



Banner Page

Document ID:
Investigation: DUNPHY – 2015-376186

Document Title

Doc Description

How Received

When Received

Date

Document Type:

Document Summary:

Email

This is a copy of a document already in the system

POC Content

Secured for Hold Back or Disclosure Issues

Vetting

Submitted/Recommended/Approved By

Date 2015-11-02

Number ID	Category	Reason
014	T	
EFFORD, Sue	P	
BURKE, Steve	P	
CaHILL, Pat	P	

Steve Burke - Re: DUNPHY: Sudden Death - Advance Message

From: Sue Efford
To: Burke, Steve; Cahill, Pat
Date: 2015/11/02 3:24 PM
Subject: Re: DUNPHY: Sudden Death - Advance Message
Attachments: IMAGE.BMP

Sir,

Advance Report completed by Cpl. Burke. You will see the brief comment on my conversation with Joe Gullage on this date. Just an additional FYI, Gullage is frustrated about the time line (as he sees the effect it has on SMYTH and no reply from the RCMP to the latest media commentary). I explained we should know more about the 3D image report and it's time line shortly and that we are aware of the media comments. He was concerned the 3D image report would present a further considerable delay (ie year or more). I explained that we will consider what the report offers against the time line. He just wanted reassurance we are pressing tighter time lines, obviously as it is one of his members. We discussed the political undertones from the recent social media and he is aware that more may come regardless of our final report. He offered a suggestion to perhaps meet with SMYTH once in a while, and I assured him that a solid flow of communication exists between the lead investigator and SMYTH. I told him I would keep him updated on time lines.

Sue

>>> Steve Burke 2015/11/02 12:58 PM >>>
File number - 2015-376186

Caption - DUNPHY, Donald: Sudden Death

Name - Donald DUNPHY (DOB 1956-08-23) Route 93, Mitchell's Brook, NL (deceased)

A/Sgt. Joseph SMYTH, Premier's Protection Detail, RNC

Summary of Incident- A/Sgt Joe SMYTH of the RNC was conducting investigative follow-up in the area of Mitchell's Brook, near Mount Carmel in Holyrood Detachment area. SMYTH is part of the Premier's protective detail, and had been made aware of a Twitter comment that caused concerns, directed toward Provincial politicians. A/Sgt SMYTH decided he should speak with the poster of the Twitter comment to determine the meaning of the post, and assess the poster of the comment. SMYTH conducted background checks on the individual, a Donald DUNPHY, and did not discover any information of concern. Before attending DUNPHY's residence, SMYTH contacted the Holyrood Detachment to advise that he was in the area and would be making inquiries. He asked about any RCMP background information on DUNPHY, discussed the need for back-up from Holyrood members, and declined same, citing a low risk assessment. A short while later, SMYTH advised he had been confronted by DUNPHY with a firearm and had used his service weapon to shoot DUNPHY. DUNPHY was dead at the scene.

Name of Supervisor who was advised of the incident - Sgt. Sue EFFORD 2015-11-02 (recent activity).

Name of Investigator - Cpl. Steven BURKE

Media Strategy - Initial Media release sent . Media Strategy On-going.

Follow-up information:

September 23, 2015; Forensic Science and Identification Services Laboratory Report received from the Firearms Section and revealed the following:

- The .22 caliber rifle (in DUNPHY's residence) was operational and a firearm within the meaning of the Criminal Code.
- The rifle was not serial numbered.
- That the .40 caliber pistol (RNC service pistol) was operational and functioned in a semi-automatic manner.
- The pistol fired the spent casings found on the DUNPHY scene.
- The clothes worn by DUNPHY showed characteristics consistent with gunshot damage. No firearm discharge residue pattern was observed.

This Laboratory report was required by both the Subject Matter Expert (Use of Force) and Darryl BARR (3D Imaging Report) before their reports could be written.

September 23, 2015; A. Sgt. SMYTH updated by Cpl BURKE that the Forensic Laboratory Report has been received and will be used to formulate the both the Use of Force and 3D Imaging Reports

October 26, 2015; Investigator called and updated the daughter of Don DUNPHY, Meghan DUNPHY, that the investigation was on-going and police were awaiting 2 reports in particular, the SME (Use of Force) and 3D Imaging. DUNPHY appreciated the update and was cordial with police.

October 27, 2015; Cpl. BURKE received email correspondence from Joe SMYTH detailing recent Social Media activity including pictures of him and his family. The conversation on Twitter involves statements such as; "the premier's guard killed DUNPHY". "200 hundred days have passed and still no answers", "Sgt. SMYTH sent vacationing after he shot a man dead in his home. On Easter Sunday no less. Double time and a half to commit murder." Another Twitter post included a picture of SMYTH with the comment, "Wanted by NL/CAN public for questioning in the shooting of #dondunphy."

October 29, 2015; Cpl. BURKE was informed that the SME (Use of Force) report was at the Peer Review stage at should be completed in a week.

October 29, 2015; Cpl. BURKE was updated by Darryl BARR for 3D imaging and he advised that he will be ready to begin his preliminary review starting the week of November 2-6. Once the review is completed, BARR can offer a time line for completion.

November 1, 2015; a media story was issued calling for public gathering to get answers in the Donald DUNPHY shooting. Group was to gather at the Happy Hummus Hut to plan peaceful protests while politicians campaign for the provincial general election.

November 2, 2015; Cpl. BURKE received a call from Joe SMYTH looking for any update in the investigation. SMYTH was advised we were waiting on 2 outstanding reports (SME Use of Force and 3D Imaging). SMYTH stated there have been recent Social Media posts about him and talked about the effect it was having on him and his family. SMYTH and his family stayed with relatives last week while he had security equipment installed in his residence. He also advised that his wife and child are currently on vacation "down south" as a result of this recent attention. Pictures of his 5 year old son have been placed on Twitter, and Smyth is

considering criminal charges.

November 2, 2015, Sgt. EFFORD spoke with SMYTH's supervisor, A.Insp. Joe GULLAGE to discuss the well being of SMYTH given the recent social media posts and to confirm we are keeping him updated on the timelines of the investigation. GULLAGE advised he approved the installation of cameras in SMYTH's residence to increase his sense of security, and is fully aware of the Twitter comments and SMYTH's consideration of pursuing criminal charges.

Submitted by,

(S.D. BURKE) CPL
Primary Investigator

RCMP GRC ★

(S.D. BURKE) Cpl.
Supervisor/Investigator
Major Crimes Unit (East)
"B" Division, St. John's, NL.
(709) [REDACTED] 231 (office)
(709) [REDACTED] 091 (cell)
[steve.d.burke@\[REDACTED\]](mailto:steve.d.burke@[REDACTED])