
JOHN O'DONOVAN

Sergeant #1843 (retired)

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Dick Francis was a British jockey and crime writer whose 40 novels all centred on horse racing. The main character narrated the stories, often a jockey, but sometimes a trainer, an owner, a bookie, or someone in a different profession, peripherally linked to horse racing. This person always faced significant obstacles.

Sergeant John O'Donovan was like a character in one of Dick Francis' crime novels – always “*standing on the outside of disaster, looking in.*”

During his police career, John was involved in the investigation of over 250 homicides, sudden/suspicious deaths and suicides. All of these deaths were deeply troubling, tragic and senseless. The same root causes were always involved – drugs, alcohol, domestic conflict and gang violence.

John's first stint in the Homicide Unit was as a constable in 2003 when he was assigned to work on the murder of Kevin Tokarchuk, an execution-style killing committed to revenge a murder committed by his brother of a rival gang member a couple of years earlier. John had never worked a homicide before, but he had made a name for himself working in the now-defunct Anti-Crime Tactical Unit, a specialized team of officers focused on habitual and organized property crime offenders.

Sergeant Tom Anderson, the lead on the Tokarchuk investigation, told me that “*the first thing I noticed about John was that he was a talented communicator. When he would report back to me on the results of his interviews, I felt like I had been right there with him. I had a mental image of the subject and how the whole interview unfolded. His attention to detail was phenomenal.*”

Indeed, John had a folksy way about himself that seemed to ingratiate himself with witnesses and suspects alike. While defence lawyers have tried to have confessions obtained by John thrown out, stating his techniques were designed to overcome their client's free will, it was likely his fatherly charm (and investigative ingenuity) that encouraged their clients to speak and nothing more nefarious as almost all of his interviews were on video for the courts to see.¹

Unlike most police officers who start when they are in their early 20's, John came to policing as a 33-year old father of four. Born in Cork, a historic Irish city of Vikings and monasteries that

¹ See *R. v. Pearce*, [2011 MBQB 99](#), rev'd [2014 MBCA 70](#) and retrial [2016 MBQB 14](#).

can trace its roots back to the 7th Century, John did not come to Canada until 1989, when an economic depression gripped Cork. Unemployment was running at 70%; the Ford car factory closed in 1984, as did the Dunlop tire factory. Shipbuilding in Cork also came to an end in the 1980s. As a result of these closures, unemployment was high, and the city was economically devastated.

Once he became a landed immigrant, John joined the Winnipeg Police Service in April 1994. With his thick Irish accent, John came to his interview *televated, but not septic or shaping. He wasn't a noo-de-naw. He wore rubber dollies, a spogger, his best clobbers and a farting jacket* to impress the police background investigator (you can check the terms in a Cork dictionary).

Aside from his clothing, John's communication skills, folksy charm and colloquial Cork-isms carried the day, and he was hired for Recruit Class #121.

John worked in uniform patrol for a few years but quickly moved into the old divisional detective offices in Fort Garry in 1998 after solving a bicycle theft that led to a literal Pandora's Box of other crimes. In 2000 John transferred to the old Anti-Crime Tactical Unit. Besides being asked to assist with the Tokarchuk investigation, John was singled out to lead the investigation into the 2002 Keystone Airplane crash at Logan and McPhillips in which Chester Jones of Kansas died from injuries suffered in the crash, and four others were injured. The pilot, Mark Tayfel, said his running out of gas was an honest mistake and not a criminal act in his defence.



“Pilot of crashed plane fighting his conviction”. Winnipeg Free Press, April 15, 2009, p. B2.

Tayfel admitted he misjudged the amount of fuel required for the round trip from Winnipeg to Gunisao Lake to pick up six American tourists on a fishing trip. Both engines on the Piper Navajo Chieftain quit when he circled the airport, and the aircraft crash-landed on a Winnipeg roadway. Tayfel said in his defence that running out of gas was an honest mistake and not a criminal act.

However, with John's meticulous investigation, which included educating himself on the world of aeronautics and flight regulations, the trial judge disagreed with Tayfel saying his “hasty” check of the fuel gauges to determine the fuel load wasn't enough. “His various explanations sound more like after-the-fact justifications for his very hasty estimate as to the amount of fuel onboard rather than any attempt to make the considered calculation expected of a reasonable and prudent person.”

Although convicted at trial of criminal negligence causing death, and four counts of criminal negligence causing bodily harm and one count of operating an aircraft in a manner dangerous to the public, the Manitoba Court of Appeal overturned the convictions for criminal negligence but upheld the conviction of dangerous operation of an aircraft – one of the first times in Canada – saying it did not consider Tayfel’s conduct blameworthy enough to constitute criminal negligence.²

In 2004 John was transferred to the Major Crimes Unit but spent most of the time assisting the Homicide Unit, including the 2005 New Years’ day murder involving the Indian Posse gang. This project ran for almost six months, and while it did not proceed through trial, it would not be John’s last case involving the Indian Posse.

In 2008 he was the lead investigator in a project later dubbed Guillotine. He developed a witness who described twenty-four violent offences carried out on behalf of the gang. Included in these offences were four homicides. The witness’s information was tested and found to be true. The witness testified in Court on one of the incidents. After this, several more gang members made deals with the Crown for reduced sentences. In all nine homicide convictions were obtained, two attempt-murder convictions, one accessory to murder, and over twenty firearm/assault convictions. The hierarchy of the Indian Posse was effectively eliminated, and the gang lost its foothold in the community for almost a decade.

In 2006 John was promoted to Detective Sergeant and went back to divisional detectives in Fort Garry, where he led an investigation into the gun runner and gun manufacturer Elwyn Evans. Evans lived on a small farm in Komarno, near Gimli. His farm bordered another small farm owned by his son-in-law, Alvin Lupyrypa, (now deceased). This investigation started when an informant led him to three sub-machine guns at a property in West St Paul. After executing a search warrant, he recovered three working World War II Sten-Guns and six loaded high-capacity magazines. Each magazine had thirty rounds of ammunition.



“Guns Rebuilt, Sold to Gangs”. Winnipeg Free Press, August 26, 2006, p. A3.

² See *R. v. Tayfel*, [2007 MBQB 265](#), rev’d in part [2009 MBCA 124](#), leave denied by the [Supreme Court of Canada](#) in 2010.

After gathering sufficient intelligence and information, John was granted a further search warrant for the properties of Evans and Lupyrypa. Leading a contingent of forty officers from the RCMP and Winnipeg Police, John descended on the farms in a dawn raid. Once on the property, two homemade naval cannons were discovered, both fully operational and ready to fire; a gun factory with two homemade .50 calibre sniper rifles, over sixty machine guns that had been restored to full operational capability (most of them had been decommissioned Sten-Guns that the Canadian Military had used from World War II to the late 1970s), numerous pistols with more than 200,000 rounds of ammunition, 18 homemade firearm suppressors (silencers), twenty-four .22 calibre pen guns, and stolen property including cars, farm equipment and a bob-cat from both farms. Evans was convicted of numerous charges and sentenced to nine years in prison.³

Shortly after this investigation, John was temporarily assigned to the Integrated Organized Crime Task Force, where he led a conspiracy to murder investigation involving members of the Hells Angels. This turned into a murder investigation when Bekim Zenneli, the co-founder of the LHS street gang, was shot to death in a drug turf war in Thompson, Manitoba, in 2007. Michael Heckert, a Hells Angels associate, was convicted of first-degree murder for the killing in 2013.⁴

After four years of working homicides from the outside, John was transferred to the Homicide Unit in 2007. As a Designated Person by the Minister of Public Safety, John spent his first year embroiled in three Wiretap investigations (until the creation of a dedicated Affiant Unit in 2012, John wrote his own court applications). Two of the three investigations ended with convictions for five individuals for second-degree murder and manslaughter; the third remains unsolved.

Over the next few years in the Homicide Unit, John led numerous investigations where he developed witnesses that testified in gang-land type murder trials and convictions were obtained in all of them, including those in Project Guillotine.

In 2010 John was pulled from Homicide and assigned to conduct the investigation into the death of Brian Sinclair. This Indigenous man died in the waiting room of the Emergency Department of the Health Sciences Centre, after waiting for treatment for 32 hours. No criminal charges were authorized. However, John's investigation was the subject of a public inquest under the *Fatality Inquiries Act* that ran from August 6, 2013, to June 13, 2014, before Judge Tim Preston. The inquest concluded with 63 recommendations.⁵

In 2011 John was assigned to lead a new Integrated Warrant Apprehension Unit. This Unit was formed to locate and arrest persons who had outstanding warrants to arrest for serious and violent offences. In their first year of operation, this six-man team executed over 1600 warrants and arrested over 1000 people. One of those arrested was Iain Smy, who had been wanted by the Brandon Police Service on several counts of sexual assault and sexual exploitation dating back to the early 1980s. John was able to track Smy down to Spain. Although Smy had surrendered his *Canadian* passport it turned out he had dual citizenship and fled Canada on a British passport.

³ See *R. v. Evans & Lupyrypa*, 2009 MBQB 251; [2012 MBQB 207](#) and aff'd [2014 MBCA 44](#).

⁴ See *R. v. Heckert et al.*, [2013 MBQB 21](#), aff'd [2014 MBQB 81](#), leave denied by the [Supreme Court of Canada](#) in 2015.

⁵ See Report of the [Inquest into the Death of Brian Lloyd Sinclair](#), December 14, 2014.

With assistance from British police, John tracked Smy to North Africa and back into Spain and obtained a Red Notice (International Arrest Warrant) for Smy. As John did not speak Spanish, but by-passing the more bureaucratic RCMP liaison process, he contacted a police officer he knew in Ireland, who introduced him to an Irish police officer assigned to the Irish Embassy in Madrid. He, in turn, contacted the Spanish National Police, who arrested Smy within two days. Smy was extradited back to Canada and pleaded guilty to his charges.

In 2013 John was promoted to Sergeant and assigned to the Major Crimes Unit. His most interesting case was an undercover investigation into a conspiracy to murder and planned honour killing. Shahid Chaudhry had contracted a third party to kill his ex-wife by driving a car into her and then, later, her brother living in Pakistan. Chaudhry pled guilty to a total of seven years in custody in 2016.⁶

In 2014 John transferred back to the Homicide Unit and here led dozens of complex investigations. The most notable was the Tina Fontaine investigation, which was a “Mister Big” operation to gather evidence against an individual suspected in this homicide. John was not afraid to be the public face of his investigations and appeared numerous times in the media to solicit further information or report on the facts of a case, as evidenced by these news videos into the deaths of Tina Fontaine and Christine Wood, and the attempted murder of Rinelle Harper:

<https://www.bbc.com/news/av/magazine-32075963>

<https://globalnews.ca/video/rd/918161475887/?jwsourc=cl>

<https://www.cbc.ca/player/play/2680650494/>

Another complex and urgent series of investigations involved the activities of John Ostamas, the infamous serial killer who murdered three homeless men in Winnipeg in a seven-day period in April 2015. From a blurry CCTV image that was broadcast on national television of the suspect walking with the second victim minutes before the killing, John had his suspect identified from a caller in Northern Ontario within two hours.

Ostamas was arrested in Winnipeg the next day and confessed to the three killings. He also admitted to 17 other murders, most of them in the USA. He described each of these incidents, and it was confirmed that he was in the USA and at the specific locations when the killings occurred. Ostamas stated, *“I like killing people. I’m good at it but I know I must be stopped”*. He pled guilty to the three Winnipeg homicides and received the longest sentence ever handed down by a Court in Canada at the time – three consecutive life sentences with no chance of parole for 75 years. The FBI and New York Police came to Winnipeg to interview Ostamas a year after his initial confession. While he provided them with the same details he provided to Winnipeg investigators; he was never charged. Likely because he would be spending the rest of his life in a Canadian prison.⁷

⁶ See <https://winnipegson.com/2016/12/16/man-sentenced-for-trying-to-kill-ex-wife>.

⁷ See <https://www.cbc.ca/news/canada/manitoba/john-paul-ostamas-sentencing-1.3563964> and <https://www.cbc.ca/news/canada/manitoba/ostamas-homeless-murders-winnipeg-1.3654032>.

Besides the murder of Christine Wood, John also led the investigations into the murders of Cooper Nemeth and Teddy Belayneh. He used various techniques and technology in all three of these cases. In the Wood case, he charged the suspect without having a body. Surveillance led him to a large retention pond off Burrows Avenue, where the suspect had attended more than once. He used sonar to search the lake and found anomalies on the floor. He drained the lake. However, he did not locate Christine's body at that time but did find a stolen vehicle that had been missing for 15 years. Christine's body was eventually found by a farmer a few weeks later in a shallow grave. Forensic and computer / cell phone evidence led to the conviction of Brent Overby for second-degree murder, who was sentenced to life in prison with no chance of parole for 15-years.⁸

The Nemeth homicide was another very high-profile media case. The Unit was under a lot of pressure to find the body of 17-year old Cooper and gather enough evidence against the suspect. With the aid of forensic evidence, witness interviews and surveillance Nicholas Bell-Wright was arrested in 2016. Bell-Wright subsequently pled guilty to second-degree murder in 2017.⁹

The Belayneh case was John's last major project as a Homicide Unit supervisor. The murder occurred during the early morning hours of November 26, 2016, when a grey Jeep Cherokee was driving the streets of Winnipeg. The Jeep pulled up beside a vehicle belonging to Theodoros Belayneh, in which he was the front-seat passenger. An individual rolled down the back driver's side window of the Jeep and fired at least ten shots from a handgun at Belayneh's vehicle, striking him in the head and killing him. The driver of Belayneh's car was struck in the wrist and wounded. The Jeep then sped off.

John's team used numerous techniques to identify and target two individuals suspected in the shooting, including a Wiretap authorization that implicated the targets. After a substantial trial, which included the evidence from the wiretaps, the shooter, Julian Telfer, was convicted of first-degree murder and received a life sentence in prison. His girlfriend, who drove the 'getaway' vehicle, was convicted of drug offences and sentenced to 4 years.¹⁰

After almost 25 years, John retired from the Winnipeg Police at the end of 2018 and immediately started working as a Team Commander for the IIU (Independent Investigation Unit) of Manitoba. John would be called into action anytime it appeared the actions of a police officer may have caused the death or serious injury of a person or have contravened specific laws.

Some might wonder why I have written about John today for Behind the Badge. Not only is today his last day with the IIU before he hangs up his spurs for good, but I also find history tends to remember those who commit evil and not those who are tasked by society to bring those same evil-doers to justice. If we document those officers now, they are not likely to be forgotten later.

In speaking with John today, I noticed a series of Dick Francis crime novels on his shelf juxtaposed alongside a picture of a young jockey on a horse race track. That jockey is John himself racing on West Park at Galway Plate in Ireland. Dick Francis would have been proud.

⁸ See <https://www.cbc.ca/news/canada/manitoba/sentencing-hearing-christine-wood-brett-overby-1.5197053> .

⁹ See <https://www.cbc.ca/news/canada/manitoba/cooper-nemeth-found-dead-winnipeg-manitoba-1.3457429> and <https://www.cbc.ca/news/canada/manitoba/cooper-nemeth-death-guilty-plea-1.4390798> .

¹⁰ See *R. v. Telfer and Crossman*, [2019 MBQB 47](#) and [2019 MBQB 12](#), aff'd [2021 MBCA 38](#).



John O'Donovan, racing at Galway Plate on West Park, 1978.