

# Burlington police say use of pepper spray on 6-year-old was justified

By [Mark Johnson](#)

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Police said the 6-year-old girl was waving this knife during the incident. BPD photo

**B**urlington Police are defending the use of pepper spray to disarm a 6-year-old girl who threatened a caregiver, the police and herself with a knife.

The child was hit by a vapor cloud of pepper spray and dropped the knife in a sometimes highly charged police call that lasted a little over 10 minutes from the time the first officer arrived to when they were able to secure the butcher knife.

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The incident happened exactly one year ago and was revealed two weeks ago when police mistakenly posted a video of the pepper-spraying on social media, which was quickly taken down. Before the video went up, City Councilor Ali Dieng mentioned the case without detail at a council meeting discussing police use of force. Dieng said the child involved had mental health issues.

Disclosure of the 2018 pepper-spraying of the child comes at a time when Burlington police are already [under scrutiny](#) for use-of-force tactics that have prompted lawsuits and damaged trust between the public and police, according to Mayor Miro Weinberger. One case, in which a man died several days after being punched by an officer, was [reviewed](#) by the Vermont State Police and the Vermont attorney general.

A lawyer “partnering” with the child’s family said the child was traumatized by the afternoon events. He emphasized the case was more than about evaluating the police actions — it highlighted the need for more mental health services for families, as well as more police training, particularly when dealing with children in crisis. He said other police departments, [including Chicago](#), and [mental health agencies](#), offer such training.

“This situation, like many others, is the result of holes in our mental health system and gaps in collaboration and training for mental health and law enforcement,” said Jay Diaz of the American Civil Liberties Union. “Unless public officials can address those gaps, situations like this are bound to happen again and we hope they will address those gaps so situations like this don’t happen again.”

The officer in charge at the scene said it was the first time in 20 years he had responded to a young child in crisis with a knife and said there was no playbook to follow. Since then, he said officers have included a video of the event in their training to discuss hypotheticals and other possible responses. Police are trained in how to deal with an adult with a knife, but not a child, the officer said.

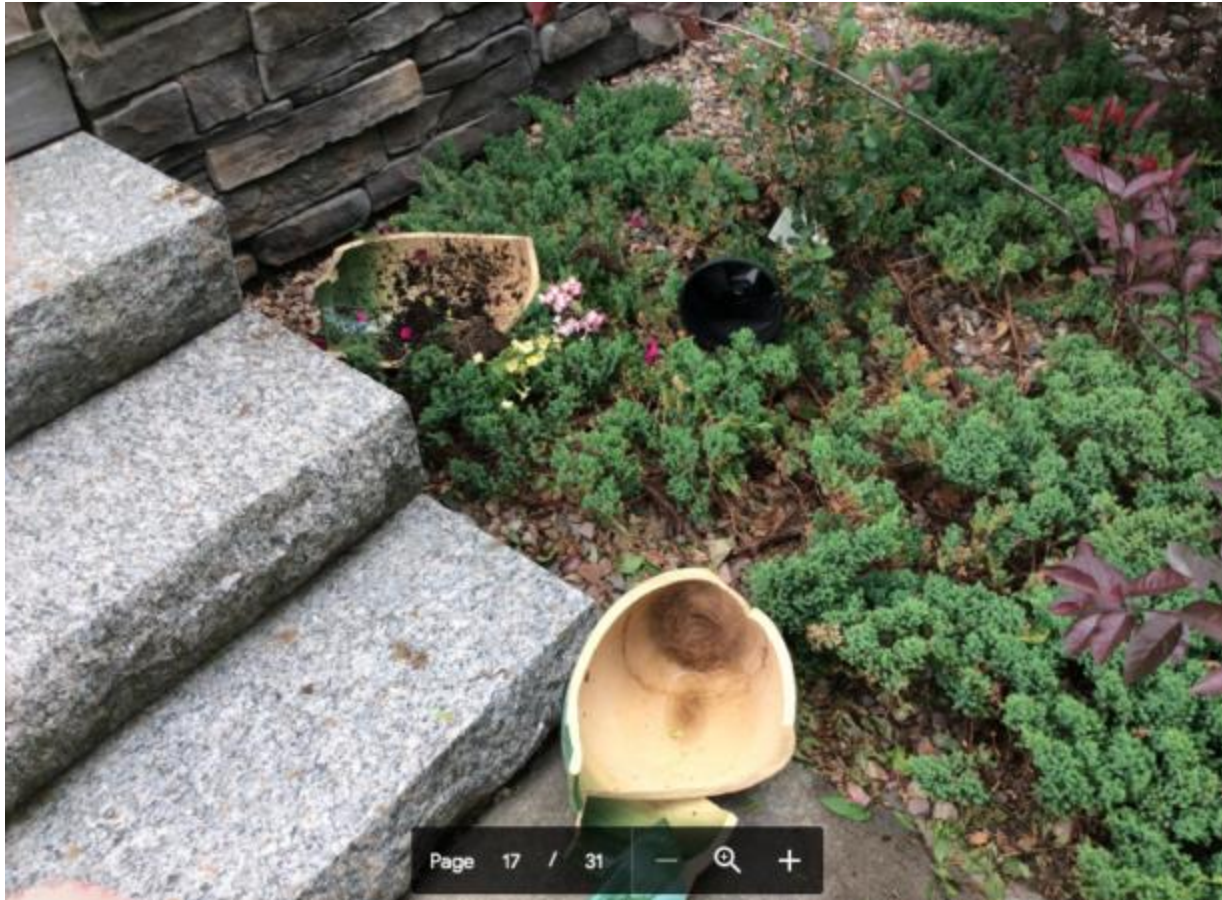
“It was weird because our usual response if it’s an adult is pretty spelled out. You try to de-escalate, keep space. And then we get there and it’s a child and this changes everything. We have to be even more kid gloves,” said Lt. Justin Couture, who was then a sergeant. “This one we had to rethink some of the playbook. Hopefully we never have to deal with it again.”

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“It was complicated, I’ll tell you. I left there scratching my head. Pepper spray is pretty low-level across the board, but when you’re talking about a child, it’s like man, what else could we have done. It’s really a head scratcher,” Couture said in an interview Friday. “I remember driving home that night and thinking, ‘Holy crap, what was that?’”

According to police reports, a neighbor called police after the child went on a rampage and destroyed property in the neighborhood. The girl was pursuing her caretaker — a licensed mental health counselor, according to police — and “swinging the knife about” when police arrived at her Burlington home. Her tantrum began, police reports said, when she refused to go to the beach after coming home from school. According to the police reports, she had swung a garden rake at the caretaker before obtaining the knife. The damage in the neighborhood before police arrived included smashed flower pots and figurines, and slashed screen doors, according to police reports, officer body camera video, and photographs taken by police.

Burlington Police Cpl. Matthew White was first on the scene and standing about 10 feet away when he requested the child, who was standing in her driveway, to drop the knife. White said she started “slashing the knife in my direction and at one point I thought she was going to throw the knife at me.”



The damage in the neighborhood before police arrived included smashed flower pots and figurines, and slashed screen doors. BPD photo

Police photos show the butcher knife was about 8 inches long and 2 inches at its widest.

White said he unholstered his stun gun when the child was holding the knife “within lunge-able distance” from him and the caretaker, but said he never aimed the electronic device at her.

After White called for backup, three officers arrived minutes later. Couture, the supervising officer, pulled out his baton in hopes of knocking the knife out of the child’s hand. He said he told White to re-holster his stun gun, in part fearing the child could fall on the knife if struck. Police also used acrylic shields so they could get close to the child with less risk of being injured by the knife. Six Burlington police officers responded in total.

According to the reports and videotape, police lost track of the child for several minutes when she ran around the back of house. They searched her home thinking she had returned inside and found her outside on a neighbor’s lawn making a “slashing movement of the knife against her forearm.” The girl went between two houses where police told her again to drop the knife. The

child refused, the report said, and the video shows the child slamming the blade on what police said was a neighbor's lighting fixture.

White said in his official report that he feared for himself, fellow officers, neighbors who had come outside to see what was going on, as well as the child.

Another officer who had responded, Officer Darren Kennedy, was in front of a house, with the child around the side, still holding the knife, when he got close enough to try to spray the child. White said he feared any "physical hands-on attempt" to take away the knife could have resulted in a struggle and injured either officers or the child.

Kennedy, according to the reports, took aim after Couture gave his approval to use the pepper spray.

The pepper spray stream "hit the corner of the house" and "the wind carried the mist" toward the girl, "which caused her to drop the knife and begin crying," White reported. An officer helped the girl and tried to flush the pepper spray out of her eyes with a neighbor's garden hose, then police took the child to rescue squad members who had been standing by and provided medical care, according to the police reports and a 27-minute video of the incident.

Couture wrote: "It was very windy and most of the pepper spray missed the child. A mist of pepper spray effected (sic) the child and she immediately dropped the knife and put her hands to her face while screaming."



The 6-year-old child was said by police to have slashed some window screens. BPD photo

Video shows the child crying hysterically as officers lead her to medical personnel, whom they had called during the incident.

“It was a lot to figure out on the fly without a lot of input” about what the child’s situation was, Couture said in the interview.