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Donald DUNPHY's Glasses

During the investigation Meghan DUNPHY, the daughter of Donald DUNPHY, raised concerns about the poor condition of her father's glasses. Several days after the RCMP had released the scene, when cleaning the living room, she noted them on the coffee table and felt they were in much worse condition than on the day her father died. While spending time with her father on Easter Sunday, Ms. DUNPHY had noted the condition of the glasses and therefore noted the change in condition as well. Through her lawyer, Ms. DUNPHY raised this concern with investigators. She felt the damage to the glasses may indicate a struggle had occurred between Cst. SMYTH and her father, rather than a non-physical encounter as claimed by CST. SMYTH. She felt the police had overlooked a key piece of evidence. She was instructed by her lawyer to take photos of the glasses as she found them, which she did. She later turned the photos and glasses over to the RCMP for assessment.

Assessment of the Glasses

Minutes after the shooting, RCMP members arrived at the house. Nobody had been inside after CST. SMYTH left the residence, therefore the scene was pristine. Photographs were taken by Cpl FOOTE at that time, even before RCMP Forensic Identification Section arrived. The glasses were captured in those photos. Later, with the scene still secured, RCMP Forensic Identification Section arrived and processed the house by way of photographs and video. The condition of the glasses was captured at that time as well. The purpose of the Forensic Identification Section attendance is to capture and assess the scene for evidence, jointly with investigators. This includes decision making regarding the seizure of exhibits.

The scene of the shooting was assessed by several tiers of police officers. This included the first responders who immediately attended the residence, followed by Holyrood GIS investigators, Forensic Identification Section, and Major Crime Investigators. Some people were in the scene on more than one occasion due to their duties. No RCMP member who saw the glasses placed any evidentiary significance on them.

Given the concerns raised, the glasses were seized and the RCMP photos and videos were compared to Ms. DUNPHY's photographs. The RCMP documentation which was taken directly following the event, when compared to the DUNPHY photos which were taken nearly a week after control of the scene had been released, did show a change in the condition of the glasses. They were indeed more damaged. Although the condition of the glasses in the RCMP documentation showed them to be in complete disrepair and being held together with medical tape, they appeared to be useable and to have been laid on the table in front of DUNPHY deliberately. Their condition was such that they could easily be damaged in any number of scenarios. In DUNPHY's photos, the glasses have clearly been moved on the table, an arm of the glasses appears to be nearly off, a lens has partially popped out of the frame, and the frames appear to have been flattened.

What is crucial in this assessment is to note that although damage to the glasses exists, it did not exist at the time the RCMP documented the scene. Therefore, it cannot be considered as evidence of a struggle

between DUNPHY and CST. SMYTH. By the time Ms. DUNPHY noted the glasses, continuity of the scene had been lost for days. Whatever happened to the glasses occurred after the RCMP processed the scene in its original condition. Further, it should be noted that DUNPHY had no injuries to his body that would indicate any struggle occurred, nor did CST. SMYTH. Scene photographs show DUNPHY seated in his chair with a round coffee table mere inches from his legs. On this coffee table are items that, if a struggle occurred, one would expect to have been knocked over. The scene itself, including the glasses, shows no evidence that a struggle occurred. This is the consensus of all investigators.



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