

# TEAR GAS STARTED PHARMACY FIRE, REPORT SAYS

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**T**he fire that gutted a **Boynton Beach** pharmacy during a fatal police standoff on May 20 was started by SWAT officers' tear gas canisters, according to a report released on Tuesday. Fire investigators concluded that some of the four tear gas canisters fired at a burglary suspect inside The Medication Station on Woolbright Road touched off the fire. A police dog and teenage suspect James Connelly died in the incident.

Yet when officers decided to use tear gas, they had only their judgment to go on. Despite the fire risk, police and SWAT guidelines do not address the issue. Likewise, no state or national fire prevention organizations have issued any recommendations.

The pyrotechnic tear gas fired by Boynton Beach police uses a burning canister that remains hot for at least several minutes. It is similar to devices used by federal agents to end a 1993 standoff involving the Branch Davidian sect in Waco, Texas.

While the city fire report didn't blame anyone for the blaze, some tear gas manufacturers and police training experts said pyrotechnic tear gas is intended more for outdoor use such as crowd control and riots. Other types of devices that use compressed air to expel tear gas might be better for barricade situations, they said.

Newer and safer products can be substituted for flammable tear gas canisters, said Andy Casavant, a training specialist with the Police Training Institute at the University of Illinois.

"A number of buildings have been burned to the ground," he said of pyrotechnic tear gas. "There's always that potential."

If it lands on furniture or in a garbage can, a hot tear gas canister can quickly ignite a fire, he said.

"You have to be selective on how, where and why you use it," he said.

Often, it doesn't even work, he said.

"Most of the time, it doesn't drive people out," Casavant said. "[The suspect] could go into another room or put a towel over their face. Theoretically, it's supposed to flood an area, but with different rooms it's hard to do."

SWAT officers also often go inside a building immediately after firing tear gas, defeating its purpose, he said.

A routine internal police investigation of the May 20 incident is pending. The causes of death for Connelly and police dog Zeus, both found in the pharmacy after the fire, have not been released.

The tear gas rounds used by the Boynton Beach police are made by Defense Technologies and Federal Laboratories of Jacksonville. Repeated calls to the company were not returned.

However, the vice president of a Pennsylvania company that makes similar products for police said their pyrotechnic rounds are normally meant to be used outdoors for crowd control.

Jacob Kravel of Combined Tactical Systems said their rounds burn for 35 seconds after being fired.

"We state that it can catch fire," Kravel said. "But we cannot tell police how to use it."

The Palm Beach County Sheriff's Office SWAT unit has unintentionally set fires with tear gas, but is now leaning more toward non-pyrotechnic rounds, Lt. William Testa said.

"Using gas is always an option," Testa said. "When the bad guy comes out, you don't have to go in."

When to use tear gas depends on the situation, he said. A person who is alone and unarmed inside a building will be treated differently than a barricaded suspect who is firing at police, he said. Connelly, 17, holed up inside the drugstore after exchanging gunfire with Officer Robert Thomas, who arrived with Zeus to investigate a burglary call. Thomas suffered a bruised abdomen when his bulletproof vest stopped a shot. A bullet also injured one of his fingers.

After trying for three hours to coax Connelly out of the 1,800-square-foot building, officers fired the tear gas. A short time later, the pharmacy caught fire. When firefighters extinguished the blaze 30 minutes later, Connelly and Zeus were found dead.

Cayenne pepper-based and chemical tear gas canisters were used in the standoff, said Boynton Beach Police Sgt. Rick Root. Neither chemical agent is actually a gas, but tiny particles that cause skin, eye and respiratory irritation.

Citing the pending investigation, Boynton Beach police have defended their tactics but have not released official details about the type of tear gas canisters they used or how many were fired. They had no comment on Tuesday's fire report.

Fire officials said four canisters were found at the scene, including three inside the building. The canister suspected of starting the fire was the pyrotechnic type, they said. The fire started in a storage room and caused about \$175,000 damage to the building, according to the fire report. Deputy Fire Marshal Bob Borden has said fires are one of the hazards of "this type of procedure."

Pyrotechnic tear gas canisters, which burn somewhat like fireworks, also offer some advantages. They dispense chemicals more quickly and get hot enough that they can't be thrown back outside, experts said. However, they are the only type that can cause fires.

Other types of devices include liquid canisters that produce a vapor after rupturing and powder canisters that make a chemical cloud on impact.

The potential dangers of pyrotechnic gas canisters were highlighted in the 1993 Branch Davidian case. After initial denials, the federal government acknowledged using several military pyrotechnic gas canisters during the siege. Justice

Department officials, however, still maintain the compound fire was set from inside by followers of David Koresh.

Dan Churchward, president of Indiana-based Kodiak Fire and Safety Consulting, said police have to weigh the fire risk against the safety of officers and civilians. If a person is holed up inside a five-story apartment building and it's unsafe for firefighters to get close, he said pyrotechnic tear gas probably shouldn't be used.

"It's a strategic decision," said Churchward, a fire investigation expert. "The risk has to be assessed on an individual basis."

Churchward said lessons of the past should guide police.

"You would think after Waco, [police] would be more attuned to this."

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