

**From:** Clark, Charity <Charity.Clark@vermont.gov>

**Sent:** Monday, November 2, 2020 10:23 AM

**To:** 101045-99604118@requests.muckrock.com

**Subject:** RE: Vermont Public Records Act Request: Officer-involved shootings historical data

Dear Mr. Waters,

Apologies for the delay. Please see attached.

Charity R. Clark  
Chief of Staff  
Office of the Attorney General  
109 State Street  
Montpelier, Vermont 05609  
802-828-3171  
Pronouns: she/her/hers

**THOMAS J. DONOVAN, JR.**  
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**STATE OF VERMONT  
OFFICE OF THE ATTORNEY GENERAL  
109 STATE STREET  
MONTPELIER, VT  
05609-1001**

*Via email to 101045-99604118@requests.muckrock.com*

November 2, 2020

Brian Waters  
MuckRock News  
DEPT MR 101045  
411A Highland Ave  
Somerville, MA 02144-2516

Re: Vermont Public Records Act request, dated August 17, 2020

Dear Mr. Waters:

I write in response to your request for public records, dated August 17, 2020. You requested, "lists, tables, or data sets your agency may have compiled on the subject [of officer-involved shootings in Vermont], going back in time as far as data is available."

I have attached the document I mentioned in my letter last month, along with a table the scope of which extends to 1977. As previously mentioned, the time spent searching for and gathering these documents took 30 minutes and is therefore free. Your request, however, was much broader, and proceeding with the request as written will therefore incur costs. If you wish to proceed further, please let me know and we can prepare a cost estimate for you.

Sincerely,

/s/ \_\_\_\_\_  
Charity R. Clark  
Chief of Staff

**From:** [Jandl, Lauren](#)  
**To:** [Liam Connors](#)  
**Cc:** [Clark, Charity](#)  
**Subject:** RE: following up...  
**Date:** Tuesday, December 10, 2019 3:31:00 PM  
**Attachments:**

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Hi Liam,

1. The data separates officer-involved shootings (where police deployed a firearm) from other use of force incidents.
2. Attached is a spreadsheet listing **completed** officer-involved shootings and use-of-force reviews since January 1, 2017.  
\*Note that there is a correction on my previous update—there are **13** officer-involved shooting reviews (2 of which are confidential pending review) and **7** use-of-force reviews (1 of which is confidential pending review) since January 2017. The 3 confidential pending reviews are not reflected on the attached spreadsheet.

Hopefully this makes sense. Let me know if you have any questions.

Lauren

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**From:** Liam Connors <[lconnors@vpr.org](mailto:lconnors@vpr.org)>  
**Sent:** Monday, December 9, 2019 4:08 PM  
**To:** Jandl, Lauren <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**Cc:** Clark, Charity <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>  
**Subject:** Re: following up...

Sounds good, thank you

**Liam Elder-Connors** | Reporter | Vermont Public Radio | [lconnors@vpr.org](mailto:lconnors@vpr.org) | Direct 802.654.4339 | Mobile 802.503-8071 | [@lseconnors](#)

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**From:** "Lauren Jandl" <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**To:** "Liam Connors" <[lconnors@vpr.org](mailto:lconnors@vpr.org)>  
**Cc:** "Charity Clark" <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>  
**Sent:** Monday, December 9, 2019 4:02:42 PM  
**Subject:** RE: following up...

Hi Liam,

I have an update—the tally for officer-involved shooting reviews since January 2017 (including those in progress) is **14**.

I'm following up with folks about your clarifying questions. I'll get back to you ASAP.

Lauren

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**From:** Liam Connors <[lconnors@vpr.org](mailto:lconnors@vpr.org)>  
**Sent:** Monday, December 9, 2019 3:58 PM  
**To:** Jandl, Lauren <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**Cc:** Clark, Charity <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>  
**Subject:** Re: following up...

Hi Lauren and Charity,

This is helpful - thanks for sending it along. Just a few clarifying questions:

-- Wanted to confirm that shootings and use-of-force reviews are different and there's not an overlap between the two.

-- Can you provide me a list of the incidents for both categories and the outcome of the review.

Thanks  
Liam

**Liam Elder-Connors** | Reporter | Vermont Public Radio | [lconnors@vpr.org](mailto:lconnors@vpr.org) | Direct 802.654.4339 | Mobile 802.503-8071 | [@lseconnors](#)

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**From:** "Lauren Jandl" <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**To:** "Liam Connors" <[lconnors@vpr.org](mailto:lconnors@vpr.org)>  
**Cc:** "Charity Clark" <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>  
**Sent:** Monday, December 9, 2019 3:51:02 PM  
**Subject:** RE: following up...

Hi Liam,

Here's what we've found:

Officer-involved shooting reviews since January 2017 (including those in progress): 13  
Use of force reviews since January 2017 (including those in progress): 7

Please note the above does not include instances where law enforcement officers may have been involved in domestic assaults or other off duty misconduct.

Hope this is helpful. Please let me know if you have any other questions.

Lauren

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**From:** Liam Connors <[lconnors@vpr.org](mailto:lconnors@vpr.org)>  
**Sent:** Monday, December 9, 2019 3:23 PM  
**To:** Clark, Charity <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>  
**Cc:** Jandl, Lauren <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**Subject:** Re: following up...

Great - thank you both!

Liam

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**From:** "Charity Clark" <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>  
**To:** "Liam Connors" <[lconnors@vpr.org](mailto:lconnors@vpr.org)>  
**Cc:** "Lauren Jandl" <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**Sent:** Monday, December 9, 2019 3:19:20 PM  
**Subject:** RE: following up...

Liam,

I don't have this info yet, but I have followed up with the folks who were gathering it. I'm still hopeful that either Lauren or I will be able to get you this info today. Stay tuned!

Charity

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**From:** Liam Connors <[lconnors@vpr.org](mailto:lconnors@vpr.org)>  
**Sent:** Monday, December 9, 2019 2:16 PM  
**To:** Clark, Charity <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>  
**Subject:** following up...

Hi Charity,

Hope you had a good weekend ... just wanted to follow up about the info I was looking for on police use-of-force/alleged misconduct that the AG's office has reviewed. Will that info still be ready by the end of today?

Thanks,  
Liam

**Liam Elder-Connors** | Reporter | Vermont Public Radio | [lconnors@vpr.org](mailto:lconnors@vpr.org) | Direct  
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AGO Use of Force Reviews Since January 1, 2017

Date of Incident	Location of Incident	Officer(s) Involved	Announcement of Findings
8/31/2017 - 9/1/2017	Poultney	Anderson, Tpr. Michael; Brown, Tpr. Chris; Cannon, Tpr. Matt; Decker, Sgt. Lyle; Vitali, Tpr. Eric	Attorney General's Office announced findings of review with the Rutland County State's Attorney at a press conference on 12/5/17.
1/16/2018	Montpelier	Brown, Tpr. Christopher; Decker, Sgt. Lyle; Degre, Tpr. Brandon; Duplissis, Sgt. Eugene; Lozier, Sgt. Cory; Merriam, Tpr. Isaac; Winn, Sgt. Charles; White, Sgt. David; Philbrook, Ofc. Michael	Attorney General's Office announced findings of review at press conference on 4/17/18.
2/2/2018	St. Albans	Lawton, Former Sgt. Jason; Malinowski, Cpl. Michael	Attorney General's Office issued press release announcing findings on 3/16/18. <a href="https://ago.vermont.gov/blog/2018/03/16/st-albans-police-officers-will-not-be-prosecuted-for-january-2-2018-shooting/">https://ago.vermont.gov/blog/2018/03/16/st-albans-police-officers-will-not-be-prosecuted-for-january-2-2018-shooting/</a>
2/11/2018	Richmond	Brown, Tpr. Chris; Greenough, Cpl. Rick	Attorney General's Office announced findings of review at press conference on 6/1/18.
5/4/2018	Brattleboro	Wilson, Ofc. Sean; Stanley, Sgt. Steven; Cable, Ofc. Michael; Lengfellner, Tpr. Jason	Attorney General's Office issued press release announcing findings on 8/30/18. <a href="https://ago.vermont.gov/blog/2018/08/30/brattleboro-police-officers-and-vermont-state-police-trooper-will-not-be-prosecuted-for-may-4-2018-shooting/">https://ago.vermont.gov/blog/2018/08/30/brattleboro-police-officers-and-vermont-state-police-trooper-will-not-be-prosecuted-for-may-4-2018-shooting/</a>
10/18/2018	Pownal	Sandberg, Tpr. Thomas	Attorney General's Office issued press release on 1/3/19. <a href="https://ago.vermont.gov/blog/2019/01/03/vermont-state-police-trooper-will-not-be-prosecuted-for-october-18-2018-non-fatal-shooting-in-pownal/">https://ago.vermont.gov/blog/2019/01/03/vermont-state-police-trooper-will-not-be-prosecuted-for-october-18-2018-non-fatal-shooting-in-pownal/</a>
1/7/2019	Arlington	Witkowski, Tpr. Raymond	Attorney General's Office issued press release announcing findings on 4/17/19. <a href="https://ago.vermont.gov/blog/2019/04/17/vermont-state-trooper-will-not-be-prosecuted-for-january-7-2019-shooting/">https://ago.vermont.gov/blog/2019/04/17/vermont-state-trooper-will-not-be-prosecuted-for-january-7-2019-shooting/</a>
3/9/2019	Rockingham	Duplissis, Sgt. Eugene	Attorney General's Office issued press release announcing findings on 4/5/19. <a href="https://ago.vermont.gov/blog/2019/04/05/vermont-state-police-trooper-will-not-be-prosecuted-for-march-9-2019-officer-involved-shooting-in-rockingham/">https://ago.vermont.gov/blog/2019/04/05/vermont-state-police-trooper-will-not-be-prosecuted-for-march-9-2019-officer-involved-shooting-in-rockingham/</a>
5/11/2019	Tunbridge	Tarricone, Sgt. Matthew; Neil, Tpr. Carey	Attorney General's Office issued press release announcing findings on 9/10/19. <a href="https://ago.vermont.gov/blog/2019/09/10/vermont-state-troopers-will-not-be-prosecuted-for-fatal-shooting-in-tunbridge/">https://ago.vermont.gov/blog/2019/09/10/vermont-state-troopers-will-not-be-prosecuted-for-fatal-shooting-in-tunbridge/</a>
5/5/2019	Quechee	Vitali, Tpr. Eric	Attorney General's Office issued press release announcing findings on 8/29/19. <a href="https://ago.vermont.gov/blog/2019/08/29/vermont-state-police-trooper-will-not-be-prosecuted-for-may-5-2019-officer-involved-non-fatal-shooting-in-quechee/">https://ago.vermont.gov/blog/2019/08/29/vermont-state-police-trooper-will-not-be-prosecuted-for-may-5-2019-officer-involved-non-fatal-shooting-in-quechee/</a>
8/9/2019	Montpelier	Bean, Cpl. Chad	Attorney General's Office issued press release announcing findings on 10/30/19. <a href="https://ago.vermont.gov/blog/2019/10/30/montpelier-police-department-officer-will-not-be-prosecuted-for-fatal-shooting-in-montpelier/">https://ago.vermont.gov/blog/2019/10/30/montpelier-police-department-officer-will-not-be-prosecuted-for-fatal-shooting-in-montpelier/</a>




Officer Involved Shootings

DATE		OUTCOME	GJ?	NOTES
<b>11/22/1977</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. Fagerholm, J.	Officer		
	Mayers, Timothy	Deceased		
<b>12/22/1980</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. LeClair, M.	Officer		
	Clark, Clarence	Deceased		
<b>8/12/1983</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. Polovich, T.	Officer		
	Robarge, Jeffery	Deceased		
<b>9/21/1985</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. Shortsleeve, D.	Officer		
	Spackman, Nathan	Deceased		
<b>5/23/1991</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. Chisholm, T.	Officer		
	Root, Richard	Deceased		
<b>8/23/1995</b>	<b>Rutland P.D.</b>	<b>Justified</b>		
	Officer Stevens, K.	Officer		
	Pockette, Brian	Deceased		
<b>?/?/1997</b>	<b>Burlington P.D.</b>	<b>Justified</b>		
	S. Burke	Officer		
	D. Scibeck	Officer		
	UVM student	Deceased		Note: fatal shot was self-inflicted
<b>8/19/1997</b>	<b>VSP</b>	<b>Justified</b>		
	Unknown Officers	Officer		
	Drega, Carl	Deceased		
<b>6/6/1998</b>	<b>Essex Sheriff</b>	<b>Charged RE; NG</b>		
	Noble, John	Officer		
<b>4/8/2000</b>	<b>VSP</b>	<b>No charges filed</b>	<b>GJ?</b>	
	Tpr. Vargo, R.	Officer		
	Obert, Richard	Deceased		
<b>9/23/2000</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. Smith, L.	Officer		
	Wilcox, Wendell	Deceased		
<b>9/24/2001</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. Winn, R.	Officer		
	Tpr. Enzor, G.	Officer		
	Borlovan, Elisei	Deceased		
<b>12/2/2001</b>	<b>Brattleboro P.D.</b>	<b>Justified</b>		
	Officer Parker, T.	Officer		
	Officer Holbrook, M.	Officer		
	Woodward, Robert	Deceased		
<b>4/14/2002</b>	<b>VSP</b>	<b>Justified</b>		
	Jacques, Thomas	Officer		
	Harvey, David	injured		
<b>10/5/2002</b>	<b>VSP</b>	<b>Justified</b>		
	Tpr. Helfant, J.	Officer		
	Tpr. Finny, P.	Officer		
	Lizotte, Maurice	Deceased		
		<b>No Criminal Conduct</b>		
<b>11/10/2002</b>	<b>VSP</b>			
	Tpr. Mark Harvey	Officer		
	suspect unknown; fled	fired at vehicle;no injuries		
<b>11/12/2002</b>	<b>VSP</b>	<b>Justified</b>		

Officer Involved Shootings

	McCrillis, Christopher	Officer		
	Bark, David	Officer		
	Greene, Kimberly	injured		
<b>7/6/2003</b>	<b>VSP</b>	<b>Justified</b>		
	Patten, Robert	Officer		
	Patten, Merrill	Deceased		
<b>6/22/2004</b>	<b>VSP</b>	<b>Justified</b>		
	Gauthier, Paul	Officer		
	Millett, James	injured		
<b>8/16/2004</b>	<b>Springfield P.D.</b>	<b>No charges filed</b>	<b>GJ</b>	
	Norton, Christopher	Officer		
	Keus, Nina	no injuries		
<b>8/30/2004</b>	<b>Hartford P.D.</b>	<b>Justified</b>		
	Ebbighausen, Karl	Officer		
	Martin, Daniel	Officer		
	Louizer, Kevin	no injuries		
<b>11/2/2005</b>	<b>South Burlington P.D.</b>	<b>Justified</b>		
	Leblanc, Todd	Officer		
	Newell, Shawn	no injuries		
<b>11/10/2005</b>	<b>Barre Town P.D.</b>	<b>Justified</b>		
	Patrolman Riddle, D.	Officer		
	Wiggin, Randy	Deceased		
		<b>No Criminal</b>		
<b>5/26/2006</b>	<b>Rutland P.D.</b>	<b>Conduct</b>		
	Dumas, Ed	Officer		
	Hall, Charles	Officer		
	Bartlett, Joseph	Officer		
	Shauwecker, David	Officer		
	Reid, Robert	Deceased		Note: not a shooting; death in police custody after non-lethal use of force
<b>6/24/2006</b>	<b>VSP</b>	<b>Justified</b>		
	Thomas, Mark	Officer		
	Campange, Andrew	Officer		
	Fortunati, Joseph	Deceased		
<b>4/22/2008</b>	<b>VSP</b>	<b>Justified</b>		
	Manley, Michael	Officer		
	O'Donnell, Hugh	Officer		
	Tufts, Darren	Deceased		
<b>11/17/2008</b>	<b>VSP</b>	<b>Justified</b>		
	McNamara, Stephen, Sgt.	Officer		
	Cantin, Charles	injured		
<b>11/19/2008</b>	<b>VSP</b>	<b>Justified</b>		
	Mozzer, Thomas, Sgt.	Officer		
	Walters, John	injured		
<b>12/28/2008</b>	<b>VSP</b>	<b>Justified</b>		
	Corliss, Stacy, Tpr.	Officer		
	Connelly, John	no injuries		
<b>2/13/2009</b>	<b>Shelburne P.D.</b>	<b>Justified</b>		
	Barrows, Robert, Ofr.	Officer		
	O'Brien, Kelley	injured		
				Note: Shooting occurred in W. Woodbury, Wash. Cty.
<b>5/29/2009</b>	<b>Hardwick P.D.</b>	<b>Justified</b>		
	Gero, Michael, Ofr.	Officer		
	Bird, Carey P.	no injuries		

Officer Involved Shootings

<b>11/8/2009</b>	<b>Rutland P.D.</b>	<b>Justified</b>		
	Post, Frank, Ofc.	Officer		
	Plowden, Tyshawn	no injuries		
<b>8/2/2010</b>	<b>VSP</b>	<b>Justified</b>		<b>AGO received file 11/15/10</b>
	Shelp, Ben, Tpr.	Officer		
	Poulin, Donald	no injuries		
<b>9/28/2010</b>	<b>Brattleboro P.D.</b>	<b>Justified</b>		<b>AGO received file 12/14/10</b>
	Amy Hamilton	Officer		
	Brendan Houston	injured		
<b>10/28/2010</b>	<b>VSP</b>	<b>Justified</b>		<b>AGO received file 1/13/11</b>
	Lora, Christopher, Tpr.	Officer		
	Lamont, James	Deceased		
<b>4/26/2011</b>	<b>VSP</b>	<b>Justified</b>		<b>AGO received file 7/27/11</b>
	Feeney, Paul, Tpr.	Officer		
	Farmer, Roger, Tpr.	Officer		
	Cuttita, Steven, Tpr.	Officer		
	Davis, Jeffrey	injured		
<b>11/17/2011</b>	<b>VSP</b>	<b>Justified</b>		<b>AGO received file 1/19/12</b>
	Hatch, Lewis, Tpr.	Officer		
	Woodburn, Gerald	Deceased		Note: fatal shot was self-inflicted
<b>4/30/2012</b>	<b>VSP</b>	<b>Justified</b>		<b>AGO received file 6/19/12; additional materials received 7/24/12.</b>
	Robinson, Dustin, Tpr.	Officer		
	Martel, Jonathon	Deceased		
<b>5/6/2012</b>	<b>Bellows Falls PD</b>	<b>No charges filed</b>	<b>GJ</b>	<b>AGO received file 7/13/12</b>
	Mayer, Todd, Officer	Officer		
	Arriaga, Melvin	no injuries		
<b>9/18/2012</b>	<b>VSP</b>	<b>Justified</b>		<b>AGO received file 1/25/13; follow up request material received 3/12/12.</b>
	May, Brian, Sgt.	Officer		
	Mahoney, William	injured		
<b>10/4/2012</b>	<b>Middlebury PD</b>	<b>Justified</b>		<b>AGO received file 3/8/13</b>
	Covey, Jason, Sgt.	Officer		
	Emilio, Kevin, Ptlm.	Officer		
	George Demarais	Deceased		
<b>4/25/2013</b>	<b>Winooski PD</b>	<b>Charged / Pled</b>	<b>GJ / Indicted</b>	<b>AGO received file 5/23/13</b>
	Nokes, Jason, Ofc.	Officer		
	Isaac Sage	injured		
<b>11/6/2013</b>	<b>Burlington PD</b>	<b>Justified</b>		<b>AGO received file 12/13/13</b>
	Thibault, Ethan, Ofc.	Officer		
	Brunette, Wayne	Deceased		
<b>4/4/2014</b>	<b>Brattleboro P.D.</b>	<b>Justified</b>		<b>AGO received file 5/19/14</b>
	Sgt. Mark Carignan	Officer		
	Michael Santiago	Deceased		
<b>4/5/2014</b>	<b>VSP (Leicester shooting, Addison Cty.)</b>	<b>Justified</b>		<b>No VSP file received by AGO initially / SA Fenster reviewed and charged suspect (not officer); <u>AGO received file 4/8/16 for independent review</u></b>
	Duplissis, Eugene, Sgt.	Officer		Note: Sgt. Duplissis and Tpr. Matthew Daley both injured by shots fired by Foley.
	Foley, Timonty	no injuries		

Officer Involved Shootings

<b>4/22/2014</b>	<b>Bennington P.D.</b>	<b>Justified</b>	<b>AGO received file 5/15/14</b>
	Plusch, Michael, Sgt.	Officer	
	Filo, Gregory	injured	
<b>5/28/2014</b>	<b>VSP (Barton shooting)</b>	<b>Justified</b>	<b>AGO received file 7/3/14</b>
	Girouard, Denis, Sgt.	Officer	
	Loomis, Seth, Tpr.	Officer	
	Jackson, Eric	injured	
<b>9/4/2014</b>	<b>VSP (Bristol shooting)</b>	<b>Justified</b>	<b>AGO received file 11/3/14</b>
	Dion, Michael, Sgt.	Officer	
	LaBossiere, Tina	injured	
	Michaud, Norman	injured	
<b>11/16/2014</b>	<b>Windsor P.D.</b>	<b>Pending / MIL</b>	<b>AGO received file 2/19/15; follow-up investigation rec.d 5/19/15</b>
	Palmer, Ryan, Ofc.	Officer	
	Burgos, Jorge	injured	
<b>9/11/2015</b>	<b>VSP (Fayston shooting)</b>	<b>Justified</b>	
	Brown, Christopher, Tpr.	Officer	
	Robert Smallidge	injured	
<b>9/20/2015</b>	<b>Burlington, P.D.</b>	<b>Justified</b>	
	Volp, Richard, Cpl.	Officer	
	LaBarge, Brian, Sgt.	Officer	
	James Hemingway	injured	
<b>12/22/2015</b>	<b>VSP / DEA (Burlington Shooting)</b>	<b>Justified</b>	
	Cannon, Matthew, Tpr.	Officer	
	Hoffman, Timothy, Agt.	Officer	
	Stephens, Kenneth	Deceased	
<b>3/21/2016</b>	<b>Burlington, P.D.</b>	<b>Justified</b>	<b>AGO received file 4/19/16</b>
	Bowers, David, Ofc.	Officer	
	Grenon, Ralph "Phil"	Deceased	
<b>9/16/2016</b>	<b>Franklin Cty. SD</b>	<b>Pending / EA</b>	<b>AGO received file 9/30/16</b>
	Palmier, Nicholas	Officer	
	Beshaw, Jesse	Deceased	