



Firearms

1.0 General

1.1 All officers

This policy is intended to provide specific direction to officers on the control and usage of service firearms. Officers will strictly adhere to the provisions of this policy and must fully familiarize themselves with the RNC Use of Force policy, and relevant sections of the *Criminal Code of Canada*.

1.2 Supervisors

Supervisors must be constantly vigilant to ensure total compliance with this policy. Any deviation whatsoever will be considered a serious infraction and will be treated as such.

2.0 Definitions

2.1 Firearm means a firearm as defined under Section 2 of the *Criminal Code of Canada*.

2.2 Emergency Response Kit means a container designed to store firearms and ammunition in RNC vehicles.

2.3 A service firearm means a firearm, approved by the Chief of Police, that is officially issued to an officer.

2.4 All references to firearm control and storage in this chapter will include firearms and ammunition.

3.0 Carrying Firearms

3.1 Responsibility

Officers must bear in mind that they alone are responsible for their actions.

3.2. Escort Duty

a. Escorting Psychiatric Patients:

- (1) Officers will carry firearms while escorting psychiatric patients during the initial conveyance to a secure psychiatric detention facility following an arrest and/or subsequent transfers between medical facilities and other facilities (e.g., lock-up, Court, etc.).
- (2) Officers will carry firearms inside secure psychiatric detention facilities while escorting psychiatric patients except when visiting the **Forensic Unit** at the Waterford Hospital. Officers must store their firearms in the Emergency Response Kit of their police vehicles before entering the Forensic Unit.
- (3) Officers will carry firearms when visiting psychiatric patients in a secure psychiatric detention facility for the purpose of interviews, service of process, routine complaints, etc. except when visiting the **Forensic Unit** at the Waterford Hospital. Officers must store their firearms in the Emergency Response Kit of their police vehicles before entering the Forensic Unit.
- (4) The restrictions to the carrying of firearms to the **Forensic Unit** do not apply to calls for assistance from the Waterford Hospital where the hospital has declared a situation Code White, Level III. This typically occurs in cases where there is an armed or barricaded patient and the hospital is seeking the assistance of Police to regain control of the Unit.
- (5) Officers will ensure that proper searches are conducted and proper restraints are used in accordance with RNC policy when escorting psychiatric patients.

3.3 Carrying Firearms in Correctional Facilities

- a. For the purpose of this chapter correctional facilities will include all federal and provincial correctional facilities including HMP, lock-ups, youth detention facilities and any other facility designated or intended for the purpose of detention.
- b. Law enforcement officers are not permitted to enter the principal area of a correctional facility while in possession of a firearm.

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- c. Before an officer can proceed to the principal area of a correctional facility their firearm must be unloaded and secured in Emergency Response Kit of their police vehicles or in the designated storage area(s) at the facility. The officer must keep possession of the key and ammunition.
- 3.4 Officers will not wear service firearms while conducting interviews with accused persons. Officers must bear in mind that the mere presence of a service firearm in an interview setting may result in the voluntary nature of the statement being questioned.
- 3.5 Authorization
- a. All officers assigned to front-line operational duties, as identified by the Chief of Police, will wear service firearms while on duty.
 - b. Officers assigned to non-operational duties shall not wear service firearms while on duty. This will include, but is not limited to the following:
 - (1) administrative duty;
 - (2) House of Assembly;
 - (3) any officer participating in a training activity other than firearms training; and/or
 - (4) any officer attending or participating in church, ecumenical or funeral services.
- 3.6 Civilian Clothes
- An officer on duty wearing civilian clothes must:
- a. conceal their firearm from public view; and
 - b. keep the firearm on their person in an approved holster.

3.7 Storage/Security

Every officer is responsible for the safe storage of service firearms. Officers will ensure the following conditions are met.

- a. The **unloaded** firearm is secured in the officer's personal firearms storage locker at RNC facilities or in another approved location when the officer is not on duty.
- b. The lockers shall be secured at all times and must contain **only** the service firearm, ammunition, O.C. Spray and magazines/re-loaders.
- c. Service firearms will not be taken to an officer's residence while off duty **except** as authorized by the Chief of Police.
- d. Officers assigned to the following duties are authorized by the Chief of Police to store their service firearms at their residence:
 - (1) on-call officer for Criminal Investigation Division;
 - (2) on-call officer for Traffic Enforcement & Accident Investigation;
 - (3) on-call officer for Forensic Identification; and
 - (4) officers assigned to Police Dog Services.
- e. Officers assigned to duties where they are authorized by the provisions of this chapter to store their service firearms at a location other than RNC facilities will be issued an approved handgun carrying case complete with padlock and trigger lock. When storing a service firearm during off-duty hours in facilities other than the RNC, all officers will ensure the following:
 - (1) unload the firearm;
 - (2) lock the firearm with the supplied trigger lock;
 - (3) place the firearm and the ammunition in the storage case;
 - (4) secure the firearm storage case with the supplied padlock;
 - (5) store the case in an inconspicuous location out of the reach of children; and

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- (6) the officer must retain both keys until their return to duty.
- f. In extenuating circumstances, officers other than those specifically identified in this chapter may be authorized to store their service firearm at a location other than an RNC facility by the Chief of Police or his/her designate. The safe storage provisions of this chapter shall apply.
- g. Notwithstanding the above provisions, officers who are authorized to store their service firearms at a location other than RNC facilities shall arrange to store their service firearms at an RNC facility while absent from duty in excess of 5 consecutive working days unless storage at their residence or any another location has been expressly approved by the Chief of Police or his/her designate in such circumstances.
- h. Officer's service firearms will be stored at the RNC Armory when officers are on extended leave.
- i. Officer's service firearms will be stored at the RNC Armory when officers are assigned to non-operational positions and they cannot be assigned operationally.
- j. The *National Firearms Act Regulations* permits deviation from the above provisions when it is necessary for a peace officer to have ready access to a firearm on condition that express written instructions are provided by a designated person in authority. **For the purposes of this Section, such written instructions may only be provided to an officer of the Royal Newfoundland Constabulary by the Chief of Police or his/her designate.**
- k. Officers assigned to Joint Forces Operations shall comply with the safe storage provisions of the host agency.
- l. In instances where no secure storage is provided by a particular facility, service firearms will be secured in the Emergency Response Kit of the assigned police vehicle.
- m. Officers will not, under any circumstance, store their personally owned firearms in any RNC facility.

4.0 Type of Weapon/Ammunition

- 4.1 Where the Chief of Police, or his designate, authorizes an officer to carry a firearm, only the firearm that is issued specifically to that officer may be carried.
- 4.2 An officer shall carry the service firearm in a holster approved by the Chief of Police.
- 4.3 When carrying their service firearm on duty, officers shall ensure their firearm is loaded.

5.0. Issue of Firearms**5.1 Operational Assignments**

- a. Officers upon their first assignment to operational duties will be issued a firearm by the Use of Force Training Unit.
- b. The unloaded firearm will be secured in the officer's personal firearms storage locker at RNC facilities, or in other approved locations, when the officer is not on duty.
- c. Officers will report to the Use of Force Training Unit upon being transferred to another division, or as otherwise directed, to ensure they are carrying the appropriate firearm for their new assignment.

5.2 Tactics and Rescue Unit

- a. Officers of the Tactics and Rescue Unit (TRU) when first assigned to the Unit and following qualification, will report to the Use of Force Training Unit for issuance of the appropriate firearm.
- b. Officers of TRU will use this firearm as their service firearm for all operational requirements.
- c. Officers will adhere to the appropriate guidelines outlined in Subsection 3 (g) of this policy. The **unloaded** firearm will be secured in the TRU facility when the officer is not on duty.
- d. The TRU facility shall be secured at all times.

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- e. TRU officers assigned to duties away from headquarters (i.e., JFO) will retain their issued firearm and will follow existing policy governing the storage of that firearm away from Headquarters.
 - f. Officers of TRU assigned to duties away from headquarters will be provided with a second firearm which will be stored at the TRU office under the control of the NCO i/c of the Unit. This firearm is to be used by the officer only for operational requirements of the Unit.
 - g. Officers will return their TRU issued firearm to the NCO i/c of the TRU upon being transferred from active duty with TRU.

6.0 Commercially Registered Aircraft

- 6.1. The carriage of firearms aboard aircraft by officers of the RNC is limited to those situations which require a firearm to ensure safe completion of the assignment. Under no circumstances will an officer carry a firearm on a commercially registered aircraft unless the "Travel Authorization to Carry Firearm" form is completed and permission is obtained from the Chief of Police, or his/her designate.
- 6.2. Officers contemplating airline travel with any airline where they will be performing escort duties and/or carrying their firearm are advised to familiarize themselves with the *Canadian Aviation Security Regulations* and the policies of the respective airline in ample time before travel in order to comply with Regulations.
- 6.3. Officers required to carry a firearm on an aircraft shall:
 - a. notify a responsible air carrier employee, preferably a supervisor at the airport, at least 24 hours before flight time, or in an emergency as soon as practicable, prior to scheduled departure of the flight (the notification may be in person or by telephone);
 - b. present the police identification card to a responsible air carrier employee, preferably a supervisor, at the airport;
 - c. complete all documents used by the air carrier to notify the pilot in command of the presence on board the aircraft of an armed peace officer and any passenger under escort;

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- d. when in civilian attire, carry the firearm unloaded and securely concealed;
- e. when in uniform, carry the firearm unloaded in a holster designed for the carriage of the firearm; and
- f. not consume any alcoholic beverages when having access to a firearm.
- g. The air carrier reserves the sole right to refuse to accept passengers under escort. The air carrier will accept passengers under escort providing no unusual risk or inconvenience to other passengers will be involved.

7.0 Carrying Firearms Out of Province

- 7.1 Officers shall not carry service firearms out of the Province without the following:
- a. prior authorization of the Chief of Police or his/her designate;
 - b. completing the "Travel Authorization to Carry Firearm" form; and
 - c. lawful authority to carry a firearm in the jurisdiction being visited.

8.0 Handling of Firearms

- 8.1. Each officer must use the utmost discipline in the handling of firearms to prevent their accidental discharge or theft.
- 8.2 Officers will use the loading/unloading ports located in RNC facilities. Approved range facilities may also be used for this purpose.
- 8.3 Each officer will carry a service firearm in a safe and professional manner.
- 8.4 An officer will not loan or give their service firearm to another officer or any other person unless prior authorization is obtained from the Chief of Police or his/her designate.
- 8.5 Each officer will ensure that an issued firearm is clean, presentable and in good working order at all times.

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9.0 Shotguns

- 9.1 One RNC approved 12 gauge shotgun will be contained in each Supervisor's Patrol Unit whenever the unit is in service.
- 9.2 This firearm may be issued to another officer at the discretion of the attending NCO when on an operational call.
- 9.3 The shotgun will be removed from each Supervisor's Patrol Unit and safely stored at the conclusion of each tour of duty or during any prolonged absence from the vehicle.
- 9.4 Extra ammunition for the shotgun will be stored in the Supervisor's Patrol Unit in the secured tactical box located in the trunk.
- 9.5 When a shotgun is in service, there will be **four rounds in the magazine**.
- 9.6 Divisional commanders of Corner Brook and Labrador West will determine which vehicle will contain a shotgun.
- 9.7 Officers will ensure that the shotguns assigned to specific Supervisor's Units are only deployed in the units to which they are assigned.

10.0 Use of Firearms

- 10.1 The use of a service firearm will be in accordance with the approved Use of Force Continuum.
- 10.2 An officer will draw a service firearm only when:
 - a. it is necessary for the protection of their life or the life of another; or
 - b. it is necessary in the apprehension or detention of a person believed to be armed and dangerous.
- 10.3 An officer shall not discharge a service firearm in the performance of their duty except:
 - a. in defense of their life or the life of another;

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- b. to affect the apprehension, when other means are ineffective, of a person who is, on reasonable and probable grounds, believed to be armed and dangerous;
- c. to destroy a potentially dangerous animal or one which is so badly injured that the only humane choice would be to destroy it;
- d. on an approved target range under the supervision of a Use of Force Instructor; or
- e. as authorized by the Ground Search and Rescue Coordinator during active ground search operations where no other means of attracting attention are available.

10.4 Officers shall **NOT** resort to the use of firearms under the following circumstances:

- a. to apprehend a person who is committing, or who has committed, or who is about to commit, any offence if the freedom of that person does not constitute a reasonable and serious threat to life;
- b. to apprehend a person who is committing, or who has committed, or who is about to commit, any offence if the use of firearms constitutes a greater threat to life than does or will the freedom of that person;
- c. to discharge at or from a moving vehicle unless no other means is available to gain control of a situation which the officer reasonably believes may result, if allowed to continue, in death or serious bodily harm to any person, and there is no reasonable foreseeable likelihood of injury or death to an innocent person resulting from the officer's action; or
- d. to fire a warning shot.

10.5. An officer shall not threaten or attempt to intimidate any person by means of a firearm unless it is in an attempt to apprehend and/or affect the arrest of that person in accordance with the approved Use of Force Continuum.

11.0 Use of Force

- 11.1 Officers have an individual responsibility to be fully versed in the use of force guidelines as contained in the *Criminal Code of Canada* and current RNC Use of Force policy.

12.0 Reporting Procedure

- 12.1 In every instance, where an officer draws or points at any person or discharges a firearm in the course of duty, that officer will immediately comply with the reporting provisions of the Use of Force Policy.
- 12.2 The Chief of Police may, upon review of an officer's report, order an investigation into the circumstances which gave rise to the firearm being drawn or discharged.

13.0 Shooting Incidents

- 13.1 In every instance, where an officer's use of a firearm results in injury or death to any person the following procedure shall apply.
- a. The involved officer will, immediately after the situation is diffused, turn their discharged service firearm over to a senior non-involved officer.
 - b. The senior non-involved officer will take possession of the discharging officer's firearm. He/she will maintain custody of the firearm until the arrival of the investigative team who will provide direction.
 - c. A supervisor will ensure that involved officers, i.e., those present at the scene at the time of the shooting, are separated until statements are taken, unless in the presence of a third party who may be providing psychological counseling or support, such as a counselor or a member of the clergy.
 - d. The Supervisor will notify the Platoon Commander or Divisional Commander and will secure the scene.
 - e. The Platoon Commander or Divisional Commander will immediately notify the Chief of Police or his/her designate and the Media Relations Officer.

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- f. Officers present at the scene during a shooting incident will leave the scene as soon as possible under a supervisor's or senior officer's direction and not be assigned further duties regarding the incident (i.e., notification of next of kin, perimeter security, etc.).

13.2. The following matters will immediately be attended to:

- a. prompt medical attention for all injured persons;
- b. psychological care of all involved officers;
- c. investigative process; and
- d. internal investigation.

13.3 Psychological Care

After-care of officers involved in traumatic incidents shall be in accordance with Part 11 Chapter K, Employee Assistance Program and will include the following:

- a. Notification of the Officer Assistance Coordinator as soon as practicable;
- b. involvement of a psychologist (refer to policy on EAP);
- c. notification of next-of-kin and, when possible, direct and private communications between officers and their families;
- d. personal contact with all involved officers by Senior Commissioned Officers;
- e. consideration to involvement of a chaplain or clergy;
- f. consideration to reassigning the officers to non-operational duties; and
- g. requirement of officer to take a mandatory period of three days off when death results from their action in the line of duty.

13.4 Investigation

- a. When a police shooting occurs the Chief of Police will appoint a senior Commissioned Officer to coordinate the investigative process pending the arrival of the Ontario Provincial Police(OPP).
- b. The Chief of Police will request the services of the OPP in accordance with the provisions of the Memorandum of Understanding between the RNC and the OPP.

14.0 Inspections

- 14.1 The officer in charge of the Use of Force Unit will be responsible for the inspection of service firearms and firearm storage areas in the Headquarters Jurisdiction.
- 14.2. The Divisional Commanders of Corner Brook and Labrador Divisions will designate an officer in their respective divisions who will be responsible for the inspection of the service firearms and firearm storage areas.
- 14.3 Inspections of service firearms and firearm storage areas will be conducted on a Quarterly basis and will form part of the District/Divisional report.
- 14.4 Officers will present service firearms to the officer in charge of the Use of Force Unit or designate for inspection as required.
- 14.5 Should a firearm or ammunition be unaccounted for, an immediate report will be made to the Chief of Police.

15.0 Maintenance**15.1 Firearms**

- a. The Use of Force Training Unit shall maintain all RNC weapons in serviceable condition.
- b. Alteration or modification of RNC firearms is prohibited unless conducted or arranged by the Use of Force Training Unit.

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- c. Officers will immediately return firearms to the Use of Force Training Unit when:

- (1) the firearm is dropped or is damaged in any manner;
- (2) the firearm is not performing properly or is suspect; or
- (3) requested by the Use of Force Training Unit.

15.2 Ammunition

Damaged or suspect ammunition shall immediately be returned to the Use of Force Training Unit or designate for replacement.

15.3 Cleaning

- a. Officers will be responsible for cleaning their service firearms.
- b. Firearms will be cleaned on a monthly basis and after being fired.

15.4. Fleet Manager's Responsibilities

The Fleet Manager or his/her designate will check the trunk of each and every vehicle placed in the police garage or destined for repair at another location to ensure that it does not contain firearms and will **immediately** notify the Divisional or District Commander, or designate, should firearms be present.

16.0 Response to Firearms Calls

- 16.1 There will be a minimum of two officers responding to known weapons or firearms calls.

17.0 Audit

- 17.1 A comprehensive audit of all aspects of this policy will be conducted on an annual basis and a report forwarded to the Chief of Police. This audit requirement in no way relieves supervisors of their responsibilities to ensure strict compliance with this policy.

18.0 National Firearms Act Regulations

- 18.1 The *National Firearms Act Public Agency Regulations* impose significant requirements on Police Agencies in relation to the acquisition, storage and disposal of firearms. All officers should be familiar with these requirements and ensure adherence to these regulations.