

Jerome Kennedy

From: Joey Smyth <joey.e.smyth@[REDACTED]>
Sent: Friday, February 17, 2017 8:18 PM
To: Jerome Kennedy
Subject: Fwd: change
Attachments: Dunphy Notes.docx

----- Forwarded message -----

From: **Joey Smyth** <joey.e.smyth@[REDACTED]>
Date: 6 April 2015 at 10:05
Subject: change
To: Tim Buckle <twbuckle@[REDACTED]>

April 3rd, 1021hrs - Received an email from Premier's Office staff member, Donna Ivey, regarding a "Tweet of Concern". Ivey advised that "Donahue2DonDunphy" (@Sculpen) sent the following tweet:

@SandyRCollins @PremierOfNL @ShermanDowney won't mention names this time, 2 prick dead MHAs might have good family members I may hurt #nlpoli

I advised Ms Ivey that I would look into the matter ASAP and venture to speak to Mr. Dunphy.

On April 4th I initiated background and intelligence queries on Mr Dunphy, of which limited material outside of social media was available. Dunphy had thousands of tweets going back over several years that were primarily focused on issues he had with the treatment of injured workers.

Numerous Don Dunphys were identified throughout the province via MRD. The core of Dunphy's grievance towards government appeared to involve workers compensations, as he self reported himself to be an injured worker.

I obtained contact information for officials with WHSCC. At approximately 4PM I spoke with Tom Mahoney of WHSCC and provided him a brief of my investigation and the disconcerting comments made by Dunphy via social media. Mahoney advised that he was familiar with Dunphy and that he has multiple interactions with WHSCC staff, some of which caused them concern as well. Mahoney advised that the Don Dunphy I was looking for was from Chapels Cove and he provided me with contact telephone numbers.

April 5th, 1122hrs - I contacted RCMP communications and requested to speak to an officer with the Holyrood Detachment. Cst Adrain Cox returned my call and I advised him that I would be driving to Chapels Cove in an effort to speak to a Donald Dunphy in relation to concerning comments he made towards Premier Davis and Minister Collins. Cst Cox conducted some queries on PROS and advised that they have had limited contact with him; that he had been charged with Uttering Threats in 2005 but that it was withdrawn. He also noted that he was a complainant in a file.

CFRO checks confirmed that Dunphy did not have a firearms license or registered firearms.

At approximately 1330hrs I located Dunphy's residence located in Mitchells Brook and observed no vehicles in the driveway. I approached the home and observed a sign stating that the home was the result of living in poverty since 1984 and that political officials were not welcome. I knocked on the window and could view significant amounts of garbage around the living room. There was no sign of any person being in the residence and I left the driveway.

I entered the adjacent driveway in an effort to gather any information or intel from the neighbor. I spoke to Debbie and Dick Dunphy who were the brother and sister-in-law of Don Dunphy. They informed me that they have had significant problems with Don for decades that largely involved property disputes and the excessive number of cats he kept. Debbie stated to me that she felt uneasy when he was around but didn't think he would hurt her. They stated that he had a lot of anger towards government because he was an injured worker, but that she didn't feel he was really injured because he was capable of manual labor growing weed in his back yard. Dick stated that Don did not have any firearms and was not a hunter. I told them both that based on the state of his home, I felt he was in need of some help as he was living in squalor.

At approximately 1415hrs i again checked Don Dunphy's driveway and then observed a black jeep Cherokee parked there. I approached the home and again knocked on the front window. A male came to the front door. I removed my police badge and ID and identified myself as Sergeant Joe Smyth with the RNC and asked if I could come in to speak with him. Dunphy replied by saying "no problem, c'mon in". I walked up over the make shift steps and into his front door. Mr Dunphy immediately went to the living room which is the first room on the right once you enter the door, and sat down in a chair that backed onto the hallway. We started with some small talk about where we were both from and about the injury he suffered at work in 1984 after being run over by a dump truck.

He asked me what this was all about and told me multiple times to sit down on the couch. The living room was full of cats, cat food, garbage, and bugs. I stood across from Dunphy and began to tell him why I was there and went through the comments he had made on social media. Dunphy became agitated saying that he could say what he wants and there have been lots of dead MHA's and there will be more dead MHA's. I told him that he was not under arrest and that I only wanted to get a sence of what he meant by his comments. He asked who sent me to his house and told me that I was just an arm of government. I again told him I was there to speak to him about the comments he and made and to determine if he poses and risk to government officials. Dunphy laughed and spoke incoherently; he then asked me why I was looking around so much. I asked about a wood bat with duct tape that was on the floor next to him. He told me that it was for protection because you never know who would show up there. I moved some garbage and live bugs with my foot and told him I had serious concerns for him. He became more agitated and was rocking in his chair, saying that he lived this way because of government. He again asked who sent me and I told him to calm down and restated my reasoning. He muttered "fucking puppet" and talked more about dead MHA's. I asked what he was talking about and he said there had been lots of dead MHA's before and will be again then said two names. Dunphy seemed to get more agitated with me looking around the room and he was mumbling, but not yelling. He also had foam or dried saliva building up on his lips and in his mouth. I began to write on the folder I was carrying, partially in an effort to calm him as he was agitated from me looking around the room. Then out of my peripheral vision I saw the barrel of a rifle in Dunphys hands that he seemed to pick up from his right and then bring the barrel to point at me. I felt an imminent threat to my life and immediately went for my firearm and put my left hand up in a "stop" motion. Dunphy continued to bring the gun towards me as I began to exit the room and I began to fire my sigsauer while I was yelling "no no no no!". I believe I fired two shots at his center mass and a third at this head which was followed by a second to his head as I had felt the first head shot had missed. By the time the final shot was fired i was adjacent to him and then out of the room into the hall way. I yelled for him to drop the gun and then I started "cutting the pie" to reenter the room. I observed a long barrel rifle on the floor in front of Dunphy who was seated in the chair not moving.

I immediately called RCMP emergency communications and advised that I was an RNC officer at a residence in Mt Carmel and that I had shots fired and required paramedics for the subject. I informed them that I had not been shot. They told me that they were sending officers and paramedics.

I then proceeded to call RNC communications and advise them of the situation and to please inform a duty officer.

I remained in a ready position at the entrance of the home for several minutes as I was concerned that the shots may have alerted family that reside next door and that I may be susceptible to additional threats.

I received a phone call from RCMP communications stating that the HSC were wondering if Dunphy required an airlift. I observed Dunphys remains and felt that he was clearly deceased.

RCMP Officers showed up on scene approximately 25min later. I passed my firearm and second magazine over to a member and locked it the lock box i keep in Unit 100. RCMP members cleared the residence and paramedics confirmed death. I was removed from the scene approximately 45-60min later and brought to RCMP Holyrood Detachment.

Joe Smyth

RNC 610

Protective Services

Jerome Kennedy

From: Joey Smyth <joey.e.smyth@██████████>
Sent: Friday, February 17, 2017 8:19 PM
To: Jerome Kennedy
Subject: Fwd: thoughts

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From: Joey Smyth <joey.e.smyth@██████████>
Date: 6 April 2015 at 09:41
Subject: thoughts
To: Tim Buckle <twbuckle@██████████>

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