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**Kent Osmond - C-237 #2**

**From:** Kent Osmond  
**To:** Andrew Boland; Cahill, Pat; Chris Fitzgerald; Foote, Dion; Monty Hen...  
**Date:** 2015/04/07 6:43 PM  
**Subject:** C-237 #2  
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*Kent Osmond*  
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*Folder # 14*

Shorter than last night's report! Insp CAHILL.....please print, sign, and send actual report through channels for return to MCU and addition to the file.

**Background**

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Sgt Joe SMYTH of the RNC was conducting investigative follow-up in the area of Mitchell's Brook, near Mount Carmel in Holyrood Detachment area. SMYTH is part of the Premier's protective detail, and had been made aware of a twitter comment that caused concerns, directed toward Provincial politicians.

Sgt SMYTH decided he should speak with the poster of the twitter comment to determine the meaning of the post, and assess the poster of the comment. SMYTH conducted background checks on the individual, a Donald DUNPHY, and did not discover any information of concern. Before DUNPHY's residence, SMYTH contacted the Holyrood Detachment to advise them that he was in the area and would be making inquiries. He asked about any RCMP background information on DUNPHY, discussed the need for back-up from Holyrood members, and declined same, citing a low risk assessment.

A short while later, SMYTH advised he had been confronted by DUNPHY with a firearm and had used his service weapon to shoot DUNPHY. DUNPHY was dead at the scene.

**Investigation**

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Major Crime Unit East, in conjunction with Holyrood Detachment, Avalon East GIS, and FIS are continuing the investigation.

Sgt SMYTH has been interviewed and his statement was comprehensively paraphrased in the last report.

Despite news reports that neighbor(s) heard multiple gunshots at the time, investigators have not located anyone to confirm this.

Statements have now been obtained from most relevant witnesses, from the assistant in the Premier's office who originally identified the post as concerning, to neighbors, SMYTH's colleagues, and DUNPHY's family members.

Although background interviews are important to best understand the 'why' of the occurrence, there are no witnesses except Sgt SMYTH that can provide the factual details of what occurred inside the home.

The combination of scene examination, autopsy results, and ballistic findings are expected to confirm SMYTH's statement, or raise questions about its accuracy. Based on what is known at this time, Sgt SMYTH's account supports the scene findings and the autopsy findings. Ballistics are expected to show it was indeed SMYTH's weapon that fired the fatal shots. an examination of DUNPHY's firearm is hoped to assist in determining if the

rifle he was holding was capable of firing, and if efforts were made to fire it.

DUNPHY's brother has indicated the rifle may have had a malfunctioning firing pin. Therefore DUNPHY may have tried to fire the rifle, but may have been unsuccessful.

#### Autopsy

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The results of the autopsy were as expected. DUNPHY suffered three firearm wounds, one to the torso and two to the head. The Medical Examiner has advised that any of these three shots could have been fatal. The fourth shot was located in a wall at the scene. The recovery of the four rounds of ammunition corresponds to the four shell casings found at the scene. Toxicology results are pending. Medication was seized from the scene and was supplied to the Medical Examiner to aid in the post mortem examination.

#### Follow -Up

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Further statements are planned with ambulance attendants and the personal doctor(s) of DUNPHY, amongst others. DUNPHY's medical records are being sought, as are Sgt SMYTH's computer records which are expected to show his background checks on DUNPHY prior to attending Mitchell's Brook.

Firearm examination will occur on both involved weapons, and FIS reports are pending.

#### Media

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Media interest remains high. It was felt that public interest would be best served by candidly releasing the facts that the investigation has revealed to date. Sgt Greg HICKS conducted a video media interview this date which thoroughly updated the public, thereby achieving that goal. HICKS will continue in the Media Relations role moving forward.

Further, inquiries will be made with the media to be connected to witnesses that (the media allege) heard gunshots at the time of the occurrence. As already mentioned in this report, no such witnesses have been located by investigators.

#### Family / Community Liaison

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S/Sgt Rod TILLER and Cst John GALWAY have been assigned this role. They have been in frequent contact with the daughter of Mr. DUNPHY and are addressing any concerns she has. S/Sgt TILLER will be making contact with appropriate community figures as and when required.

#### Independent Oversight

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The Premier's Protective Detail is a joint forces initiative, and there are only two policing agencies in the Province. It is recognized that this arrangement might cause public concerns regarding of objectivity and independence in investigations such as this. Having an independent observer assigned would serve to address public concerns of that nature.

Sgt OSMOND has been advised that the identification of such an observer may occur in the near future.