

# SiRT

SERIOUS INCIDENT  
RESPONSE TEAM

## Summary of Investigation

SiRT File # 2025-0076

Referral from

Halifax Regional Police

July 10, 2025

Erin E. Nauss  
Director  
January 28, 2026

## **MANDATE OF THE SiRT**

The Serious Incident Response Team (“SiRT”) has a mandate to investigate all matters that involve death, serious injury, sexual assault, and intimate partner violence or other matters determined to be of a public interest to be investigated that may have arisen from the actions of any police officer in Nova Scotia and New Brunswick.

At the conclusion of every investigation, the SiRT Director must determine if criminal charges should result from the actions of the police officer. If no charges are warranted the Director will issue a public summary of the investigation which outlines the reasons for that decision, which must include the information set out by regulation. Public summaries are drafted with the goal of adequate information to allow the public to understand the Director’s rationale and conclusions.

**Mandate invoked:** This investigation was authorized under Section 26I of *Police Act* due to the serious injuries of the Affected Party.

**Timeline:** SiRT commenced its investigation on July 10, 2025. The investigation concluded on November 20, 2025.

**Terminology:** This summary uses the following language in accordance with regulations made under the *Police Act* and to protect the privacy of those involved:

- “**Affected Party/AP**” means the person who died or was seriously injured in relation to a serious incident.
- “**Civilian Witness/CW**” means any non-police individual who is a witness to or has material information relating to a serious incident.
- “**Witness Officer/WO**” means any police officer who is a witness to or has material information relating to a serious incident.
- “**Subject Officer/SO**” means a police officer who is the subject of an investigation, or whose actions may have resulted in a serious incident.

**Evidence:** The decision summarized in this report is based on evidence collected and analyzed during the investigation, including, but not limited to, the following:

1. Initial Occurrence Police Report and 911 Call
2. Police Radio Transmissions
3. Witness Officer Reports and Statements (17)
4. Civilian Statements (11)
5. Video Footage
6. Notes and Reports of the Subject Officer
7. Forensic Identification Services (FIS) Reports

## **INVESTIGATION SUMMARY**

### **Introduction**

On July 9<sup>th</sup>, 2025, at 6:46 pm, Halifax Regional Police (HRP) received a 911 call regarding a barricaded person in a residence. The barricaded person (the Affected Party/"AP"), had placed the call to police. When police arrived, the AP refused to speak with them or come out of the residence. The AP called 911 again stating it was just a test. HRP officers had become aware the AP's adult daughter, who is a person with autism and non-verbal, was also inside the residence.

Officers were concerned for the AP's mental health and had grounds for the AP's arrest for public mischief. They surrounded the residence and continued to ask the AP to come outside. The AP refused and made threats toward the officers, was acting volatile, and could be heard drilling barricades on the residence. Police believed they heard the AP racking a firearm and later received information that the AP owned a firearm. HRP officers remained on scene overnight trying to remove the AP from the residence. The next morning, judicial authorization (warrant) was granted to enter the AP's residence and arrest him. The HRP Emergency Response Team (ERT) attended the scene to facilitate entry. At approximately 7:00 am, as officers were trying to gain entry into the home, the AP, who was still inside, fired a flare gun in the direction of the officers. He pointed an object which appeared to be a firearm at the officers. The AP leveled the firearm, and the Subject Officer (SO) discharged his firearm, striking the AP.

RCMP officers attended the scene to assist. They entered the home and arrested the AP. Emergency Health Services (EHS) attended and treated him for gunshot wounds. The AP and his daughter were transported to hospital. The AP did not consent to the release of medical information, so SiRT could not confirm the exact nature of his injuries. However, through the investigation EHS confirmed the AP sustained several gunshot wounds to the torso, which required immediate medical care.

### **911 Call**

On July 9<sup>th</sup>, 2025, HRP dispatch received two 911 calls from the AP. The first call came in at approximately 6:45 pm. The AP stated “Ah yes, we have a person barricaded in at [address] in Halifax and that’s all I’m going to say. Bye.” At approximately 7:00 pm, the AP made a second 911 call stating, “Ah yeah, tell the officers that arrived at [address] in Halifax that it was a test. And ask them to call [names]. That’s it, thank you, bye.”

### **Witness Officers**

Several officers were involved in this incident. Seventeen witness officers were interviewed and/or provided their notes and reports to SiRT, including the initial responding officer, supervisors, and members who had contact with the AP. Other officers who performed ancillary roles were not relevant for the purpose of SiRT’s investigation.

Witness Officer #1 (WO1) responded to the call with Witness Officer #2 (WO2) at 6:54 pm with their lights and sirens activated. When they arrived, WO1 didn’t notice anything unusual about the house, and knocked on the front door. The AP came to the window, and despite multiple requests, refused to come outside to talk to the officers. Rather, he asked to speak with two specific officers. WO1 advised they were not available, but he could talk to him. The AP moved away from the door and went to the side patio. There were stairs leading up to the side patio and a tall fence around it. The AP continued to insist he would only talk to the two officers he named earlier. While WO1 was by the patio, he heard Witness Officer #3 (WO3) state that he heard a “shotgun rack”. WO1 looked to see if he could see a shotgun and then moved to the side of the residence for cover and containment, where he remained until 7:00 am the next morning. WO1 did not hear the shotgun racking himself but indicated his risk assessment was high based on the fact there was possibly a shotgun inside the residence.

WO2 arrived on scene at the same time as WO1. WO2 went to the stairwell by the side of the residence to try and see what was happening and secure any exit points. She was aware that the AP had called 911 to report he had barricaded himself in the residence. WO2 was under the deck and could hear WO1 talking with the AP. She heard the AP walk out onto the patio and a drilling noise, which she assumed was the AP trying to barricade the deck. WO3 came to the side of the residence with WO2. At that point, WO2 heard a sound that she believed to be a shotgun racking, which she stated put her on high alert. WO3 was also present and left to get his carbine rifle. WO2 remained on scene, keeping watch on the side door and observed the AP turning the lights on and off inside the residence.

WO2 was tasked with obtaining statements from the AP's family members (Civilian Witness #1 and #2/CW1 and CW2). She met with these witnesses between 8:00 pm and 10:00 pm on July 9<sup>th</sup> and learned the AP's mental health had declined and that he owned firearms. She also learned the AP's adult daughter is non-verbal and a person with autism. This information was reported to the HRP Watch Commander *Director's Note: A Watch Commander is a leadership role that is responsible for ensuring adequate staffing, reporting significant events, and making key decisions during active calls for service, such as when specialized units are required).*

WO2 returned to her position at the residence. She stated she heard the AP talking throughout the night, mostly about his daughter. She also heard other noises which led her to believe he was drinking, loading a magazine into a firearm and racking a shotgun. WO2 stated the initial racking of the shotgun sound put her on high alert, as there was a potential active shooter who could harm himself and someone else.

WO3 was working in his capacity as a police dog handler on the day of the incident. At the time of the call, he was close to the residence and attended the scene. WO1 and WO2 were already there. Once on scene, WO3 went to the back of the residence. Approximately 4-5 minutes later, WO3 observed a window open and heard what he believed was a shotgun cycling and advised dispatch. WO3 stated he then heard a drilling sound, which he believed was the AP barricading the residence. WO3 stated the threat level had increased significantly, which led him to go to his police vehicle to obtain his heavy body armour, and a carbine rifle. All information was relayed to police dispatch. WO3 became aware that the AP had spoken with officers he originally requested to speak with, but they were unsuccessful and he was still refusing to leave the residence. WO3 stated he was informed that a second group of officers heard a gun cycling and more drilling. He also heard that police had spoken to the AP's family members, who stated they believed he had a firearm in his residence. WO3 stated that there was little communication with the AP, so a police vehicle was pulled up in front of the residence, with lights flashing and officers started to use a loud hailer to make verbal commands to the AP. WO3 and another officer used the loud hailer to tell the AP they were there to help him, they wanted to get him medical attention, and make sure he is safe. They knew the AP's daughter was inside with him. WO3 stated the AP did not respond to the commands, but came to the window in each room, turned the lights on and off, and opened and shut the shades. WO3 remained on scene until 12:30am, when his shift ended.

Witness Officer # 4 (WO4) was the Watch Commander for the incident. He stated he received a call early in his shift regarding a barricaded person. Plans were initiated to ensure the scene was contained. The initial information was the AP was disgruntled and wanted to speak to specific officers and it was believed he called 911 to get a response from the police. WO4 stated that the

officers he requested spoke with the AP but were unsuccessful in having him exit the residence. They established that the AP was experiencing a mental health crisis and that his daughter was inside. WO4 stated that officers observed movement within the residence but were unable to initially confirm how many people were inside. A decision was made to reach out to the AP's family members to learn more information. Police also reached out to the Mobile Mental Health Unit to see if they had any earlier involvement with the AP, which they did not. After talking to the family, WO4 stated there were still a lot of unknowns, such as whether people were safe inside, the extent of the AP's mental health deterioration, and whether the AP had been using drugs or alcohol.

The officers had grounds to arrest the AP for public mischief and were concerned about his mental health and whether he was a threat to himself or others. WO4 stated they believed the AP had a firearm in the residence and that there were residents nearby who were either sheltering in place or had been evacuated. A decision was made to call in a negotiator to see if they could get the AP out of the house. The negotiators were briefed on the situation and made some calls to the AP. The AP did not want to talk and then it appeared he turned his phone off.

WO4 stated that officers tried to engage with the loud hailer, but he still refused to come out. When the AP did answer the phone, sometimes he was quiet, and other times he was volatile. The Emergency Response Team (ERT) were made aware of the situation but not called to attend right away. WO4 remained on scene until 5:00 am, when there was a shift change.

The AP had requested to speak to Witness Officers #5 and #6 (WO5 and WO6). WO5 was notified by dispatch that he was required to assist with a scene and obtained details about the incident. He called the Watch Commander and advised he was familiar with the AP as he had dealt with him previously. WO5 stated he called the AP, but he was very volatile, was rambling, yelling, and not making a lot of sense. The AP was not engaging in a conversation. WO5 tried to deescalate the AP, but the AP hung up on him. WO5 called back a few times, but each conversation was always short as the AP's behaviour would escalate and he would hang up. Since the phone calls were unsuccessful, WO5 attended the scene. He said he was unable to reason with the AP, the AP sounded intoxicated and his behaviour escalated to a point he had never seen in dealing with him. It was suggested that WO6, who was also familiar with the AP, try to talk to him. WO5 told the Watch Commander that he didn't believe the AP would exit the residence or that the situation would end peacefully, as the AP was so angry and intent on controlling the conversation. He stated that he didn't think they would be able to convince the AP to exit and police would need to go inside to get him.

## *Serious Incident Response Team*

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WO5 called WO6 around 8:00 pm (July 9<sup>th</sup>), WO6 had dealt with the AP years prior. She was advised of the situation and reached out to the AP through a three-way call, so the other officers could hear the conversation. The AP was very agitated and demanding, to the point that WO6 had a difficult time speaking. WO6 said the AP wasn't making sense and kept hanging up on her. She spoke with the AP 8-10 times throughout the course of the evening. WO6 said it was very clear the AP was in a mental crisis. She was concerned for the safety of the AP and his daughter. During their last conversation, the AP made a threat to WO6, which caused her to be fearful for everyone involved.

Witness Officer #7 (WO7) was a supervisor for the nightshift when the 911 call came in. As he was arriving on scene, other members were deploying. He explained the tactical plans that were made due to the nature of the situation. WO7 spoke with CW1 on the phone. She told him the last time she had been in the residence was 7 months prior and the AP had barricades by his door, and the drilling noise was likely him securing them. She also said there was a firearm (a .22) by the front door. WO7 tasked WO2 with obtaining a statement from CW1 and CW2. After WO2 completed these interviews, WO7 became aware there were concerns the AP could harm his daughter. WO7 completed a risk assessment and determined the appropriate plans for a response based on his assessment. Crisis Negotiators arrived on scene to assist. When WO7 finished his shift the following morning, the incident was still ongoing.

## *Emergency Response Team*

Witness Officer #8 (WO8) was the Incident Commander on the night of the incident. (*Director's Note: The Incident Commander is the person responsible for and directs the emergency response*). He received a call about the situation involving the AP the evening on July 9, 2025, and asked whether ERT should be deployed. At that time, the decision was made not to deploy ERT and that the team should first try to establish contact with the AP. It was discussed that if the situation changed, ERT could be deployed. WO8 stated a negotiation team was called in and AP's family advised the AP had a firearm. Officers sought a Fenney Warrant, which is judicial authorization to enter the residence to arrest a person. ERT arrived on scene around 6:50 am on July 10<sup>th</sup>. It was approved that negotiators would start calling the AP again to establish contact. WO8 noted the AP was irate and continued to make threats toward the police and that he would kill people. ERT used a number of techniques and devices to gain his attention and try to enter the residence to take him into custody. The AP then pointed and shot a flare gun at ERT members. As the ERT members were trying to negotiate with him he produced a long gun. At that point, WO8 heard over the radio that an officer fired shots and that the AP was down, but still moving and talking. The RCMP ERT team was called in to assist and eventually took over command of the scene. Once it was confirmed the AP had moved back into a bedroom and was

out of sight, they forced entry into the residence and the RCMP were able to remove the AP and his daughter.

Witness Officer #9 (WO9) was the crisis negotiator who was dispatched in the morning. She stated the AP was demanding the police leave and threatening that if they entered the residence things would “get very bad.” He also made comments that he would start shooting and was heard saying “I will kill you.”

Witness Officer #10 (WO10) was a member of the HRP ERT team. He was tasked with observing the front side of the residence. He stated that as an ERT member broke the front window of the residence, he observed a “ball of fire” come from inside. He saw the AP initially with nothing in his hands and then the AP disappeared. He re-appeared with a black, rifle-style firearm. WO10 voiced this over the radio. WO10 started to transition his weapons from a less lethal option to his rifle, when the SO fired four rounds from his firearm. The AP dropped out of WO10’s field of view.

Witness Officer #11 (WO11) was the drone operator. She indicated that she observed the AP walking inside the residence with a flare gun in his hand, which he discharged at the drone. Witness Officer #12 (WO12) stated when the front window was breached, he could see the AP pacing inside the residence. It appeared he was carrying a black long gun and holding it down to his side. He heard the SO yell “gun, gun, he has a gun.” He heard someone say the AP leveled the firearm and then he heard 2-3 gun shots. Witness Officer # 13 (WO13) requested that RCMP ERT attend the scene. RCMP arrived and they took over the operation to have the AP and his daughter removed from the residence.

### **Subject Officer (SO)**

Subject Officers are not required by law to provide their notes and reports to SiRT or to submit to an interview. In this case, although not required, the SO consented to SiRT reviewing his notes and reports, including his Subject Behavior Officer Response (SBOR) Report.

The SO was an ERT member, and on the day of the incident he was deployed to a residence in relation to a barricaded person. He arrived on scene at 6:49 am on July 10th. He took his position, which gave him a clear view of the front windows and door of the residence. The SO was aware this incident had been ongoing for several hours prior to his arrival. He noted he reviewed the file and learned the AP was inside, possibly with a firearm, had made threats toward the police, and was believed to have barricaded parts of the home. He noted that since the incident had been ongoing for a significant period, this gave the AP time to prepare for a possible confrontation with the police. The SO was also aware the AP’s daughter was inside. Shortly after the SO arrived on

scene, ERT members started to breach the front window. The SO noted he observed a flare come towards those members through the window. The SO could not see who fired the flare, but believed it was intentionally directed at the officers. Once the window was cleared, the SO had a better view of the residence. He noted he observed the AP behind a half wall, holding what appeared to be a long gun in his left hand. Initially, the AP had the gun by his side, pointing toward the floor. The AP started yelling and looking at the locations of the officers. The SO noted he believed the AP was making a mental note of where everyone was. The SO's reports state he started to fear for his safety and the safety of the officers, as there were numerous locations inside the residence that the AP could move to and shoot at them. The AP then quickly aimed the firearm towards the officers. The SO believed he was about to shoot and that there was imminent danger to the officers. The SO fired multiple rounds from his firearm toward the centre of the AP's body. He then saw him disappear into the kitchen area. The SO could not recall exactly how many rounds he fired, he thought three, but stated he fired until he believed the AP was no longer a threat. Once the shots were fired, the SO radioed what had happened. The SO inserted a drone to view inside the residence. He observed the AP had blood on him and appeared to be moving slowly. He was attempting to come after the drone. The AP retreated to a room at the end of the hallway. The SO observed a rifle and flare gun in the hallway with a pool of blood around them. He also observed multiple doors inside barricaded with wood and other devices. The RCMP ERT team arrived, took over, and the AP and his daughter were removed from the residence. The SO noted both the AP and his daughter appeared injured.

### **Civilian Witnesses**

A number of civilian witnesses were interviewed. Two civilian witnesses were interviewed by WO2 while the incident was ongoing. Other witnesses were interviewed by SiRT after the incident had concluded. The interviews conducted by HRP were provided to SiRT as part of the investigative file.

Civilian Witness #1 (CW1) and Civilian Witness #2 (CW2) are family members of the AP, who were interviewed by WO2 while the incident was ongoing (the evening of July 9<sup>th</sup>, 2025). CW1 explained the AP's mental health had declined over the past few months. She also stated the AP cared for his non-verbal, adult daughter who is a person with autism, and that she would be in the residence with him. When asked whether the AP had ever mentioned harming himself or others, CW1 stated he once said, "might as well go out with a bang".

CW2 stated there was a change in the AP about six months prior to the incident. She said she hadn't spoken with the AP since that time. He had started blaming people for trying to "set him up" and started blaming her for things. The AP had never acted that way with her before. CW2 stated that the AP consumes excessive alcohol. When asked if he had weapons, she stated that she

knew he had some when he was living in a previous residence. She wasn't sure what he had, but knew he had a pellet gun. CW2 stated the AP can get mad fast and if he has something in his mind, he isn't going to back down.

Three (3) civilian witness who were in the area at the time of the incident were interviewed by SiRT. They all confirmed there was an incident at the residence that occurred the evening on July 9<sup>th</sup>. Police were showing up with rifles and trying to get the AP out of the residence. Civilian Witness #3 (CW3) stated the initial commands were asking the AP to leave the residence and letting him know they were in contact with his family.

The following morning, things escalated, when the ERT team showed up. The Civilian Witnesses heard commands of "you're under arrest, come out" being issued to the AP. None of the civilian witnesses heard shots fired or observed the AP inside the residence.

### **Video Footage**

Three civilians provided videos they had taken of the incident to SiRT. The videos show the police presence at the residence and the ERT team trying to breach the front window. In one video a flare can be seen shot from inside the residence towards the police. In another video, the ERT vehicle can be seen parked close to the residence in the front yard and commands are heard for the AP to come outside. Shortly after 4 shots from a firearm can be heard.

### **Emergency Health Services**

Six (6) paramedics were interviewed as part of the SiRT investigation. As previously noted, the AP did not provide an interview or consent to the release of his medical information. The paramedics were able to provide information about what occurred when they arrived on scene and their interactions with the AP.

Through the interviews, it was learned that the paramedics were notified of the incident and were staging nearby (*Directors Note: staging is when EHS remains close to a scene and ready to respond when necessary/when it is safe to do so*). At approximately 7:10 am, they became aware that shots were fired. They maintained communication with the police to determine what was happening with the people in the residence.

The paramedics were then advised the police had custody of the AP. He was inside on a stretcher provided by the ERT team. One of the paramedics entered the home and learned from an ERT member that the AP was shot four times. They located four entry wounds, but no exit wounds, in

the left side of his abdomen and hip. The AP was having trouble breathing. Medical care was administered to the AP, and he was transferred to hospital.

### **Forensic Identification Services (FIS)**

Forensic Identification Services from the RCMP processed the scene and located four empty shell casings near the road, in front of the residence, consistent with where the SO would have fired shots. A projectile/bullet was located in a chair in the living room. There was also damage to a wall that was consistent with a bullet entry. A bullet was not located and appeared to have exited through the exterior wall.

Inside the residence, a long gun, later determined to be a Remington: Express Hunter Air Rifle, was located by the entryway. An orange flare gun was located in the kitchen. A large kitchen knife, with what appeared to be blood was located in one of the bedrooms.

### **RELEVANT LEGISLATION**

#### ***Criminal Code:***

#### Protection of persons acting under authority

25 (1) Every one who is required or authorized by law to do anything in the administration or enforcement of the law

- (a) as a private person,
- (b) as a peace officer or public officer,
- (c) in aid of a peace officer or public officer, or
- (d) by virtue of his office,

is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.

#### When not protected

(3) Subject to subsections (4) and (5), a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm.

When protected

(4) A peace officer, and every person lawfully assisting the peace officer, is justified in using force that is intended or is likely to cause death or grievous bodily harm to a person to be arrested, if

(a) the peace officer is proceeding lawfully to arrest, with or without warrant, the person to be arrested;

(b) the offence for which the person is to be arrested is one for which that person may be arrested without warrant;

(c) the person to be arrested takes flight to avoid arrest;

(d) the peace officer or other person using the force believes on reasonable grounds that the force is necessary for the purpose of protecting the peace officer, the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm; and

(e) the flight cannot be prevented by reasonable means in a less violent manner.

Excessive force

26 Every one who is authorized by law to use force is criminally responsible for any excess thereof according to the nature and quality of the act that constitutes the excess.

**LEGAL ISSUES & ANALYSIS**

I must now assess the evidence to determine whether there are reasonable and probable grounds to believe a criminal offence has been committed. Reasonable and probable grounds is a standard lower than a balance of probabilities or beyond a reasonable doubt, and more than reasonable suspicion.

Section 25 of the *Criminal Code* permits a peace officer, acting on reasonable grounds, to use as much force as is necessary to enforce or administer the law, provided that the force used is not excessive based on all the circumstances. A peace officer is justified in using force that is intended or is likely to cause death or grievous bodily harm if they believe on reasonable grounds that the force is necessary for the purpose of protecting the peace officer or another person from imminent or future death or grievous bodily harm. The Supreme Court of Canada in *R v Nasogaluak* [2010] 1 S.C.R. 206, at paragraph 35 stated:

Police actions should not be judged against a standard of perfection. It must be remembered that the police engage in dangerous and demanding work and often have to react quickly to emergencies. Their actions should be judged in light of these exigent circumstances. As Anderson J.A. explained in *R. v. Bottrell* (1981), 60 C.C.C. (2d) 211 (B.C.C.A.):

In determining whether the amount of force used by the officer was necessary the jury must have regard to the circumstances as they existed at the time the force was used. They should have been directed that the appellant could not be expected to measure the force used with exactitude.

The SO and the other officers were lawfully in the execution of their duties as police officers when they arrived at the AP's residence. The AP had called 911 reporting a barricaded person at his residence. He called back shortly after stating the call was a test. Officers had concerns for his mental health and formed grounds for his arrest for public mischief.

When the officers initially arrived on scene, they heard drilling, which indicated the AP was barricading the residence and heard what was believed to be a firearm racking. Officers became aware that the AP's daughter was inside the residence. Through family members, they learned the AP was experiencing mental health issues and owned a firearm. Officers took many steps over the course of the evening and early morning hours to peacefully remove the AP from the residence. They used a crisis negotiator and put the AP in contact with the officers he had initially requested. Throughout the course of the incident, it was clear the AP's mental health was declining. He refused to leave the residence and made threats toward the police. A Feeney Warrant was obtained, giving police judicial authorization to enter the home. The morning of July 10<sup>th</sup>, the ERT team arrived to assist with the execution of the Feeney Warrant. Prior to using any force to enter the home, a crisis negotiator again tried to have the AP exit the residence. When this failed, officers made attempts to breach the front window of the residence. The AP fired a flare gun in the direction of the officers. Immediately after, officers observed the AP with what appeared to be a firearm. The SO, who had a clear view from his position noted the AP appeared to be monitoring the location of the officers. He also saw the AP had a wide latitude within the residence to fire at numerous officers. When the AP leveled the firearm, the SO fired four shots at him, causing the AP to retreat to the back of the residence. Following the shots, the AP fired a flare gun toward a drone that had been deployed inside.

When police officers use force in the administration or enforcement of the law, their legal constraints are articulated in the *Criminal Code*. Police forces have developed tools to assist officers in assessing risks and determining what type of intervention is consistent with the law. HRP follows the National Use of Force Framework ("Framework"). The Framework is not law, but was developed to help officers apply the law. The Framework takes into consideration (1) the situation; (2) the behaviour of the subject; and (3) perception of the officers and tactical considerations in the application of force. Pursuant to s. 25 of the *Criminal Code*, lethal force is only permissible when an officer reasonably believes it is necessary for the protection of themselves or others from death or grievous bodily harm. Officers had taken many steps to try and

have the AP exit the residence. They could not leave, as they had concerns for the safety of the AP, his daughter, and the public. This incident occurred in a residential area, with many civilians living nearby. The AP was threatening officers and it was believed he had a firearm. However, it wasn't until the AP fired a flare gun toward officers and pointed a firearm in their direction that force was used against him. Based on the totality of the circumstances, it was reasonable for the SO to believe the AP could have caused death or grievous bodily harm. The SO stated that he believed the AP was about to shoot, placing the officers in imminent danger. The AP fired four shots, which resulted in the AP retreating. The SO indicated that he fired shots until he felt the AP was no longer a threat. The SO's actions in firing shots toward the AP was necessary and reasonable in the circumstances.

### **CONCLUSION**

After a careful review of the evidence and the law, I have determined that there are no reasonable grounds to believe the SO committed a criminal offence.