

North Carolina
State Highway Patrol

PERSONNEL COMPLAINT

Date and Time Received by I. A.:	
Date Closed:	

COMPLAINANT IDENTIFICATION

Name:	
Home Address:	Raleigh, NC 27603
Business Address:	
Home Telephone:	
Business Telephone:	
Other Information:	Cellular Number

ACCUSED IDENTIFICATION

Rank / Name:	Trp. L. B. Lovick	Reg. #:	2719	Troop / District:	C/3
Rank / Name:		Reg. #:		Troop / District:	
Rank / Name:		Reg. #:		Troop / District:	

COMPLAINT RECEIVED BY

Rank / Name:	F/Sgt. W. L. Dancy	Reg. #:	1642	Troop / District:	X/2
Date:	May 28, 2010	Time:	11:07 a.m.	Communication Media:	Telephone

DETAILS OF THE COMPLAINT

Ms. [redacted] met with Internal Affairs Investigators and volunteered for a video taped interview and provided a written statement detailing her contact with a North Carolina State Trooper. She contends that the trooper issued her two citations, ripped them up, and asked her if she was "wild". She further contends that he began to touch himself and expose himself to her.

Ms. [redacted] also alleges that at some point during the stop, the trooper handcuffed her and transported her to a more secluded area and then unhandcuffed her.

LJL 6-3-10

Member's Statement

Troop: _____ District: _____

Registry #: _____

Rank/Name: _____

Rank

First

M.I.

Last Name

On Monday May 24th, 2010 I left my apartment and drove to the Kangaroo gas station about a block from my house. It is located on the corner of Gorman and Tryon. I went inside at around 1:00 AM to purchase a pack of cigarettes. As I left I noticed the Undercover charger waiting at the entrance that leads to tryon road. I passed him briefly on my way out and as I hit the stoplight for trailwood he pulled out, caught up with me and pulled me over. I pulled over in the right turn lane that is on trailwood leading into university suites, my apartment complex. There were originally two cop cars because a regular marked Raleigh police officer pulled up behind the silver charger. Moments later the Raleigh officer sped past me with lights and sirens on. Then the highway patrolman came over to my car and asked me if I knew my inspection sticker was expired he never gave me his name nor asked for my registration. I told him the new sticker was in Chapel Hill but that I had just gotten the car inspected the following week. I asked him if he could look that up and he replied asking if I would step out of the vehicle. He brought me over to his car and put me in the front seat. At this point everything felt a little odd to me but he wasn't just some stranger I didn't know he was an officer so I knew I couldn't run. He pulled out a small rectangular black box that contained a breathalyzer in it. He told me I could blow in that or be taken downtown for a DUI and blow there. My instincts told me to get somewhere more public so I agreed to go downtown Underwood. This decision really angered him and he got out of the car walked around to my side and had me get out. He handcuffed me and put me back in the front seat. He proceeded

Initials: _____

Date: _____

Signature: _____

Continued: Yes _____ No _____

Page: _____ of _____

Reference: _____

Member's Statement

Troop: _____ District: _____ Registry #: _____
 Rank/Name: _____
 Rank First M.I. Last Name

After he put me in the front seat he asked me if I wanted to have my car towed or left in the spot on the side of the road. As I thought about it he got in the drivers seat of my car and drove my car in to University Suites Parking lot and then walked back. All without ever asking my permission. I knew then how strange this situation was because I had been pulled over once before at 16 and asked the officer to help me find the registration and he told me he wasn't allowed to touch anything in my car without a warrant, even with my permission.

Initials: _____ Date: _____ Signature: _____ Continued: Yes _____ No _____
 Page: _____ of _____
 Reference: _____

North Carolina State Highway Patrol
Member's Statement

Troop: _____ District: _____

Registry #: _____

Rank/Name: _____

Rank

First

M.I.

Last Name

to yell about how I am wasting his time and I have no say in what happens to me that he makes the decisions. I Apologized for being an inconvenience and told him my father just told me it was more accurate to take the toll downtown when really I just wanted away from him. He pointed to his blue clock numbers and said I had until 1:25 AM to make my decision as he told me about a new rule at State where if your even convicted of a DWI, regardless of whether or not your charged, you are expelled from school. I told him I didn't know about that and asked if it was a new rule he told me he had just talked to someone about it and went on to ask me if I really wanted to ruin my whole life. He told me he knew I wasn't drunk so I should just blow with him. I still wanted to go downtown which made him furious. Yet we still sat in his car going nowhere. He asked me again what I wanted to do and I knew at this point he wasn't going to take me downtown and disagreeing with him only made him more dangerous to me. I started agreeing with things that I know are lies. He told me as long as I blew under .15 I wasn't in trouble I pretended to believe that despite the fact I know the limit is .08 and 2 as a ~~man~~ you can't blow anything ~~less than .15~~ Then he put the car in drive and I thought maybe we were going to the Police station but we pulled into the apartment complex and made the first left back towards my car. he pulled the breathalyzer back out and told me to "blow nice and soft" which I also found strange because Although I've never been breathalyzed my friends told me the officers had him blow with a lot of force I blew so soft I think it either didn't work or it was just a 0 because he had me blow

Initials: _____

Date: _____

Signature: _____

Continued: Yes ☐ No ☐

Page: _____ of _____

Reference: _____

Member's Statement

Troop: _____ District: _____

Registry #: _____

Rank/Name: _____

Rank

First

M.I.

Last Name

2 more times. He then started to tell me how it was good I didn't listen to my dad and go downtown because I would have been in all that trouble. He started messing with his computer and telling me he was just going to give me a disability ticket and I just talked to calm myself down because everything was so wrong. I asked about the chip on the windshield on the passenger right side and talked about school and family. His computer made some laser noise and then he handed me a printed out ticket for drinking with a Tuesday court date at 2:00 PM. Then he said he put my home address and to give him my foreign address so I did and he printed out a new ticket. ~~to~~ I thought he was going to let me go but we still sat there. Then he asked me if I wanted to make the ticket go away. I said no thank you held already done enough with moving my car so it doesn't get towed and all. I started to get out of the car with the ticket when he said no I'm going to make it go away and asked me to get back in. Once again and he been ANYONE but an officer I would have run but he wasn't he was an officer so I got back in the car. He ripped up the ticket and then hesitated to ask me if ~~was~~ I was "wild?" I told him I was about as wild as a glass of wine with my grandma during the news. We sat in silence again until he asked me to back forward more. I hesitated but listened. He then put the car in drive and I asked where we were going and he said "Somewhere Private." I then asked if he was going to wait me and he didn't respond so I told him I was a virgin he made a left and then the first right back by the bus right near my house. He wanted to go in my apartment but I told him my roommates were home when he asked. So we stayed in

(then he
was
cliffed
me)

Initials: _____ Date: _____

Signature: _____

Continued: Yes _____ No _____

Page: _____ of _____

Reference: _____

Troop: District: _____

Registry #:

Rank/Name:

Abstract

W. J. Bond

M. J.

Lead Character

the car where he then asked me to lift up my shirt. He then started undoing his belt and zipper and exposed himself to me while touching himself. I kept talking about my grandma and family until he stopped and asked me if I was going to tell anyone and not to because he can get in a lot of trouble. He also told me "he worked the street by my house so he'd definitely see me around." I got out and I can have and told my roommate.

Initials:

Date:

6/3/10

Signature:

Continued: Yes No

Page: of

Reference:

North Carolina
State Highway Patrol

MEMBER'S STATEMENT

Troop / District:	C/3	Registry #:	2719
Rank / Name (First, M.I., Last):	Troop. Larry B. Lovick		

Statement

On the 24 day of May 2008 at around 12:30 a.m. I observed a silver Honda along the Kangaroo gas station at the corner of Tyson Road and German Street. I saw the tag showing expired on 4-15-10. I left to follow the vehicle to stop on Tyson Road. The vehicle made a left turn onto Trailwood and activated my lights to stop the vehicle. I ran the tag on the vehicle, when I got out I approached the vehicle and stated the reason why I stopped her. I asked for her license and she gave them to me. She stated that the tags were good. She had not been home to Chapel Hill to get the sticker. At that time I detected an odor of alcoholic beverage on her breath. I asked her how much she had and she stated none. I then asked her to walk back to my car on the passenger side and get in. She got in and I refused my PBT to get a sample. When I asked her to provide a sample she said take my blood, my dad is a lawyer and he said those things detect juice. I asked her again to provide a sample and she said you can take my blood. I told her she did not get to decide if she wanted blood drawn or not. I then went around and placed handcuffs on her. I did not advise that she was under arrest. I moved her car to a parking space in the apt complex that she lived in.

Initials:	
Signature:	
Date:	
Reference:	

Statement (Continued)

I returned to my and drove it to behind her vehicle. I explained that she would be charged with DWI and provisional if she didn't give a sample. I did not believe she was impaired. She then decided to provide a sample in the PST. The first blow was .01. I started issue a citation for provisional and printed it when I realized that I needed a second sample 5 min apart. The second sample was .00. I was told my last cost date that you still 2 samples for provisional 5 min apart. After the second sample I told her that she almost got a DWI because she did not want to provide a sample. I told her to hand me the citation back because it was not valid. After that she said she was gonna walk to her apt and I stated I would drive her to it beg it was same complex. She locked her car and got back in passenger seat. She asked if my car was that at and I told her no. I then asked if she was a witch girl and she said not really just go to college. She stated that she was on birth control pills and it made her breasts bigger. I then said they did as we parked in spot between the poolhouse and another apt where she said she stayed. She then lifted her shirt up and pulled her bra down to expose her breasts. She said I'm trying to lose a little weight around my stomach. She then asked to see my pants. She said she's never seen one just in movies. I exposed my pants and then put up. She then said thanks and I gave her everything and said can I have a hug. She hugged me and walked into her apt.

On 6-2-10 I was gonna leave a note to try and meet me. ~~on the~~ on the 6-3-10 but decided against it.

Initials

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

TYPE OF REPORT	SUBJECT	REPORT SUBMITTED TO	
<input checked="" type="checkbox"/> Personnel Complaint	Complaint of	Name	Colonel Wm. R. Glover
<input type="checkbox"/> Incident / Other		Date	
INVESTIGATIVE STATUS	Against	INVESTIGATED BY	
<input checked="" type="checkbox"/> Initial	Trooper L. B. Lovick, Registry # 2719	Name	Lieutenant J. O. Holmes
<input type="checkbox"/> Supplementary	Troop C, District 3 Raleigh, N.C. 27344	Name	First Sergeant W. L. Dancy, Jr.
	IA-10-078		

INTRODUCTION

On 1 June 2010, Lieutenant J. O. Holmes of the Highway Patrol Internal Affairs Section received a phone call from Sergeant Judy Sholar of the Raleigh Police Department Internal Affairs Unit. Sergeant Sholar advised that she had received information concerning a female subject who wished to complain about an officer who made unwanted sexual advances during a traffic stop. During her preliminary investigation, Sergeant Sholar discovered through DCI records that Trooper L. B. Lovick had run the complainants name and vehicle registration at the date and time of the alleged incident. Sergeant Sholar then provided Lieutenant Holmes with all of the information compiled up to that point.

Lieutenant Holmes contacted the complainant, Ms. _____, who agreed to meet with investigators and provide additional information. On 3 June 2010, Lieutenant Holmes and First Sergeant Dancy met with Ms. _____ at Highway Patrol Headquarters and obtained a written statement and a video taped interview concerning her contact with a North Carolina State Trooper during a traffic stop on 25 May 2010. During this interview, Ms. _____ alleged that Trooper Lovick placed her in his issued patrol vehicle and forced her to expose her breasts and to watch as he exposed his erect penis.

Captain W. L. Taylor, Unit Commander of Internal Affairs, classified the complaint as a Serious Personal Conduct Violation of Directive No H.1, Section V (Unbecoming Conduct), on the part of Trooper L. B. Lovick.

Lieutenant J. O. Holmes and First Sergeant W. L. Dancy Jr. began an investigation into the complaint on 2 June 2010.

☐ Not applicable

INTERVIEW OF COMPLAINANT(S)

Ms. _____

On Thursday, 3 June 2010, Lieutenant J. O. Holmes and First Sergeant W. L. Dancy Jr. interviewed Ms. _____ at Highway Patrol Headquarters in Raleigh, North Carolina.

Ms. _____ recalled that she left her apartment at approximately 1 o'clock a.m. and drove to the Kangaroo Gas Station, which was on the corner of Gorman Street and Tryon Road. When she

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

arrived in the parking lot, Ms. _____ remembered seeing a marked Raleigh Police vehicle and a silver Charger parked in the parking lot. Ms. _____ went inside the store and said that when she came out, the silver Charger had moved to the other side of the parking lot near Tryon Road. Ms. _____ also remembered seeing the officer looking at her as she went inside the store.

Ms. _____ left the parking lot and made a right turn onto Tryon Road, at which time she observed the Charger leave the parking lot behind her. As she was making a left turn onto Trailwood Drive, Ms. _____ remembered the Charger activating its blue lights. Ms. _____ remembered stopping in the right turn lane at the entrance to her apartment complex. When asked, Ms. _____ believed the officer turned his blue lights off while on Trailwood but she was certain the blue lights were off when they moved into the apartment complex.

Ms. _____ said that the officer approached her vehicle and told her that her registration was expired, at which time she told him that she had taken care of the tag but the sticker was at her residence in Chapel Hill. Ms. _____ then said that the officer asked her out of the vehicle and then told her to sit in the passenger seat of his vehicle.

Ms. _____ remembered that the officer began asking her questions regarding her drinking and then pulled out a black box with a breathalyzer, referring to the Alco-Sensor, in it. When asked, Ms. _____ admitted that she had been drinking two or three beers at 5 o'clock p.m. that day at a barbecue and thought that she might show something. She said that the officer asked her to blow into the Alco-Sensor but when she refused, the officer got really angry. Ms. _____ said that the officer told her that she had "the choice to blow in the breathalyzer in the car with him or be handcuffed, arrested, and taken downtown for a DUI." Ms. _____ said that when she told the officer that she still wanted to go downtown to take the breathalyzer, he began telling her about a new rule at N.C. State that if she was to be arrested, even if she blew an "o," the fact that she was arrested would get her kicked out of school.

Afterwards, Ms. _____ said that she still wanted to go downtown to blow, but he pointed at his clock and gave her until 1:25 a.m. to make a decision or else she was going to be transported downtown. At 1:25 a.m., Ms. _____ told the officer that she still wanted to go downtown. At this point, Ms. _____ recalled that the officer got really angry, exited his vehicle, "kinda storms around," opened her door, made her get out of the vehicle, and handcuffed her. She remembered that the officer asked her if she wanted her car towed or to leave it there. Ms. _____ then remembered that while she was thinking about what to do with her car, the officer slammed the door, got inside her vehicle without her permission, and moved her car into the parking lot of University Suites, which was the apartment complex where Ms. _____ resided. (Subsequent to this interview, investigators accompanied Ms. Jordon back to the scene of the vehicle stop. From where Ms. _____ said that she stopped to where she said that the officer moved her car to was approximately 230 feet, in front of building number 2023).

Ms. _____ recalled that when the officer returned to the vehicle, he said, "I'm going to ask you again," referring to blowing into the Alco-Sensor. At this point, Ms. _____ said that she felt that it was probably better to go along with the officer and she agreed to blow into the Alco-Sensor. At this point, Ms. _____ said that the officer pulled into the parking lot and parked perpendicular to her vehicle. While at this location, she said that the officer told her that she was going to be okay as long as she blew under .15, that she was not going to be in any trouble, which she knew was false

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

because she was under 21. Ms. _____ said that the officer told her to blow "nice and soft." Ms. _____ felt that it didn't work because he told her to blow into the Alco-Sensor two more times.

Ms. _____ said that the officer never told her what she blew but she thought she saw .04 on the Alco-Sensor the first time and .05 on the Alco-Sensor the second time. Ms. _____ remembered the officer saying, "Aren't you glad that you didn't listen to your dad? You would have been in a whole lot more trouble."

Ms. _____ then began elaborating on the equipment in the officer's car, saying that it looked expensive so she knew that he was a real officer. Ms. _____ also mentioned that there was a chip on the passenger side windshield of the vehicle that resembled a gunshot. (Subsequent to this interview, investigators observed the large chip in the windshield of Trooper Lovick's vehicle).

Ms. _____ recalled that while at this location, after blowing into the Alco-Sensor, the officer un-handcuffed her and she thanked the officer for not arresting her. Ms. _____ remembered that the officer gave her an underage drinking ticket. The ticket had a court date of "Tuesday at 2 o'clock," possibly in July, and that the officer told her that she could go to court "anytime from 12 to 3." She recalled the ticket being white with red and blue in it.

Ms. _____ recalled the officer telling her that her home address was on that ticket, at which time the officer ripped the ticket up. Ms. _____ said that she then gave the officer her Raleigh address, which was in walking distance from where they were sitting, and he printed out a new ticket and gave it to her. Ms. _____ said that she kept sitting in the car waiting for the officer to release her. Ms. _____ also said that the officer would say something, then stop, and finally he asked her, "Do you want me to take care of that ticket?" At this point, Ms. _____ said that she just wanted to get out of the car and told the officer that he had already done enough. She thanked the officer and remembered asking him if she could go now, to which he responded, "Yes." Ms. _____ later told investigators that she thought she was free to leave at this point.

Ms. _____ said that as she started to get out of the car, one foot was out when the officer said, "No, no, no, here. I'm gonna take care of that ticket for you." Ms. _____ recalled that she kind of froze at this point, at which time the officer told her to get back into the car. When she got back into the car, Ms. _____ said that the officer tore this ticket up as well. Ms. _____ remembered thinking that she was no longer under arrest and going to jail, no longer getting a ticket, and that there was no need for her to be in that car anymore.

Ms. _____ stated that they continued to sit there and the officer never gave her "the word to leave." The officer then started to ask her if she was "wild." Ms. _____ said that she had been talking the entire time and she thought that maybe the officer thought that she was on drugs. Ms. _____ remembered that the officer asked her again if she was wild. Ms. _____ responded by talking about being as wild as hanging out with her grandmother, sitting around watching the news, and drinking a glass of wine. Ms. _____ recalled sitting there again in silence and that she kept waiting to be allowed to leave. Ms. _____ said that the officer then asked her to bend forward, which she kind of hesitated to do. She leaned forward, at which time the officer put the car in drive and started driving.

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

When she asked, Ms. _____ remembered the officer telling her that he was going to take her "somewhere private" where no one could see them. (Subsequent to this interview, investigators accompanied Ms. _____ back to the scene where the officer had moved her vehicle. From where Ms. _____ said that the officer parked her vehicle to where he drove her was approximately 529 feet, in front of building number _____. Ms. _____ said that when she asked the officer if he was going to hurt her that he did not answer her. At this point, Ms. _____ said that she told the officer that she was a virgin.

Ms. _____ remembered the officer making a left in the apartment complex and then the first right, which ended up being in front of the building where she resided. Ms. _____ said that the officer wanted to go inside her apartment with her. Ms. _____ did not want to go inside her apartment with someone she didn't know; she would rather stay outside where she felt safer because people walked around all the time.

Ms. _____ said that while they were sitting in the car, the officer asked her to pull up her shirt. Ms. _____ hesitated and because she was scared of him, knowing he was a police officer in uniform, she did it. If he had been anyone else, Ms. _____ said that she would not have done that. Ms. _____ recalled the officer unbuckling his belt and unzipping his pants. Ms. _____ did not recall the officer pulling his pants down but the officer exposed himself, she believed through his zipper. Ms. _____ said the officer told her to look, at which time she saw him kind of touching himself and noticed that he was wearing a wedding ring. When asked, Ms. _____ did not think that the officer ejaculated when he was touching and exposing himself. When asked if the officer masturbated, Ms. _____ said that she wasn't sure because she had not seen that before but his penis was erect. Ms. _____ related that she started talking about her family and grandmother, hoping the officer was going to stop. Ms. _____ did not know what happened but all of a sudden, the officer stopped. Ms. _____ said that the officer then asked her if she was going to tell anyone, to which she replied, "No, I'm not gonna tell anybody." Ms. _____ said that the officer then told her that he worked the streets near her home and that when she saw him around to give him a wave.

Ms. _____ advised that the officer then zipped up his pants and fixed his belt. As she began getting out of the vehicle, the officer asked her if she was fine with this, at which time Ms. _____ told him that she was fine. Ms. _____ said that when she got out of the car, she ran and went inside of her home to tell her roommate and her roommate's boyfriend what just happened.

Ms. _____ remembered that it was late but she called her parents, who were asleep, and they told her that they were going to talk about it in the morning. Ms. _____ recalled that her mother emailed a friend, whose husband is a police officer, the next day but she did not know what they said to each other. Ms. _____ recalled that that night, when she called her parents, she really wanted to report what happened. After thinking about situation, Ms. _____ did not report the incident because the officer knew where she lived and she did not want him to get mad and come by her house.

Two days after this happened, Ms. _____ was the passenger in a vehicle when a friend was stopped by Raleigh Police Officer Erving. She told Officer Erving what happened and he told her to come in the next day to report the incident.

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

When asked if the officer was in uniform, Ms. _____ said that she initially described the color of the uniform as beige because of the street lights but maintained that the officer had on the exact same uniform that investigators were wearing. Ms. _____ remembered that the officer wore the same type of hat that the investigators wore. Ms. _____ also remembered the patch having the yellow and black.

When asked for clarification about the description she gave Raleigh Officers about the blue light being on top, Ms. _____ said that when she drove by the car in the parking lot, she didn't see a light on top. However, when she got stopped, Ms. _____ remembered "thinking the lights were coming from high up."

When asked, Ms. _____ admitted that aside from putting her seatbelt on, the officer never touched her, tried to touch her, or talked about touching her during the encounter. When asked, Ms. _____ admitted that the officer never asked her to touch him or perform any sexual acts on him. The only contact between the officer and Ms. _____ was when the officer put her seatbelt on and placed her in handcuffs.

When asked, Ms. _____ said that she had on a purple top, shorts, and that she wore converse sneakers. When the officer asked, Ms. _____ said that she pulled up her shirt and pulled her bra down because she was wearing a strapless bra. The officer exposed himself after she pulled her bra down and Ms. _____ believed that this took approximately five to ten minutes, but it could have been less than that. Ms. _____ remembered that the officer said that she had nice breasts.

When asked, Ms. _____ said that the officer told her she was under arrest for DUI and that he was going to take her downtown when she was still on Trailwood Drive.

When asked, Ms. _____ said that she had never seen or met this Trooper prior to this night nor had she seen him since that night.

When asked, Ms. _____ said that she would guess that she was with the officer one hour and twenty minutes from the time that she was stopped until she was released. She believed that she got out of the patrol car between 2:25 and 2:30. Ms. _____ knew that she was definitely in the car at 2 o'clock because she had a missed telephone call, which she would have answered if she had her phone.

When asked, Ms. _____ said that she never flirted with the officer nor did she ever make any suggestive comments.

When asked, Ms. _____ said that she never heard the officer call in any mileage when he was driving around with her.

When asked how the officer knew to pull near her apartment if he was going to take her somewhere private, Ms. _____ responded, "I don't know. He knows where I live at this point and so I feel like maybe that's what he's doing 'cause then the second we parked, he was like, 'Can we go in your apartment?' Ms. _____ said that the officer did not pull on her street, which was _____. Ms.

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

_____ said that he may have parked there because the parking lot was kind of empty and it was the darkest, most hidden corner of the apartment complex.

When asked if she ever suggested to the officer to park in front of her apartment, Ms. _____ responded, "No." When asked if she ever told the officer that was her apartment, Ms. _____ responded, "No." She then admitted that after they were parked, she told the officer that they were in her area.

☒ Not applicable

INTERVIEW OF WITNESS(ES)

☐ Not applicable

INTERVIEW OF MEMBER

On 3 June 2010, Lieutenant J. O. Holmes and First Sergeant W. L. Dancy Jr. interviewed Trooper L. B. Lovick at Highway Patrol Headquarters in Raleigh, North Carolina.

When asked to describe the events that took place during the early morning hours of 25 May 2010, Trooper Lovick stated that he was stationary in the parking lot of the Kangaroo store at the intersection of Tryon Road and Gorman Street when he observed a silver Honda vehicle displaying an expired registration plate. Trooper Lovick followed the vehicle as it turned right on Tryon Road out of the parking lot. The vehicle then turned left on Trailwood Drive where Trooper Lovick activated his blue lights and initiated a traffic stop. The vehicle stopped on Trailwood Drive in the right turn lane near the entrance to the apartment complex. Trooper Lovick approached the vehicle and informed the operator, Ms. _____, that he had stopped her because her registration was expired. Ms. _____ explained that she had renewed her registration but that she had failed to apply the new sticker. Trooper Lovick detected a "slight" odor of alcohol and asked how much she had to drink tonight. Ms. _____ stated that she had not consumed any alcohol and Trooper Lovick asked her to come back and have a seat in the front passenger seat of his patrol vehicle.

Trooper Lovick then attempted to obtain a breath sample from Ms. _____ in his issued PBT. Ms. _____ refused to provide a breath sample but stated that she would consent to a blood test. Trooper Lovick stated that he did not want to draw her blood and that he was requesting a breath sample. Ms. _____ then stated that her father was an attorney and that he had told her that the PBT's did not work properly and that is why she would not provide a breath sample but would be willing to have her blood drawn. Trooper Lovick then went around to the passenger side of his vehicle, handcuffed Ms. _____ behind her back and put her back in the front passenger seat of his patrol vehicle. Trooper Lovick stated that at no time did he inform Ms. _____ that she was under arrest. He stated, "I was trying to put some fear, I guess, to try and get her to think, something to click to say hey, I'm about to go to jail maybe I should blow." Trooper Lovick then moved Ms. _____ vehicle from Trailwood Drive into a parking spot in the nearby apartment complex.

Trooper Lovick then returned to his patrol vehicle and drove to where he had parked her vehicle in the apartment complex. He then explained to Ms. _____ that the DWI process at the Wake County Jail is a very time consuming process and that he did not want to waste his time if she was

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

not impaired. Trooper Lovick stated, "I knew she wasn't drunk, I knew she wasn't a .08 or more," but that he knew he had a provisional license violation. He further stated to Ms. _____ that she does not get to pick the type of test given and that it is up to the discretion of the charging officer. Trooper Lovick then told Ms. _____ that if he arrested her and took her to the jail that he would offer her a breath test. If she refused at that point that she would be expelled from N. C. State University. At that point, Ms. _____ stated that she did not want to get kicked out of school and that she would provide a breath sample in the PBT. Ms. _____ provided a breath sample which resulted in the reading of .01. Trooper Lovick then issued Ms. _____ a citation for a provisional license violation with her Chapel Hill address listed. Ms. _____ did not want this address used because she did not want her parents to find out so Trooper Lovick ripped up the citation and issued another one with her Raleigh address. At that time, Trooper Lovick recalled a prior court case where the Assistant District Attorney informed him that he needed two breath samples for a provisional license violation. Trooper Lovick then obtained a second breath sample from Ms. _____ which resulted in the reading of .00. Trooper Lovick told Ms. _____ of her results and said "You almost went to jail for nothing." At that point Trooper Lovick ripped up the second citation and removed the handcuffs from Ms. _____. Ms. _____ exited his vehicle and said that she would leave her car and just walk to her apartment. He then asked if she lived in the building behind where they were parked. Ms. _____ stated that she actually lived in a building across the complex and Trooper Lovick told her that since it was late he would give her a ride over to her building. Ms. _____ locked her car and sat back down in the front passenger seat of Trooper Lovick's patrol vehicle.

During the ride to her apartment, Trooper Lovick asked Ms. _____ "are you wild?" Ms. _____ responded that although she was a college student she was not wild. She then invited Trooper Lovick to her apartment. Trooper Lovick declined her invitation and then made the comment, "Those are nice," referring to her breasts. Ms. _____ then stated that she was on birth control pills and that it made her breasts bigger. When Trooper Lovick parked his patrol vehicle in front of her building, Ms. _____ leaned back in the seat, lifted her shirt, and pulled her bra down exposing her breasts. Ms. _____ made the comment that she still needed to exercise and work on her stomach. Ms. _____ then stated, "Can I see yours?" referring to his penis. Trooper Lovick stated that he then leaned back, unbuckled his belt, unfastened his pants and exposed his penis. He stated that his penis was erect and that he never touched himself. Ms. _____ responded that "it looks like it does in the movies." Trooper Lovick stated that he then fastened his uniform pants and that his penis was only exposed for a few seconds. Ms. _____ then said "I owe you big time, you saved my life," and leaned across the console and gave him a hug. She then exited his patrol vehicle and he departed the scene.

Trooper Lovick stated that he was planning on leaving Ms. _____ a note on her car on 2 June 2010 asking her to meet him again but he did not.

Trooper Lovick was asked why two partially used HP-308 (warning ticket) pads were located under the driver's seat of his issued patrol vehicle. He stated that he does not believe that warning tickets do any good and has never written many. The ones found in his car were some he had written but never turned in to the office. Trooper Lovick further stated that he had not completed the Stop Form associated with these warning tickets.

Trooper Lovick stated that he has never exposed his penis to anyone else while working for the Highway Patrol.

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

When asked, Trooper Lovick stated that there were two other prior occasions where a woman exposed her breasts to him during a traffic stop. The first occasion occurred during the winter time about two years ago. Trooper Lovick stopped a female on I40 for speeding 80 m.p.h. in a 60 m.p.h. zone. When he approached the vehicle, the female began asking him to not issue a citation when she stated, "How about these," and pulled her top down exposing her breasts. Trooper Lovick then told the female to slow down and allowed her to proceed on without a citation or a warning ticket. Trooper Lovick said that the female never exited her vehicle and there was no physical contact between them. The second occurrence happened on Rand Road between NC 50 and NC 210 in either the spring or the fall. Trooper Lovick stopped the female for an expired registration and approached the vehicle. The female stated that she was going to work and asked him not to issue a citation. She then said, "I just bought these," and lifted her shirt exposing her breasts. Trooper Lovick then instructed the female to get her registration renewed and allowed her to proceed on without a citation or a warning ticket.

☐ Not applicable

SUPPLEMENTARY INFORMATION

On Friday, 28 May 2010, at approximately 11:07 a.m., Captain Cosper from the Raleigh Police Department called Highway Patrol Headquarters and spoke to First Sergeant Dancy.

Captain Cosper told First Sergeant Dancy that they had a case where a police officer had stopped a female on 25 May 2010, at approximately 0115 hours. The officer was driving an unmarked gray Dodge Charger without any markings on it and the car had a blue light on top.

The officer was described as a white male between 45 and 50 years old, with red bushy eyebrows, yellow teeth and wearing a wedding ring. The officer wore a tan-colored shirt and dark-colored pants.

The officer allegedly wrote the female two tickets and tore them up, asserting that he could tell her how to get out of the tickets. The officer also allegedly masturbated in his patrol car.

First Sergeant Dancy told Captain Cosper that none of the Highway Patrol's unmarked vehicles fit the description that he gave. First Sergeant Dancy then told Captain Cosper that he had not been assigned to Wake County in a while and he did not know if the physical description fit any troopers in that district.

First Sergeant Dancy asked Captain Cosper if his department had checked D.C.I. to see if any officers ran the female's name on the night in question. Captain Cosper said that they had not done that at that time. First Sergeant Dancy asked Captain Cosper to contact our agency back if they needed further assistance.

First Sergeant Dancy told Captain Cosper that he would contact a supervisor from Wake County and advise the supervisor to call him. At approximately 11:21 a.m. on 28 May 2010, First Sergeant Dancy contacted Sergeant K. J. McCray on his cell phone and advised him to contact Captain Cosper.

☐ Not applicable

SUPPORTING DOCUMENTS

North Carolina
State Highway Patrol

REPORT OF INVESTIGATION

Copy of Memorandum from Captain W. L. Taylor to Lieutenant A. W. Wilson
Copy of Personnel Complaint (HP-307)
Original Statement of Trooper L. B. Lovick (HP-326B)
Original Statement of Ms. _____
Copies of Selected Portions of Highway Patrol Policy and Procedures
Copy of Ms. _____ video taped interview
Copy of Supporting Documents from Raleigh Police Department's Internal Affairs Unit
Copy of Video Surveillance from Extra Attic Self-Storage

☐ Not applicable

INTERVIEW LIST

Trooper Larry B. Lovick
4702 Mail Service Center
Raleigh, North Carolina 27699
(919) 733-4400

Ms. _____

Raleigh, North Carolina 27603
(919) _____

NORTH CAROLINA
State Highway Patrol

NOTICE OF INVESTIGATORY PLACEMENT

Rank / Name: Trooper Larry B Lovick Registry Number 2719
 Rank First M.I. Last Name

Duty Station: Raleigh Troop / District: C/3 Call Number: C351

You are hereby relieved from duty; your present status is that of Investigatory Placement with pay, as provided in North Carolina Highway Patrol Directive H 4, Section IX.B.

Effective Date and Time: 6/3/2010 5:38 pm Length of Placement: 30 Calendar Days

Reason for Placement:

- ☒ To investigate allegations of performance or conduct deficiencies that would constitute just cause for disciplinary action;
- ☐ To provide time within which to schedule and conduct a pre-disciplinary conference; or
- ☐ To avoid disruption of the work place and / or to protect the safety of persons or property.

This Investigatory Placement is not appealable pursuant to State Law and Highway Patrol Policy.

Colonel Wm. Randy Glover *WRG*
Patrol Commander


Member's Signature

Action Administered By SA J. O. [Signature]

NOTICE OF EXTENSION

Rank / Name: _____ Registry Number: _____

Rank First M.I. Last Name

Duty Station: _____ Troop / District: _____ Call Number: _____

The length of your placement is hereby extended as provided in North Carolina Highway Patrol Directive H.4, Section IX.B.

Effective Date and Time: _____ Length of Extension: _____

Reason for Extension: _____

This extension of Investigatory Placement is not appealable pursuant to State Law and Highway Patrol Policy.

Patrol Commander

State Personnel Director

Member's Signature _____

Action Administered By _____

Beverly Eaves Perdue
Governor
Reuben F. Young
Secretary
Wm. Randy Glover
Colonel



North Carolina
Department of Crime Control and Public Safety
State Highway Patrol

Location:
512 N. Salisbury Street
Raleigh, NC 27604
(919) 733-7952

Mailing Address:
4702 Mail Service Center
Raleigh, NC 27699-4702

Troop C, District 3
4702 Mail Service Center
Raleigh, N. C. 27699-4702

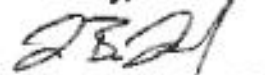
June 7, 2010

Administrative Services
North Carolina Highway Patrol
4702 Mail Service Center
Raleigh, N. C. 27699-4702

Major Jennifer A. Harris

Effective immediately I Larry B. Lovick Registry # 2719 submit my resignation from the North Carolina Highway Patrol.

Sincerely,



Trooper L. B. Lovick



An Internationally
Accredited Agency

Law Enforcement Oath of Honor

On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the constitution, my community, and the agency I serve.

Beverly Eaves Perdue
Governor
Reuben F. Young
Secretary
Wm. Randy Glover
Colonel



North Carolina
Department of Crime Control and Public Safety
State Highway Patrol

Location:
512 N. Salisbury Street
Raleigh, NC 27604
(919) 733-7952

Mailing Address:
4702 Mail Service Center
Raleigh, NC 27699-4702

Office of Professional Standards

7 June 2010

MEMORANDUM

TO: COLONEL W. R. GLOVER

FROM: MAJOR G. L. BELL *GLB*

RE: COMPLAINT OF MS. AGAINST TROOPER L. B. LOVICK, REGISTRY #2719 (JA-10-078)

I have reviewed the attached investigation against Trooper L. B. Lovick submitted by Lieutenant J. O. Holmes and First Sergeant W. L. Dancy. The Personnel Complaint (HP-307) initiated by Captain W. L. Taylor alleged a Serious Personal Conduct Violation of Directive No. H.1 Section V (Unbecoming Conduct) on the part of Trooper L. B. Lovick.

After reviewing the completed Report of Investigation (HP-721), I concur that on 24 May 2010, Trooper Lovick's actions were in violation of Directive No. H.1 Section V (Unbecoming Conduct).

Based upon the facts provided in the Report of Investigation (HP-721), it is my opinion that Trooper Lovick's actions reflect discredit upon him as a State Trooper and was not in keeping with the high standards of professional law enforcement. Trooper Lovick's actions on 24 May 2010 would warrant dismissal from the North Carolina State Highway Patrol. However, on 7 June 2010, Trooper Lovick submitted to First Sergeant K. W. Cooke a letter of resignation from the North Carolina State Highway Patrol with an immediate effective date.

GLB

*I, Colonel W. R. Glover, concur
with recommendation.*

MRB 6-7-10



An Internationally
Accredited Agency

Law Enforcement Oath of Honor

On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the constitution, my community, and the agency I serve.