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1 MS. O'BRIEN:
 2 Q. This is an interview in the course of the
 3 Inquiry in the death of Donald Dunphy. It
 4 is November 9th, 2016. It is now 2:53 p.m.
 5 and the witness to be deposed today is
 6 Deborah or Debbie Dunphy. We are conducting
 7 this interview from the Commission's offices
 8 in St. John's. Present is: Ms. Dunphy; co-
 9 counsel to the Inquiry, Sandy Chaytor; and
 10 myself, Kate O'Brien. So, Ms. Dunphy, I'm
 11 going to ask you to affirm to tell the
 12 truth, okay. Do you affirm that the
 13 information that you will provide in this
 14 interview is the truth, the whole truth and
 15 nothing but the truth?
 16 MS. DUNPHY:
 17 A. Yes.
 18 MS. DEBORAH DUNPHY, AFFIRMED, INTERVIEWED BY MS. KATE
 19 O'BRIEN
 20 MS. O'BRIEN:
 21 Q. Thank you. Can you state your full name and
 22 address, please?
 23 MS. DUNPHY:
 24 A. Deborah Dunphy, [REDACTED]
 25 MS. O'BRIEN:

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1 Q. Okay. And what's your date of birth?
 2 MS. DUNPHY:
 3 A. [REDACTED].
 4 MS. O'BRIEN:
 5 Q. Now, Ms. Dunphy, you're participating in
 6 this interview today on a voluntary basis.
 7 If at any time you want to take a break or
 8 you want to stop the interview, you just say
 9 so and we'll take a break or stop as you
 10 wish, okay. How long have you lived at your
 11 present address?
 12 MS. DUNPHY:
 13 A. At the present address in the house that
 14 we're in now, 40 years.
 15 MS. O'BRIEN:
 16 Q. Okay. Who lives with you?
 17 MS. DUNPHY:
 18 A. Our son, [REDACTED] live and my son, our son,
 19 [REDACTED] lives there sometimes because his house
 20 is not liveable right now, so he lives with
 21 his girlfriend in St. John's sometimes, but
 22 sometimes since he's working in the area, he
 23 stays at our house.
 24 MS. O'BRIEN:
 25 Q. Okay. And why is his house not liveable?

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1 MS. DUNPHY:
 2 A. Because he had an electrical fire.
 3 MS. O'BRIEN:
 4 Q. Okay. And your husband lives with you as
 5 well?
 6 MS. DUNPHY:
 7 A. Yes.
 8 MS. O'BRIEN:
 9 Q. Okay. How long have you been married to
 10 Dick Dunphy?
 11 MS. DUNPHY:
 12 A. 45 years.
 13 MS. O'BRIEN:
 14 Q. 45 years, and how long did you know him
 15 before you married him?
 16 MS. DUNPHY:
 17 A. Five years.
 18 MS. O'BRIEN:
 19 Q. Okay. And do you have other children
 20 together besides [REDACTED]?
 21 MS. DUNPHY:
 22 A. [REDACTED].
 23 MS. O'BRIEN:
 24 Q. Okay. And what's the birth order of your
 25 children?

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1 MS. DUNPHY:
 2 A. [REDACTED].
 3 MS. O'BRIEN:
 4 Q. Okay. And did you work?
 5 MS. DUNPHY:
 6 A. Yes, I'm a retired teacher.
 7 MS. O'BRIEN:
 8 Q. Okay. And what year did you retire?
 9 MS. DUNPHY:
 10 A. '98.
 11 MS. O'BRIEN:
 12 Q. Okay. And where did you teach?
 13 MS. DUNPHY:
 14 A. I taught in Mount Carmel, in St. Joseph's
 15 and St. Catherine's.
 16 MS. O'BRIEN:
 17 Q. All right. So when did you first meet
 18 Donald Dunphy?
 19 MS. DUNPHY:
 20 A. Well, I guess I first met him as – probably,
 21 I'm trying to recall now whether it was when
 22 I was dating his brother or like was a
 23 teacher too, I was his teacher at one time
 24 too.
 25 MS. O'BRIEN:

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1 Q. Okay. What grades did you teach him?
 2 MS. DUNPHY:
 3 A. It was in high school. I'm not really sure
 4 of the grade. It was 9, 10 or 11 and it was
 5 probably just subjects, like I may not have
 6 had him for a whole grade. It might have
 7 just been subjects. I don't remember.
 8 MS. O'BRIEN:
 9 Q. Okay. How would you describe Donald Dunphy
 10 as a teenager then when you knew him then?
 11 MS. DUNPHY:
 12 A. Well, I think he was just an ordinary
 13 teenager. I mean, how do you describe a
 14 teenager? There was nothing unusual about
 15 him, okay. I didn't find anything unusual.
 16 MS. O'BRIEN:
 17 Q. Okay. And when you were teaching him, is
 18 that when you started dating Dick Dunphy?
 19 MS. DUNPHY:
 20 A. No, I'm thinking back now. No, I knew him
 21 before he – I remember being at his house
 22 and making a birthday cake and he wasn't a
 23 teenager then, so I guess I knew him, you
 24 know, from dating Dick before I knew him as
 25 a student probably.

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1 MS. O'BRIEN:
 2 Q. Okay. So Donny was younger then?
 3 MS. DUNPHY:
 4 A. He was younger, yes. I'm just picturing -
 5 MS. O'BRIEN:
 6 Q. How old were you and Dick when you first
 7 started dating?
 8 MS. DUNPHY:
 9 A. I was 17 I think and he was probably 20.
 10 MS. O'BRIEN:
 11 Q. Okay. All right. Now when you and Dick
 12 first married, where did you live?
 13 MS. DUNPHY:
 14 A. We had a mobile home next to his parents.
 15 MS. O'BRIEN:
 16 Q. And at that time, who was living at Dick's
 17 parents' place?
 18 MS. DUNPHY:
 19 A. His younger brothers, Kevin and Don and his
 20 parents.
 21 MS. O'BRIEN:
 22 Q. Okay. Now how long were you in the mobile
 23 home before you built – we know from your
 24 husband that you built the house you're
 25 currently in now. How long were you in the

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1 mobile home before you built that house?
 2 MS. DUNPHY:
 3 A. I would say – okay, five years.
 4 MS. O'BRIEN:
 5 Q. Okay. And do you recall Donny getting
 6 married?
 7 MS. DUNPHY:
 8 A. You know, I don't. I don't remember
 9 anything about – he did get married, but you
 10 know something, I can't remember anything
 11 about it.
 12 MS. O'BRIEN:
 13 Q. Okay. Who did he marry?
 14 MS. DUNPHY:
 15 A. He married a girl, Louise Bennett.
 16 MS. O'BRIEN:
 17 Q. Okay. And where did he live when he and
 18 Louise got married? Where did they live?
 19 MS. DUNPHY:
 20 A. They – I think at first he lived with his
 21 brother. I think he had an apartment. Wait
 22 now, I think he had an apartment. Wait now,
 23 am I right? I believe he might have had an
 24 apartment in his brother's house in Seal
 25 Cove. I'm saying this now and I'm not

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1 totally sure, and I know then that they
 2 built a house in Mitchell's Brook after
 3 that. So that's where – you know.
 4 MS. O'BRIEN:
 5 Q. Had you already built your house when they
 6 built theirs?
 7 MS. DUNPHY:
 8 A. Yes.
 9 MS. O'BRIEN:
 10 Q. Okay. Do you recall roughly how long it was
 11 between when they built – when you built
 12 your house and they built theirs?
 13 MS. DUNPHY:
 14 A. I'd say it's probably 15 years, that ours
 15 was built 15 years before theirs.
 16 MS. O'BRIEN:
 17 Q. Okay. Around what year was yours built?
 18 MS. DUNPHY:
 19 A. Okay. What would be 40 years from 2016?
 20 Okay, [REDACTED] was born in [REDACTED] and he was – I
 21 think he was [REDACTED],
 22 [REDACTED] I'd say '77 our house – yeah, say – we
 23 could say '76. It was probably late '76.
 24 MS. O'BRIEN:
 25 Q. Okay, when your house was built?

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1 MS. DUNPHY:
 2 A. When we moved into our house, yeah, it was
 3 liveable.
 4 MS. O'BRIEN:
 5 Q. Okay. And do you recall then roughly what
 6 year Donny's house would have been built?
 7 MS. DUNPHY:
 8 A. I don't know. '76.
 9 MS. O'BRIEN:
 10 Q. Was he already married?
 11 MS. DUNPHY:
 12 A. Oh yes, he was already married.
 13 MS. O'BRIEN:
 14 Q. Was Meghan born?
 15 MS. DUNPHY:
 16 A. I don't know. I don't remember that.
 17 MS. O'BRIEN:
 18 Q. That's fine. Do you recall Donny having
 19 Meghan?
 20 MS. DUNPHY:
 21 A. Yes.
 22 MS. O'BRIEN:
 23 Q. Okay. Do you recall her being a little baby
 24 in the house next to you?
 25 MS. DUNPHY:

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1 A. Yes.
 2 MS. O'BRIEN:
 3 Q. Okay.
 4 MS. DUNPHY:
 5 A. Yes, his wife used to babysit for me and
 6 like she would have Meghan with her, and
 7 before they had Meghan, they had a baby that
 8 was stillborn. No, it wasn't stillborn. It
 9 died a day after it was born. It was born
 10 prematurely.
 11 MS. O'BRIEN:
 12 Q. Okay. So you recall that, do you?
 13 MS. DUNPHY:
 14 A. I recall that. It was very sad for them.
 15 MS. O'BRIEN:
 16 Q. Yeah. And so Meghan was born -
 17 MS. DUNPHY:
 18 A. Meghan was born after, but I don't know
 19 like, you know, like how much time was in
 20 between.
 21 MS. O'BRIEN:
 22 Q. Okay. So in those days, and you're
 23 remembering back when, you know, Donny's
 24 living next door with his very young family
 25 at that point and you've got a fairly young

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1 family yourself. What was your relationship
 2 like with him then?
 3 MS. DUNPHY:
 4 A. Relationship was good, you know. Like I
 5 said, his wife babysat and, you know, we
 6 were always kind of - well, we chatted, you
 7 know, like - we didn't hang out together or
 8 anything, like in the same circles, but you
 9 know, like we had a pretty good
 10 relationship. Like even after his wife
 11 died, like he worked in Bull Arm and his
 12 mother and I would always go over and clean
 13 his house and you know, do laundry and wash
 14 his dishes and make his house presentable
 15 for when he would get home, you know, so it
 16 was a normal relationship kind of, no
 17 antagonism.
 18 MS. O'BRIEN:
 19 Q. Okay. Do you remember him having his
 20 accident?
 21 MS. DUNPHY:
 22 A. Yes, I remember him having his accident,
 23 yes.
 24 MS. O'BRIEN:
 25 Q. Okay. So that was while his wife was still

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1 alive, was it?
 2 MS. DUNPHY:
 3 A. I really don't remember if his wife was
 4 alive or not, you know. I don't remember
 5 that.
 6 MS. O'BRIEN:
 7 Q. Okay. When he was - so you recall when he -
 8 after his wife has died and he now has
 9 Meghan and she's a young child at that
 10 point, I take it?
 11 MS. DUNPHY:
 12 A. Right.
 13 MS. O'BRIEN:
 14 Q. So you recall him going away to work in Bull
 15 Arm. Who was taking care of Meghan then
 16 when he went away to work in Bull Arm?
 17 MS. DUNPHY:
 18 A. She was very close with Louise's sister,
 19 [REDACTED] She spent a lot of time at their
 20 house. [REDACTED] she is.
 21 MS. O'BRIEN:
 22 Q. Okay. And so would she spend time at your
 23 house as well?
 24 MS. DUNPHY:
 25 A. Well, she'd spend time, but she didn't

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1 really stay. You know, like she slept with
 2 [REDACTED] up there. She spent – because
 3 actually before even her mother died, her
 4 mother and [REDACTED] were very close and you
 5 know, like every day Louise would go to
 6 [REDACTED] house and it was like a second home
 7 to Meghan.
 8 MS. O'BRIEN:
 9 Q. Okay.
 10 MS. DUNPHY:
 11 A. Yeah, she often came like for a sleepover
 12 and stuff with my daughter.
 13 MS. O'BRIEN:
 14 Q. Your daughter, [REDACTED] that would be?
 15 MS. DUNPHY:
 16 A. [REDACTED] yes.
 17 MS. O'BRIEN:
 18 Q. Okay, all right. So do you remember when
 19 his wife died? I take it you do.
 20 MS. DUNPHY:
 21 A. I do, yes. I do remember that, yes. I
 22 remember the priest calling me to tell his
 23 mother about it.
 24 MS. O'BRIEN:
 25 Q. Okay. How would you describe Donny Dunphy's

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1 character as an adult? What was he like as
 2 an adult?
 3 MS. DUNPHY:
 4 A. I don't – like it's hard for me to describe.
 5 Like I didn't associate with him a whole
 6 lot, you know, like buddy buddy kind of
 7 thing, but – we weren't very close. We
 8 really weren't very close, but you know, how
 9 would I say it? He didn't always get along
 10 with people. Like I know for a while he
 11 didn't even talk to his parents and well, it
 12 wasn't until, I guess, later like until
 13 around the time that – after his father died
 14 and it was like issues over the piece of
 15 land that I guess, you know, like there was
 16 a lot of antagonism between us.
 17 MS. O'BRIEN:
 18 Q. Okay. Now you're saying you recall times
 19 that he didn't even talk to his parents.
 20 What do you remember about that?
 21 MS. DUNPHY:
 22 A. I just remember his mother telling me how
 23 like, you know, that Don wasn't talking to
 24 them. That's all.
 25 MS. O'BRIEN:

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1 Q. Do you remember how long that went on for?
 2 MS. DUNPHY:
 3 A. Oh, it went on for a good while.
 4 MS. O'BRIEN:
 5 Q. By "good while" what do you mean?
 6 MS. DUNPHY:
 7 A. I don't know, went on for months.
 8 MS. O'BRIEN:
 9 Q. Months, okay. Do you recall what it was
 10 about?
 11 MS. DUNPHY:
 12 A. No, I don't know what it was about. I think
 13 a lot of it had to do with money, you know.
 14 They used to give him money, you know.
 15 MS. O'BRIEN:
 16 Q. Was he struggling financially at the time?
 17 MS. DUNPHY:
 18 A. I think the issue at the time was his
 19 parents were saying that he was spending
 20 money on drugs.
 21 MS. O'BRIEN:
 22 Q. Okay. So that's what you recall that the
 23 issue was, the dispute between -
 24 MS. DUNPHY:
 25 A. That's what I recall the issue was, yeah.

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1 MS. O'BRIEN:
 2 Q. Okay. What year did your mother-in-law pass
 3 away?
 4 MS. DUNPHY:
 5 A. She passed away – now, I think it might have
 6 been '98.
 7 MS. O'BRIEN:
 8 Q. Okay. And was your father-in-law still
 9 living at that time?
 10 MS. DUNPHY:
 11 A. Yes.
 12 MS. O'BRIEN:
 13 Q. Okay. And were they both still in the home
 14 when she passed?
 15 MS. DUNPHY:
 16 A. Yes.
 17 MS. O'BRIEN:
 18 Q. Okay. And did he – did your father-in-law,
 19 Mr. Dunphy, was he able to stay on in the
 20 house?
 21 MS. DUNPHY:
 22 A. He was, but now he was after having a
 23 stroke, so he wasn't able to look after
 24 himself really well, and he did have some
 25 home care. Yeah, he had home care and

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1 eventually he wasn't able to live by himself
 2 because he ended up having respiratory
 3 problems.
 4 MS. O'BRIEN:
 5 Q. Okay. So what happened then when he wasn't
 6 able to live by himself?
 7 MS. DUNPHY:
 8 A. Well, when he wasn't able to live by
 9 himself, I think the family decided well,
 10 Don would move over because Don's house was
 11 in disrepair, right, and we were saying
 12 well, if Don moved into the house maybe he
 13 could sell his own and move into his
 14 father's and it would be better for him and
 15 Mister really wanted to be able to live at
 16 home. He didn't want to go in a home and he
 17 couldn't live by himself, so you know, like
 18 Don and Meghan would move in with him and
 19 that would solve that problem.
 20 MS. O'BRIEN:
 21 Q. Okay. So did that happen?
 22 MS. DUNPHY:
 23 A. Yes, that happened. He did move in with him
 24 for so long, but eventually he moved back
 25 home. He was going home in the night time

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1 and then eventually he just went back home
 2 and I think Bart and Dick would take turns
 3 having to stay up with him then at night.
 4 MS. O'BRIEN:
 5 Q. Okay. How long did Don and Meghan live with
 6 Mr. Dunphy?
 7 MS. DUNPHY:
 8 A. Oh gosh, I don't know. They were there a
 9 nice while, probably for months, but I don't
 10 – you know, like I don't know how long.
 11 MS. O'BRIEN:
 12 Q. Could it have been like a year or more?
 13 MS. DUNPHY:
 14 A. I don't know if it would be a year or not.
 15 MS. O'BRIEN:
 16 Q. Meghan Dunphy recalls living at her
 17 grandfather's for a fairly long period of
 18 time.
 19 MS. DUNPHY:
 20 A. I don't know.
 21 MS. O'BRIEN:
 22 Q. Okay. But you're saying that he – now your
 23 husband recalled that Don lived with his –
 24 when he lived with his father, ultimately
 25 lived with him right up until the time, you

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1 know, Mr. Dunphy Sr. died.
 2 MS. DUNPHY:
 3 A. No. Yeah, he must have forgotten that him
 4 and Bart used to have to take turns going
 5 there every night.
 6 MS. O'BRIEN:
 7 Q. For how long did him and Bart take turns
 8 going there every night?
 9 MS. DUNPHY:
 10 A. Well probably, I don't know, probably the
 11 last month for sure before he died. I don't
 12 really – I just know that they did that, you
 13 know, they took turns going there.
 14 MS. O'BRIEN:
 15 Q. Okay. All right. Now I know you just
 16 mentioned there was a bit of dispute on Mr.
 17 Dunphy Sr's estate. So, tell me about that.
 18 MS. DUNPHY:
 19 A. I wish I didn't have to be always hashing
 20 this out. Well, okay, I guess what the
 21 problem really what it was about was that my
 22 husband put a piece of land – he was working
 23 with Highways and in front of our house, he
 24 built out a piece of land where we, you
 25 know, we used it for we put our garbage box

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1 there. We had a culvert there. We would
 2 burn paper and stuff and I used to put my
 3 garden soil out there. So one day when I
 4 came home, my friend and I, [REDACTED],
 5 went somewhere and we bought topsoil and we
 6 came back and we were on – when we got back
 7 there, there was this garbage put on this
 8 piece of land and he was over next door. He
 9 was bringing over the garbage, putting it on
 10 this piece of land in front of our house.
 11 Well, needless to say, I was very upset
 12 because I – you know, like I mean, having
 13 your property nice is important to me and
 14 well, I did confront him with it. I wasn't
 15 very nice about it, but you know, and he
 16 said "well, the land is mine now and I'm
 17 putting my garbage there, my junk there, my
 18 old car wrecks." So I was really upset
 19 naturally. And he did put his car wrecks
 20 there and like I used to – we had a culvert
 21 there. Now I kind of tried to ignore it and
 22 we just went on like as if, you know, we
 23 still owned it, but the part of it was that
 24 my father-in-law had asked [REDACTED],
 25 lawyer, to draw up his will because I said

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1 to [REDACTED] "why did you give him the piece of
 2 land, you know, that my husband put there?
 3 You know, he made his parking spot". He
 4 said "well, [REDACTED] asked me to draw up his
 5 will" so he said "I went right down the road
 6 and across the beach and took it in." He
 7 said "I just wanted to make sure he got
 8 everything that was his". Well, okay, so
 9 then I – well, we said, well, the land, you
 10 know, he wanted – it was his because it was
 11 in the will that it was his, right. So
 12 anyway, like I used to go out to burn stuff,
 13 you know, like if we had papers that we were
 14 burning, I would burn it in this culvert and
 15 he used to come out – soon as I went to use
 16 it, he'd come out shouting out at me "jump
 17 in the fire you witch, jump in the fire" and
 18 he was always calling me a witch and I had a
 19 big flower garden, like down the side of our
 20 driveway, and if I went in the flower
 21 garden, he would come out and say "well,
 22 your flower garden looks some nice now with
 23 my car wrecks" and he'd put all his car
 24 wrecks over in front of my house on that
 25 piece of land and of course eventually the

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1 council made him remove them, right. So you
 2 know, like there was a lot of antagonism and
 3 he did a lot of other things which I, you
 4 know, I don't even want to talk about.
 5 MS. O'BRIEN:
 6 Q. Well, I'm going to need to ask you to talk
 7 about them. So, what other things?
 8 MS. DUNPHY:
 9 A. Well, my husband and I and our son used to
 10 go – we have a cabin in the woods that we
 11 used to go in there. So anyway, I noticed
 12 then that there was like circle of something
 13 all around our trees. Like I'm not sure if
 14 it was limestone or if it was salt or
 15 anything, but like all our trees had stuff
 16 around them and when I went looking in my
 17 garden, all I had to do was put the shovel
 18 down and it was just – the garden was full
 19 of something and my compost box was – stuff
 20 was in that and I have rhubarb and I had
 21 strawberries and stuff and all these were
 22 burnt up with something. So, I did call the
 23 RCMP, but like they said, there was nothing
 24 they could do about it because I had no
 25 proof that it was him doing it, so you know,

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1 well, so – and there was – we did see him.
 2 One night we had a dog who chased him and we
 3 – because the dog used to bark when he would
 4 come around and we watched the dog chasing
 5 him and he ran home. He was carrying a
 6 bucket and he was running because the dog
 7 was chasing him and he got over waving out
 8 on his step looking over at us in our door
 9 waving something, but you know, so we did
 10 see him with the bucket, you know, that
 11 night.
 12 MS. O'BRIEN:
 13 Q. Okay. I'm going to go back over some of
 14 that. So, let me – let's talk about what
 15 your – when your father – what your father-
 16 in-law what property he owned at the time of
 17 his death. So he had his house?
 18 MS. DUNPHY:
 19 A. He had his house. Like he owned all the
 20 property like at one time and he gave Don
 21 his 200-front footage and Dick his 200-front
 22 footage and he owned the rest. He had asked
 23 my son did he – he had nobody to leave it to
 24 and he wanted it to stay in the Dunphy name.
 25 So he was – he asked my son [REDACTED] did he want

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1 it. He said "no, I have my own little
 2 place" and he asked Kevin, his son, did he
 3 want the property. He was trying to find
 4 somebody to leave it to. He said no. No,
 5 he said, "I'm not – I don't want it." And
 6 he asked [REDACTED] and [REDACTED] said, "okay, you
 7 know, nobody ever gave me anything for
 8 nothing before, so I wouldn't mind". But,
 9 anyway, when – you know, like when Don moved
 10 over, like I mean, we all knew -
 11 MS. O'BRIEN:
 12 Q. So based on that, did you have an
 13 expectation then that your son, [REDACTED] would
 14 be willed or left -
 15 MS. DUNPHY:
 16 A. No, we didn't expect anything, you know,
 17 that he would be left. It didn't – we
 18 didn't really – you know, whatever was his
 19 wish was his wish. We didn't – my son was
 20 living in St. Bride's with his girlfriend
 21 and he had his own property over there, but
 22 he was very close with his grandfather, you
 23 know. They were very close when he was
 24 growing up. But anyway, no, that didn't –
 25 well, I can tell you that after he moved in,

Page 25

1 he said, you know, that – Mister said, you
 2 know, “I have to draw up another will
 3 because” he said “he got me drove off my
 4 head”, you know, which I guess when he moved
 5 over, he wanted the property willed to him,
 6 which, you know, well, that was fine.
 7 MS. O'BRIEN:
 8 Q. So, was there a will to your knowledge at
 9 one time that left the property to your son,
 10 [REDACTED]
 11 MS. DUNPHY:
 12 A. Yes.
 13 MS. O'BRIEN:
 14 Q. Okay. And that would have been Mr. Dunphy
 15 Sr's house?
 16 MS. DUNPHY:
 17 A. Yes.
 18 MS. O'BRIEN:
 19 Q. And all his land around the house?
 20 MS. DUNPHY:
 21 A. And his land around the house, yeah.
 22 MS. O'BRIEN:
 23 Q. Okay. Which would include that little piece
 24 that your husband had built on across the
 25 road? That was part of his land?

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1 MS. DUNPHY:
 2 A. Well, we didn't know that at the time,
 3 right.
 4 MS. O'BRIEN:
 5 Q. Okay. But you understood there was a will
 6 that had left everything to [REDACTED]
 7 MS. DUNPHY:
 8 A. Yes, everything to [REDACTED]
 9 MS. O'BRIEN:
 10 Q. Okay. And that had been discussed, and then
 11 you're saying when Don Dunphy was living
 12 with his dad when his dad was ill -
 13 MS. DUNPHY:
 14 A. Well, he got everything willed over to him,
 15 which was okay, but -
 16 MS. O'BRIEN:
 17 Q. So Mr. Dunphy Sr. changed – made a new will?
 18 MS. DUNPHY:
 19 A. Made a new will.
 20 MS. O'BRIEN:
 21 Q. Where he left everything to Don?
 22 MS. DUNPHY:
 23 A. He left everything to Donny, except he still
 24 left a little piece of land next to us, you
 25 know, that was supposed to be given to

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1 [REDACTED]
 2 MS. O'BRIEN:
 3 Q. It was in the will to give that to –
 4 MS. DUNPHY:
 5 A. It was in the will, but anyway, but Don sent
 6 him a letter. He sent him a registered
 7 letter, my son, [REDACTED] and he said to him –
 8 he told him that if he wanted the piece of
 9 land, he would have to pay him some money to
 10 clear up – do something with the property.
 11 I don't know. But anyway, [REDACTED] never
 12 answered him and he said “well, if I don't
 13 hear from you within so many days I'm
 14 selling the land”, so [REDACTED] just didn't even
 15 answer him because he said, well, you know,
 16 if you get something willed to you, you
 17 don't usually have to pay money to get – you
 18 know, to get it. So, he ignored Don's
 19 registered letter to him.
 20 MS. O'BRIEN:
 21 Q. And when did his occur? When did all this
 22 occur?
 23 MS. DUNPHY:
 24 A. I don't know. Well, like after – I don't
 25 know how much time after.

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1 MS. O'BRIEN:
 2 Q. What year did Mr. Dunphy Sr. die?
 3 MS. DUNPHY:
 4 A. 2002 I think.
 5 MS. O'BRIEN:
 6 Q. Okay.
 7 MS. DUNPHY:
 8 A. But anyway, he sold the land, so we just
 9 said okay. He sold the land to the man who
 10 bought the house, so that was it. But now,
 11 the part about it too was like [REDACTED] which
 12 is his father, said to me – he had a mill,
 13 and I mean the mill was like a God to
 14 mister. He just used to always be working
 15 in his saw mill. It was right opposite his
 16 house. And his saw -
 17 MS. O'BRIEN:
 18 Q. It was on the water side, was it?
 19 MS. DUNPHY:
 20 A. It was on the water side. And his son,
 21 Kevin, always worked in the mill too, like
 22 he supplemented his income with, you know,
 23 using the saw mill, and but there was
 24 something about the saw mill was on – part
 25 of his land was in my husband's name, but

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1 the end of it probably was on his own land
 2 because he said to me – now, you know, he
 3 said – he knew he had given this all to Don,
 4 see, but he said to me, he said “will you
 5 promise me” he said, “that you’ll see that
 6 the mill is going to be kept there for
 7 Kevin” and I mean I said “sure” you know.
 8 MS. O'BRIEN:
 9 Q. Mr. Dunphy Sr. said this to you?
 10 MS. DUNPHY:
 11 A. Said to me.
 12 MS. O'BRIEN:
 13 Q. So he talked to you that he told you he'd
 14 willed everything over to Don?
 15 MS. DUNPHY:
 16 A. No, he didn't say that. He just said to me
 17 – I guess where he probably knew -- I
 18 figured he had it willed over to Don, but
 19 anyway, he said “now, the mill” he said, “I
 20 want you” you know, like to – I guess he
 21 kind of looked at me as being a person who
 22 would probably take leadership or something
 23 about it, but he said “I want you to make
 24 sure now the mill is kept there for Kevin.”
 25 Kevin is his son. Because you know, he used

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1 to use it a lot and I said “well, you know,
 2 where else would it go?” you know, who else
 3 – where else would it go. But anyway, Don
 4 tore it down. So, I mean, and I did
 5 confront him. I said “it's not yours to
 6 tear down. Your father wanted that left for
 7 Kevin”. So, you know, that was a little bit
 8 of a bone of contention between us too,
 9 because he really had no business tearing it
 10 down, but he did. Because he didn't really
 11 talk to Kevin either, so -
 12 MS. O'BRIEN:
 13 Q. Okay, so this caused some hard feelings
 14 around the family?
 15 MS. DUNPHY:
 16 A. Oh, it did cause hard feelings, you know,
 17 because he did something that his father
 18 really was opposed to and I felt like “well,
 19 there's no” – I confronted him. There's
 20 nothing else I can do, you know.
 21 MS. O'BRIEN:
 22 Q. And when you say you confronted him, how did
 23 you confront him?
 24 MS. DUNPHY:
 25 A. I was outdoors and I said to him – he was up

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1 on the roof, I said, you know, “you're not –
 2 that is not your property. That mill, your
 3 father wants that left for Kevin” and you
 4 know.
 5 MS. O'BRIEN:
 6 Q. Okay. So this was after Mr. Dunphy Sr. had
 7 passed?
 8 MS. DUNPHY:
 9 A. That was after he had passed. Oh yes, it
 10 would never happen before because he used to
 11 always – like the mill to him, he says “I
 12 feel like I'm alive when I can go out in
 13 that mill.” It was really important to him.
 14 MS. O'BRIEN:
 15 Q. Okay. But yet he willed it over to Don
 16 Dunphy?
 17 MS. DUNPHY:
 18 A. No. No, he didn't. I said that piece of
 19 land, that mill was on a piece of land that
 20 was in my husband's name, so – but that was
 21 in front of his house, but I don't know why
 22 it was in my husband's name, but it was, but
 23 – and you know, like Don – but the end of it
 24 was on Don's property.
 25 MS. O'BRIEN:

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1 Q. A little piece of the mill?
 2 MS. DUNPHY:
 3 A. A little piece, let's say, you know.
 4 MS. O'BRIEN:
 5 Q. I see. A little piece of the mill was over
 6 on Don's.
 7 MS. DUNPHY:
 8 A. You know, the mill was this length. His
 9 land started here somewhere, like a little
 10 piece of it was on the property that he
 11 willed to Don. So he took the whole works
 12 down.
 13 MS. O'BRIEN:
 14 Q. Okay. All right. So do you recall filing
 15 to get a peace bond against Don Dunphy?
 16 MS. DUNPHY:
 17 A. Yes, I do.
 18 MS. O'BRIEN:
 19 Q. So when did that happen?
 20 MS. DUNPHY:
 21 A. Well, I don't know when it happened. I
 22 don't know what year or anything, but all
 23 this stuff that kept going on all the time,
 24 and you know, like I mean -
 25 MS. O'BRIEN:

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1 Q. Was this in the years just following Mr.
 2 Dunphy Sr.'s death?
 3 MS. DUNPHY:
 4 A. Yes, it was when he came over like about
 5 putting the car wrecks in front of our
 6 property and then doing the stuff. Like I
 7 said, I saw him running with the buckets
 8 once, but I mean, with all this stuff that
 9 was done, I mean, I had to assume it was
 10 him, right, and I did call the RCMP and
 11 showed them, but they said well, you know,
 12 like you know, "you didn't see him do it."
 13 Well, okay, I didn't see him do it.
 14 MS. O'BRIEN:
 15 Q. Do you know what was being put – did you
 16 ever -
 17 MS. DUNPHY:
 18 A. No, we never did. Like well, there was
 19 limestone that was over somewhere that he
 20 could have accessed too because the farms in
 21 Haricot had piles of limestone, so I thought
 22 it could be limestone that would burn if it
 23 wasn't mixed. And then there was sometimes
 24 I thought it was salt because it burnt, it
 25 burnt, and it – I don't know. There was a

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1 smell off it too. Like he probably used
 2 different things at different times, I don't
 3 know. Because it got in the way where I
 4 tried to put it out of my mind and tried to
 5 ignore it, right. So, yeah, he was bonded
 6 to the peace. And of course, I didn't – if
 7 you want it sure – I don't know if you
 8 people have access to any of the records,
 9 but he had a lawyer [REDACTED] when we were in
 10 Court.
 11 MS. O'BRIEN:
 12 Q. Okay, [REDACTED] maybe.
 13 MS. DUNPHY:
 14 A. Yeah. So I mean, you might be able to -
 15 MS. O'BRIEN:
 16 Q. Did you have a lawyer at the time?
 17 MS. DUNPHY:
 18 A. No, I didn't.
 19 MS. O'BRIEN:
 20 Q. Okay.
 21 MS. DUNPHY:
 22 A. But I felt like – when I was – I felt like I
 23 was being harassed when I was on the – you
 24 know, because he had a lawyer who was
 25 harassing me for all whatever, but -

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1 MS. O'BRIEN:
 2 Q. Okay. All right. So you brought him – I
 3 know you're saying you were -- had some
 4 confrontations with you. Did he ever
 5 threaten you?
 6 MS. DUNPHY:
 7 A. Yes, he did. He threatened and he was –
 8 when I – see, Meghan used to come around and
 9 I was really feeling like, you know, he
 10 really should be getting some kind of help.
 11 I really felt like he really needs to be
 12 getting some kind of psychiatric help.
 13 MS. O'BRIEN:
 14 Q. Why did you feel that?
 15 MS. DUNPHY:
 16 A. Because, I mean, it's not normal for someone
 17 to be getting on like this, you know, and I
 18 tell you one time, I could see his house and
 19 I was out on my patio and I was looking over
 20 at him and he was out on his deck and he was
 21 looking down and I got my binoculars. I
 22 said "what's he up to?" and he was actually
 23 crying. He was looking over at the piece of
 24 land where he had all the junk and he was
 25 crying.

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1 MS. O'BRIEN:
 2 Q. So you could see from your house, you could
 3 see through the trees over and see his -
 4 MS. DUNPHY:
 5 A. No, there was no – the trees weren't there
 6 then. It went – like it's changed now.
 7 There's a lot of trees there and we got a –
 8 there's a garage there where I wouldn't see
 9 his deck. But at that time, from my deck, I
 10 could see his deck.
 11 MS. O'BRIEN:
 12 Q. Okay.
 13 MS. DUNPHY:
 14 A. And I was looking – he was out on his deck
 15 and he was looking over, you know, "well,
 16 what's he at?" and sometimes I could hear
 17 him like mumbling and talking, because he
 18 would shout at me sometimes, but that time
 19 he was oblivious to me that I was watching
 20 him. So I got my binoculars and I looked.
 21 I said "what's he at?" and he was actually
 22 crying.
 23 MS. O'BRIEN:
 24 Q. Okay. So you could see him through the
 25 trees a bit. There was – the trees were -

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1 MS. DUNPHY:
 2 A. No, I could see – no trees there. I could
 3 see him like you know, plain.
 4 MS. O'BRIEN:
 5 Q. There was no trees at all between the
 6 properties then?
 7 MS. DUNPHY:
 8 A. No, there was no trees, no, because that's
 9 like the night that we watched him running
 10 with the bucket. I mean, he got over on his
 11 deck and came out in the light and was
 12 waving something at us because he knew we –
 13 you know, we watched the dog chasing him.
 14 MS. O'BRIEN:
 15 Q. So all those trees in between have grown up
 16 since? Is that what you're -
 17 MS. DUNPHY:
 18 A. They've grown up since, yeah. They've grown
 19 up since, yeah.
 20 MS. O'BRIEN:
 21 Q. Okay. So you could see him crying. So
 22 roughly how many years ago is all this?
 23 MS. DUNPHY:
 24 A. It's probably – that was probably around – I
 25 don't know. Like after [REDACTED] died. It was

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1 probably 2003 or 2004, I don't know.
 2 MS. O'BRIEN:
 3 Q. Okay. All right. So you'd seen him crying
 4 and go on, you were going to say you thought
 5 he needed -
 6 MS. DUNPHY:
 7 A. No, like he never had many people. Like
 8 none of his family was communicating with
 9 him, none of them, right, none of them, so I
 10 mean, all of his brothers – okay, there was
 11 Bart and Kevin and Dick and none of them
 12 were close with him. There was no family
 13 connection. He had a couple of friends,
 14 that was all, and I mean, that is sad, and I
 15 mean, like I just felt sorry for him.
 16 MS. O'BRIEN:
 17 Q. Okay. So what did you do?
 18 MS. DUNPHY:
 19 A. Even though there was antagonism. There was
 20 nothing I could do. I just tried to ignore
 21 what he was doing.
 22 MS. O'BRIEN:
 23 Q. Okay.
 24 MS. DUNPHY:
 25 A. After – like I said, I tried to talk to his

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1 daughter first, but -
 2 MS. O'BRIEN:
 3 Q. How old was his daughter?
 4 MS. DUNPHY:
 5 A. I don't know, but you know, like I think it
 6 was – she was too young because she got
 7 upset and she said "it's my dad" and
 8 whatever and he got really angry because I
 9 tried to say well, you know, "your daddy
 10 needs to be getting some kind of counselling
 11 because the things he's doing is not –
 12 they're not normal."
 13 MS. O'BRIEN:
 14 Q. So this was a conversation you had with
 15 Meghan?
 16 MS. DUNPHY:
 17 A. With Meghan, and she went over and told her
 18 dad.
 19 MS. O'BRIEN:
 20 Q. How old was Meghan?
 21 MS. DUNPHY:
 22 A. I don't know.
 23 MS. O'BRIEN:
 24 Q. You don't remember. Was she a teenager?
 25 MS. DUNPHY:

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1 A. No, I don't remember.
 2 MS. O'BRIEN:
 3 Q. Was she younger than a -
 4 MS. DUNPHY:
 5 A. She might have been a teenager and maybe she
 6 wasn't, I don't know. Maybe she wasn't.
 7 She might have been. I don't know.
 8 MS. O'BRIEN:
 9 Q. She could have been a bit younger than that
 10 even?
 11 MS. DUNPHY:
 12 A. I don't know. Okay, well, I'm just trying
 13 to think of when – 2000 and – how old is she
 14 now? Because if that was 2004, okay, she's
 15 what now? She's probably 28.
 16 MS. O'BRIEN:
 17 Q. Yes.
 18 MS. DUNPHY:
 19 A. Okay. So if she was 28, how old would she
 20 be in 2004? Four from 16 is 12, so 12 from
 21 28 is how much?
 22 MS. O'BRIEN:
 23 Q. 16.
 24 MS. DUNPHY:
 25 A. Okay. Well, probably she was – I don't

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1 know, was she 14, around there, anyway.

2 MS. O'BRIEN:

3 Q. Around 14 years old.

4 MS. DUNPHY:

5 A. I don't know. I don't know.

6 MS. O'BRIEN:

7 Q. Okay. So around 14 years old, okay.

8 MS. DUNPHY:

9 A. I'm saying that but I don't really know for

10 sure.

11 MS. O'BRIEN:

12 Q. Okay, but around that age. So where did

13 this conversation that you had with her take

14 place?

15 MS. DUNPHY:

16 A. I think – I don't remember. I think it

17 might have been up in my kitchen. I don't

18 know.

19 MS. O'BRIEN:

20 Q. Okay.

21 MS. DUNPHY:

22 A. I don't know where the conversation took

23 place. I just know that I was trying to

24 probably discuss it with her. I don't know.

25 I just felt like – I felt like we needed to

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1 do something, but I didn't know what to do.

2 MS. O'BRIEN:

3 Q. So you raised it with her?

4 MS. DUNPHY:

5 A. I raised it with her.

6 MS. O'BRIEN:

7 Q. And she got very upset?

8 MS. DUNPHY:

9 A. She got upset, yeah.

10 MS. O'BRIEN:

11 Q. And she went home and she told her dad?

12 MS. DUNPHY:

13 A. Yeah.

14 MS. O'BRIEN:

15 Q. And he was upset?

16 MS. DUNPHY:

17 A. He was upset.

18 MS. O'BRIEN:

19 Q. Is that surprising?

20 MS. DUNPHY:

21 A. No, it's not surprising, I suppose, but you

22 know, I don't know.

23 MS. O'BRIEN:

24 Q. Okay. So he was upset, so then what

25 happened?

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1 MS. DUNPHY:

2 A. Well, he did threaten me. He did say that

3 he was – you know, that he was going to beat

4 the head off me. He made – you know, he

5 said he was going to do something, anyway.

6 MS. O'BRIEN:

7 Q. Is that what you recall him saying?

8 MS. DUNPHY:

9 A. Well, that's what I was told he said.

10 MS. O'BRIEN:

11 Q. Okay. So you didn't hear it?

12 MS. DUNPHY:

13 A. I didn't hear it. Now there was – my

14 children were there and they said that – he

15 did come over. He did come over because I

16 got in the bedroom and locked the door

17 because I was afraid of him.

18 MS. O'BRIEN:

19 Q. And so just your children heard it?

20 MS. DUNPHY:

21 A. Yeah.

22 MS. O'BRIEN:

23 Q. Which children?

24 MS. DUNPHY:

25 A. [redacted] and [redacted] were out at the time in the

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1 garden, but I just don't want to even have

2 them involved in this, so I would – I just

3 don't want them to.

4 MS. O'BRIEN:

5 Q. Okay. So did – other than that, was there –

6 did he ever threaten you?

7 MS. DUNPHY:

8 A. No, he didn't. He didn't threaten me. He

9 just used to sing out things at me, “jump in

10 the fire, witch” and stuff like that.

11 MS. O'BRIEN:

12 Q. Okay. Did you ever see him act violently?

13 MS. DUNPHY:

14 A. Did I ever see him act violently? No, I

15 can't – I can't say I ever saw him act

16 violently, no.

17 MS. O'BRIEN:

18 Q. [redacted]

19 [redacted]

20 MS. DUNPHY:

21 A. [redacted]

22 [redacted]

23 [redacted]

24 [redacted]

25 [redacted]

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1 [REDACTED]
 2 MS. O'BRIEN:
 3 Q. [REDACTED]
 4 MS. DUNPHY:
 5 A. [REDACTED]
 6 MS. O'BRIEN:
 7 Q. [REDACTED]?
 8 MS. DUNPHY:
 9 A. [REDACTED]
 10 MS. O'BRIEN:
 11 Q. [REDACTED]
 12 MS. DUNPHY:
 13 A. [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 MS. O'BRIEN:
 19 Q. [REDACTED]?
 20 MS. DUNPHY:
 21 A. [REDACTED]
 22 [REDACTED]
 23 MS. O'BRIEN:
 24 Q. [REDACTED]
 25 MS. DUNPHY:

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1 MS. O'BRIEN:
 2 Q. [REDACTED]
 3 MS. DUNPHY:
 4 A. [REDACTED]
 5 [REDACTED]
 6 MS. O'BRIEN:
 7 Q. [REDACTED]
 8 MS. DUNPHY:
 9 A. [REDACTED]
 10 MS. O'BRIEN:
 11 Q. [REDACTED]
 12 MS. DUNPHY:
 13 A. [REDACTED]
 14 MS. O'BRIEN:
 15 Q. [REDACTED]
 16 MS. DUNPHY:
 17 A. [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 MS. O'BRIEN:
 22 Q. [REDACTED]
 23 MS. DUNPHY:
 24 A. [REDACTED]
 25 MS. O'BRIEN:

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1 A. [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 MS. O'BRIEN:
 5 Q. [REDACTED]
 6 MS. DUNPHY:
 7 A. [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 MS. O'BRIEN:
 16 Q. [REDACTED]
 17 MS. DUNPHY:
 18 A. [REDACTED]
 19 MS. O'BRIEN:
 20 Q. [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 MS. DUNPHY:
 24 A. [REDACTED]
 25 [REDACTED]

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1 Q. [REDACTED]
 2 MS. DUNPHY:
 3 A. [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 MS. O'BRIEN:
 21 Q. [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 MS. DUNPHY:

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1 A. [REDACTED]

2 MS. O'BRIEN:

3 Q. Okay. Prior to his event, did you ever know

4 whether Don Dunphy owned a gun?

5 MS. DUNPHY:

6 A. No.

7 MS. O'BRIEN:

8 Q. Okay. So you – were you ever aware of any

9 guns being left by your father-in-law or

10 anything?

11 MS. DUNPHY:

12 A. No.

13 MS. O'BRIEN:

14 Q. Okay. All right. I'd like to go now to

15 April 5th, that day when Constable Smyth

16 visited your home. So we're back on Easter

17 Sunday in 2015. So, what time do you

18 remember Constable Smyth coming to your

19 door?

20 MS. DUNPHY:

21 A. I don't remember the exact time. I know we

22 had company for dinner that Easter Sunday

23 and everybody had left and I was in the

24 kitchen washing dishes, so it would be

25 probably after 2:00 or 2:30 at least.

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1 MS. O'BRIEN:

2 Q. Okay. And who was home with you at the

3 time?

4 MS. DUNPHY:

5 A. Who was home? Dick was downstairs. I don't

6 know if anybody else was there. You know, I

7 just know two of us were there and probably

8 – yes, [REDACTED] was there.

9 MS. O'BRIEN:

10 Q. That's your son?

11 MS. DUNPHY:

12 A. Yes.

13 MS. O'BRIEN:

14 Q. And your son has autism?

15 MS. DUNPHY:

16 A. Yes.

17 MS. O'BRIEN:

18 Q. Yes, okay. All right. So how do you

19 remember the visit starting? Did he knock

20 on the door, ring on the bell?

21 MS. DUNPHY:

22 A. Yeah, he knocked on the door.

23 MS. O'BRIEN:

24 Q. Okay. Who answered the door?

25 MS. DUNPHY:

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1 A. I answered the door.

2 MS. O'BRIEN:

3 Q. Okay. Did you see his vehicle?

4 MS. DUNPHY:

5 A. No.

6 MS. O'BRIEN:

7 Q. The police officer's vehicle?

8 MS. DUNPHY:

9 A. No, I didn't see. He showed me his – he had

10 a badge or something inside because he

11 opened his shirt and showed me and told me

12 who he was.

13 MS. O'BRIEN:

14 Q. Okay. What was he wearing?

15 MS. DUNPHY:

16 A. He was wearing casual clothes, like I don't

17 remember, like something grey, probably like

18 a grey hoodie or something, but it was a

19 zipper in it. That's all I remember.

20 MS. O'BRIEN:

21 Q. So he wasn't in uniform?

22 MS. DUNPHY:

23 A. He wasn't in uniform.

24 MS. O'BRIEN:

25 Q. Okay. So you recall him showing you a badge

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1 from underneath his -

2 MS. DUNPHY:

3 A. He showed me, yes.

4 MS. O'BRIEN:

5 Q. - whatever, his overcoat or whatever he had

6 on, okay. And did he introduce himself?

7 MS. DUNPHY:

8 A. Yeah, he introduced himself and asked me if

9 I could step out, he wanted to talk to me,

10 but I kind of – you know, like, it kind of

11 caught me right off guard because I said

12 “what's” – you know, “what's this?” So, I

13 said “well, no, you come in”. So he came in

14 and he talked to me inside.

15 MS. O'BRIEN:

16 Q. So he wanted you to come outside to talk to

17 him at first?

18 MS. DUNPHY:

19 A. I think he said that now. I'm sure he said

20 “could you come out? I would like to talk

21 to you” and I -

22 MS. O'BRIEN:

23 Q. Okay. Did he say what police force he was

24 with?

25 MS. DUNPHY:

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1 A. No, no. No, I can't say he didn't. I don't
 2 remember if he said it or not.
 3 MS. O'BRIEN:
 4 Q. Okay. Did he say what he wanted to talk to
 5 you about?
 6 MS. DUNPHY:
 7 A. Well, when he came in, he did ask me like,
 8 you know, if I knew where Don Dunphy might
 9 be, you know.
 10 MS. O'BRIEN:
 11 Q. Okay. So you asked him to come in. Did he
 12 come inside the house?
 13 MS. DUNPHY:
 14 A. Yes, he came in, stepped in the porch.
 15 MS. O'BRIEN:
 16 Q. Okay. Did you shut the front door, do you
 17 recall?
 18 MS. DUNPHY:
 19 A. The back door.
 20 MS. O'BRIEN:
 21 Q. Oh, he came to the back door, did he?
 22 MS. DUNPHY:
 23 A. He came to the back door. Well, the back
 24 door, it would have shut automatically.
 25 MS. O'BRIEN:

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1 Q. Okay. So he's standing in the porch.
 2 MS. DUNPHY:
 3 A. Standing in the porch.
 4 MS. O'BRIEN:
 5 Q. And he asks you – what's the first thing you
 6 recall him asking you?
 7 MS. DUNPHY:
 8 A. I don't remember how he asked me about Don
 9 and I said "why?" Like I mean, I just "why,
 10 what's going on with him?" But anyway, I
 11 don't recall the exact words, so that's why
 12 I wouldn't want to say, quote him, but he
 13 did say – mentioned something about tweets
 14 on – tweets, things that he had tweeted, so
 15 you know, and anyway, like I told him that I
 16 wouldn't know where Don was, you know.
 17 Well, I didn't. I told him, I said "more
 18 than likely, Easter Sunday, he's probably
 19 gone up to Meghan's for dinner with Meghan",
 20 but I said "other than that, I really don't
 21 know much about him because" – I said, I
 22 told him that we didn't have a good
 23 relationship.
 24 MS. O'BRIEN:
 25 Q. Okay. So Constable Smyth arrives and he

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1 identifies himself as a police officer, asks
 2 you to come out and you say to step in, and
 3 he's looking for Donald Dunphy. Does he
 4 know that you're his sister-in-law?
 5 MS. DUNPHY:
 6 A. I wouldn't know that he knew that. I mean,
 7 I never saw the man before and he never saw
 8 me before, so I don't know. I wouldn't
 9 assume he did. I don't know.
 10 MS. O'BRIEN:
 11 Q. Did you tell him that you were Don Dunphy's
 12 sister-in-law?
 13 MS. DUNPHY:
 14 A. No.
 15 MS. O'BRIEN:
 16 Q. You didn't?
 17 MS. DUNPHY:
 18 A. No.
 19 MS. O'BRIEN:
 20 Q. So he's talking to you and you don't ident –
 21 he's asking about whether you know Don
 22 Dunphy?
 23 MS. DUNPHY:
 24 A. Well, he just asked me if I knew, you know,
 25 where he was. I don't – I don't know. You

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1 know, I don't know how he knew who I was.
 2 MS. O'BRIEN:
 3 Q. Okay. Did he -
 4 MS. DUNPHY:
 5 A. I guess just the fact that I lived next door
 6 to him and you're in the country, you're
 7 living next door to somebody, you know who
 8 they are.
 9 MS. O'BRIEN:
 10 Q. Okay. I know – we've been out there.
 11 There's a sign on your house now I believe
 12 that says "The Dunphys", is that right?
 13 MS. DUNPHY:
 14 A. Yeah.
 15 MS. O'BRIEN:
 16 Q. Would that have been there in April 2015?
 17 MS. DUNPHY:
 18 A. No, because – April, okay, no, I only put
 19 that up – I put that up one time before. I
 20 put that up when Don was around, but it only
 21 stayed up one night and it was on the ground
 22 the next day, so I didn't put it up any more
 23 'til this summer.
 24 MS. O'BRIEN:
 25 Q. Okay. So that wasn't there at the time?

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1 MS. DUNPHY:
 2 A. No.
 3 MS. O'BRIEN:
 4 Q. So, he came and he said he was looking for
 5 Don Dunphy. Did he indicate that he knew
 6 where Don Dunphy's house was?
 7 MS. DUNPHY:
 8 A. Yeah, he said – I think he said he was over
 9 there and he wasn't home, I think. Yeah, I
 10 think he had been there and he wasn't home.
 11 MS. O'BRIEN:
 12 Q. Okay. Did he – he asked you where he might
 13 be and you said that he might be at his
 14 daughter, Meghan's?
 15 MS. DUNPHY:
 16 A. Yeah.
 17 MS. O'BRIEN:
 18 Q. Okay. Do you recall him asking you anything
 19 else?
 20 MS. DUNPHY:
 21 A. No, I don't. We talked about Don.
 22 MS. O'BRIEN:
 23 Q. Okay. So, what did you talk about?
 24 MS. DUNPHY:
 25 A. I told him that we didn't have a good

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1 relationship, that you know, we hadn't
 2 gotten along, that he had done some things
 3 to me and that, you know, that was it. We
 4 didn't talk to each other. I, you know,
 5 didn't see him.
 6 MS. O'BRIEN:
 7 Q. Did you tell him about what things Don had
 8 done?
 9 MS. DUNPHY:
 10 A. I did tell him some things about what Don
 11 had done.
 12 MS. O'BRIEN:
 13 Q. What things did you tell him?
 14 MS. DUNPHY:
 15 A. I told him – I don't know what. I can't
 16 remember, you know. I just told him that he
 17 – that I was actually afraid of him and I
 18 was. I wouldn't stay alone in the – you
 19 know, like if Dick was going somewhere, like
 20 I wanted to have a car. I felt like I just
 21 didn't want to be there – I wanted to be
 22 able to leave if I had to.
 23 MS. O'BRIEN:
 24 Q. Okay. So you would stay alone, but you'd
 25 always want a car or would you just not stay

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1 alone?
 2 MS. DUNPHY:
 3 A. I want a car there. I wouldn't stay alone.
 4 I stayed alone one night because my husband
 5 went in the woods to his cabin with his
 6 friends, and that night, oh, I just – I
 7 found it hard to sleep, but Don was living
 8 with his father and about 5:00 that morning,
 9 like it was dark, I could hear this banging
 10 and I was really – I said "oh my God, what's
 11 going on?" So I got up and I was afraid to
 12 go out. I said it's almost like somebody's
 13 breaking up my car and the banging was going
 14 on and it was very loud and I called my
 15 neighbour friend, [REDACTED], and I said
 16 "[REDACTED] you're going to have to come down" I
 17 said "because there's something going on
 18 outside." I said "there's some noise.
 19 Someone is hitting something" but anyway, he
 20 came. He got out of bed and he came down to
 21 the house, but Don was out by his father's
 22 and he had a stick and he was hitting it off
 23 something. So that was what was – you know,
 24 like that was the racket.
 25 MS. O'BRIEN:

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1 Q. Okay. So you told Constable Smyth that you
 2 were afraid of -
 3 MS. DUNPHY:
 4 A. I told him. I did say to him, I said, you
 5 know, "like I" – I was afraid because I felt
 6 that he – you know, like I felt that – how
 7 would I say it? I felt that like, you know,
 8 the way he was, I said, like if he lost
 9 control – you know how you hear about people
 10 and, you know, sometimes they're bipolar or
 11 whatever and something may happen and then,
 12 you know, like they do things that out of
 13 control and I was afraid.
 14 MS. O'BRIEN:
 15 Q. And did you tell that to Constable Smyth?
 16 MS. DUNPHY:
 17 A. I told Constable Smyth I was afraid of him,
 18 I did.
 19 MS. O'BRIEN:
 20 Q. Okay. Did Constable Smyth ask you whether
 21 Donald had – Don Dunphy had ever acted
 22 violently that you were aware of?
 23 MS. DUNPHY:
 24 A. No, he didn't.
 25 MS. O'BRIEN:

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1 Q. He didn't ask that question?

2 MS. DUNPHY:

3 A. No.

4 MS. O'BRIEN:

5 Q. Did he ask you whether Don Dunphy had any

6 guns?

7 MS. DUNPHY:

8 A. I'm not sure because I think Dick came

9 upstairs and I thought he might have asked

10 him. I'm thinking he did ask him did he

11 have a gun.

12 MS. O'BRIEN:

13 Q. Do you recall what the answer was?

14 MS. DUNPHY:

15 A. Well, I would say Dick probably said no,

16 because I don't think he knew or realized

17 that Don had the gun.

18 MS. O'BRIEN:

19 Q. Okay. Did you tell – do you recall telling

20 Constable Smyth how long it had been since

21 you'd actually spoken to Don Dunphy?

22 MS. DUNPHY:

23 A. No, I didn't tell him how long.

24 MS. O'BRIEN:

25 Q. Okay. You just said you didn't speak to

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1 him?

2 MS. DUNPHY:

3 A. Yeah.

4 MS. O'BRIEN:

5 Q. Did he ask you how long it had been since

6 you spoke to him?

7 MS. DUNPHY:

8 A. No.

9 MS. O'BRIEN:

10 Q. Okay. Did he ask you how long it had been

11 since you had been in Don Dunphy's house?

12 MS. DUNPHY:

13 A. No.

14 MS. O'BRIEN:

15 Q. Okay. How long had it been since you'd been

16 in Don Dunphy's house?

17 MS. DUNPHY:

18 A. It had been quite a while. I don't – I

19 wouldn't know exactly.

20 MS. O'BRIEN:

21 Q. Like had it been ten years since you were in

22 his house?

23 MS. DUNPHY:

24 A. Oh yes, all of that.

25 MS. O'BRIEN:

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1 Q. So maybe even more than ten years since

2 you'd been in his house?

3 MS. DUNPHY:

4 A. Yeah, probably more than ten years, yeah.

5 MS. O'BRIEN:

6 Q. Okay. But Constable Smyth never asked you

7 the question about how long it had been

8 since you'd been there?

9 MS. DUNPHY:

10 A. No, he didn't ask me.

11 MS. O'BRIEN:

12 Q. And I know there was a time you were talking

13 to Constable Smyth when your husband wasn't

14 there, and then your husband joined at some

15 point?

16 MS. DUNPHY:

17 A. Yeah, he was downstairs when Constable Smyth

18 came in.

19 MS. O'BRIEN:

20 Q. Okay. And was there ever any time when

21 Constable Smyth was talking to your husband

22 that you weren't there?

23 MS. DUNPHY:

24 A. No.

25 MS. O'BRIEN:

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1 Q. Okay. And how long was Constable Smyth

2 there in total?

3 MS. DUNPHY:

4 A. I don't know, like we were talking for a

5 little while. You know, he was very cool

6 and calm like and doesn't seem – didn't seem

7 to be – well, you know, no emergency to it,

8 like you know, he wanted to talk to Don,

9 that was it, and he gave me his card and he

10 said "now, you can give me a call" like you

11 know, "when he comes home, if you see him

12 coming home" but I didn't even look out.

13 Like I was washing the dishes and I didn't

14 even watch through the window to see when

15 Don did come home.

16 MS. O'BRIEN:

17 Q. Okay. Constable Smyth at the time, you say

18 he was wearing sort of something grey on top

19 with a zipper. Do you recall if he was

20 wearing a hat?

21 MS. DUNPHY:

22 A. No, I don't recall if he was wearing a hat.

23 MS. O'BRIEN:

24 Q. Okay. Do you recall if he had on any

25 gloves?

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1 MS. DUNPHY:
 2 A. I think if he had gloves on I would recall
 3 it, so I just don't remember.
 4 MS. O'BRIEN:
 5 Q. Okay. So you don't recall any gloves?
 6 MS. DUNPHY:
 7 A. No, I don't recall any gloves.
 8 MS. O'BRIEN:
 9 Q. Okay. Did you tell him about any of Don's
 10 friends?
 11 MS. DUNPHY:
 12 A. No.
 13 MS. O'BRIEN:
 14 Q. Did he ask you about any of Don's friends?
 15 MS. DUNPHY:
 16 A. I don't think so.
 17 MS. O'BRIEN:
 18 Q. Okay. Did you give him any phone numbers?
 19 MS. DUNPHY:
 20 A. No.
 21 MS. O'BRIEN:
 22 Q. Okay.
 23 MS. DUNPHY:
 24 A. Well, I'm just thinking. I'm trying to
 25 think back to – no, I wouldn't have given

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1 him any phone numbers. Why would I have
 2 given him phone numbers? I don't think.
 3 No, sure, I don't have phone numbers of any
 4 of Don's friends any way.
 5 MS. O'BRIEN:
 6 Q. Okay. What about Meghan's? Did you give
 7 him Meghan's phone number?
 8 MS. DUNPHY:
 9 A. No, because I didn't – I don't have – I
 10 didn't have Meghan's phone number.
 11 MS. O'BRIEN:
 12 Q. Okay. When Constable Smyth left you say he
 13 gave you his card. Did he tell you what he
 14 was going to be doing next?
 15 MS. DUNPHY:
 16 A. No, he just gave me his card. He said
 17 "there's my card. You can call me" like you
 18 know, "when he returns, if you see him
 19 returning".
 20 MS. O'BRIEN:
 21 Q. Okay. So after he left, what did you do?
 22 MS. DUNPHY:
 23 A. I just continued – I laid the card over on
 24 the counter and I just continued doing my
 25 dishes.

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1 MS. O'BRIEN:
 2 Q. Okay. Did you leave the house?
 3 MS. DUNPHY:
 4 A. Well, after the dishes and that were done,
 5 we went for a drive.
 6 MS. O'BRIEN:
 7 Q. Who went for a drive?
 8 MS. DUNPHY:
 9 A. Dick and [REDACTED] and I went – we went past
 10 Don's house down the road. So we didn't
 11 know that Constable Smyth was there until we
 12 passed along by the house.
 13 MS. O'BRIEN:
 14 Q. Okay. So you're done the dishes. You're
 15 going out for a drive. What's the purpose
 16 of your drive?
 17 MS. DUNPHY:
 18 A. What was the purpose? My son always looks
 19 to go for drives, but I think Dick said –
 20 well, we would have probably gone anyway.
 21 He said "let's go down the road, see if Don
 22 is home". That's all.
 23 MS. O'BRIEN:
 24 Q. Okay. So, the three of you got in the car?
 25 MS. DUNPHY:

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1 A. Um-hm.
 2 MS. O'BRIEN:
 3 Q. And who was driving?
 4 MS. DUNPHY:
 5 A. Dick.
 6 MS. O'BRIEN:
 7 Q. Okay. So you come out of your driveway.
 8 Which way do you go?
 9 MS. DUNPHY:
 10 A. Down towards Mitchell's Brook, past Don's
 11 house.
 12 MS. O'BRIEN:
 13 Q. Okay. And what did you see when you passed
 14 Don's house?
 15 MS. DUNPHY:
 16 A. When we passed Don's house, Constable Smyth
 17 was standing with the door open on his van
 18 and he looked like he had his phone in his
 19 hand.
 20 MS. O'BRIEN:
 21 Q. Okay. Do you know what time this was?
 22 MS. DUNPHY:
 23 A. No. No, I have no idea.
 24 MS. O'BRIEN:
 25 Q. Okay.

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1 MS. DUNPHY:
 2 A. It was after I – you know, it was – it was
 3 early afternoon, sometime – I had done my
 4 dishes and that, and you know, like we had –
 5 so I mean, it had to be – it was probably
 6 2:30, quarter to three, and I’m only
 7 guessing at that.
 8 MS. O'BRIEN:
 9 Q. Okay. How did you know it was his vehicle,
 10 Constable Smyth’s vehicle?
 11 MS. DUNPHY:
 12 A. Because he was the man who was standing up
 13 by it and it was the one who had been at my
 14 house, so I assumed it was his vehicle.
 15 MS. O'BRIEN:
 16 Q. Okay. You didn’t see the vehicle when he
 17 was at your house?
 18 MS. DUNPHY:
 19 A. No.
 20 MS. O'BRIEN:
 21 Q. No, okay, but you just – what kind of
 22 vehicle was he standing by?
 23 MS. DUNPHY:
 24 A. The vehicles look much alike to me, except
 25 like it was like a – it was black and it was

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1 like what we’d call a van. I don’t know.
 2 MS. O'BRIEN:
 3 Q. Okay. And was the door of the vehicle open
 4 or closed?
 5 MS. DUNPHY:
 6 A. Yes, he had the door open. He was standing
 7 in the – you know, the door was open and he
 8 was standing there and he had his phone.
 9 MS. O'BRIEN:
 10 Q. Okay. Do you recall if the car was running
 11 or not?
 12 MS. DUNPHY:
 13 A. No.
 14 MS. O'BRIEN:
 15 Q. Okay. Was there any other vehicles around?
 16 MS. DUNPHY:
 17 A. Don’s vehicle was there too.
 18 MS. O'BRIEN:
 19 Q. Okay. Where was it in relation to Constable
 20 Smyth’s?
 21 MS. DUNPHY:
 22 A. It was – I guess it was up farther towards
 23 his house in front of the other one.
 24 MS. O'BRIEN:
 25 Q. Okay. And what vehicle was that?

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1 MS. DUNPHY:
 2 A. It was – I think it was – wait now, I got to
 3 think now if it was – I know he was home and
 4 there was a vehicle there, but now I’m not
 5 really sure if – he used to have one belong
 6 to Meghan. Okay, I don’t – I can’t say.
 7 MS. O'BRIEN:
 8 Q. Okay. There was another vehicle. Did you -
 9 MS. DUNPHY:
 10 A. There was a – yeah, he had come home and
 11 there was another vehicle there. We knew he
 12 was home. But I don’t remember, because I
 13 think he used to have a vehicle belong to
 14 Meghan and it might have been that one.
 15 MS. O'BRIEN:
 16 Q. Okay. When Constable Smyth was in your
 17 house, did he write anything down while he
 18 was there?
 19 MS. DUNPHY:
 20 A. I don’t think. It was just a casual
 21 conversation. That’s what I said to Dick.
 22 We were talking about it and I said he
 23 didn’t take any notes.
 24 MS. O'BRIEN:
 25 Q. Okay. So do you recall him having a

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1 notebook or anything in his hands at all?
 2 MS. DUNPHY:
 3 A. No, I don’t remember. I don’t – you know, I
 4 think if he had a notebook and he was
 5 writing something I would remember.
 6 MS. O'BRIEN:
 7 Q. Okay.
 8 MS. DUNPHY:
 9 A. I don’t think – I don’t remember seeing
 10 anything.
 11 MS. O'BRIEN:
 12 Q. So you drove by Don’s house then and you see
 13 Constable Smyth there stood up by, you know,
 14 what you take to be his vehicle. And did
 15 you continue driving on down then to
 16 Mitchell’s Brook?
 17 MS. DUNPHY:
 18 A. Yeah, we went a little bit farther and then
 19 we turned around.
 20 MS. O'BRIEN:
 21 Q. And then what’d you do?
 22 MS. DUNPHY:
 23 A. Then we went back up the road again. We
 24 were going to go on somewhere for a drive,
 25 right.

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1 MS. O'BRIEN:
 2 Q. Okay. And did you look at Don's house again
 3 when you passed it?
 4 MS. DUNPHY:
 5 A. We did. Well, no, this time I can't say I
 6 saw anything, right. I don't know. I don't
 7 know if we looked or not. But, my husband
 8 said to me, he said "you know what, I wonder
 9 is he after getting into a racket now" you
 10 know, because he figured well, he's liable
 11 to be calling for backup or something now.
 12 MS. O'BRIEN:
 13 Q. You remember your husband saying that to you
 14 in the car?
 15 MS. DUNPHY:
 16 A. He said something like that, you know,
 17 because he was - he had the phone there,
 18 yeah.
 19 MS. O'BRIEN:
 20 Q. So when you drove by again, you didn't look
 21 to see if Constable Smyth was still outside?
 22 MS. DUNPHY:
 23 A. No.
 24 MS. O'BRIEN:
 25 Q. Do you remember if his vehicle was still

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1 there?
 2 MS. DUNPHY:
 3 A. His vehicle was still there. I don't
 4 remember anything about going back.
 5 MS. O'BRIEN:
 6 Q. Okay. All right. So where did you drive
 7 after?
 8 MS. DUNPHY:
 9 A. Well, we went up the road and my daughter
 10 called and said "what's going on?" She said
 11 "I just heard on the radio there's a
 12 shooting in Mitchell's Brook" and as we were
 13 driving up the road, there was an ambulance
 14 at this [REDACTED] house and we said "oh
 15 my God, what's he after doing now to
 16 himself?" I mean, when we saw the ambulance
 17 there we thought "oh my God, is he after
 18 shooting something or himself or what?"
 19 because you know, that's what we thought.
 20 And then we met the police cars and they
 21 zoomed along by [REDACTED] and we said
 22 "oh no".
 23 MS. O'BRIEN:
 24 Q. So you were driving still, were you, and the
 25 police cars passed you on the road going the

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1 other direction?
 2 MS. DUNPHY:
 3 A. Yes, yeah.
 4 MS. O'BRIEN:
 5 Q. How many police cars do you recall passing
 6 you?
 7 MS. DUNPHY:
 8 A. I think two.
 9 MS. O'BRIEN:
 10 Q. Okay.
 11 MS. DUNPHY:
 12 A. I think two. I know -
 13 MS. O'BRIEN:
 14 Q. And you'd already got -
 15 MS. DUNPHY:
 16 A. I know one for sure.
 17 MS. O'BRIEN:
 18 Q. - had you already gotten the call from your
 19 daughter at that point?
 20 MS. DUNPHY:
 21 A. Yes.
 22 MS. O'BRIEN:
 23 Q. Do you know how she -
 24 MS. DUNPHY:
 25 A. She heard it on the radio.

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1 MS. O'BRIEN:
 2 Q. Okay. And how did she call you?
 3 MS. DUNPHY:
 4 A. How did she call me? She - where was she
 5 working then? I don't know where she was,
 6 but she was living out in CBS somewhere, so
 7 she had a cellphone.
 8 MS. O'BRIEN:
 9 Q. Okay. Did you have a cellphone on you?
 10 MS. DUNPHY:
 11 A. No, but we - I don't remember, but we do
 12 have On Star in our car all the time.
 13 MS. O'BRIEN:
 14 Q. So she could have called on the On Star?
 15 MS. DUNPHY:
 16 A. She could have called on that. I just don't
 17 remember, but I would assume it was that
 18 because my husband has a cellphone too, but
 19 I'll say it's On Star.
 20 MS. O'BRIEN:
 21 Q. Okay. So do you remember how long after she
 22 called you did you see the ambulance parked
 23 at the [REDACTED]
 24 MS. DUNPHY:
 25 A. Well, the ambulance was - I don't know how

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1 long that was, no. Well, let me see now.
 2 She called and – well, sure, we didn't go
 3 down the road very far. We turned around.
 4 I'll say it was only about – probably about
 5 five minutes after, between five and ten
 6 minutes after we saw the ambulance at
 7 [REDACTED] and we were saying – you know, it
 8 was then we thought maybe that's where the
 9 shooting was.
 10 MS. O'BRIEN:
 11 Q. Okay. So you saw the ambulance first before
 12 she called?
 13 MS. DUNPHY:
 14 A. No.
 15 MS. O'BRIEN:
 16 Q. Oh, okay, I misunderstood, sorry.
 17 MS. DUNPHY:
 18 A. She called and she said there was a
 19 shooting, okay, and – okay, well we didn't
 20 think there was – there was no cop cars or
 21 nothing, you know, there then and we were
 22 going up the road. So we passed along – we
 23 had passed along by Don's and we were to
 24 this neighbour's house who had the ambulance
 25 there. So then we thought okay, this –

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1 because I think – I believe she said someone
 2 had said there was an ambulance. She must
 3 have been talking to somebody in Mount
 4 Carmel, I don't know. Anyway, I don't know.
 5 I don't recall about the ambulance, but the
 6 ambulance was to [REDACTED] and we
 7 thought that's where the incident was. But
 8 then as we had just gone past that, the
 9 police car went along and she passed along
 10 by [REDACTED], so we knew then it wasn't
 11 him.
 12 MS. O'BRIEN:
 13 Q. Okay. And after you saw the two police
 14 cars, then you saw another ambulance? Is
 15 that what you're -
 16 MS. DUNPHY:
 17 A. After we saw the police car, well, I guess
 18 wherever we went, we turned around and came
 19 back. I don't recall meeting the other
 20 ambulance, but the ambulance was down by
 21 Don's when we came home.
 22 MS. O'BRIEN:
 23 Q. Okay. So when you came home, what did you
 24 see? Were you able to drive into your
 25 driveway?

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1 MS. DUNPHY:
 2 A. There was cars – there were police cars, but
 3 our driveway wasn't blocked, I don't think.
 4 MS. O'BRIEN:
 5 Q. Do you remember how many police cars were
 6 there?
 7 MS. DUNPHY:
 8 A. No.
 9 MS. O'BRIEN:
 10 Q. Okay. But you remember the ambulance?
 11 MS. DUNPHY:
 12 A. I remember the ambulance being there and I
 13 remember police cars being there, but I
 14 don't know how many.
 15 MS. O'BRIEN:
 16 Q. Okay. After Constable Smyth visited you and
 17 before you got the call from your daughter,
 18 Anne, did you tell anybody that Constable
 19 Smyth had been to your house?
 20 MS. DUNPHY:
 21 A. Well, no, I didn't, but I did call somebody
 22 after it happened and I knew it had
 23 happened. I called [REDACTED] Adams, which is
 24 Mike's wife, and I did call her and I told
 25 her that – you know, what had happened and

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1 that Joe Smyth had been there. So I did –
 2 you know, but then – well, I didn't tell
 3 anybody that Joe Smyth was there because
 4 they were saying that they didn't – the name
 5 – they didn't know who it was and you know,
 6 like his – there was a lot of Facebook stuff
 7 going on and they were talking about the
 8 name of the officer and that and you know,
 9 they wanted to know his name, but I knew who
 10 it was, but I destroyed the card because I
 11 felt like, well, I'm not going to say who he
 12 was. But I did call – I did talk to [REDACTED]
 13 simply because [REDACTED] you know, like being
 14 my friend, I did tell her.
 15 MS. O'BRIEN:
 16 Q. Okay, that night you told her?
 17 MS. DUNPHY:
 18 A. That night I did tell her, that evening.
 19 MS. O'BRIEN:
 20 Q. That evening, okay. And [REDACTED] wife (sic)
 21 is Mike Adams and what does he do for a
 22 living?
 23 MS. DUNPHY:
 24 A. He's an RNC officer, Mike Adams is, you
 25 know. But they are friends of ours and

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1 [REDACTED] is like a friend of mine and I did
 2 call her and tell her, you know, like what
 3 had happened and who it was.
 4 MS. O'BRIEN:
 5 Q. And did you tell her what you had told
 6 Constable Smyth? Did you get into details
 7 of what you had talked to Constable Smyth
 8 about?
 9 MS. DUNPHY:
 10 A. No, I didn't.
 11 MS. O'BRIEN:
 12 Q. Did you tell her – you told her Constable
 13 Smyth had been to your house?
 14 MS. DUNPHY:
 15 A. Yeah.
 16 MS. O'BRIEN:
 17 Q. Okay. Did you tell her what Constable Smyth
 18 was looking for?
 19 MS. DUNPHY:
 20 A. I told her that he was looking for Don,
 21 yeah, but like [REDACTED] knew the circumstances
 22 between me and Don anyway, like I mean, we
 23 talked about it, I suppose a bit. I don't
 24 know how much she really knew or how – you
 25 know, but -

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1 MS. O'BRIEN:
 2 Q. Okay. Did you say anything like you were
 3 sorry that you hadn't told Constable Smyth
 4 that he should bring someone with him?
 5 MS. DUNPHY:
 6 A. Now, my husband was the one who said that.
 7 MS. O'BRIEN:
 8 Q. Okay. When did he say that?
 9 MS. DUNPHY:
 10 A. He said that – he said that I think before
 11 we even knew any of this happened. He said,
 12 you know, "he shouldn't have gone in there
 13 by himself. He should have had somebody
 14 with him going in there" because he felt
 15 like there was going to be – might be a
 16 confrontation.
 17 MS. O'BRIEN:
 18 Q. Okay.
 19 MS. DUNPHY:
 20 A. But not – you know, not a shooting or
 21 anything, but whatever.
 22 MS. O'BRIEN:
 23 Q. Who did he say that to?
 24 MS. DUNPHY:
 25 A. He said it to me, but I don't know if he

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1 said it to anybody else.
 2 MS. O'BRIEN:
 3 Q. Is it possible he said it to Mike Adams?
 4 MS. DUNPHY:
 5 A. I really don't know.
 6 MS. O'BRIEN:
 7 Q. Okay.
 8 MS. DUNPHY:
 9 A. I don't even think he was talking to Mike
 10 that evening. I'm not even sure.
 11 MS. O'BRIEN:
 12 Q. Okay. So did you – you spoke to [REDACTED] Adams
 13 after the fact?
 14 MS. DUNPHY:
 15 A. Yeah.
 16 MS. O'BRIEN:
 17 Q. But prior to, you know, the shooting having
 18 happened, did you speak to anyone about
 19 Constable Smyth having been to your house?
 20 MS. DUNPHY:
 21 A. No, not a Christian Because I tell you, like
 22 I said, there was only three of us in the
 23 house, Dick and [REDACTED] and I, and like we
 24 went for a drive after the dishes and
 25 everything were done, so no.

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1 MS. O'BRIEN:
 2 Q. Okay, and did – is it possible that your
 3 husband could have told anybody?
 4 MS. DUNPHY:
 5 A. I don't know because like I don't – I don't
 6 see who. He wasn't talking to Mike, so he
 7 wouldn't have told him that, and – but he
 8 did, Dick did say to me, but you know – no,
 9 I don't think so.
 10 MS. O'BRIEN:
 11 Q. Okay. Were you aware whether he was talking
 12 to anybody from the time Smyth left to when
 13 you were out in the car?
 14 MS. DUNPHY:
 15 A. You know, I don't know, because like he was
 16 in the – he was downstairs in the rec room
 17 and I was in the kitchen, but I don't know.
 18 I can't say that he was talking to someone,
 19 but I didn't think he was talking to Mike
 20 that day, like not during the day anyway.
 21 MS. O'BRIEN:
 22 Q. And what about [REDACTED] would he have told -
 23 MS. DUNPHY:
 24 A. [REDACTED] is non-verbal.
 25 MS. O'BRIEN:

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1 Q. Non-verbal, okay. Okay. Did you ever hear
 2 any gunshots?
 3 MS. DUNPHY:
 4 A. Not a sound.
 5 MS. O'BRIEN:
 6 Q. Okay.
 7 MS. DUNPHY:
 8 A. And you know, the wind was that way, you
 9 know, strange but I never heard a sound.
 10 MS. O'BRIEN:
 11 Q. And when all the police and the ambulance
 12 and everything were outside the house there
 13 that evening, did you go out?
 14 MS. DUNPHY:
 15 A. I went out. Meghan came down on the side of
 16 the road and I did go down to her, yeah.
 17 MS. O'BRIEN:
 18 Q. Did you speak to her?
 19 MS. DUNPHY:
 20 A. I spoke to her and told her that I – you
 21 know, like even though her father and I had
 22 our differences, you know, like I never
 23 wished this thing to happen and I was sorry
 24 that it did happen, yes.
 25 MS. O'BRIEN:

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1 Q. Okay. Is that all you recall saying to her?
 2 MS. DUNPHY:
 3 A. Is that – yeah, I didn't say anything
 4 anymore than that. I certainly didn't say
 5 anything about the officer, you know.
 6 MS. O'BRIEN:
 7 Q. Did she ask you?
 8 MS. DUNPHY:
 9 A. No.
 10 MS. O'BRIEN:
 11 Q. Okay. Now, you said you had torn up the
 12 officer's card?
 13 MS. DUNPHY:
 14 A. Yeah.
 15 MS. O'BRIEN:
 16 Q. When did you do that?
 17 MS. DUNPHY:
 18 A. I don't know when I did it, because like it
 19 was over on the counter, but like nobody saw
 20 it and I just felt like I know there was
 21 some issue about like who was the officer,
 22 so I said well, I'm not telling anybody who
 23 it is, right. I mean, I just felt like I'm
 24 not going to make an issue out of letting
 25 people know who it is. So, I didn't tell.

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1 Because I know we were up to Kevin's house
 2 and Meghan was there and they were saying,
 3 you know, there was some – they were
 4 discussing something had happened anyway.
 5 Meghan was saying "who's talking?" but – we
 6 said "well, we haven't been talking to
 7 anybody about anything" and apparently there
 8 was an issue with her lawyer or something,
 9 somebody was saying, you know, like somebody
 10 was telling them like about going through
 11 something. But anyway, we hadn't talked to
 12 anybody and they said "well" – someone said
 13 "well, do you know who the officer was?"
 14 like they were saying, you know, "Bart, do
 15 you know? Do you, Kev?" and they said "do
 16 you know?" and I said "yeah, I do know, but"
 17 I said "like I'm not saying who it is". So
 18 I never told anybody who it was, except I
 19 did tell [REDACTED]
 20 MS. O'BRIEN:
 21 Q. Okay. So this conversation you're having
 22 with Meghan, is this the night her father
 23 was shot?
 24 MS. DUNPHY:
 25 A. No, this was after. Like a few nights

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1 after, we were up to Kevin's house and Bart
 2 and Meghan came there and we happened to be
 3 there when they came. We were just leaving.
 4 And there was some issue about like people
 5 talking, but you know, like we hadn't even
 6 been invited to take part in it, but we just
 7 happened to be there and we were leaving
 8 when Meghan came and you know, they were
 9 discussing like what people were saying and
 10 we said "well, what are they saying?" There
 11 was some issue with – what were they saying
 12 now? Let me see. The lawyer had said that
 13 somebody was jeopardizing the investigation
 14 by talking that was being done. But, it
 15 wasn't us who was doing any talking. So I
 16 don't know what the story was. But they did
 17 say "well, do you know who it was?" and I -
 18 MS. O'BRIEN:
 19 Q. Meghan asked you that question?
 20 MS. DUNPHY:
 21 A. No, it was – the discussion went around the
 22 table as to who it was.
 23 MS. O'BRIEN:
 24 Q. And was Meghan there?
 25 MS. DUNPHY:

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1 A. She was there and I just said “well, you
 2 know, I do know but that’s it, I’m – they
 3 will reveal it whenever. I’m not going to
 4 be the one who’s saying who it is” and I
 5 didn’t.
 6 MS. O'BRIEN:
 7 Q. Okay. Those are my questions. Ms. Chaytor
 8 might have a few.
 9 MS. DEBORAH DUNPHY, EXAMINATION BY SANDRA CHAYTOR,
 10 Q.C.
 11 CHAYTOR, Q.C.:
 12 Q. Yeah, just a couple. So why did you tell
 13 [REDACTED] his identity?
 14 MS. DUNPHY:
 15 A. Because, well [REDACTED] and – who’s identity?
 16 CHAYTOR, Q.C.:
 17 Q. Constable Smyth’s.
 18 MS. DUNPHY:
 19 A. Because we’re – because like she – where her
 20 husband, I suppose, is an RNC officer too,
 21 and I just – no – I guess I didn’t think
 22 anything of it. I just told who he was, who
 23 was there and she said “oh my, you know,
 24 he’s involved in a lot of volunteer work.”
 25 It was just casual conversation.

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1 CHAYTOR, Q.C.:
 2 Q. Okay. Did she tell you anything else about
 3 Constable Smyth?
 4 MS. DUNPHY:
 5 A. No.
 6 CHAYTOR, Q.C.:
 7 Q. Had you ever met Constable Smyth before?
 8 MS. DUNPHY:
 9 A. No.
 10 CHAYTOR, Q.C.:
 11 Q. Or heard anything about him?
 12 MS. DUNPHY:
 13 A. No.
 14 CHAYTOR, Q.C.:
 15 Q. And over the years, you said you talked to
 16 [REDACTED] about the issues you were having with
 17 Don.
 18 MS. DUNPHY:
 19 A. Yeah.
 20 CHAYTOR, Q.C.:
 21 Q. And did she – did you also talk to Mike
 22 about it?
 23 MS. DUNPHY:
 24 A. I don’t know if I ever talked to Mike about
 25 it. And it wasn’t a really big issue with –

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1 it wasn’t a big issue, like between [REDACTED]
 2 either and myself. It might have been just,
 3 you know, like – might have just said it and
 4 not really dwelt on it a whole lot.
 5 CHAYTOR, Q.C.:
 6 Q. You tore up the card then was it the same
 7 night of the shooting?
 8 MS. DUNPHY:
 9 A. I don’t know if it was the same night.
 10 Well, there was nobody in our house looking
 11 at it anyway. There was only three of us
 12 and there’s only Dick and I. He knew who it
 13 was.
 14 CHAYTOR, Q.C.:
 15 Q. Did you have the – you were interviewed by
 16 the police?
 17 MS. DUNPHY:
 18 A. Yeah.
 19 CHAYTOR, Q.C.:
 20 Q. Did you still have the card at that point in
 21 time?
 22 MS. DUNPHY:
 23 A. They weren’t upstairs. It was upstairs by
 24 my phone and our interview was downstairs.
 25 CHAYTOR, Q.C.:

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1 Q. No, but did you – had you already torn up
 2 the card by then?
 3 MS. DUNPHY:
 4 A. I don’t know.
 5 CHAYTOR, Q.C.:
 6 Q. You can’t remember?
 7 MS. DUNPHY:
 8 A. I don’t – I probably hadn’t because I laid
 9 it over on the counter and it might have
 10 been still there.
 11 CHAYTOR, Q.C.:
 12 Q. Okay. And nobody advised you to tear it up?
 13 MS. DUNPHY:
 14 A. No one advised me to tear it up. I just
 15 felt like they haven’t disclosed the name of
 16 the officer and I just felt like well, I’m
 17 not going to do it.
 18 CHAYTOR, Q.C.:
 19 Q. Did you – other than the conversation you
 20 had with Constable Smyth at your house
 21 before the shooting, have you ever had any
 22 other communication with him?
 23 MS. DUNPHY:
 24 A. Never.
 25 CHAYTOR, Q.C.:

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1 Q. Okay. When you drove back down the street
 2 after he'd been at the house and you saw him
 3 standing by his vehicle, can you picture
 4 what he's wearing at that point in time?
 5 MS. DUNPHY:
 6 A. No.
 7 CHAYTOR, Q.C.:
 8 Q. Okay. Did you see him – you said it –
 9 described it as a grey hoodie he had on?
 10 MS. DUNPHY:
 11 A. Now, I don't know if it was a hoodie and I –
 12 to visualize him, I thought he had – you
 13 know, I thought it was a thing – because he
 14 opened his shirt, his coat, and he had it –
 15 I don't even know on what side, he had his
 16 whatever inside to identify himself and I
 17 really think it was grey, you know, with a
 18 zipper in it, and it's like, you know, like
 19 a fleecy thing. I don't think it had a hood
 20 on it. I said hoodie, but I don't think it
 21 was a hoodie as such.
 22 CHAYTOR, Q.C.:
 23 Q. Okay. Not a leather jacket either?
 24 MS. DUNPHY:
 25 A. No, it wasn't a leather jacket.

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1 CHAYTOR, Q.C.:
 2 Q. Not a leather jacket.
 3 MS. DUNPHY:
 4 A. No, he didn't have a leather jacket.
 5 CHAYTOR, Q.C.:
 6 Q. Okay. And you said that night after the
 7 shooting happened, you went out and spoke to
 8 Meghan?
 9 MS. DUNPHY:
 10 A. Yes.
 11 CHAYTOR, Q.C.:
 12 Q. And you said you didn't say anything about
 13 the officer. So, you mean you didn't -
 14 MS. DUNPHY:
 15 A. No, never said anything, never said a thing
 16 about the officer.
 17 CHAYTOR, Q.C.:
 18 Q. Or that he had come to your house? Is that
 19 what you mean by that?
 20 MS. DUNPHY:
 21 A. I don't think I told her that he came to my
 22 house. I don't think I did because I kind
 23 of didn't want to be involved in it, to be
 24 honest with you.
 25 CHAYTOR, Q.C.:

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1 Q. Okay. I think most of this we have. When
 2 you saw the officer standing by his car, you
 3 thought he might be on his cellphone?
 4 MS. DUNPHY:
 5 A. Yes.
 6 CHAYTOR, Q.C.:
 7 Q. Did he look like he was in any distress?
 8 MS. DUNPHY:
 9 A. He was back on to me, so I wouldn't have
 10 been able to see his facial expression.
 11 CHAYTOR, Q.C.:
 12 Q. Okay. And when you came back up the road,
 13 you said that his vehicle was still in the
 14 driveway?
 15 MS. DUNPHY:
 16 A. I don't think we even looked. I don't
 17 remember at all, you know. I don't remember
 18 coming up the road. I only remember seeing
 19 down the road.
 20 CHAYTOR, Q.C.:
 21 Q. You don't recall if his car was still in the
 22 driveway?
 23 MS. DUNPHY:
 24 A. No.
 25 CHAYTOR, Q.C.:

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1 Q. Okay. And when you saw him standing in the
 2 driveway on the way down, was he still
 3 dressed the same?
 4 MS. DUNPHY:
 5 A. I don't know. It just -
 6 CHAYTOR, Q.C.:
 7 Q. Were the lights flashing on his vehicle?
 8 MS. DUNPHY:
 9 A. I don't think so, no.
 10 CHAYTOR, Q.C.:
 11 Q. You'd remember that, I would think.
 12 MS. DUNPHY:
 13 A. I think I would remember if the lights were
 14 flashing, but I didn't see anything
 15 spectacular except he had the phone and that
 16 was the only thing that caught my attention.
 17 CHAYTOR, Q.C.:
 18 Q. The timelines about the issues that you had
 19 with him and the problems, from what you
 20 were answering Kate's questions, it was a
 21 number of years before all of this.
 22 MS. DUNPHY:
 23 A. Um.
 24 CHAYTOR, Q.C.:
 25 Q. That's right?

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1 MS. DUNPHY:
 2 A. Yeah.
 3 CHAYTOR, Q.C.:
 4 Q. This business of him saying to you about
 5 being a witch or that type of thing, is that
 6 back in that time period as well?
 7 MS. DUNPHY:
 8 A. That was back in that time period, yeah.
 9 CHAYTOR, Q.C.:
 10 Q. Okay, all right. And is that before or
 11 after the peace bond application?
 12 MS. DUNPHY:
 13 A. Before.
 14 CHAYTOR, Q.C.:
 15 Q. [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 MS. DUNPHY:
 20 A. [REDACTED].
 21 CHAYTOR, Q.C.:
 22 Q. [REDACTED] ?
 23 MS. DUNPHY:
 24 A. [REDACTED]
 25 CHAYTOR, Q.C.:

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1 Q. [REDACTED]
 2 [REDACTED]
 3 MS. DUNPHY:
 4 A. [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 CHAYTOR, Q.C.:
 9 Q. [REDACTED]
 10 [REDACTED]
 11 MS. DUNPHY:
 12 A. [REDACTED]
 13 [REDACTED]
 14 CHAYTOR, Q.C.:
 15 Q. [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 MS. DUNPHY:
 20 A. [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 [REDACTED]
 2 CHAYTOR, Q.C.:
 3 Q. [REDACTED]
 4 [REDACTED]
 5 MS. DUNPHY:
 6 A. [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 CHAYTOR, Q.C.:
 11 Q. [REDACTED] -
 12 MS. O'BRIEN:
 13 Q. [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 MS. DUNPHY:
 17 A. [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 CHAYTOR, Q.C.:
 5 Q. [REDACTED]
 6 MS. DUNPHY:
 7 A. [REDACTED]
 8 [REDACTED]
 9 CHAYTOR, Q.C.:
 10 Q. [REDACTED]
 11 MS. DUNPHY:
 12 A. [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 CHAYTOR, Q.C.:
 16 Q. The time you said that the business that
 17 happened and Meghan was probably around 14
 18 years old or younger and you mentioned that
 19 you thought her father might need help and
 20 Don Dunphy got upset about that. You said
 21 that you were afraid of him?
 22 MS. DUNPHY:
 23 A. Well, I felt he was unstable.
 24 CHAYTOR, Q.C.:
 25 Q. Okay. But you said you went into your

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1 bedroom and shut the door because you were
 2 afraid of him?
 3 MS. DUNPHY:
 4 A. I was afraid of him, yes, I was.
 5 CHAYTOR, Q.C.:
 6 Q. But your children were still outside?
 7 MS. DUNPHY:
 8 A. Yeah.
 9 CHAYTOR, Q.C.:
 10 Q. Okay. So you didn't think that he would
 11 cause harm to them obviously.
 12 MS. DUNPHY:
 13 A. No. No, because it seemed like it was me
 14 that he – his antagonism was addressed to.
 15 CHAYTOR, Q.C.:
 16 Q. Okay. You never had any reason to think he
 17 would be antagonistic to anyone else?
 18 MS. DUNPHY:
 19 A. No.
 20 CHAYTOR, Q.C.:
 21 Q. What about the time you saw him through your
 22 binoculars and he was crying, what did you
 23 do?
 24 MS. DUNPHY:
 25 A. I didn't do anything. I just felt like, oh

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1 my God, you know, he really – he has a
 2 problem. He's really – you know, he has a
 3 problem.
 4 CHAYTOR, Q.C.:
 5 Q. Okay. But you didn't go over to talk to him
 6 or try and comfort him?
 7 MS. DUNPHY:
 8 A. No, I wouldn't. I wouldn't, no. No, I –
 9 there was times when I thought I wish – I
 10 didn't want this to be going on and I think
 11 family is really important and I felt like
 12 he had nobody. His family – you know, he
 13 had austerized all his family and I was just
 14 – often thought about how – what could be
 15 done to change it, but I couldn't – you
 16 know, I used to think maybe I could write
 17 him a letter, you know, but – and then I
 18 would think about – sometimes I would say
 19 maybe when I cook dinner, I'll just bring it
 20 over to him, but then I said no. You know,
 21 I just didn't. I wanted to do it, but I
 22 just felt like, you know.
 23 CHAYTOR, Q.C.:
 24 Q. And when the peace bond happened, was that a
 25 mutual peace bond that you both would be of

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1 good behaviour towards one another?
 2 MS. DUNPHY:
 3 A. No, it was just him.
 4 CHAYTOR, Q.C.:
 5 Q. It was just him, okay. I don't have
 6 anything else.
 7 MS. O'BRIEN:
 8 Q. No, those are all our questions.
 9 CHAYTOR, Q.C.:
 10 Q. Thank you. Thank you for your time.
 11 MS. O'BRIEN:
 12 Q. Thank you very much for coming in. We know
 13 it's not easy.
 14 MS. DUNPHY:
 15 A. It's certainly not easy.
 16 CHAYTOR, Q.C.:
 17 Q. Is there anything else? Is there anything
 18 else that we haven't asked you about that
 19 you think is important for us to know?
 20 MS. DUNPHY:
 21 A. No.
 22 CHAYTOR, Q.C.:
 23 Q. Okay. Well, thank you.
 24
 25

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CERTIFICATE

I, Cindy [REDACTED] do hereby certify that the foregoing is a true and correct statement of Ms. Debbie Dunphy taken on the 9th day of November, 2016 before the Commission of Inquiry in the death of Donald Dunphy in St. John's, Newfoundland and Labrador and was transcribed by me to the best of my ability by means of a sound apparatus.

Dated at St. John's, NL this
 13th day of November, 2016

Cindy [REDACTED]
 Discoveries Unlimited Inc.