



## Royal Newfoundland Constabulary

*Office of the Chief of Police*

April 16, 2015

Clive Weighill  
Chief of Police  
Saskatoon Police Service  
PO Box 1728  
Saskatoon, SK  
S7K 3R6

Dear Chief Weighill:

**Re: Request for Internal Investigation**

Please accept this correspondence as an official request from the Royal Newfoundland Constabulary for the utilization of Saskatoon Police Service member(s) to conduct an internal investigation involving a police shooting resulting in the death of Mr. Donald Dunphy age 59 on Sunday, April 5, 2015 at Mitchell's Brook, NL.

***Background:***

Constable Joseph Smyth, Reg. #610 has been a member of the Royal Newfoundland Constabulary since June 2002 and is currently assigned to our Protection Services Unit. His most recent assignment was as a member of the Premier's protection detail.

On Sunday, April 5, 2015, Constable Smyth, travelled to Mitchell's Brook, a community within the Town of Mount Carmel, NL to conduct a threat assessment regarding a Twitter posting made by Mr. Donald Dunphy. Constable Smyth was alone with Mr. Dunphy in Mr. Dunphy's home when he discharged his service pistol causing the death of Mr. Dunphy.

The criminal investigation into this death is being undertaken by the Royal Canadian Mounted Police (RCMP) as they are the policing agency for that geographic area.

Further to the investigation the RCMP is conducting, we would like to have an internal investigation conducted into this incident. The scope of this investigation will be as follows:

1. Did Constable Smyth comply with the policies of the Royal Newfoundland Constabulary?
2. Did Constable Smyth's actions breach the *Royal Newfoundland Constabulary Regulations*?

*Safer Communities through Policing Excellence*

Services provided by Saskatoon Police Service will be in keeping with the conditions as outlined in Appendix "A" attached hereto, which are consistent to other RNC investigation agreements.

Should you have any questions, Alban (Ab) G. Singleton, Deputy Chief of Criminal Operations will be our initial point of contact and can be reached by telephone at 709-[REDACTED] 155.

Sincerely,

  
William J. James

Chief of Police

cc: Deputy Chief Alban G. Singleton  
Criminal Operations

## Appendix "A"

**Preamble:** The conditions below govern investigative services provided by Saskatoon Police Service (SPS) to the Royal Newfoundland Constabulary (RNC).

1. The RNC agrees to reimburse the SPS in an amount equal to the base salaries of the assigned investigators, including overtime authorized by the Office of the Chief of Police, RNC, for days spent conducting any such investigation. This reimbursement clause may be waived in whole or in part by the Chief of SPS in specific investigations, at his discretion;
2. The RNC will reimburse the SPS for all transportation, accommodation and per diem expenses, as well as reasonable direct investigation costs including but not limited to telephone, photographic services, telecommunications, etc. upon receipt of detailed invoices;
3. The Chief of SPS will retain supervisory, disciplinary and operational control of the SPS members assigned to conduct the investigation;
4. All information (including documents, videos and other things) to which the SPS investigators become privy during the period of their investigation, will be kept entirely confidential by them except where there is a need to obtain legal advise from Crown Counsel or where disclosure is otherwise required by law; and
5. All such information, including documents, videos and other things along with the report of the investigating officers, will be delivered to the Chief of Police, RNC upon completion of the investigation.