

North Carolina  
State Highway Patrol

**PERSONNEL COMPLAINT**

Date and Time Received by I. A.:	10/06/09
Date Closed:	

COMPLAINANT IDENTIFICATION	
Name	
Home Address	
Business Address	
Home Telephone	
Business Telephone	
Other Information	

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	Lt J. E. Blanks		Reg #	1390	Troop / District	X/2
Date	October 6, 2009	Time	1500	Communication Media	Telephone	

**DETAILS OF THE COMPLAINT**

Ms. \_\_\_\_\_ contacted Internal Affairs by telephone on 06 October 2009 to report some "Inappropriate" comments made by a Trooper.

Ms. \_\_\_\_\_ alleges she was stopped on 05 October by a Trooper for speeding and an expired registration plate on Blainey Franks Rd. in Wake County. Ms. \_\_\_\_\_ felt that the Trooper must have run her information because when he returned to her car he told her that she would be eligible to use a "Prayer for Judgment" in court because her last citation had been in 2005.

Ms. \_\_\_\_\_ stated the Trooper asked her if she was married and when she asked him if he had to write her a citation, the Trooper commented that if she showed him the rest of her tattoo, she would not receive a citation. Ms. \_\_\_\_\_ alleges the Trooper then tore up the citation and did not issue it to her. She stated that she was able to see that the citation was typed, but she did not know what, if anything, she had been charged with and she was not given a copy nor a court date.

Ms. \_\_\_\_\_ stated she was unsure of the Trooper's name, but that he drove a Charcoal Gray Dodge Charger and she believed his name was Lovick or Lovitt.

An offline request of DCI indicates that Trooper L. B. Lovick ran Ms. \_\_\_\_\_ information on his MDT on 05 October 2009 at 1503 hours. (See attached)

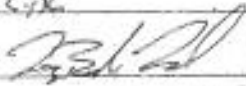
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**MEMBER'S STATEMENT**

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

**Statement**

On Monday October 5, 2009 at approximately 3:00 p.m., I was on preventative patrol southbound on Blaney Franks Road (RP 1376). I observed a vehicle speeding and clocked the vehicle traveling southbound in same lane mode at 60 miles per hour in a 45 miles per hour speed zone. I stopped the vehicle just north of (RP 1010). I approached the drivers side of the vehicle and began explaining to the driver the reason for the stop. I returned to my patrol vehicle and issued a citation for speeding. I reapproached the vehicle and explained the citation to Ms. Ms stated if she could "please have a warning because she was going down hill and didn't mean to be speeding". I then stated to her "when was the last time she received a citation" reason being if she choose to go to court she can explain her driving record to DA. She replied that she didn't know. She then asked " could I check for her?". I returned to my patrol vehicle and inquired her drivers license information on my MDT. I returned to her vehicle and told her the last date was 2005 when she received a citation. I further stated "if its been over three years since your last citation, the DA's office might help you out with this." I also stated " they have a prayer for judgement that you can use every three years". She then asked me to "please give her a warning, please...". I then asked where she worked. She replied "a". I then asked Ms: if she was married and she replied " I am not, I have (2) kids and live with my parents". I noticed part of a tattoo across Ms lower back as she was leaning forward as we were speaking. I asked if I could see her tattoo, but I never stated to Ms that she would not received a citation. She leaned up and lifted the back of her shirt to show the tattoo. After she showed the tattoo she stated " I'll take the ticket". I then told her to "slow down" and returned back to my patrol vehicle without issuing her the citation that I had printed in my hand. I realized based on Ms. actions she was just trying to get out of the citation or she would file a complaint against me if I issued her the citation. So, I decided to rip up the citation without voiding it to possible avoid a complaint. I resumed preventative patrol for the remainder of my shift after the vehicle stop.

Initials:	LBL
Signature:	
Date:	10-21-2009
Reference:	

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**REPORT OF INVESTIGATION**

TYPE OF REPORT	SUBJECT	REPORT SUBMITTED TO	
<input checked="" type="checkbox"/> Personnel Complaint	against Trooper L. B. Lovick Registry #2719 (IA-09-127)	Name	Captain James Williams, Jr
<input type="checkbox"/> Incident / Other		Date	27 October 2009
INVESTIGATIVE STATUS		INVESTIGATED BY	
<input checked="" type="checkbox"/> Initial		Name	Lieutenant B. R. Culler, Jr
<input type="checkbox"/> Supplementary		Name	

**INTRODUCTION**

On Tuesday, 6 October 2009, Lieutenant J. E. Blanks, Internal Affairs, received a complaint from Ms. \_\_\_\_\_ against Trooper L. B. Lovick. Ms. \_\_\_\_\_ alleged that Trooper Lovick stopped her for speeding and expired registration plate on 5 October 2009. Ms. \_\_\_\_\_ stated that Trooper Lovick asked if she was married and if she would show him her tattoo, she would not receive a citation.

A Personnel Complaint (HP-307) was filed by Lieutenant J. E. Blanks, Internal Affairs, and forwarded to Captain James Williams, Jr. Captain W. L. Taylor, Director of Internal Affairs, classified the complaint as a Less Serious Personal Conduct violation of Directive No. H. 1, Section V (Unbecoming Conduct), on the part of Trooper Lovick. Captain Williams or his designee was designated to investigate the complaint. Lieutenant B. R. Culler, Jr began the investigation on 15 October 2009.

Not applicable **INTERVIEW OF COMPLAINANT(S)**

On Monday, 19 October 2009, at approximately 3:16 p.m., this investigator interviewed Ms. \_\_\_\_\_ at Troop C Headquarters Conference Room, located at 1831 Blue Ridge Road, Raleigh, N. C. 27607.

Ms. \_\_\_\_\_ stated she was on her way home from North Carolina State University around 3:00 p.m. on Penny Road. She made a left turn onto Blainey Franks Road and noticed another vehicle coming up behind her. Ms. \_\_\_\_\_ sped up because the car was following her and then she thought it may be an undercover police car. Ms. \_\_\_\_\_ felt the undercover police car was running her tags because she had lost her renewed annual sticker. She went down a hill and the police car turned on the blue lights. Ms. \_\_\_\_\_ pulled over and stopped her car. She leaned over to get her registration card and the officer was already at her driver's window. The officer was wearing a round hat but did not have on a tie. He was wearing a short sleeved white or beige shirt with a gold badge. He was wearing black pants. She noticed his shirt was tight because he was wearing a bullet-proof vest. The officer told her two things, "I pulled you over because your registration was expired and you were going kinda fast." The officer asked her if there was a reason she was speeding. She told the officer that she paid the registration fee but had lost the sticker. The officer asked for her driver's license and told her that he was going back to his car to check it out. Ms. \_\_\_\_\_ waited and became upset because she has not received a citation in a while. She knew her speed picked up when she was going down the hill without putting on her brakes to slow down.

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The officer came back with a white paper and told her it was a ticket for sixty (60) miles per hour in forty-five (45) miles per hour zone. The officer handed her the citation and advised her of the court date and location. She noticed on the ticket that the officer's name was either Lovick or Lovitt. He told her that she had two options. One, pay the fine or go to court and talk to the District Attorney or Judge. She asked the officer, "If I pay the fine, will it go against my insurance or my license?" He said, "Yes, but when was your last citation?" Ms. \_\_\_\_\_ said she received a citation three years ago and used a Prayer for Judgment. The officer told her she could use a Prayer for Judgment every three years. The officer asked for her driver's license back so he could go back to his car and check her driver's license.

The officer came back and told her that she had a citation three years ago in 2005. He told her that she could use a Prayer for Judgment for this particular violation. Ms. \_\_\_\_\_ said the officer was very nice, very helpful and answered her questions.

The officer asked her if she had any more questions. She responded that she did not have any more questions. He asked her again, "Are you sure?" She asked him if she could get a warning because she was going down hill and she had slowed down going back up a hill. The officer asked her if she was married. She said, "No, I have two children and live with my parents." She told him she went to school full-time at North Carolina State University and worked at \_\_\_\_\_.

The officer said, "In order for this ticket to go away, I need to see something." The officer's voice was nervous and he was looking around, not directly at her. Ms. \_\_\_\_\_ thought he was referring to other documents or paperwork. Ms. \_\_\_\_\_ recalled the last time she went to court in 2005; the court asked her if she needed an interpreter because she looks Mexican. He asked her, "Let me see your tattoo." Ms. \_\_\_\_\_ has a tattoo on her lower back and the officer must have seen it when she was leaning over to get the registration card from the glove box. She hands the officer the citation and lifts up her shirt just enough to reveal the tattoo on her lower back. The officer asked her, "What else you got, is that the only one?" She told him, "Yes." He asked her, "Are you sure?" Ms. \_\_\_\_\_ said, "Yes." She wondered why he was being persistent. She felt he wanted to see a body part because he had already seen the tattoo. This investigator asked Ms. \_\_\_\_\_, "Have you ever showed your tattoo to total strangers before?" She said she showed her tattoo to family and friends when she first got it. Ms. \_\_\_\_\_ put the officer in this category because she felt comfortable in showing him the tattoo. The officer did not ask to see any particular body part but she asked him, "Are you serious?" He said, "Please." Ms. \_\_\_\_\_ said, "Honestly, I'd rather have the ticket.

She said the officer ripped up the ticket and said, "No, you're fine, just be careful. Ms. \_\_\_\_\_ drove away and she did not feel comfortable after she left. She discussed the situation with her family and they did not advise her to file a complaint or any legal action. She went to work the next day and a co-worker felt the officer went too far. Her co-worker's brother is a Fuquay-Varina police officer and advised her to contact the Highway Patrol's Internal Affairs Section.

Ms. \_\_\_\_\_ did not want to tell about the incident and just wanted to forget about it. She finds it hard to discuss the incident but she does not want this to happen to other girls. She feels traumatized about the incident but she felt bad about speeding and showing her tattoo.



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**REPORT OF INVESTIGATION**

Ms. \_\_\_\_\_ stated, "I wasn't sure if I got a ticket because he ripped it up. I wanted to make sure this didn't make my license invalid for not going to court." This investigator asked, "When did you realize that the officer was a State Trooper?" Ms. \_\_\_\_\_ wanted to research who had stopped her because she wanted to know if it was a real officer. She went online to Goggle and looked at the types of vehicles police departments were using. She reviewed the North Carolina State Highway Patrol website and noticed the Dodge Charger. She also knew she was outside the city limits. This investigator asked Ms. \_\_\_\_\_, "Has Trooper Lovick made any contact with you since the traffic stop, whether it was calling you, coming by your work or residence?" Ms. \_\_\_\_\_ replied, "No." "Was October 5<sup>th</sup> the only time you had any contact with Trooper Lovick?" She replied, "Yes, that was the only time and I haven't even seen his car." "Has any other member of the North Carolina State Highway Patrol, for non-enforcement reasons, contacted you, other than me?" Ms. \_\_\_\_\_ replied, "No, except for when I called Internal Affairs."

Not applicable **INTERVIEW OF WITNESS(ES)**

Not applicable **INTERVIEW OF MEMBER**

On Thursday, 22 October 2009, at approximately 1:15 p.m., this investigator conducted an interview with Trooper L. B. Lovick, Registry #2719, 3101 Eric Street, Willow Springs, N.C. 27592; telephone number (919) 733-4400 at Troop C Headquarters Conference Room, 1831 Blue Ridge Road, Raleigh, N.C. 27607.

Trooper Lovick was on preventative patrol on Monday, 5 October 2009 at approximately 3:00 p.m. on Penny Road and got behind a vehicle making a left turn onto Blainey Franks Road. He activated his Golden Eagle Radar unit in the same lane mode and clocked the vehicle going sixty (60) miles per hour (MPH) in forty-five (45) miles per hour zone (MPH). Trooper Lovick stopped the vehicle and made his approach to the vehicle. Trooper Lovick told the driver, Ms. \_\_\_\_\_, that he stopped her for speeding and if there was any reason for her speed. Trooper Lovick asked this question while she was reaching for her registration card in the glove box. Trooper Lovick recalled seeing a tattoo of tribal bands on her back because her shirt had risen up while she getting her registration card. He asked for her driver's license. Trooper Lovick went back to his patrol and completed the E-Citation for 60 MPH in a 45 MPH zone.

Trooper Lovick re-approached Ms. \_\_\_\_\_ with the citation in his hand and explained she had two ways to take care of the citation for 60 MPH in a 45 MPH zone. She could pay off the citation or come to court on November 30 at 2:00 p.m. Trooper Lovick asked Ms. \_\_\_\_\_ when her last citation was. She advised she could not remember and she asked if Trooper Lovick would check it. Trooper Lovick asked for Ms. \_\_\_\_\_'s driver's license back and returned to his patrol car. He took her driver's license and the citation with him. Trooper Lovick checked her driver's license status and it showed a 2005 violation with a Prayer for Judgment (PJC). Trooper Lovick could not remember the type of charge she received in 2005.

Trooper Lovick approached Ms. \_\_\_\_\_ for a third time and returned her driver's license to her. He told her that she could receive a PJC from her 2005 violation. He said it would be up to the District Attorney if she received a PJC. Ms. \_\_\_\_\_ asked for a warning. Trooper Lovick replied,

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**REPORT OF INVESTIGATION**

"No." She asked again and Trooper Lovick asked where she worked. Ms. \_\_\_\_\_ replied she worked at \_\_\_\_\_. Trooper Lovick asked Ms. \_\_\_\_\_ if she was married. Ms. \_\_\_\_\_ said she was not and she had two (2) kids and lived at home with her parents. Trooper Lovick noticed the tattoo on Ms. \_\_\_\_\_'s back again while she was leaning up toward the steering wheel of her car while they were talking. Trooper Lovick asked Ms. \_\_\_\_\_, "Can I see the tattoo?" Ms. \_\_\_\_\_ lifted her shirt up from the back for about two to three seconds and showed her tattoo to Trooper Lovick. After that, Ms. \_\_\_\_\_ said, "I will take the ticket." Trooper Lovick kept the citation and told Ms. \_\_\_\_\_ to slow down and drive safely.

Trooper Lovick returned to his patrol car as Ms. \_\_\_\_\_ drove off. Trooper Lovick ripped up the citation in several small pieces and discarded it. He unlocked the citation he issued Ms. \_\_\_\_\_ in his Mobile Data Computer (MDC) and kept it open until his next traffic enforcement contact. He issued his next traffic violation in this E-Citation field, replacing Ms. \_\_\_\_\_'s information.

This investigator asked, "Did you ask her, in order for this ticket to go away, I need to see something?" Trooper Lovick responded, "No, I did not ask that." Trooper Lovick stated when Ms. \_\_\_\_\_ wanted the ticket, he got back to reality because he knew if he gave her the ticket, she would complain because he asked to see her tattoo. Trooper Lovick knew it was unprofessional. Trooper Lovick never asked to see anything else such as another tattoo or body part. He just asked her once to see the tattoo. He never asked her for her telephone number or anything else other than to see the tattoo. Trooper Lovick stated Ms. \_\_\_\_\_ never had the citation in her possession but showed her the citation while explaining the location and court date. Trooper Lovick stated he had a mental lapse in judgment because Ms. \_\_\_\_\_ flirted with him by batting her eyes at him and she was unmarried with two children. This investigator asked, "Did you see any panties or her rear end when looking at her tattoo?" Trooper Lovick responded, "No, sir."

Trooper Lovick stated he was nervous after asking to see Ms. \_\_\_\_\_'s tattoo because he had never done anything out of line during the performance of his duties. He said after the first week, he was still nervous because he thought Ms. \_\_\_\_\_ would file a complaint. When Sergeant Van Burton called him in to meet with Lieutenant Culler regarding a traffic stop, he knew it was about his contact with Ms. \_\_\_\_\_.

Trooper Lovick has never voided a citation under circumstances like this before. Trooper Lovick stated, "I disappointed myself, the organization and my family." "It won't happen again." Trooper Lovick strives for excellence every day by making at least fifteen contacts a day during his shift. He issues on average seventy (70) citations a week for violations. He feels he has had a bad week when he has issued fifty or less citations for the week. Trooper Lovick contends he is professional during his contacts with the public and he is sorry for his inappropriate behavior on this occasion. He understands he should be punished for his behavior and it will never happen again.

This investigator asked Trooper Lovick, "Did you have your Class A uniform on this day during your shift?" Trooper Lovick responded, "I had my Patrol uniform on during my entire shift."

Not applicable

**SUPPLEMENTARY INFORMATION**

- Mobile Data Computer input from Trooper L. B. Lovick on 5 October 2009

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**REPORT OF INVESTIGATION**

- Driver History Response/Criminal History Response on \_\_\_\_\_
- E-Citation Maintenance Record for Trooper L. B. Lovick on 5 October 2009
- Weekly Report of Daily Activity (HP-201) for week of 5 October 2009 on Trooper L. B. Lovick

Not applicable

**SUPPORTING DOCUMENTS**

- Memorandum from Captain W. L. Taylor to Captain James Williams, Jr
- A Personnel Complaint (HP-307) from Internal Affairs Section against Trooper L. B. Lovick
- Member's Statement (HP-326B1) from Trooper L. B. Lovick

Not applicable

**INTERVIEW LIST**

Trooper L. B. Lovick

\_\_\_\_\_  
\_\_\_\_\_

North Carolina  
State Highway Patrol

RECEIVED

NOV 24 2009

*W.D. Capt  
11-24-09*

PERSONNEL CHARGE SHEET / DISPOSITION

NC SHP-Internal Aff. 1

Identification Information					
Employee:	Trooper L. B. Lovick	Reg. #:	2719	Troop / District:	C/3
Principal Investigator:	Lieutenant B. R. Culler	Reg. #:	1085	Troop / District:	C/X
Date Charge(s) Drawn:	17 November 2009				
Charge(s) Drawn By:	Captain J. Williams, Jr.	Reg. #:	1387	Troop / District:	C/X

**Charge(s): Specific Acts or Omissions**

It is charged that on or about October 5, 2009, at or near Raleigh, North Carolina, Trooper L. B. Lovick, did violate State Highway Patrol Policy Directive H.1, Section VI (Unbecoming Conduct) in that he/she:

By his own admission, inappropriately asked a female motorist that he stopped for speeding if he could see her tattoo. After the conversation, Trooper Lovick tore up the speeding citation that he had written for the motorist instead of issuing it to her. Trooper Lovick deleted the motorist's information from his E-Citation and issued the citation to the next motorist that he stopped.

(If additional information is needed, use word processor and attach to this sheet.)

**Type of Violation**

Personal Conduct       Grossly Inefficient Job Performance       Job Performance

**Action Imposed**

Disciplinary Suspension Without Pay for Three (3) Days

Action Administered By: CAPT J. Williams, Jr      Date: 11/22/2009