his chair at all times. Thinks her father may have used the stick on him, not the gun
-had time believing the story about the gun
-didn't think that anywhere around his chair he could hide a gun
-thinks father told him to get out and member did not
-father was not unhappy and looking forward to turning 60 years old
-don't understand how member got off the 4 shoots and the 2 to the head

Sgt. OSMOND:

- Father injuries OCME usually advises funeral home but RCMP should have enured she was aware and apologized for that
-RNC member did not feel it was a threat, routine call
-RNC attended father not home, went next door for 20 min
-left and saw jeep in driveway
-rapped on window, heard door open showed ID he was invited in and they had a conversation
-RNC member saw gun out of perfferial vision, shots were fired as member was leaving room
-Megan said that was lies, that did not happen
-Thinks member is lying about something



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Action:

Action ID:

-victim services
-media

Boyfriend talking

-don't know why member went there alone
-Sgt. OSMOND explaining risk assessment

S/Sgt. TILLER and Sgt. OSMOND

-explaining interaction with father
-completely by surprise by firearm
-member concerned about living conditions
-risk assessment still very low
-thinks the firearm came from the right side of the chair
-member reacted and gun follows him out the door
-Meghan was informed by Cpl. O'KEEFE that her father was lying on the floor with a gun beside him
-Concerned that member were there by himself and she should have been in a police car after the incident
-Explained about how member's account needs to be consistent with scene and other evidence
-member's statement, re-enactment wondering about extra day
-witness statement of Meghan
-boyfriend said he was bitter
-Meghan said she was really upset that the injuries to the head

/jl

Task No: 61
2015-04-08 21:40:00

Statement completed.
(S.D. BURKE) CPL.
Primary Investigator

/jl

Action: 486
S BURKE

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-08 22:00:00

Off duty
(S.D. BURKE) CPL

/jl

Action: 850
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-09 9:00:00

Cpl BURKE on duty at B Division HQ
/jl

Action: 851
S BURKE

Task Assignment: 36 - Notes

Task No: 36
2015-04-09 9:19:00

Task reviewed. Cpl BURKE noted Cpl. FOOTE'S location of the firearm "There was a shot gun on the floor in front of the deceased's left foot with the barrel touching the floor and the handle leaning on a plastic storage tub."

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 262
S BURKE

Task Assignment: 35 - Statement

Task No: 35
2015-04-09 9:31:00

Task reviewed and concluded

CH

(S.D. BURKE) Cpl.

Primary Investigator

Action: 249
S BURKE

Task Assignment: 33 - PROS File restriction

Task No: 33
2015-04-09 9:48:00

From 5746 completed and sent to Intelix Shelly Collins for action.

/jl
(Cst NIPPARD)

Action: 242
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 60
2015-04-09 10:00:00

Task Assignment: 60 - Polygraph

At the request of Cpl BURKE, Cpl HENSTRIDGE contacted S/Sgt Tom TOWNSEND who is NCO i/c Truth Verification Section for H and B division. Cpl HENSTRIDGE provided S/Sgt TOWNSEND the facts as we know them and confirmed that the scene examination was consistent with the account provided by Sgt. SMYTH. Cpl HENSTRIDGE asked whether or not a Polygraph would be a reasonable investigative step to take at this stage. S/Sgt TOWNSEND noted that a polygraph would not be appropriate in this case because there is no suitable issue to test. The proposed issue would be whether or not the firearm was pointed at the officer. TOWNSEND noted that this is 'interpretive' and not a suitable question. It is similar to a consent question with a sexual assault which is also not typically suited to a polygraph examination.

Action: 483
M HENSTRIDGE

This report added to Folder 060 and handed in to Cpl BURKE. No handwritten notes were take in relation to this task as Cpl HENSTRIDGE was sitting at his desk when he made the call and opted to simply add my report directly into PROS.

This task recommended for conclusion here.

Monty HENSTRIDGE

/j|

Task No: 33
2015-04-09 10:08:00

Task Assignment: 33 - PROS File restriction

Task reviewed and concluded

Action: 244
S BURKE

CH

(S.D. BURKE) Cpl

Primary Investigator

/j|



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Date / Time:

Action:

Action ID:

Task No: 47
2015-04-09 10:15:00

Task Assignment: 47 - Statement

Cst NIPPARD left a message for Scott Harris to call me back if available today to provide a statement.

/jl

Action: 439
M NIPPARD

Task No: 32
2015-04-09 10:17:00

Task Assignment: 32 - Statement

Task reviewed. Member noted a comment to SULLIVAN, "Smyth later made a comment to the effect of " I'm mad at him now." "If I could only shake him alive and say what the fuck you doing." "What did you do this for?"

CH

(S.D. BURKE) CPL

Primary Investigator

Cst. Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 240
S BURKE

Task No: 7
2015-04-09 10:37:00

Task Assignment: 7 - Operations Communication Centre (OCC)

E-mail received from Manager of Information Services Dale Evans with the RNC. Attached are 4 electronic documents consisting of the queries completed by Sgt. Joesph Smyth and his report for this matter. Same printed and placed on the file.

Still awaiting phone recording of Sgt. Smyth.

Action: 129
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 39
2015-04-09 11:00:00

Task Assignment: 39 - Lab Analysis

This report prepared to house all in one report the action taken regarding Laboratory Analysis of the exhibits and correspondence with the Lab staff.

Cst.Nippard was assigned a task to complete a request to the laboratory to have the seized exhibits in this matter authorized for sending.

/jl

Action: 322
M NIPPARD

Task No: 62
2015-04-09 11:00:00

Task Assignment: 62 - Lab Analysis

Cst NIPPARDI was assigned a task to complete a request to the laboratory to have the seized exhibits in this matter authorized for sending.

/jl

Action: 487
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-09 11:00:00

Task Assignment: 12 - Notes - Primary Investigator

Briefing Investigative Team. In attendance and information presented as follows:

Action: 852
S BURKE

Cpl. HENSTRIDGE

Interview set up with Tom MAHONEY at Workers Compensation
Advised that he spoke with S/Sgt. TOWNSEND (Senior Polygraph Analyst, Truth Verification Section) and that a polygraph examination would not be effective on A/Sgt. SMYTH as it was not a testable issue
Advised that there was a checklist available for member involved shootings

Cst. NIPPARD

Paramedics were interviewed and both noted obvious injury to forehead. They noted the position of the arms of the deceased and the fact that the firearm at the scene was a bolt action and that the gun was propped up on something. Paramedics also did a physical assessment of A/Sgt. SMYTH. The paramedics added that they knew the deceased daughter, Meghan as she used to work for the same ambulance service

Interviewed brother of deceased, Kevin DUNPHY. He said that Donald's house was fine before his wife died and while Meghan was living there, but since she left it went downhill. Kevin said that he thinks the gun that Donald had was his father's (deceased) old .22 caliber. Kevin thinks that the gun didn't work. Kevin said there was issue between him and Donald and other family members. Kevin said he didn't fault the officer one bit for shooting his brother

Cpl. FOOTE

He attended the re-enactment on Wednesday and prepared his notes
He was advised that Gerald DALTON attended Holyrood Detachment and said he had information about Donald DUNPHY
He was currently working on obtaining transcripts of CBC interview with Trish DODD
He received the Death Certificate from the OCME
Discussion about ABBASS who was in the media commenting on the shooting in a threatening manner. He was picked up by the RNC, believed to be mental health issues.

Sgt. OSMOND

Discussion about Justice RICHE and his role in the investigation. To



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forward FIS planned drawing and photo pack
on-going media
meeting with family
re-enactment.

/jl

Task Assignment: 37 - Notes

Task No: 37
2015-04-09 11:30:00

S/Sgt TILLER spoke with Kristy at SPCA.. SPCA still willing to help and waiting direction. She was provided Megan Dunphy's cell number as consented to by Megan. Also she requested that Press Release be completed - advised her that I will pass onto lead investigator. She will be talking with and working with Megan with respect to the cat removal process.

Action: 298
R TILLER

/jl

Task Assignment: 42 - SPCA Liaison

Task No: 42
2015-04-09 11:30:00

S/Sgt TILLER spoke with Kristy at SPCA - asked about having a Press Release completed - advised her that I would pass onto the lead investigator. Also provided her a phone number for Megan. She advised that she will follow up.

Action: 399
R TILLER

/jl

Task Assignment: 62 - Lab Analysis

Task No: 62
2015-04-09 11:40:00

Cst NIPPARD contacted Cpl.Kelly Lee with FIS to determine if the .22 caliber rifle had been fingerprinted yet as he was going to request same be sent to the lab for functionality analysis. Cpl.lee advised this examination had not yet been completed as she was busy with another aspect of this investigation. It would likely be completed tomorrow and that Cst NIPPARD could go ahead and obtain authorization from the Laboratory. She advised the likelihood of finding any impressions on the surface in question was low and the lab could be made aware of this as well. The rifle in question was currently in her possession at the Clarendville RCMP detachment and that she could send the rifle to the lab from there when same was authorized.

Action: 488
M NIPPARD

/jl



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Date / Time:

Action:

Action ID:

Task No: 31
2015-04-09 11:46:00

Task Assignment: 31 - Statement

Task reviewed and concluded
CH
(S.D. BURKE) Cpl.
Primary Investigator
/jl
(HENSTRIDGE notes)

Action: 230
S BURKE

Task No: 27
2015-04-09 11:50:00

Task Assignment: 27 - Statement

Report reviewed and concluded
CH
(S.D. BURKE) Cpl.
Primary Investigator
/jl

Action: 213
S BURKE

Task No: 47
2015-04-09 11:51:00

Task Assignment: 47 - Statement

Message received back from Scott Harris. He is not working today and is not available. Anytime tomorrow would be good for him. Cst NIPPARD told him he would be in touch.
/jl

Action: 440
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 27
2015-04-09 11:53:00

Task Assignment: 27 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 216
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 28
2015-04-09 12:00:00

Task Assignment: 28 - Statement

Cpl HENSTRIDGE attended the WSCC office and obtained an audio recorded statement from Mr. Thomas Gregory MAHONEY [REDACTED] My MAHONEY provided the following information: [N.B. All times are taken from Mr. MAHONEY's cell phone as well as emails he sent and received]

Action: 219
M HENSTRIDGE

He is the Executive Director for Workers services and is also responsible for Corporate Security. He was authorized to speak to Sgt SMYTH as well as myself by way of Section 39 of the Privacy Act (He provided me a copy of this legislation for the file). He received a cll this past Saturday at 3:28 from Mr Ralph TUCKER who is the Chairman of the Board requesting information on Donald DUNPHY. He did not tell Mr. TUCKER that he (TUCKER) did not have authority to be told this information but that he could provide it to the Police. He directed TUCKER to have Sgt SMYTH contact him directly. After hanging up with TUCKER, he Craig NOSEWORTHY to provide the contact info for Mr DUNPHY. At 4:07 p.m he called Sgt SMYTH and provided contact information for the Donald DUNPHY that was a client of Workers. Sgt. SMYTH asked whether there had been any issues with this person and he told SMYTH that there had been no threats but that he was aware of Mr DUNPHY because approximately 2 weeks ago he was made aware of some things that DUNPHY had been posting about an employee (Steve PHILLIP's) and how he had handled his claim years ago. There was certainly nothing threatening with the tweet but he did forward it to "legal" as an employee's name was noted. He also directed his staff to monitor the person's tweets in the event something else came up. He is aware of no threats that Mr DUNPHY had ever made towards anyone in his office. The comments he did make were disparaging but not threatening. Sgt. SMYTH told him "I think I'll have to pay him a visit". The phone call with Sgt. SMYTH was very brief (Less than 5 minutes) and this effectively ended his involvement with the matter. On Sunday at 6:07 p.m he received a call from Leslie GALWAY who is the CEO of the commission. She asked him to forward his email correspondance to her as there had been a shooting involving Mr. DUNPHY.

/jl



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Date / Time:

Action:

Action ID:

Task No: 46
2015-04-09 12:00:00

Task Assignment: 46 - Statement

Statement burned to disc. Notes copied. Report completed.

/jl
(No time on PROS Report)

Action: 431
M NIPPARD

Task No: 15
2015-04-09 12:00:00

Task Assignment: 15 - Family Liaison

Cst GALWAY returned a call to Meghan DUNPHY, who had called, earlier. Cst GALWAY was driving at the time, and unable to answer the phone. Cst GALWAY advised her that I was out of town, but she should still feel free to call me if she needed anything. She said she should be ok for the next couple of days, as she had the funeral service coming up, and she said she had already had answers to most of her questions.

Cst. John GALWAY

/jl

Action: 799
J GALWAY

Task No: 26
2015-04-09 12:21:00

Task Assignment: 26 - Social Media

Task reviewed and concluded.

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 211
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 25
2015-04-09 12:24:00

Task Assignment: 25 - Statement

Task Reviewed. Cpl BURKE also present for statement and concurr with synopsis.

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 208
S BURKE

Task No: 24
2015-04-09 12:30:00

Task Assignment: 24 - Statement

Task reviewed, noted comments. "When asked if DUNPHY was violent, DINN said he wasn't really violent but very angry" and "I wouldn't be surprised if they come for me some day...Let em come". (DUNPHY referring to government)

"DINN has never seen a firearm in DUNPHY's house and was shocked to learn that there was one there."

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 200
S BURKE

Task No: 28
2015-04-09 12:30:00

Task Assignment: 28 - Statement

Statement is concluded. Mr. MAHONEY asked that Cpl HENSTRIDGE review both his phone and his computer to confirm that the information he had provided is accurate.

/jl

Action: 220
M HENSTRIDGE



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Date / Time:

Action:

Action ID:

Task No: 23
2015-04-09 12:40:00

Task Assignment: 23 - Statement

Task reviewed and noted comment, "Bart's first thought was that this was a "suicide by cop" situation."

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 195
S BURKE

Task No: 16
2015-04-09 13:03:00

Task Assignment: 16 - Statement

Task reviewed, member also present for interview and concurs with synopsis provided.

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 156
S BURKE

Task No: 37
2015-04-09 13:09:00

Task Assignment: 37 - Notes

Above noted passed onto Cpl. Steve Burke for assignment of task.

/jl

(S/Sgt TILLER)

Action: 299
R TILLER

Task No: 42
2015-04-09 13:09:00

Task Assignment: 42 - SPCA Liaison

S/Sgt TILLER passed the above noted information onto lead investigator - Cpl. Steve Burke - Re: media release.

/jl

Action: 400
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 86
2015-04-09 13:24:00

Task Assignment: 86 - Serious Incident Response Team (SIRT)

Sgt OSMOND was tasked with making inquiries with the Serious Incident Response Team (SIRT) in Nova Scotia to determine if they had any protocol check sheet or guide that should be reviewed by MCU members.

To that end, Sgt OSMOND e-mailed Criminal Operations and asked them to inquire with H Division.

/jl

Action: 969
K OSMOND

Task No: 28
2015-04-09 13:30:00

Task Assignment: 28 - Statement

Cpl HENSTRIDGE returned to the office and prepared this report along with a CD containing the audio recording of the interview. Cpl HENSTRIDGE forwarded this information to Cpl FOOTE (File Coordinator) along with the emails provided by Mr MAHONEY.

This task recommended for conclusion

M. HENSTRIDGE

/jl

Action: 221
M HENSTRIDGE

Task No: 37
2015-04-09 13:51:00

Task Assignment: 37 - Notes

S/Sgt TILLER spoke with Karen Mckay in relation to Critical Incident Stress Debrief - see task associated with same for details.

/jl

Action: 300
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 49
2015-04-09 13:51:00

Task Assignment: 49 - Critical Incident Stress Debrief

S/Sgt TILLER was contacted by Cpl. Karen McKay with respect to conducting a Critical Incident Stress Debrief with respect to this matter. Cpl. McKay noted that she normally is made aware of major incidents via Advance Report but did not receive one in this case. S/Sgt TILLER noted that an Advance was prepared but was not sent to the normal Advance Group as requested by CROPS..

Advised that this will be followed up on - early next week to see if anyone is interested and noted that it will be encouraged.

SUI

/jl

Action: 1022
R TILLER

Task No: 39
2015-04-09 14:23:00

Task Assignment: 39 - Lab Analysis

Request for Forensic Analysis C-414 Form completed and e-mailed to CPSIC laboratory for review. Cst.John Galway sent a copy as well as he is the exhibit custodian in this matter.

Items requested to be analyzed are the 4 recovered bullets and casings, the clothing of Donald Dunphy and Sgt. Joseph Smyth, the .22 calibre rifle and the .40 calibre handgun as well as the gun shot residue kit that was completed at Donald Dunphy's autopsy.

/jl
(Cst NIPPARD)

Action: 323
M NIPPARD

Task No: 62
2015-04-09 14:23:00

Task Assignment: 62 - Lab Analysis

Request for Forensic Analysis C-414 Form completed and e-mailed to CPSIC laboratory for review. Cst.John Galway sent a copy as well as he is the exhibit custodian in this matter.

Items requested to be analyzed are the 4 recovered bullets and casings, the clothing of Donald Dunphy and Sgt. Joseph Smyth, the .22 caliber rifle and the .40 caliber handgun as well as the gun shot residue kit that was completed at Donald Dunphy's autopsy. The exhibits are currently at the Holyrood Detachment.

/jl

Action: 489
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 29
2015-04-09 14:26:00

Task Assignment: 29 - Statement

Cpl FOOTE contacted Dr Walsh of Holyrood for insight into Mr Dunphy's medical history or any mental health concerns. The Holyrood Medical Clinic is closed for the Easter break.
D Foote Cpl 51545
/jl

Action: 222
D FOOTE

Task No: 37
2015-04-09 15:36:00

Task Assignment: 37 - Notes

S/Sgt TILLER sent an email to Megan Dunphy advising her of SPCA wanting to do a Press Release. The email is as follows:
" megan - this is Rod Tiller - I know you are very busy today but I wanted to let you know that the SPCA likely will be doing a press release about working with your fathers cats. I am not sure what they will say but I just wanted to let you know. Any questions - you can let me know. Very sorry to bother you today but wanted to let you know.Get in touch with me if you have any concerns. Tks"
/jl

Action: 301
R TILLER

Task No: 37
2015-04-09 15:53:00

S/Sgt TILLER received an email from Cpl. Steve Burke as follows:
"S/Sgt. TILLER
Can you forward the contact information for victim services to Meghan?
thanks,
Steve"
Note that the attachment to the email notes Anita [redacted] as the contact.
/jl

Action: 303
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 52
2015-04-09 15:55:00

Task Assignment: 52 - Re-enactment #1

Cpl. Kelly LEE, FIS attended Cpl BURKE's office and advised that the video/audio for the re-enactment have been deleted and is unrecoverable. Cpl. LEE explained that there are sometimes issues with the new software and camera she was using. Cpl. LEE expressed her apologies. Cpl. BURKE asked Cpl. LEE to document the occurrence in her report and also to provide in as much detail as possible what she witnessed during the re-enactment.

Member asked Cpl. FOOTE to provide a detailed report of his observations during the re-enactment as well.

/jl

Action: 461
S BURKE

Task No: 12
2015-04-09 15:55:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl. Kelly LEE, FIS attended Cpl BURKE's office and advised that the video/audio for the re-enactment have been deleted and is unrecoverable. Cpl. LEE explained that there are sometimes issues with the new software and camera she was using. Cpl. LEE expressed her apologies. Cpl. BURKE asked Cpl. LEE to document the occurrence in her report and also to provide in as much detail as possible what she witnessed during the re-enactment.

/jl

Action: 853
S BURKE

Task No: 46
2015-04-09 16:03:00

Task Assignment: 46 - Statement

Cst NIPPARD called Kevin Dunphy to ask him if Donald would have known that the .22 caliber rifle was not functioning, if in fact it wasn't. No answer.

/jl

Action: 432
M NIPPARD

Task No: 52
2015-04-09 16:30:00

Task Assignment: 52 - Re-enactment #1

Cpl. BURKE advised Sgt. OSMOND that the re-enactment video was deleted. (Sgt. OSMOND was in a meeting prior to this time)

/jl

Action: 462
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-09 16:30:00

Task Assignment: 12 - Notes - Primary Investigator

Sgt. OSMOND advised, further details in Folder 052.

/jl

Action: 854
S BURKE

Task No: 34
2015-04-09 16:45:00

Task Assignment: 34 - Homicide Survey

Cst NIPPARD assigned task to complete Homicide Survey if so required in this matter.

1645 Hrs - Cst NIPPARD called Cpl. Dan Husband the National Homicide Survey Manager in Ottawa, ON. He was given the basic details of this investigation and advised a homicide survey was not required in this matter unless it was deemed to be a culpable / criminal occurrence.

Notes Copied. Report printed and placed on file.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 245
M NIPPARD



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Action ID:

Task No: 52
2015-04-09 16:55:00

Task Assignment: 52 - Re-enactment #1

The following is a detailed account of the re-enactment from memory by the member (Cpl. BURKE):

Action: 463
S BURKE

The video camera was running and member opened up the re-enactment by stating the date and the people that were present (as noted above). The re-enactment was then turned over to Cst. SMYTH. He started out by explaining that he initially completed database checks on Donald DUNPHY prior to attending his residence. He also advised that he attended DUNPHY'S neighbours, who happened to be Donald's brother and sister-in-law and he was there about 20 minutes.

When SMYTH left the neighbours he noted that there was now a Jeep in Donald's driveway (SMYTH had attended Donald's residence previous to going to the neighbours and there was no one home)

SMYTH walked to the corner of the house and observed a sign posted on the corner of the house that talked something about how government were not welcome.

SMYTH then noticed the screen door open of the residence and saw Donald DUNPHY, SMYTH walked to the bottom of the stairs and presented his police identification from his jacket left inside pocket. SMYTH explained that his identification is located in the top portion of the wallet and his police badge falls downward

SMYTH said he was invited in the house by Donald and he proceeded to enter the house. Once SMYTH stepped in the residence he appeared to be taken back by the smell in house and said that he would never forget it. SMYTH has to stop for a few seconds and I told SMYTH to take his time.

SMYTH continued and said he spoke with Donald while he was in the porch as Donald sat down in the living room, in a chair

SMYTH said he eventually moved into the living room and positioned himself for the majority of the time on the opposite side of the living room from the exit (front door) and Donald seated in the chair. SMYTH added that he was walking back and forth in front of the fireplace as he was talking to Donald. SMYTH advised he was there to clarify information he received for a Twitter posting. SMYTH said they were talking about various topics and Donald would get upset and would calm down

SMYTH said that he was in the house for about 15 minutes talking Donald. SMYTH commented on the number of cats in house and the garbage that was around. SMYTH then saw a red stick/bat with Duct Tape lying on the floor on the left hand side of Donald's chair, Donald said something to the effect it was for protection

SMYTH said he had a folder with him and he was writing on the folder / or pretending the write on the folder trying to deescalate Donald who



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appeared upset. SMYTH added that his threat assessment of Donald remained low. Then out of his peripheral vision he saw the barrel of a gun come up from the right hand side of the chair that Donald was sitting in. SMYTH said he dropped the folder and put up his left hand and said "no" as he reached for his sidearm. SMYTH said his jacket was open and he could not remember taking the gun out of his holder. SMYTH said he was waiting for the bullet to hit him and to feel the pain. SMYTH said he thinks he shot four times as he was running out of the room. SMYTH showed the route he took was around the coffee table and the couch that was against the wall towards the back of the house.

SMYTH said he looked around the doorway from the porch to living room to ensure Donald was not longer a threat and told Donald to drop the weapon. SMYTH then saw the gun on the floor left hand side next to Donald who was still seated in the chair. SMYTH added that he knows the guns was not lying directly on the floor and that it was propped up on something. SMYTH mentioned a plastic container that he saw in the room and thinks the gun was lying on that with the stock on the air and the barrel facing down. SMYTH noted the bullet wounds to Donald's forehead and temple and was confident he was deceased.

SMYTH said he cleared the rest of the residence to ensure there was no one else in the house. He said he went in the kitchen and in the back porch saw marihuana plants. He also saw a large marihuana plant in a bedroom.

SMYTH said that once the house was cleared he called RCMP telecom's and then RNC telecom's. He said he stayed in porch area thinking that the neighbours may have heard the shots and assessed the risk of them coming with firearms to check on their brother.

Member asked SMYTH the total amount of time he was in the residence and he answered about 15 minutes but it could have been 20 minutes

Member asked SMYTH that once the firearm was presented how long it took him to exit living room. SMYTH replied 1 to 1.5 seconds. SMYTH then re-enacted in real time exiting the room from where he was standing by the fireplace. SMYTH said that he did not know how he managed to get the four shots off in such little time.

Member asked SMYTH to show where Donald was in the residence during his interaction with him. SMYTH replied that he was seated in the chair the whole time. Member then went over by the chair, ensuring he understood where Donald was seated as directed by SMYTH.

When asked by member SMYTH showed that the gun that Donald produced came from somewhere on the right hand side of the chair but as he look could not figure out where it came from. He said first thought there was some sort of a hostler on the chair but he could see



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that was not the case
SMYTH exited the residence and said he was outside for a period of time. He turned on the emergency lights in his police car so the attending members know where he was.
Member asked SMYTH who was the first person he encountered when he went outside and he said it was RCMP member Adrian COX.
The version of events provided by SMYTH in the re-enactment are consistent with the statement he provided on Monday. The points that member wishes note that were gleaned from the re-enactment not borne out in the statement are as follows: It established the escape route that SMYTH used to exit the room and the little amount of time it took him to leave the room. It also showed him recounting that he was waiting to feel the bullet and the pain.

Efforts are being made to recover the video of this re-enactment.

This task to be concluded.

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-09 17:00:00

Off duty

(S.D. BURKE) Cpl.

/jl

Action: 855
S BURKE

Task Assignment: 46 - Statement

Task No: 46
2015-04-09 17:15:00

Cst NIPPARD called and spoke with Kevin Dunphy's son, [REDACTED] Dunphy. He advised his father is at the wake for Donald. Took a message for him to call be back.

/jl

Action: 433
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 37
2015-04-09 17:45:00

Task Assignment: 37 - Notes

Email from Sgt. Kent Osmond MCU as follows:

"Rod,

Insp CAHILL and Supt Jason SHEPPARD (RNC) wish to visit scene first thing tomorrow morning....perhaps pre- 8 AM

Can you contact Ms DUNPHY for permission and to get the keys please?

I will leave it up to you to liaise with Pat for pick-up of the keys etc

Thanks

Kent

Kent Osmond (Sgt)
NCO i/c Major Crime Unit
St John's, NL
Office : [redacted] 410
Cell : 7 [redacted] 159
Fax : [redacted] 738
E-mail : Kent.Osmond [redacted]

S/Sgt TILLER at home when received this email and shortly after contacted Insp. Cahill by phone, advised him that Megan is busy today with the Wake and Vigil this evening and I did not feel it was appropriate to contact her this evening. Insp. Cahill advised that tomorrow is suffice.

SUI

/jl

Action: 304
R TILLER

Task No: 37
2015-04-09 23:36:00

S/Sgt TILLER received a return text from Megan Dunphy as follows:

"Thanks for the heads up! Do you know if they were there today. I heard there was a van there. I also had some missed calls so I figured it may be from spca. I'll get in touch with you tomorrow afternoon. Thanks again."

/jl

Action: 302
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-10 0:00:00

Task Assignment: 3 - Notes

Corrections made to report regarding accurate time of details made.
CH

/jl

Action: 72
M MCDONALD

Task No: 37
2015-04-10 7:58:00

Task Assignment: 37 - Notes

Text forwarded to Megan Dunphy as follows:

"Good morning - I know you have a busy day again but was wondering if I could get the house keys early this morning if that would not be a problem? Appreciate it. Tks"

/jl
(S/Sgt TILLER)

Action: 305
R TILLER

Task No: 37
2015-04-10 8:00:00

Megan immediately returned call by phone - advised not a problem as long as done prior to 8:30 AM as she was departing for funeral.

/jl
(S/Sgt TILLER)

Action: 306
R TILLER



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Action:

Action ID:

Task No: 12
2015-04-10 8:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE on duty at HQ.
Discussion in completing a second re-enactment with A/Sgt. SMYTH as follows:
- the evidentiary value to have A/Sgt. SMYTH complete the second re-enactment when he already provided a statement and re-enactment (not on video)
- the effect that another re-enactment would have on SMYTH psychologically
- detailed notes of witnesses present at re-enactment
- "cover up" theory / transparency of investigation
- Independent Observer was present
Cpl BURKE was present at the first re-enactment and made detailed notes from memory. Cpl BURKE is satisfied with the information gleaned from the re-enactment. Cpl BURKE from an investigative stand point is comfortable if another re-enactment was not completed however having video would be a great benefit.

Action: 856
S BURKE

/jl

Task No: 47
2015-04-10 8:24:00

Task Assignment: 47 - Statement

Cst NIPPARD called Scott Harris. He is available and will attend RCMP headquarters shortly.

Action: 441
M NIPPARD

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

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Action ID:

Task No: 37
2015-04-10 8:30:00

Task Assignment: 37 - Notes

S/Sgt TILLER attended Megan's residence and spoke with her and her common law spouse. She asked who wanted to go to the residence and S/Sgt TILLER advised her it was the senior officer that is responsible for Major Crimes Unit as well as a senior officer with the RNC.. Noted that both wanted to see the location so they could have better understanding of the investigation - she had no concerns with same. Also briefly discussed the fact her her working with SPCA - she had no concerns and appreciated the help. There were two cats that she wanted to keep and will discuss with the SPCA.. She had inquired previously about a heater that was in the residence - wondered if it had been seized by police - advised her it was not - it was in the living room of the house. Megan also requested that the Police Tape be kept in place as she wanted to keep people out for now - wanted to get the funeral out of the way and to get a chance to get into the residence.

/jl

Action: 307
R TILLER

Task No: 42
2015-04-10 8:30:00

Task Assignment: 42 - SPCA Liaison

S/Sgt TILLER at Megan Dunphy's residence getting the keys to her fathers residence - she asked writer because of attendance if I would put out food and water for cats at house. She provided food.

/jl

Action: 401
R TILLER



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 47
2015-04-10 9:08:00

Task Assignment: 47 - Statement

Cst NIPPARD began an audio statement taken from Scott Harris with the RNC. Harris is the treasurer of the Members Association and attended Holyrood RCMP detachment on April 5th, 2015 in an effort to support Sgt.Smyth with anything he may need. The following is a synopsis of this statement:

Action: 442
M NIPPARD

On April 5th, 2015 at approximately 2-3 p.m. he received a message advising of an officer involved shooting. This came via a group messaging system that is in place to advise certain members when something of significance has taken place. Approximately 4:30 - 5:00 p.m. Warren Sullivan picked him up to go to Holyrood RCMP detachment to meet with Sgt.Smyth. They arrived there around 5:30 p.m. and met with Sgt.Smyth. He advised him of his rights in this situation. Harris did not make any notes in this instance given the role that he was in. He was not in the role of an investigator, but rather a union rep and general supporter. He did not ask Smyth any questions about the incident itself and admitted that it is hard to do this given his natural instinct as an investigator. Smyth wanted to speak about what had happened and re-iterated a short version of his story a few times. Harris recalled the basics of Smyth going to the area to investigate a possible threat to the Premier of NL. Smyth then met with the subjects brother and sister in law then before leaving met with the subject in his home. Smyth told him the subjects behaviour was "up and down" and he was agitated. Smyth was making notes when he seen the barrel of a gun come up and he reacted. Harris was asked if anything that Smyth said was alarming to him. He advised there was nothing alarming mentioned. Sgt.Smyth was told it would be best to wait before providing a statement to investigators in the interest of providing the best account possible. Best after 24-48 hours Harris advised. Warren and him gave Smyth a ride home. Harris was dropped off first then Warren drove Smyth home. Harris guessed that he knew Smyth for approximately 4-5 years. Described him as Intelligent and level headed.

/jl



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Date / Time:

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Action ID:

Task No: 47
2015-04-10 9:14:00

Statement Concluded. Scott Harris thanked for his time and escorted out of the building.

Action: 443
M NIPPARD

Notes copied and report printed. Placed on file with audio statement disc.

This task concluded.

Cst. Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Task Assignment: 46 - Statement

Task No: 46
2015-04-10 9:20:00

Cst NIPPARD received a call back from Kevin Dunphy. He was asked if he thought it was possible that Donald Dunphy knew the firearm would not likely work. Kevin Dunphy advised the following concerning the gun:

Action: 434
M NIPPARD

Kevin doubts that Donald would have known that the firearm didn't work as he never used guns.

After kevin dropped it the gun would still fire, just not every shot.

Nothing is for certain as this would have been back in the 1970's.

This task concluded.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl



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Date / Time:

Action:

Action ID:

Task No: 55
2015-04-10 10:10:00

Task Assignment: 55 - Statement

Cpl.Burke asked that Cst NIPPARD speak with Patricia Dodd and ask her about providing a statement concerning her knowledge of Donald Dunphy. Patricia Dodd is the President/Spokesperson for the Newfoundland and Labrador Injured Workers Association and had publicly spoken about her contact with Donald Dunphy with regards to his circumstances as an injured worker.

/jl

Action: 480
M NIPPARD

Task No: 55
2015-04-10 10:11:00

Cst NIPPARD located a number for Patricia Dodd as [REDACTED] 177. Cst NIPPARD called her and stated the reason for the call. Dodd refused to provide a statement advising she was not interested in doing this and did not see the benefit to the investigation. She was told that her statement would be used for background purposes as she had contact with Dunphy and in her position may be able to provide some insight. Dodd confirmed she had spoken with Dunphy but again advised she did not want to provide a statement and didn't see how it would be of help. Thanked for her time.

This task concluded. Can be re-opened if Dodd changes her mind regarding this matter.

Cst.Michael Nippard 55787

RCMP Major Crime Unit

/jl

Action: 481
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 37
2015-04-10 11:15:00

Task Assignment: 37 - Notes

S/Sgt TILLER spoke with Anita [redacted] by phone - she is the Provincial Manager of the Victim Services Program with Provincial Dept. of Justice. (Phone [redacted] 885).. She was aware of this situation and had spoken with CROPS et al about this matter. Noted that a referral had been sent to Hbr. Grace Office for Megan Dunphy. Anita noted that her referral was declined at this time based on the fact that no crime has been committed as can be noted at this time. Anita suggested that we can provide her name to Megan and to be clear that Anita can direct her with respect to some resources that may be available within this region. She wanted it to be clear that this does not fall under Vistim Services Support but merely a resource person that is aware of some local support groups. Anita may be able to direct Megan to one of those areas if desired.

This task passed onto Cst. Galway for discussion with Megan as he is the primary contact with her.

/jl

Action: 308
R TILLER

Task No: 12
2015-04-10 11:45:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE was advised by Sgt. OSMOND that we should make all efforts to complete a second re-enactment and to contact A/Sgt. SMYTH.

/jl

Action: 857
S BURKE

Task No: 39
2015-04-10 11:48:00

Task Assignment: 39 - Lab Analysis

E-mail received by Cst.Nippard from Sgt.Mike Merritt from the forensic lab who had a few questions and comments concerning the exhibit request and GSR (Gun Shot Residue) evidence. Exhibits mentioned are PE 9,10 and 17. Issue regarding the probative value of these exhibits in relation to GSR.

/jl

Action: 324
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-10 11:50:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE contact A/Sgt. SMYTH by phone and he began the conversation by advising he was dealing with another professional issue and he was upset over that. SMYTH added that he sent a letter to RNC employees (Member sent this letter as well) that was leaked to the media.

Cpl BURKE advised SMYTH that the video of the first re-enactment was not properly captured, SMYTH immediately offered to do the re-enactment again. SMYTH first advised that he was not available today and was going on vacation tomorrow. SMYTH was fully cooperative and wanted to do the re-enactment, Cpl BURKE advised that it was his decision. At the end of the conversation SMYTH agreed to do the re-enactment and same was arranged for 3:00 pm.

/jl

Action: 858
S BURKE

Task No: 12
2015-04-10 12:43:00

Cpl BURKE met with RNC Supt. Jason SHEPPARD and he handed over RNC OCC recording that were requested.

/jl

Action: 859
S BURKE

Task No: 7
2015-04-10 12:45:00

Task Assignment: 7 - Operations Communication Centre (OCC)

Cpl.Burke handed Cst NIPPARD a package he received from Supt. Jason Sheppard with the RNC. Package contained: printed e-mails, printed playlist of 6 calls made to the RNC communication center on April 4th and April 5th, 2015 by Sgt. Smyth, Transcripts of noted recordings, C.D containing recording on playlist, A 2nd C.D containing the same information as the first however it was used for transcription purposes and the e-mail thread concerning the request for these recordings / documents. All originals placed in hard copy file.

Cst.Michael Nippard 55787
RCMP Major Crimes Unit

/jl

Action: 130
M NIPPARD



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 63
2015-04-10 12:52:00

Task Assignment: 63 - CBC Transcripts

Cpl FOOTE to contact Peter Gullage [REDACTED] 100 to get copy of Trish Dodd's (head of injured workers association) interview with CBC regarding Donald Dunphy.

D Foote Cpl 51545

/jl

Action: 493
D FOOTE

Task No: 39
2015-04-10 12:54:00

Task Assignment: 39 - Lab Analysis

E-mail sent by Cst.Nippard to Sgt.Merritt further discussing and replying to to his questions concerning the testing of exhibits PE 9, 10 and 17.

/jl

Action: 325
M NIPPARD

Task No: 37
2015-04-10 13:00:00

Task Assignment: 37 - Notes

S/Sgt TILLER spoke with Insp. Cahill regarding Video Re-enactment - noted that the previos re-enactment failed as vidoe was lost - will be doing another re-enactment at 2:30 PM.. S/Sgt TILLER advised Cahill that the funeral was at 1030 AM this morning and would be inappropriate for me to advise Megan of this fact at this time - out of respect.

/jl

Action: 309
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 64
2015-04-10 13:15:00

Task Assignment: 64 - Re-enactment #2

As previously noted in Folder 052. The first re-enactment was completed by SMYTH and recorded by FIS Cpl. LEE. During the transfer of the video, same was deleted. All witnesses to the re-enactment were directed to complete detailed notes of the re-enactment from memory.

Significant discussion took place surrounding the option of completing a second re-enactment and it was decided that efforts should be made to arrange a second re-enactment with A/Sgt. SMYTH. A/Sgt SMYTH was contacted and agreed to completed a second re-enactment.

/jl
(Cpl BURKE)

Action: 496
S BURKE

Task No: 57
2015-04-10 13:20:00

Task Assignment: 57 - Statement

Cst. MEZDOUR contacted Gerald DALTON at his residence. Cst. MEZDOUR had spoken to Gerald DALTON and he agreed to meet.

/jl

Action: 510
A MEZDOUR

Task No: 57
2015-04-10 14:07:00

Cst. MEZDOUR met Gerald DALTON at the ice production plant adjacent to the Fish plant in St. BRIDES. Cst. MEZDOUR obtained an audio statement from Gerald DALTON, both were in the unmarked police vehicle 3D2.

/jl

Action: 511
A MEZDOUR

Task No: 37
2015-04-10 14:15:00

Task Assignment: 37 - Notes

S/Sgt TILLER at scene - met FIS Kelly Lee et al as they arrived. Unlocked door to residence.

/jl

Action: 310
R TILLER



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 42
2015-04-10 14:30:00

Task Assignment: 42 - SPCA Liaison

S/Sgt TILLER at residence of deceased, placed out food and water as requested by Megan.

/jl

Action: 402
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 57
2015-04-10 14:41:00

Task Assignment: 57 - Statement

Cst. MEZDOUR completed the statement. Synopsis:

Gerald DALTON had first met Donald DUNPHY when the pair went to school together from 1963 to 1966.

Approximately 10 years ago, Donald DUNPHY was driving a truck for Gerald DALTON's son-in-law, [REDACTED] DALTON. Then, Gerald DALTON and Donald DUNPHY used to communicate with each other on a regular basis, that was the last time Gerald DALTON spoke to Donald DUNPHY.

Gerald DALTON had last seen Donald DUNPHY in the fall of 2014. Gerald DALTON acknowledged Donald DUNPHY in passing, Donald DUNPHY did not reply

Gerald DALTON owns a construction company, he had machinery at different locations on the Avalon, including Mitchell's Arm.

Gerald DALTON employs Donald DUNPHY's brother, Richard (Dick) DUNPHY.

Gerald DALTON had some issues in the past where someone poured sugar into one of his excavators, he believed it was Donald DUNPHY, although this was never proven.

Gerald DALTON recalled another instance where someone had removed all the bolts from one of his truck's driveshaft. It was parked across from Donald DUNPHY's residence, at Richard DUNPHY's house.

Gerald DALTON did not believe Donald DUNPHY had any personal vendettas against him. But he believed Donald DUNPHY was causing the mischief to his vehicles as a way of retaliation against Richard DUNPHY and his wife, Deborah DUNPHY.

Gerald DALTON reported Deborah DUNPHY used to clean Donald DUNPHY's residence and assist him in daily chores.

Deborah DUNPHY reported to Gerald DALTON the following:

Deborah used to clean Donald DUNPHY's residence a few years prior but had suddenly stopped.

Deborah DUNPHY was disturbed by Donald DALTON.

Whenever Deborah DUNPHY would plant a new plant, it would die.

Deborah DUNPHY's trees were dying as well.

Deborah DUNPHY had told Gerald DALTON of numerous occasions where Donald DUNPHY would shout profanities at her from across the street.

It was believed someone was putting chemicals such as calcium on the plants. At the time, Donald DUNPHY was employed by the Department of Highways and would have access to such chemical.

Deborah DUNPHY had told Gerald DALTON of an occurrence where Donald DUNPHY destroyed a family owned mill that Kevin DUNPHY was operating. The Holyrood RCMP were advised of this occurrence.

Action: 512
A MEZDOUR



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█████ DUNPHY, Donald DUNPHY's nephew and son of Deborah and Richard DUNPHY, was aiding Donald DUNPHY in paying his electricity bill but stopped as he also believed Donald DUNPHY was destroying Deborah DUNPHY's plants

Following the interview, Gerald DALTON stated Donald DUNPHY was upset at his siblings especially towards Deborah DUNPHY as Donald DUNPHY believed Deborah DUNPHY reported him for having a marihuana grow operation behind his residence.

Eventually Donald DUNPHY's siblings had no contact with Donald DUNPHY.

It was in Gerald DALTON's opinion if everyone that had taken an interest on this occurrence would have assisted Donald DUNPHY, the events would not have transpired in the same manner as they did; Gerald DALTON also added "[...] you can bring a horse to the water but you can't make him drink it. My understanding is that you couldn't. You couldn't deal deal with the person, like you couldn't get to him to help him" referring to Donald DUNPHY's state of mind.

When prompted what he meant, Gerald DALTON added that Donald DUNPHY appeared to him as an individual that suffered from bipolar disorder or schizophrenia, and elaborated "[...] he could be nice, then he could be right off the head [...]"

Gerald DALTON recalled an occurrence where he had to remove an old shed from a property in Mitchell's Cove and bring the wood to be burned at the community bon fire. This was done with the town counsel's permission.

Donald DUNPHY was upset that they had done so, the reason was unknown

Donald DUNPHY would drive back and forth on the road and would lock his brakes whenever he was near Gerald DALTON and Richard DUNPHY.

Gerald DALTON and Richard DUNPHY had brought the old wood to the bonfire location, but then had to take all the pieces back same location they had removed them from initially.

Donald DUNPHY had called the environment, Open line, and CBC on this matter.

Gerald DALTON recalled the current picture on CBC website depicted Donald DUNPHY from that specific incident where they interviewed him. [Cst. MEZDOUR was able to corroborate that information. Link: <http://www.cbc.ca/news/canada/newfoundland-labrador/rnc-officer-wh-o-shot-don-dunphy-wishes-better-intervention-possible-1.3027828>]

Donald DUNPHY was then upset that he was unable to get Gerald DALTON and Richard DUNPHY in trouble since they returned the wood to the same property.

Gerald DALTON had learned Donald DUNPHY had written letters



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about him and others to the Premier, Danny WILLIAMS.
Gerald DALTON added that Donald DUNPHY was an individual that it was not possible to break through him and gain his trust.
Donald DALTON was an individual that was pro law enforcement as he reported Gerald DALTON to the RCMP.
Donald DALTON attempted to get help from the Government and was bitter and upset as he did not get any results. Donald DUNPHY commonly called the open line to elaborate on his predicament. Gerald DALTON was unaware of the circumstances regarding Donald DUNPHY's injuries.
Gerald DALTON described Donald DUNPHY as a harmless individual that was not involved with firearms. Guns or hunting was not in Donald DUNPHY's vocabulary according to Gerald DALTON.

Donald DUNPHY had three close friends according to Gerald DALTON:

Chris [redacted] (Gerald was unsure of the spelling). Was on Worker's compensation, residence of St. Catherine's .

Stevie [redacted] Both [redacted] and [redacted] was on Worker's Compensation, resident of St. Catherine's.

Colin [redacted] : Possibly resides with his father, Bill [redacted] near the wharf in Mount Carmel.

Individuals Gerald DALTON referred to in his statement:

Kevin DUNPHY: Resides on Nine mile road between St. Catherine's and Colinet, and brother of Donald DUNPHY.

Deborah and Richard DUNPHY: Reside across the street from Donald DUNPHY. Richard is Donald DUNPHY's brother, Deborah is Donald DUNPHY's sister-in-law.

[redacted] DUNPHY: Resident of Branch. Donald DUNPHY's nephew.

The following was sent to the Lead investigator:

-Officer's notes



PROJECT DUNPHY
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-General Report

-Audio statement on CD

-Interview notes

END OF MEMBER'S INVOLVEMENT ON THIS TASK

A. MEZDOUR

59877

/jl



PROJECT DUNPHY
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Task No: 64
2015-04-10 15:03:00

Task Assignment: 64 - Re-enactment #2

Cpl BURKE in Mitchell's Brook and a second re-reenactment commenced. Present were A/Sgt. Joe SMYTH, Cpl Kelly LEE (FIS), Cpl. Monty HENSTRIDGE (Back-up camera), retired Justice RICHE and member. The following is a synopsis of the re-enactment:

Action: 497
S BURKE

About 2 pm arrived in Mitchell's Brook, no one home at DUNPHY residence went next door and spoke brother and sister-in-law informed of family history and past disputes, SMYTH concerned about DUNPHY'S health. Assumed that DUNPHY was with his daughter;

SMYTH returned to DUNPHY residence and noticed a black Jeep parked in the driveway that was not there before, SMYTH pulled his vehicle behind the Jeep

SMYTH looked in the front window of the residence and noticed a lot garbage around and there were a lot of cats around. SMYTH then knocked on the window and backed up. Within a few seconds he heard the screen door open and and greeting of some sort. SMYTH showed his ID and police badge to DUNPHY. Said he was Joe SMYTH with the RNC.

DUNPHY invited SMYTH into the residence and he entered, there was some general conversation in the porch area of the house. SMYTH noted the deplorable condition of the residence.

SMYTH was not concerned for his safety at this time and the conversation remained cordial. There was a lengthy conversation about DUNPHY'S injury in the 1980s and that's why he lives like this

DUNPHY immediately sat down in the chair and was telling SMYTH to sit down as well. SMYTH continued to walk over to the fireplace and stayed in that area. SMYTH said that by this time he had been in the house about 5-6-7 minutes (guessing)

Said it was about this time the conversation started to turn and DUNPHY asked "What is all this about anyway"? SMYTH explained why he was there to ask him about some comments that were made on social media that caused some people concern. SMYTH said that DUNPHY laughed at that but also appeared to become agitated at the same time. SMYTH read the comment and DUNPHY talking about dead MHAs and from there the conversation became disjointed. DUNPHY wanted to know who sent him

DUNPHY said that SMYTH was just an arm of the government said that a number of time, said he was a puppet and asked again who sent.

DUNPHY said there were a lot of dead MHAs, DUNPHY was getting agitated and froth, drying saliva was started to build up out of the corner of his mouth.

SMYTH noted a bat or a large stick that was red in colour with tape on it on the left side of the chair. SMYTH is looking around absorbing the



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state of his living conditions and felt empathy. SMYTH told DUNPHY he had real concerns for him. SMYTH was unsure how DUNPHY took that comment and DUNPHY said he was living like that because of the government, it was their fault

SMYTH asked why he had the bat and said it was for protection

SMYTH said he kept looking around the house and DUNPHY kept asking him what he was looking for. SMYTH said at one point he was looking at the state of his living conditions.

SMYTH said that DUNPHY kept moving around in his chair, SMYTH was standing by the fireplace, across from DUNPHY

SMYTH said it was at this point he saw the gun come out in his peripheral vision and point to the right side of the chair as to where the gun came from, said that there was a lot of garbage and he don't know exactly where the gun came from but it was from DUNPHY'S right side

SMYTH said that there was not question that it was a barrel of a gun that he saw. SMYTH that it was completely shocking to him that this conversation had escalated to the point that there was a gun coming at him

SMYTH said he dropped the folder that was in his hand with pen?

At this point SMYTH said he thought he was getting shot. Said his instinct was to put his hand out and turned away. SMYTH said the rest from here is by instinct, he drew his firearm and wanted to get out of the room

SMYTH could not remember how he accessed his firearm whether the pulled his coat back or up. He don't remember how he got his gun out of the holster and it was one motion. He was addressing the firearm that was pointed at him

The only thing SMYTH could verbalize was the word "no" and he kept saying "no, no, no." SMYTH said he was prepared to feel a shot and how it was going to hurt. The bullet was going to enter him and it was really going to fucking hurt

SMYTH said his first shot was about from where he was standing and said he don't think he had time to punch out

After the first shot he could still see the gun pointed at him as he is moving out of the room. The second shot was almost instantaneous and he was shooting for centre mass but looking at the firearm the same time. The next shoot was fired at DUNPHY'S head. SMYTH felt that his shots to this point did not have any impact, DUNPHY was still there and SMYTH felt he was in imminent danger. The last shot was for his head again and he saw his head move and knows that had an effect.

Said the whole shooting incident lasted about 1.5 to 2 seconds

SMYTH is in the porch and turns back to tell DUNPHY to drop the gun, SMYTH then sees the firearm on the floor of up against a green case that was in the room. Gun was leaned up against something



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unsure. Saw entry wound on the side of DUNPHY'S head and did not see any signs of life
 SMYTH stayed in alert mode and noted that he lost his hearing. Thinks there maybe someone else in the house and feared that his brother may come over after hearing shots. SMYTH said he was in full threat mode. Thinks about gun and reloading. Thinks he shot 4 rounds. Concerned about firefight and the number of rounds he had left
 SMYTH called RCMP Communications, shots fired police and paramedics, then SMYTH thought to clear the house saing police going to each room of the residence, noted the marihuana plant in the porch of the back door off the kitchen and one large marihuana plant in a bedroom
 SMYTH also noticed RNC communications centre
 SMYTH checked DUNPHY again and he was deceased, no sign of life.
 SMYTH said he mouth had gone instantaneously bone dry
 SMYTH then leaves house
 In house between 10 to 15 minutes. Said his interaction with DUNPHY could be broken into two parts. 1 the cordial part about 7 minutes. 2 when DUNPHY was agitated
 SMYTH described the gun as a bolt action rifle
 Daylight at the time of the incident, same as re-enactment
 SMYTH said DUNPHY was wearing a sweater or hoodie type of shirt unsure of pants
 DUNPHY did not say anything once he drew the firearm
 SMYTH left residence and stood by his vehicle, he started his car and turned on the emergency lights, waiting for police to arrive
 First person SMYTH had contact with after the incident was Cst. Adrian COX, Holyrood RCMP

/jl

Task No: 64
2015-04-10 15:03:00

Cpl HENSTRIDGEI attended to the Mitchells Brook area and assisted in the second re-enactment with Joe SMYTH. His purpose was to film the re-enactment from a slightly different angle and to provide a back-up for the primary recorded being completed by Cpl. LEE. Also present during the re-enactment: Joe SMYTH, Cpl Steve BURKE, Cpl Kelly LEE and Mr. David RICH.)

/jl

Action: 499
M HENSTRIDGE



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Action:

Action ID:

Task No: 12
2015-04-10 15:03:00

Task Assignment: 12 - Notes - Primary Investigator

Second re-enactment commenced in Mitchell's Brook.

/jl

Action: 860
S BURKE

Task No: 64
2015-04-10 15:51:00

Task Assignment: 64 - Re-enactment #2

Re-enactment completed

(S.D. BURKE) CPL

/jl

Action: 498
S BURKE

Task No: 64
2015-04-10 15:51:00

Recording completed. Cpl ENSTRIDGE turned over the video camera to Cpl LEE at this time.

This concludes his involvement in this task. This report along with my handwritten notes turned over to Cpl FOOTE for addition to folder 064.

M.HENSTRIDGE

/jl

Action: 500
M HENSTRIDGE

Task No: 12
2015-04-10 15:51:00

Task Assignment: 12 - Notes - Primary Investigator

Re-enactment completed.

/jl

Action: 861
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 62
2015-04-10 16:09:00

Task Assignment: 62 - Lab Analysis

E-mail received from the Lab. Through correspondence this date the lab has advised that all exhibits will need to be separated and given individual exhibit numbers before sending for analysis. They also advised of information concerning evidence obtained from GSR analysis and that it is not as exact and identifying as would be desired in this case. The lab simply cannot make some of the determinations that would be valuable in this case (ie. its spread isn't specific enough to be able to pin point certain areas on an individual's body). This would not be done in any investigation.

Cst.John Galway was CC'd each e-mail to keep him advised of the lab contact.

/jl
 (Cst NIPPARD)

Action: 490
M NIPPARD

Task No: 39
2015-04-10 16:10:00

Task Assignment: 39 - Lab Analysis

E-mail received by Cst.Nippard from Sgt. Mike Merritt with the Laboratory. Correspondence this date with the lab has advised that all exhibits will need to be separated and given individual exhibit numbers before sending for analysis. They also advised of information concerning evidence obtained from GSR analysis and that it is not as exact and identifying as would be desired in this case. The lab simply cannot make some of the determinations that would be valuable in this case (ie. its spread isn't specific enough to be able to pin point certain areas on an individual's body). This would not be done in any investigation.

"GUNSHOT RESIDUE INFORMATION SHEET" forwarded along for the investigation. Same placed on file.

/jl

Action: 326
M NIPPARD

Task No: 37
2015-04-10 16:25:00

Task Assignment: 37 - Notes

Call from Cpl. Steve Burke advising of a letter from Smyth leaked to media - not aware of the contents but wished this passed onto Megan.

/jl
 (S/Sgt TILLER)

Action: 311
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 37
2015-04-10 16:30:00

S/Sgt TAILLER attended Megan Dunphy's residence as happening to be returning from scene. Spoke with her and her common law spouse on the step of their residence. Advised that a re-enactment was done today as a result of original video lost - she was pleased that another re-enactment did take place as it was something that she wanted to view at some point. Also advised her of potential media today on news - not sure of content as the letter was not addressed to us nor came from us. Note that Megan was in good spirits today after the funeral - very pleased with the turnout at the church and the vigil last evening - felt her father was supported by the community. This made her feel much better.

SUI

/jl

Action: 312
R TILLER

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-10 18:00:00

Off duty
(S.D. BURKE) Cpl.

/jl

Action: 862
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 120
2015-04-10 18:00:00

Task Assignment: 120 - Notes

Cpl. O'KEEFE was off shift during the week and had wondered how Sgt SMYTH was doing following the incident on Easter Sunday.

Action: 1021
T O'KEEFE

A phone call was placed to Sgt SMYTH and Cpl. O'KEEFE passed along his concern. Cpl. O'KEEFE clearly stated that I wasn't calling as a Holyrood RCMP investigator, just as a fellow officer who knew he was probably having a difficult time.

The call lasted approx 5 minutes. No details of the incident were discussed. Sgt SMYTH stated that he had a difficult week given the incident.

As well, the news media had released the details of an e-mail he sent to all his fellow Members at the RNC and he expressed his displeasure about this.

Sgt. SMYTH also advised that he had been transferred from the Premier's detail.

He appreciated the call.

O'Keefe, Cpl.

/jl

Task No: 39
2015-04-10 18:34:00

Task Assignment: 39 - Lab Analysis

Correspondence sent to Cst.Galway advising him of the need to separate all exhibits and adjust the C-414 accordingly once completed.

Action: 327
M NIPPARD

/jl
(Cst NIPPARD)



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Date / Time:

Action:

Action ID:

Task No: 2
2015-04-12 11:19:00

Task Assignment: 2 - Notes

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl
(Supplementary of Cpl O'KEEFE)

Action: 44
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-13 0:00:00

Task Assignment: 3 - Notes

Task reviewed and reworked for date correction. Please review entire document.

SUI

(S.D. BURKE) Cpl.
Primary Investigator

/jl
(Supplementary of Cst McDONALD)

Action: 73
S BURKE

Task No: 12
2015-04-13 8:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE on duty in B Division HQ

/jl

Action: 863
S BURKE

Task No: 4
2015-04-13 9:00:00

Task Assignment: 4 - Exhibit Custodian

Cst GALWAY reviewed e-mail correspondence from Cst. Mike NIPPARD, and Sgt. Mike MERRITT, who works at the Forensic Assessment Centre.

Cst. NIPPARD has a C-414 completed, but Sgt. MERRITT just wanted the following points clarified:

All this being said, I'm ready to approve all your other exhibits, but first need to know:

- PE9: Is there visible blood-like staining on the complainant's jacket?
- PE9: If yes to above, do you have a known sample of the deceased's DNA / can you confirm only one bleeder in this incident?
- PE10: If you indicate which article(s) of the deceased's clothing were hit by gun fire, I can approve it / them for ballistics testing.

Thank you for your help,

Mike

/jl

Action: 102
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 29
2015-04-13 9:02:00

Task Assignment: 29 - Statement

Cpl FOOTE contacted and spoke with Dr Walsh who advised he would not be giving a statement due to patient confidentiality issues. Cpl FOOTE asked if Mr Dunphy had any mental health issues that caused any concern and Dr Walsh advised "there was nothing, not a thing". Cpl FOOTE asked if there was ever any indication of violence from Mr Dunphy and Dr Walsh advised "never". Dr Walsh advised he has not been Mr Dunphy's family Dr for a number of years however has seen him on a couple of occasions when Mr Dunphy's current Dr, Dr McGarry, was away. Dr Walsh advised he never had any issues with Mr Dunphy.

Task CH.

D Foote Cpl 51545

/jl

Action: 223
D FOOTE

Task No: 46
2015-04-13 9:09:00

Task Assignment: 46 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) Cpl

Primary Investigator

/jl

Action: 435
S BURKE

Task No: 34
2015-04-13 9:11:00

Task Assignment: 34 - Homicide Survey

Task reviewed and concluded

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

Action: 246
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 30
2015-04-13 9:23:00

Task Assignment: 30 - Statement

Cpl FOOTE contacted Dr McGarry who advised he would not be giving a statement however did say there were no mental health concerns and he never knew of any violence or suicidal tendencies. Advised he only dealt with medical issues.

Task CH.

D Foote Cpl 51545

/jl

Action: 227
D FOOTE

Task No: 28
2015-04-13 9:29:00

Task Assignment: 28 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) CPL.

Primary Investigator

/jl

Action: 218
S BURKE

Task No: 47
2015-04-13 10:08:00

Task Assignment: 47 - Statement

Task reviewed and concluded.

CH

(S.D. BURKE) Cpl

Primary Ininvestigator

/jl

Action: 444
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 29
2015-04-13 10:10:00

Task Assignment: 29 - Statement

Task reviewed and concluded
CH
(S.D. BURKE) Cpl
Primary Investigator
/jl

Action: 224
S BURKE

Task No: 19
2015-04-13 10:14:00

Task Assignment: 19 - Attending Paramedics

Task reviewed and concluded
CH
(S.D. BURKE) CPL.
Primary Investigator
/jl

Action: 173
S BURKE

Task No: 3
2015-04-13 10:17:00

Task Assignment: 3 - Notes

Task reviewed and concluded
CH
(S.D. BURKE) CPL.
Primary Investigator
/jl
(Supplementary of Cst [REDACTED])

Action: 51
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 3
2015-04-13 10:20:00

Task reviewed and concluded
CH
(S.D. BURKE) CPL.

/jl
(Supplementary of Cst HANN.)

Action: 68
S BURKE

Task Assignment: 2 - Notes

Task No: 2
2015-04-13 10:24:00

Task reviewed and concluded
CH
(S.D. BURKE) CPL

Primary Investigator

/jl
(Supplementary of Cst DOWNEY)

Action: 30
S BURKE

Task Assignment: 6 - Operations Communication Centre (OCC)

Task No: 6
2015-04-13 10:27:00

Task reviewed and concluded
CH
(S.D. BURKE) Cpl

Primary Investigator

/jl

Action: 124
M NIPPARD

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-04-13 11:00:00

(Cst GALWAY) Speak with S/Sgt. TILLER, who advises we should speak with Meghan DUNPHY, regarding Victim Services. Anita [REDACTED] is the contact in St. John's ([REDACTED] 885). [REDACTED] can assist DUNPHY in locating resources who may be able to assist her.

/jl

Action: 103
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 62
2015-04-13 11:00:00

Task Assignment: 62 - Lab Analysis

This task concluded as Cst. Galway to deal with lab authorization from this point forward.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl
(No time on PROS report)

Action: 491
M NIPPARD

Task No: 5
2015-04-13 11:13:00

Task Assignment: 5 - Neighbourhood Inquires

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 117
S BURKE

Task No: 20
2015-04-13 11:20:00

Task Assignment: 20 - Media

Sgt HICKS has maintained a media folder complete with copies of all ingoing and outgoing correspondence, along with my hand written notes.

GMHicks Sgt.

/jl

Action: 174
G HICKS



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Date / Time:

Action:

Action ID:

Task No: 62
2015-04-13 11:21:00

Task Assignment: 62 - Lab Analysis

Task reviewed and concluded

CH

(S.D. BURKE) CPL.

Primary Investigator

/jl

Action: 492
S BURKE

Task No: 60
2015-04-13 11:42:00

Task Assignment: 60 - Polygraph

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 484
S BURKE

Task No: 57
2015-04-13 11:52:00

Task Assignment: 57 - Statement

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 513
S BURKE

Task No: 54
2015-04-13 12:00:00

Task Assignment: 54 - Independent Observer

Sgt OSMOND made aware that file has been delivered to Mr. RICHE.

/jl

(No time on PROS Report)

Action: 476
K OSMOND



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Date / Time:

Action:

Action ID:

Task No: 7
2015-04-13 12:02:00

Task Assignment: 7 - Operations Communication Centre (OCC)

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 131
S BURKE

Task No: 30
2015-04-13 12:11:00

Task Assignment: 30 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 228
S BURKE

Task No: 3
2015-04-13 12:21:00

Task Assignment: 3 - Notes

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

(Associated to notes of Cst REMILLARD)

Action: 1006
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 55
2015-04-13 12:26:00

Task Assignment: 55 - Statement

Task reviewed and concluded. Member made initial contact with DODD and she advised that would get back to member but never did.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 482
S BURKE

Task No: 39
2015-04-13 14:16:00

Task Assignment: 39 - Lab Analysis

Cst. Galway e-mailed Sgt.Mike Merritt answering some of the questions he had concerning some of the exhibits being considered for testing. Specifically PE 9 and 10. (re: Any blood staining, what was hit by gun fire, sample DNA etc)

/jl

(Cst NIPPARD)

Action: 328
M NIPPARD

Task No: 4
2015-04-13 14:28:00

Task Assignment: 4 - Exhibit Custodian

Cst GALWAY called Meghan DUNPHY, but no answer. Message left for her to call me back.

/jl

Action: 104
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 42
2015-04-13 14:45:00

Task Assignment: 42 - SPCA Liaison

S/Sgt TILLER spoke with Kristy today - asked for an update. She noted that to date 11 cats have been taken from the residence by her volunteers. Only a few have been or are adoptable. She has been in contact with Megan on the matter and all appears to be going well. They will continue with their efforts for the next couple of weeks. Kristy will call witer if a problem arises - expects all to be cared for withis a two week period.

SUI

/jl

Action: 403
R TILLER

Task No: 65
2015-04-13 14:50:00

Task Assignment: 65 - Disclosure

Cpl BURKE at the residence of retired Justice David RICHE and delivered file disclosure.

/jl

Action: 864
S BURKE

Task No: 49
2015-04-13 15:00:00

Task Assignment: 49 - Critical Incident Stress Debrief

S/Sgt TILLER spoke with Cpl. Karen McKay regarding the organizing of the Critical Incident Stress Debrief. Provided her with the file number and the names of individuals whom responded 1st day.

/jl

Action: 1023
R TILLER



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Date / Time:

Action:

Action ID:

Task No: 51
2015-04-13 15:03:00

Task Assignment: 51 - NWEST

Following e-mail sent to Cpl. Jayne STEWART (NWEST):

Good day Jayne,

I am enquiring about the A/N individual, who was involved in an incident, where he was shot and killed by an RNC officer, on Easter Sunday.

A loaded .22 cal rifle was found at the scene, and we are attempting to obtain info on this gun. Due to it's poor condition, I am unable to read the serial number. All I know is that it is a Ranger model. I know there is not a lot to go on, but anything you can offer us, with regards to the gun, or Mr. DUNPHY, would be appreciated.

I am checking with FIS, who have examined the rifle, to see if they were able to obtain the serial number.

Thanks for the help,

John

/jl

Action: 817
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 51
2015-04-13 15:09:00

Response from Cpl. STEWART:

Action: 818
J GALWAY

Hey John,

I was talking to someone else about this file and was waiting for someone to send me the barrel length of the firearm as well as photographs. If you can send me these then I will do up a report with all of the information you need. I can also request the firearms trace for you.

For the trace we do require the serial number, if FIS is unable to make it out then the gun can be sent for serial number recovery. Depending on where you believe the gun came from you may also want to send it for IBIS.

Feel free to give me a call to discuss if you would like.

Jayne

I tried phoning you but there was no answer at the detachment. My cell is 709-██████-620

/jl



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Date / Time:

Action:

Action ID:

Task No: 49
2015-04-13 15:09:00

Task Assignment: 49 - Critical Incident Stress Debrief

S/Sgt TILLER followed up with an email to Cpl. McKay as follows:
"Karen - attached is the file number but a couple of important people who were at the scene immediately or shortly after on day one were:
Cpl. Trevor O'Keefe, Cst. Adian Cox, Cpl. Dion Foote, Cst. John Galway, Cpl. Shawn Seward, Cst. Kelly Downey, Cst. [redacted] [redacted]
Ident : Chris Saunders, Kelly Lee, Steve Conohan, Cst. Gord Crummey, Cst. Danny Williams, Cst. Mike Hann, Cst. Mike Husk, Cst. Rob Ryan as well as Major Crimes unit - Osmond, Burke, Henstridge, Nippard as well as myself.
O'Keefe has advised that he does want one and I would like for Cox and Downey to participate as well as those 3 were first ones to attend.
I do believe I have them all.
Tks"
Cpl. McKay will follow up.
Request DD Extension for completion of Critical Incident Debrief.
SUI
/jl

Action: 1024
R TILLER

Task No: 39
2015-04-13 15:14:00

Task Assignment: 39 - Lab Analysis

Cst. Galway e-mailed Cst.Nippard advising he would take care of the exhibit separation and forwarding.
/jl
(Cst NPPARD)

Action: 329
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-13 15:25:00

Task Assignment: 4 - Exhibit Custodian

Cst GALWAY and S/Sgt. TILLER checked exhibit # PE9 (SMYTH's jacket), and it does not appear to have any visible blood-like staining on it.

/jl

Action: 105
J GALWAY

Task No: 4
2015-04-13 15:35:00

S/Sgt. TILLER opens a temp locker, where Cpl. LEE had returned the .22 cal rifle found at DUNPHY's residence. An intact exhibit sticker was over the seal, and there was a note from Cpl. LEE, which stated she had returned the rifle on April 10th @ 16:45.

Cst GALWAY then, placed the rifle back inside the main exhibit room, and S/Sgt. TILLER locked the door.

/jl

Action: 106
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 4
2015-04-13 15:46:00

Following e-mail sent to Sgt. MERRITT:
Hi Sgt. Merritt,
I am in the process of getting the exhibits, for this file, ready to be sent to the lab. I noticed in your correspondence with Cst. Mike NIPPARD, you had the following questions:
All this being said, I'm ready to approve all your other exhibits, but first need to know:
- PE9: Is there visible blood-like staining on the complainant's jacket?
- PE9: If yes to above, do you have a known sample of the deceased's DNA / can you confirm only one bleeder in this incident?
- PE10: If you indicate which article(s) of the deceased's clothing were hit by gun fire, I can approve it / them for ballistics testing.
Thank you for your help,
Mike
With regards to PE9, I have examined the jacket, and there is no visible blood-like staining on the jacket.
With regards to PE10, I will have each item of clothing given a specific exhibit number. It was the deceased's two shirts that were hit by gun fire.
The exhibits should be ready to be shipped by Wed., April 15th.
If there is anything else you need, just let me know.
Thanks,
John
Cst. John GALWAY
General Investigation Section
Avalon East District RCMP
P.O. Box 119, 38-40 Salmonier Line,
Holyrood, NL
A0A 2R0
(709-892-8922) Phone

Action: 107
J GALWAY



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Date / Time:

Action:

Action ID:

(709)229-3311 Fax

Cpl. SEWARD is AOL, today, so the exhibits will be given individual numbers tomorrow.

Cst. John GALWAY

/jl

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-13 16:00:00

Off duty.

(S.D. BURKE) Cpl.

/jl

Action: 865
S BURKE

Task Assignment: 51 - NWEST

Task No: 51
2015-04-13 16:47:00

Following e-mail sent to Cpl. LEE (FIS):

Hey Kelly,

Just checking to see if you were able to obtain the serial # from DUNPHY's rifle, as I could not read it. I need it for NWEST.

Thanks,

John

/jl

Action: 819
J GALWAY



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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-14 8:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE on duty at B Division HQ

/jl

Action: 866
S BURKE

Task No: 51
2015-04-14 8:22:00

Task Assignment: 51 - NWEST

Following e-mail received from Cpl. LEE:

I tried responding to your e-mail last night, but messages weren't getting out from my BlackBerry.

I wasn't able to get the serial number. The rifle barrel is very rusty, and it may require some special treatment to be able to see it. This might be something you could discuss with firearms section.

Kelly

Cst. John GALWAY

/jl

Action: 815
J GALWAY

Task No: 69
2015-04-14 11:07:00

Task Assignment: 69 - RNC Information

Cpl BURKE sent email to Sgt. OSMOND requesting RNC policy / training for use of force and Joe SMYTH'S professional standards file.

Cpl BURKE later reviewed a letter sent by Insp. Pat CAHILL of RCMP MCU to Supt. Jason SHEPPARD of the RNC requesting the above information.

SUI

(S.D. BURKE) CPL.

/jl

Action: 525
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 43
2015-04-14 12:05:00

Task Assignment: 43 - Marihuana Grow Operation

The HSC3515 permission to destroy the plants has been received from Health Canada. Copy of Authorization brought to MCU. Please diary date for one week. By sealing the fresh plants in plastic it will render them useless and the humidity will convert the plants to a liquid mess. Then they may be destroyed locally.

S/Sgt. Conohan #44244

/jl
(Date from faxed HC3515)

Action: 420
S CONOHAN



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Date / Time:

Action:

Action ID:

Task No: 82
2015-04-14 12:11:00

Task Assignment: 82 - Legal Correspondence

Cpl BURKE received the following email from Sgt. OSMOND:

Thanks Erin,

I have forwarded this to Cpl BURKE, the lead investigator. He will get back to you right away on this issue.

Kent

>>> Erin Breen <ebreen [REDACTED] 2015/04/14 12:11 PM >>>

Hi Kent:

I met with Meghan this morning at which time she made me aware that her father's glasses are on the coffee table next to his chair and are broken. She said that the right lens is out of the frame as well the right arm of the glasses is broken. She said that her father wore his glasses often as he required them to read and use his phone. She said that she saw her father wearing his glasses the day before (Sat morning) and they were not broken. Billy her spouse states that he is fairly certain that Mr. DUNPHY had the glasses on at the Woodstock on Easter Sunday as he recalls pointing out the signs on the food to him at the buffet line and that Mr. DUNPHY had the glasses on the top of his head at that time. Meghan is not certain on this but says that Mr. DUNPHY took his glasses everywhere with him and carried them in a case in his pocket. She said that he would always have the glasses with him. Meghan said that the glasses would not have been broken before he went home on Sunday as this is something he would have definitely told her as he used them so frequently.

I am somewhat confused as to why the glasses were not seized by the police as they appear to have evidentiary value. Meghan and Billy are willing to provide further statements on this as well as allow the police into the residence to seize the glasses.

Thanks.
Erin

Sent from my BlackBerry 10 smartphone on the Bell network.

Action: 867
S BURKE



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Date / Time:

Action:

Action ID:

/jl

Task Assignment: 21 - Medical Records

Task No: 21
2015-04-14 13:01:00

Cpl FOOTE contacted Eastern Health records regarding Mr Dunphy's medical records. At 1349 writer spoke with Muriel who advised she required a "disclosure of health information" form filled out and forwarded. Cpl FOOTE faxed same and was subsequently contacted by Sandra from health records at Mount Pearl Square advising she would contact writer once they have the records compiled.

D Foote Cpl 51545

/jl

Action: 179
D FOOTE

Task Assignment: 54 - Independent Observer

Task No: 54
2015-04-14 13:10:00

Sgt OSMOND noting at this time that Supreme Court Judge David RICHE was identified and selected by C/Supt Andrew BOLAND to be in independent observer for this investigation.

Mr. RICHE has been present at both re-enactments by RNC officer SMYTH and was supplied a disclosure package of materials up to 2015-04-12 by Cpls BURKE and FOOTE.

Sgt OSMOND has handwritten notes and e-mails pertaining to this task, both of which will be disclosed.

/jl

Action: 475
K OSMOND



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Date / Time:

Action:

Action ID:

Task No: 11
2015-04-14 13:15:00

Task Assignment: 11 - Notes - Team Commander

Sgt OSMOND acknowledges this task. OSMOND's role in this investigation is one of oversight and as such operational notes are not extensive.

E-mails and handwritten notes as they pertain to this task will be disclosed and linked to this task as appropriate.

It should be noted that Sgt OSMOND disclosed all e-mails pertaining to this investigation up to yesterday, 20145-04-13. Docs were handed to Cpl FOOTE for inclusion in the file.

/jl

Action: 132
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 82
2015-04-14 14:23:00

Task Assignment: 82 - Legal Correspondence

Cpl BURKE reviewed all scene photographs as obtained by RCMP FIS. Cpl BURKE reviewed several shots that contained an image of what if believed to be Mr. DUNPHY'S glasses. Cpl BURKE noted that the glasses with on the end table directly in front of Mr. DUNPHY. In Cpl BURKE's opinion it appeared that the glasses was placed there by Mr. DUNPHY as he took them off his head. They were positioned ear pieces laid flat on table with the curved part of the ear piece facing up. The lens were perpendicular to the table. Both ear pieces were opened beyond the width of the frame. Cpl BURKE would consider the glasses as in poor condition, they were taped with surgical tape in several areas including the left arm, bridge and lens but wearable as they appeared in the scene photographs.

Action: 868
S BURKE

After reviewing the scene photos extensively Cpl BURKE replied to Erin BREEN with the following message:

Ms. BREEN

I again reviewed the scene photos and viewed a pair of glasses on the coffee table directly in front of Donald DUNPHY. I would describe the glasses as prescription eye glasses with a silver wire frame, the end of the ear pieces appear white in colour. I noted that the glasses were broken. The left arm was reattached with what appeared to be white surgical tape. Tape was also noted on the left lens near the bridge of the glasses, possibly to keep the lens in the frame. It appears to me that glasses were indeed broken and repaired at home.

Please advise Meghan and with her consent, police wish to seize the glasses.. Cst. GALWAY will be in touch with her.

Anything further, don't hesitate to contact me.

Steve

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 82
2015-04-14 14:53:00

CPI BURKE received the following message from Erin BREEN:

Hello Steve:
I am going to be speaking with Meghan shortly. I ask that no officer contact her until you hear back from me.
Thank you.
Erin Breen

Cpl BURKE responded that he did not have any issue with that request.

/jl

Action: 869
S BURKE

Task Assignment: 38 - Notes

Task No: 38
2015-04-14 14:56:00

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl
(Folder 1)

Action: 318
S BURKE

Task Assignment: 15 - Family Liaison

Task No: 15
2015-04-14 15:02:00

Task reviewed.

SUI

(S.D. BURKE) CPL.

Primary Investigator

/jlbu

Action: 798
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 15
2015-04-14 15:26:00

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
/jl

Action: 152
S BURKE

Task Assignment: 11 - Notes - Team Commander

Task No: 11
2015-04-14 15:29:00

Task reviewed
SUI
(S.D. BURKE) Cpl
Primary Investigator
/jl

Action: 133
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task Assignment: 82 - Legal Correspondence

Task No: 82
2015-04-14 18:44:00

Cpl BURKE received the following message from Erin BREEN:
Hello Steve:
I have spoken to Meghan. She is expecting a phone call so that the police can seize the glasses. She is having difficulty with her phone but she can be reached on Billy (her cl spouse's phone at [redacted] 975). I also note there are 2 pieces of the glasses that appear to be detached from the glasses themselves - the right lens, as well as a small oval piece which is supposed to sit on the bridge of the nose. That is also on the table but some distance away from the glasses. Meghan and Billy have information about the glasses which has not previously been asked about. Both wish to provide statements. Further - according to Meghan other than the Woodstock, she is aware that her father possibly went to 3 other locations on Easter Sunday where I would assume video surveillance is currently available: Shoppers Drug Mart in Long Pond, Irving in Holyrood (he put air in his tire) and possibly RBC bank machine in Holyrood. Finally, I request to meet with you and Sergeant Osmond in the next couple of days to discuss a concern that I have. Thank you Steve. Erin Breen

Action: 870
S BURKE

/jl

Task No: 82
2015-04-14 20:25:00

Cpl BURKE sent the following email to BREEN in response:
Thanks Ms. Breen. Of course, we are interested in obtaining all relevant information. We will contact Meghan tomorrow. Let me know when you are available to met. Tomorrow morning?
A meeting was arranged between Sgt. OSMOND, Erin BREEN and Cpl BURKE for 2015-04-15 @ 1:30 pm.

Action: 871
S BURKE

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 63
2015-04-15 9:50:00

Task Assignment: 63 - CBC Transcripts

Cpl FOOTE spoke with Sgt Osmond and Cpl Burke and it was decided after Cp FOOTE printed Dodd's interview with both CBC TV and CBC Radio that this is sufficient for documentation of Dodd's involvement with this file.

Please conclude task.

D Foote Cpl 51545

/jl

Action: 494
D FOOTE

Task No: 21
2015-04-15 9:54:00

Task Assignment: 21 - Medical Records

Task reviewed.

SUI

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 180
S BURKE

Task No: 45
2015-04-15 10:45:00

Task Assignment: 45 - Media

Sgt OSMOND sent an e-mail to David COCHRANE at his On Point e-mail address, asking if he could assist in making contact with witness(s) that he quoted as having heard gunfire around the time of the event.

/jl

Action: 421
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 43
2015-04-15 10:59:00

Task Assignment: 43 - Marihuana Grow Operation

Task reviewed
 SUI
 Destruction
 (S.D. BURKE) CPL
 Primary Investigator
 /jl

Action: 419
S BURKE

Task No: 22
2015-04-15 11:19:00

Task Assignment: 22 - Scene Examination

Task reviewed and concluded
 CH
 (S.D. BURKE) CPL
 Primary Investigator
 /jl

Action: 190
S BURKE

Task No: 65
2015-04-15 11:22:00

Task Assignment: 65 - Disclosure

On Monday, April 13, 2015 at approximately 1450 hrs Cpl FOOTE and Cpl Burke attended the residence of Retired Justice Riche to drop off disclosure, The contents of the binder was explained to Mr Riche with an understanding that further disclosure is pending as the investigation progresses. It was agreed that Mr Riche would receive another written update 15/05/02.
 D Foote Cpl 51545
 /jl

Action: 501
D FOOTE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 45
2015-04-15 11:29:00

Task Assignment: 45 - Media

David COCHRANE called Sgt OSMOND back and advised that he has no direct knowledge of who the neighbor may have been. Mark CRITCH was the reporter who was sent to the scene at the time the story broke and he relayed the information from field interviews he had completed. COCHRANE took the information from reports files by CRITCH.

CRITCH works the night shift, so COCHRANE will have Peter GULLAGE (News Director) speak with CRITCH and GULLAGE will respond to OSMOND.

/jl

Action: 422
K OSMOND

Task No: 63
2015-04-15 11:32:00

Task Assignment: 63 - CBC Transcripts

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 495
S BURKE

Task No: 68
2015-04-15 12:00:00

Task Assignment: 68 - Cell Phone

Cst GALWAY met with Cpl. FOOTE and Cpl. BURKE, at MCU office in HQ.

Cpl. BURKE advises that he would like to see if Meghan DUNPHY would sign a Consent to Search form for her father's phone.

/jl

Action: 520
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 77
2015-04-15 12:00:00

Task Assignment: 77 - Eye glasses

Cst GALWAY met with Cpl. FOOTE and Cpl. BURKE, at MCU office in HQ.

Cpl. BURKE advises that he wants Cst GALWAY to seize a pair of glasses, at the DUNPHY res.

CSt GALWAY will call Meghan DUNPHY when he gets back to the office.

/jl

Action: 566
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 82
2015-04-15 13:30:00

Task Assignment: 82 - Legal Correspondence

Sgt. OSMOND and Cpl BURKE attended Simmonds Law Office and met with Erin BREEN. BREEN was concerned about 2 issues as follows:

Action: 872
S BURKE

1. The interview of her client, Meghan DUNPHY on the night the shooting incident of her father. She said that members did not many questions and did not dig into the background of her father all police appeared to be concerned about was the mental health of her father. Cpl BURKE explained that this was an initial statement from DUNPHY and police were trying to establish facts, it was in no way meant to be an all encompassing statement about the background of Donald DUNPHY. BREEN said that her client didn't like how she was treated by Cpl. HENSTRIDGE. Cpl BURKE advised BREEN that he was also present for that statement and had no issue about the way it was handled by Cpl. HENSTRIDGE and that it was indeed an initial fact finding statement. Sgt. OSMOND, who reviewed the statement taken by Cpl. HENSTRIDGE in its entirety also was confused by where the issued surrounding this statement stemmed. Sgt. OSMOND raised the fact that

2. Donald DUNPHY'S eyeglasses. BREEN said Meghan found them in the house and the glasses appeared as if a book was dropped on them. BREEN was concerned that the police did not seize the glasses as they hold evidentiary value. Cpl BURKE agreed that anything in that room could have evidentiary value and the scene was processed for evidence by police and the glasses were not seized based on that logic. Cpl BURKE added there was nothing about the glasses that concerned police that processed the scene and Cpl BURKE added that he viewed the scene photographs and without any other information was not concerned that the glasses were not seized. Cpl BURKE admitted that the glasses in the photo were in a state of disrepair but wearable and appeared as if they were placed there by DUNPHY. Cpl BURKE said investigatively speaking that he was comfortable that the glasses at this point still was of limited value but was interested in obtained same from Meghan in case something came up in the future. Cpl BURKE told BREEN that if she saw the photo of the glasses she may share the same view. Sgt. OSMOND and Cpl BURKE told BREEN they would look into access to a photo that contained the glasses (zoomed in to maintain integrity of scene photos). BREEN advised that she wanted to see the photo if possible

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 82
2015-04-15 14:00:00

Interview with Erin BREEN completed.
/jl

Action: 873
S BURKE

Task Assignment: 68 - Cell Phone

Task No: 68
2015-04-15 14:05:00

Meghan DUNPHY calls, enquiring when someone would come down to retrieve her father's glasses. Cst GALWAY told her that he would leave in 5 minutes, and meet her at the house.
/jl

Action: 521
J GALWAY

Task Assignment: 77 - Eye glasses

Task No: 77
2015-04-15 14:05:00

Meghan DUNPHY calls, enquiring when someone would come down to retrieve her father's glasses. Cst GALWAY told her that he would leave in 5 minutes, and meet her at the house. She said that her father's glasses are beat up, and that they are held together with tape. She said that he was wearing those glasses when they went to the Woodstock, and that they were not beat up at that time. She said there was no tape on them at that time. Cst GALWAY asked her if her father had a second pair of glasses, and she said no.
/jl

Action: 567
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 77
2015-04-15 15:05:00

Meet Meghan and Billy CORCORAN at the DUNPHY res. The house has been cleaned up, and there is a pile of household items on the front lawn.

Action: 568
J GALWAY

Meghan shows Cst GALWAY the glasses, which are on the table, directly in front of Don DUNPHY's recliner. The glasses are in very poor condition, and are being held together by white medical tape. One of the lenses is falling out, and is being held in by the tape. Both ear pieces have tape at the end, in place of the plastic sleeves, which would sit on the ears. One of the nose pads is missing, and is sitting next to the glasses. The glasses are very dirty, with rust spots, and green "mould", which sometimes forms on glasses. The white tape is dirty, and appears to have been on the glasses for some time. The glasses were found laying flat on the table, with both arms at right angles to their normal position, as if someone stepped on them, sat on them, or something was laid on top of them.

The glasses were seized, as well as the nose pad.

/jl

Task Assignment: 68 - Cell Phone

Task No: 68
2015-04-15 15:10:00

Meghan signs the consent form, after calling her lawyer, Erin BREEN. This was done outside her father's res.

Action: 522
J GALWAY

Cpl. FOOTE was advised that the form was signed.

Form 4074 will be completed, and phone brought into Tech Crime Unit.

/jl
(Cst GALWAY)

Task Assignment: 39 - Lab Analysis

Task No: 39
2015-04-15 15:42:00

Cst.Galway inquired with Sgt.Merritt concerning a few issues that he had. (ie. preferred way to package/send the rifle, what exhibits were desired for the officers pistol and the fact that the serial on the rifle was not able to be determined due to rust.)

Action: 330
M NIPPARD

/jl
(Cst NIPPARD)



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 68
2015-04-15 16:00:00

Task Assignment: 68 - Cell Phone

Back at the office.
Cst. John GALWAY

/jl

Action: 523
J GALWAY

Task No: 77
2015-04-15 16:00:00

Task Assignment: 77 - Eye glasses

Back at the office. Cpl. SEWARD is gone for the day, so the glasses were secured in the GIS office. Glasses will be added to PROS tomorrow, and placed in the exhibit room.

Cst. John GALWAY

/jl

Action: 569
J GALWAY

Task No: 12
2015-04-15 16:00:00

Task Assignment: 12 - Notes - Primary Investigator

Off duty
(S.D. BURKE) CPL.

/jl

Action: 874
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-16 8:00:00

Cpl BURKE on duty at B Division HQ
/jl

Action: 875
S BURKE

Task Assignment: 75 - Video

Task No: 75
2015-04-16 9:00:00

Cst NIPPARD assigned task to obtain video footage from site where Donald Dunphy got air in his tire on April 5th, 2015. Exact location was not known, but said to be Irving by Megan Dunphy.
/jl
(No time on PROS Report)

Action: 551
M NIPPARD

Task Assignment: 76 - Video

Task No: 76
2015-04-16 9:00:00

Donald Dunphy was believed to have went to the bank on April 5th, 2015 before going to lunch with his daughter Megan.
0900 Hrs - Cst NIPPARD assigned task to attempt and retrieve any possible video surveillance from the RBC banks along Route 60.
/jl

Action: 554
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-16 9:30:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE called Meghan DUNPHY in order to set a time obtain an additional statement, she advised that that she was meeting with Erin BREEN at 2:30 pm did not want to speak with police until after that. Cpl BURKE asked how she was doing with everything and she said it's been difficult with funeral arrangements and the other issues that go along with the sudden death of a family member. Cpl BURKE said that police are not losing site of what she is going through and are moving forward with the investigation to gather all applicable information. Meghan thanked Cpl BURKE for the work on the file.

Action: 876
S BURKE

In conversation CPI BURKE advised that a member would make arrangements with her to seize her father's eye glasses at the residence. Cpl BURKE explained that he did view pictures of the eye glasses at the scene and they appeared in poor condition. Meghan agreed said that her father had tape on the glasses and something to the effect that she was aware that the glasses were not in good condition.

Cpl BURKE asked Meghan to contact him for a time for a statement, Meghan agreed.

/jl

Task No: 73
2015-04-16 9:45:00

Task Assignment: 73 - Statement

Cpl BURKE contacted Meghan DUNPHY for an additional statement. (Cpl BURKE was advised by Erin BREEN that DUNPHY had new information). DUNPHY advised that she was meeting with Erin BREEN at 14:30 today and would contact Cpl BURKE after that meeting.

Action: 532
S BURKE

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 74
2015-04-16 9:59:00

Task Assignment: 74 - Video

Cst NIPPARD called and spoke with Shoppers Drug Mart in Long Pond, NL. 709-111. Lauren the front manager advised they did have video at the location that was inside only. The recorded history goes back 3 months. He was asked to burn off a copy of the footage from the front door for April 5th, 2015 (1000 hrs - 1400 hrs). Lauren advised he would complete same.

/jl

Action: 542
M NIPPARD

Task No: 40
2015-04-16 10:00:00

Task Assignment: 40 - Lab Analysis

Cst GALWAY and Cpl. SEWARD prepare all exhibits to be sent to the lab. Mr. DUNPHY's glasses were also added to PROS, and placed inside the exhibit room.

/jl

Action: 388
J GALWAY

Task No: 76
2015-04-16 10:04:00

Task Assignment: 76 - Video

Cst NIPPRD called and spoke with the branch manager at the RBC in Holyrood, NL. They are located at Conception Bay Highway. Robert is the manager. He advised the back-up for their video is 45 days. He is new and has not completed this type of request before but will now find out what is involved. The branch would have been closed on the day in question April 5th, 2015 as it was a Sunday. ATM video only is requested.

/jl

Action: 555
M NIPPARD

Task No: 75
2015-04-16 10:16:00

Task Assignment: 75 - Video

Cst NIPPARD called the Irving gas station in Holyrood, NL. Spoke with Krystal the manager. The store has no air hose at their site but they do have video. Asked to provide footage for April 5th, 2015 1000 - 1400 Hrs. Krystal advised she would complete same.

/jl

Action: 552
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 74
2015-04-16 10:25:00

Task Assignment: 74 - Video

Cst NIPPARD received a call back from Lauren. He asked about which camera angle would be best as to burn off all of the angles would be very time consuming. Told that just the front door would suffice for the time being, as this would have the best view of the persons face.

/jl

Action: 543
M NIPPARD

Task No: 76
2015-04-16 10:30:00

Task Assignment: 76 - Video

Cpl.Burke advised Cst NIPPARD that there are two RNC banks in the area and that both would need to be checked as it was not known which one Dunphy used.

/jl

Action: 556
M NIPPARD

Task No: 52
2015-04-16 10:40:00

Task Assignment: 52 - Re-enactment #1

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

(Supp Report of Cpl FOOTE)

Action: 474
S BURKE

Task No: 39
2015-04-16 11:49:00

Task Assignment: 39 - Lab Analysis

1149 Hrs (Time seems to be local as the response is earlier then message being replied to) - Cst.Galway sends e-mail to Sgt.Merritt advising the exhibit numbers for the victims shirts to be added to the C-414 and also stated the firearms had not been dis-assembled or test fired. They were both unloaded and a trigger lock placed on them.

/jl

(Cst NIPPARD)

Action: 332
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 76
2015-04-16 12:00:00

Task Assignment: 76 - Video

Call back received from RBC bank. Robert provided me with the contact number for the National contact center for video footage. (Option 2 and then 9 for police.) Robert stated that Cst NIPPARD would likely need a warrant or a production order

/jl

Action: 557
M NIPPARD

Task No: 82
2015-04-16 12:00:00

Task Assignment: 82 - Legal Correspondence

Sgt OSMOND was served at the front counter of RCMP HQ, with a letter from Erin BREEN, legal counsel for the DUNPHY family. The letter requested the removal of the RCMP from the DUNPHY investigation, and claims the investigation is neither thorough or unbiased.

OSMOND did not respond to same.

/jl
(No time on PROS Report)

Action: 591
K OSMOND

Task No: 40
2015-04-16 12:08:00

Task Assignment: 40 - Lab Analysis

Speak with Sgt. Mike MERRITT, with the lab in Ottawa. He will check to see if SMYTH's jacket needs to be shipped, and get back to me. He will make any amendments, need, to the C-414.

/jl
(Cst GALWAY)

Action: 389
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 51
2015-04-16 12:55:00

Task Assignment: 51 - NWEST

Cst GALWAY called and spoke with Cpl. Jayne STEWART, of NWEST, and updated her on the firearm. She said she could do a report on the rifle, and have it added to the file. She requested the barrel length, and photos of the rifle.

We discussed that DUNPHY may have obtained the gun from his father, when he had passed away. Cst GALWAY told her that he would speak with Meghan DUNPHY to find out more info on Don DUNPHY's father.

/jl

Action: 811
J GALWAY

Task No: 39
2015-04-16 12:58:00

Task Assignment: 39 - Lab Analysis

Sgt.Merritt e-mailed Cst.Galway answering his concerns and advising him that instructions would be sent with the authorization for shipping. The lab would be requested to retrieve the serial number for the rifle. With regards to the officers sidearm they magazines and ammunition would need to be sent as well but in separate packaging. Sgt.Merritt asked if the firearms had been dis-assembled or test fired as well he needed the exhibit numbers for the victims 2 shirts.

/jl
(Cst NIPPARD)

Action: 331
M NIPPARD

Task No: 51
2015-04-16 12:59:00

Task Assignment: 51 - NWEST

Cst GALWAY called Meghan and she gave me the following info on her grandfather:

██████████ DUNPHY
born in the month of March
has been dead for approx. 13 yrs
was in his early eighties when he dies

/jl

Action: 812
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 40
2015-04-16 13:20:00

Task Assignment: 40 - Lab Analysis

Speak with Sgt. MERRITT, again. He advised that both of the magazines were included in the same exhibit number, as the pistol. They do not need separate exhibit numbers.
/jl
(Cst GALWAY)

Action: 390
J GALWAY

Task No: 75
2015-04-16 13:50:00

Task Assignment: 75 - Video

Cst NIPPARD attended Irving in Holyrood. NL. Obtained 2 disc containing video surveillance from the store. Krystal advised they have never had an air hose at that location to her knowledge.

Disc placed on file in the event it becomes relevant at a later date.

Cst. Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 553
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 51
2015-04-16 14:16:00

Task Assignment: 51 - NWEST

Following e-mail sent to Cpl. STEWART, along with pictures of the rifle:

Hi Jayne,

Here are some pics of the rifle. I could not see anything on the gun, besides "Ranger". The barrel length is approx. 25.5 inches, in total.

I spoke to Mr. DUNPHY's daughter, who said that her grandfather's name was [REDACTED] DUNPHY. He was, most likely, the previous owner of the gun. She did not know his DOB, but said he was born in March, and was most likely born sometime around 1920.

If there is anything else that you need,

Just let me know.

John

Cst GALWAY has been speaking with Sgt. Mike MERRITT, with the Lab, in Ottawa, several times today. When the exhibits are received, he is going to request that the Firearms Section attempt to recover the serial number.

Cst. John GALWAY

/jl

Action: 813
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 39
2015-04-16 14:19:00

Task Assignment: 39 - Lab Analysis

Authorization received from the Forensic Assessment Centre to send the approved exhibits for testing. Approved c-414 attached. Exhibits approved and sent are: PE 1,4,8,11,12,13,14,15,21,23,37.

- PE1 - .40 Cal Shell casing. (4 in total) Found at the scene.
- PE4 - .22 Cal rifle found near Donald Dunphy's body.
- PE8 - Joseph Smyth's RNC service pistol. Sig Sauer P226
- PE11 - Bullet Shrapnel from wound # 3
- PE12 - Bullet from wound # 4
- PE13 - Bullet from wound # 2
- PE14 - Bullet from living room wall
- PE15 - Bullet from headrest of chair
- PE21 - Donald Dunphy's Shirt
- PE23 - Donald Dunphy's Shirt
- PE37 - .40 Cal bullets (20 in total) - from Joseph Smyth's service pistol magazines.

Laboratory File # 2015N-002804

/jl
(Cst NIPPARD)

Action: 333
M NIPPARD

Task No: 74
2015-04-16 15:13:00

Task Assignment: 74 - Video

Cst NIPPARD arrived at Shoppers Drug Mart and picked up the disc containing the footage.

/jl

Action: 544
M NIPPARD

Task No: 40
2015-04-16 15:15:00

Task Assignment: 40 - Lab Analysis

All exhibits are double checked, with the assistance of S/Sgt. TILLER, to make sure they match the Submission Authorization Receipt, which was received from MERRITT.

/jl
(Cst GALWAY)

Action: 391
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 39
2015-04-16 15:45:00

Task Assignment: 39 - Lab Analysis

Cst.Galway had exhibits packaged for sending and they were picked up at this time by Purolator at the Holyrood RCMP detachment.

Action: 334
M NIPPARD

/jl
(Cst NIPPARD)

Task No: 40
2015-04-16 15:45:00

Task Assignment: 40 - Lab Analysis

Exhibits are picked up by Purolator. Waybills given to DA [REDACTED]
Cst. John GALWAY

Action: 392
J GALWAY

/jl

Task No: 12
2015-04-16 16:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE off duty

Action: 877
S BURKE

/jl

Task No: 82
2015-04-16 16:30:00

Task Assignment: 82 - Legal Correspondence

Cpl BURKE received a call from Sgt. OSMOND advising that he received a letter from Erin BREEN basically asking the RCMP to have an out-of-province police force to take over the investigation citing failure to seize an exhibit (eye glasses) and having tunnel vision

Action: 878
S BURKE

(S.D. BURKE) Cpl.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

Table of Contents

Date / Time:

Action:

Action ID:

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-17 8:00:00

Cpl BURKE on duty at B Division HQ
/jl

Action: 879
S BURKE

Task Assignment: 74 - Video

Task No: 74
2015-04-17 9:00:00

Cst NIPPARD started reviewing the footage provided. The camera angle recorded was not the one discussed with Lauren. The video works however it is an angle from the ceiling inside the store that points to the area of the front entrance. To far away to see the facial details of anyone coming in. (Would not be able to determine if they were wearing glasses as is needed in this case.
/jl
(No time on PROS Report)

Action: 545
M NIPPARD

Task Assignment: 78 - Restaurant staff

Task No: 78
2015-04-17 9:00:00

Cst NIPPARD assigned task this date to attend the Woodstock Restaurant. This is the location where Donald Dunphy, Billy Corcoran and Megan Dunphy had lunch on April 5th, 2015, the day of the incident. An issue had been brought forward concerning the prescription glasses of Donald Dunphy. I needed to determine if the business had any video surveillance and if the waitress that served the family could recall seeing them.
/jl
(No time on PROS Report)

Action: 571
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

Table of Contents

Date / Time:

Action:

Action ID:

Task No: 73
2015-04-17 9:30:00

Task Assignment: 73 - Statement

Cpl BURKE called Meghan DUNPHY for a third interview with regards to new information she wanted pass along to police. In particular background information about her father and a pair of eye glasses that was found at the scene. Meghan said that she was advised by her lawyer to not to talk with police until she spoke with her lawyer.

Cpl BURKE asked Meghan to contact him once she spoke with her lawyer.

/jl

Action: 533
S BURKE

Task No: 12
2015-04-17 9:30:00

Task Assignment: 12 - Notes - Primary Investigator

Cp BURKE called Meghan and she said she was not prepared to talk with police until she received advise from her lawyer. Applicable task updated.

/jl

Action: 880
S BURKE

Task No: 37
2015-04-17 9:48:00

Task Assignment: 37 - Notes

Email received from Sgt. Kent Osmond requesting that Cst. Galway and myself no longer maintain contact with Megan Dunphy - direct any inquiries to their office.

SUI

/jl
(S/Sgt TILLER)

Action: 313
R TILLER

Task No: 74
2015-04-17 10:16:00

Task Assignment: 74 - Video

Cst NIPPARD called and spoke with Lauren again advising him that the video works however the incorrect camera angle was used. Lauren stated he had another employee complete the recording and they were suppose to use the camera on the entrance door. He will have same re-done and contact me.

/jl

Action: 546
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 68
2015-04-17 10:50:00

Task Assignment: 68 - Cell Phone

CSt GALWAY completed Form 4074, and handed same to Cpl. FOOTE, who will take care of getting the phone to Tech Crime, as he is heading into HQ, shortly.
Request DD extension to hear back from Tech Crime.
Cst. John GALWAY

/jl

Action: 821
J GALWAY

Task No: 79
2015-04-17 11:19:00

Task Assignment: 79 - Statement

Cpl BURKE spoke with Colin DINN about obtaining an addition statement from him regarding Donald DUNPHY'S eye glasses. The following is a synopsis of what DINN said:
Saw DUNPHY with his glasses on about a week before the shooting, Monday or Tuesday. Said he used them for when he was reading or when "tweeting"
The arm was broke off the glasses and taped up. DUNPHY talked about getting a new pair
Said the glasses were wire frames and silver in colour
DUNPHY would lay them on a blue Tupperware container or on the coffee table in front of his chair
described the glasses as rough and needed a new pair
Said he saw DUNPHY wear the glasses in that condition (rough and taped up)
taped with Scotch Tape or a Band-Aid.
Member advised DINN that a member would contact him for a statement. DINN said that he was on his way to the DUNPHY residence with Meghan to clean up a few things and would be available about 2 or 3 pm.
Cpl. HENSTRIDGE assigned task and notified of DINN'S availability.

CH

(S.D. BURKE) CPL.

Action: 580
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 78
2015-04-17 11:40:00

Task Assignment: 78 - Restaurant staff

Cst NIPPARD arrived at the Woodstock Restaurant and spoke with the manager Cynthia. In speaking with her about the matter at hand and after reviewing their reservation list and electronic system they have for table keeping/serving, Cst NIPPARD learned the following:

Action: 572
M NIPPARD

The reservation was in Billy Corcoran's name/number. (Written Cochrane on the paper/ph: 709-975) Amy was their server on April 5th, 2015. They were seated at table 2. Total bill was \$ Paid via at 1206 Hrs. Purchased was just 3 Sunday brunches. No alcohol purchased. Amy was called at 709-989. Voicemail left for her by Cynthia to call when she got the message.

Copy was taken of the Reservation list and the electronic bill/table order.

/jl

Task No: 82
2015-04-17 12:00:00

Task Assignment: 82 - Legal Correspondence

Sgt OSMOND received an e-mail from Insp CAHILL advising that a response letter had been drafted to Ms BREEN. Cut/Paste of the narrative was included.

Action: 592
K OSMOND

/jl
(No time on PROS Report)

Task No: 68
2015-04-17 12:06:00

Task Assignment: 68 - Cell Phone

Cst LUTHER received exhibit PE5 (iPhone) from Cpl. Dion FOOTE. Cst LUTHER also received Form 4074 and Consent to Search Form. Cst LUTHER secured exhibit PE5 in the Tech Crime Unit exhibit room.

Action: 972
K LUTHER

Cst. K. LUTHER

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task No: 74
2015-04-17 12:10:00

Task Assignment: 74 - Video

Cst NIPPARD attended Shoppers Drug Mart. Lauren did not yet have the video ready. Advised Cst NIPPARD it would be another couple of hours and he would call.

/jl

Action: 547
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task No: 79
2015-04-17 13:54:00

Task Assignment: 79 - Statement

At the request of Cpl BURKE, Cpl HENSTRIDGE attended the residence of Colin DINN in Mitchells Brook to inquire about his recollection of Don DUNPHY's glasses. Mr. DINN provided the following information:

The last time he saw Mr DUNPHY prior to his death was on the Monday or Tuesday preceding his death. He attended DUNPHY's residence on that day and noted that he put on and took off his glasses on two occasions. He noted that DUNPHY didn't always wear his glasses. He only wore them to read, tweet, etc.

He described the glasses as an old pair of "old man" silver glasses. One of the ear bands (He believes it was the left one but cannot be certain) was broken. At various times, DUNPHY used, black electrical tape, scotch tape and medical tape to repair the glasses.

DUNPHY talked about getting new ones but could not afford to buy new glasses.

He believes he (DINN) actually gave him the white medical tape DUNPHY used to fix the glasses. He gave this to him some time ago when DUNPHY scratched his hand while tending to one of his cats.

When he put his glasses down, he'd either place them open or closed upside down. He'd usually place them on the blue tupperware container or the ice-cream container in front of his chair.

He does not recall any damage to the nose piece or the lenses falling out.

He only recalls ever seeing tape on the ear pieces of the glasses.

At the conclusion of the statement, DINN was asked whether it was possible that because SMYTH was RNC that Mr DUNPHY may have thought that he was not carrying a firearm (Since the RNC have not always carried firearms). DINN stated that this was possible given that the RNC don't have jurisdiction in the area. DINN also expressed the concern that it was very unlike DUNPHY to act out this way. He noted that in the 1980's when DUNPHY was in a body cast,



Audio recording forwarded to Cpl FOOTE via email to add to the file. This report along with my handwritten notes forwarded to Cpl FOOTE for addition to the file.

Task recommended for conclusion here.

Action: 581
M HENSTRIDGE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Monty HENSTRIDGE

/jl

Task Assignment: 51 - NWEST

Task No: 51
2015-04-17 14:52:00

Following e-mail received from Cpl. Jayne STEWART:

Hi John and Steve,

I have submitted the firearms report I should have it back by Tuesday. Once we get the serial number recovered by the lab then a firearms trace can be attempted. Keep me in the loop as far as the serial number and I will put in for the trace.

Should you have any questions or need anything else please don't hesitate to give me a call.

Jayne

Corporal Jayne STEWART
NWEST - National Weapons Enforcement Support Team
1 Fort Townshend
St. John's NL
A1C 2G2
Desk: 709-██████████ 411
Cell: 709-██████████ 620
Fax: 709-██████████ 168

Cst. John GALWAY

/jl

Action: 809
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

Table of Contents

Date / Time:

Action:

Action ID:

Task No: 12
2015-04-17 16:10:00

Task Assignment: 12 - Notes - Primary Investigator

Investigational briefing. In attendance and information presented as follows:

Action: 881
S BURKE

-Cpl. HENSTRIDGE:

- 2nd statement with Colin DINN. This was in reference to Donald DUNPHY'S eye glasses. He say them the Monday of Tuesday before the shooting. Said they were in generally bad shape, ear piece broken. Always had tape on them. Said they were silver glasses and he could not afford new ones. Said he didn't recall the lens coming out.

- Statement to Thomas HEARN, re glasses SUI away working be back April 28th

-Cst. NIPPARD

- Looking for video at service stations that Donald DUNPHY may have attended on Sunday morning April 5th. Presently reviewing video from Shoppers in Long Pond

- speaking with staff at Woodstock Restaurant. SUI statement from Amy [redacted] who served DUNPHY

- Waiting on video from Holyrood Irving

-Cpl. FOOTE

- File Coordinator duties

- Dropped off Donald DUNPHY cell phone with consent to Tech Crime for analysis

-Sgt. OSMOND

- Discussed letter from Erin BREEN

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 12
2015-04-18 10:00:00

Cpl BURKE received email message from Joe SMYTH asking for an update on the file.

Action: 882
S BURKE

Cpl BURKE called SMYTH advising that that the incident was being actively investigated with lab analysis in progress. SMYTH advised that he was currently in Florida and would be returning tomorrow.

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 68
2015-04-19 13:48:00

Task Assignment: 68 - Cell Phone

Cst LUTHER removed exhibit PE5 from the Tech Crime Unit exhibit room to begin processing same.

/jl

Action: 973
K LUTHER

Task No: 68
2015-04-19 13:52:00

Cst LUTHER removed exhibit PE5 from the sealed exhibit bag. The device is in a black plastic covering. Device is an Apple iPhone, Model: A1303. The device is off. Cst LUTHER removed a Telus SIM card and the SIM card number is [REDACTED]. The IMEI on the SIM tray is [REDACTED]. There is not enough power to turn on the device. Cst LUTHER connected the device to power source to charge same.

Cst. K. LUTHER

/jl

Action: 974
K LUTHER



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 68
2015-04-20 6:28:00

Upon arriving at work, Cst LUTHER checked the status of PE5 and the device is showing as fully charged. Cst LUTHER placed the device in airplane mode and powered the device off. Cst LUTHER replaced the SIM card at this time.

Action: 975
K LUTHER

/jl

Task No: 68
2015-04-20 6:35:00

Cst LUTHER connected PE5 to UFED Physical Analyzer and began a physical extraction of data.

Action: 976
K LUTHER

/jl

Task No: 68
2015-04-20 7:06:00

Data extraction of PE5 completed. Cst LUTHER placed PE5 in exhibit bag and secured same in the Tech Crime Unit exhibit room.

Action: 977
K LUTHER

Cst. K. LUTHER

/jl

Task Assignment: 78 - Restaurant staff

Task No: 78
2015-04-20 8:33:00

Cst NIPPARD called and left a message for Amy [redacted] asking her to call his cell.

Action: 573
M NIPPARD

/jl

Task Assignment: 83 - 3D Imaging

Task No: 83
2015-04-20 9:10:00

Sgt OSMOND discussed with Cpl BURKE and HENSTRIDGE, the possibility of having a video created which would blend the hard facts of the case (scene details) with the re-enactment provided by SMYTH, to assist in determining if the two issues geled. Both thought it would be a good idea if it were possible. None of MCU members had used such an investigative aid before. OSMOND stated he would contact Sgt SAUNDERS 9FIS) and discuss same

Action: 609
K OSMOND

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 74
2015-04-20 9:30:00

Task Assignment: 74 - Video

Cst NIPPARD called Shoppers Drug Mart and spoke with Assistant Manager Shilo. She advised the video was ready for pick-up.

/jl

Action: 548
M NIPPARD

Task No: 80
2015-04-20 9:45:00

Task Assignment: 80 - Statement

Cpl HENSTRIDGE attempted to call Mr HEARN at this time but was advised that he is away working in Muskrat Falls and would not be back until April 28th, 2015. Because Cpl HENSTRIDGE will be away on duty in B.C between April 27th and May 2nd, he advised Cpl BURKE and Cpl FOOTE in the event they wanted this task actioned earlier.

M. HENSTRIDGE

/jl

Action: 587
M HENSTRIDGE

Task No: 88
2015-04-20 10:00:00

Task Assignment: 88 - Cell Phone

Cpl BURKEr exploring options of obtaining information from Joe SMYTH'S cell phone. The first step was to contact the service provider to ascertain what information they would have.

Cpl BURKE contacted Bell Mobility and was advised (709) [redacted] 610 was a Bell Mobility phone. She said that they retain incoming and outgoing calls only for a period of 36 months. She added that they did not retain any text messages of BBMs.

Cpl BURKE felt at this time there were insufficient grounds to obtain any type of judicial authorization to obtain the cell phone of Joe SMYTH of the information from the provider, the only option would be consent.

/jl

Action: 629
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 74
2015-04-20 10:30:00

Task Assignment: 74 - Video

Cst NIPPARD attended the Shoppers Drug Mart in Long Pond and met with Shilo. She provided him with a single disc containing the video.

/jl

Action: 549
M NIPPARD

Task No: 3
2015-04-20 10:47:00

Task Assignment: 3 - Notes

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

(Supplementary of Cst McDONALD)

Action: 74
S BURKE

Task No: 79
2015-04-20 10:55:00

Task Assignment: 79 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 582
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 80
2015-04-20 10:56:00

Task Assignment: 80 - Statement

Task reviewed and remains still under investigation

SUI

statement

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 588
S BURKE

Task No: 70
2015-04-20 11:12:00

Task Assignment: 70 - Database Queries

Cpl BURKE sent query to Intelx for Joseph SMYTH DOB [REDACTED]. Cpl BURKE received unconfirmed information that SMYTH may have been involved in an incident whiel vacationing in Florida.

CPIC and PROS queries negative for Joseph SMYTH.

SUI

(S.D. BURKE) CPL.

Action: 781
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-04-20 11:15:00

Task Assignment: 83 - 3D Imaging

Sgt OSMOND sent Sgt SAUNDERS and e-mail regarding the idea.

"Chris,

I spoke with Steve this morning and we are interested in your advice regarding scene processing / re-creation. We would like to explore some sort of advanced scene processing, if it exists.

Maybe I'm watching too much TV, but do you know of a reputable process, or company, that can take the proven scene facts...trajectories, angles, measurements, and blend them with the statement and re-enactment of Sgt SMYTH to ensure they are consistent with one another?

Given the confined area of the scene and relative simplicity in terms of blood spatter etc, I believe a video produced in such a manner would be of great benefit, and am wondering if this is possible?

I want to be clear that I do not want this pursued for the purpose of theatrics or a "mock-up" of the scene if it cannot be deemed accurate and explained / corroborated on some level by the person who created it..

Any advice would be appreciated.

Thanks

Kent"

/jl

Action: 610
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-04-20 11:20:00

Sgt OSMOND received a reply from Sgt SAUNDERS asking for a phone call. OSMOND called him and the following conversation ensued:

Action: 611
K OSMOND

Sgt SAUNDERS wanted a further explanation of what Sgt OSMOND was requesting. OSMOND stated the following:

- The video should be a re-creation of the event, based on measurements, photos, trajectories, statements, and the re-enactment. It should blend the hard facts of the scene with the account of SMYTH

- It should not be a speculative product. The person creating it should have a credible expertise, and a proven product, the use of which can be defended in court or at an inquiry.

- the product should be an investigative aid which will assist in a thorough assessment of the scene and SMYTH's version of what occurred

- It will be an independent assessment of the facts, outside of the RCMP assessment, to help determine if SMYTH's account marries up with the forensics.

SAUNDERS said he has never used such a process and will make inquiries. He expressed some concerns with the idea, stating the process would have to be something that didn't violate RCMP policy / procedure in terms of evidence assessment. He also stated there might be security concerns, in terms of releasing sensitive information to an outside agency. He said he would get back to OSMOND on the issue.

OSMOND told him that if it wasn't possible, feasible, or advisable to complete the task, we would simply document why that is, and move on, but OSMOND felt like it should at least be explored / discussed.

SUI

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 39
2015-04-20 11:22:00

Task Assignment: 39 - Lab Analysis

E-mail received by Cst.Nippard from Zain [redacted] with the Laboratory. [redacted] advised the exhibit shipment had been received by the Forensic Laboratory in Ottawa Ontario. Analysis due date is August 14th, 2015.

Address: Evidence Management

NPS Building, Loading Dock #1

1200 Vanier Parkway

Ottawa, Ontario, K1A-0R2

/jl

Action: 335
M NIPPARD

Task No: 88
2015-04-20 11:45:00

Task Assignment: 88 - Cell Phone

Cpl BURKE contacted Joe SMYTH for consent search of cell phone # (709) [redacted] 610, he advised that would not be a problem.

Cpl BURKE to touch base with Tech Crime for time to download phone information.

/jl

Action: 630
S BURKE

Task No: 87
2015-04-20 11:45:00

Task Assignment: 87 - Statement

Cpl BURKE called Joe SMYTH for spouse information for statement - Lisa SMYTH @ [redacted] 241 (cell phone) he advised that she would not have any issue speaking with police. Cpl BURKE informed him that it was be to establish background information and any outside stressors going on at the time of the shooting.

Task assigned to Cst. NIPPARD.

(S.D. BURKE) Cpl.]

/jl

Action: 824
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 39
2015-04-20 11:46:00

Task Assignment: 39 - Lab Analysis

Confirmation received from the lab, that they have received the exhibits, sent by Purolator.

Cst. John GALWAY

/jl

Action: 805
J GALWAY

Task No: 21
2015-04-20 11:53:00

Task Assignment: 21 - Medical Records

Cpl FOOTE telephone Eastern Health Records and left a message requesting an update on the status of Mr Dunphy's medical records.

D Foote Cpl 51545

/jl

Action: 181
D FOOTE

Task No: 54
2015-04-20 12:00:00

Task Assignment: 54 - Independent Observer

Sgt OSMOND had received a letter from Ms. Erin BREEN asking for the removal of the RCMP and the assignment of an out-of-province police agency. She also stated the independent observer is no longer an adequate safeguard in her opinion.

On this date, sgt OSMOND received a scanned letter of response to Ms. BREEN, stating the arrangement would remain the same for now.

Both letters to be added to file.

/jl
(No time on PROS Report)

Action: 477
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 81
2015-04-20 12:00:00

Task Assignment: 81 - Demonstration

2015-04-20

In reviewing the scene photos, Cpl HENSTRIDGE noted that the folder which Sgt SMYTH was holding at the time appeared to have come to rest precariously on the edge of the table in Mr DUNPHY residence. None of the documents appeared to have come out of the folder. On this date, Cpl FOOTE and Cpl HENSTRIDGE attended to the lounge area of the HQ barracks in an effort to film a demonstration to determine whether this final resting place is objectively reasonable. Cpl FOOTE video recorded me dropping the folder approximately 8 times on a coffee table which was roughly the same height as the table in the DUNPHY residence. The folder dropped to the floor on two or three occasions, it dropped directly on the table and also dropped partially on the table on other attempts. The contents of the folder remained in tact during all attempts. Video forwarded to Cpl FOOTE for addition to the file.

This task recommended for conclusion here.

Monty HENSTRIDGE

/jl
(No time on PROS Report)

Action: 589
M HENSTRIDGE

Task No: 82
2015-04-20 12:00:00

Task Assignment: 82 - Legal Correspondence

Sgt OSMOND received a scanned copy of the letter to Ms BREEN. Same printed and handed to Cpl BURKE for his review and addition to the file.

NOTE : Please leave task open, as ongoing correspondence between BREEN and the RCMP is likely.

/jl
(No time on PROS Report)

Action: 593
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 74
2015-04-20 12:30:00

Task Assignment: 74 - Video

Video reviewed in its entirety. Donald Dunphy is noted walking in and out of the store 3 times. On the disc are 3 video files. Dunphy was located on the second file named "ch05(CH5)_150405090000_150405143015_01_1023MB_MANAGE R.avi"

Times: IN: 37:59 OUT 44:20
IN: 45:20 OUT 46:50
IN 49:55 OUT 56:46

Disc is labelled accordingly and placed on file with my report and notes.

This task concluded.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 550
M NIPPARD

Task No: 88
2015-04-20 13:00:00

Task Assignment: 88 - Cell Phone

Cpl BURKE contact Cst. LUTHER of Tech Crime who advised he would require about an hour to download phone information.

/jl

Action: 631
S BURKE

Task No: 76
2015-04-20 13:50:00

Task Assignment: 76 - Video

Cst NIPPARD contacted the RBC contact centre for video footage. Cst NIPPARD was directed to e-mail my request corsecon [redacted]

/jl

Action: 558
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task No: 76
2015-04-20 14:08:00

E-mail prepared and sent as follows:

Good Day,

My name is Cst. Michael Nippard with the Royal Canadian Mounted Police in St. John's, NL. I am requesting digital imagery that you may have for April 5th, 2015. Time frame is 10:00 a.m. - 1:00 p.m.

RBC locations: [redacted] Conception Bay South Hwy, Conception Bay South, [redacted]

OR

[redacted] Conception Bay Hwy, Holyrood, [redacted]

Please be advised there are no reasonable expectations of privacy in this matter as the investigation is not a criminal one at this time, and the subject being sought out in the media is deceased.

I am attempting to determine physical descriptors and a time line for the deceased persons actions and whereabouts during the date in question.

If you have any questions please do not hesitate to contact me.

Thank you,

Cst. Michael Nippard

/jl

Action: 559
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 70
2015-04-20 14:33:00

Task Assignment: 70 - Database Queries

Cpl BURKE received Intelx query results and same was negative for National Criminal Data Bank, Automated Criminal Intelligence Information System, Police Information Retrieval System, BC Prime, Infopol (CSC). Search of Integrated Constabulary Automated Network revealed 3 Motor Vehicle Accidents between 2003 and 2008. Also SMYTH was on a file in reference to a security assessment. All other ICAN hits were in relation to his position as a RNC officer. Search results were positive for NL Corporate Registry.

SUI

NESPIN query (New England State Police Information Network. There are six different networks throughout the U.S. that operate under what they call RISS (Regional Information Sharing Systems) ATIX (Automated Trusted Information Exchange)

(S.D. BURKE) CPL

/jl

Action: 782
S BURKE

Task No: 86
2015-04-20 14:56:00

Task Assignment: 86 - Serious Incident Response Team (SIRT)

Sgt OSMOND received an e-mail from S/Sgt Chris FITZGERALD, advising that SIRT doesn't have a guideline / checksheet and uses the "RCMP Member-Involved Shooting Incident Review Guide" as a reference.

Same photocopied for Cpl BURKE's reference and useage to whatever level he deems appropriate. Copy printed for inclusion on the task as well.

Recommend task CH

DKO #42034

/jl

Action: 970
K OSMOND



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Date / Time:

Action:

Action ID:

Task No: 21
2015-04-20 15:55:00

Task Assignment: 21 - Medical Records

Telephone call from Eastern Health Records advising once they receive medical records back from Dr Avis' office the file will be ready.

D Foote Cpl 51545

/jl

Action: 182
D FOOTE



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Action:

Action ID:

Task Assignment: 87 - Statement

Task No: 87
2015-04-21 9:00:00

Cst NIPPARD was assigned a task to obtain a statement Lisa Smyth regarding this matter.

Action: 624
M NIPPARD

/jl
(No time on PROS Report)

Task No: 87
2015-04-21 11:00:00

Cst NIPPARD called and spoke with [redacted] Lisa Smyth, the wife of Joseph Smyth. She advised she was free tomorrow morning to speak with me regarding this matter. She had previously been made aware of this through Cpl.Burke speaking with Joseph. Time set for her to attend the RCMP headquarters at 9:00 a.m. tomorrow.

Action: 625
M NIPPARD

/jl

Task Assignment: 20 - Media

Task No: 20
2015-04-21 11:10:00

The media folder, as noted in previous report, has been given to Cst NIPPARD to be brought into town and given to CPI BURKE for the file.

Action: 1025
G HICKS

GMHicks Sgt.

/jl

Task Assignment: 88 - Cell Phone

Task No: 88
2015-04-21 11:48:00

Cpl BURKE contacted SMYTH for a time to obtain cell phone. He responded that coincidentally he was getting a new cell phone and we could have his old phone and keep it, tomorrow.

Action: 632
S BURKE

/jl

Task Assignment: 45 - Media

Task No: 45
2015-04-21 12:00:00

Sgt OSMOND never heard from Mr. GULLAGE. Inquiries to be made.

Action: 423
K OSMOND

/jl
(No time on PROS report)



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Date / Time:

Action:

Action ID:

Task No: 89
2015-04-21 12:01:00

Task Assignment: 89 - Criminal Code / Case Law Research

Cpl. HENSTRIDGE acknowledge receipt of this task at this time. In conversation with Cpl BURKE earlier on this date, he asked that Cpl HENSTRIDGE look into the law as it relates to use of force as well as the offence for which Mr DUNPHY is alledged to have committed (i.e pointing a firearm). This research is intended to provide some insight into the legal parameters around which these offences are to be investigated and are by no means an attempt to examine all of the legalities around this issue as this writer is not a lawyer and is not in a position to provide a legal opinion.

Action: 643
M HENSTRIDGE

Under 87(1) CCC, Every person commite an offence who, without lawful excuse, points a firearm at another person, whether the firearm is loaded or unloaded.

In relation to the actions of Sgt SMYTH, Section 25 (1) CCC, "Every one who is required or authorized by law to do anything in the administration or enforcement of the law (b) as a peace officer or public officer, is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose." According to Subsection (3), "a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm"

In Crampton v. Walton (2005), 2005 ABCA 81, Justice FRUMAN noted at paragraph 22:

Essentially, s. 25 (1) is a safe harbour from liability for those who are required to enforce the law. The Police are often placed in situation in which they must make difficult decisions quickly, and are to be afforded some latitude for the choices they make. See R v. Asante-Mensah,...Courts recognize that law enforcement is dangerous; no one wants police officers to compromise their safety. On the other hand, s. 25(1) is not an absolute waiver of liability, permitting officers to act in any manner they see fit. The police are entitles to be wrong, but they must act reasonably.

In Bloianatz v. Edmonton (City) Police Service, 2002 ABQB, Justice BENSLEER noted:

If force is justified, an officer is not expected to measure carefully the exact amount of force the situation requires. As explained by Justice



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BERNSTEIN in Levevesque v. Zanibbi, [1992]:

It is both unreasonable and unrealistic to impose an obligation on the Police to employ only the least amount of force which might successfully achieve their objective. To do so would result in unnecessary danger to themselves and others. They are justified and exempt from liability in these situations if they use no more force than is necessary having regard to their reasonably held assessment of the circumstances and dangers in which they find themselves.

In R v. Davis, 2013 ABCA, The Alberta Court of Appeal heard an appeal involving a police shooting which occurred at the Abbotsfield Mall in Edmonton. A complaint had been received that a person armed with a butcher knife was riding a bicycle around the parking lot of the mall. Cst STROMMER was dispatched. Cst STROMMER eventually located the suspect who charged the police car with a knife in his hand. The driver's side window of the police car was open. Seeing the knife, and believing he might be stabbed, STROMMER covered his head and leaned towards the passenger side of the vehicle. STROMMER unholstered his revolver, unbuckled his seatbelt and attempted to get out the driver's side door. STROMMER followed the suspect (DAVIS) who refused to drop the knife. As he approached a more populated area, DAVIS turned and raised the knife in the air. At this point, STROMMER shot Davis twice in quick succession, once to the right of DAVIS' adam's apple and once in the right chest. On appeal, Mr DAVIS argued that he need not have been shot and that as such his Section 7 Charter right (Security of person) was violated. He also argued that his section 12 Charter rights (Not to be subjected to any cruel and unusual treatment) was breached. Here the trial judge accepted Strommer's subjective belief that he had no other choice, at the point of the final confrontation, than to shoot. Otherwise the appellant would soon reach a point where he was mingling with the public, putting bystanders in danger, and restricting Strommer's options to protect public safety. She also tested the objective nature of that belief, by examining whether Strommer could have used other means, such as circling or issuing a warning, to prevent the appellant's entry into an area where the public might be threatened. She concluded that these options were neither plausible nor required under the circumstances, and she noted that Strommer had already tried to get the appellant to drop the knife by using other less intrusive means, such as the pepper spray, all to no avail.

/jl



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Task Assignment: 78 - Restaurant staff

Task No: 78
2015-04-21 13:11:00

Cst NIPPARD called Amy [REDACTED] She was driving and asked that Cst NIPPARD call her back in 10 minutes when she arrived home.

Action: 577
M NIPPARD

/jl

Task No: 78
2015-04-21 13:37:00

Cst NIPPARD spoke with Amy. She can kind of recall serving a party with a young couple and older male at table 2. She cannot be sure if it is the persons in questions given how many people went through there that day. She does not think the older male had glasses on but cannot be sure. She would not be able to say what they were wearing. She told me that there was another waitress in the area named Elaine but that she was not their server just in the same section. Highly unlikely she would recall persons she did not directly serve.

Action: 578
M NIPPARD

Notes copied and placed on file with report and documents obtained from the Restaurant.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Task No: 78
2015-04-21 13:38:00

Cst NIPPARD called for Amy Howell, no answer.

Action: 574
M NIPPARD

/jl



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Action:

Action ID:

Task No: 86
2015-04-21 14:08:00

Task Assignment: 86 - Serious Incident Response Team (SIRT)

Task reviewed and concluded.

CH

(S.D. BURKE) Cpl

Primary Investigator

/jl

Action: 971
S BURKE

Task No: 81
2015-04-21 14:10:00

Task Assignment: 81 - Demonstration

Task reviewed and concluded

CH

(S.D. BURKE) Cpl

Primary Investigator

/jl

Action: 590
S BURKE

Task No: 73
2015-04-21 14:43:00

Task Assignment: 73 - Statement

Cpl BURKE called Meghan @ [REDACTED] 682, no answer message left.

SUI

(S.D. BURKE) CPL.

/jl

Action: 534
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 88
2015-04-21 15:00:00

Task Assignment: 88 - Cell Phone

Cpl BURKE busy on another matter, contacted SMYTH saying that they would meet tomorrow to discuss phone.

SUI

(S.D. BURKE) CPL.

/jl

Action: 635
S BURKE

Task No: 73
2015-04-21 16:40:00

Task Assignment: 73 - Statement

Cpl BURKE received a call back from Meghan DUNPHY. Cpl BURKE advised that he was contacting her for an additional statement. DUNPHY said she had to contact her lawyer

/jl

Action: 535
S BURKE

Task No: 73
2015-04-21 16:46:00

Cpl BURKE received a call from Erin BREEN. She said that her client was in no way refusing to cooperate with police but she was waiting a reply from the RCMP on a letter she sent last week before she instructed her client any further. Cpl BURKE advised that he thought she would had already received a response and he would check into it.

/jl

Action: 536
S BURKE

Task No: 73
2015-04-21 17:00:00

CPI BURKE sent message to Sgt. OSMOND for an update on the Ms. BREEN response. Same received advising the response was sent yesterday.

SUI

(S.D. BURKE) CPL.

/jl

Action: 537
S BURKE



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Action:

Action ID:

Task No: 87
2015-04-22 9:07:00

Task Assignment: 87 - Statement

Cst NIPPARD began an audio/video recorded statement with Lisa Smyth. Statement was taken at RCMP headquarters in St.John's, NL. The following is a synopsis of the interview:

Action: 626
M NIPPARD

She and Joe have known each other since 1996. He was her best friends brother. She did not know him real well as she was 15 and he was 19 and at that time this was a big age difference.

They started dating in 2006 and got married in 2007. They have one child together, a boy who will turn 5 next month.

On April 4th, 2015, the Saturday before the shooting, they got together with friends of theirs at their friends cabin in Whitbourne, NL. Joe was working this date and didn't arrive there until supper time to join them.

Joe had approximately 2-3 glasses of wine that evening before going to bed early, approximately 8:30 p.m. She explained that Joe and his friend had been getting up at 5:30 a.m. lately and going to the gym and due to this they were both very tired.

The next morning Joe left for work around 8 a.m. Sunday morning April 5th, 2015.

Joe typically worked 3 and 2's. on for 2 off for two and then other times on for 3. This weekend in question he worked Friday, Saturday and Sunday and would have Monday and Tuesday off.

Lisa communicated via text with Joe earlier in the day asking him to pick up a couple of grocery items before he got off duty.

The first time she spoke to him after the incident was when she called him. He sounded like he had a cold, and in fact she knew that he did have one. She asked him if something was wrong and he said yes and told her he had just been involved in a shooting. She asked if he was ok and said he was and that he would have to call her back. She did not know at this time who exactly had been shot or had done the shooting.

He called her back and gave her further detail on what happened. He was now with RNC/RCMP members. She was aware that he was going out to investigate a possible threat that was made. He told her once he got there the man had a gun.

Joe got home between 6 and 7:30 p.m. Warren Sullivan, an RNC member, dropped him off. She gave him a hug and he told her what had happened. Joe then made calls to his family to let them know he was ok as they story was out in the media by that time.

That evening they went to bed and watched a movie in an attempt to try and get it off of their minds until the next day.

They have spoke together about all the "what if" scenarios if things had played out differently.

Social media has been a hard thing to deal with, seeing the comments



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on VOCM and other news outlets. The mainstream media has been good for the most part reporting the facts. Lisa expressed that she was just thankful that he is alive and she is worried about his potential return to work and what the capacity of that will be. Joe to is worried about the direction that his career will take after this incident. She does not believe that Joe regrets anything. Joe has been in policing for 11-12 years. He went to PEI for his police training. They have always lived in St. John's except for in 2013 when she went to live in Ottawa with their son for 1 year for specific medical training she was taking. Joe stayed in St.John's. Their relationship was a long distance one for that year. They have not had any relationship issues out of the normal of any couple who would argue or bicker about things at times. They have not had any financial issues. She makes a "ridiculous" amount of money and Joe makes good money as well. They overall do not have much stress in their lives. Since she has known Joe he has never had any addictions issues of any sort. He is a social drinker. She did not know him well before he was a police officer. He use to live in Lake Louise teaching Skiing before he joined the RNC. Joe is not a violent person at all. Since this event happened there hasn't been anything that she has heard that was alarming to her or caught her attention. She did state that Joe has been having dreams of getting shot himself. Of the situation going differently and that he told her he could feel getting shot. Believed this was normal. Joe used to be in charge of the RNC Facebook page and it has been hard for him to stay away from the social media aspect of things. Joe has been seeing a doctor for his own mental health in the aftermath of this incident. Her knowledge of what happened basically was that Joe went there and was invited in, Joe did not see Mr.Dunphy as a threat to himself, Mr.Dunphy wanted Joe to sit down but Joe would not due to the dirt in the home and the high number of cats walking around. Joe has an allergy to the cats. She knew that Joe spoke with Mr.Dunphy's brother next door prior to speaking with Mr.Dunphy. She stated Joe was good at diffusing a bad situation and she was surprised this happened. As she knows, Mr.Dunphy was sitting and the gun came out of no where. Joe couldn't recall drawing his firearm but recalled shots being fired and the aftermath of the incident. Lisa stated that Mr.Dunphy's brother that lives next door and that Joe spoke to, actually called RNC member Mike Adams and expressed that he was happy that Joe was ok and that he was sorry he didn't give Joe a warning about how his brother could react violently and that he should of brought another officer.



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/j|



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Task No: 87
2015-04-22 9:08:00

Cpl BURKE monitored the following statement from Lisa SMYTH
Name: Lisa SMYTH
Location: B Division HQ
Obtained by: Cst. Mike NIPPARD
Statement taken in relation member involved shooting in Mitchell's Brook. Lisa SMYTH is the wife of Sgt. Joe SMYTH. The following is a synopsis of that statement:
-Day before next door neighbours in Goose Pond Whitbourne Saturday evening Joe joins they couple of glasses of wine Kids at cabin as well. Easter egg hunt. Joe left cabin at 8 am;
-Joe works 12 hour shift and works opposite of RCMP officer
-she returned from Haiti a week and a half before, medical mission
-supposed to go to friends house for turkey
-she called joe on way back for Whitbourne. new something was off but he had a cold. Asked if he was okay, he said no, said he was involved in a shooting, okay physically.
-Second time call. not a whole lot of detail. Knew he was going to investigate something on social media. Said the person had a good
-called again and needed a change of clothes
-returned home 6-7. she asked what happened. He told her what happened. Was now on media. Joe called parents.
-spoke about the incident frequently, basically the "what ifs"
-Referred to Joe as a strong person
-family upset and staying away from social media. says the main stream media has not been that bad
-don't like to be away from him for very long now, will be difficult when he returns to full duty
-biggest issue now is where he going to work now and career path. through no fault of his own
-just got back from a week in Florida
-worked 12 years with RNC, trained in PEI
-known each other since 1996, younger brother of Joe was her best friend
-started dating in 2006, she was in med school
-in Ottawa for year 2013 (med school)
-married 2007, 5 year old child
-no relationship issues, no where near a separation
-lived together since 2006
-no financial issues
-no stress in our lives
-no issues with drinking or addictions
-didn't know him well before he was a police officer

Action: 825
S BURKE



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-no violent, not a violent person at all
 -Joe keeps having dreams of being shot himself. Said he was waiting to feel the bullet during the incident
 -was in charge of the RNC Facebook page
 -going through EAP seeing psychologist, family doctor
 -Joe not officially back to work, maybe in 2 or 3 weeks times
 -arrived at cabin before supper, 2-3 glasses of wine with supper, started going to gym at 530 am, asleep by 830 pm
 -hard for her to saw because of media coverage
 went to house, invited in, spoke with DUNPHY, not reason to be worried/threatened. When he saw the gun it was a complete surprise to him. went into mode where he was nervous re neighbours heard shots, may come over. Said Dunphy was sitting down and tried to get him to sit down. allergy to cats. Said he is generally a good judge of character ability to diffuse situations. Said he spoke to brother before. After brother was apologetic. called RNC to apologize called friend who works with RNC and feels he should warned Joe, that his brother could be violent. unsure of RNC member, might have been Mike ADAMS, k 9 guy.

CH

Task generated to obtain additional statements from Mike ADAMS and Richard DUNPHY.

(S.D. BURKE) CPL.

/jl



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Action:

Action ID:

Task No: 87
2015-04-22 9:40:00

Statement was concluded. Lisa Smyth was escorted out of the building. Thanked for her time.

Statement burned to disc. Notes copied and placed on file with report.

This task concluded.

Cst. Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 627
M NIPPARD

Task No: 51
2015-04-22 9:56:00

Following e-mail received from Cpl. Jayne STEWART, of NWEST:

My report has been added to the file. Once you get the serial number back from the lab please let me know and I will request the Firearms Trace.

Jayne

Request DD extension to hear back from lab, with regards to the serial number.

Cst. John GALWAY

/jl

Action: 807
J GALWAY

Task Assignment: 51 - NWEST



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Date / Time:

Action:

Action ID:

Task Assignment: 39 - Lab Analysis

Task No: 39
2015-04-22 10:02:00

Request DD extension to hear back from the lab, with regards to the rifle.

Cst. John GALWAY

/jl

Action: 803
J GALWAY

Task No: 39
2015-04-22 10:03:00

Request DD extension to hear back from lab, with regards to the exhibits.

Cst. John GALWAY

/jl

Action: 801
J GALWAY

Task Assignment: 83 - 3D Imaging

Task No: 83
2015-04-22 10:13:00

Sgt OSMOND received an e-mail update from Sgt SAUNDERS. He stated that he has located some expertise in the area of 3D representations, but not in video. The person he has located is Darryl BARR of Calgary PD, formerly employed by RCMP. He was consulted and produced reports on the Mayorthorpe killings and the Crockwell stand-off in Bay Bulls.

He is making further inquiries about video and will report back.

/jl

Action: 612
K OSMOND

Task Assignment: 39 - Lab Analysis

Task No: 39
2015-04-22 10:42:00

Sgt.Osmond forwarded an e-mail from Sgt. Saunders to Cst.Galway. Sgt.Saunders had offered a list of things to be sent to the lab for testing.

/jl

Action: 336
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 78
2015-04-22 12:48:00

Task Assignment: 78 - Restaurant staff

Cst NIPPARD called and spoke with Cynthia at Woodstock again. She advised she did speak with Amy [redacted] in person and that Any could not remember anything about the party in question that she served. She did tell Amy that Cst NIPPARD would want to speak with her personally which Amy was nervous about. Cynthia provided another number of 709-[redacted]924 for Amy. It is understandable that Amy would not remember these people, given the nature of her job, the time delay and the fact that the Restaurant served over 600 people on that Easter Sunday.

/jl

Action: 575
M NIPPARD

Task No: 78
2015-04-22 12:51:00

Cst NIPPARD called number for Amy [redacted] No answer. No voicemail.

/jl

Action: 576
M NIPPARD

Task Assignment: 91 - Scene Examination

Task No: 91
2015-04-22 12:55:00

Cst NIPPARD was assigned a task to obtain a statement from RNC member Bill James. This statement will be in regards to the first re-enactment that was completed by Joe Smyth on April 8th, 2015. This was recorded on video however the video was accidentally lost in its transfer to a computer. Bill James was present for this re-enactment and the statement will capture what his memory is of that event.

Cst NIPPARD obtained contact information from RNC telecom's for Bill James. He was called but there was no answer and the voicemail was full. Cst NIPPARD had the RNC telecom's call him on his cell asking him to call me back

/jl

Action: 670
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 92
2015-04-22 13:20:00

Task Assignment: 92 - Statement

Cst NIPPARD was assigned a task to obtain a statement from Retired Judge David Riche who is acting as the independent observer in this matter. This statement will be in regards to the first re-enactment that was completed by Joe Smyth on April 8th, 2015. This was recorded on video however the video was accidentally lost in its transfer to a computer. Retired Judge Riche was present for this re-enactment and the statement will capture what his memory is of that event.

Cst NIPPARD obtained contact information on the file for Riche. He was called and a voicemail left asking him to call me back on my cell.

/jl

Action: 680
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 73
2015-04-22 14:25:00

Task Assignment: 73 - Statement

Cpl BURKE received the following email from Erin BREEN:

Dear Corporal Burke:

This is Erin Breen writing - not Bob Simmonds. I am having technical difficulties and have to use Mr. Simmonds' e-mail.

I have now received and reviewed the reply of the Chief to my correspondence and explained same to Ms. Dunphy.

Ms. Dunphy wishes to provide further information as she feels there is a lot she has not been asked. She has commenced writing her information. She is aiming to get it completed as quickly as possible. If you require it to be in the form of a sworn affidavit then we can get that arranged. Once I have received the information, I will forward it to your attention.

Erin Breen

Cpl BURKE responded that there was no issue with that other than there may be follow-up questions.

Cpl BURKE asked asked BREEN about photos of the eye glasses found at the scene by Meghan.

SUI

(S.D. BURKE) CPL

/jl

Action: 538
S BURKE

Task No: 93
2015-04-22 14:28:00

Task Assignment: 93 - Statement

Cpl HENSTRIDGE left a voice-mail for Inspector ADAMS to contact him.

M. HENSTRIDGE

/jl

Action: 686
M HENSTRIDGE



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Date / Time:

Action:

Action ID:

Task No: 94
2015-04-22 15:00:00

Task Assignment: 94 - Statement

Cpl HENSTRIDGE left a voice mail for Mr DUNPHY to return my call.
M.HENSTRIDGE

/jl

Action: 689
M HENSTRIDGE

Task No: 91
2015-04-22 15:03:00

Task Assignment: 91 - Scene Examination

Cst NIPPARD called RNC telecom's and obtained the cell number for Bill James. He was called and a voicemail left for him to call me back on my cell.

/jl

Action: 671
M NIPPARD

Task No: 94
2015-04-22 16:02:00

Task Assignment: 94 - Statement

Cpl HENSTRIDGE received a call from Richard DUNPHY at this time. Mr DUNPHY stated that he is friends with Mike ADAMS who owns a cabin in the area. He said he speaks to ADAMS almost every day but they have not discussed the shooting.

Unless otherwise directed, this task recommended for conclusion here.

M. HENSTRIDGE

/jl

Action: 690
M HENSTRIDGE

Task No: 45
2015-04-22 16:05:00

Task Assignment: 45 - Media

OSMOND never heard from Mr. GULLAGE. Inquiries to be made.

/jl

Action: 424
K OSMOND



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Date / Time:

Action:

Action ID:

Task No: 76
2015-04-22 16:59:00

Task Assignment: 76 - Video

E-mail received back from RBC. (RBC CIS GRIDS - Toronto <rbcgrid[REDACTED]>

Hello Cst Nippard

Please provide details of the subject – Name, DOB, bank card number or physical appearance and shorter time frame.

If you require a video surveillance, please provide a production order.

Thanks.

Bindhu [REDACTED] | Analyst Investigations | Corporate Investigation Services | Royal Bank of Canada | T. (416) [REDACTED] 272

/jl

Action: 560
M NIPPARD

Task No: 91
2015-04-22 17:17:00

Task Assignment: 91 - Scene Examination

Cst NIPPARD received a call from Bill James. He is on training for the rest of the week but may be able to get away to meet with me. Cst NIPPARD told him he would call tomorrow afternoon to see if he was available.

/jl

Action: 672
M NIPPARD



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Table of Contents

Date / Time:

Action:

Action ID:

Task No: 73
2015-04-23 8:12:00

Task Assignment: 73 - Statement

Cpl BURKE received a response from Erin BREEN re: photos. She advised that she would make arrangements to get the photos delivered to RCMP.

Action: 539
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

Task No: 88
2015-04-23 9:14:00

Task Assignment: 88 - Cell Phone

Cpl BURKE contacted SMYTH for an update on his cell phone.

Action: 633
S BURKE

SUI

(S.D. BURKE) Cpl.

/jl

Task No: 88
2015-04-23 9:30:00

Cpl BURKE received a call from SMYTH. He advised the RNC were still in the process providing him with a new phone so that's why he had not handed I over yet. SMYTH then said he was concerned about information in his phone that were of a personal nature that were irrelvant to the investigation. He also said there maybe confidential police information there as well that is irrelvant. Member explained that police would be interested in the timeframe from the day before the incident and the days after. Member reminded SMYTH that he would be consenting to a search of the phone and it was voluntary. SMYTH was not concerned with police seeing the information contained in his phone but that information getting out to the public (public inquiry). Member advised SMYTH to think it over and get back to him.

Action: 634
S BURKE

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 68
2015-04-23 10:59:00

Task Assignment: 68 - Cell Phone

Cst LUTHER removed PE5 from the Tech Crime Unit exhibit room to process same with the ZRT.

/jl

Action: 978
K LUTHER

Task No: 68
2015-04-23 11:33:00

Cst LUTHER completed processing PE5 with the ZRT. Cst LUTHER placed PE5 in exhibit bag and secured same in the Tech Crime Unit exhibit room.

/jl

Action: 979
K LUTHER

Task No: 21
2015-04-23 13:10:00

Task Assignment: 21 - Medical Records

Cpl FOOTE attended Eastern Health Records located in Mount Pearl Square and picked up Mr Dunphy's medical records. At 1350 Cpl FOOTE added Mr Dunphy's medical records to the hard file. Medical records to be reviewed by Cpl FOOTE. Please extend DD

D Foote Cpl 51545

/jl

Action: 184
D FOOTE

Task No: 68
2015-04-23 14:25:00

Task Assignment: 68 - Cell Phone

Cst LUTHER removed exhibit PE5 from the Tech Crime exhibit room and gave same to Cst. John GALWAY.

Cst. K. LUTHER

/jl

Action: 980
K LUTHER



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 45
2015-04-23 14:30:00

Task Assignment: 45 - Media

Sgt OSMOND was called by Peter GULLAGE of CBC. he advised that he had spoken with Mark QUINN their field reporter about this issue. QUINN did not know the name of the person he was speaking to...he was speaking to people gathered outside the police tape line just after the shooting.

All QUINN remembers is that the person was allowed to go behind the police tape to go back to their own residence, so it must have been a next door neighbor.

Realizing this has already been completed, still suggest speaking with Richard DUNPHY about this, or neighbor on the other side of Donald DUNPHY's home. Should tell them what QUINN said and ask them if they have further information they would like to share.

Suggest CH of this task.

DKO #42034 (Sgt)

/jl

Action: 425
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 42
2015-04-24 10:28:00

Task Assignment: 42 - SPCA Liaison

S/Sgt TILLER spoke with Kristy at the SPCA - noted they have removed 46 cats to date but believe that another 25 / 30 are still present - much more than they expected. They have run out of room at the shelter and the process has placed a strain on their organization. They are committed to continue with the process till all cats have been taken care of - expect another month or so.

SUI.

/jl

Action: 404
R TILLER

Task No: 37
2015-04-24 10:34:00

Task Assignment: 37 - Notes

Contact made with SPCA regarding cats - see associated task for details.

/jl

(S/Sgt TILLER)

Action: 314
R TILLER

Task No: 93
2015-04-24 10:54:00

Task Assignment: 93 - Statement

Cpl HENSTRIDGE spoke to Inspector ADAMS at this time. He advised that Dick DUNPHY is a friend of him and he has spoken to him since the shooting. However, there was NO conversation about the shooting. He called him on the day of the funeral to pass on condolences and to say he wouldn't be able to attend. Inspector ADAMS said he intentionally didn't bring up the topic with Dick.

M.HENSTRIDGE

Unless otherwise directed, this task recommended for conclusion here.

Monty HENSTRIDGE

/jl

Action: 687
M HENSTRIDGE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 48
2015-04-24 11:00:00

Task Assignment: 48 - Town Council Liaison

S/sgt TILLER attempted to call Mayor David [redacted] at the only contact number I have for him [redacted] 459) number of calls - constant busy.
SUI
/jl

Action: 446
R TILLER

Task No: 91
2015-04-24 11:03:00

Task Assignment: 91 - Scene Examination

Cst NIPPARD called Bill James at the numbers provided. No answer. Message left for call back.
/jl

Action: 673
M NIPPARD

Task No: 76
2015-04-24 11:21:00

Task Assignment: 76 - Video

E-mail sent to RBC as follows:
Hello,
Details as requested,
The subjects name is Donald Dunphy, born 1956/08/23. I do not know the subjects bank card number.
His physical appearance at the time was, pale skin, no facial hair, likely no glasses but possible, grey hair, fairly tall and thin build. Wearing a black coat and blue jeans, no hat.
Best time frame would be between 0930 and 1100 Hrs on April 5th, 2015.
Still images would be fine.
Thank you.
/jl
(Cst NIPPARD)

Action: 561
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 95
2015-04-24 11:30:00

Task Assignment: 95 - Statement

E-mail sent to Doug Noel as follows:

Hello Doug,

I'm working on the Dunphy shooting and have been assigned a task to obtain a statement from you. Regarding working with Cst. Smyth and the general duties on a daily basis in the unit, etc.

If you are free today give me a call on my cell [redacted] 015 and we can meet somewhere.

Thanks,

Mike.

Response was received instantly that Doug Noel is off duty until May 6th, 2015.

/jl

Action: 696
M NIPPARD

Task No: 92
2015-04-24 11:40:00

Task Assignment: 92 - Statement

Cst NIPPARDI called Retired Judge David Riche and left a message for him to call me back.

/jl

Action: 681
M NIPPARD

Task No: 96
2015-04-24 11:42:00

Task Assignment: 96 - Statement

Cst NIPPARD was assigned a task to obtain a statement from Retired Cpl.Lindsey Anstey. Former co-worker of Cst.Joseph Smyth.

/jl

Action: 698
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 88
2015-04-24 11:50:00

Task Assignment: 88 - Cell Phone

Joe SMYTH attended B Division HQ and handed over a Blackberry Pearl Cell phone, black in colour. SMYTH signed Consent to Search for the cell phone. Pass code for phone - [REDACTED] During this conversation SMYTH said that he had no issue with handing over the cell phone but was concerned about some personal information that it may contain. SMYTH added there may be come information about RNC management that he wished did not be publicized

/jl

Action: 636
S BURKE

Task No: 88
2015-04-24 11:55:00

SMYTH phone handed over to Cst. LUTHER of RCMP Tech Crime for analysis. Consent to Search confined to dates April 3rd, 2015 to April 24th, 2015. Designated exhibit # 2015376186PE038.

/jl

Action: 637
S BURKE

Task No: 88
2015-04-24 11:58:00

Cst LUTHER received Blackberry Pearl device from Cpl. Steve BURKE. Cpl BURKE requested Cst LUTHER to acquire a data extraction from this device. Cst LUTHER also received a Consent to Search Form at this time. Cpl. BURKE to give Cst LUTHER the exhibit number when he returns to his office.

/jl

Action: 981
K LUTHER

Task Assignment: 83 - 3D Imaging

Task No: 83
2015-04-24 12:06:00

Sgt SAUNDERS provided a report of his findings on who might be best to complete such work, OSMOND reviewed same and speak to a Mr [REDACTED] in Ontario. He can provide the service in a reasonable time frame.

/jl

Action: 613
K OSMOND

Task Assignment: 88 - Cell Phone

Task No: 88
2015-04-24 12:08:00

Cst LUTHER removed the battery from the device. The device is a Blackberry 9100 with IMEI: [REDACTED] and has a SIM card with number [REDACTED]

/jl

Action: 982
K LUTHER



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 88
2015-04-24 12:16:00

Cst LUTHER called Cpl. BURKE for the passcode for the device and Cst LUTHER was given, [REDACTED] as the passcode.

Action: 983
K LUTHER

/jl

Task No: 88
2015-04-24 12:18:00

Cst LUTHER connected the device to the UFED physical analyzer to begin the data extraction.

Action: 984
K LUTHER

/jl

Task Assignment: 96 - Statement

Task No: 96
2015-04-24 12:38:00

Cst NIPPARD obtained a number for Lindsey Anstey. Called and message left for call back.

Action: 699
M NIPPARD

/jl

Task Assignment: 88 - Cell Phone

Task No: 88
2015-04-24 12:48:00

The UFED is frozen and had to be restarted. Cst LUTHER attempting data extraction on a different UFED device.

Action: 985
K LUTHER

/jl

Task Assignment: 78 - Restaurant staff

Task No: 78
2015-04-24 13:01:00

Task reviewed and concluded

Action: 579
S BURKE

CH

(S.D. BURKE) CPL

Primary Investigator

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 87
2015-04-24 13:04:00

Task Assignment: 87 - Statement

Task reviewed and concluded

Tasks to interview Richard DUNPHY and Mike ADAMS were generated

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 628
S BURKE

Task No: 88
2015-04-24 13:09:00

Task Assignment: 88 - Cell Phone

Cst LUTHER checked the status of the data extraction and same was completed.

/jl

Action: 986
K LUTHER

Task No: 94
2015-04-24 13:14:00

Task Assignment: 94 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 691
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 68
2015-04-24 13:17:00

Task Assignment: 68 - Cell Phone

Task Reviewed
SUI

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 524
S BURKE

Task No: 51
2015-04-24 13:22:00

Task Assignment: 51 - NWEST

Task reviewed
SUI

(S.D. BURKE) CPL

Primary Investigator

/jl
(Associated to TA 817-819)

Action: 820
S BURKE

Task No: 39
2015-04-24 13:24:00

Task Assignment: 39 - Lab Analysis

Task reviewed
SUI

(S.D. BURKE) Cpl

Primary Investigator

/jl
(Associated to TA 803)

Action: 804
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:	Action:	Action ID:
Task No: 39 2015-04-24 13:26:00	Task reviewed SUI (S.D. BURKE) CPL Primary Investigator /jl (Associated to TA 801)	Action: 802 S BURKE
Task Assignment: 88 - Cell Phone		
Task No: 88 2015-04-24 14:10:00	Cst LUTHER advised by Cpl. BURKE that the Blackberry Pearl device is labeled as exhibit PE038. /jl	Action: 987 K LUTHER
Task No: 88 2015-04-24 14:29:00	Cst LUTHER begins processing of PE038 with the ZRT. /jl	Action: 988 K LUTHER
Task Assignment: 83 - 3D Imaging		
Task No: 83 2015-04-24 14:45:00	Sgt OSMOND sent e-mail to Insp CAHILL seeking permission to hire this company /jl	Action: 614 K OSMOND
Task Assignment: 88 - Cell Phone		
Task No: 88 2015-04-24 14:49:00	Cst LUTHER completed processing of PE038 with the ZRT. /jl	Action: 989 K LUTHER
Task No: 88 2015-04-24 14:53:00	Cst. LUTHER returned phone to Cpl BURKE having completed the search. /jl	Action: 638 S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 88
2015-04-24 14:53:00

Cst LUTHER turned exhibit PE038 over to Cpl. Steve BURKE.

Cst. K. LUTHER

/jl

Action: 990
K LUTHER

Task Assignment: 77 - Eye glasses

Task No: 77
2015-04-24 15:03:00

Task, pertaining to Mr. DUNPHY's glasses, is OD.

Recommended for conclusion, as the exhibit task will remain open.

Cst. John GALWAY

/jl

Action: 953
J GALWAY

Task Assignment: 88 - Cell Phone

Task No: 88
2015-04-24 15:05:00

Cpl BURKE returned phone to Joe SMYTH, notebook signed by SMYTH acknowledging receipt.

SUI

(S.D. BURKE) CPL.

Action: 639
S BURKE

Task Assignment: 90 - Subject Matter Expert

Task No: 90
2015-04-24 15:11:00

Cpl. BURKE contacted Use of Force Analyst, Sgt. Steve BURKE to enquire about the availability of a Use of Force Subject Matter Expert to assist with our investigation.

SUI

(S.D. BURKE) Cpl.

/jl

Action: 645
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 48
2015-04-24 15:20:00

Task Assignment: 48 - Town Council Liaison

S/Sgt TILLER spoke with David [REDACTED] - advised that he is available anytime to sit and discuss this file with them. He advised they have a council meeting on the 7th of May but agenda is full. It was agreed that he will contact the various councillors and get back to me with a time and date to meet.

SUI

/jl

Action: 447
R TILLER

Task No: 39
2015-04-24 15:48:00

Task Assignment: 39 - Lab Analysis

Cst.Galway responds to Sgt.Osmonds request advising that the items mentioned by Sgt.Saunders were either already sent for testing or have been addressed in correspondence between Cst.Nippard and Sgt.Merritt.

All items addressed except for ammunition from the deceased rifle. This .22 round was not mentioned in the c-414 or by Sgt. Merritt.

/jl
(Cst NIPPARD)

Action: 337
M NIPPARD

Task No: 91
2015-04-24 16:43:00

Task Assignment: 91 - Scene Examination

Call received from Bill James he was in training all day with no phone service. He is free Monday and we will talk then.

/jl
(Cst NIPPARD)

Action: 674
M NIPPARD



PROJECT DUNPHY
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DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 69
2015-04-27 8:45:00

Task Assignment: 69 - RNC Information

Cpl BURKE received an update from Insp. CAHILL that the requested information should be available by Friday May 1st, 2015.

Action: 526
S BURKE

SUI

(S.D. BURKE) Cpl.

/jl

Task No: 91
2015-04-27 9:30:00

Task Assignment: 91 - Scene Examination

Cst NIPPARD received a call from Bill James wanting to meet today. Told Cst NIPPARD was off today and could not meet. Time arranged to meet tomorrow afternoon.

Action: 675
M NIPPARD

/jl

Task No: 90
2015-04-27 10:25:00

Task Assignment: 90 - Subject Matter Expert

Sgt. BURKE responded that Cpl. Wayne KNAPMAN is an SME for use of force located in H Division.

Action: 646
S BURKE

SUI

(S.D. BURKE) Cpl.

/jl

Task No: 82
2015-04-27 10:30:00

Task Assignment: 82 - Legal Correspondence

Sgt OSMOND met with C/Supt BOLAND, Insp CAHILL and S/Sgt FITZGERALD. One of the issues raised was another letter having been drafted by BREEN, this time sent to the C.O.

Action: 594
K OSMOND

OSMOND was provided a copy of the letter for addition to the file.

/jl



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 83
2015-04-27 10:30:00

Task Assignment: 83 - 3D Imaging

Sgt OSMOND met with C/Supt BOLAND, Insp CAHILL and S/Sgt FITZGERALD. It was decided to move ahead with the 3D scene documentation.

/jl

Action: 615
K OSMOND

Task No: 73
2015-04-27 11:55:00

Task Assignment: 73 - Statement

Cpl BURKE spoke with Meghan DUNPHY, re: 3D reconstruction (See related task). She said that she was happy that there would be additional scene process from an outside agency. DUNPHY had no issue with consenting to police re-entering house.

Cpl BURKE asked DUNPHY about coming in to provide additional information, she responded that she, along with her lawyer, had something prepared and it would be forwarded to police shortly.

SUI

(S.D. BURKE) CPL.

/jl

Action: 540
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 83
2015-04-27 11:55:00

Task Assignment: 83 - 3D Imaging

Cpl BURKE called Meghan DUNPHY for consent to go back into the residence for additional scene processing. Cpl BURKE added that police were in the process of having a person who specializes in 3D scene reconstruction who is not a police officer and is out-of-province.

DUNPHY responded that there would be no issue in having access to the house but she may want to be there as well, Cpl BURKE advised there would be no issue with her being in attendance. DUNPHY said she was happy with the additional scene processing and that the person doing it was not local.

DUNPHY told Cpl BURKE to contact her when police needed to attend the house.

SUI

(S.D. BURKE) Cpl.

/jl

Action: 607
S BURKE

Task No: 39
2015-04-27 12:04:00

Task Assignment: 39 - Lab Analysis

E-mail sent from Insp.Cahill to Sgt. Osmond requesting he prepare a request to the lab to expedite exhibit processing.

/jl

(Cst NIPPARD)

Action: 338
M NIPPARD

Task No: 83
2015-04-27 12:06:00

Task Assignment: 83 - 3D Imaging

Sgt OSMOND sent an e-mail to the company in question, cc'ing Cpl BURKE and Sgt SAUNDERS.

/jl

Action: 616
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 83
2015-04-27 12:56:00

Sgt SAUNDERS responded with an e-mail stating the usage of the technology might be problematic. Same to be explored.

Action: 617
K OSMOND

NOTE - Should also be mentioned that on this date, Sgt OSMOND asked Cst GALWAY to fully account for his handling of the glasses causing concern to lawyer BREEN. GALWAY responded with a lengthy e-mail explaining same.....to be added to file.

/jl

Task Assignment: 76 - Video

Task No: 76
2015-04-27 12:57:00

Cst NIPPARD received an e-mail response from RBC, as follows:

Action: 562
M NIPPARD

Hello Cst Nippard

I have looked thru cameras for both branches :

At [REDACTED] Conception Bay South Hwy, Conception Bay South, [REDACTED] - did not see anyone with the description provided by you.

At [REDACTED] Conception Bay Hwy, Holyrood, [REDACTED] - no images were retrieved.

Thanks.

Bindhu [REDACTED] | Analyst Investigations | Corporate Investigation Services | Royal Bank of Canada | T. (416) [REDACTED] 272

/jl

Task Assignment: 93 - Statement

Task No: 93
2015-04-27 13:13:00

Task reviewed and concluded

Action: 688
S BURKE

CH

(S.D. BURKE) CPL

Primary Investigator

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 48
2015-04-27 14:11:00

Task Assignment: 48 - Town Council Liaison

(S/Sgt TILLER sent) email to DPO Zettler, Sgt. Kent Osmond and Cpl. Burke as follows:

"Gentlemen - just a quick note and for your info only - I will be meeting with the Mayor and Council of Mount Carmel at 6:30 PM tonight. It is not a public meeting nor a formal council meeting, no media - will just provide them with a high level brief of the incident - in line with what is in media currently and answer any questions they may have.

If you have any questions or concerns, please advise.

Tks"

/j

Action: 448
R TILLER

Task No: 48
2015-04-27 14:30:00

S/Sgt TILLER spoke with Sgt. Osmond, brief discussion on what information was and also what not to be released. Information only to be released consistent with that already in the media.

/j

Action: 449
R TILLER

Task Assignment: 83 - 3D Imaging

Task No: 83
2015-04-27 14:40:00

Cpl BURKE received a message from RCMP Telecoms that Meghan DUNPHY called. Cpl BURKE returned her call and she asked about the 3D reconstruction. Cpl BURKE advised that this technique was being considered in addition to the scene examination by RCMP FIS. The 3D reconstruction would give a different view of the scene using evidence and measurements already gathered by FIS.

DUNPHY said that she was on her way to see her lawyer and wanted to get a clearer picture of the 3D reconstruction option.

SUI

(S.D. BURKE) Cpl.

/j

Action: 608
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 82
2015-04-27 15:10:00

Task Assignment: 82 - Legal Correspondence

Sgt OSMOND reviewed the letter and addressed the concerns raised in his notebook.

Action: 595
K OSMOND

Task No: 12
2015-04-27 17:15:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE contacted Meghan DUNPHY and advised her that she could have the cell phone that was seized from the house.

SUI

(S.D. BURKE) CPL

/jl

Action: 883
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 48
2015-04-27 18:30:00

Task Assignment: 48 - Town Council Liaison

S/Sgt TILLER met with the Town Council members (7 including Town Clerk) in Mount Carmel - noted that they described it as an in camera type of meeting - not something that will be followed up with media nor minutes taken. S/Sgt TILLER provided a brief oversite of the file in line with what was put out in the public domain. Explained that when the investigation is complete then that information will be released to the public. Their questions were in line with;

Action: 450
R TILLER

- why did someone attend alone
- why on easter sunday
- why not a phone call to deal with the matter vrs RNC member attending
- why not use less lethal form of intervention ie: Taser
- why RNC from Premiers Detail
- cant understand how the incident happened - victim obtaining a gun
- pointing etc - lack of understanding of circumstances.
In response noted the following:
- that not uncommon to speak with clients alone, noted my attendance at the meeting was alone, explained the risk assessment process, violent related incidents or potential for violence will require a minimum of 2 persons response depending on circumstances.
- Cannot speak directly about Premier's Detail scheduling but noted the Premier did say they were on shift.
- Easter sunday as time permitted while on shift.
- Noted that as a Detachment Commander, been requesting our members to attend scenes and meet with complaintants personally - attempting to deal with matters by phone not a good practice.

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 73
2015-04-27 20:17:00

Task Assignment: 73 - Statement

Cpl BURKE received an email from Erin BREEN with attached statements of Meghan DUNPHY and Bill CORCORAN. BREEN and advised that the photos obtained by DUNPHY would be sent tomorrow.

Action: 541
S BURKE

The statement DUNPHY provided description of her father's glasses that he had for approx. 7 years. Her father used the glasses for reading and other activities that involved small print (eg ATM and filling out forms). She said that the glasses were in rough shape and at times there was some sort of tape on them holding them together. At home the glasses were usually on the round table in front of his chair or on the ice cream container that contained his pills. Her father always wore the glasses on the tip of his nose. Her father always had his glasses with him.

After the scene was released to the family DUNPHY said she found her father's glasses on the table in unwearable condition, one of the arm pieces were cracked and the nose piece was broken off. She said it looked as if a book or something heavy had been thrown on them and flattened them out.

DUNPHY goes on to explain that her father was planning on doing home renovations (roof and flooring) and that had plenty of groceries. Her father was making financial and travel plans for the future as well and looked forwarded to turning 60 years old. Her father cared for cats and went of of his way to take care of cats that were not even his.

On Easter Sunday DUNPHY said she had lunch with her father (at the Woodstock) and he stopped to Shopper's Drug Mart and put air in his tire at some point. He then went home as routine to lay down on the couch and have a nap, he always slept on the couch. DUNPHY noted that her father changed out of his jeans and into lounging pants which is what he normally did.

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 98
2015-04-27 20:17:00

Task Assignment: 98 - Statement

Cpl BURKE received an email from Erin BREEN. Attached was a typed statement by Billy CORCORAN. The following is a synopsis of that statement:

Action: 712
S BURKE

-The last time he saw Donald DUNPHY with his glasses on was Sunday April 5th, 2015, he was at their house at about 1pm. He had his glasses on looking at his phone. Said that every time he saw him with his glasses in they were on the tip of his nose. CORCORAN didn't notice any tape on the glasses but that would not have stood out because it was not uncommon for him to have tape on glasses but in wearable condition. Said DUNPHY used his glasses when he had to focus on something small.

-Said DUNPHY was preparing for the future by preparing wood for next winter, getting ready to do home renovations and vehicle maintenance

-Said DUNPHY was going to pay him back for all the things he had done for him when DUNPHY turned 60 and got a pay increase

No follow up planned for information contained in this statement at this time

CH

(S.D. BURKE) Cpl.

/jl



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Date / Time:

Action:

Action ID:

Task No: 76
2015-04-28 8:04:00

Task Assignment: 76 - Video

Response e-mail sent to RBC:

Hello,

Thank you for the quick response, what do you mean by no images were obtained? None available from the location or no one went there to be able to obtain any images.

Thanks,

Cst.Nippard

/jl

Action: 563
M NIPPARD

Task No: 97
2015-04-28 9:00:00

Task Assignment: 97 - Statement

Cst NIPPARD assigned task to obtain a statement from Cst. Shannon Mcentegart who use to work with Joseph Smyth in the Premier protective detail.

/jl
(No time on Supplementary Report)

Action: 705
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 82
2015-04-28 9:40:00

Task Assignment: 82 - Legal Correspondence

Cpl BURKE received photos from Erin BREEN through B Division Stores. There were a total of 10 photos depicting a pair of eye glasses on a coffee table. The photos are not dated and are not signed. There is no reference of what the pictures are and where they were taken. From file knowledge Cpl BURKE can only assume the eye glasses belonged to Donald DUNPHY and were captured as they were found in his residence by his daughter, Meghan DUNPHY as discussed with both BREEN and DUNPHY.

Action: 884
S BURKE

Cpl BURKEs' review of the photos as compared with scene photos revealed the following:

- The glasses are in a different location on the coffee table (one arm now slightly off table)
- The skull head is now near the glasses, it was on the floor in scene photos
- There is a knife missing that was under the glasses (indicating the glasses were moved)
- The glasses appear to at a different angle
- The nose piece is not evident on the table in the scene photos

There does not appear to be a vast difference in the photos of the glasses in the scene as compared to the photos obtained by DUNPHY, both show a pair of glasses in poor condition. The scene photos and even the photos obtained by DUNPHY does not provide any evidence that the glasses were damaged in any type of altercation or struggle. There are also other items in the scene that should have been moved in a struggle / altercation (eg propane cylinder)

/jl

Task No: 96
2015-04-28 9:44:00

Task Assignment: 96 - Statement

Cst NIPPARD called and spoke with Lindsey Anstey. He is asked to provide a statement regarding his working relationship with Joseph Smyth. He agrees to do so and states that he will be attending RCMP Headquarters tomorrow at some point to get a retired picture taken for an I.D. card. Will see me then to provide a statement.

Action: 700
M NIPPARD

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 76
2015-04-28 9:57:00

Task Assignment: 76 - Video

Cst NIPPARD received an e-mail response from RBC, as follows:

Hello Cst Nippard

No images available at [redacted] Conception Bay Hwy, Holyrood, [redacted].

Bindhu [redacted] | Analyst Investigations | Corporate Investigation Services | Royal Bank of Canada | T. (416) [redacted] 272

No images available and/or produced from the RBC locations in question. This task concluded.

Cst. Michael Nippard 55787

Trinity Conception, RCMP

/jl

Action: 564
M NIPPARD

Task No: 92
2015-04-28 10:20:00

Task Assignment: 92 - Statement

Cst NIPPARD called Retired Judge David Riche. No answer. (May be away somewhere?)

/jl

Action: 682
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 95
2015-04-28 10:30:00

Task Assignment: 95 - Statement

Cst NIPPARD spoke with Sgt. Andy Langille who informed me that Cpl.Noel is away on vacation in Florida until May 6th, 2015.

Action: 697
M NIPPARD

SUI - STATEMENT

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Task No: 97
2015-04-28 10:37:00

Task Assignment: 97 - Statement

Cst NIPPARD called Shannon Mcentegart and left a voicemail for her to call me back regarding this matter.

Action: 706
M NIPPARD

/jl

Task No: 90
2015-04-28 11:34:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE contacted Cpl. Wayne KNAPMAN ti find out if he was available to assist.

Action: 647
S BURKE

SUI

(S.D. BURKE) Cpl.

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 97
2015-04-28 11:46:00

Task Assignment: 97 - Statement

Cst NIPPARD received a call from Shannon Mcentegart. She was advised of the matter at hand and why a statement was being requested. Shannon advised that she did not have much good to say about Joseph Smyth. Cst NIPPARD told Mcentegart that he was not concerned with whether her information was good or bad and would like to hear what she had to say regardless of content. Mcentegart refused to provide a statement in the matter. She was told that was her right and same would be noted and primary would be advised.

Primary advised of same.

Notes and report placed on file.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 707
M NIPPARD

Task No: 77
2015-04-28 12:30:00

Task Assignment: 77 - Eye glasses

Photo of DUNPHY's glasses scanned to the file as an external document.

Cst. John GALWAY

/jl

Action: 952
J GALWAY

Task No: 90
2015-04-28 12:45:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE re-directed to Insp. Rhonda BLACKMORE for SME Use of Force.

SUI

(S.D. BURKE) Cpl.

/jl

Action: 648
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 91
2015-04-28 12:50:00

Task Assignment: 91 - Scene Examination

Cst NIPPARD called Bill James. He will attend RCMP headquarters in a half an hour to provide a statement.

/jl

Action: 676
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 91
2015-04-28 13:58:00

Bill James attended RCMP headquarters. Statement began with him at this time. Audio recorded only. The following was noted:

Action: 677
M NIPPARD

Joe Smyth contacted Bill James and asked him to go along on the re-enactment.

James role was to observe only. He is a use of force instructor and his role was to observe and determine if there were things that needed to be done different in their training of the RNC's officers

He and Smyth drove out to Mitchell's Brook. Smyth drove

They arrived and met with the investigators outside the residence

They began the re-enactment. Smyth indicated that he met with Donald Dunphy first while Smyth was outside and Dunphy was at the door.

Smyth identified himself as a police officer and showed his badge

Dunphy invited Smyth into the residence

Bill James described the residence then, the derelict stairs and patio outside and then the layout of the rooms inside the residence

House condition was very poor

Dunphy and Smyth had a conversation for several minutes in the living room. Smyth was stood up over by a fireplace and Dunphy was sitting

Smyth recalled a stick on the floor next to Dunphy that had tape on it.

Dunphy told Smyth it was for protection

Smyth said he did not feel threatened by the stick or Dunphy. Dunphy was small in size and Smyth was confident that should things turn violent he could physically handle Dunphy

Dunphy would get upset and then calm down. Smyth kicked a piece of garbage on the floor and bugs came out, Smyth then told Dunphy that he had concerns for him

Smyth then seen a rifle being pointed at him by Dunphy, Smyth came up with his left hand in a stop motion. Smyth could not recall reaching for or drawing his firearm

According to James, Smyth fired his gun twice centre mass, then twice towards his head. Struck him in the temple area on the last shot

Smyth was firing as he was trying to get out of the room past Dunphy as there was no other exit

Smyth shouted commands for Dunphy to drop the gun, he then "sliced the pie" to re-enter the room. He seen the rifle on the floor and then seen Dunphy

Smyth thought Dunphy was obviously deceased, He nonetheless checked for a pulse. Dunphy was deceased

Smyth then became very tactically aware of anyone else in the residence or a neighbour hearing the shots and coming to the residence

Smyth called RCMP telecom's to report the shooting and then called his own telecom's as well



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Action ID:

Smyth was emotionally stable throughout the ordeal except on two occasions. He got somewhat upset when they first arrived in Mitchell's Brook as it began reminding him of the day in question. This happened again in the home when Smyth smelled the odour in the home. This also triggered a memory for him.

James said that there were many cats in the residence. There was a strong odour of urine and cat food was all over the floor. There were approximately 40 cats

Present for the re-enactment was, Joe Smyth, Steve Burke, Kelly Lee, Dion Foote, Judge Riche and himself

He did not personally touch anything and does not recall anyone else moving or touching anything either

During the re-enactment nothing stood out or was alarming to James

He does recall the event being video taped by Kelly Lee

Bill James has known Joe Smyth since Smyth first became a member

For the past several years Bill James has been a use of force instructor with the RNC.

/jl
(Supplementary Report of Cst NIPPARD)

Task No: 91
2015-04-28 14:19:00

Statement was concluded. James escorted from the building.

Statement burned to disc and notes copied. Both placed on file.

This task concluded.

Action: 678
M NIPPARD

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 96
2015-04-29 9:35:00

Task Assignment: 96 - Statement

Cst NIPPARD received an e-mail from Lindsey Anstey advising he would be at RCMP headquarters around 11 a.m. and would be able to provide a statement then. E-mailed him back and confirmed same.

/jl

Action: 701
M NIPPARD

Task No: 39
2015-04-29 9:52:00

Task Assignment: 39 - Lab Analysis

E-mail from Sgt.Kent Osmond to Insp.Cahill advising him that the request to expedite the exhibit testing would need to come from his level of rank or above.

/jl
(Cst NIPPARD)

Action: 339
M NIPPARD

Task No: 80
2015-04-29 11:00:00

Task Assignment: 80 - Statement

Cst NIPPARD called Thomas Hearn and left a message for him to call me back. Cst NIPPARD was assigned task to obtain a statement from him covering of his knowledge of Donald Dunphy's glasses.

A short time later Hearn called Cst NIPPARD back and advised he would be home all afternoon and Cst NIPPARD could drop by anytime to provide a statement.

/jl

Action: 583
M NIPPARD

Task No: 39
2015-04-29 11:12:00

Task Assignment: 39 - Lab Analysis

Insp Cahill sent e-mail advising that a meeting was requested with National Operations to discuss the matter. Requested list of exhibits sent for testing.

/jl
(Cst NIPPARD)

Action: 340
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 96
2015-04-29 11:37:00

Task Assignment: 96 - Statement

Cst NIPPARD began the audio statement of Lindsey Anstey. Taken at the RCMP headquarters. The following was noted:

Action: 702
M NIPPARD

He began working with Joseph Smyth on November 11th, 2013 in the Premiers Protective Detail.

Anstey knew Smyth before through Anstey's role in VIP work with the RCMP.\

Anstey would obtain the assistance of Smyth, during incidents where high profile political figures and/or royalty would visit the Province. Anstey would have Smyth assist him in blocking roadways and having marked police cars available for certain functions.

He worked with Smyth on a week to week- month to month basis until he made a decision to retire and agreed with his superiors he would stay in the role until he was finished.

When Anstey first went to the unit there were 4 of them. Anstey and 3 RNC officers. When Premier Dunderdale left office and Premier Marshall came in their roles changed and the unit went down to 2 members, Anstey and Smyth.

Their shifts would sometimes be the same if a particular function required both of them to be working but often they worked opposite of one another.

Tammy Madden was one of the other RNC officers in the unit when there was 4.

When it came to threats or information that came in of concern the way in which it was handled would range. It could be as simple as a conversation regarding the incident up to a full investigation and charges laid.

Actual home visits during a investigation would happen 3-4 times a year approximately.

Typically when a perceived threat came in, an in person visit would be done to assess the threat level present. Asking the person what they meant exactly, what their intent was and try to mitigate the issue at hand if possible. Essentially trying to avoid a more serious occurrence.

Anstey has never witnessed Smyth have to use force in his duties. He has been at events in which Smyth would calm people down who were shouting etc but never any force used. No physical altercations.

As a co-worker, Smyth was good to work with, professional, respected, he ensured he did his due diligence to his daily duties and was a well thought officer.

Anstey did have a conversation with Smyth after the shooting. He called him on Tuesday April 7th, 2015. He touched base with him as a friend. Spoke to each other for 10-15 minutes.

Smyth told Anstey what had happened but Anstey did not ask any



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questions of him.

Smyth gave him the general details of what had happened. He said he completed his checks of the subject, spoke with neighbour, When he did meet with Dunphy he was invited in and identified himself as a police officer, they talked for a while inside the home, Smyth made a comment concerning Dunphy's living conditions and being concerned for Dunphy, Smyth also asked him about a baseball bat on the floor in the residence, Dunphy became agitated and would be up and down, Smyth had looked down to the floor for a moment and looked up to see Dunphy raising a gun at him, Smyth expected to get shot, doesn't recall much detail after that, he fired his weapon as he exited the room in an effort to get away from Dunphy.

Anstey did not recall anything alarming ever happening while he was ever around Joe or anything to that effect ever being said during their conversation.

Anstey said that from the story as he knew it, he could not see himself doing anything different in that situation. It was typical for 1 police officer to a home to make a inquiry, and Anstey said he himself went on home visits alone to speak with persons of interest while on the Premiers Detail.

/jl

Task No: 96
2015-04-29 11:56:00

Statement Concluded.

Notes copied and statement burned to disc. Placed on hardcopy file.

Cst. Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 703
M NIPPARD



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 80
2015-04-29 14:27:00

Task Assignment: 80 - Statement

Cst NIPPARD attended the residence of Tom Hearn in Mitchell's Brook. Tom Hearn answered the door and invited Cst NIPPARD in to speak with him. An audio statement began at this time.

Action: 584
M NIPPARD

The following was noted during the conversation:

Tom was spoken with During neighbourhood checks on April 5th, 2015. We went over much of the information he provided me on that date to have same on the record.

Hearn knew Donald Dunphy for 20 years and spoke to him last approximately 2-3 weeks ago.

Donald Dunphy never mentioned anything about any ongoing investigation into himself.

Hearn guessed that Dunphy had 45 cats on his property and that he did look after them very well.

Donald Dunphy had 1 daughter, Megan. She moved out of her fathers home 5-6 years ago.

Hearn advised he had 18 members of his family over to his house today for Easter dinner and that no one there heard any gun shots.

They family members were there at 2:30 p.m. when this happened and left between 6:30 p.m. and 7:00 p.m.

Hearn never knew for Dunphy having a gun.

Hearn knew that Dunphy smoked weed and seen the plants in his residence about 4 months ago. He knew that Dunphy had a license to do same.

Donald Dunphy did not seem like a violent person.

Donald Dunphy was in the hospital last year and had an operation regarding his bowels. He was in the hospital for 3-4 days.

Dunphy's living conditions have went down hill since his daughter Megan moved out. It started after his wife died but got worse after Megan.

Dunphy did wear glasses for reading. He never wore them when he was going around outside the home.

The glasses he believed were not prescription, rather just a pair of reading glasses from a store shelf.

Hearn described the glasses as having tape on them in the middle, might have been brown in color. Dunphy only wore them at home for reading as far as Hearn knew.

Dunphy's appearance hasn't changed. He has always had the same basic appearance as he did on April 5th,2015. No dramatic weight loss etc.

Dunphy wouldn't go far from home. Went to get groceries, banking, lotto tickets. Normal things.



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Date / Time:

Action:

Action ID:

Task No: 80
2015-04-29 14:38:00

/jl

Statement Concluded.

Notes copied and statement burned to disc. Same placed on file.

Cst.Michael Nippard 55787

/jl

Action: 585
M NIPPARD

Task No: 73
2015-04-29 15:51:00

Task Assignment: 73 - Statement

Sgt OSMOND has reviewed the statements provided by Mr. CORCORAN and Ms. DUNPHY.

As this written document was submitted to the RCMP as a substitute for the interview that was requested, OSMOND suggests conclusion of this task.

Should Cpl BURKE have issues arising that aren't covered in these statements, or questions arising from same, he can suggest a re-work.

DKO #42034 (Sgt)

/jl

Action: 964
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 77
2015-04-30 8:48:00

Task Assignment: 77 - Eye glasses

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 570
S BURKE

Task No: 91
2015-04-30 8:53:00

Task Assignment: 91 - Scene Examination

Task reviewed and concluded.

CH

(S.D. BURKE) CPL.

Primary Investigator

/jl

Action: 679
S BURKE

Task No: 76
2015-04-30 9:00:00

Task Assignment: 76 - Video

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl
(No time on PROS Report)

Action: 565
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 9
2015-04-30 9:25:00

Task Assignment: 9 - Statement

Cpl BURKE called Richard DUNPHY to asked directly if he heard any gunshots on the day his brother was shot. DUNPHY said they were upstairs and it was windy that day and he did not hear any gunshots.

DUNPHY advised Cpl BURKE of another friend of Donald DUNPHY, Ken DALEY.

Task to interview DALEY created.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 163
S BURKE

Task No: 89
2015-04-30 10:21:00

Task Assignment: 89 - Criminal Code / Case Law Research

Task reviewed and concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 644
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 97
2015-04-30 10:58:00

Task Assignment: 97 - Statement

Member reviewed task and sent the following email:

Hey Shannon;

During a file review I noted that you refused to provide a statement in relation to Joe SMYTH saying that you did not have anything good to say.

The purpose of the statement is to get your view of the operational performance of Joe SMYTH when you worked with him in the capacity Premier Protective Detail. Relevant information would include but not limited to tactical operations, risk assessments, police and public safety, adherence to policy and any incidents that concerned you operationally.

For the purposes of this investigation, any personal or workplace issues are not considered relevant unless it was of an operational nature.

For your consideration.

thanks,

Steve

/jl

Action: 708
S BURKE

Task No: 101
2015-04-30 11:05:00

Task Assignment: 101 - Statement

Cst NIPPARD was assigned a task to obtain a statement from Tammy [redacted] (sp?) who was mentioned as a former co-worker of Joseph Smyth's in the Premiers detail. Cst NIPPARD contacted RNC telecom's and obtained an office number for Tammy. [redacted] 650. Cst NIPPARD called and left a message for her to call me back.

/jl

Action: 722
M NIPPARD



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 42
2015-04-30 12:00:00

Task Assignment: 42 - SPCA Liaison

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator

/jl

Action: 405
S BURKE

Task No: 45
2015-04-30 12:00:00

Task Assignment: 45 - Media

Task reviewed and concluded. Statements were obtained from both neighbours and neither recalled hearing gunshots. Neighbourhood enquires were also conducted in the area. Member recalls when attending the scene that there was a police vehicle blocking the road and this maybe the area where the person was permitted to return to their residence, police tape was only surrounding the DUNPHY property.

CH
(S.D. BURKE) Cpl.
Primary Investigator

/jl
(No time on PROS report)

Action: 426
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 54
2015-04-30 12:00:00

Task Assignment: 54 - Independent Observer

In recent meetings, another letter from Ms BREEN was discussed, wherein she raised more concerns about the RCMP investigation and requested that her letter be included in the disclosure to Mr RICHE. This would be done as a matter of course anyway as he will receive every piece of material produced in this investigation. However, it was also decided that Crim Ops would raft a letter to Mr RICHE to draw his attention to BREEN's letters / concerns.

Same to be completed by S/Sgt FITZGERALD for C/Supt BOLAND's review and signature.

/jl
(No time on PROS Report)

Action: 478
K OSMOND

Task No: 100
2015-04-30 12:00:00

Task Assignment: 100 - Statement

Cst NIPPARD was assigned task to locate and attempt a statement with Ken Daley. Believed to be a friend of Donald Dunphy's by Richard Dunphy. Ken's father is [redacted] Daley apparently from St.Joseph's, NL.

Cst NIPPARD completed queries for both mentioned Daley's in an attempt to find contact information.

MRD confirmed a: [redacted] Daley from St.Joseph's. Phone number on Canada 411 was 709-[redacted]017.

Also found a Kenneth Daley of St.Joseph's. No known phone.

/jl

Action: 713
M NIPPARD



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 73
2015-04-30 12:00:00

Task Assignment: 73 - Statement

Task reviewed, no follow up issues arising from statements provided from DUNPHY and CORCORAN, task concluded.

CH

(S.D. BURKE) Cpl.

Primary Investigator

/jl

(No time on Supplementary Report. Associated to notes of Sgt. OSMOND made on 2015-04-29, 15:51 hrs)

Action: 965
S BURKE

Task No: 101
2015-04-30 12:02:00

Task Assignment: 101 - Statement

Cst NIPPARD called again. No answer.

/jl

Action: 723
M NIPPARD

Task No: 12
2015-04-30 12:46:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE called Dr. DENIC for question re scene photos and body position. Dr. DENIC not in office and message left for him to return my call.

SUI

(S.D. BURKE) Cpl.

/jl

Action: 885
S BURKE

Task No: 100
2015-04-30 12:50:00

Task Assignment: 100 - Statement

Cst NIPPARD called number listed for AI and left a message for call back.

/jl

Action: 714
M NIPPARD



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 100
2015-04-30 14:15:00

Cst NIPPARD received a call from [REDACTED] Daley. Confirmed his son is Ken Daley. [REDACTED] will try and get in touch with him and have him call be back. Ken has been unavailable most of the time as [REDACTED].

Action: 715
M NIPPARD

/jl

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-04-30 14:17:00

Cpl BURKE received a return call from Dr. AVIS, who is the Dr. in charge of the DUNPHY shooting. Cpl BURKE asked Dr. AVIS about the hand positron of the deceased as noted in the scene photos. Dr. AVIS said the hand position of the deceased does not mean that was his hand position before he was shot. Dr. AVIS added that it would be possible to move the body for a certain time post mortem. Cpl BURKE explained the reason for questions on this about whether the police officer involved moved the body in any way, also if there may have been any sort of a struggle or altercation. Dr. AVIS said that scene evidence indicated that DUNPHY was indeed in seated the the chair when he was shot due to trajectory and the fact there was brain matter on the back of the chair. He also advised that as part of his autopsy report he will speak to any other injuries besides the bullet wounds. Dr. AVIS mentioned the fact that the police officer entered the residence believing that there was no firearms present and then one was presented. (This was contradict any theory that the police officer would have placed any firearm at the scene, not knowing there was a firearm there and the last known location of one would have been behind the couch (Meghan DUNPHY statement).

Action: 886
S BURKE

/jl

Task Assignment: 39 - Lab Analysis

Task No: 39
2015-04-30 16:04:00

Cst.Galway sent a list of the sent exhibits to Insp.Cahill as requested.

Action: 341
M NIPPARD

/jl
(Cst NIPPARD)



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 100
2015-04-30 20:58:00

Task Assignment: 100 - Statement

Cst NIPPARD received a call from Ken Daley but lost the call due to connection. Unable to reach him. Left a message on his voicemail.

/jl

Action: 716
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 100
2015-05-01 8:49:00

Cst NIPPARD called the number for Ken again and it went straight to voicemail.
/jl

Action: 717
M NIPPARD

Task Assignment: 90 - Subject Matter Expert

Task No: 90
2015-05-01 10:47:00

Cpl BURKE received a message back from Insp. BLACKMORE advising of a CROPS to CROPS discussion.
SUI
(S.D. BURKE) Cpl.
/jl

Action: 649
S BURKE

Task Assignment: 96 - Statement

Task No: 96
2015-05-01 11:28:00

Task reviewed and concluded.
CH
(S.D. BURKE) CPL
Primary Investigator
/jl

Action: 704
S BURKE

Task Assignment: 80 - Statement

Task No: 80
2015-05-01 11:48:00

Task reviewed and concluded.
CH
(S.D. BURKE) CPL
Primary Investigator
RCMP Major Crimes Unit
/jl

Action: 586
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 100
2015-05-01 12:22:00

Task Assignment: 100 - Statement

Cst NIPPARD received a call from Ken Daley. He will meet with me today at the Tim Horton's on Ruth Avenue. Meeting set for 3 p.m.

/jl

Action: 718
M NIPPARD

Task No: 97
2015-05-01 14:09:00

Task Assignment: 97 - Statement

Cst NIPPARD began an audio recorded statement with Shannon Mcentegart. Taken at the RCMP headquarters interview room. The following was noted:

She worked with Joseph Smyth in the Premiers detail. She started there in May or June 2012 and finished up in November 2013.

While she was there there were 3 RNC officers in the Unit and her as the sole RCMP member. RNC were Joe, Tammy Madden and Eddie Benoit.

While She was there Premier Dunderdale was the units security focus.

Her and Joe were paired up together and worked the same shift as one another often. They worked in teams of two and her and Joe were a team for some time. She was also paired up with Tammy Madden during her time there.

In the units duties they would follow up with threats or comments that were made via e-mail or social media. Background checks would be completed on the subjects and meetings in required.

There was no specific policy that she was aware of in the unit to have 2 members attend house visits or meet with someone in person.

She did have work related issues with regards to Joe. He was in charge of the unit and they butted heads a few times on work related issues such as scheduling. Their respective personalities clashed and they didn't really get along well.

With regards to officer safety Joe was great and always did well.

She has not spoken to Joe since this event happened.

She was not aware of any complaints made against Joe by any members of the public.

She ha completed home visits to follow up on treats or comments herself. Was with Joe when visiting a residence in the city.

She never had to use force herself in any situation while on the Premiers detail.

/jl

Action: 709
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 97
2015-05-01 14:20:00

Statement Concluded.
Notes copied and placed with this report on the hardcopy file with the burned statement.
This task concluded.
Cst.Michael Nippard 55787
RCMP Major Crimes Unit
/jl

Action: 710
M NIPPARD

Task No: 100
2015-05-01 15:23:00

Task Assignment: 100 - Statement
Cst NIPPARD began an audio recorded statement of Ken Daley. Statement taken in the parking lot at the Tim Horton's on Ruth Avenue, Mount Pearl. The following was noted:
Ken has been an acquaintance of Donald Dunphy's since the 70's however only really got to know him around the year 2000 when Dunphy started working with him at the Department of Highways.
Dunphy left again in 2004 regarding a re-occurrence of a workplace injury. Was off on Workers Compensation.
Dunphy was initially hurt many years ago but came back to work in 2000.
Ken has been to Dunphy's home approximately 4-5 times over a 3-5 year period.
40-50 cats around the residence.
Workers Compensation was a big issue for Dunphy.
Ken described Dunphy as a complicated person.
Ken never knew Dunphy to be a violent person and did not know that he owned a firearm.
Dunphy's home was much as it is now, in very poor overall condition.
Ken was not sure if Dunphy wore glasses or not.
Ken described Dunphy as not a real lover of anyone.
Ken was last inside Dunphy's residence last fall. (2014) and the residence condition was essentially that of what it is now.
Ken was asked about Dunphy's issues with his family and Ken stated that Dunphy kept everyone at bay and had a different way of thinking.
/jl

Action: 719
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 100
2015-05-01 15:37:00

Statement of Ken Daley was concluded.

Notes copied and placed with report and statement disc on the file.

This task submitted for conclusion.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit.

/jl

Action: 720
M NIPPARD

Task Assignment: 84 - Timeline

Task No: 84
2015-05-01 15:59:00

Cpl FOOTE is waiting for download and contents to be analyzed and forwarded. DD Extension requested.

D Foote Cpl 51545

Action: 621
D FOOTE

Task Assignment: 65 - Disclosure

Task No: 65
2015-05-01 16:11:00

Second lot of disclosure for Mr Riche is completed. Cpl Burke advised he will deliver same next week. Request DD extension.

D Foote Cpl

/jl

Action: 502
D FOOTE

Task Assignment: 13 - Notes - File Coordinator

Task No: 13
2015-05-01 16:30:00

Cpl FOOTE has notebook notes to be added to this folder regarding ongoing file coordination and updates. Please extend DD.

D Foote Cpl 51545

/jl

Action: 141
D FOOTE



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Date / Time:

Action:

Action ID:

Task No: 5
2015-05-03 21:45:00

Task Assignment: 5 - Neighbourhood Inquires

End of information. Thanked for his time and departed the residence.

This task concluded. Neighbours on both sides of the Dunphy residence within ear shot and further were spoken with and no one heard any gun shots from this incident. This was likely due to a number of factors including many families getting together for Easter dinner, it was windy and the shots were fired inside the home and the residence's are a fair distance from one another.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 116
M NIPPARD



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File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 102
2015-05-04 9:00:00

Task Assignment: 102 - Statement

Cst NIPPARD assigned task to obtain a statement from Eddie Benoit. Former co-worker of Joseph Smyth while in the Premier's detail.

/jl

(No time on the Supplementary Report)

Action: 727
M NIPPARD

Task No: 68
2015-05-04 9:45:00

Task Assignment: 68 - Cell Phone

Meghan DUNPHY showed up at the Holyrood office, and Cst GALWAY gave her back her father's phone. She was enquiring about the SPCA, and how she could not get a hold of anyone at their office.

Cst GALWAY checked with S/Sgt. TILLER, who had been speaking with Kristy, from the SPCA, on April 24th. Kristy advised that they had removed 46 cats, to date, and that they estimate that there is 25-30 more, still on the property. They were overwhelmed with the numbers, and have run out of room. It will take at least another month to get all the cats.

This info was passed on to Meghan.

Cst. John GALWAY

/jl

Action: 826
J GALWAY

Task No: 102
2015-05-04 13:21:00

Task Assignment: 102 - Statement

Cst NIPPARD called RNC telecom's and obtained a number to call for Eddie Benoit. 709-753.

Cst NIPPARD called and spoke with Eddie. He was working and tied up today. He advised he will give me a call later when he figures out a time he is available on Wednesday or Thursday. Will meet with me one of those days.

/jl

Action: 728
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 4
2015-05-04 15:09:00

Task Assignment: 4 - Exhibit Custodian

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator

/jl

Action: 108
S BURKE

Task No: 51
2015-05-04 15:11:00

Task Assignment: 51 - NWEST

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator

/jl
(Associated to TA 815)

Action: 816
S BURKE

Task No: 40
2015-05-04 15:12:00

Task Assignment: 40 - Lab Analysis

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator

Action: 393
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 51
2015-05-04 15:14:00

Task Assignment: 51 - NWEST

Task reviewed
SUI
(S.D. BURKE) CPL.
/jl
(Associated to TA 811-813)

Action: 814
S BURKE

Task No: 68
2015-05-04 15:15:00

Task Assignment: 68 - Cell Phone

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
/jl

Action: 822
S BURKE

Task No: 39
2015-05-04 15:16:00

Task Assignment: 39 - Lab Analysis

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
jl
(Associated to TA 805)

Action: 806
S BURKE



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Date / Time:

Action:

Action ID:

Task Assignment: 51 - NWEST

Task No: 51
2015-05-04 15:16:00

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
/jl
(Associated to TA 807)

Action: 808
S BURKE

Task No: 51
2015-05-04 15:16:00

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
/jl
(Associated to TA 809)

Action: 810
S BURKE

Task Assignment: 68 - Cell Phone

Task No: 68
2015-05-04 15:18:00

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
/jl
(Associated to TA 826)

Action: 827
S BURKE



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Date / Time:

Action:

Action ID:

Task Assignment: 15 - Family Liaison

Task No: 15
2015-05-04 15:19:00

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
/jl
(Relates to the Supplementary Report of Cst GALWAY referring to Folder 010 & 015 - Autopsy and Family Liaison.)

Action: 1043
S BURKE

Task No: 15
2015-05-04 15:20:00

Task reviewed
SUI
(S.D. BURKE) CPL
Primary Investigator
/jl
(Associated to TA 799)

Action: 800
S BURKE

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-05-04 16:55:00

Cpl BURKE received a call from Veronica [redacted] of Premier Paul DAVIS' Office. She advised that she received an ATIP request for an email sent to Joe SMYTH from Donna IVY regarding a Twitter message sent by Donald DUNPHY. [redacted] further explained that the message was sent on April 3, 2015. Cpl BURKE said the email is included in our file but was not sent as a part of our investigation and the RCMP does not have the authority to holdback that email. Cpl BURKE advised that she should consult with the RNC is see if it would interfere with their investigation into the contents of that email.
SUI
(S.D. BURKE) CPL
/jl

Action: 887
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 5
2015-05-04 18:53:00

Task Assignment: 5 - Neighbourhood Inquires

Cst NIPPARD arrived on scene at Mitchell's Brook, NL, out the residence of Donald Dunphy. Cst NIPPARD continued past this residence and knocked at the door of the neighbouring home, civic number [REDACTED] Rochelle Nolan answered and invited me in to speak with her concerning this matter. Cst NIPPARD spoke with Nolan at length in the presence of her 15 year old son and 80 year old mother. She had an extensive knowledge of Donald Dunphy's background as she had lived in the community for 20 years and next door to him for 12 years.

/jl

Action: 109
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 20
2015-05-05 0:00:00

Task Assignment: 20 - Media

Task reviewed, report concluded

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 175
S BURKE

Task No: 97
2015-05-05 11:44:00

Task Assignment: 97 - Statement

Task reviewed and concluded. Tasks generated to obtain statements from other SMYTH'S co-workers

CH

(S.D. BURKE) Cpl

Primary Investigator

/jl

Action: 711
S BURKE

Task No: 20
2015-05-05 12:00:00

Task Assignment: 20 - Media

Task reviewed, report concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

(No time on Supplementary Report)

Action: 1026
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 101
2015-05-05 12:50:00

Task Assignment: 101 - Statement

Cst NIPPARD began an audio recorded statement with Tammy Madden while in her residence in Gould's, NL. The following was noted:

Action: 724
M NIPPARD

She has been with the RNC for 10 years. She began with the Premiers detail in December 2010 and finished up in January 2014. At the beginning it was just her and Joseph Smyth. They were partners for close to 2 years before 2 more members were added to the unit. Eddie Benoit and Shannon Mcentegart were the members added. 1 RNC and 1 RCMP. Once they came her and Joseph split up their experience and paired up with the new officers. Her with Eddie and Joseph with Shannon. Their main duties were to follow the Premier wherever they went and provide security detail. During her time she was under Premier Cathy Dunderdale's detail. They would investigate comments/threats etc that came in via media. They would complete background checks often on persons of interest who had made comments or came to their attention. This was a means of constantly monitoring the person. They would watch them on social media as well. During her time paired with Joseph, she never seen him have to use any force. She has never had to use force herself. Often found that their presence was enough to deter. She did not know for any complaints made against Joseph during her time there. Described Joe as calm, level headed, never got angry. Always conscious of his role and environment. Was a thorough member of the unit. Was the acting sergeant in charge. When she left, Joseph, Lindsay and Eddie remained as far as she could recall. Don Dunphy never came up before during their duties as far as she could recall. She did speak with Joseph after the incident. She texted him offering her support and also when on vacation she met up with him in the airport in Florida, USA. Joseph did tell her about the incident. He went into details such as the firearm being presented suddenly when he was looking at his papers, that it was instinctive, and how he was waiting there after thinking the brother may come over. Nothing he said was alarming to her. He did not go into specific detail as their families were close by. She again offered her support. She has known Joseph since she joined the RNC. Got to know him



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Date / Time:

Action:

Action ID:

Task No: 101
2015-05-05 13:03:00

more in the unit.

/jl

Statement concluded.

Notes copied and placed on file with report and statement disc.

This task concluded.

Cst. Michael Nippard 55787

RCMP Major Crimes Unit.

/jl

Action: 725
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 102
2015-05-06 10:17:00

Task Assignment: 102 - Statement

Cst NIPPARD called and spoke with Eddie Benoit. He will call me back shortly to discuss a time for the interview. He is likely free later today or tomorrow.

/jl

Action: 729
M NIPPARD

Task No: 95
2015-05-06 15:00:00

Task Assignment: 95 - Statement

Cst NIPPARD met with RNC member Eddie Benoit to obtain a statement from him. Cs NIPPARD asked him about Cpl.Doug Noel as he is a co-worker. He advised Doug is away until Friday on holidays.

/jl

Action: 692
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 102
2015-05-06 15:11:00

Task Assignment: 102 - Statement

Cst NIPPARD began an audio recorded statement of Eddie Benoit. Taken at RCMP headquarters. The following was noted:

Action: 730
M NIPPARD

Eddie started with the RNC in 2006 and has known Joseph Smyth since then. Eddie started with the Premiers detail in May 2012 and finished up in either February or March 2014. At that time the unit went from 4 members down to 2. There were 4 members there when he started. A few weeks into his time there Shannon Mcentegart started there as the first RCMP officer in the unit. During his time there he did not have any situations where he had to use force during his duties and has not seen Joseph Smyth use force in his duties either. Eddie stated that during his time there home visits were done to go and speak with persons of interest approximately 6 times. The main role of the unit was to accompany the Premier to all daily functions and provide security. They would also handle perceived possible threats that would come to their attention via social media, e-mail, word of mouth etc. These incidents usually ended up being people making harsh comments in the heat of the moment that would be apologetic afterwards. He has never had to lay a criminal charge while in that unit. There wasn't any policy that he was aware of that required two members to attend home visits. This was a case by case issue and would be determined from the situation at hand. Eddie could not recall ever hearing Donald Dunphy's name come up before during his time there. Eddie did not believe there were any issues of violence or anger with Joseph Smyth. Eddie was contacted to go back into the unit after this incident resulted in Joseph Smyth being off duty. Since the shooting the RNC has added another member back to the unit who just started. Eddie did speak with Joseph Smyth after the shooting. He first sent him a message of support and after that seen him in passing at the office when Joseph would come in to pick things up. Eddie did get bits and pieces of what had happened but no detail at all. This was in the weeks after the shooting. Eddie did not ask any questions, knowing that an investigation was ongoing.

/jl



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Date / Time:

Action:

Action ID:

Task No: 102
2015-05-06 15:23:00

Statement Concluded.
Cst.Michael Nippard 55787
RCMP Major Crimes Unit

/jl

Action: 731
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 65
2015-05-07 12:00:00

Task Assignment: 65 - Disclosure

Cpl BURKE with Cst. NIPPARD attended the residence of Rtd Justice RICHE and delivered updated disclosure. The contents of the binders were explained to Mr. RICHE. A total of 4 binders were delivered including previously disclosed material.

Action: 503
S BURKE

SUI

Statement transcriptions

DD updated

(S.D. BURKE) CPL

Primary Investigator

/jl
(No time on PROS Report)

Task No: 92
2015-05-07 14:40:00

Task Assignment: 92 - Statement

Cst NIPPARD began the audio recorded statement of retired Judge Riche. Taken at his home in St.John's, NL. The following was noted:

Action: 683
M NIPPARD

- Recalls being present for the first re-enactment on April 8th, 2015. In the afternoon. Recalled the event being video recorded by a female RCMP officer.

- Recalls being present for the secondment re-enactment on April 10th, 2015. In the afternoon. Recalled the event being video recorded as well.

- Both re-enactments were essentially the same. No glaring inconsistencies were noted or observed.

- Sgt.Osmond contacted him and advised him when the first re-enactment video was lost. Issue with the media being processed and it was lost.

/jl



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Date / Time:

Action:

Action ID:

Task No: 92
2015-05-07 14:43:00

Statement concluded.

Notes copied and statement burned to disc. Placed on file with printed report.

Cst.Michael Nippard 55787
RCMP Major Crimes Unit

/jl

Action: 684
M NIPPARD

Task Assignment: 82 - Legal Correspondence

Task No: 82
2015-05-07 16:28:00

Cpl BURKE received an email from Erin BREEN. On behalf of Meghan DUNPHY she was looking for information on why an RNC vehicle was parked near Meghan's residence.

/jl

Action: 888
S BURKE

Task No: 82
2015-05-07 17:01:00

Cpl BURKE responded that it was not part of this investigation and for Meghan to contact the RNC.

SUI

(S.D. BURKE) CPL.

/jl

Action: 889
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 69
2015-05-08 10:05:00

Task Assignment: 69 - RNC Information

Cpl BURKE picked up package at RNC HQ containing requested information re: Joe SMYTH. Cpl BURKE reviewed the information and noted the following:

Action: 527
S BURKE

contained in the package was Joe SMYTH'S training history, Correspondence from Sgt. W. JAMES regarding clarification of SMYTH'S training and various use of force literature, various routine orders (clarify existing policy or new policy), SMYTH'S use of force report
RCMP request letter

Joe SMYTH did not have any occasions to use force since 2010 other than the incident involving Mr. Donald DUNPHY

Joe SMYTH'S Professional Standards File was not disclosed. Available for review at RNC HQ by investigator

RNC policy for: Assistance to Outside Agencies, Criminal Investigation Division, Firearms, Deaths, Protective Services Unit (PSU), Jurisdiction, Use of Force

SMYTH'S Use of Force training records were up-to-date to 2012-12-07. Use of Force Unit Sgt. JAMES clarified that SMYTH firearms training was completed every year since going back to 2010 with last qualification in firearms on 2014-04-17.

No information with regards to SMYTH'S Use of Force Reports. Sgt JAMES had not received any reports concerning SMYTH'S conduct in relation to use of force.

Plain clothes officers are to wear the following use of force options when reporting for duty: issued firearm, minimum of 2 magazines of ammo (one in firearm and other in magazine/handcuff pouch) and OC spray. Issued baton and third magazine can be stored in locker for routine plainclothes duties. However, a plainclothes member must carry all their use of force equipment and wear their issued body armour when participating in planned arrests or execution of a search warrant where based upon a risk assessment it has been determined there is a potential for violence.

Cpl BURKE reviewed handout for Survival Stress, High Risk Vehicle Stops

Use of Force Model reviewed and included in this task - Of particular



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note is that when grievous bodily harm or death is perceived by the police officer, lethal force is a reasonable use of force option (all based on a continuous assessment of the situation). RNC members training in use of force involves factors as follows: In order for police to use force to control a subject, three elements must exist - Weapon/means, Intent and Delivery System / Ability.

Application of Lethal Force - Law enforcement officers may use lethal force only when necessary, that is, when the officer has reasonable belief that the subject of such force poses an imminent danger of death or grievous bodily harm to the officer or to another person.

RNC member are to qualify of firearms every calendar year.

SUI

Professional Standards File

(S.D. BURKE) Cpl.

/jl



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Date / Time:

Action:

Action ID:

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-05-11 11:10:00

Request DD extension.
Cst. John GALWAY

/jl

Action: 948
J GALWAY

Task No: 4
2015-05-11 11:11:00

Request DD extension.
Cst. John GALWAY

/jl

Action: 949
J GALWAY

Task No: 4
2015-05-11 11:11:00

Request DD extension.
Cst. John GALWAY

/jl

Action: 950
J GALWAY

Task Assignment: 69 - RNC Information

Task No: 69
2015-05-11 15:11:00

Cpl BURKE contacted RNC lawyer Wendy ZDEBIAK and arrangements were made to attend the RNC HQ to view Joe SMYTH'S Professional Standards file on 2015-05-12 @ 0900

SUI

(S.D. BURKE) Cpl.

/jl

Action: 528
S BURKE

Task Assignment: 90 - Subject Matter Expert

Task No: 90
2015-05-11 15:52:00

Cpl BURKE contacted Insp. CAHILL for an update.

SUI

(S.D. BURKE) CPL

/jl

Action: 650
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 69
2015-05-12 9:14:00

Task Assignment: 69 - RNC Information

Cpl BURKE attended the RNC HQ and was presented with Joe SMYTH'S Professional Standards file by Ms. ZDEBIAK. Upon review Cpl BURKE noted the following:

Action: 529
S BURKE

-There were 3 internal investigations conducted on SMYTH in 2004 and 2005 and are not considered relevant to this investigation.

-SMYTH while on vacation in the British Virgin Islands was arrested and charged with property damage on May 14, 2005 @ Road Town. The report detailed that SMYTH was intoxicated and was walking home from the bar area. SMYTH was robbed by two men who took his wallet including RNC police ID. SMYTH then ran after the men and damaged 4 parked vehicles in the area with what is believed to be a piece of 2X4 and a flower pot. Police attended, arrested SMYTH and he was held in custody until May 17, 2005. SMYTH plead guilty to the charges to expediate the process (if he plead not guilty, count would not occur until October or November 2005. SMYTH was released and was required to pay about \$10,000 in court fees and restitution.

An RNC internal investigation was also conducted into the Virgin Islands incident and SMYTH was found in Breach of Section 7(1)(p) conduct unbecoming of a police officer and liable to bring discredit upon the Constabulary.

/jl



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Date / Time:

Action:

Action ID:

Task No: 70
2015-05-12 9:14:00

Task Assignment: 70 - Database Queries

copied from Supp Report from Folder 069

Cpl BURKE attended the RNC HQ and was presented with Joe SMYTH'S Professional Standards file by Ms. ZDEBIAK. Upon review Cpl BURKE noted the following:

-There were 3 internal investigations conducted on SMYTH in 2004 and 2005 and are not considered relevant to this investigation.

-SMYTH while on vacation in the British Virgin Islands was arrested and charged with property damage on May 14, 2005 @ Road Town. The report detailed that SMYTH was intoxicated and was walking home from the bar area. SMYTH was robbed by two men who took his wallet including RNC police ID. SMYTH then ran after the men and damaged 4 parked vehicles in the area with what is believed to be a piece of 2X4 and a flower pot. Police attended, arrested SMYTH and he was held in custody until May 17, 2005. SMYTH plead guilty to the charges to expediate the process (if he plead not guilty, count would not occur until October or November 2005. SMYTH was released and was required to pay about \$10,000 in court fees and restitution.

An RNC internal investigation was also conducted into the Virgin Islands incident and SMYTH was found in Breach of Section 7(1)(p) conduct unbecoming of a police officer and liable to bring discredit upon the Constabulary.

/jl

Action: 783
S BURKE

Task No: 69
2015-05-12 10:00:00

Task Assignment: 69 - RNC Information

Review completed. File returned to Wendy ZDEBIAK. Cpl BURKE advised that he noted the contents of his review in his notebook, no copies were retained by the member.

SUI

(S.D. BURKE) Cpl.

/jl

Action: 530
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 21
2015-05-12 10:35:00

Task Assignment: 21 - Medical Records

On 15/05/01 Cpl FOOTE reviewed Mr Dunphy's medical records. The majority of the file was not in layman's terms however Cpl FOOTE did note the following;

Action: 185
D FOOTE

Medical/health issues;

[REDACTED]

records.

Medications listed on the file;

[REDACTED]

Please ch task.

D Foote Cpl 51545

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 40
2015-05-12 14:15:00

Task Assignment: 40 - Lab Analysis

Cpl BURKE called Sgt. Mike MERRITT, Forensic Strategist for this file. Cpl BURKE advised that that would like to have the processing of the exhibits expedited as this case was high profile and have captured the significant public attention. Also, local government officials are keen to find out or investigational findings as there is pressure for a public inquiry. Cpl BURKE asked in particular that the 40 calibre pistol be examined against the bullets and shells found at the scene to determine if in fact that pistol fired the bullets. Cpl BURKE also asked for an examination of the .22 calibre rifle to determine if it was in an operating condition. Sgt. MERRITT advised the would get back to the member about his request.

SUI

(S.D. BURKE) CPL

/jl

Action: 394
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 88
2015-05-13 9:27:00

Task Assignment: 88 - Cell Phone

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

(This TA also relates to the actions of Cst LUTHER relating to T68)

Action: 991
S BURKE

Task No: 21
2015-05-13 9:30:00

Task Assignment: 21 - Medical Records

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 183
S BURKE

Task No: 100
2015-05-13 9:33:00

Task Assignment: 100 - Statement

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 721
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 101
2015-05-13 9:37:00

Task Assignment: 101 - Statement

Task reviewed and concluded.

CH

(S.D. BURKE) CPL.

Primary Investigator

/jl

Action: 726
S BURKE

Task No: 102
2015-05-13 10:23:00

Task Assignment: 102 - Statement

Task reviewed and concluded

CH

(S.D. BURKE) CPL.

Primary Investigator

/jl

Action: 732
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 15
2015-05-13 13:45:00

Task Assignment: 15 - Family Liaison

Cpl BURKE called Meghan DUNPHY and updated her in the file. The conversation was cordial. Meghan advised she was currently studying for exams. She said that she just found out someone stole her identity and had cell phones and other services in her name and she was now getting billed for it. Meghan also advised that she was in the process of selling her house to move closer to St. John's. Meghan asked when the investigation would be concluded and Cpl BURKE advised that there were some outstanding tasks including Lab analysis, SME, 3D imaging, etc. Meghan said she wanted to have a look at everything and see what she was going to do

Cpl BURKE reminded Meghan that his phone was always on and to contact him directly with any issues.

SUI

(S.D. BURKE) CPL.

/jl

Action: 890
S BURKE

Task No: 39
2015-05-13 17:38:00

Task Assignment: 39 - Lab Analysis

Cpl.Burke received a e-mail from Sgt.Mike Merritt at the Forensic Laboratory. Correspondence advises that due to capacity reasons and other high-profile cases that the testing for this matter can not be expedited however an un-extendable diary date could be given.

/jl

(Cst NIPPARD)

Action: 342
M NIPPARD

Task No: 40
2015-05-13 17:38:00

Task Assignment: 40 - Lab Analysis

Cpl BURKE received a message from Sgt. MERRITT advising that the best they could do is to assign an unextendable DD.

SUI

(S.D. BURKE) CPL.

Action: 395
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 92
2015-05-14 11:36:00

Task Assignment: 92 - Statement

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 685
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 95
2015-05-14 13:56:00

Task Assignment: 95 - Statement

Cst NIPPARD began an audio recorded statement of Doug Noel. Taken at the Confederation building in St.John's, NL. The following was noted:

Action: 693
M NIPPARD

Doug started with the Premiers detail in December 2014, taking over Lindsay Anstey's position. At that time it was just him and Joseph Smyth in the unit. He has known of Joseph for a few years through dealings with VIP visits. Officially met him when he started in the unit. During his time there he did not have any situations where he had to use force during his duties and has not seen Joseph Smyth use force in his duties either. Doug stated that during his time there he has done 1 home visit to speak with a person of interest in relation to a perceived threat. They would also handle perceived possible threats that would come to their attention via social media, e-mail, word of mouth etc. Threat/risk assessments would be done on the individual making the comment to attempt and determine if the threat was serious in nature. The individual member would assess the need if any to require two members to attend home visits. This was a case by case issue and would be determined from the situation at hand. Doug could not recall ever hearing Donald Dunphy's name come up before during his time there. Doug and Joseph usually worked opposite shifts from one another as there was only two of them. This could be adjusted if they were both needed for a particular function. Doug described Joseph as being professional, intelligent and thoughtful in his duties. Joseph had no public complaints that he was aware of. Doug did speak with Joseph Smyth after the shooting. Approximately 1 week after. Doug did get a bit of the story. Doug's recollection of what Joseph told him: (While in the home Mr.Dunphy was continually trying to get him to sit down however Joseph didn't want to because of the dirt in the home. That Dunphy became agitated at Joseph looking around so much so he tried to focus on his file folder. Joseph then seen the barrel of a gun come up and he put his hand and said either "stop" or "no". Joe then shot as he was exiting the room. He came back into the room and Mr.Dunphy had fallen back in the chair and appeared deceased. Joseph seen a bat there as well. After the shots were fired Joseph was concerned that other brothers were coming there at first but eventually calmed down. Doug mentioned that he had been messaging Joseph that day via blackberry about Joseph going down to Mitchell's Brook. Doug was



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

aware of the information that had come in concerning Mr.Dunphy's post on twitter.

/jl

Task No: 95
2015-05-14 14:08:00

Statement Concluded.
This task concluded.

Cst.Michael Nippard 55787
RCMP Major Crimes Unit

/jl

Action: 694
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 83
2015-05-19 12:00:00

Task Assignment: 83 - 3D Imaging

There has been considerable effort put into the exploration of this option. In short, a decision was made to utilize Darrel BARR who works for Calgary Police Service. As CPS is extremely busy, OSMOND asked BARR if he could perform the work outside normal business hours at the RCMP's cost. He said he would explore that avenue approximately three weeks ago.

On 2015-05-14, he called Sgt OSMOND and Cpl BURKE and advised it appeared that he would be authorized to perform the work, however he wanted to make it an official transactio (ie: through a private business) and that he was in the process of setting up his own business. He expected to receive confirmation / acceptance of his plans in the very near future and would advise.

BARR also stated he would require the OCME report as well as the lab results as part of his assessment. BURKE had just been advised that day that the Lab diary date for these exhibits was August 15th. This precludes BARR from beginning his work before then.

Much of OSMOND's work on this issue is represented in e-mails, which have been printed and attached to the file.

SUI.

DD expension requested given the lab DD date.

/jl
(No time on PROS Report)

Action: 618
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-05-20 12:00:00

Task reviewed and DD extended for Lab / OCME reports
(S.D. BURKE) CPL
Primary Investigator

/jl
(No time on PROS Report)

Action: 619
S BURKE

Task Assignment: 95 - Statement

Task No: 95
2015-05-20 15:26:00

Task reviewed and concluded.
CH
(S.D. BURKE) CPL.
Primary Investigator

/jl

Action: 695
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 65
2015-05-22 10:09:00

Task Assignment: 65 - Disclosure

Cpl FOOTE completed an updated disclosure consisting mainly of supplementary reports. Same was picked up by Cst Fudge at approximately 0830 hrs at Holyrood detachment and transported to Cpl Burke at MCU.

Please extend DD.

D Foote Cpl 51545

/jl

Action: 504
D FOOTE

Task No: 84
2015-05-22 10:37:00

Task Assignment: 84 - Timeline

Contents of cell phone to be analyzed by DCAS. Report pending. Please extend DD.

D Foote Cpl 51545

/jl

Action: 622
D FOOTE

Task No: 66
2015-05-22 10:40:00

Task Assignment: 66 - Briefing Notes

Reports to the Commissioner are on an ongoing basis. Please extend dd as further updates are pending.

D Foote Cpl 51545

/jl

Action: 514
D FOOTE

Task No: 88
2015-05-22 13:10:00

Task Assignment: 88 - Cell Phone

Cpl BURKE reviewed cell phone activity for Joe SMYTH relative to this investigation as analyzed by DCAS member Wanda RICHARDS.

Cpl BURKE noted a conversation on 2015-04-05 between SMYTH and BBM pin # [REDACTED] DD62 that says that DUNPHY was harassing him for months.

/jl

Action: 640
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 88
2015-05-22 13:30:00

Cpl BURKE called Joe SMYTH and he advised that the person that owns BBM pin [REDACTED] DD62 is Steve Kent, Health Minister.

Action: 641
S BURKE

SUI

Task to interview Steve KENT.

(S.D. BURKE) Cpl.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 103
2015-05-26 9:00:00

Task Assignment: 103 - Statement

Cst NIPPARD was assigned a task to obtain a statement from Minister of Health and Community Services NL. He was known to have had a blackberry messaging conversation with Joseph Smyth concerning Donald Dunphy and mentioned specifically that Dunphy had been harassing him for some time.

/jl
(No time on Supplementary Report)

Action: 733
M NIPPARD

Task No: 103
2015-05-26 9:30:00

Cst NIPPARD called Minister Kent's office and his assistant advised me that he was currently in a meeting. Provided with my name and numbers to pass along to him to call me back.

Minister Steve Kent called back later in the day and Cst NIPPARD informed him of the investigation at hand and that he wanted to obtain a statement from him sometime within the next couple of weeks. He advised he would speak to his assistant regarding a time for same.

/jl

Action: 734
M NIPPARD

Task No: 104
2015-05-26 11:00:00

Task Assignment: 104 - Paramedic Report

Cst NIPPARD was assigned task to obtain paramedic report completed by Nancy Linehan on April 5th, 2015 regarding her assessment of Joseph Smyth at the scene in Mitchell's Brook.

Cst NIPPARD contacted Don Gibbon's Ambulance Service and spoke with George Gibbons the owner. Gibbon's had some concerns regarding the release of the report to police. After some conversation and referencing to the applicable legislation, he agreed to release the report and that an officer could attend and pick it up.

Cst NIPPARD then contacted Cst.Sherri Nash with the Ferryland RCMP and she agreed to pick up the report and forward same to me.

/jl

Action: 741
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 105
2015-05-26 11:00:00

Task Assignment: 105 - Paramedic Report

Cst NIPPARD assigned task to obtain the report completed by Nancy Linehan, the paramedic that attended the residence of Donald Dunphy's residence on April 5th, 2015.

Cst NIPPARD contacted Don Gibbons Ambulance Service in St. Mary's. They advised the report that was completed had been forwarded already to Eastern Health Records.

Action: 744
M NIPPARD

/jl

Task No: 105
2015-05-26 11:30:00

Cst NIPPARD spoke with Paul in Eastern Health records. He advised the document for Donald Dunphy completed by the paramedic could be obtained via a formal request made via fax.

Action: 745
M NIPPARD

Cst NIPPARD completed the request and attempted to fax same however it would not work for some reason.

/jl

Task Assignment: 15 - Family Liaison

Task No: 15
2015-05-26 15:23:00

Cpl BURKE called Meghan DUNPHY to update her on the file. No answer, message left to return call.

Action: 891
S BURKE

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 15
2015-05-26 15:30:00

Cpl BURKE received a return call from Meghan DUNPHY. Cpl BURKE updated her on the investigation and the fact that the forensic lab results are not expected to be obtain until August. Also in conjunction to this, the 3D imaging by Darryl BARR would not commence until he receives the lab results. Cpl BURKE added that police were debating releasing an updated media release with this information. Meghan advised that a media release would be a good idea because she is being asked by family and friends on a constant basis of what is going on with the investigation. Cpl BURKE said that she would be notified if a media release was expected. Meghan also said she wishes to consult her lawyer on the media issue.

Action: 892
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

Task Assignment: 103 - Statement

Task No: 103
2015-05-26 16:09:00

Cst NIPPARD received a e-mail from Minister Kent, his assistant was cc'd on the e-mail advising that a time would be set up and instructed them that all documentation concerning Dunphy would need to be printed.

Action: 735
M NIPPARD

/jl

Task No: 103
2015-05-26 16:13:00

E-mail from Assistant Dwanye [redacted] advising he would schedule a time and let Cst NIPPARD know.

Action: 736
M NIPPARD

/jl



PROJECT DUNPHY
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DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 15
2015-05-26 16:13:00

Task Assignment: 15 - Family Liaison

Cpl BURKE received another call from Meghan. She advised that she spoke with her lawyer and they did not have any concerns with having an update in the media. She referred to Joe SMYTH as GI Joe saying that he was the one who executed her father. She wanted to know if SMYTH knew about the possibility of having a 3D imaging completed at the scene, Cpl BURKE advised he didn't thin so.

SUI

(S.D. BURKE) CPL.

/jl

Action: 893
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 103
2015-05-27 15:40:00

Task Assignment: 103 - Statement

E-mail from [REDACTED] advising Minister Kent is available to meet on Wednesday, June 3rd, 12:30 – 1:00pm at the Department of Health and Community Services, 1st Floor, West Block, Confederation Building.

/jl

Action: 737
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 12
2015-05-28 12:00:00

Task Assignment: 12 - Notes - Primary Investigator

General Report printed off and disclosed.
(S.D. BURKE) CPL

/jl
(No time on General Report)

Action: 894
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 105
2015-05-29 11:43:00

Task Assignment: 105 - Paramedic Report

Request scanned and sent via e-mail to Elaine [REDACTED] with Eastern Health records department.

/jl

Action: 746
M NIPPARD

Task No: 65
2015-05-29 14:00:00

Task Assignment: 65 - Disclosure

Cpl BURKE and PS Donna [REDACTED] met with Justice RICHE in the MCU office and he was provided with an updated disclosure package.

SUI

FIS scene photos

Autopsy Report

Lab Analysis

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 505
S BURKE

Task No: 105
2015-05-29 15:49:00

Task Assignment: 105 - Paramedic Report

E-mail received from Elaine [REDACTED] advising they do not have the record in their files. The document may be with the medical examiners office. Directed to contact them and inquire.

/jl

Action: 747
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-05-31 9:53:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE received a message from Insp. CAHILL asking if Cpl BURKE received an update on the SME. Cpl BURKE responded that he did not but would reach out again to Insp BLACKMORE.

Action: 651
S BURKE

/jl

Task No: 90
2015-05-31 10:39:00

Cpl BURKE received a response from Insp. BLACKMORE advising they were told to hold off on the B Div CROPS Officer would follow up.

Action: 652
S BURKE

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task No: 104
2015-06-01 9:00:00

Task Assignment: 104 - Paramedic Report

Report received in the mail from Cst.Nash.

Following noted in the report:

- Call received: 1430 Hrs
- En Route: 1435 Hrs
- Arrived at Scene: 1505 Hrs
- Departed Scene: 1610 Hrs
- Arrived Back At Base: 1655 Hrs

Joseph Smyth was found to have a slightly elevated blood pressure by the paramedic. Noted as [REDACTED] at 1520 Hrs. Noted as [REDACTED] at 1600 Hrs.

Report, Paramedic report and notes placed on file.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 742
M NIPPARD

Task No: 90
2015-06-01 13:43:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE received a message from Insp. BLACKMORE advising of another CROPS to CROPS discussion. Insp CAHILL advised.

SUI

(S.D. BURKE) CPL.

/jl

Action: 653
S BURKE



PROJECT DUNPHY
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DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 69
2015-06-03 8:01:00

Task Assignment: 69 - RNC Information

Task completed and disclosed

CH

(S.D. BURKE) Cpl

/jl

Action: 531
S BURKE

Task No: 88
2015-06-03 10:01:00

Task Assignment: 88 - Cell Phone

Task reviewed and concluded

CH

(S.D. BURKE) CPL.

/jl

Action: 642
S BURKE

Task No: 70
2015-06-03 10:27:00

Task Assignment: 70 - Database Queries

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

/jl

Action: 784
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 67
2015-06-03 11:50:00

Task Assignment: 67 - OCME Autopsy Report

Task reviewed. Cpl BURKE aware that OCME sets a 60 day DD for Autopsy Report.

Cpl BURKE called the OCME and was advised that a 90 day DD is set for Autopsy Reports.

SUI

Autopsy Report

(S.D. BURKE) CPL.

/jl

Action: 516
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 103
2015-06-03 12:43:00

Task Assignment: 103 - Statement

Cs NIPPARD met with Minister Steve Kent as scheduled. Cst NIPPARD began an audio recorded statement at this time. The following was noted:

Action: 738
M NIPPARD

His contact with Don Dunphy began in 2014. (Approximately late summer 2014.)

Dunphy was contacting him on social media site "Twitter" for a number of weeks before there was formal contact.

On October 29th, 2014 Dunphy signed a consent form allowing Kent's office to make inquiries with WHSCC (Workplace Health and Safety Compensation Commission) on his behalf.

Kent's interaction with Dunphy on Twitter lasted approximately 6-9 months.

In later months Dunphy became hostile online feeling as though he was not getting any help from anyone.

Kent eventually blocked him on Twitter due to the hostility and threatening tone of his post.

Dunphy's WHSCC claim was decades old and very difficult to assist on so therefore it was taking a long time.

Formal contact was started on August 15th, 2014 as a result of a e-mail received from Don Dunphy. A file was then opened and all correspondence was recorded.

(Correspondence mainly consisted of e-mails between Minister Kent's office, Dunphy and WHSCC workers.

Don Dunphy's main issue was with WHSCC and the compensation he was receiving from them. He had a bad accident in the early 1980's that seemed to have spurred many issues in his life.

Kent advised he would not have sent one of his constituents to go and meet with Dunphy in person due to his hostility, being all over the place in his messages and his sometimes volatile e-mails / post.

In his e-mails Dunphy expressed a dislike for WHSCC and mentioned that they had him "drove mad" dealing with them.

Dunphy seemed supportive and co-operative with Kent's office at first but as time moved on he got frustrated and angry at the process and the lack progress.

Kent never did bring Dunphy's name forward to the Premiers detail at any point as a possible person of interest.

Kent felt it was clear from his interaction with Dunphy that he "wasn't well" and "needed help". Kent was trying to help him by contacting WHSCC.

Minister Kent re: Joseph Smyth:

Kent has known Joe Smyth for about 20 years.



PROJECT DUNPHY
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DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

They had mutual friends during School years but did not go to School together.
Never really socialized outside of a professional work setting.
Would often run into him and have conversations with him through work related functions.
Kent was in Florida on holidays on April 5th, 2015 and recalled seeing a report of some sort about a shooting that had taken place.
Kent advised he has a conversation with the Premier on a daily basis and found out through him about the RNC involved shooting and that Joe Smyth was involved.
Kent initiated the "BBM" (Blackberry cell phone messaging service) with Smyth as an effort to just touch base with him and see how he was doing.
Kent made a comment during the messaging about Dunphy having harassed him for months. This he stated was in reference to the constant Twitter post/Tweets made concerning or "calling out" Kent.
Kent could not recall ever speaking with Smyth concerning Dunphy before or after April 5th, 2015.
He has not had any face to face conversations with Smyth since the shooting and has not spoke to him about what happened that day.

/jl

Task No: 103
2015-06-03 13:05:00

Statement was concluded. Blue file folder containing an abundance of printed correspondence was handed over to me by Kent before leaving.

Statement burned to disc and e-mailed to P/S for transcribing. Notes copied and placed on file with statement, e-mails and this report.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit.

/jl

Action: 739
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task No: 105
2015-06-04 9:00:00

Task Assignment: 105 - Paramedic Report

Cst NIPPARD contacted the medical examiners office and they do not have the report from the ambulance on file either. Unknown where it would be.

Action: 748
M NIPPARD

/jl
(No time on Supplementary Report)

Task No: 105
2015-06-04 11:16:00

Cst NIPPARD sent a e-mail to Elaine [REDACTED] advising her that the report was not with the medical examiners office.

Action: 749
M NIPPARD

/jl

Task No: 84
2015-06-04 11:37:00

Task Assignment: 84 - Timeline

Task reviewed. Cell phone analysis completed by DCAS and attached to this task.

Action: 623
S BURKE

CH
(S.D. BURKE) Cpl
Primary Investigator

/jl

Task No: 104
2015-06-04 11:43:00

Task Assignment: 104 - Paramedic Report

Task reviewed and concluded

Action: 743
S BURKE

CH
(S.D. BURKE) CPL.
Primary Investigator

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 66
2015-06-04 12:00:00

Task Assignment: 66 - Briefing Notes

Task reviewe and DD extended.
SUI
(S.D. BURKE) Cpl
Primary Investigator
/jl
(No time on PROS Report)

Action: 515
S BURKE

Task No: 54
2015-06-04 12:13:00

Task Assignment: 54 - Independent Observer

Task reviewed and concluded. Liason with Justice RICHE to be documented in Folder 065 (Disclosure).
CH
(S.D. BURKE) CPL
Primary Investigator
/jl

Action: 479
S BURKE

Task No: 68
2015-06-04 12:20:00

Task Assignment: 68 - Cell Phone

Analysis of cell phone completed by Tech Crime and DCAS, reports attached to Folder.
CH
(S.D. BURKE) CPL
Primary Investigator
/jl

Action: 823
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 1
2015-06-04 12:22:00

Task Assignment: 1 - Notes

Task reviewed and concluded. Cpl. HENSTRIDGE not expected to be further tasked in this investigation and he has been transferred.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 12
S BURKE

Task No: 48
2015-06-04 12:26:00

Task Assignment: 48 - Town Council Liaison

Task reviewed and DD extended

SUI

(S.D. BURKE) Cpl

Primary Investigator

/jl

Action: 451
S BURKE

Task No: 15
2015-06-04 12:28:00

Task Assignment: 15 - Family Liaison

Task reviewed and DD extended. Please note that member also has regular contact with family as noted under Folder 012 (Primary Investigator notes)

SUI

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 153
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 105
2015-06-04 14:47:00

Task Assignment: 105 - Paramedic Report

E-mail back from Elaine advising again that they do not have the report and that either Don Gibbons Ambulance service would have it or the finance department as they would receive a copy from the Ambulance company.

/jl

Action: 750
M NIPPARD

Task No: 67
2015-06-04 15:50:00

Task Assignment: 67 - OCME Autopsy Report

Cpl BURKE sent letter to OCME requesting Autopsy Report.

SUI

Autopsy Report

(S.D. BURKE) CPL

/jl

Action: 517
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 67
2015-06-05 9:16:00

Cpl BURKE was notified by OCME that the Autopsy Report was ready for pick up.

Action: 518
S BURKE

SUI

(S.D. BURKE) CPL

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 67
2015-06-08 9:10:00

Cpl BURKE attended OCME and obtained a copy of the Autopsy Report re DUNPHY. The following is a synopsis of that report:

Action: 519
S BURKE

DUNPHY suffered a total of 3 gunshot wounds, 1 to the torso and 2 to the head

Cause of Death: Gunshot wound

Manner of Death: Homicide

Toxicology: Blood ethanol - negative, Drug Screening - non-contributory

External examination did not reveal any other injuries (unremarkable with no evidence of abrasions, contusions or lacerations) other than the gunshot wounds.

Evidence of Injury: There were 2 gunshot wounds to the head and 1 gunshot wound to the left upper torso

Wound # 1 is a gunshot wound located 4.5 cm from the top of the head, just slightly right of the midline. The direction of the wound is from front to back, left to right.

Wound # 2 is a gunshot entrance wound to the left temple area located 8 cm from the top of the head, 4 cm anterior and 5 cm superior to the left external auditory canal. The direction of the wound is from left to right, front to back and down

Wound # 3 is an irregular wound to the right temporal area located 3.5 cm from the top of the head, 9 cm superior to and 2.5 cm anterior to the right external auditory canal. The wound is the configuration of an exit wound.

Wound # 4 is a gunshot entrance wound to the left upper chest area located 37.5 cm from the top of the head, 16.5 cm to the left of the midline. A lead bullet is located in the soft tissue of the chest wall adjacent to the scapula. The direction of the wounding is from left to right, front to back and down.

Internal examination did not reveal any other injuries (unremarkable) other than the injuries caused by the gunshots.

Toxicology report: As stated above drug screen non-contributory



Full report included in this folder.

Task recommended CH

(S.D. BURKE) CPL



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

/j

Task Assignment: 65 - Disclosure

Task No: 65
2015-06-08 10:45:00

Cpl BURKE attended the residence of Justice RICHE and delivered the following:

Action: 506
S BURKE

-Photo package (FIS)

-Autopsy Report.

SUI

(S.D. BURKE) CPL

Primary Investigator

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task Assignment: 54 - Independent Observer

Task No: 54
2015-06-09 8:30:00

Cpl BURKE received a call from Justice RICHE, he asked the following questions:

Action: 895
S BURKE

-Was the bolt of the rifle in the open position when it was discovered by police?

Cpl BURKE reviewed the photos while talking to Justice RICHE, Cpl BURKE noted that the action of the rifle was open when laying on the blue Tupperware container. Cpl BURKE advised Justice RICHE that the rifle was no moved by Joe SMYTH or responding members.

-Were there any fingerprints found on the rifle?

Cpl BURKE advised that the rifle was examined for fingerprints and there were not found.

-Requested a meeting with Dr. AVIS

-Requested to re-visit the DUNPHY residence

/jl

Task No: 54
2015-06-09 10:56:00

Cpl BURKE called and subsequently sent an email to Dr. AVIS requesting a meeting with Justice RICHE.

Action: 896
S BURKE

/jl

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-06-09 11:11:00

Cpl BURKE received an email from Joe SMYTH requesting a copy of his statement he provided to the RCMP.

Action: 897
S BURKE

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 15
2015-06-09 11:23:00

Task Assignment: 15 - Family Liaison

Cpl BURKE called Meghan DUNPHY to update her on the file and to request access to her father's residence as requested by Justice RICHE. The phone number for DUNPHY (709) [REDACTED] 682 went straight to voice mail, message left for DUNPHY to return call.

/jl

Action: 899
S BURKE

Task No: 54
2015-06-09 11:45:00

Task Assignment: 54 - Independent Observer

Cpl BURKE contacted Justice RICHE to update him on the action taken with reference to his requests. He asked why there were no fingerprints found on the DUNPHY rifle. In Cpl BURKE's opinion it is often due to a poor surface that would not retain prints. Cpl BURKE then advised he would go back to Cpl. LEE for clarification on the fingerprint issue.

/jl

Action: 900
S BURKE

Task No: 54
2015-06-09 11:50:00

Cpl BURKE called Cpl. LEE to ascertain why no fingerprints were found on the DUNPHY rifle. Cpl LEE responded that there were issues with both the barrel and the stock of the gun including dirt, rust and the varnish was worn off. Cpl. LEE to create a report detailing her opinion on why there were no prints found.

/jl

Action: 902
S BURKE

Task No: 54
2015-06-09 14:14:00

Cpl BURKE was contacted by OCME and a meeting with Dr. AVIS was arranged for 2015-06-10 10:00 at Dr. AVIS' office. Justice RICHE was notified.

/jl

Action: 903
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 12
2015-06-09 14:36:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE responded to SMYTH advising that the statement was part of an ongoing investigation and could not be released.

Action: 904
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

Task No: 84
2015-06-09 15:19:00

Task Assignment: 84 - Timeline

2 copies of final analytical report and 2 hardcopies of time line delivered to Cpl. Burke MCU East. WR

Action: 1027
W RICHARDS

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 15
2015-06-10 8:45:00

Task Assignment: 15 - Family Liaison

Cpl BURKE received a call from Meghan DUNPHY, who was returning my call from the previous day. Cpl BURKE advised that the Independent Observer wanted access to her father's residence, Meghan advised there was no issue with that. Cpl BURKE looking at possibly Thursday afternoon or Friday morning.

/jl

Action: 905
S BURKE

Task No: 54
2015-06-10 9:57:00

Task Assignment: 54 - Independent Observer

Cpl BURKE and Justice RICHE (At his request) met with Dr. AVIS at the OCME. In reference to the question of what shot was the fatal shot, Dr. AVIS said the following:

-There were a total of 4 shots, 3 that hit DUNPHY (1 in the torso and 2 to the head). Dr. AVIS advised that either one of these shots could have been the shot that caused the death of DUNPHY;

-Dr. AVIS said there was a substantial amount of blood in the chest cavity suggesting that DUNPHY'S heart was still beating before and immediately after this shot.

Cpl BURKE obtained photos that were obtained by Dr. AVIS during the autopsy.

/jl

Action: 906
S BURKE

Task No: 65
2015-06-10 10:30:00

Task Assignment: 65 - Disclosure

Cpl BURKE gave Justice RICHE the DCAS Report and Timeline.

SUI

(S.D. BURKE) CPL.

jl

Action: 507
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 15
2015-06-10 13:11:00

Task Assignment: 15 - Family Liaison

Cpl BURKE spoke with Meghan DUNPHY by text and confirmed meeting at her father's residence at about 9 am on Friday morning on 2015-06-12.

SUI

(S.D. BURKE) CPL.

/jl

Action: 907
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 90
2015-06-11 12:00:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE spoke with Cpl. CORSCADDEN "H" Division. Cpl BURKE provided her with a details description of the file and what would be required from an SME. Cpl. CORSCADDEN advised she would look into the availability of an SME and get back to member. Initial assessment from Cpl. CORSCADDEN is that it would take about a month to complete included criminal, justifiable and within policy.

SUI

(SD BURKE) CPL

/jl

Action: 654
S BURKE

Task No: 105
2015-06-11 12:30:00

Task Assignment: 105 - Paramedic Report

Cst NIPPARD received a call from Eastern Health Records in Mount Pearl, NL. [REDACTED] lady ([REDACTED]) advised she had a copy of the report completed by Nancy Linehan regarding Don Dunphy. She obtained same from the finance department. Agreed she would fax same to me shortly.

/jl

Action: 751
M NIPPARD

Task No: 105
2015-06-11 13:05:00

Report received via fax. Placed on file in folder 105 with, E-mails concerning the document, my notes and report.

This task completed.

Cst.Michael Nippard 55787

RCMP Major Crimes Unit

/jl

Action: 752
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 12
2015-06-11 14:30:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE returned photos to Dr. AVIS.
SUI
(S.D. BURKE) CPL
/jl

Action: 908
S BURKE

Task No: 106
2015-06-11 20:16:00

Task Assignment: 106 - Evidence seizure

Cpl BURKE received an email message from Erin BREEN. She advise that her client, Meghan DUNPHY was at her father's residence and that she found a bullet on the floor in the living room. DUNPHY to write a statement regarding her finding.

BREEN also advised that DUNPHY wanted her present for the meeting with Justice RICHE but was unavailable for 09:00. Meeting rescheduled for 15:30.

/jl

Action: 754
S BURKE

Task No: 82
2015-06-11 20:16:00

Task Assignment: 82 - Legal Correspondence

BREEN also advised that DUNPHY wanted her present for the meeting with Justice RICHE but was unavailable for 09:00. Meeting rescheduled for 15:30.

/jl

Action: 909
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 106
2015-06-11 20:39:00

Task Assignment: 106 - Evidence seizure

Cpl BURKE received a written statement from Meghan DUNPHY Re: found bullet. The following is a cut and paste of that statement:

Action: 755
S BURKE

Today June 11, 2015 I went down to Dad's house to feed the cats, after I put some food out on the doorstep I went in the house to check on things. While inside I realized that the TV in the living room was still plugged in. I have nearly everything else in the house unplugged as there is nothing being used down there anymore. I had left the TV plugged in and turned on to the music station for the cats up until about a week ago when I got the last few cats outside.

The TV was plugged into a power bar in the corner of the living room between the mantle piece and the front window. There is a vacuum cleaner in the corner and a rocking chair partially pushed in the corner near a speaker. I crouched down and unplugged the TV from the power bar and turned to leave the living room and go to the kitchen. When I turned and stepped out of the corner I heard something roll across the floor as if I had kicked it. First thought I figured it was a screw, but when I looked down I seen something I didn't really recognize. Just some small metal thing with a black top which looked like rubber to me. I picked it up and looked at it closer and realized it was some sort of bullet. I then quickly laid it down on top of the Rubbermaid tub that is on the living room floor. I then googled bullets on my phone to make sure that it was in fact a bullet. I took some pictures of the bullet and called Erin.

/jl

Task No: 106
2015-06-11 22:00:00

Cpl BURKE left message for Justice RICHE advising of change of time for meeting.

Action: 756
S BURKE

Cpl BURKE advised BREEN that he would assess the finding of the bullet during the meeting.

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 54
2015-06-11 22:00:00

Task Assignment: 54 - Independent Observer

Cpl BURKE left message for Justice RICHE advising of change of time for meeting.

/jl

Action: 910
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 106
2015-06-12 8:00:00

Task Assignment: 106 - Evidence seizure

Cpl BURKE called Justice RICHE and advised that the meeting had to be postponed until 15:30, Justice RICHE in agreement.

Action: 757
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

Task No: 54
2015-06-12 8:00:00

Task Assignment: 54 - Independent Observer

Cpl BURKE called Justice RICHE and advised that the meeting had to be postponed until 15:30, Justice RICHE in agreement.

Action: 911
S BURKE

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 106
2015-06-12 15:40:00

Task Assignment: 106 - Evidence seizure

Cpl BURKE attended DUNPHY residence with Justice Riche at his request.

Action: 758
S BURKE

Justice RICHE asked DUNPHY when the last time she was in the residence before the shooting and the placement of the furniture. Justice RICHE also asked where she saw the gun in the residence and she explained that it was behind the couch. DUNPHY added the gun was lying flat on the floor at the time.

Justice RICHE asked where she found the bullet and she said that it was in the corner by the TV, she then moved it and placed in on top of the Tupperware container.

Cpl BURKE observed a bullet in the Tupperware box in the middle of the living room (known to be placed there by Meghan DUNPHY the previous day, DUNPHY found it in the corner of the room and moved it to that location).

The bullet was small, possibly a .22 calibre but there were no markings. It was a live round. Cpl BURKE examined the bullet and advised Meghan and her lawyer Erin Breen, who was also present, that the bullet was irrelevant to our investigation and would not be seized. Cpl BURKE did obtain 1 photo so there was no dispute of the bullet found.

Cpl BURKE asked DUNPHY what she would like done with the bullet and she advised that she just wanted it gone. Cpl BURKE agreed that he would dispose of the bullet safely at her request, this intention was noted his notebook and Cpl BURKE had Meghan sign the notebook entry.

SUI

(S.D. BURKE) CPL.

/jl



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Date / Time:

Action:

Action ID:

Task No: 54
2015-06-12 15:40:00

Task Assignment: 54 - Independent Observer

Cpl BURKE attended DUNPHY residence with Justice Riche at his request.

Action: 912
S BURKE

Justice RICHE asked DUNPHY when the last time she was in the residence before the shooting and the placement of the furniture. Justice RICHE also asked where she saw the gun in the residence and she explained that it was behind the couch. DUNPHY added the gun was lying flat on the floor at the time.

Justice RICHE asked where she found the bullet and she said that it was in the corner by the TV, she then moved it and placed in on top of the Tupperware container.

Cpl BURKE observed a bullet in the Tupperware box in the middle of the living room (known to be placed there by Meghan DUNPHY the previous day, DUNPHY found it in the corner of the room and moved it to that location).

The bullet was small, possibly a .22 calibre but there were no markings. It was a live round. Cpl BURKE examined the bullet and advised Meghan and her lawyer Erin Breen, who was also present, that the bullet was irrelevant to our investigation and would not be seized. Cpl BURKE did obtain 1 photo so there was no dispute of the bullet found.

Cpl BURKE asked DUNPHY what she would like done with the bullet and she advised that she just wanted it gone. Cpl BURKE agreed that he would dispose of the bullet safely at her request, this intention was noted his notebook and member had Meghan sign the notebook entry.

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 90
2015-06-15 8:30:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE received a response from Cpl. CORSCADDEN. She advised that the H Division CROPS Officer has released a SME Use of Force for a period of 2 weeks in mid July.

Action: 655
S BURKE

/jl

Task No: 90
2015-06-15 8:39:00

Approval for SME approved by Insp. CAHILL.

Action: 656
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

Task No: 106
2015-06-15 12:00:00

Task Assignment: 106 - Evidence seizure

Cpl BURKE created bullet as an exhibit until disposal.

Action: 759
S BURKE

CH

(S.D. BURKE) CPL

/jl

(No time on Supplementary Report)



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 103
2015-06-15 15:06:00

Task Assignment: 103 - Statement

Task reviewed. Cpl BURKE reviewed the blue file folder containing correspondence handed over by Minister KENT. The following is a synopsis of those correspondence:

Action: 740
S BURKE

-On August 15, 2014 Donald DUNPHY emailed Minister KENT advising that he was injured on the job in the 1984. DUNPHY was supposed to be retrained but ended up going back to work in Bull Arm, in that time his wife passed away. DUNPHY worked at Bull Arm until 1996. Since that time DUNPHY was on welfare and had a seasonal job with highways that lasted 4 years. DUNPHY ended up claiming bankruptcy twice. DUNPHY feels he should have been retrained and could be making the "big oil money". Thinks its the fault of WHSCC and they should be paying him top WHSCC pay because if they would have retrained him he would be making much more;

-On October 29, 2014 Donald DUNPHY signed a Consent Form for released of information giving his permission to discuss his personal information as it related to his files, etc. Angela CONNOLLY, Constituency Assistant to Steve KENT begins to contacts WHSCC on DUNPHY'S behalf;

-On November 4, 2014 Melvin [REDACTED] Workers Comp. Appeals spoke with DUNPHY and assigned Bernie [REDACTED] to look into case;

-On November 7, 2014 Melvin [REDACTED] that he discussed DUNPHY'S case with WHSCC and both agreed it was a unique case. [REDACTED] to contact executive director of WHSCC;

-On November 20, 2014, DUNPHY contacts CONNOLLY for an update. [REDACTED] not available, CONNOLLY goes to Rob [REDACTED]

-On November 24, 2014 DUNPHY contacts CONNOLLY and feels he is getting the run around from WHSCC;

-On November 28, 2014 DUNPHY contacts CONNOLLY, no word from WHSCC, DUNPHY says they have not intention of reviewing his claim as usual. Rob [REDACTED] replies to CONNOLLY saying that his didn't get a chance to look at DUNPHY'S case;

-On December 2, 2014 CONNOLLY contacts [REDACTED] for an update. On December 3, 2014 update provided to DUNPHY that officials still working on case, DUNPHY replied that it was their usual run around. DUNPHY adds that it was a bad week, he lost his life insurance as he couldn't afford to pay and thinks he may have to get his power shut



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Action ID:

off;

-On December 15, 2014 CONNOLLY suggests DUNPHY contact Advanced Education and Skills for assistance. DUNPHY responded that it was no good for him;

-On December 16, 2014 CONNOLLY asked [REDACTED] for an update. DUNPHY emails CONNOLLY complaining about WHSCC and the pay / assistance he was getting and he current poor financial condition;

-On December 26, 2014 tweet from @sculpen (Donald DUNPHY)"@NAIDW is that not punishing injured workers in NL Canada, I tried to get NL deputy premier @stephenkent but he was not able to get answers";

-On December 30, 2014 tweet from @sculpen (Donald DUNPHY) "starting to believe what ppl are telling me, Steve Kent never was helping just another run around, I was told month ago 2 days someone." KENT asked CONNOLLY to call DUNPHY;

-On December 31 CONNOLLY asks [REDACTED] for an update saying that DUNPHY was starting to tweet negative about minister;

-On January 7, 2015 tweet from Donahue2DonDunphy @sculpen (Donald DUNPHY) anfdanchor@daveadey well boys u won't here me praise up @stephenkent & PCs anymore, i was lied to again by actor politicians, after 30 yrs u; KENT asked CONNOLLY and [REDACTED] to follow up;

-On January 8, 2015 Rob [REDACTED] replies saying that he does not have anything significant to report. [REDACTED] unable to reach Mel [REDACTED] at Workers COMP, says if unsuccessful he would meet with DUNPHY. CONNOLLY adds that DUNPHY "is getting very spiteful on Twitter";

-On January 20, 2015 tweet from @scuplen (Donald DUNPHY) "@daveadey I suppose I can't say @stephenkent lied to me about helping with Whscc until next election, 1st time i got a run around for a year." CONNOLLY replies to KENT that she has been trying to contact [REDACTED] without success;

-On February 4, 2015 CONNOLLY contacts [REDACTED] for an update;

-On February 11, 2015 [REDACTED] updates CONNOLLY on DUNPHY'S case. He said he had Bernie [REDACTED] met with Union Rep. Vina [REDACTED] advised there was little information for DUNPHY for his Work



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Service and Transportation claim and she did not feel anything could be done. ██████████ recognizes that DUNPHY'S problem predate the WST claim. ██████████ spoke with DUNPHY that morning advising that he would need more information regarding his original injury (1984). DUNPHY that the bulk of the info was with Union Rep for UFCW. Tentative appointment to meet with DUNPHY on Friday February 20, 2015.

-On February 19, 2015 Rob ██████████ informed that he has been terminated and was no longer in the Worker's position. Visit scheduled with DUNPHY cancelled. DUNPHY believes it was a conspiracy that ██████████ was terminated because the next day he planned to go out and try and help him;

No further correspondence were handed over to police on this issue. All correspondence included in folder.

Task CH

(S.D. BURKE) CPL.

Primary Investigator

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 105
2015-06-16 11:36:00

Task Assignment: 105 - Paramedic Report

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 753
S BURKE

Task No: 84
2015-06-16 11:53:00

Task Assignment: 84 - Timeline

Task reviewed and concluded.

CH

(S.D. BURKE) CPL

Primary Investigator

/jl

Action: 1028
S BURKE

**PROJECT DUNPHY**
File No: 2015-376186**DAILY LOG REPORT**[Table of Contents](#)**Date / Time:****Action:****Action ID:****Task No: 12**
2015-06-17 13:40:00**Task Assignment: 12 - Notes - Primary Investigator**

Cpl BURKE called Joe SMYTH to update him on the investigation, no answer.

/jl

Action: 913
S BURKE**Task No: 12**
2015-06-17 14:00:00

Cpl BURKE received a call back from SMYTH, an update on the investigation was provided given the recent media coverage. Cpl BURKE was brief and did not provide any specifics. SMYTH was thankful for the update and understood the lack of detail provided.

SUI

(S.D. BURKE) CPL.

/jl

Action: 914
S BURKE



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 65
2015-06-22 10:00:00

Task Assignment: 65 - Disclosure

Cpl. BURKE provided Justice RICHE with updated disclosure that was available to that date.

SUI

(S.D. BURKE) CPL.

Primary Investigator

/jl

Action: 508
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 42
2015-06-30 11:24:00

Task Assignment: 42 - SPCA Liaison

S/Sgt TILLER called the SPCA [REDACTED] 397 and asked for Kristy - was advised that she no longer works with the SPCA - moved out of province. Spoke with Michael [REDACTED] whom is her temporary replacement. He advised that they have removed all the cats as possible with the larger traps they normally use. They still continue to attend the area as there are a further estimated 10 cats still present - they are considered wild cats and stay away from the cages. SPCA will continue to attend the area to see if they are able to catch the remaining cats.

SUI

/jl

Action: 406
R TILLER

**PROJECT DUNPHY**
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2015-07-06 12:59:00**Task Assignment: 39 - Lab Analysis**

E-mail received by Cst.Nippard from Sgt.Merritt. Diary Date for exhibit testing was extended. New Diary Date September 15th, 2015.

/jl

Action: 343
M NIPPARD**Task No: 39**
2015-07-06 14:33:00

E-mail sent from Sgt.Osmond to Insp.Cahill advising him of the un-extendable diary date extension and that it was not acceptable to the investigators.

/jl
(Cst NIPPARD)**Action: 344**
M NIPPARD



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Date / Time:

Action:

Action ID:

Task No: 107
2015-07-07 10:47:00

Task Assignment: 107 - Internal Investigation

Cpl BURKE received an email message from Det/Sgt. Grant LITTLE of Saskatoon PD. Det/Sgt. LITTLE to completing an internal investigation into the shooting death of Donald DUNPHY at the request of the RNC.

Det/Sgt. asked Cpl BURKE as series of questions to clarify certain portion of his investigation. These questions were centred around the police tools that Joe SMYTH was equipped with on the day of the shooting. Of note there is a discrepancy between the serial number that Det/Sgt. LITTLE has for Joe SMYTH'S service pistol and the serial number of the pistol seized from SMYTH on the day of the shooting.

Cpl BURKE also provided Det/Sgt. LITTLE with photos of equipment seized from SMYTH as well as the file folder that SMYTH was carrying.

All email correspondence and photos were printed and placed in paper folder 107.

SUI

(S.D. BURKE) CPL.

/jl

Action: 760
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 20
2015-07-13 11:20:00

Task Assignment: 20 - Media

Sgt HICKS spoke with Cpl BURKE this morning, as he has a few additional e mail message re media matter to be added to Folder 020. We agreed that I will send same to him to be added to the file.

This will conclude my involvement with this file at this time.

GMHicks Sgt.

/jl

Action: 176
G HICKS



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Date / Time:

Action:

Action ID:

Task Assignment: 90 - Subject Matter Expert

Task No: 90
2015-07-23 9:50:00

Message sent to Cpl. CORSCADDEN for an update on the SME availability.

Action: 657
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

Task No: 90
2015-07-23 17:08:00

Cpl BURKE received a response from Cpl CORSCADDEN advising that she was unaware we still required SME services (mis-communication). A nee SME was assigned to complete opinion in Sept.

Action: 658
S BURKE

SUI

(S.D. BURKE) CPL

/jl



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Date / Time:

Action:

Action ID:

Task No: 54
2015-07-27 10:00:00

Task Assignment: 54 - Independent Observer

Cpl BURKE spoke with Justice RICHE who called earlier and left message. Justice RICHE had a couple some concerns of where the gun came from on the day DUNPHY was shot. He said that he looked back at Meghan DUNPHY'S statement and noted that she was at her father's house a couple of weeks prior and saw a gun behind the couch. Justice RICHE then adds that Meghan was a few hours before the incident and did not see the gun and feels that she may have or should have saw the gun if it was where SMYTH said it was (on side of the chair). Justice RICHE also said that in SMYTH'S statement he says the word couch when referring to the firearm's location.

Action: 915
S BURKE

Cpl BURKE was aware of the observations of Justice RICHE was referring and respected his views. Cpl BURKE did offer explanations still keeping in mind the concerns of Justice RICHE. Cpl BURKE was not saying that his version was 100% accurate but just at different way of providing answers to what Justice RICHE had highlighted and in line with the evidence presented to date.

In the statement of Joe SMYTH he said that he saw the gun come from the right side of the chair. There appears to be a void in the garbage on the floor to the right of the chair that is consistent with the side of the rifle found at the scene. This chair is where Donald DUNPHY was found deceased and the gun would have been accessible from where DUNPHY was seated. There was not other evidence to suggested that the rifle was in another location other than MEGHAN seeing it behind the couch at least two weeks before.

When SMYTH refers to the couch in his statement it appears to Cpl BURKE that he is talking about the chair because he is asking if the rifle came for the actual couch or was it on the floor. He says in his statement and re-enactment that he was unsure if the rifle was jammed in the cushions or in a holster on the side when DUNPHY was sitting or it the gun was actually on the floor, he does not question the location in the room only that the gun came from the right side where DUNPHY was sitting.

Both Justice RICHE and Cpl BURKE agree that a firearm was presented by DUNPHY regardless of it's origin.

SUI

(S.D. BURKE) CPL.



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Action ID:

/jl



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Date / Time:

Action:

Action ID:

Task No: 12
2015-07-28 12:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE was contacted by Joe SMYTH for on update on the investigation. Cpl BURKE replied that the matter was still under investigation and we were waiting for lab result and other investigative steps.

/jl
(No time on General Report)

Action: 916
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 12
2015-07-29 3:30:00

Joe SMYTH sent an email to Cpl BURKE and appeared concerns over the investigation and what the other investigative steps were.

Action: 917
S BURKE

/jl

Task No: 12
2015-07-29 10:00:00

Cpl BURKE decided to speak with Joe SMYTH by phone and provided him with an update of the investigation adding the investigative steps were 3D imaging and Subject Matter Expert (Use of Force) opinion. Cpl BURKE was concerned with SMYTH'S well-being and expressed those concerns to Insp CAHILL to reach out to RNC management.

Action: 918
S BURKE

SUI

(S.D. BURKE) CPL.

/jl



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Date / Time:

Action:

Action ID:

Task No: 90
2015-08-05 13:45:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE completed disclosure package as requested, sent by courier.

SUI

(S.D. BURKE) CPL.

Action: 659
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 54
2015-08-06 8:20:00

Task Assignment: 54 - Independent Observer

Cpl BURKE received a phone call from Justice RICHE for an update on Lab results and he was notified that a date was identified as Sept 15, 2015.

Action: 919
S BURKE

Justice RICHE raised a couple of issues for clarification:

1. Did Meghan DUNPHY see a firearm in her father's residence the day before the incident? Was it by the chair? Could she have seen it by the chair?
2. Was Donald DUNPHY tipped off that police were looking to speak with him?

SUI

(S.D. BURKE) CPL.

/jl

Task No: 11
2015-08-06 9:00:00

Task Assignment: 11 - Notes - Team Commander

Cst BURKE advised Sgt OSMOND that he had been speaking to Judge David RICHE and RICHE mentioned an investigative 'gap' that he wanted clarified. The 'gap' specifically pertained to when Megan DUNPHY states she last saw her father's rifle in the residence. OSMOND remembered that in her interview DUNPHY had clearly offered a memory of last seeing the gun when she was cleaning the house on her father's behalf during the time he was in the hospital. This was some time before the shooting.

Action: 134
K OSMOND

Originally, she had told police she didn't know he even had a gun, then later changed her mind and offered the memory of seeing it behind the couch. BURKE confirmed this verbally to OSMOND, and stated he had already reviewed Ms DUNPHY's statement to ensure that was accurate. He said he would advise RICHE where to find this material in the file so he could satisfy his concern.

/jl



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Task No: 54
2015-08-06 10:20:00

Task Assignment: 54 - Independent Observer

Cpl BURKE reviewed the statement of Meghan DUNPHY provided to police on April 8, 2015. Cpl BURKE focused on portions of that statement that referred specifically to the gun. The reason for this statement was that DUNPHY contacted police and advised she had further information that she had not disclosed to police in her initial statement. The following are excerpts from that statement that speaks to the gun in Donald DUNPHY'S residence:

Action: 920
S BURKE

DUNPHY: ...and the guys were there to talk to me like a few hours after I had found out about dad and that so you know as time's going by I'm just I guess more stuff is coming to me and stuff. But when they asked me about if there was any weapons in the house and I said no...

Dunphy: ...well there was a gun in the house belong to my grandfather. When my grandfather died dad pretty much literally moved everything that was in his house, in my pop's house, over to our house cause everything is technically antique, or was antiques in my dad's eyes. So you know like one of the officers even mentioned they seen this big oar around and like there's lots of old junk around is what I call it like it's, it's ready for the dump.

Dunphy: But it's just really old and it was my pops and dad wanted to keep it. So there was a gun. I'm not familiar with guns. I can't tell you what it is. I can't tell you what it was. All I knows it was about this long and it was old and brown and rusty and junk like falling apart and I'm pretty sure there was a piece missing off of it.

Dunphy: So anyways and that was there in the house and when my dad got sick in January, I'm saying January my father was in the hospital sometime between January and say the first of February I'm not exactly sure of the dates..

Dunphy: And he was in there for a week. He went down by ambulance first time he got sent home and then when he went back they kept him in. And hmm, when he was in the hospital I would go down in the day time and feed the cats like I'm doing now same thing and I went down a few days and cleaned up the house like I took out all the garbage and cleaned the kitchen and stuff like that and the gun was behind the couch. When I moved the couch the gun was flat like say I didn't lift the couch there was no need to lift down the dads he wasn't particular about like you know what I mean.

Dunphy: Like I do home so I wouldn't scratch the floor so I



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just probably even kicked out the couch and it was kinda stuck under the couch. So you know I looked at it and it, it, it wasn't even a big thing to me because I knew it was there in the house before so I just figured you know whatever it was just hugged behind the couch it wasn't taken out a long time there was dust and dirt and shit everywhere. So I just lifted it up and shoved it back down on the couch and just shoved the couch back in. And I did mention to dad about it but it was never it was just like yeah it was pops gun like the old thing that was there like if you, were you to the house?

Dunphy: Like there's stuff poked literally everywhere.

Dunphy: So this was probably you know he probably moved some stuff over the past years and that, he, that just got slung in there like chances are only for I mentioned it he probably would of had to turn the house upside down to look for that if he wanted it.

Dunphy: And two of my uncles, my dad's brothers, have, knew exactly what gun it was because apparently my other uncle Dick had, my pop had four guns. My uncle Dick has three.

Dunphy: And this is the one how they knew what it was because obviously dad had this one. They claimed that it was broken and all warped up and I think you might of even we told you this before I think it was all warped up and you can tie it up was it Kev said?

Corcoran: Yeah I think Kev said it was tied up yeah.

Dunphy: Yeah Kev said it was like tied up. He said it was in the stable for years like it hadn't been used and stuff like that.

Dunphy: So I did see that and it was behind the couch. And you know I've been down the dads many times since then at least once a week at the very least and you know he didn't clean up obviously after I cleaned up so everything was still there and the boxes were still shoved in the same way. So my issue thinking now is just you know the way I see it I know my dad I know where he sat I know if the officer went in where he sat so I'm just wondering how my father managed to go behind the couch and get the gun if per say that's how it went.

Dunphy: But like I said I have a lot of questions this is some of them. But I just find it a little hard to understand like the cop was invited in my father must have been home literally two minutes I'd say...



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Dunphy: ...like he pulled up in the driveway and then the officer who was parked down the road just must of came right behind him. So he invited him in openly and then within 15 minutes like I can't understand how my dad managed to get up and go behind the officer where he was sitting and haul out this gun and then point at you. It doesn't make sense to me I'll be honest.

Dunphy: It's never been in another place (the stick) SDB/CPL. My dad didn't clean up before this you know he got up enough time to get in the shower brush his teeth and go not to mention he lived at our house for a week right before all this happened. So you know it's not like he planned everything out. So you know could it have been this stick that he was getting at, reaching for and then you know if this cop had seen that gun, and I'm not saying he's bad or anything like that...

Dunphy: ...but you know my dad could of pulled a stick on him and then if he sees the gun well how did you know he didn't put the gun there.

Dunphy: But there was a stick there that he used for self, say he would use for self defense if someone came.

Dunphy: So you know the gun was never there for self defense. It was there because it was my pop's and dad was too, had too big of a heart to throw it away he didn't you know, every, he kept dressers and you now there's I bet you there's 12 dressers in our house. We had three bedrooms. He kept everything. Every bed, every everything you know what I'm saying so I just have a hard time believing this story about the gun I'll be honest.

Dunphy: ...as of right now that's what I remember about that gun.

Osmond: So the information that you wanted to pass on is that you did see the gun in house.

Dunphy: Yeah.

Osmond: But that it was sort of thrown in behind the couch.

Dunphy: Yeah.

Osmond: And to the best of your knowledge that's where it was last...



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Dunphy: Yes.
Osmond: ...like situated...
Dunphy: Hmm, hmm.
Osmond: ...kind of thing right?
Dunphy: Yeah.
Osmond: And the other pieces that he had a stick with...
Dunphy: Yeah.
Osmond: ...duct tape on it and you feel that if he had picked that up the officer might of thought it was a gun.
Dunphy: Yes.
Dunphy: Which is where his chair was.
Dunphy: And the thing is if this officer went in there would of been nowhere around where my dad was sitting that he would of been able to hide anything because his chair was out about even probably like this from the wall there was nothing in this corner by him only like a stereo. So you know that was in the corner it couldn't be in there. Then there was the window and probably his little garbage bucket and his table with all his pills and shit on it. So you know the gun could not have been around him or it would have been in plain sight is what I'm trying to say.
Dunphy: Is what he would of said, and in my head that's the scenario that's happened there. He told him to get out and he probably didn't go immediately. I still, I don't think I'll ever believe no matter what comes out of this that my father hauled a gun on a cop because you know his life was getting better. He was looking forward to turning 60 so that he was gonna get like another 600 dollars a month and like things like that like things now are say if this had the be five years ago you know dad was a little bit more unhappy and stuff, but my father was not unhappy right now. He was bitter towards certain things but like he did not want to die by no means.
Cpl BURKE believes that it is clear from the statement of Meghan DUNPHY that the last place she saw the gun was behind the couch, Cpl BURKE is satisfied with that. To go back and ask her where was the last place she saw the gun or it see could have seen it by the



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chair would be leading. DUNPHY also mentions that if the gun was by the chair she feels she would have seen it.

/jl



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Date / Time:

Action:

Action ID:

Task No: 11
2015-08-06 10:25:00

Task Assignment: 11 - Notes - Team Commander

Sgt OSMOND was approached by Cst BURKE who had some concerns about the review of David RICHE. He stated he had told RICHE where to find the material about the rifle and that RICHE wants the police to re-interview Meghan DUNPHY to ask her if, the day before the shooting, she had seen the gun by the side of the her father's chair (where SMYTH states it was obtained).....or if she COULD HAVE seen the rifle in that location.

Action: 135
K OSMOND

RICHE also told BURKE that he feels there was a confrontation of some kind, that DUNPHY obtained the rifle from behind the couch, that SMYTH was angry and would not leave the residence, and shot DUNPHY.

BURKE was concerned that 1) RICHE was well outside his mandate of oversight by developing investigational theories and directing police, and 2) his theory made no sense and had the potential to unduly cast doubt on the investigation. OSMOND agreed.

OSMOND understands RICHE's role to be one of oversight, to ensure the investigation is completed in a timely and professional manner without biase or favoritism toward the police. Directing police to conduct follow-up interviews is not his role.

Having said that, Sgt OSMOND as Team Commander would have no issue with anyone, in any role, at any time, identifying a valid oversight or 'gap' in an investigation so that the matter could be addressed.

In this case however, the matter has been dealt with already and the answer is clear. Ms DUNPHY has been specifically asked about this issue, she remembers when she last saw the rifle, and has clearly articulated that fact. To ask her now if she remembers seeing it by the chair is a leading question and has no basis....to ask her if she COULD HAVE seen it is a dangerously suggestive question and will not be asked. It invites speculation, and could be perceived as the police suggesting that Ms DUNPHY's memory is unreliable, or that the police prefer / desire a different answer than what was offered.

In terms of Mr RICHE's theory of a confrontation having occurred, Sgt OSMOND is aware of no evidence to support this. This idea, compared to the known scene facts as OSMOND understands them to be at this time, is in direct contrast to the evidence and has no basis in fact.



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Should evidence surface that causes concern, all possibilities will be entertained and explored at that time. The only evidence that might cause concern is the forensic evidence from the scene, which is still being analyzed. To develop theories while this evidence is still being analyzed is not investigatively sound.

Based on what is known to this point, Mr RICHE's theory of an altercation (verbal or physical), the recovery of the rifle from behind the couch by DUNPHY, DUNPHY sitting in his chair, and then DUNPHY being shot by SMYTH makes no sense. One would have to accept that SMYTH allowed DUNPHY to move a couch during a heated argument, retrieve a rifle and sit down with the rifle in the chair in which he was shot and found. Trajectory evidence to this point clearly indicates DUNPHY was shot while seated in that chair. Even without considering the known physical evidence to the contrary, Sgt OSMOND finds the likelihood that an armed police officer, during an altercation, would allow an armed citizen to roam freely with a rifle, and sit down in a chair before discharging his weapon to defend himself to be highly unlikely. When considering this theory in conjunction with the physical evidence gathered thus far, there is no reason to think this occurred.

/jl

Task No: 11
2015-08-06 10:30:00

Sgt OSMOND asked for a meeting with Insp. CAHILL to discuss this issue.

Action: 136
K OSMOND

/jl



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Action:

Action ID:

Task No: 54
2015-08-06 10:30:00

Task Assignment: 54 - Independent Observer

Cpl BURKE spoke with Justice RICHE and advised him of what DUNPHY said in her statement. Justice RICHE responded that this was nothing new to him and was aware of the contents of her statement. Justice RICHE then said that he has a theory of what happened in the residence when DUNPHY was shot. He feels there was a confrontation between Donald DUNPHY and Joe SMYTH (clarified as verbal) and DUNPHY proceeded to go behind the couch and retrieve his gun and tell SMYTH to get out of his house and that was when SMYTH shot him. Cpl BURKE does not feel this theory described by Justice RICHE is logical or in line with the known evidence of this case for the following:

Action: 921
S BURKE

1. DUNPHY was found seated in a chair across the room from the couch and the scene, while trajectory has not yet been established, suggested that DUNPHY was shot while seated in the chair. Justice RICHE'S theory appears to suggest that DUNPHY retrieved his gun from behind the couch and then sat down in the chair and was then shot;

2. Unless DUNPHY was aware that police were looking for him, he would not have had time to get the gun before SMYTH'S arrival. Cpl BURKE does not have any information to suggest that DUNPHY was tipped off that police were in Mitchell's Brook looking for him;

3. While this may be difficult to prove, there is a void in the garbage on the floor that appears proportionate with the rifle found at the scene and where SMYTH said the gun came from. The couch appears as if it was not moved. The gun if on the DUNPHY'S right side may or may have not been visible and if SMYTH was standing near the fireplace towards the couch it is unlikely he would have seen the gun. (Scene photos reviewed)

4. Joe SMYTH is the only witness and provided his version of when happened at the DUNPHY residence that appears accurate when compared against the available evidence.

Cpl BURKE suggested a meeting with Justice RICHE, in person, same set up for Friday August 7, 2015 @ 10.

SUI

(S.D. BURKE) CPL.

/jl



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Task No: 11
2015-08-06 11:30:00

Task Assignment: 11 - Notes - Team Commander

Meeting between Sgt OSMOND, Cpl BURKE and Insp CAHILL. CAHILL agreed that the investigation cannot be influenced or directed by RICHE, but that any valid concerns he has should be addressed. Agreed.

CAHILL shared OSMOND and BURKE's opinion that the question he wanted asked of Md DUNPHY was leading and had been answered in the past, so it should not be done.

OSMOND advised CAHILL of RICHE's theory and his / BURKE'S concerns that RICHE was stepping outside his mandate. OSMOND stated he didn't feel comfortable reminding RICHE of his mandate or suggesting what he should or shouldn't be doing, as it could be perceived as interference. CAHILL understood that concern and asked that meeting be set up with RICHE to discuss any issues he has.

Meeting was arranged by Cst BURKE for 1000 hrs tomorrow morning.

/jl

Action: 137
K OSMOND



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Task No: 11
2015-08-07 10:15:00

Sgt OSMOND, Insp CAHILL and Cpl BURKE met with Judge RICHE. several issues were raised:

Action: 138
K OSMOND

- RICHE feels it is vitally important to clarify with Maghan DUNPHY when she last saw her father's rifle. He has trouble figuring out why it would have been beside his chair on the day of his death. MCU's position is that the question has been asked and answered by Ms DUNPHY, and only Mr DUNPHY could answer why the gun was by the chair, which is impossible. Ms DUNPHY states she last saw the rifle when she attended her father's house to feed the cats while he was in hospital several months before the shooting. It was behind the couch in the living room. RICHE was told if he wanted further clarification, he should feel free to contact Erin BREEN or Ms DUNPHY. In the opinion of investigators, the question has been asked and answered...to seek further answers to the question is a leading process and might appear as though the police were looking for a specific answer rather than the one that had already been offered.

- RICHE wonders if someone called to foerwarn DUNPHY of pending police arrival. He was advised by Cpl BURKE that DUNPHY's cell phone records do not reflect this as possible, and he had no landline.

- RICHE has concerns over reconciling the bullet trajectory as compared to SMYTH's account, Dr AVIS' explanation, and his theory that perhaps DUNPHY was in a different position than reported. He was advised that the forensic results / trajectory assessments are not completed and will likely address his concerns. If there are inconsistencies, they will be explored at that time.

- RICHE stated he feels the position of the gun on the floor is not consistent with him having been shot in the manner described by SMYTH. OSMOND asked him why he felt that way and he said it simply doesn't look right. OSMOND pointed out to him that MCU members, although having investigated numerous crime scenes, cannot make such conclusions as they lack the expertise. OSMOND suggested that kind of conclusion should be left to experts.

- RICHE states he feels that SMYTH 'slipped up' by calling the chair a couch and that concerns him in terms of his honesty. BURKE advised he has reviewed the statement and feels that SMYTH mis-spoke, which is not uncommon when providing a statement. It was agreed that SMYTH would be asked about this by Cpl BURKE.

- RICHE feels the decision not to polygraph SMYTH was not the right choice. BURKE and CAHILL explained that the questions that could



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be aksed are limited, as they have to be very specific, but most importantly SMYTH is not a suspect in an offense at this point. Should the forensics show differences from SMYTH's statement, or other evidence arise that causes concern, the issue would certainly be revisited. BURKE explained that he made inquiries on the usefulness of the polygraph, and was provided the above-noted guidance.

- RICHE offered some thoughts about what might have happened, such as the alleged altercation between the two men. He also speculated that SMYTH may have been in the little hallway next to the living room when he shot DUNPHY. OSMOND has no idea on what evidence RICHE has arrived at these possibilites. OSMOND cautioned him about speculating before the forensic evidence had been received. There is no indication that anything RICHE is speculating actually occurred.

/jl



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Task No: 54
2015-08-07 10:15:00

Task Assignment: 54 - Independent Observer

Cpl BURKE along with Insp. CAHILL and Sgt. OSMOND met with Justice RICHE at RCMP HQ. Cpl BURKE noted the following from Justice RICHE:

Action: 922
S BURKE

-The only evidence / witness police have was provided by the person who done the shooting;

-Meghan DUNPHY saw the gun behind the couch less than 24 hours before he was killed;

-People did not consider DUNPHY as a risk, he was on an up-swing. DUNPHY had lunch with his family no problems;

-SMYTH attended the DUNPHY residence on Easter Sunday like was looking for a fugitive;

-DUNPHY must have moved the gun. How did DUNPHY get gun from behind the couch. Was he tipped off?

-Problem. SMYTH had to put his story to correspond with the evidence;

-During the meeting with Dr. AVIS regarding shots fired and the direction the shots entered DUNPHY'S body. Said that the first shot killed DUNPHY and that SMYTH put two more in him for good measure. Justice RICHE is concerned with the way the gun landed;

-Wants to ask Erin BREEN to ask Meghan DUNPHY why she didn't see the gun by the chair;

-In his statement SMYTH says couch when he is referring to the chair;

-Thinks there was a confrontation between SMYTH and DUNPHY when DUNPHY when over to the couch and hauled the gun out from behind the couch;

-Justice RICHE mentions the incident where SMYTH was convicted if Mischief in the Virgin Islands and how he can be violent and loose his cool;

Task created for a second statement from SMYTH to ask why he said the work couch when he was referring to the location on the gun.

SUI



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

(S.D. BURKE) CPL.

/jl

Task Assignment: 11 - Notes - Team Commander

Task No: 11
2015-08-07 12:15:00

meeting end.

/jl

Action: 139
K OSMOND



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 108
2015-08-26 11:05:00

Task Assignment: 108 - Statement

Start of interview. BURKE identifies himself for the recording. SMYTH identifies himself for the recording.
BURKE notes that this is a supplemental statement to clarify an issue on the record.
BURKE identifies the transcript of the previous statement and notes that it is a proofed transcript.
On page 63 of the statement, there is a conversation about the scene. BURKE reads back the area needing clarification which deals with the firearm and where it was located. SMYTH uses the word couch.
SMYTH states that he made an error and that he didn't see the gun until it was in his hands. He saw it coming from his right side on the chair..
The gun was no where near the coach which is where SMYTH was standing.
SMYTH says he doesn't know if it was on the side of the chair or on the floor next to him (on the right side).
The bat was on the left side of the chair he was sitting on, situated on the floor. He recalls the bat being shorter with possibly duct tape.
He couldn't see the gun on the other side because he was positioned on opposite side. He acknowledged that he should have seen the gun but he didn't. He stated that he's racked his brain every day since and that he should have considered "one plus one" but he didn't.
Other than having to skirt around the couch, the couch was uninvolved in this incident.
He said that once DUNPHY sat in the chair, he didn't get up out of it other then to lean forward.
He again noted that anytime he referenced the couch in terms of where DUNPHY was sitting, he was in fact referencing the chair that DUNPHY was sitting in at the time of the incident and not the actual couch.

Action: 763
M HENSTRIDGE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 108
2015-08-26 11:07:00

/jl

Cpl BURKE requested that Joe SMYTH attended B Division HQ for a statement. The statement was taken to clarify a portion of the statement where SMYTH questioned if the gun came from the couch or the floor. Why did he say couch instead of chair. The following is a synopsis that was completed by Cpl. Monty HENSTRIDGE as he monitored the statement live:

Action: 762
S BURKE

Task No: 108
2015-08-26 11:20:00

/jl

Statement concluded.

Statement Proofed

CH

(S.D. BURKE) CPL

Action: 764
S BURKE

Task Assignment: 12 - Notes - Primary Investigator

Task No: 12
2015-08-26 12:00:00

Cpl BURKE updated Joe SMYTH on the file when he attended to provide a statement to clarify an issue for SME (Use of Force).

SUI

(S.D. BURKE) CPL.

/jl

Action: 923
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 54
2015-09-03 8:40:00

Task Assignment: 54 - Independent Observer

Cpl BURKE spoke with Justice RICHE to advise him that a statement was completed with Joe SMYTH with regards to him using the word couch when referring to the location of the gun. Cpl BURKE told RICHE that SMYTH used the word couch in error and that he meant to say chair. Cpl BURKE said that this statement was being transcribed and would be forwarded to him once completd. Justice RICHE said he knew SMYTH would say that. Cpl BURKE also offered Justice RICHE a meeting with FIS member Sgt. SAUNDERS to go over the scene diagram adding that Sgt. SAUNDERS now had a larger version and could answer any questions about the scene that Justice RICHE may have. Meeting tentativly set for Wednesday Sept. 9th, 2015. Justice RICHE did note the following as he was reviewing the file and starting his concluding report:

Action: 924
S BURKE

-He referred to the last shot that SMYTH took (one to the temple) as the finishing off shot;

-He said that SMYTH said that DUNPHY was following him but said that DUNPHY was seated in the chair;

-Questioned how and when the gun that DUNPHY was holding fell to the floor, it should have been as soon as DUNPHY was shot the first time;

-Mentioned DUNPHY'S broken glasses

-Said that what happened at the DUNPHY residence should not happen again.

-Referred to DUNPHY and SMYTH as two angry nen;

-The fact that SMYTH went there alone

SUI

(S.D. BURKE) CPL

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 109
2015-09-03 12:00:00

Task Assignment: 109 - Statement

Cst NIPPARD was asked to contact Richard Dunphy and obtain a statement from him regarding whether or not he contacted anyone after Joseph Smyth left his residence on the day in question.

/jl
(No time on Supplementary Report)

Action: 765
M NIPPARD

Task No: 109
2015-09-03 15:30:00

Cst NIPPARD called Richard Dunphy's residence and spoke with a care taker worker. She advised Donald Dunphy would be home after 6 p.m. this date. My name and number were left with her for call back.

/jl

Action: 766
M NIPPARD

Task No: 109
2015-09-03 21:00:00

Cst NIPPARD had missed a call from Richard Dunphy earlier but spoke with him at this time. He agreed to meet with me tomorrow morning between 9 and 9:30 a.m.

/jl

Action: 767
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 109
2015-09-04 9:15:00

Cst NIPPARD met with Richard Dunphy at his residence in Mitchell's Brook. We sat in his residence where Cst NIPPARD obtained an audio recorded statement from him. The following was learned:

Action: 768
M NIPPARD

Richard did not call Don, Megan or anyone after the officer left his residence to say that the police had been there concerning Don.
Richard was asked about the firearms and confirmed that his father owned 3 guns, a .22 calibre and 2 shotguns. After he died Don had the 3 guns and gave the 2 shotguns to Richard. Richard was suppose to get the .22 calibre as well but never did.
Richard was not aware in Don ever used the firearm.
Richard did not know if Don had any ammunition for the gun or if his father did either.
Richard confirmed again that he never did hear any noises from over at Don's that day and only became aware of something having happened as they happened to go down the road afterwards and seen the police vehicle at Don's.

/jl

Task No: 109
2015-09-04 9:18:00

Statement Concluded.

Action: 769
M NIPPARD

Cst.Michael Nippard 55787
RCMP Major Crimes Unit

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 39
2015-09-08 10:50:00

Task Assignment: 39 - Lab Analysis

E-mail received from Sgt.Merritt by Cst.Nippard. Advising a Firearms Specialist caught something that should have been asked for in the first instance regarding the bullet in Donald Dunphy's rifle. Sgt.Merritt wanted to know if it would benefit the investigation to have this cartridge tested for function and classification. If so then to send the exhibit number and he would approve same for testing.

This matter discussed between Cst.Nippard and Cpl.Burke and decision made to send bullet for testing as long as it would not slow down current test results.

Cst.Nippard called Sgt.Merritt and confirmed current testing at the lab would not be delayed to await the results of the bullet testing. Sgt.Merritt given exhibit number for authorization to be prepared.

/jl
(Cst NIPPARD)

Action: 345
M NIPPARD

Task No: 40
2015-09-08 12:00:00

Task Assignment: 40 - Lab Analysis

Cst.Mike Nippard at request of Cpl.Burke concluding this task to Folder 039. Folder 039 will hold information related to Lab Analysis.

September 8th, 2015

This task closed to Folder 039. Please refer.

/jl

Action: 387
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 65
2015-09-08 12:00:00

Task Assignment: 65 - Disclosure

Cpl BURKE met with Justice RICHE with Sgt. OSMOND, Sgt. EFFORD and Sgt. SAUNDERS. Sgt. SAUNDERS explained the analysis of the scene and presented Justice RICHE with a poster sized scene diagram. Cpl BURKE provided RICHE with an updated disclosure package.

SUI

(S.D. BURKE) CPL.

/jl

Action: 925
S BURKE

Task No: 39
2015-09-08 12:03:00

Task Assignment: 39 - Lab Analysis

E-Mail received from Sgt.Merritt by Cst.Nippard. Exhibit PE02 is approved for testing. Authorization attached to e-mail and the amended C-414.

/jl

Action: 346
M NIPPARD

Task No: 39
2015-09-08 12:06:00

Authorization forwarded to Cst.Galway for action. He has possession of the exhibits.

/jl

(Cst NIPPARD)

Action: 347
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 39
2015-09-08 12:06:00

(Cst GALWAY) Following e-mail received from Cst. NIPPARD:

Action: 951
J GALWAY

John,

Below is authorization from the lab to send PE2 - Bullet removed from Dunphy's firearm. It is being tested for functionality and classification. Please send to the lab as noted as soon as possible.

Thanks,

Mike

>>> FAC-CEJ 2015/09/08 12:03 PM >>>

Hi Mike,

As discussed, I've attached an amended C-414 and Approval Notice that includes exhibit PE02 (unspent cartridge from deceased's rifle).

Please submit this exhibit once you've received this email.

Thank you,

Mike

Sgt. Mike Merritt
Forensic Strategist
Forensic Assessment Center (FAC)
National Forensic Laboratory Services
Phone: 1-866-██████227 or 613-██████213
Fax: 1-877-██████047
Email: FAC-CEJ████████████████████

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 11
2015-09-09 10:00:00

Task Assignment: 11 - Notes - Team Commander

Meeting with Justice RICHE, Cst BURKE, Sgt EFFORD (incoming NCO i/c MCU) and Sgt Chris SAUNDERS (FIS).

Action: 140
K OSMOND

There was considerable discussion with Mr. RICHE about the planned drawing created by Sgt SAUNDERS and bullet trajectories. RICHE was hoping there would have been more information regarding trajectories and location of where certain shots were fired. All person present agreed that having further information about those specifics would be desirable, however SAUNDERS was clear in saying that he cannot speak to any trajectories other than the one bullet that went through the wall and into another wall. That particular bullet left more than one indicator of travel (damage to walls) that could be linked together to provide directional information.

It was explained to Mr RICHE that investigators are hoping that perhaps the subsequent scene analysis that will be completed (after the lab results are back) might offer further information in that regard. RICHE was advised the lab results are expected in Mid-September.

Sgt SAUNDERS also pointed out the 'void' in the garbage that was noted by investigators. While not definitive evidence, it could possibly be attributed to a long-ish item having been on the floor on the right (DUNPHY's right) of the chair in which he was sitting.

Justice RICHE discussed the amount of shots fired by SMYTH and seemed to place great significance on the fact that the bullet that struck Mr DUNPHY in the side severely damaged his aorta (information he attributed to Dr AVIS). He seemed to feel that because it caused massive bleeding and would likely have been a fatal shot in and of itself, the other shots may not have been necessary. It was explained to him that 1) nobody currently in the room could definitively testify to which shot SMYTH discharged first, 2) although the shot to the aorta may have ultimately killed DUNPHY over time, nobody in the room could speak to how long death would have taken, or if the pending death would have been obvious, 3) the entire event would have taken just a few seconds and complex decisions are not often made in such a compressed time, 4) in a traumatic situation, police should revert to training (instinct) and SMYTH's training regimen will form part of the investigation.

Justice RICHE expressed that SMYTH should have simply arrested DUNPHY, placed him in handcuffs and brought him before a Judge, thereby avoiding the eventual outcome. Sgt OSMOND told RICHE that, according to the information in the investigation thus far, SMYTH



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had no grounds to arrest DUNPHY as no criminal offense had been established. SMYTH arresting DUNPHY while simply trying to have the meaning of an electronic social media message clarified would have been an unlawful arrest and could have resulted in Cst SMYTH being charged.

Sgt OSMOND left the meeting early due to a medical appointment.

/jl

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-09-09 10:30:00

(Cst GALWAY) Discuss file with Cpl. O'KEEFE, and retrieve PE-2 from the exhibit room.

Action: 945
J GALWAY

/jl

Task Assignment: 65 - Disclosure

Task No: 65
2015-09-09 10:45:00

Cpl BURKE provided Justice RICHE with an updated disclosure package.

Action: 509
S BURKE

SUI

(S.D. BURKE) CPL.

Primary Investigator

/jl

Task Assignment: 4 - Exhibit Custodian

Task No: 4
2015-09-09 11:30:00

PE-2 packaged up, by DA SKINNER, along with the Lab Approval and C-414. Purolator will pick it up today.

Action: 946
J GALWAY

/jl

Task No: 4
2015-09-09 16:30:00

Purolator picked up the exhibit.

Action: 947
J GALWAY

Cst. John GALWAY

/jl

(Supplementary Report relates to Exhibit PE-2)

**PROJECT DUNPHY**
File No: 2015-376186**DAILY LOG REPORT**[Table of Contents](#)**Date / Time:****Action:****Action ID:****Task No: 90**
2015-09-11 12:00:00**Task Assignment: 90 - Subject Matter Expert**

Cpl. CORSCADDEN requested additional material:
why SMYTH shot where he did
RNC Course of Fire
statements of Richard DUNPHY and Debbie DUNPHY, Donna IVY.
SMYTH'S scene diagram
FIS diagram
SUI

(S.D. BURKE) CPL.

/jl
(No time on Supplementary Report)

Action: 660
S BURKE**Task No: 111**
2015-09-11 16:51:00**Task Assignment: 111 - Statement**

Statement concluded.

/jl

Action: 771
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 111
2015-09-14 16:32:00

Cpl. BURKE obtained a statement from Joe SMYTH at the request of the SME (Use of Force) re Why SMYTH placed the shot where he did when fired at DUNPHY. The following is a synopsis of that statement as provided by monitor Victor DRAY:

Action: 770
V DRAY

- Start of interview. BURKE identifies himself for the recording. SMYTH identifies himself for the recording.
BURKE asks for recount of seeing the firearm as presented by DUNPHY.
saw firearm in peripheral.
standing next to fireplace mantle.
saw the firearm come up as well as DUNPHY coming upright.
dropped file folder and immediately went into to the defensive position.
put hand out saying "no,no".
went instinctive and wanted to get towards the door.
drew his pistol and by the time his firearm got to target the firearm was pointed at him.
felt like he was prepared to be hit by the bullet, pain.
recalls firing two shots towards centre mass.
thinks he brought his second hand to the firearm.
took two shots centre mass, not knowing if he was on target.
feels that it was very brief.
felt that it was instinctive to shoot to the head, he was moving and the firearm was still coming towards him.
he didn't feel that the first shot was on target and then took a second shot towards the head as he was running towards the door.



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- saw head "jar" or that DUNPHY was turning away but though that he hit him.
- feels that the second head shot was on target.
- just thought he needed to shot or he was going to be killed.
- describes instinctive as muscle memory, firearm qualification, re-assessing for a head shot. Felt that it was survival, "what do I have to do to make this situation shot"
- thought about this thousands of times and wonders what he could have done differently.
- even feels that getting out of the house was instinctive and wonders if he tripped or didn't get out.
- hard to articulate having someone pointing a firearm at you.
- wonders if DUNPHY remained in his sights, would he have stopped shooting. Felt that he was shooting until he was safe.
- never saw DUNPHY's firearm on the ground until he started coming back in the room.
- gave commands as he came back in the room, even knowing that he had hit DUNPHY in the head and he probably didn't have too.
- still feared for safety as he re entered the room.
- course of fire has changed the last couple years.
- instinctive shooting, not sighting target.
- last couple years he knows instinctive shooting has been two shots centre mass, one to the head.
- instinctive shooting is at closer distances, starting at 7 meters.
- always shoot at centre mass first.
- believes that %75 of time after shots to centre mass,



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there is a shot to the head.

- believes that there is now a longer assessment period in between shots.
- the two centre mass shots were instinctive, the heads shots were taken because DUNPHY's firearm was still pointed at him.
- felt the threat was still there after the first two shots (centre mass)
- DUNPHY's firearm was following him out of the room.
- went to the head to "stop myself from getting shot"
- describes again that it was instinctive and muscle memory.
- felt first shot to the head was not on target and knows for certain the second head shot was on target. Does not know if any of the other shots were on target.
- hard to provide a methodical explanation that happened so fast, feels that it was instinctive training.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-09-15 8:28:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE requested Course of Fire from RNC.

/jl

Action: 661
S BURKE

Task No: 39
2015-09-15 13:28:00

Task Assignment: 39 - Lab Analysis

Cst.Nippard called and spoke with Sgt. Mike Merritt regarding the report due today for this matter. He advised the report is not on file. He will contact the Forensic Specialist Greg Williams via e-mail and let me know.

/jl

Action: 348
M NIPPARD

Task No: 39
2015-09-15 13:49:00

Cst.Nippard was cc'd e-mail from Sgt.Merritt to Greg Williams inquiring for an update on the testing.

/jl

Action: 349
M NIPPARD



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 39
2015-09-16 13:36:00

Cst.Nippard received a e-mail response from Sgt. Merritt regarding the update on progress as follows:
Progress update on file 2015N-002804
- majority of analysis is complete
- currently working on range determination (ballistic testing)
- microscopic comparison preliminary results are complete, but require verification prior to reporting
- report to be written and reviewed
Waiting on:
- autopsy results / photos
- receipt of Exhibit PE2, analysis, classification.
I'd estimate the report may be finished by early next week, depending on how long the verification and review take and on when I receive the autopsy results / photos. It appears that the cartridge, Exhibit PE2, has already been received by our Evidence Management unit and is being processed. I'll email to see if I can pick it up from them directly.
/jl

Action: 350
M NIPPARD

Task No: 39
2015-09-16 13:47:00

Cst.Nippard spoke to Firearms Specialist Greg Williams regarding this matter. He advised the report should be ready early next week. (Further extending the wait). Greg Williams requested the autopsy report and the scene/autopsy photo's. This so that certain determinations could be fully accounted for such as trajectory. Williams advised he had let FAC (Lab) know this but hadn't heard back.
Greg Williams - Firearms Unit Specialist, Ottawa, ON.
/jl

Action: 351
M NIPPARD

Task No: 39
2015-09-16 14:24:00

Autopsy report was scanned and sent to Greg Williams at this time. Cpl.Burke contacted Sgt.Chris Saunders to ensure the photos requested were given to Greg Williams by the National Imaging Unit, Williams was advised of this in the e-mail as well. Sgt.Saunders cc'd.
/jl
(Cst NIPPARD)

Action: 352
M NIPPARD

**PROJECT DUNPHY**

File No: 2015-376186

DAILY LOG REPORT[Table of Contents](#)**Date / Time:****Action:****Action ID:****Task No: 39**
2015-09-16 14:35:00

Sgt.Saunders replied and advising Williams of where the National Forensic Imaging office is and that he would be sending the request to have all the images burned to a disc for Williams to pick up if he can.

Action: 353
M NIPPARD

/jl
(Cst NIPPARD)

Task No: 39
2015-09-16 14:47:00

Sgt.Saunders sends imaging request to Melissa [REDACTED]

Action: 354
M NIPPARD

/jl
(Cst NIPPARD)

Task No: 39
2015-09-16 15:54:00

E-mail received from Meliisa [REDACTED] advising the images were ready for pick up.

Action: 355
M NIPPARD

/jl
(Cst NIPPARD)

Task No: 39
2015-09-16 17:43:00

E-mail received by Cst.Nippard from Sgt.Merritt requesting the autopsy report and images for Greg Williams. He was responded to and advised that this was already taken care of.

Action: 356
M NIPPARD

/jl



PROJECT DUNPHY
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Date / Time:

Action:

Action ID:

Task No: 39
2015-09-17 9:18:00

E-mail received by Cst.Nippard from Greg Williams advising he received both the unfired cartridge, Exhibit PE2, and the autopsy photos yesterday.

Action: 357
M NIPPARD

/jl

Task Assignment: 111 - Statement

Task No: 111
2015-09-17 11:45:00

Statement proofed and printed.

Action: 772
S BURKE

CH

(S.D. BURKE) CPL.



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-09-21 11:00:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE received the RNC Course of Fire from RNC and sent same to Cpl. CORSCADDEN.

Cpl BURKE was notified that the Use of Force opinion was 95% complete.

SUI

(S.D. BURKE) CPL.

/jl

Action: 662
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 39
2015-09-23 9:26:00

Task Assignment: 39 - Lab Analysis

E-mail received by Cst.Nippard from Greg Williams with the lab. His curriculum vitae and the forensic report are attached in the e-mail. Same forwarded to Cpl.Burke. Copy of both documents and the e-mail placed on folder 039.

Action: 358
M NIPPARD

Cst. Michael Nippard 55787
RCMP Major Crimes Unit

/jl

Task No: 39
2015-09-23 9:46:00

Cpl BURKE received and reviewed Lab Report from Cst. NIPPARD:

Action: 779
S BURKE

Forensic Science and Identification Services Laboratory Report - Firearms Section:

The report revealed that the .22 caliber rifle was operational and a firearm within the meaning of the Criminal Code.

The rifle was not serial numbered.

That the .40 caliber pistol was operational and functioned in a semi-automatic manner.

The pistol fired the spent casings found on the DUNPHY scene.

Clothes worn by DUNPHY showed characteristics consistent with gunshot damage. No firearm discharge residue pattern was observed.

Member noted the list of exhibits that were analyzed, namely the firearm of Joe SMYTH, the rifle recovered from the DUNPHY residence and bullets / casing found at the scene and at the autopsy. I noted that there was no DNA testing performed on the rifle and researched if DNA testing was a viable test to have been performed.

/jl



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 83
2015-09-23 12:00:00

Task Assignment: 83 - 3D Imaging

Sgt OSMOND forwarded lab report to Darrell BARR.

BARR replied that everything was good to go on his end. Added that he could not start until 4 weeks from this date as he would be out of the country. Said he does not see it taking too long once started.

SUI

(S.D. BURKE) CPL.
Primary Investigator

/jl
(No time on PROS Report)

Action: 620
S BURKE

Task No: 12
2015-09-23 12:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE called SMYTH and updated him on the file and the fact that the lab report has been received. Cpl BURKE told SMYTH that the lab report was required to complete other outstanding reports (SME Use of Force and 3D Imaging).

SUI

(S.D. BURKE) CPL.

/jl
(No time on General Report)

Action: 926
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 39
2015-09-24 11:30:00

Task Assignment: 39 - Lab Analysis

Cpl BURKE spoke with Sgt. Mike MERRITT, a forensic stratigist with the RCMP Lab and forensic consultant on this case. Cpl BURKE asked it DNA testing was a test that should have been included in the lab analysis and he advised the following:

Action: 780
S BURKE

DNA swabbing is to be completed by local FIS before it is shipped to the lab, normally completed during the fingerprinted analysis;
Lab does not accept DNA swabs for touch DNA to eliminate a party;
Touch DNA testing would prove ownership and will not prove if some handled a firearm once or twice (item had to be handled over a period of time);
Touch DNA may prove ownership but cannot time stamp when a person handled an item;
SDB/CPL

Primary Investigator

/jl

Task No: 51
2015-09-24 14:57:00

Task Assignment: 51 - NWEST

On Septemeber 24, 2015, Corporal Jayne STEWART of NWEST received an email from Corporal Steven BURKE with the lab analysis of DUNPHY's firearm. Corporal STEWART learned that no serial number had been recovered from the firearm. As there was no serial number on the firearm a trace cannot be completed to attempt to identify where it came from by contacting the distributor.

Action: 966
J STEWART

Under the mandate of the firearms registry, it is not possible to conduct queries on non-restricted firearms in order to determine if they are registered to an individual, as this is no longer required by Canada Law.

Corporal STEWART

NWEST (National Weapons Enfocement Support Team)

B Division

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 51
2015-09-24 15:30:00

Cpl BURKE received an Affidavit of Firearms Officer Jeffery Philip REYNOLDS re: Donald DUNPHY:

Action: 452
S BURKE

On September 22, 2015 REYNOLDS conducted a search and examination of CFIS for any record of a licence or authorization issued to, or, an application for a licence or authorization submitted by Donald DUNPHY with date of birth of August 23, 1956;
That he was not able to find any record of an application for a Possession Only Licence or a Possession and Acquisition Licence submitted in the name of Donald DUNPHY;
That he was not able to find any record of a Possession Only Licence or a Possession and Acquisition Licence issued in the name of Donald DUNPHY.

CH

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 107
2015-09-25 10:25:00

Task Assignment: 107 - Internal Investigation

Det/Sgt. LITTLE inquired about the status of the investigation. Cpl BURKE advised it was still under investigation

SUI

(S.D. BURKE) CPL.

Action: 761
S BURKE

Task No: 65
2015-09-25 12:00:00

Task Assignment: 65 - Disclosure

Cpl BURKE met with Justice RICHE and provided him with updated disclosure, in particular the lab results. Disclosure was explained and discussed.

SUI

(S.D. BURKE) CPL.

/jl
(No time on General Report)

Action: 927
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-10-09 15:59:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE was advised by CPL. CORSCADDEN that the Use of Force report was completed and it gone forward for editing, then it will be peer reviewed.

SUI

(S.D. BURKE) CPL

/jl

Action: 663
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 15
2015-10-26 9:39:00

Task Assignment: 15 - Family Liaison

Cpl BURKE called Meghan DUNPHY for update. No answer, message left.

SUI

(S.D. BURKE) CPL.

/jl

Action: 928
S BURKE

Task No: 15
2015-10-26 10:10:00

Cpl BURKE received a call back from Meghan DUNPHY. Cpl BURKE updated her that the lab report was back and we were waiting on the Use of Force Opinion Report and 3D Imaging of the scene. DUNPHY appreciated the call and the update.

SUI

(S.D. BURKE) CPL.

/jl

Action: 929
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 112
2015-10-27 15:02:00

Task Assignment: 112 - Social Media

Cpl BURKE received an email from A/Sgt. SMYTH advising that he was recently made aware of social media activity that identified him as being involved in the Donald DUNPHY shooting. There were photos of him and his family included.

/jl

Action: 773
S BURKE

Task No: 112
2015-10-27 15:11:00

Cpl BURKE received additional social media screen shots from A/Sgt. SMYTH identifying him as a Premier Bodyguard and involved in the DUNPHY shooting.

SUI

(S.D. BURKE) CPL.

Screen Shots in attached to papaer folder.

CH

(S.D. BURKE) CPL.

/jl

Action: 774
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 54
2015-10-28 13:40:00

Task Assignment: 54 - Independent Observer

Cpl BURKE spoke with Justice RICHE and an update was provided. Outstanding reports are SME Use of Force Opinion and 3D Imaging of scene.

SUI

(S.D. BURKE) CPL

/jl

Action: 930
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-10-29 10:50:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE contacted Cpl. CORSCADDEN for update. Was advised it went for Peer Review.

SUI

SDB/CPL.

/jl

Action: 664
S BURKE

Task No: 83
2015-10-29 11:14:00

Task Assignment: 83 - 3D Imaging

Cpl BURKE sent Darrell BARR an email for an update on his report.

SUI

(S.D. BURKE) Cpl.

/jl

Action: 596
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-10-29 13:19:00

Cpl BURKE received the following email from Darryl BARR

Action: 597
S BURKE

Hi Steve,

I'm just back this week from 3 weeks away. I will be contacting you next week from a new email address and instructions on sending me the materials. The plan was to review all crime scene reports/photos/diagrams, forensic lab report and autopsy materials in order to determine details of the incident. Copies will be fine. I will also include a quote on creating a 3D model of the shooting if it's possible and required at a later date.

Once I receive the materials, I will conduct a preliminary review and then provide you with a quote to conduct a full review and issue a report. Let me know if this plan works for you.

Sincerely,

Darryl

Darryl G. Barr, B.Sc.

MANAGER

Forensic Firearms and Toolmark Laboratory

Investigative Support Section

CALGARY POLICE SERVICE

Desk (403) [REDACTED] 213

Cell (403) [REDACTED] 692

Fax (403) [REDACTED] 0549

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 54
2015-11-02 9:00:00

Task Assignment: 54 - Independent Observer

Cpl BURKE received a call from Justice RICHE advising of the recent media surrounding the DUNPHY. Cpl BURKE advised he was aware of media.

/jl

Action: 931
S BURKE

Task No: 12
2015-11-02 11:30:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE received a call from Joe SMYTH. He was wondering about an update. Cpl BURKE spoke with SMYTH recently and the fact police were waiting on SME Use of Force and 3D Imaging. SMYTH commented on the recent social media posts and said that he and he have were concerned for their safety. He said that he stayed wih relatives last week while security equipment was being installed at his residence. He added his wife and son are currently "down south" to avoid the public attention.

Cpl BURKE updated Sgt. EFFORD and Insp. CAHILL of recent events. Cpl BURKE to complete advance message and Sgt EFFORD to update SMYTH'S supervisor, A/Insp. Joe GULLAGE.

/jl

Action: 932
S BURKE

Task No: 12
2015-11-02 13:00:00

Cpl BURKE completed Advance Message and forwarded same to Sgt. EFFORD.

SUI

(S.D. BURKE) CPL.

/jl

Action: 933
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-11-04 9:28:00

Task Assignment: 90 - Subject Matter Expert

Cpl BURKE contact Cpl. CORSCADDEN for an update. Was advised that the Peer Review was completed and she was going to draft an A5 to the SSO asking him to recommend the Crops Officer released the report.

SUI

(S.D. BURKE) CPL.

/jl

Action: 665
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-11-05 12:00:00

Task Assignment: 83 - 3D Imaging

Disclosure package sent to Darryl BARR containing scene photos and video, FIS reports, autopsy report and lab report.

Action: 598
S BURKE

SUI

(S.D. BURKE) CPL

/jl
(No time on PROS Report)



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-11-13 12:00:00

Quote and Agreement received from Darryl BARR

Enlarged Scene diagram forwarded to BARR

Request for quote for 3D Model sent

SUI

(S.D. BURKE) CPL.

/jl
(No time on PROS Report)

Action: 599
S BURKE

Task Assignment: 114 - Schedule and Duties

Task No: 114
2015-11-13 12:07:00

Cpl BURKE requested the work schedule and duties of A/Sgt. SMYTH while he was assigned to the Premiers Detail.

SUI

(S.D. BURKE) CPL.

/jl

Action: 776
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-11-16 9:47:00

Task Assignment: 83 - 3D Imaging

Sgt. Chris SAUNDERS sent package to Darryl BARR including notes and measurement by himself and Cpl. LEE

Action: 600
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

Task No: 113
2015-11-16 12:00:00

Task Assignment: 113 - Letter

An anonymous was received by Insp. CAHILL. The return address on the envelop is [redacted], St. John's, Newfoundland, Canada. The following is a synopsis of that letter:

Action: 775
S BURKE

-The writer stated that he based his beliefs on a radio report on the death of Mr. DUNPHY and the many comments that were made;

-Believes the officer was set up and that DUNPHY lured the officer to his residence;

-DUNPHY had no intention of shooting the officer;

-DUNPHY was angry with government and Workers Compensation and was fed up;

-DUNPHY planned the events without telling anyone and instead of bringing disgrace to his family he planned to have the officer kill him.

Letter attached to paper folder.

CH

(S.D. BURKE) CPL.

/jl

(No time on Supplementary Report)



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 114
2015-11-16 14:58:00

Task Assignment: 114 - Schedule and Duties

Cpl BURKE received job description for Premiers Detail from Insp. SHEPPARD. It is a Personnel Order dated April 8, 2013 and on June 4, 2013 Joe SMYTH won the position. The mandate of Protective Services is as follows:

-to provide close protection services to the Premier of NL and other designated dignitaries;

-gather intelligence on person and groups of interest, demonstrations and any other matter that could potentially cause direct or indirect harm to the Premier or the Office of the Premier or to any other elected Government Official

Personal Order submitted to paper folder.

SUI

(S.D. BURKE) CPL.

/jl

Action: 777
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-11-18 14:48:00

Task Assignment: 83 - 3D Imaging

Cpl BURKE received message from Darryl BARR advising there should be enough detail in create a 3D model. Quote to be forwarded in next couple of days.

Action: 601
S BURKE

SUI

(S.D. BURKE) CPL.

/jl

**PROJECT DUNPHY**
File No: 2015-376186**DAILY LOG REPORT**[Table of Contents](#)**Date / Time:****Action:****Action ID:****Task No: 90**
2015-11-19 11:52:00**Task Assignment: 90 - Subject Matter Expert**

Cpl BURKE contacted Cpl. CORSCADDEN for an update.

SUI

(S.D. BURKE) CPL.

/jl

Action: 666
S BURKE**Task No: 83**
2015-11-19 13:27:00**Task Assignment: 83 - 3D Imaging**

Quote for 3D Image received, same forwarded for approval.

SUI

SDB/CPL

/jl

Action: 602
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-11-20 11:20:00

Cpl BURKE sent signed agreement for written report to Darryl BARR.

Action: 603
S BURKE

SUI

SDB/CPL

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-11-25 13:37:00

Task Assignment: 90 - Subject Matter Expert

Cpl. BURKE contacted Cpl CORSCADDEN for an update on SME report.

SUI

(S.D. BURKE) CPL

/jl

Action: 667
S BURKE

Task No: 114
2015-11-25 16:14:00

Task Assignment: 114 - Schedule and Duties

Cpl BURKE received the work schedule of A/Sgt. SMYTH from Insp. SHEPPARD.

The schedule shows SMYTH working 12 hour shifts from 8 am to 8 pm and scheduled to work a 12 hours day on April 5, 2015.

Task now concluded.

CH

(S.D. BURKE) CPL

/jl

Action: 778
S BURKE

**PROJECT DUNPHY**
File No: 2015-376186**DAILY LOG REPORT**[Table of Contents](#)**Date / Time:****Action:****Action ID:****Task No: 115**
2015-11-26 8:25:00**Task Assignment: 115 - Notes**

Cpl LUNNEN met with Cpl BURKE as he was inquiring about the possibility of moving this investigation to E&R III.

Action: 1044
J LUNNEN**Task No: 83**
2015-11-26 16:30:00**Task Assignment: 83 - 3D Imaging**

Cpl. BURKE received an update from Darryl BARR advising that he should be ready for the reenactment next week.

Action: 604
S BURKE

SUI

(S.D. BURKE) CPL

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 54
2015-11-30 9:00:00

Task Assignment: 54 - Independent Observer

Cpl. BURKE spoke with Justice RICHE and provided an update on the outstanding reports.

SUI

(S.D. BURKE) CPL

/jl

Action: 935
S BURKE



PROJECT DUNPHY
File No: 2015-376186

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Date / Time:

Action:

Action ID:

Task No: 83
2015-12-01 13:17:00

Task Assignment: 83 - 3D Imaging

Cpl. BURKE received a message from Darryl BARR advising that he was ready to review and compare the reenactment.

Signed Agreement was attached.

SUI

(S.D. BURKE) CPL

/jl

Action: 605
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 118
2015-12-02 9:37:00

Task Assignment: 118 - Crown Liaison

Cpl. BURKE, Insp CAHILL and Sgt. EFFORD met with Elaine REID, Assistant Director of Public Prosecutions to discuss the DUNPHY file and to basically make her aware that the investigation was on-going in the event her assistance was required.

Discussion regarding Section 25 of Criminal Code, circumstances for Peace Officer use of force justification.

What a reasonable person would do if face with same situation and that peace officers are held to a higher standard because of specialized training

SUI

(S.D. BURKE) CPL.

/jl

Action: 936
S BURKE

Task No: 115
2015-12-02 10:30:00

Task Assignment: 115 - Notes

Cpl LUNNEN met with Cpl BURKE regarding her involvement in creating Task Actions for this investigation from the General and Supplementary Reports on PROS.

Cpl BURKE advised that the investigation was already organized by tasks and that most folders on PROS are identified by Task Number already. Cpl LUNNEN was requested to create a Task Action for each date and time as identified on PROS reports and copy the report.

In cases where investigators used "writer" or wrote in first person ("I"), Cpl LUNNEN was asked to substitute the name of the investigator.

All entries that are "ghost-written" were to be ended with "/jl" and the actual writer was to be selected as the Author.

Action: 1045
J LUNNEN



PROJECT DUNPHY
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DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-12-02 13:00:00

Task Assignment: 90 - Subject Matter Expert

Cpl. BURKE spoke with Cpl CORSCADDEN by phone and was advised that the SME was completed and on the desk of H Division CROPS Officer for review.

SUI

(S.D. BURKE) CPL.

/jl

Action: 668
S BURKE

Task No: 115
2015-12-02 13:20:00

Task Assignment: 115 - Notes

Cpl LUNNEN began copying all General and Supplementary Reports from PROS to E&R III.

Action: 1046
J LUNNEN

Task No: 54
2015-12-02 14:15:00

Task Assignment: 54 - Independent Observer

Update of progress received from Justice RICHE.

SUI

(S.D. BURKE) CPL.

/jl

Action: 937
S BURKE



PROJECT DUNPHY
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DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 83
2015-12-02 15:00:00

Task Assignment: 83 - 3D Imaging

Cpl. BURKE sent Darryl BARR the transcription of the reenactment and the statements of Joe SMYTH by email. Videos of the reenactments and statements were loaded to a thumb drive and sent by courier.

Action: 606
S BURKE

SUI

(S.D. BURKE) CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 12
2015-12-04 10:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl. BURKE called Joe SMYTH and provided him with an update. He said he was having a difficult time over the last few weeks, namely comments being made on social media about him and his family. Cpl. BURKE advised that the investigation was on-going being worked on everyday. SYMTH thanked Cpl. BURKE for the update.

SUI

(S.D. BURKE) CPL.

/jl

Action: 938
S BURKE

Task No: 65
2015-12-04 12:00:00

Task Assignment: 65 - Disclosure

Cst. MILLER provided updated disclosure to Justice RICHE,

SUI

(S.D. BURKE) CPL.

/jl

(No time on General Report)

Action: 934
S BURKE

Task No: 15
2015-12-04 12:00:00

Task Assignment: 15 - Family Liaison

Cpl. BURKE updated Meghan DUNPHY on file and advised that she would be notified if anything was released to the media by the RCMP.

SUI

(S.D. BURKE) CPL.

/jl

Action: 939
S BURKE

Task No: 107
2015-12-04 14:00:00

Task Assignment: 107 - Internal Investigation

Cpl. BURKE updated Det/Sgt. LITTLE on investigation.

Action: 1055
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 54
2015-12-07 8:00:00

Task Assignment: 54 - Independent Observer

2015-12-07 to 2015-12-17

Cpl. BURKE was away on course and was in regular contact with Justice RICHE.

SUI

(S.D. BURKE) CPL.

/jl
(No time on General Report)

Action: 940
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 90
2015-12-14 16:32:00

Task Assignment: 90 - Subject Matter Expert

Cpl. BURKE received SME Use of Force Report.

The SME and author of the report, Cpl Wayne KNAPMAN concluded the following (opinion):

"...Cst. SMYTH'S decision to use lethal force was reasonable and necessary given the totality of the situation. Donald DUNPHY threatened Cst. SMYTH with a rifle, he possessed the requisite weapon, intent and means to cause death or grievous bodily harm to this officer. The actions were consistent what would be expected from a police officer of similar background and training.

Cst. SMYTH'S decision to use lethal force was necessary to defend his life against the imminent threat posed by Donald DUNPHY."

Copy of Use of Force Review attached to file.

CH

(S.D. BURKLE) CPL.

/jl

Action: 669
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task No: 12
2015-12-16 14:00:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl. BURKE called both Cst. SMYTH and Meghan DUNPHY to advise them that the RCMP was providing a media release on the file. A brief summary of the release was given as, "investigation is ungoing, RCMP expected to have a decision by end of January 2016 and it will then be reviewed by an external agency."

SUI

(S.D. BURKE) CPL.

/jl

Action: 941
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 4
2015-12-17 11:11:00

Task Assignment: 4 - Exhibit Custodian

Cst. Mike NIPPARD came to the Holyrood office, and handed over the following exhibits, which had been sent to the Hr. Grace det.

1. 1 rifle case, which Cst GALWAY confirmed contained PE4 - Don DUNPHY's rifle.
2. 1 pistol case, which Cst GALWAY confirmed contained PE8 - Joe SMYTH's service pistol (case also contained 2 empty mags).
3. 1 cardboard box, which Cst GALWAY confirmed contained the following exhibits: PE1, PE2, PE11, PE12, PE13, PE14, PE15, PE21, PE23, and PE37.

S/Sgt. TILLER also confirmed the contents of all 3 cases.

/jl

Action: 943
J GALWAY

Task No: 4
2015-12-17 11:50:00

All exhibits were placed inside the locked exhibit room, in bin F4.

Cst. John GALWAY

/jl

Action: 944
J GALWAY



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 107
2015-12-30 17:08:00

Task Assignment: 107 - Internal Investigation

Cpl. BURKE updated Det/Sgt. LITTLE that RCMP findings should be released by end of January 2016.

Action: 1056
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task Assignment: 65 - Disclosure

Task No: 65
2016-01-08 9:30:00

Cpl. BURKE met with Justice RICHE at B Div HQ and provided him with a copy of the written 3D Imaging report from Bulletproof Forensic Consulting.

Action: 898
S BURKE

Task No: 65
2016-01-08 9:30:00

Cpl. BURKE met with Justice RICHE and provided him with a copy of the report prepared by Darryl BARR.

Action: 942
S BURKE

SUI

SDB/CPL.

/jl



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 65
2016-01-13 9:20:00

Cpl. BURKE met with Justice RICHE At B DIV HQ. Justice RICHE provided 2 sealed envelops that he advised contained his final report. One copy for Insp CAHILL and one for C/Supt. BOLAND.

Justice RICHE also provided Cpl. BURKE with all the disclosure that was provided to him by police.

Action: 901
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 115
2016-01-14 17:56:00

Task Assignment: 115 - Notes

Cpl LUNNEN believes that all General and Supplementary Reports from PROS have been copied to this database.

All hand-written notes of Cpl LUNNEN have been submitted for scanning.

Action: 1047
J LUNNEN



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

[Table of Contents](#)

Date / Time:

Action:

Action ID:

Task No: 39
2016-01-25 11:30:00

Task Assignment: 39 - Lab Analysis

Cpl. BURKE called Greg WILLIAMS, Forensic Specialist, Firearms Section. Cpl. BURKE wanted to get clarification of the following conclusion: Three (3) of the four (4) expended cartridge cases, Exhibit PE1, were fired in the pistol, Exhibit PE8. The fourth expended cartridge case of Exhibit PE1 was cycled through the action of the pistol, Exhibit PE8.

WILLIAMS explained that obviously all 4 cartridges were expended but he identified there first 3 cartridges by firing pin and the 4th was identified through extraction and ejection.

Action: 1048
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 15
2016-01-29 12:45:00

Task Assignment: 15 - Family Liaison

Cpl. BURKE updated Meghan DUNPHY on the file that the RCMP final report was completed and the file was going to be sent to an external agency for review.

Action: 1049
S BURKE

Task No: 12
2016-01-29 12:45:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl BURKE updated Cst. SMYTH that he RCMP have completed their final review report and now it will be reviewed by an external agency.

Action: 1050
S BURKE



PROJECT DUNPHY
File No: 2015-376186

DAILY LOG REPORT

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Date / Time:

Action:

Action ID:

Task No: 122
2016-02-08 9:00:00

Task Assignment: 122 - Review

Cpl. BURKE delivered disclosure for ASIRT to Insp CAHILL. 3 thumb drives.

Action: 1051
S BURKE

Task No: 83
2016-02-08 9:00:00

Task Assignment: 83 - 3D Imaging

Cpl. BURKE received the Review of Shooting Evidence by Darryl BARR with attached Report. Darryl BARR said that notes of, statements of and re-enactment by Joe SMYTH, pertaining specifically to the details of the shooting of Donald DUNPHY on April 5, 2015 in Mitchells Brook, NL is supported by the following elements of physical evidence:

Action: 1062
S BURKE

- 1.1 .A The number of gunshots determined to have been fired.
1.1 .B The location and direction of projectile impact damage in the wall.
1.1 .C The location and nature of projectile impact damage in the chair.
1.1 .D The location and direction of gunshot wounds to DUNPHY.
1.1 .E The distance from which the gunshots were fired at DUNPHY.
1.1 .F The location of fired cartridge cases at the scene.
1.2 No elements of the shooting related evidence were identified that refute the account of SMYTH.



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Date / Time:

Action:

Action ID:

Task No: 83
2016-02-17 16:12:00

Email received from Darryl BARR

Action: 1060
S BURKE

1. Attached you will find a letter explaining an amendment to the report issued on Dec.30/15 on the DUNPHY case. There is no change to the opinions stated in the original report. It simply refers to some terminology that I am no longer using as a result of a recent document that has circulated as forensic science undergoes somewhat of an overhaul in the USA, which I am keeping a close eye on. The amended report will be in the mail to you today.

2. The computer model is finished. I am very happy with how it turned out. I am in the process of rendering images and putting them together into a user-friendly presentation format for you. It may be a few weeks yet as the rendering process is very tedious and time consuming.



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Date / Time:

Action:

Action ID:

Task No: 83
2016-03-10 10:44:00

Update received from Darryl BARR:

It should be finished this weekend and I plan on sending it to you early next week.

I've created images that would add a visual supplement to some of the opinions in my report as well as an overall and a fly-around of the indoor scene which includes the shooting related evidence.

It is all put together in a brief and easy to use PowerPoint presentation. The courts are most accustomed to this format and it's relatively easy to add or remove images/slides if required.

If there is a different presentation format you would like or something specific you would like me to include please let me know and we can discuss.

Action: 1061
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 83
2016-03-22 9:00:00

Cpl. BURKE received the 3D Imaging of the Review of Shooting Evidence by Darryl BARR on a thumb drive. It provided 3D Scene Images showing possible trajectory, object and persons placement.

Action: 1063
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 122
2016-03-30 12:00:00

Task Assignment: 122 - Review

Insp CAHILL sent Transit Slip to Supt SACHSSE with attached additional disclosure for ASIRT including:

DUNPHY Amended Report - Bulletproof Consulting;
DUNPHY Case Presentation;
Fly Around.

Action: 1058
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 15
2016-04-06 15:00:00

Task Assignment: 15 - Family Liaison

Cpl. BURKE called Meghan DUNPHY, no answer, text sent.

Action: 1052
S BURKE

Task No: 12
2016-04-06 15:01:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl. BURKE called Joe SMYTH and updated him on the file

Action: 1053
S BURKE

Task No: 15
2016-04-06 16:30:00

Task Assignment: 15 - Family Liaison

Cpl. BURKE received a return call from Meghan DUNPHY, she was updated on file.

Action: 1054
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 107
2016-04-12 15:45:00

Task Assignment: 107 - Internal Investigation

Cpl. BURKE updated Det/Sgt. LITTLE that ASIRT was currently reviewing investigation, no DD was provided.

Action: 1057
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 45
2016-04-22 10:10:00

Task Assignment: 45 - Media

Media meeting:

Sgt. EFFORD
Laura HEPDITCH
Cpl. BURKE
Insp CAHILL

Action: 1059
S BURKE

Task No: 20
2016-04-22 10:10:00

Task Assignment: 20 - Media

Cpl. BURKE, Sgt. EFFORD and Laura HEPDITCH met regarding media.

A simple statement about the conclusion of the file. Process to be discussed:

- Scene;
- RCMP Lab;
- Independent Observer;
- SME use of Force;
- 3D imaging;
- ASIRT

Action: 1079
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 15
2016-08-23 15:43:00

Task Assignment: 15 - Family Liaison

Cpl. BURKE left message with Meghan DUNPHY updating her on the file.

DUNPHY returned call and she was updated that the RCMP were still waiting for the ASIRT Report.

Action: 1064
S BURKE

Task No: 12
2016-08-23 15:45:00

Task Assignment: 12 - Notes - Primary Investigator

Cpl. BURKE has been in regular contact with Joe SMYTH updating him on the file.

On this date SMYTH called and appeared upset saying it was embarrassing that there was not update from ASIRT.

Cpl. BURKE ensured that he would contact him once an update was available.

Action: 1065
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 122
2016-08-31 11:00:00

Task Assignment: 122 - Review

Cpl. BURKE received a copy of the Alberta Serious Incident Response Team ASIRT Review for Officer Involved Shooting Fatality:

Action: 1070
S BURKE

The following is a synopsis of the Review:

-ASIRT is a civilian led independent integrated investigative unit:

-ASIRT mandate is the investigation of incidents involving Alberta's police that have resulted in serious injury or death to any person, as well as serious or sensitive allegations of police misconduct:

-On January 29, 2016 ASIRT was requested by Minister of Justice and Public Safety, Andrew PARSONS to conduct an external review of the RCMP investigation into this incident;

-A careful review of the completed investigation confirmed that it was thorough, completed and conducted in a manner consistent with current investigative standards. Principals of Major Case Management were followed including the use of an electronic major case management program. The final report was organized by identifying or categorizing components of the investigation. The investigative mandate was clearly articulated and the final report systematically and factually examined the evidence collected;

-ASIRT carefully scrutinized the investigation for evidence of investigational bias, tunnel vision, and/or lack of objectivity. There was no evidence to support a conclusion or even a suspicion that any of these identified risks manifested themselves in this investigation;

-ASIRT had some observations and recommendations regarding aspects of the investigation, it was in their opinion that none of the issues identified rise to a level of seriousness that would bring into question the integrity or validity of the investigation or would impact any conclusions reached based on the evidence. The investigation allowed for informed decision making;

-The goal of the review was to identify if the investigating agency had completed the investigation in a manner consistent with the level of investigative excellence that maintains ASIRT's objective to maintain public confidence in policing. These investigative standards were pursued and attained in this case.

RECOMMENDATIONS



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A. Dealing with the Subject Officer

- Being too informal or friendly in an interview can be perceived as a lack of independence or objectivity, and can appear as if investigators were "taking it easy" on the subject officer. In this case, the interviews observed were very informal in the context of a homicide investigation. This may well had been the intentional approach, however, this would best be documented to demonstrate a recognition that while it may be perceived a certain way, the approach was carefully considered and determined to be the most advantageous to the investigation;

- The use of a Caution / Setting the Content - It should have been made clear that this was a homicide investigation and the subject officer should understand that he could have some jeopardy, particularly given the fact that the use of force must not only be subjectively reasonable but also objectively reasonable. This would have been best accomplished, at a minimum, with the use of a caution. Although the use of a caution was suggested, what was important was that the subject officer understood was was being investigated, the seriousness of the situation, the potential jeopardy and his rights and responsibilities. Speaks to statement admissibility

- Revealing information to the Subject Officer - During the interview on April 6, 2015, the subject officer asked if the affected person's rifle was loaded. After consultation with the command triangle, it was decided that releasing that information might give the subject officer some sort of "relief" to know the rifle was loaded. Officer involved shooting can have a significant impact on the mental health of subject officers. The desire to ease that stress, where possible, is natural and human. While the investigation is underway, however, the integrity of the investigation must come first. Investigators should always be mindful of how a subject officer may be doing but the best way to address the situation would be to engage the relevant police service's support services and / or the subject officer's family or friends to secure available supports for the subject officer while / if his is struggling. This allows investigators to remain firmly in the independent investigative role.

Having said all that, the investigators modeled exactly the process for how these types of situations should be handled. In this situation, the command triangle recognized the potential issue, had a principled discussion about what to do and documented both the discussion and decision. Whether it was the correct decision is a matter of debate but the process followed was unassailable.



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B. The Subject Officer and Sidearm at the time of the Incident

- The subject officer should have been photographed immediately following the critical incident to capture how he was dressed and his appearance following the incident. It would have been beneficial to have photographs to memorialize his appearance, manner and dress and placement of his weapons systems. Having said that investigators documented their observations of appearance in writing and through witness interviews;

- The sidearm, magazine and ammunition should have been photographed to memorialize the items at the time of seizure. Additionally there was nothing in the documentation or notes to indicate that when the sidearm was seized a bullet count for each magazine was conducted. There was no reference as to whether a bullet was extracted from the chamber when the firearm was unloaded. It appears that the subject officer had the standard number of bullets and that they were all accounted for at the scene and through autopsy. The issue of whether the subject officer would have had a "top up" round should normally be determined. As a best practice, however, an immediate bullet count and the consideration of the initial form of "top up" should have been covered off. That having been said, there is no reason to believe that the subject officer used a "top up" method in this case, nor is there any reason to believe that there are any unaccounted for rounds based on the whole of the evidence.

C. Officer Notes

- Although overall, the investigation could be described as was extremely well-documented, there were some missing notes. Monitor notes from the interview between the subject officer and another officer. Also monitor notes from the re-enactment (members did provide reports of what they witnessed after learning of the failure of video equipment)

- Witness Officer notes. First responding officer Cpl. O'KEEFE in documenting his encounter and discussions with the subject officer are extremely limited and respectively, inadequate. Any spontaneous statements made by the subject officer could have been of paramount importance. Also, observations of his physical appearance, movements and demeanor of the subject officer could of had value in piecing evidence together. Careful and detailed documentation of these statements and observations in notes could have been critical. Cpl. O'KEEFE also made minimal notes of his seizure of the subject officer's sidearm and provided little additional detail in his PROS



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report. Detailed notes should have been made regarding the unloading of the subject officer's service weapon, including whether a live round was ejected from the chamber, the removal of magazines and any bullet count.

- No notes from Cst. [REDACTED] who transported the subject officer from the scene to the detachment, were contained in the investigation. The officer may have made notes or it may be that the PROS report submitted by Cst. [REDACTED] constituted his notes. Recommended that investigators confirm whether there are notes, whether the PROS report is what the officer utilized for the purposes of his notes or whether he elected to make no notes.

D. Physical Re-enactment / Experiment

- RCMP investigators attempted to conduct an experiment to re-create the file folder drop to see if it would land in the condition that the folder was found on scene. While the intention was good, this type of experiment is of dubious assistance, in her opinion, in assessing the veracity of the subject officer's statement unless conditions can be recreated.

E. The Investigation of Officer-involved Incidents involving Death or Serious Injury

-Investigations into incidents involving police conduct that may have resulted in a person's death or serious injury are different from standard investigations. In this particular case, some of the issues raised would have been addressed by a comprehensive investigative guide or best practice for these types of matters.

Conclusions

-The mere fact that issues were identified should not be construed as compromising the entire investigation. The questioned remained whether the issues, alone or in combination, are such that the quality of the investigation was contaminated. The investigation was done well, following best practices and major case management principals. While some shortcomings were identified, when view in the context of the investigation as a whole, they do not taint the overall quality of the investigation and the reliability of the evidence obtained. The investigation was thorough and provided sufficient context to make a determination, based on evidence, as to whether the subject officer was lawfully placed and to assess whether the use of force was authorized in law. The investigation reflects an intention to be objective and fair and was reported in an organized, logical, professional and understandable manner.



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Task Assignment: 15 - Family Liaison

Task No: 15
2016-08-31 11:05:00

Cpl. BURKE called Meghan DUNPHY to update her on the file, left voice and text message saying the ASIRT Report was received by the RCMP and currently being reviewed.

Action: 1066
S BURKE

Task No: 15
2016-08-31 11:30:00

Cpl. BURKE updated Erin BREEN, Meghan DUNPHY'S lawyer, that the ASIRT Report had been received and is currently being reviewed.

Action: 1067
S BURKE

Task No: 15
2016-08-31 14:05:00

Cpl. BURKE spoke to Meghan DUNPHY and updated her on the file.

Action: 1068
S BURKE

Task Assignment: 124 - Statement

Task No: 124
2016-08-31 15:00:00

Cst. Robert FUDGE obtained a statement for Cpl. Trevor OKEEFE regarding the DUNPHY sudden death. Cpl. OKEEFE stated the following:

Action: 1069
S BURKE

Cpl. O'KEEFE was first supervisor on scene.

Cpl. O'KEEFE had first conversation with SMYTH.

SMYTH told Cpl. O'KEEFE that there was a firearm pointed at him and he did shoot Mr. DUNPHY.

No other utterances were made.

Cpl. O'KEEFE seized firearm from SMYTH.

Cpl. O'KEEFE locked pistol in car, unsure in there was a clip in pistol or not. Did not eject a round from the pistol when seized.

Cpl. O'KEEFE felt that Mr. SMYTH's demeanor was disbelief.

Cpl. O'KEEFE stated that Mr. SMYTH was placed in PC until transported back to Holyrood detachment.



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Date / Time:

Action:

Action ID:

Task No: 121
2016-09-01 13:25:00

Task Assignment: 121 - Police Report

Cpl. BURKE has reviewed the ASIRT report along with the completion of follow-up investigative recommendations. Cpl. BURKE remains satisfied there are not further obtainable evidence in this case that would further this investigation.

Taking all information into account Cpl. BURKE is confident that police have an accurate summary of the events that led up to and occurred on April 5, 2016 at the residence Donald DUNPHY. Those events as recounted by Cst. SMYTH and proved reliable through an extensive investigation reveals that there are no reasonable grounds to believe a criminal offence was committed by Cst. SMYTH. Cst. SMYTH use a level of force was justified and necessary for self-preservation from death.

This conclusion is meant to be a continuation the to the Final Review (doc # 1393 attached to this Task) drafted by Cpl. BURKE and not to stand independent.

Action: 1071
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 122
2016-09-09 10:10:00

Task Assignment: 122 - Review

Cpl. BURKE attended a meeting with ASIRT members Michael SEKELA and Susan HUGHSON. Also present were Supt CAHILL, S/Sgt. OSMOND, Sgt. MARSHALL. Some notes taken away from meeting were as follows:

- When a person is identified as a subject officer then they should be cautioned and rights provided;
- Statements with Subject officer could be seen as too informal, too friendly;
- Subject officer did speak to counsel before statement but that should have been advised on video;
- Should caution subject officer and rights as well.

Independent Observer should be a respected member of the community outside the justice system.

Action: 1078
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 126
2016-09-13 9:45:00

Task Assignment: 126 - Meeting

Supt. Pat CAHILL and Cpl. BURKE meet with Meghan DUNPHY and her lawyer Erin BREEN. Supt. CAHILL opened up the meeting expressing that the death of Mr. DUNPHY was a tragedy and we were sorry for her loss. Supt. CAHILL also apologized for the length of time for the investigation but explained that such investigations take time and with the addition of the ASIRT review extended the time line further.

Action: 1073
S BURKE

There seemed to be some confusion over what police were prepared to release. Ms. BREEN expected to receive the file or reports, Supt. CAHILL advised that there must have been a misunderstanding and they would be briefed on the Media Release. Ms. BREEN asked about the report of the Independent Observer, Supt. CAHILL advised that the report would not be released at this time as it was investigative material and there was a pending public inquiry.

Cpl. BURKE spoke about the investigative steps that were taken throughout the file with the caveat that it was consistent with the updates Cpl. BURKE provided Ms. DUNPHY over the course of the investigation. The following are the points Cpl. BURKE covered in the meeting:

- Mandate - To investigate the shooting death of your father and if the actions of the RNC member involved were criminal in nature;
Investigational Scope - Why the RCMP was the investigating agency and that for any Sudden Death we are agents of the OCME under the Fatalities Investigation Act and the Criminal Code;
Major Crimes Unit and Major Case Management - MCU led the investigation with Independent oversight. The rules of major case management were employed which meant there was an investigation triangle with additional investigators assistance, no one investigator was acting alone;
Forensic Identification Section - FIS examined the scene and attended the autopsy. They gathered evidence from the scene and documented it by video, photos, measurements and a planned drawing;
Forensic Laboratory Analysis - Basically both firearms with ammunition involved (rifle and service pistol) were as defined in the Criminal Code. Both firearms and ammunition were operational. Supt. CAHILL inserted that when the rifle was found by investigators, the action was in the open position. Police further explained that while there was a cartridge the chamber, the action being in the open position meant it was not ready to fire;
Autopsy - The autopsy was performed by the Office of the Chief



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Medical Examiner. They list the death as a homicide. Homicide was explained as the death of Mr. DUNPHY was caused by another person. Homicide is culpable or not culpable. Homicide that in not culpable is not an offence under the Criminal Code. The OCME listed the cause of death as gunshot wound and the manner of death was homicide;

Statement of the Officer involved - Police obtained statements from the only direct witness. The investigation included confirming or refuting the version of events presented by Joe SMYTH;

Background Witness Statements - Donald DUNPHY;

Background Witness Statements - Joe SMYTH

Use of Force Subject Matter Expert . These comments were read verbatim. The intent of the review was to determine if the actions of Cst. SMYTH were reasonable and necessary with respect to the circumstances surrounding the fatal shooting.

He (SME) concluded

“After a thorough review of the incident the writer is of the opinion that Cst. Smyth’s decision to use lethal force was reasonable and necessary given the totality of the situation. Mr. DUNPHY threatened Cst. SMYTH with a rifle, he possessed the requisite weapon, intent and means to cause death or grievous bodily harm to this officer. These actions were consistent with what would be expected from a police officer of similar background and training.

External Forensic Analysis - Bulletproof Forensic Consulting - Darryl BARR, is a Forensic Scientist who qualified in court as an expert on the subject of Firearms and Toolmark Identification on 61 occasions. I explained that BARR requested that he receive the physical scene evidence to analyse before he received any statements from Cst. SMYTH. BARR completed 3D images and a "fly around" of the scene. BARR concluded that, "No element of the shooting related evidence were identified that refute the account of SMYTH.";

Alberta Serious Incident Response Team (ASIRT) - We explained that ASIRT completed a review of the investigation that they were present to meet with them after our meeting;

Supt. CAHILL advised that the investigation was concluded and there was no evidence to support criminal charges. Supt. CAHILL advised that the fact there were no charges was going to be released in the media.

There was discussion surrounding a possible leak to a media source and Ms. BREEN asked if it may be an RCMP member. We ensured



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that information / updates were provided to the DUNPHY family and the RNC officer involved only. Ms. BREEN and Ms. DUNPHY said they did not go to the media with info provided by police.

Question and Answer - Ms. BREEN or Ms. DUNPHY did not have any questions for police.

The above "speaking points" were taken the Final Report, which highlights the basis for the investigational findings. The following was not included in the meeting with the DUNPHY family:

- Overview of the event;
- Time line;
- Initial Complaint and First Responders;
- Neighbourhood Inquiries.



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Date / Time:

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Action ID:

Task No: 126
2016-09-13 10:00:00

S/Sgt OSMOND attended the RNC HQ, as agreed to previously by Cst SMYTH. OSMOND was met at the HQ doors by SMYTH who walked him into a boardroom that also contained Cst SMYTH's wife and his union legal counsel John Drover.

Action: 1074
S BURKE

OSMOND explained his role as Team Commander to the lawyer and spouse of SMYTH. OSMOND expressed his regret that the investigational process took as long as it did, but that it could not have been avoided.

* OSMOND advised that the findings of the RCMP was that no criminal act was committed and therefore no criminal charges would be laid.

* OSMOND explained the role of ASIRT, and told them what their findings were.

* OSMOND told them that Meghan DUNPHY and Erin BREEN were being briefed at the same time as they were.

* OSMOND told them that the RCMP chose not to consult with Crown regarding legal advice, or on likelihood of conviction.

* OSMOND advised that the findings of all investigative avenues and techniques utilized supported SMYTH's account of events

* OSMOND advised that an RCMP media release would be occurring simultaneous to, or shortly after this meeting. The RCMP would then be making themselves available to the media for questions.

* OSMOND advised that ASIRT was going to provide an executive summary of their findings, which would either be released by the NL Govt, or the RCMP

* SMYTH was upset that OSMOND could not speak in detail about the investigation, as he wanted to discuss evidence and specific findings that supported his position. OSMOND told him he would be a key witness at the inquiry and his memory of the event could not be corrupted by speaking about facts in detail.

* SMYTH wanted access to the use of force report / 3D graphics etc. He said he couldn't truly remember to this day how many shots he fired, he only thought he knew. OSMOND told him, as per above, that if he couldn't remember he should tell that to the inquiry, not fill in the blanks through file review.



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* ATIP was discussed, and OSMOND told him that he didn't know if anything would be released due to the pending inquiry, but he could apply if he wished.

* SMYTH wanted the RCMP to at least confirm that he was at the DUNPHY home lawfully, that he hadn't made the determination that DUNPHY comments were a threat and that Thanksgiving Sunday was his regularly scheduled shift. OSMOND told him this information will be disclosed at the inquiry and it's not the role of the RCMP to disclose such facts.

* SMYTH expressed frustration that nobody would speak on his behalf, not the RNC or the RCMP, and it was feeding those on social media who were promoting cover-up theories and conducting character assassination. OSMOND shared a similar experience with SMYTH, and advised him that, in his experience, releasing the facts does not stop these people from promoting fiction.

* OSMOND cautioned SMYTH from releasing any comment to the media as the topic is highly sensitive and his words may be misconstrued, and might also taint the inquiry.

SDB/CPL

Task No: 126
2016-09-13 10:10:00

Cpl. BURKE escorted ASIRT member Susan HUGHSON and Michael SEKELA to meet with Meghan DUNPHY and Erin BREEN. Cpl. BURKE and Supt. CAHILL were not present for that meeting.

Action: 1077
S BURKE



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Date / Time:

Action:

Action ID:

Task No: 126
2016-09-14 8:50:00

S/Sgt OSMOND was contacted by SMYTH asking about BREEN's comments that Justice RICH had issues with the shooting itself. OSMOND responded that he couldn't comment about that statement. OSMOND told him he had disclosed all he could at this point and that all evidence obtained supported his version of events.

Action: 1075
S BURKE

SDB/CPL

Task No: 126
2016-09-14 10:00:00

OSMOND received a call from John DROVER, legal counsel for SMYTH, asking about the quotes from BREEN. He wondered if the family received a different briefing than Cst SMYTH. OSMOND told him that the comments from BREEN are attributed to their briefing with ASIRT, and that the RCMP wasn't present for that briefing so couldn't comment on same. OSMOND did say that there was no evidence lost, as per BREEN's allegation and that his experience with BREEN has been that she makes inflammatory comments that do nothing to help the situation. OSMOND stated he couldn't comment on Justice RICH's report but reiterated that all investigative avenue and techniques resulted in evidence that supported the account provided by SMYTH.

Action: 1076
S BURKE

SDB/CPL.



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Date / Time:

Action:

Action ID:

Task No: 54
2016-09-16 8:00:00

Task Assignment: 54 - Independent Observer

Cpl. BURKE received a call from Justice RICHE. He advised he was out of the country and had messages from Pat CAHILL to give him a call.

Cpl. BURKE said that Supt. CAHILL was trying to reach him to update him that the RCMP were releasing their findings in the media. The following is a summary of the comments by Justice RICHE:

-The RCMP did not release his report because they were not happy with it and he said the investigators did not cross-examine the witnesses;

-The RCMP did not want him to investigate or act as "Columbo";

-He said that he would not change one thing in his report.

-He advised that while he was away he was contacted by the media;

-Cpl. BURKE advised there is a pending Public Inquiry and the RCMP were not prepared to release any reports. Justice RICHE responded that the person responsible will have to answer to his actions.

Action: 1072
S BURKE