

STATE OF VERMONT

SUPERIOR COURT
Washington Unit

CIVIL DIVISION
Docket No. _ - _ - _

26-CV-03497

MARINA BROWN – VTLEAKS.ORG,

Plaintiff,

v.

VERMONT STATE POLICE,
STATE OF VERMONT DEPARTMENT
OF PUBLIC SAFETY

JENNIFER MORRISON – COMMISSIONER
STATE OF VERMONT DEPARTMENT
OF PUBLIC SAFETY ET AL.

Defendants.

Vermont Superior Court
WASHINGTON UNIT
FILED
APR 24 2026
JUN 11 2026
WASHINGTON UNIT

COMPLAINT

The plaintiff, Marina Brown, is the main person running the transparency site ‘vtleaks.org’ which seeks to promote governmental transparency by filing pertinent public records requests and publishing the results for all to see. Plaintiff filed 2 related Public Records Requests (PRR’s) on March 12 2026 which were denied in full in violation of the Public Records Act 1 V.S.A. §§ 315-320.

PARTIES

1) Marina Brown is the person who made the public records requests while residing in Orleans County Vermont. Most of the public records requests made by Ms Brown are posted to <https://vtleaks.org>.

2) The STATE OF VERMONT DEPARTMENT OF PUBLIC SAFETY is an agency within the State Government as defined by 1 V.S.A. § 317(a)(2). This agency may be referred to as DPS or VSP (Vermont State Police) in the remainder of this complaint.

3) JENNIFER MORRISON is the commissioner of the Department of Public Safety for the state of Vermont at whose directions all decisions regarding public records are made.

JURISDICTION AND VENUE

4) The Court's jurisdiction over this matter arises from 1 V.S.A. § 319. Venue in Washington County Superior Court is established by statute. Id.

FACTUAL ALLEGATIONS

5) On 12 Mar 2026 the plaintiff filed a public records request (Exhibit 1) regarding the inventory of less lethal crowd control munitions and devices (also referred to as crowd control munitions or crowd control) held by the Vermont State Police, purchase orders to usual sources of materiel, and documentation of acquisition from other sources, of less lethal munitions and crowd control equipment from March 11 2025 to March 30 2026 (or the date this request is fulfilled if before March 30 2026)¹

6) Later in the day the plaintiff followed up with an additional Public Records Request adding LRADS (Long Range Acoustic Devices) (Exhibit 2). Plaintiff asked for inventory, correspondence regarding acquisition of these munitions and vendors.²

1 A true and correct copy of the request is attached as Exhibit-1-PUBLIC-RECORDS-REQUEST--VERMONT-STATE-POLICE--NON-LETHAL-MUNITIONS.pdf

2 A true and correct copy of the request is attached as Exhibit-2-PUBLIC-RECORDS-REQUEST--VERMONT-STATE-POLICE--SONIC-WEAPONS.pdf

7) On April 21 2026 plaintiff received an email from Sam Weaver stating that the 2 Public Record Requests (PRR's) were denied (Exhibit 3).³

8) On 22 Apr 2026 Plaintiff appealed the first denial by sending an email to Sam Weaver (Exhibit 4).⁴

9) On 30 April 2026 plaintiff received a blanket denial of all requested information from Jennifer Morrison Commissioner Vermont Department of Public Safety. (Exhibit 5)⁵

PUBLIC RECORDS ACT

10) Article Six of the Vermont Constitution provides that, because power is “originally inherent in and co[n]sequently derived from the people,” all government officials are “at all times, in a legal way, accountable to them.”⁶ The Vermont Public Records Act was created to allow the public to exercise its right to oversee and hold government officials accountable.⁷ The purpose of the Act, stated in 1 V.S.A. § 315, is as follows:

“It is the policy of this subchapter to provide for free and open examination of records consistent with Chapter I, Article 6 of the Vermont Constitution. Officers of government are trustees and servants of the people and it is in the public interest to enable any person to review and criticize their decisions even though such examination may cause inconvenience or embarrassment. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Consistent with these principles, the General Assembly hereby declares that certain public records shall be made available to any person as hereinafter provided. To that end, the provisions of this subchapter shall be liberally construed to implement this policy, and the burden of proof shall be on the public agency to sustain its action.”⁸

11) The Vermont Supreme Court has repeatedly stated that the PRA must be construed

3 A true and correct copy of the denial is attached as Exhibit-3-PRA-Request-re-Less-Lethal-Munitions-and-Crowd-Control-Equipment.pdf

4 A true and correct copy of this email is attached as Exhibit-4-Re_PRA-Request-re-Less-Lethal-Munitions-and-Crowd-Control-Equipment1.pdf

5 A true and correct copy of this denial is attached as Exhibit-5-04-30-26 Brown Appeal Response-1.pdf .

6 Vt. Const. ch. I, art. 6.

7 1 V.S.A. § 315(a)

8 1 V.S.A. § 315(a)

liberally in favor of disclosure.⁹ Exceptions to disclosure must be construed “strictly against the custodians of the records and any doubts should be resolved in favor of disclosure.”¹⁰ The agency bears the burden of justifying withholding the requested records.¹¹ One such exception allows public officials to withhold records that are relevant to litigation to which the public agency is a party of record.¹² A broad interpretation of this exemption severely harms the public’s right to review and criticize government officials by cutting off “valuable information not only to the parties to the litigation, but to all Vermonters[.]”^{13 14}

12) The Public Records Act derives its authority from the First Amendment

“Although we base our decision in this case upon statutory rather than constitutional grounds, we are operating in the shadow of the First Amendment. Pursuant to the First Amendment, it is generally recognized that the public and the media have a constitutional right of access to information relating to the activities of law enforcement officers and to information concerning crime in the community. See, e.g., *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177, 186 (Tex.Ct. App. 1975).”¹⁵

13) Quis custodiet ipsos custodes? —Juvenal, Satire VI, lines 347—48

As stated in *The Stowe Reporter, LLC v. Town of Stowe*:

“The undercurrent to the present legal analysis is captured in Mr. Calvin and the Stowe Reporters’ filings concerning the need for the public to have information regarding the conduct, administration, and performance of local government and local government agencies. As stated above, the Mr. Calvin’s and the Stowe Reporters’ position is: Who watches the watchmen? They would posit that it is openness, public awareness, and access to information for the benefit of the general public that does this work by dispelling rumor, myth, conjecture, and conspiracy with the cold hard facts of objective reporting and good government process.”

The tradition since the ending of the secret “Star Chamber” Courts in Britain has been towards increasing transparency as the light of day sterilizes many of the ills related to the abuse of power.¹⁶

⁹ See, e.g., *Price v. Town of Fairlee*, 2011 VT 48, ¶ 13

¹⁰ 1 V.S.A. § 315(a).

¹¹ 1 V.S.A. § 315(a).

¹² 1 V.S.A. § 317(c)(14).

¹³ *Shlansky v. City of Burlington*, 2010 VT 90, ¶ 12.

¹⁴ Much of this section is from Vermont Journalism Trust 2020

¹⁵ *Caledonian Record Publishing Co v. Walton* 1990

¹⁶ *The Stowe Reporter, LLC v Town of Stowe*

14) It is in the public's interest to know how much is spent on various munitions as they are taxed in order to pay for this materiel.

15) It is in the public's interest to know with whom the state is doing business.

16) The Public Records Act defaults towards openness and transparency. As was argued in *The Stowe Reporter, LLC v Town of Stowe*:

"The Vermont Supreme Court has repeatedly stated that the PRA must be construed liberally in favor of disclosure.¹⁷ Exceptions to disclosure must be construed "strictly against the custodians of the records and any doubts should be resolved in favor of disclosure." The agency bears the burden of justifying withholding the requested records. One such exception allows public officials to withhold records that are relevant to litigation to which the public agency is a party of record.¹⁸ A broad interpretation of this exemption severely harms the public's right to review and criticize government officials by cutting off "valuable information not only to the parties to the litigation, but to all Vermonters[.]"¹⁹

Claims

Count I.

Violation of Vermont Public Records Law, 1 V.S.A. §§ 315–320

17) This section incorporates all the information set forth above.

18) The defendant issued a blanket denial of plaintiff's public record request when it was legally mandated to release some or all of the requested information.

19) The Vermont Department of Public Safety also known as Vermont State Police has public records in its possession including but not limited to: inventory records and emails regarding the acquisition of crowd control tools it could make accessible to the public by inspection or copying.

¹⁷ See, e.g., *Price v. Town of Fairlee*, 2011 VT 48, ¶ 13.

¹⁸ 1 V.S.A. § 317(c)(14).

¹⁹ *Shlansky v. City of Burlington*, 2010 VT 90, ¶ 12.

20) Sam Weaver for the VSP made the following erroneous claim:

"1 V.S.A. § 317(c)(32), which provides that records are exempt from public release and copying if public disclosure of "the information contained in the record would present a substantial likelihood of jeopardizing the safety of persons or the security of public property";"

It is hard to imagine how informing the public of the details of munitions that were openly seen on videos the VSP released would jeopardize the safety of persons or the security of public property. It is not a secret how these tools are used. There are no patented '7 herbs and spices' in the application of force in crowd suppression.

21) Sam Weaver for the VSP made the following erroneous claim:

"1 V.S.A. § 317(c)(25), which provides that "passwords, access codes, user identifications, security procedures, and similar information, the disclosure of which would threaten the safety of persons or the security of public property" are exempt from public release."

Plaintiff did not request passwords, access codes or user identifications. Additionally, plaintiff did not request security procedures, only information regarding the purchase of these crowd control munitions.

It is a big stretch to claim that knowing the exact details about well known munitions would threaten the safety of persons or the security of public property. Plaintiff would not object to redaction on these grounds but the bulk of the Public Records Request would not be effected by this exemption.

22) Upon appeal to the Commissioner she denied the request citing Government Accountability Project v. Central Intelligence Agency, 548 F.Supp.3d 140 (D.D.C. 2021). Government Accountability Project v. Central Intelligence Agency regards a confirm or deny request regarding Nuclear cooperation in the Middle East. Vermont State Police well known purchases of pepper spray and pepper balls hardly rise to the relevancy of nuclear devices and if the VSP possesses nuclear devices this would be a major concern for the public not only in Vermont but in neighboring territories. A Glomar Response is not appropriate when regarding petty crowd control munitions.

23) The Commissioner also cited Levinthal v. Federal Election Commission which addresses a public records request for a document that assesses the vulnerabilities of election software. Plaintiff is not asking for any software or software vulnerabilities, nor is she asking for details of how crowd control munitions are stored or used. The way these munitions are used is common knowledge. There is no secret sauce with regards to crowd control munitions. Revealing the models is no risk as these munitions have been carried openly. Revealing the vendors is in the public interest to know with whom the state is doing business. Revealing the cost per unit and the total cost is in the public's interest as the public pays taxes to purchase these devices. Plaintiff will accept redaction of documents with training information or strategy.

Remedies

Wherefore, Plaintiff Marina Brown respectfully requests:

A) That the Court order Jennifer Morrison and The Vermont Department of Public Safety to provide promptly copies free of charge or access to all records responsive to Ms Brown's request;

B) That the Court order Jennifer Morrison and The Vermont Department of Public Safety to post copies of all records responsive to Ms Brown's request on their website in a way that is accessible to the public;

C) That the Court order Jennifer Morrison and The Vermont Department of Public Safety to pay all costs and attorney's fees with interest Marina Brown incurred in pursuing this action including but not limited to postage, copy fees and car mileage for travel required to copy and file this complaint;

D) That the Court provide whatever other legal or equitable relief it deems appropriate.

E) That the court order the VSP to deal with further Public Records Requests in good faith.

Dated at Charleston, Vermont this 9th day of June, 2026.

BY – Marina Brown
Marina Brown
Box 268
E Charleston VT 05833
catskillmarina@gmail.com
802-287-6081

PUBLIC RECORDS REQUEST -- VERMONT STATE POLICE -- NON-LETHAL MUNITIONS

Subject: PUBLIC RECORDS REQUEST -- VERMONT STATE POLICE -- NON-LETHAL MUNITIONS

From: Marina Brown <catskillmarina@gmail.com>

Date: Thu, 12 Mar 2026 15:21:10 -0400

To: "Silverman, Adam" <Adam.Silverman@vermont.gov>, "Leibowitz, Traci" <traci.leibowitz@vermont.gov>, samuel.weaver@vermont.gov

X-Mozilla-Status: 0003

X-Mozilla-Status2: 00800000

Message-ID: <28649041-1e18-4e70-84fb-6632d8ac0d3f@gmail.com>

MIME-Version: 1.0

User-Agent: Mozilla Thunderbird

References: <86e09553-830d-4a82-8b99-1999fe31af8e@gmail.com>

<MN2PR09MB58206827413B00FD995DF2BF8190A@MN2PR09MB5820.namprd09.prod.outlook.com>

<dea333a7-f032-48fd-89ec-6af80161e5a9@gmail.com>

<72ea8c7c-3bc3-4c8c-96b4-21b211d10655@gmail.com> <ab340b28-0dd0-4967-b46a-bab0fe7df81f@gmail.com> <fb4e9c7e-869b-4d03-8b49-be2125472c39@gmail.com> <8d586877-e569-4a2d-8dea-64502c745d11@gmail.com> <f3af56f1-aaa1-436d-a912-0006fd50fe19@gmail.com>

Content-Language: en-US

In-Reply-To: <f3af56f1-aaa1-436d-a912-0006fd50fe19@gmail.com>

Content-Type: text/plain; charset=UTF-8; format=flowed

Content-Transfer-Encoding: 8bit

Under the Vermont Public Records Law, Å§315 et seq., I am requesting an opportunity to inspect or obtain copies of records of the following:

Last inventory of less lethal munitions and crowd control equipment from before March 11 2026 including
but not limited to:

rubber bullets
tear gas
pepper spray
flash bang grenades
launchers for less lethal munitions including shotguns
tazers
flex-cuffs
chemical munition resistant masks
filters for chemical munition resistant masks
beanbag launchers
riot gear
masks
neck and face gaiters
Face Shields
Helmets
plates
plate carriers
Any Crowd control equipment

Purchase orders to usual sources of materiel, and documentation of acquisition from other sources, of less lethal munitions and crowd control equipment from March 11 2025 to March 30 2026 (or the date this request is fulfilled if before March 30 2026) including but not limited to:

rubber bullets
tear gas
pepper spray
flash bang grenades
launchers for less lethal munitions including shotguns
tazers
flex-cuffs
chemical munition resistant masks
filters for chemical munition resistant masks
beanbag launchers
riot gear

PUBLIC RECORDS REQUEST -- VERMONT STATE POLICE -- NON-LETHAL MUNITIONS

masks
neck and face gaiters
Face Shields
Helmets
plates
plate carriers
Any Crowd control equipment

Current inventory of less lethal munitions and crowd control equipment since March 11 2026 including but not limited to:

rubber bullets
tear gas
pepper spray
flash bang grenades
launchers for less lethal munitions including shotguns
tazers
flex-cuffs
chemical munition resistant masks
filters for chemical munition resistant masks
beanbag launchers
riot gear
masks
neck and face gaiters
Face Shields
Helmets
plates
plate carriers
Any Crowd control equipment

Any correspondence regarding the purchase or aquisition of these munitions and crowd control equipment in the period between Jan 1 2025 to Jan 1 2026.

If documents are redacted i am requesting a justification referring to the public records law for each and every line that is redacted. If the you deny access to these materials the public needs to know this and it deserves to know the specifics.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$20. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of how your organizations use of these munitions.

If this document is redacted i am requesting a justification referring to the public records law for each and every line that is redacted. If the DOC is denying access to any of these documents, the public needs to know this and it deserves to know the specifics.

I am a citizen journalist who is gathering this information in the public interest This information is not being sought for commercial purposes however it may be shared with commercial media.

The law requires a response to this request within 2 days, or within 10 days for extraordinary circumstances. If you expect a significant delay in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for considering my request.

PUBLIC RECORDS REQUEST -- VERMONT STATE POLICE -- SONIC WEAPONS

Subject: PUBLIC RECORDS REQUEST -- VERMONT STATE POLICE -- SONIC WEAPONS

From: Marina Brown <catskillmarina@gmail.com>

Date: Thu, 12 Mar 2026 16:12:58 -0400

To: "Silverman, Adam" <Adam.Silverman@vermont.gov>, "Leibowitz, Traci" <traci.leibowitz@vermont.gov>, samuel.weaver@vermont.gov

X-Mozilla-Status: 0003

X-Mozilla-Status2: 00800000

Message-ID: <09ea1df2-59d6-4fa4-8e5f-f0f42d0fa943@gmail.com>

MIME-Version: 1.0

User-Agent: Mozilla Thunderbird

References: <86e09553-830d-4a82-8b99-1999fe31af8e@gmail.com>

<MN2PR09MB58206827413B00FD995DF2BF8190A@MN2PR09MB5820.namprd09.prod.outlook.com>

<dea333a7-f032-48fd-89ec-6af80161e5a9@gmail.com>

<72ea8c7c-3bc3-4c8c-96b4-21b211d10655@gmail.com> <ab340b28-0dd0-4967-b46a-bab0fe7df81f@gmail.com> <fb4e9c7e-869b-4d03-8b49-be2125472c39@gmail.com> <8d586877-e569-4a2d-8dea-64502c745d11@gmail.com> <f3af56f1-aaa1-436d-a912-0006fd50fe19@gmail.com> <28649041-1e18-4e70-84fb-6632d8ac0d3f@gmail.com>

Content-Language: en-US

In-Reply-To: <28649041-1e18-4e70-84fb-6632d8ac0d3f@gmail.com>

Content-Type: text/plain; charset=UTF-8; format=flowed

Content-Transfer-Encoding: 8bit

Under the Vermont Public Records Law, Å§315 et seq., I am requesting an opportunity to inspect or obtain copies of records of the following:

Last inventory of less lethal munitions and crowd control equipment from before March 11 2026 including but not limited to:

Sonic crowd control including but not limited to LRADS.

Non-lethal chemical munitions and weapons including but not limited to tear gas and pepper spray

Purchase orders to usual sources of material, and documentation of acquisition from other sources, of less lethal munitions and crowd control equipment from March 11 2025 to March 30 2026 (or the date this request is fulfilled if before March 30 2026) including but not limited to:

Sonic crowd control including but not limited to LRADS.

Non-lethal chemical munitions and weapons including but not limited to tear gas and pepper spray

Current inventory of less lethal munitions and crowd control equipment since March 11 2026 including but not limited to:

Sonic crowd control including but not limited to LRADS.

Non-lethal chemical munitions and weapons including but not limited to tear gas and pepper spray

Any correspondence regarding the purchase or aquisition of these munitions and crowd control equipment in the period between Jan 1 2025 to Jan 1 2026.

If documents are redacted i am requesting a justification referring to the public records law for each and every line that is redacted. If the you deny access to these materials the public needs to know this and it deserves to know the specifics.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$20. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of how your organizations use of these munitions.

If this document is redacted i am requesting a justification referring to the public records law

PUBLIC RECORDS REQUEST -- VERMONT STATE POLICE -- SONIC WEAPONS

for each and every line that is redacted. If the DOC is denying access to any of these documents, the public needs to know this and it deserves to know the specifics.

I am a citizen journalist who is gathering this information in the public interest. This information is not being sought for commercial purposes; however, it may be shared with commercial media.

The law requires a response to this request within 2 days, or within 10 days for extraordinary circumstances. If you expect a significant delay in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for considering my request.

April 21, 2026

Marina Brown

VIA EMAIL: catskillmarina@gmail.com<mailto:catskillmarina@gmail.com>

Dear Marina,

I am writing regarding your public records request seeking inventories, purchase orders, and correspondence regarding a non-exhaustive list of less lethal and crowd control munitions and tools along with a follow up request for the same information regarding LRAD sonic crowd control equipment.

While the Department of Public Safety values transparency, there are times, such as this, that it must withhold certain information from public release when that information pertains to law enforcement preparedness and strategy, and especially where public release of that information would endanger public safety or the security of public property.

The records you have requested would reveal the current capacity of and preparedness level of the Vermont State Police to respond to a major event of civil unrest. It would also reveal information and specifications regarding munitions and equipment subject to the request that could endanger the safety of law enforcement officers and members of the public.

Consequently, the Department is withholding public release of the records subject to this request pursuant to:

1 V.S.A. § 317(c)(32), which provides that records are exempt from public release and copying if public disclosure of "the information contained in the record would present a substantial likelihood of jeopardizing the safety of persons or the security of public property"; and

1 V.S.A. § 317(c)(25), which provides that "passwords, access codes, user identifications, security procedures, and similar information, the disclosure of which would threaten the safety of persons or the security of public property" are exempt from public release.

The Department of Public Safety has interpreted your request to be inquiring about information related to an event in South Burlington on March 11, 2026. The Vermont State Police have issued an After Action Report that details the timeline of the event and describes the Vermont State Police's response. You may access the Vermont State Police After Action Report and all of the body worn camera footage captured from the March 11, 2026 incident at: VSP News Releases: Vermont State Police releases after-action report, video footage from March 11 incident in South Burlington<https://vtstatepolice.blogspot.com/2026/04/vermont-state-police-releases-after_0694115058.html>.

If you believe that a record has been withheld in error, please feel free to contact me at this email address. Please be advised that you may also file an appeal. If you choose to file an appeal, we request that you do so in writing and send it to this email address.

Kind Regards,

Sam Weaver

Public Records Specialist

Vermont Department of Public Safety

Re: PRA - Request re Less Lethal Munitions and Crowd Control Equipment

Subject: Re: PRA - Request re Less Lethal Munitions and Crowd Control Equipment

From: Marina Brown <catskillmarina@gmail.com>

Date: Wed, 22 Apr 2026 20:33:57 -0400

To: "Weaver, Samuel" <Samuel.Weaver@vermont.gov>

X-Mozilla-Status: 0001

X-Mozilla-Status2: 00800000

Message-ID: <1f81fba3-1a5a-4e17-9f8b-f82da5f03ba0@gmail.com>

MIME-Version: 1.0

User-Agent: Mozilla Thunderbird

References: <SA1PR09MB73096D06B5E5CD850C2DA0E1EC2C2@SA1PR09MB7309.namprd09.prod.outlook.com>

<38b84683-c480-4043-b22f-578975e0dc1d@gmail.com>

<SA1PR09MB7309C91DF9F0A970C5BBAAECEC2A2@SA1PR09MB7309.namprd09.prod.outlook.com>

Content-Language: en-US

In-Reply-To: <SA1PR09MB7309C91DF9F0A970C5BBAAECEC2A2@SA1PR09MB7309.namprd09.prod.outlook.com>

Content-Type: text/plain; charset=UTF-8; format=flowed

Content-Transfer-Encoding: 8bit

On 4/22/26 8:11 PM, Weaver, Samuel wrote:

Marina,

You may send an appeal directly to this email address.

I appeal this decision.

In the alternative, if you are able to provide more detail about what specifically you are looking for through your request or otherwise narrow it that may also help us determine if there are releasable records that meet your needs.

> Let me know how you would like to proceed.>

My request was clear. I am seeking the kinds of crowd control the VSP possesses, how much you paid for them and recent orders for these munitions.

The BTV police have already released the types of munitions they possess and the total price they paid for them but curiously not the number. ...So we don't know if they spent thousands for one pepper ball or dollars for thousands.

There is nothing secret about the fact that the VSP possesses riot shields, pepper spray, pepper balls and other crowd control munitions. My request is quite commonplace and the taxpayers deserve to know what their money is being spent on.and whether they are being ripped off by excessive prices.

It is no threat to safety or security if the public knows the VSP have riot munitions. Most of us already know. It escapes me why you are balking at releasing the specifics. There is nothing secret about the fact that police will use riot munitions if they feel it is necessary.

--- Marina Brown

Sam Weaver
Public Records Specialist
Vermont Department of Public Safety

-----Original Message-----

From: Marina Brown <catskillmarina@gmail.com>

Sent: Tuesday, April 21, 2026 5:42 PM

To: Weaver, Samuel <Samuel.Weaver@vermont.gov>

Subject: Re: PRA - Request re Less Lethal Munitions and Crowd Control Equipment

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

To whom to do i direct and appeal to this denial in whole of my request ?

I disagree with your stance.

--- Marina Brown

Re: PRA - Request re Less Lethal Munitions and Crowd Control Equipment

On 4/21/26 4:42 PM, Weaver, Samuel wrote:

April 21, 2026

Marina Brown

VIA EMAIL: catskillmarina@gmail.com<<mailto:catskillmarina@gmail.com>>

Dear Marina,

I am writing regarding your public records request seeking inventories, purchase orders, and correspondence regarding a non-exhaustive list of less lethal and crowd control munitions and tools along with a follow up request for the same information regarding LRAD sonic crowd control equipment.

While the Department of Public Safety values transparency, there are times, such as this, that it must withhold certain information from public release when that information pertains to law enforcement preparedness and strategy, and especially where public release of that information would endanger public safety or the security of public property.

The records you have requested would reveal the current capacity of and preparedness level of the Vermont State Police to respond to a major event of civil unrest. It would also reveal information and specifications regarding munitions and equipment subject to the request that could endanger the safety of law enforcement officers and members of the public.

Consequently, the Department is withholding public release of the records subject to this request pursuant to:

1 V.S.A. § 317(c)(32), which provides that records are exempt from public release and copying if public disclosure of "the information contained in the record would present a substantial likelihood of jeopardizing the safety of persons or the security of public property"; and

1 V.S.A. § 317(c)(25), which provides that "passwords, access codes, user identifications, security procedures, and similar information, the disclosure of which would threaten the safety of persons or the security of public property" are exempt from public release.

The Department of Public Safety has interpreted your request to be inquiring about information related to an event in South Burlington on March 11, 2026. The Vermont State Police have issued an After Action Report that details the timeline of the event and describes the Vermont State Police's response. You may access the Vermont State Police After Action Report and all of the body worn camera footage captured from the March 11, 2026 incident at: VSP News Releases: Vermont State Police releases after-action report, video footage from March 11 incident in South Burlington<https://vtstatepolice.blogspot.com/2026/04/vermont-state-police-releases-after_0694115058.html>.

If you believe that a record has been withheld in error, please feel free to contact me at this email address. Please be advised that you may also file an appeal. If you choose to file an appeal, we request that you do so in writing and send it to this email address.

Kind Regards,

Sam Weaver
Public Records Specialist
Vermont Department of Public Safety

--
Marina Brown

An open group means anybody can join, and be openly roasted when they open their mouth and garbage comes out.

FaRied Munarsyah

--
Marina Brown

An open group means anybody can join, and be openly roasted when they open their mouth and garbage comes out.

FaRied Munarsyah



State of Vermont

Department of Public Safety

45 State Drive

Waterbury, Vermont 05671-1300

<http://dps.vermont.gov/>

April 30, 2026

Marina Brown

Via Email: catskillmarina@gmail.com

RE: Public Records Request for VSP Inventory of Less Lethal Munitions and Crowd Control Equipment

Dear Ms. Brown:

I write in response to your appeal submitted on April 23, 2026 related to your public records request seeking information about the Vermont State Police's inventory of less lethal munitions and crowd control equipment. For the reasons set forth below, the Department denies your appeal because the records you have requested are exempt from public inspection. Please note that materials related to the March 11 incident in South Burlington are available at the following link, including an extensive After Action Report detailing the actions by the Vermont State Police. These materials are available for review and download from the Vermont State Police's Dropbox account. This link will remain active until July 16, 2026; if you need access to these materials after that date you should download the files before the link expires.

I. Timeline

On March 12, 2026, you submitted a public records request via email to Public Records Specialists Sam Weaver and Traci Leibowitz. In that request you indicated you were seeking the following records:

- Last inventory of less lethal munitions and crowd control equipment from before March 11, 2026, followed by a non-exhaustive list of items of interest;
- Purchase orders to usual sources of materiel, and documentation of acquisition from other sources, of less lethal munitions and crowd control equipment from March 11, 2025 to March 30, 2026, followed by a non-exhaustive list of items of interest;
- Current inventory of less lethal munitions and crowd control equipment since March 11, 2026, followed by a non-exhaustive list of items of interest;
- Any correspondence regarding the purchase or acquisition of these munitions and crowd control equipment in the period between Jan 1, 2025 to Jan 1, 2026.

You sent a follow up request the same day indicating that your request for records associated crowd control equipment included sonic crowd control equipment including but not limited to LRADS. On March 17 2026, Public Records Specialist Sam Weaver sent you an email notification that the Department of Public Safety was invoking the 10-business day extension as it required additional time to process your request. Mr. Weaver then sent you a follow-up email on March 26, 2026 indicating that the Department would need time beyond the 10-days to fulfill your request.

On April 21, Mr. Weaver sent you the Department's response to your request. The Department denied your request pursuant to 1 V.S.A. § 317(c)(32), which provides that records are exempt from public release and copying if public disclosure of "the information contained in the record would present a substantial likelihood of jeopardizing the safety of persons or the security of public property", and 1 V.S.A. § 317(c)(25), which provides that "security procedures, and similar information, the disclosure of which would threaten the safety of persons or the security of public property" are exempt from public release.

You sent an email response to Mr. Weaver indicating that you disagreed with the Department's decision to the withhold the requested records and asking where to direct an appeal. Mr. Weaver provided you information about how to appeal and also invited you to narrow or otherwise focus your request. You sent the current appeal to the Department on April 22 after business hours. The Department received your request on April 23.

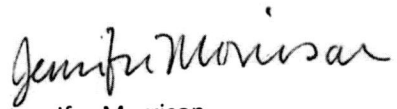
II. Written Determination of Appeal

Your request was properly denied pursuant to 1 V.S.A. § 317(c)(25) and 1 V.S.A. § 317(c)(32). Specifically, the information you requested could reveal information about the model, type, specifications, or availability of the less lethal munitions and crowd control equipment deployed by VSP. This information could allow an individual to thwart that equipment and/or exploit weaknesses in VSP's preparedness to respond to an emergency that has a substantial likelihood of jeopardizing the safety of persons or the security of public property. The information you have requested could reveal details of the defensive capabilities and operational readiness of the Vermont State Police, threatening the safety of troopers and security of property. Courts have recognized similar public record exemptions asserted for security and public safety reasons. See *Government Accountability Project v. Central Intelligence Agency*, 548 F.Supp.3d 140 (D.D.C. 2021); *Levinthal v. Federal Election Commission*, 219 F.Supp.3d 1 (D.D.C. 2016).

Additionally, under 1 V.S.A. § 317(c)(32), "emergency evacuation, escape, or other emergency response plans that have not been published for public use; and vulnerability assessments, operation, and security manuals, plans, and security codes" are exempt from public release. The requested records would present a view of VSP's operational readiness and could reveal vulnerabilities in VSP's ability to respond to public emergencies and jeopardize the safety of persons and the security of public property. See 1 V.S.A. § 317(c)(32).

Please note that the Department's decision to withhold records may be appealed to the Superior Court pursuant to 1 V.S.A. § 319. This written determination shall not be construed as waiving the assertion of any additional arguments or exemptions that are not expressly identified herein in any court proceeding relating to this matter.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Morrison". The signature is written in a cursive, flowing style.

Jennifer Morrison
Commissioner
Vermont Department of Public Safety