



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

Jennifer Morrison

Commissioner

Vermont Department of Public Safety