



Kyle Kapitanski  
Chief of Police

# **RICHMOND POLICE DEPARTMENT**

**RICHMOND TOWN CENTER**

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August 16, 2021

## **RE: Recreational shooting and use of explosives in the Town of Richmond**

To Whom it may Concern,

I am writing this memo to provide general information about laws pertaining to shooting in the Town of Richmond, as well as the authority of the Richmond Police Department. I would also like to provide an update about the investigation into the shooting and explosions reported on the weekend of July 10-11.

Generally speaking, there are no laws which prohibit the discharge of a firearm on one's own property. Furthermore, the Town of Richmond does not currently have an ordinance to prohibit discharging firearms on one's own property. There are laws to prevent unsafe behavior with or use of firearms, but nothing which prevents shooting firearms, in and of its self.

Pursuant to Title 24 VSA 2291(8), the Selectboard has the authority to adopt an ordinance to prohibit shooting firearms within the Town of Richmond or specified portions thereof. The Selectboard does not have any authority to regulate or limit the possession or use of firearms, ammunition, or components of firearms or ammunition except as otherwise provided by law (24 VSA 2295). Adoption of any such ordinance would follow the same procedure as outlined in Title 24, Chapter 59 of the Vermont Statutes.

### **Investigation of shooting/explosions during the weekend of July 10-11**

Officer Herrick was the investigating officer for this complaint. To summarize the complaints received, there was a large volume of shooting and explosions occurring somewhere in town. One individual believed that a bullet or something related to the shooting/explosions struck his home. There was no damage or object located to verify that anything had, in fact, struck the residence. There were no injuries reported by any party as a result of the gunfire/explosions.

Officer Herrick was able to track the source of a large amount of the shooting to a residence on Johnnie Brook Road. Officer Herrick spoke with the individuals present, who advised that they were shooting a variety of firearms and had shot some Tannerite, which was the source of the explosions. While Officer Herrick was on Johnnie Brook Road speaking with the parties, he was able to hear more gunshots coming from a separate, and undetermined location.



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Officer Herrick left the residence at that time. After I was notified of the complaint, I spoke with a special agent from the ATF, who advised it wasn't likely that the US Attorney's Office would be interested in pursuing anything on a federal level. I also spoke with a member of the Vermont State Police Explosive Ordinance Disposal team, who confirmed for me that Tannerite required an explosives license to possess in Vermont once the components were mixed together.

I called and spoke with the individual on Johnnie Brook Road to advise him that Tannerite was, in fact, illegal to possess or use without a license. He advised he did not know that since he was able to purchase it at a local retail store. I advised him that he could consider this his warning since now he knew, and that we may take enforcement action against him if he possesses or uses Tannerite in the future. I also informed him that even if his actions were legal, it may be wise for him to choose to be a good neighbor and not upset his fellow residents by shooting in excess.

For reference, Tannerite meets the definition of fireworks in Vermont statutes, and is subject to the same laws and sanctions as possession of fireworks. Thank you.

Respectfully,

Kyle Kapitanski, Chief of Police