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## OM - ch. 4.8. Reporting Discharge of Firearms

**Policy Amended: 2019-07-24**

For information regarding this policy, contact [National Use of Force](#), Operational Readiness and Response, Contract and Indigenous Policing.

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### 1. Definitions

1. 1. **Member-Involved Shooting (M-IS)** means an intentional, or unintentional, discharge of a firearm involving:

1. 1. 1. an on-duty member with any firearm or an off-duty member with an RCMP-issued firearm;

1. 1. 2. human death, human injury, risk to public safety and/or property damage (involving an off-duty member described in [sec. 1.1.1.](#)); or

1. 1. 3. another person discharging a firearm at a member or RCMP transport or property.

#### NOTES:

1. An unintentional discharge that occurs during training or an RCMP-sanctioned event, as outlined in [ch. 4.9. Firearms Use and Display at RCMP-Approved Activities, sec. 2.](#), and does not involve human death, injury or risk to public or member safety and/or property damage, must be reported in accordance with [sec. 3.1. Member](#), [3.2. Supervisor](#) (excluding [sec. 3.2.1.3.](#)), [3.3.2.5.](#), and [3.4.1.4.](#)

2. Discharging a firearm at an animal that is posing a risk to the public or member safety constitutes an M-IS, e.g. a dog attacking a person.

EXCEPTION: An intentional discharge that occurs during training, an RCMP-sanctioned event (see [ch. 4.9.](#)) or while putting down an animal for humane reasons, unless human death, injury or risk to public or member safety and/or property damage occurs, should not be reported.

1. 2. **Major Police Incident (MPI)** means an incident where there is a serious injury or death of an individual involving an RCMP member, or where it appears that an RCMP member may have contravened a provision of the [Criminal Code](#) or other statute and the matter is of a serious or sensitive nature.

NOTE: Not all M-IS incidents are classified as an MPI.

1. 3. **Independent Officer Review** (IOR) means an administrative review (fact-finding inquiry) of a member's actions and his/her application of the [RCMP Incident Management Intervention Model](#), policies, and training that is conducted by a commissioned officer/delegate who is independent of the M-IS.

## 2. General

2. 1. This chapter is to be read in conjunction with [ch. 4.7. Discharge of Firearms](#), [ch. 17.8. Subject Behaviour/Officer Response Reporting](#), [ch. 46.1. National Operations Center](#), [ch. 54.1. RCMP External Investigation or Review](#), and [ch. 54.3. Responsibility to Report](#).

2. 2. All member-involved shootings (M-IS), whether unintentional or intentional, have the potential to carry substantial liability.

2. 3. M-IS must be fully reported and documented in accordance with this chapter.

2. 4. If the M-IS is a major police incident (MPI), it must be investigated using principles of [ch. 25.3. Major Case Management](#).

2. 5. This chapter applies to Cadets and RCMP members who have peace officer status including RMs, auxiliary constables, reserve constables, supernumerary special constables, special constables, and special constable members i.e. aboriginal community constables, community constables, and community safety officers, which are all hereinafter referred to as member.

2. 6. If a member attempts to discharge their firearm operationally but cannot due to equipment or mechanical malfunction (e.g. stoppage) and/or human error (e.g. round not chambered), report the incident to [National Use of Force](#).

## 3. Roles and Responsibilities

### 3. 1. Member

3. 1. 1. If involved in an M-IS:

3. 1. 1. 1. immediately notify your supervisor;

3. 1. 1. 2. if the M-IS is an MPI, as defined in [sec. 2.2.](#), refer to [ch. 54.3.](#), [sec. 5.2. Member](#) and [ch. 17.8.](#), [sec. 3.1. Member](#); and

3. 1. 1. 3. for hazardous occurrence investigation, recording and reporting procedures, refer to [OSM ch. 3. Hazardous Occurrence Investigation, Recording, and Reporting](#).

### 3. 2. Supervisor

3. 2. 1. When notified of an M-IS:

3. 2. 1. 1. immediately notify the detachment/unit commander;

3. 2. 1. 2. if the M-IS is an MPI, as defined in [sec. 2.2.](#), refer to [ch. 54.3.](#), [sec. 5.3. On-Scene Supervisor](#) and [ch. 17.8.](#), [sec. 3.2. Supervisor](#);

3. 2. 1. 3. without delay, complete a briefing note (BN) and forward it to your detachment/unit commander;

3. 2. 1. 4. within 48 hours, complete a Member Involved Shooting Incident Summary, [Form 5094](#), including all available information, and forward it electronically to your detachment/unit commander; and

3. 2. 1. 5. for hazardous occurrence investigation, recording and reporting procedures, refer to [OSM ch 3., sec. 5. Supervisor/Manager](#).

### **3. 3. Unit Commander**

3. 3. 1. Ensure members under your command are aware of this chapter.

3. 3. 2. When notified of an M-IS:

3. 3. 2. 1. immediately notify your divisional Cr. Ops. Officer/delegate through appropriate channels;

3. 3. 2. 2. if the M-IS is an MPI, as defined in [sec. 2.2.](#):

3. 3. 2. 2. 1. refer to [ch. 54.3. Responsibility to Report, sec. 5.4. Detachment/Unit Commander](#); and

3. 3. 2. 2. 2. immediately notify the Health Services Officer as outlined in [AM App. II-19-5 Reporting Psychologically Traumatic Incidents](#).

3. 3. 2. 3. without delay, ensure the BN prepared by the supervisor is reviewed and forwarded electronically to your Cr. Ops. Officer/delegate;

3. 3. 2. 4. within 72 hours of the incident, ensure [Form 5094](#) is reviewed and forwarded electronically to your Cr. Ops. Officer/delegate; and

3. 3. 2. 5. for hazardous occurrence investigation, recording and reporting procedures, refer to [OSM ch. 3., sec. 5.](#)

### **3. 4. Divisional Cr. Ops. Officer/delegate**

3. 4. 1. When notified of an M-IS:

3. 4. 1. 1. if the M-IS is an MPI, as defined in [sec. 2.2.](#), see [ch. 54.3., sec. 5.5. Cr. Ops. Officer, ch. 46.1. National Operations Center, sec. 4. Division Responsibilities](#), and [ch. 17.8. Subject Behaviour/Officer Response Reporting, sec. 5. National Criminal Operations](#);

3. 4. 1. 2. immediately and before any media release, send an initial report electronically to the [NOC](#);

3. 4. 1. 3. without delay, ensure a BN to the Commissioner is prepared and forwarded electronically to the [NOC](#);

3. 4. 1. 4. within one week of the incident, review [Form 5094](#) and add applicable strategic advice under the *Investigation and Findings* section. Forward the form electronically to National Criminal Operations Branch - [National Use of Force](#);

3. 4. 1. 5. monitor the investigation and provide a written update to National Criminal Operations Branch - [National Use of Force](#) whenever a significant development occurs in the investigation or new information becomes available;

3. 4. 1. 5. 1. Written updates will be provided as needed, or at least every six months.
3. 4. 1. 5. 2. Once the investigation is concluded, a final written update will be provided to National Criminal Operations Branch - [National Use of Force](#) with the outcome and/or investigative findings.
3. 4. 1. 5. 3. If the M-IS is an MPI, as defined in [sec. 2.2.](#), provide a BN update to [NOC](#) whenever a significant development occurs in the investigation or new information becomes available.
3. 4. 1. 5. 3. 1. BN updates will be provided as needed, or at least every six months.
3. 4. 1. 6. assign a unit to investigate when deemed necessary;
3. 4. 1. 7. initiate an IOR of the incident;
3. 4. 1. 7. 1. If the M-IS is an MPI and the Emergency Response Team was involved, appoint, when possible, an experienced and current Incident Commander from outside the division to conduct the IOR.
3. 4. 1. 8. develop divisional supplements, as required, outlining how and by whom the IOR is to be conducted and ensure:
  3. 4. 1. 8. 1. a thorough and unbiased investigation;
  3. 4. 1. 8. 2. the opinion of an appropriate Use of Force Subject Matter Expert is obtained to determine if the member's actions were aligned with RCMP intervention training, policy, and Criminal Code authorities in place at the time;
  3. 4. 1. 8. 3. a determination is made as to whether the members conducted themselves in accordance with the applicable statutes, e.g. [Criminal Code](#), [Firearms Act](#), [RCMP Act](#) and [Regulations, Code of Conduct](#);
  3. 4. 1. 8. 4. necessary information was provided to the appropriate authority/agency, e.g. Department of Justice Canada, RCMP Legal Services, Crown counsel, coroner;
  3. 4. 1. 8. 5. potential civil litigation against the RCMP or its members is identified and brought to the attention of the appropriate authority, e.g. RCMP Legal Services;
  3. 4. 1. 8. 6. the factors that contributed to an incident are identified and the appropriate policy centres are notified; and
  3. 4. 1. 8. 7. a discharge category (outlined in [App. 4-8-1 Categories of Member-Involved Shootings](#)) is assigned with supporting rationale.
3. 4. 1. 9. Once the investigation and the IOR are concluded and the discharge category has been assigned, update [Form 5094](#) and forward the completed form along with all final reports (i.e. internal/external review, coroner/medical examiner) to National Criminal Operations Branch - [National Use of Force](#).
  3. 4. 1. 9. 1. If the M-IS is an MPI, as defined in [sec. 2.2.](#), once the investigation is concluded, provide a final BN update to the [NOC](#) with the outcome and/or investigative findings.

### **3. 5. Commanding Officer**

3. 5. 1. If the M-IS is an MPI, as defined in [sec. 2.2.](#), see [ch. 54.1. RCMP External Investigation or Review, sec. 10. Commanding Officer Responsibilities.](#)

### **3. 6. NOC**

3. 6. 1. Forward all M-IS documentation to National Criminal Operations Branch in accordance with standard operating procedures.

### **3. 7. National Criminal Operations**

3. 7. 1. Ensure divisional compliance with this chapter.

3. 7. 2. Review all briefing notes, forms 5094 and related documentation for each M-IS incident.

3. 7. 3. If an issue is identified during the review process, notify the respective divisional Cr. Ops. Officer/delegate.

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### **References**

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