

Steve Burke - OSMOND's Notes - Meeting with Cst Joe Smyth

From: Kent Osmond
To: Steve Burke
Date: 2016/09/14 11:54 AM
Subject: OSMOND's Notes - Meeting with Cst Joe Smyth

Cpl Burke,

Please add to the file under my notes.

Thanks

Kent

2016-09-13 10:00 hrs

S/Sgt OSMOND attended the RNC HQ, as agreed to previously by Cst SMYTH. OSMOND was met at the HQ doors by SMYTH who walked him into a boardroom that also contained Cst SMYTH's wife and his union legal counsel John Drover.

OSMOND explained his role as Team Commander to the lawyer and spouse of SMYTH. OSMOND expressed his regret that the investigational process took as long as it did, but that it could not have been avoided.

- * OSMOND advised that the findings of the RCMP was that no criminal act was committed and therefore no criminal charges would be laid.
- * OSMOND explained the role of ASIRT, and told them what their findings were.
- * OSMOND told them that Meghan DUNPHY and Erin BREEN were being briefed at the same time as they were.
- * OSMOND told them that the RCMP chose not to consult with Crown regarding legal advice, or on likelihood of conviction.
- * OSMOND advised that the findings of all investigative avenues and techniques utilized supported SMYTH's account of events
- * OSMOND advised that an RCMP media release would be occurring simultaneous to, or shortly after this meeting. The RCMP would then be making themselves available to the media for questions.
- * OSMOND advised that ASIRT was going to provide an executive summary of their findings, which would either be released by the NL Govt, or the RCMP
- * SMYTH was upset that OSMOND could not speak in detail about the investigation, as he wanted to discuss evidence and specific findings that supported his position. OSMOND told him he would be a key witness at the inquiry and his memory of the event could not be corrupted by speaking about facts in detail.
- * SMYTH wanted access to the use of force report / 3D graphics etc. He said he couldn't truly remember to this

day how many shots he fired, he only thought he knew. OSMOND told him, as per above, that if he couldn't remember he should tell that to the inquiry, not fill in the blanks through file review.

* ATIP was discussed, and OSMOND told him that he didn't know if anything would be released due to the pending inquiry, but he could apply if he wished.

* SMYTH wanted the RCMP to at least confirm that he was at the DUNPHY home lawfully, that he hadn't made the determination that DUNPHY comments were a threat and that Thanksgiving Sunday was his regularly scheduled shift. OSMOND told him this information will be disclosed at the inquiry and it's not the role of the RCMP to disclose such facts.

* SMYTH expressed frustration that nobody would speak on his behalf, not the RNC or the RCMP, and it was feeding those on social media who were promoting cover-up theories and conducting character assassination. OSMOND shared a similar experience with SMYTH, and advised him that, in his experience, releasing the facts does not stop these people from promoting fiction.

* OSMOND cautioned SMYTH from releasing any comment to the media as the topic is highly sensitive and his words may be misconstrued, and might also taint the inquiry.

2016-09-14

0850 hrs - S/Sgt OSMOND was contacted by SMYTH asking about BREEN's comments that Justice RICH had issues with the shooting itself. OSMOND responded that he couldn't comment about that statement. OSMOND told him he had disclosed all he could at this point and that all evidence obtained supported his version of events.

1000 hrs - OSMOND received a call from John DROVER, legal counsel for SMYTH, asking about the quotes from BREEN. He wondered if the family received a different briefing than Cst SMYTH. OSMOND told him that the comments from BREEN are attributed to their briefing with ASIRT, and that the RCMP wasn't present for that briefing so couldn't comment on same. OSMOND did say that there was no evidence lost, as per BREEN's allegation and that his experience with BREEN has been that she makes inflammatory comments that do nothing to help the situation. OSMOND stated he couldn't comment on Justice RICH's report but reiterated that all investigative avenue and techniques resulted in evidence that supported the account provided by SMYTH.