

VSP: Officers fired 12 rounds in I-89 shooting

McCullum, April . The Burlington Free Press ; Burlington, Vt. [Burlington, Vt]13 Feb 2018: A.4.

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FULL TEXT

WILLISTON - The Vermont State Police say a fatal traffic stop on Interstate 89 in Bolton was prompted by officers' concerns that the motorist was possibly impaired, armed with a gun and intending to take his own life.

Benjamin Gregware, 42, of Sheldon, was shot and killed when a Vermont state trooper and a Richmond police officer opened fire at about 3:50 p.m. Sunday while members of the public passed on the highway.

The fatal shooting was third involving same Vermont state trooper since September 2017, and his fourth officer-involved shooting overall, records show.

At a news conference Monday morning in Williston, Vermont State Police Col. Matthew Birmingham identified the officers as Trooper Christopher Brown and Richmond Cpl. Richard Greenough.

Police said the incident began when Gregware's ex-wife, Melissa Gregware, told police she was concerned about him. She said Gregware was slurring his words and had called to tell her that he purchased ammunition at Walmart in St. Albans.

Gregware recently had been laid off from his job, his ex-wife said, was struggling with alcohol addiction, and was scheduled to visit with their children later that day, according to a statement from Maj. Glenn Hall, commander of the Vermont State Police criminal division.

State Trooper Jay Riggen spoke with Gregware on the phone for about 20 minutes while Gregware was driving south on Interstate 89, Birmingham said. Gregware told the trooper he was going to drive until he ran out of gas and then "end it," according to the statement.

Trooper Brown and Officer Greenough stopped Gregware on the side of the southbound lanes near mile marker 69 in Bolton. Gregware was driving a red Honda Accord.

Birmingham said the officers drew their guns and ordered Gregware out of the car, rather than approaching on foot, because the stop was high-risk.

Police said Gregware stepped out of the car and pointed a gun at his own head. Birmingham said Gregware did not aim the weapon at the officers at any point during the traffic stop but refused to put the firearm down and started walking toward the officers.

Maj. Hall said Gregware was struck by at least three shots, out of a total of 12 rounds fired. Brown is believed to have fired seven times, and Greenough is believed to have fired five times.

Gregware died after being brought to the University of Vermont Medical Center in Burlington following the shooting, police said.

Cars were driving by in the passing lane during the traffic stop, which police said unfolded in less than a minute. Interstate 89 was closed for the rest of the day until early Monday.

Gregware's handgun was later identified as a Masterpiece Arms 9 mm tactical pistol, known as a Mac 10. Police said the handgun had 14 rounds in the magazine and one round in the chamber. Gregware was the only occupant of the vehicle.

Hall said police are investigating whether Gregware's gun went off during the incident.

Birmingham said the traffic stop was recorded by two cruiser cameras and Greenough's body camera. Police said they expected to release the footage to the public after the criminal review of the shooting is complete. There is no time line for that legal review.

Brown has been involved in four shootings since he was hired in January 2012, including last month's fatal shooting at Montpelier High School, a September fatal shooting in Poultney, and a September 2015 non-fatal shooting in Fayston.

Brown was removed from the Vermont State Police tactical services unit about two weeks ago, Birmingham said. He declined to comment on the reason for the change.

Birmingham said Brown was working an overtime traffic safety detail Sunday.

"I worry about Trooper Brown and the impact that this is having on him," Birmingham said. "These individual incidents are looked at independently of each other, not collectively, because lethal force is a justification point that occurs in a split second of time."

Both officers have been placed on administrative leave, according to department policies following police-involved shootings.

The Vermont Troopers Association did not respond to a request for comment on Brown's behalf.

Birmingham said the Vermont State Police, independently of Sunday's shooting, is reviewing its administrative leave policy. Brown will not return to full duty until the legal review of the shooting is complete.

"Let me be clear that this decision is not an indication of any wrongdoing by Trooper Brown, but merely a change in the way the state police will now manage our response to officer-involved shootings as it relates to the health and well-being of our members," Birmingham said.

Members of the state police have been involved in three shootings in the past six months.

"These are very challenging, complicated and tragic events," Birmingham said. "As the director, I don't want any fatal shootings to happen, but that's not realistic. In this world, they happen. And we do everything we can to mitigate and de-escalate these situations."

Birmingham said he is taking a "hard look" at all policies, procedures and non-lethal options to address similar situations in the future.

Richmond police Chief Alan Buck said this was the first officer-involved shooting for the town's department in its 50 years.

The Chittenden County State's Attorney's Office and the Vermont Attorney General's Office will independently review Sunday's shooting after the Vermont State Police investigation is complete.

Anyone who witnessed the incident or has more information is asked to call the Vermont State Police Major Crime Unit at 878-7111.

Contributing: The Associated Press. Contact April McCullum at 802-660-1863 or amccullum@freepressmedia.com. Follow her on Twitter at [@April_McCullum](https://twitter.com/April_McCullum).

One trooper, four shootings

Since he was hired by the Vermont State Police six years ago, Trooper Christopher Brown has been involved in four shootings, three of them fatal. Brown most recently was one of two officers who fired on Benjamin Gregware in a traffic stop on Interstate 89.

Two of the shootings were ruled to be justified, and two remain under investigation.

"If they are all justified, then Trooper Brown did his job," said Col. Matthew Birmingham, director of the Vermont State Police.

A look at the shootings:

Sept. 11, 2015: Trooper Brown shot Robert Smallidge, 48, while responding to a residence in Fayston. Smallidge was wounded in the leg. The Vermont attorney general and Washington County state's attorney later concluded the shooting was justified.

Sept. 1, 2017: Five members of the Vermont State Police tactical services unit, including Trooper Brown, fatally shot Michael Battles, 32, in Poultney.

The Vermont attorney general and Rutland County state's attorney concluded the shooting was justified.

Jan. 16, 2018: A total of nine police officers, including Trooper Brown, fatally shot Nathan Giffin, 32, outside Montpelier High School. Giffin was the suspect in a credit union robbery nearby and was armed with a BB gun.

Eight of the officers were from the Vermont State Police. One Montpelier police officer also fired. The use of force by police remains under investigation.

Feb. 11, 2018: Trooper Brown and Richmond police officer Cpl. Rick Greenough fatally shot Benjamin Gregware, 42, during a traffic stop on Interstate 89 in Bolton.

CAPTION:

Col. Matthew Birmingham of the Vermont State Police discusses Sunday's fatal shooting of Benjamin Gregware during a news conference on Monday.

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DETAILS

| | |
|---------------------------------|--|
| Subject: | Fatalities; Police; Criminal investigations; Deadly force; Firearms |
| Location: | Vermont |
| People: | Hall, Glenn |
| Company / organization: | Name: University of Vermont Medical Center; NAICS: 622110; Name: Associated Press; NAICS: 519110; Name: State Police-Vermont; NAICS: 922120; Name: Honda Motor Co Ltd; NAICS: 336111, 336390, 336991; Name: Wal-Mart Stores Inc; NAICS: 452112, 452910; Name: Twitter Inc; NAICS: 519130 |
| Publication title: | The Burlington Free Press; Burlington, Vt. |
| First page: | A.4 |
| Publication year: | 2018 |
| Publication date: | Feb 13, 2018 |
| Section: | News |
| Publisher: | Gannett Co., Inc. |
| Place of publication: | Burlington, Vt. |
| Country of publication: | United States, Burlington, Vt. |
| Publication subject: | General Interest Periodicals--United States |
| ISSN: | 08948844 |
| Source type: | Newspapers |
| Language of publication: | English |
| Document type: | News |
| ProQuest document ID: | 2001291581 |

| | |
|----------------------|--|
| Document URL: | https://search.proquest.com/docview/2001291581?accountid=14026 |
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| Last updated: | 2018-02-13 |
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| Database: | Global Newsstream |
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