

IDENT OCCURRENCE REPORT		RAPPORT D'INCIDENT DE L'IDENTITÉ			Page No.
TO Det./Unit - Dét./Serv. Major Crime Unit – East		Coll. C. - C. d'int. B0772	Investigator - Enquêteur Cpl. Steve BURKE		Occ. No. - N° d'inc. 2015-376186
FROM Ident. Sect. - Sect. De l'Id. Grand Falls-Windsor FIS		Coll. C. - C. d'int. B0964	Ident. Specialist - Spécialiste en Sgt. Chris SAUNDERS		Reg. No. - Matr. 44877
OSR/UCR Class Cat. de S.O.		Nature of Event - Genre d'incident ISRS #460066 DUNPHY – Shooting Death			
POSITIVE RESULTS RÉSULTATS POSITIFS		REPORTED ON SIGNALÉ LE		ATTENDED ASSISTÉ	
Fingerprints Empreintes digitales		Date	Time Heure	Date	Time Heure
Physical evidence Preuve matérielle		2015-04-05	14:42	2015-04-05	20:40
Location (St. No., St., Apt., City, Prov., Country, P.Code) / Endroit (N°, rue, app., ville, prov., pays, c.postal) Main Road Mitchells Brook, NL					

EXHIBITS - PIÈCES À CONVICTION

No. N°	Description	Location Endroit	Date received Reçue le	Date moved Acheminée le	Recipient (Print) Destinataire (en car. d'impr.)	Init.
1	DVD - RAW scene images	KME	2015-04-08	-	-	CS
2	DVD – Unprocessed Scene Video.	KME	2015-04-27	-	-	CS
3	DVD – Re-Enactment 2 nd Camera	KME	2015-04-27	-	-	CS
4	DVD – Autopsy Images	KME	2015-04-27	-	-	CS

SPECIFICS OF SCENE, ADDRESS, POE, ETC.

DÉTAILS RELATIFS AUX LIEUX, ADRESSE, LIEU, ETC.

Details - Détails

COMMON FORENSIC ABBREVIATIONS:

AFIS - Automated Fingerprint Identification System; CA - Cyanoacrylate; CPSIC - Canadian Police Services Information Centre; FIS - Forensic Identification Services; FLS - Forensic Light Source; FW# - Footwear; ISRS - Identification Statistical Reporting System; KME - Key Material Envelope; LFO - Latent Fingerprint Operations; POE - Point of Entry; POX - Point of Exit; R# - Fingerprint or Palm Print; RAFIAS - Regional Automated Fingerprint Identification Access System; SICAR - Shoeprint Image Capture and Retrieval.

2015-04-05 14:42

I was called at home while on call for FIS East by the RCMP Telecommunication Centre and was advised of an officer involved shooting. They reported that a Royal Newfoundland Constabulary member was in the Holyrood Detachment area and shot someone. Holyrood members were enroute to the scene. I asked that a responding member call me once they arrived on scene. I advised I would prepare to attend the scene and my ETA would be approximately 5 hours.

14:48

I contacted Cpl. Kelly LEE of Clarenville FIS as I prepared to depart for the FIS office requesting her attendance as well.

14:50

Received another call from the OCC who advised that the person shot is deceased. I requested that they contact the members at the scene, ensure that the scene is cordoned off with police tape and a guard is posted.

15:15

Attended the FIS office and prepared my equipment to attend the scene.

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		Sgt. Chris SAUNDERS	2015-04-29	PROS File

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15:35

Departed Grand Falls-Windsor. While enroute I received a call from S/Sgt. TILLER who advised that there are approximately 30 cats in the residence and discussed how to deal with this and the potential for evidence disturbance. It was agreed that he would post a member inside of the scene to keep the cats contained and away from the deceased. Met with Cpl. LEE at Clarendville and we travelled to the scene from there.

20:40

Arrived at the scene on the Main Road in Mitchells Brook. Major Crime Unit (MCU) members Cpls. Steve BURKE and Monty HENSTRIDGE were present as well as Sgt. Steve CONAHAN, Cst. John GALWAY and other General Duty members guarding the scene. MCU members informed me that there were two shots fired according to their information. It was dark at this time and lighting in the area was minimal. The ground was dry with no precipitation. The temperature was approximately 3 degrees Celsius.

The residence was a single family dwelling on the opposite side of the road from the water and faces southeast. There were two outbuildings that appeared to be on the same property to the west of the residence. The residence appeared to be in a state of disrepair and there was garbage around the exterior. I obtained some exterior photos of the driveway and the front of the residence. I then donned an officer protection suit and entered the premises with Cpl. LEE. We met with Cpl. Dion FOOTE who was guarding the interior scene. He advised of multiple cats contained in two rooms with closed doors. He then departed.

The interior of the residence was quite dirty and there was an overpowering odour consistent with cat urine throughout the residence and outside. The floors and counters were littered with beverage containers, pet food, papers, boxes, clothing, feces, vomit and other general household items and garbage. There was a large amount of hair on many surfaces consistent with cat hair.

The living room was to the immediate right when entering the residence through the front door. There was a couch, three chairs, several small tables/shelving units, stereo cabinet and speakers, fireplace with television on top, garbage can, portable heater, plastic tote, miscellaneous other items on the tables and floor some of which can be considered garbage considered garbage and a firearm. There was one large three panel window on the front wall with a view to the front yard and driveway. There was only one entrance to the living room. The television was on but no picture and the portable heater on the floor was on.

The deceased was an adult male with grey hair and moustache. He was of slight build and pale complexion. He was wearing a black and blue collared pullover shirt, blue, red, white and black plaid pajama pants and grey socks. He was located in a slouched sitting position in the rocker/recliner type chair to the immediate right when entering the living room. His obvious injuries were to his head at the left temple, right forehead and right rear. There was also liquid blood in his left ear and a small hole in his shirt with blood around it at his left armpit. The blood flow from the hole in his left temple wasn't flowing straight down with gravity as is expected but it was flowing on an angle towards the back. This appeared inconsistent with the present position of the deceased.

There was a .22 caliber single shot long gun on the floor in front and to the left of the deceased with the barrel resting on the floor between his feet. The stock was pointing away from him and leaning on a blue plastic tote box. The bolt action was open and there was one live .22 caliber round in the chamber.

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I obtained interior photos of the entrance, living room, kitchen, store room off the kitchen, laundry room and hallway. I left the remaining rooms until last to avoid releasing the contained cats. In photographing the laundry room, I observed holes in the ceiling and there were cats visible through the holes. There was minimal bloodstaining in the residence. There were small red spots on the walls in the area of the deceased which were barely visible but no distinct pattern was observed.

I searched the living room for evidence with Cpl. LEE and ten areas were marked with numbered placards as follows:

- 1 – .22 caliber Ranger rifle c/w live round in chamber at feet of deceased
- 2 – .22 caliber live round of ammunition on round table in front of deceased
- 3 – Long narrow void area in garbage on floor to the right of deceased (his right)
- 4 – iPhone on coffee table in front of couch
- 5 – One spent .40 caliber S&W bullet shell next to table leg in NW corner
- 6 – One spent .40 caliber S&W bullet shell next to left rear leg of chair in NW corner
- 7 – One spent .40 caliber S&W bullet shell under chair in NW corner
- 8 – One spent .40 caliber S&W bullet shell under chair in NW corner
- 9 – Long wooden stick on floor to the left of deceased with duct tape on one end
- 10 – Yellow file folder with papers inside containing printouts of Twitter messages on the coffee table

I photographed each item/location as found. Cpl. LEE then video recorded the scene. I prepared a sketch in my notebook of the living room including the furniture and potential evidence. With assistance from Cpl. LEE, I measured the scene and added the measurements to the sketch. I used triangulation to position some of the items within the room and recorded the measurements in my notebook. All four .40 caliber bullet shells were located in the same NW corner of the living room. I used a combination of a Ryobi laser measuring device and measuring tape to obtain the scene measurements.

2015-04-06 00:17

Called the Forensic Assessment Center and left a message on the voicemail for someone to call back. I received a call back from a National Operations Center (NOC) staff who made attempts to locate someone from the Firearms Section of the Forensic Lab but could not make contact with anyone. Given the holiday it was likely no one would be available until 2015-04-07.

00:45

I called and spoke to Sgt. Adrian BUTLER who is a Bloodstain Pattern Analyst (BPA) with National Forensic Identification Support Services. I described the scene to him and he advised that a BPA could not add anything to the investigation given the minimal bloodstaining present.

00:58

I then proceeded to collect each piece of evidence, package it, label it and turn it over to Cst. John GALWAY. All evidence indicated by a numbered placard was seized except number 3 which merely indicated a void area on the floor. The four .40 caliber bullet shells were collected after each was photographed close up. The container holding the shell at placard #5 indicates a time of 11:55 (should read 23:55) which was when I initially started the process but stopped to make the above noted phone calls.

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01:40

All exhibits turned over to Cst. GALWAY. The deceased was lifted by Cpl. LEE, Cst. GALWAY, Cpl. SEWARD and I from the easy chair and placed into a new body bag liner and a new body bag, both of which were zipped closed. I examined the chair where the deceased was seated but no further damage was observed.

01:50

Departed scene with a plan to attend again later this date to continue documenting the scene. The autopsy was planned for 09:00 hrs which I would be attending. Two members were guarding the scene when I departed.

11:00

At Pathology Unit of Health Sciences Center in St. John's and met with Drs. AVIS and DENIC along with Cst. GALWAY and Cpl. SEWARD. I attempted to load the scene photos onto Dr. AVIS' computer but due to the fact they are NEF format his computer could not process the images. We could view thumbnail size images while my camera was connected and we had some discussion about the photos from the scene while viewing them. I brought to their attention the observation of the inconsistent blood flow from the deceased's left temple wound. Dr. AVIS advised that due to the backlog of autopsies to be conducted, this one would be postponed until tomorrow morning at 09:00 hrs. I then attended the Major Crime Unit office at Headquarters to burn the images to disc for the Chief Medical Examiner's office.

17:20

Attended the scene in Mitchells Brook where Cpl. LEE had been continuing with the scene documentation. Cst. Danny WILLIAMS and another member were guarding the scene upon my arrival. Cpl. LEE and I briefed on what needed to be completed and I donned an officer protection suit. I obtained exterior photos, some of which were a repeat of the images I obtained the night before in the dark. I then moved inside and photographed the rooms off the main hallway which were now open. There were three bedrooms and a bathroom off the hallway. One of the bedrooms led to an addition at the back of the residence. The bathroom ceiling was falling in and the entire room was quite dirty. The first room on the right was filled with stacked furniture, cardboard boxes, a couch, cat food, feces, and several cats and was in a general state of disrepair with mold growth. The adjoining room beyond this room was more consistent with a shed and contained miscellaneous items including tools, lumber, cat litter, feces, vomit and cats. The next room on the right off the hallway contained a bed and several pieces of furniture. There were a number of items stacked on and around the bed and there was one cat in this room. The room directly across the hall from this one contained one large plant consistent in appearance and odour with a marijuana plant. The walls and floor were covered in white plastic film and there was growing equipment and other miscellaneous items in this room.

I then returned to the living room and placed letters with scales on projectile damage as follows:

- A – hole in head rest of rocker/recliner chair in which the deceased was seated and to his right
- B – hole in wall just above and next to rocker/recliner chair to deceased's right
- C – hole in wall in front porch behind front door and opposite to hole B
- D – hole in front wall in front porch directly behind door and near door frame

I attempted to feed a trajectory rod through the hole B but came up against a stud. I cut out the drywall around the hole C in the porch wall. I located a hole in the wooden stud inside the wall consistent with a projectile

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hole. The direction of the damage and splintering was consistent with the B-C-D direction of travel. I photographed this damage close-up. I then placed a trajectory rod in through the hole marked B in the living room wall near the rocker/recliner and found the hole in the stud where the rod came through the hole C. When pushed further through it lined up with the hole D in the adjacent wall. The rod was photographed in place on the porch side of the wall. I used the laser on the end of the rod on the living room side and located an origin spot on the couch wall. A string was then strung from the end of the trajectory rod to this spot and it was photographed. In theory, this string indicates the path the projectile would have followed and the actual point of origin would have been somewhere along the length of this string. This indicates the projectile travelled downwards at an approximate 10 degree decline from the point of origin to the point of impact B in the living room wall. This was determined by placing a protractor against the string to determine the pitch. Cpl. LEE did this and relayed the angle measurement to me. I prepared a rough side view sketch of the trajectory line with measurements.

I moved the rocker/recliner out from the wall and examined the floor under and next to it, moving the garbage items that littered the floor. Two pieces of what appeared to be skull fragment were located on a grey hooded sweatshirt on the floor to the right of the rocker/recliner. These were wrapped in paper towel and placed in a metal container by Cpl. LEE. No other evidence was located in this area. I then cut open the drywall around hole D in the porch behind the main entry door. I located damage to the wooden stud and insulation behind the drywall consistent with a projectile entering the hole at an angle and travelling from the direction of hole C. I then cut the wall down to the floor and cut back the vapor barrier. On top of the sill plate I located a bullet consistent with a .40 caliber bullet. I photographed the bullet where found and removed it from the wall cavity. I then photographed it with scale, placed it in paper towel and sealed it in a labeled metal container.

Cpl. LEE then cut back the fabric on the headrest of the rocker/recliner on which the deceased was found, at the location of the damage. A bullet was located within the white batting under the exterior fabric of the chair. I photographed it in place and then pushed back the batting to expose the rear of the bullet. I photographed it without and with scale. I turned the bullet over and photographed it with scale. I wrapped the bullet in paper towel, sealed it in a metal container and labeled it. I photographed the two containers and handed them both over to Cpl. LEE to transport to the autopsy.

19:45

After a final search of the living room area, I conducted another walkthrough of the scene and departed. I confirmed the scene was being held pending autopsy results. Cst. Danny WILLIAMS and another member were guarding the scene upon my departure.

I travelled to the Clarendville FIS office where I loaded all images onto computer, converted the images to jpg format and burned them to disc. The disc was given to Cpl. LEE to present to the Chief Medical Examiner at the autopsy. I obtained Cpl. LEE's sketches of the remainder of the house to assist in preparing the plan diagram.

2015-04-07 10:15

Images loaded onto computer. All images converted to jpg format and I rearranged the jpg images for better flow through the residence and evidence. The images were renamed but the original file names kept in brackets. Contact sheets created, printed and added to PROS. It should be noted that the Original Images

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start at CWS_0031. Images CWS_001 to CWS_0030 inclusive referenced an unrelated file already on the memory card.

2015-04-08 12:17

Email follow-up with the Forensic Assessment Center (FAC) requesting a call from someone in the Firearms Unit.

2015-04-09 14:00

I began creating a plan diagram using ScenePD 6 software and the measurements I obtained from the scene as well as the measurements provided by Cpl. LEE in conjunction with the scene photos.

17:08

Email received from Sgt. Kent OSMOND requesting Cpl. LEE take certain steps in attempt to recover the video of the re-enactment. I learned earlier this date that Cpl. LEE had lost a video she recorded of the video re-enactment with the RNC member. It was lost in the process of loading the video onto computer from the video camera and she was taking steps to recover same which were unsuccessful up to now. I provided some direction to her regarding this and suggested she contact Tech Crime and National Forensic Imaging Video Unit.

2015-04-13 16:10

Email reply from Sgt. Mike MERRITT, Forensic Strategist from FAC. I was out of province at the time and later advised him I'd get back to him when back at my desk.

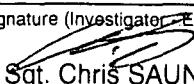
2015-04-17 09:49

Email from Sgt. Kent OSMOND advising of a letter from the DUNPHY family lawyer, Erin BREEN, citing tunnel vision on the part of the investigation team. She advised of a "critical piece of evidence" from the scene that police didn't seize, namely a pair of glasses. He also directed that any dealings with the DUNPHY family or BREEN to go through him or Cpl. BURKE.

I recall a pair of eyeglasses that were resting on the round table in front of the deceased. I viewed the scene photos and located the eye glasses in several images. They appeared to be bent out of shape with white tape on the ear pieces and one of the arms where it joins the lens frame. There did not appear to be any damage to the glasses related to this incident and the position is consistent with them being placed there in a controlled manner.

2015-04-20 11:17

Email from Sgt. Kent OSMOND of Major Crime Unit – East requesting I pursue the possibility of having a re-creation of the scene done. I discussed the matter with him and he is looking for a 3D reconstruction of the scene taking into account the trajectories, angles and measurements blended with the statement and re-enactment of Sgt. SMYTH. I advised I would research the idea and get back to him.

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11:43

Called and spoke with Sgt. Mike MERRITT from FAC. Apprised him of the investigation and he advised he would locate someone from the Firearms Unit to contact me.

13:40

Email reply from Sgt. MERRITT (FAC) who advised that Jacques RIOUX, Firearms Team Lead for the Atlantic Provinces would be the contact at the Lab to assist with this file.

15:15

Email request sent to all RCMP FIS Divisional Managers across Canada as well as members from the IFIS Policy Center requesting information and contact on the MCU request for a 3D scene reconstruction. I received several replies with the following suggestions for people who may be able to assist:

- S/Sgt. Daniel COTE, RCMP Surveillance Technology Section
- S/Sgt. Alain GAGNON, RCMP Geospatial Intelligence Section
- Darrell BARR, Firearms Unit, Calgary Police Service
- Eugene LISCIIO, Owner A12-3D
- Greg SCHOFIELD, Forensic Identification Services, Toronto Police Service
- Brad JOICE, Forensic Identification Services, York Regional Police

15:48

Called and spoke with Jacques RIOUX, Firearms and Toolmarks Examiner, Firearms Unit, RCMP Forensic Lab, Ottawa. I described the scene and information available from the scene measurements, trajectory measurement, photos, video and re-enactment. I asked if he was able to reconstruct a 3D representation of the scene and he advised he did not do that type of work. He suggested items from the scene that the lab would require to assist in this investigation including: clothing of the deceased for Gun Shot Residue (GSR) pattern, GSR kits from the autopsy, firearm from the scene and ammunition, firearm from the RNC officer including the ammunition he was carrying that day, bullets recovered from the scene and deceased and shell casings from the scene.

2015-04-21 13:41

Email to S/Sgt. Alain GAGNON, Geospatial Intelligence Section, RCMP Ottawa requesting if his unit is capable of assisting in this matter.

15:45

Called and spoke to Darrell BARR, Firearms Unit, Calgary Police Service. I described the scene and information available from the scene measurements, trajectory measurement, photos, video and re-enactment. I asked if he was able to reconstruct a 3D representation of the scene and he advised he has done this several times before. One example being the Mayerthorpe shooting. He has previously testified in New Brunswick and Ottawa using such evidence. He was formerly employed with the Firearms Unit of the RCMP Lab but is now with Calgary Police so authority for him to get involved would have to come from his managers. He has recently acquired new software for such 3D reconstructions.

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2015-04-22 10:15

Email to Sgt. OSMOND and Cpl. BURKE advising of my progress to date with the research into the 3D reconstruction. Sgt. OSMOND advised to continue with the research.

2015-04-23 07:42

Email request to S/Sgt. Daniel COTE, Technical Investigations Services, RCMP Ottawa. I asked if his unit would be able to assist with 3D scene reconstruction. He replied a short while later advising they have done 3D modeling for two fatal motor vehicle accidents from the scene photos before. They don't have an official 3D reconstruction program but can try to assist with the software they have.

15:00

Plan diagram finalized in ScenePD 6. Cpl. LEE advised she has forwarded a package containing autopsy images on disc and the scene and re-enactment videos to me. Once received I will prepare photos for submission to National Forensic Imaging for printing.

15:59

Email reply from S/Sgt. Alain GAGNON, Geospatial Intelligence Section, RCMP Ottawa. His office doesn't do indoor 3D services but mainly handles outdoor scenes.

17:31

Email reply from S/Sgt. Daniel COTE advising further information on his unit's capabilities. He advised they can have a "first person" view which allows the viewer to walk through the scene, however other people cannot be added.

2015-04-24 10:46

Email from Sgt. Trevor BEACH with the Curriculum Vitae (CV) of Brad JOICE of York Regional Police. He advised he could likely assist if a formal request were made through his Inspector.

12:10

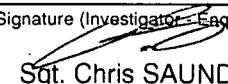
Email sent to Sgt. Kent OSMOND and Cpl. Steve BURKE outlining the results of my research into possible experts who may be able to provide a 3D reconstruction of the scene. Any one of the four experts should be able to provide a 3D reconstruction of the scene to satisfy their needs if they choose to pursue the matter further. The four experts being Darrell BARR, Eugene LISCIO, Greg SCHOFIELD or Brad JOICE.

2015-04-27 08:00

Package received from Cpl. LEE containing three DVDs and one SD card.

12:08

Email received (CC) from Sgt. Kent OSMOND to Eugene LISCIO requesting his services in this matter in preparing a 3D representation of the scene. He indicated that FIS can assist in setting up the scene to ensure he captures it the way it was on the day of the shooting. This is problematic in that FIS would be responsible for putting a scene back together when items have been removed, holes cut in walls and a chair, the

Signature (Unit Commander - Chef de service)	Date	Signature (Investigator - Enquêteur)	Date	Copies to - Copies à
		 Sgt. Chris SAUNDERS	2015-04-29	PROS File

Copies to: Master File Investigator Ident. File Ident. Exhibits Ledger
Copies à: Dossier principal Enquêteur Dossier de l'Ident. Registre des p. à c. de l'Ident.
RCMP GRC 2666 (2013-02)

IDENT OCCURRENCE REPORT		RAPPORT D'INCIDENT DE L'IDENTITÉ		Page No. 9
Det./Unit - Dét./Serv. TO A Major Crime Unit – East		Coll. C. - C. d'int. B0772	Investigator - Enquêteur Cpl. Steve BURKE	Occ. No. - N° d'inc. 2015-376186
Ident. Sect. - Sect. De l'Id. FROM DE Grand Falls-Windsor FIS		Coll. C. - C. d'int. B0964	Ident. Specialist - Spécialiste en Sgt. Chris SAUNDERS	Reg. No. - Matr. 44877
OSR/UCR Class Cat. de S.O.	ISRS #460066	Nature of Event - Genre d'incident DUNPHY – Shooting Death		

deceased no longer there and continuity has been lost. I discussed this with several colleagues who were of the same opinion that this goes beyond the FIS role and may serve to discredit the value of the 3D product in the end and possibly the credibility of the FIS members involved. On the other hand, the accuracy of the "re-creation" of the scene would be highest if FIS' were involved. If a qualifier was attached to the final 3D product disclosing the concerns it may be of some assistance. This would also be reflected in my report.

12:58

Email prepared and sent to Sgt. Kent OSMOND, Cpl. Steve BURKE and Insp. Pat CAHILL indicating my concerns with our involvement here. We had a further discussion on the issue and agreed a teleconference with Eugene LISCIO may be of benefit to discuss the concerns.

2015-04-28 11:50

Conference call held with myself, Sgt. Kent OSMOND, Cpl. Steve BURKE and Eugene LISCIO to discuss LISCIO's potential involvement in this matter to provide a 3D representation of the scene. We discussed the issues as indicated above. He indicated that he would prefer to attend the scene to perform a scan of the area and using FIS scene photos, video and measurements he would prepare the 3D product that would allow the viewer to walk through the scene. He has not presented this technology in court in Canada but would have no issue doing so if required. I impressed upon him that he would have to be the one to present it as it is his product. It would be based on FIS evidence obtained from the scene to which I can testify but what he does with that evidence is on him to explain. I then had a discussion with MCU members only and I left the decision with them as to whether to move forward with this investigative tool.

16:20

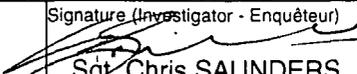
All scene and autopsy images as well as plan diagram burned to DVD. C-17 Photographic Service Request completed for printing of four copies of all images and enlargement of the plan diagram. Package in mail to National Forensic Imaging (NFI) with a diary date for return by 2015-05-29.

2015-04-29 14:35

ISRS report submitted.

SUI

- Printed photos and plan drawing from NFI
- Report and notes from Cpl. LEE
- Disclosure to MCU

Signature (Unit Commander - Chef de service)	Date	Signature (Investigator - Enquêteur)	Date	Copies to - Copies à
		 Sgt. Chris SAUNDERS	2015-04-29	PROS File

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