

# MEMORABLE MEMOS



North Carolina General Assembly  
Senate Chamber  
State Legislative Building  
Raleigh, 27601-2808

JUL 6 1992

OFFICE OF  
CHIEF OF POLICE

COMMITTEES:  
LEGISLATIVE REDISTRIBUTING CHAIRMAN  
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JUDICIARY I  
MANUFACTURING AND LABOR  
PUBLIC UTILITIES  
STATE PERSONNEL AND STATE GOVERNMENT

SENATOR JOSEPH E. JOHNSON  
14TH DISTRICT P O Box 31507  
OFFICE ADDRESS: RALEIGH, N.C. 27622-1507  
HOME ADDRESS: 1011 HARVEY STREET  
RALEIGH, N.C. 27608

July 2, 1992

Mr. Frederick Heineman  
Chief of Police  
City of Raleigh  
P.O. box 590  
Raleigh, N. C. 27602

Dear Chief Heineman:

On July 1, 1992, after completing my duties at the North Carolina General Assembly (including but not limited to attending a regular session thereof), I proceeded to my car in the basement of North Raleigh to attend a legislative function. I was, while driving my car, pulled over by Officer Hunt by using the blue lights on his police car. Officer Hunt asked for my drivers license and registration card and further stated that I had been stopped because of a seat belt violation (N.C. GS20-135.2A). I informed Officer Hunt that: 1) I was a member of the General Assembly (a fact he did not dispute); 2) that I was in the process of "going from" the General Assembly (a fact he did not dispute); and 3) that his detainment of me was a violation of N.C. GS 120-9.

On being so informed Officer Hunt continued to detain me and further issued to me (after a passage of time) the enclosed. It is clear that Officer Hunt under color of his office violated the law. I therefore request that Officer Hunt be discharged from the police force.

Sincerely yours,  
Joseph E. Johnson

P.S. There was a non-uniformed individual in the car with Officer Hunt who got out of the car but did not participate in any conversation. If this individual is a superior officer then the same result should be imposed on him.

cc: Dempsey Benton  
City Manager

Enclosures: 3  
NC GS20-135.2A  
NC GS120-9  
Citation issued

*This bipartisan pair of memorable memos is brought to you by the committee to prevent term limits. After all, it takes a few terms in office to develop the high level of statesmanship demonstrated here by Sen. Joe Johnson (D-Wake) and Sen. Bob Shaw (R-Guilford). Meanwhile, keep hunting those memorable memo candidates. No permit required. You can drop them in the mail or drive them over. Just remember to buckle up first. Anonymity guaranteed.*



**North Carolina Wildlife Resources Commission**  
 512 N. Salisbury Street, Raleigh, North Carolina 27604-1188, 919-733-3391  
 Charles R. Fullwood, Executive Director

January 25, 1992

**MEMORANDUM**

To: Charles R. Fullwood, Executive Director  
 From: Jerry R. Rich, Colonel  
 Subject: Senator Shaw Complaint *J.R.R.*

On January 21, 1992, Officers W. W. Poole, M. E. Long, and a refuge officer were working swan and goose hunting in Hyde County. They encountered two blinds that were being hunted. The refuge officer was dropped off at the first blind and officers Poole and Long watched the second blind from a hedge row. The officers stopped the next vehicle coming out and found that the hunters were legal and the swans they had killed were tagged and validated.

Two other hunters were left in the field. Officers Poole and Long watched them kill a swan. The hunters loaded their equipment and came out. The officers stopped the vehicle as it came out of the field and asked to check their license as and bag limit. The vehicle belonged to Mr. Shaw. The officers found one swan that was tagged but Mr. Shaw did not have a swan permit. Officer Poole explained the necessity of having the permit and having it properly validated. Mr. Shaw stated that you might as well get out your ticket book. Officer Poole got in his patrol vehicle and proceeded to issue Mr. Shaw a citation. At this point Mr. Shaw started cursing and used abusive and profane language directed toward the agency and the officer. He was quoted by Officer Long as saying "that he was on the Wildlife Committee and would have the law changed". Mr. Shaw asked Officer Poole to call Raleigh to check and see if he had a permit. While Officer Poole was issuing the citation, Mr. Shaw was kicking dirt and cursing the officer. Mr. Shaw was also quoted as saying "that this was a chicken ... case and there is no wonder the Wildlife Resources Commission had so many complaints". He also wanted Officer Poole to call Mr. Fullwood on his radio. Mr. Shaw refused to sign the

Charles R. Fullwood  
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citation. As Officers Poole and Long were leaving the scene, Mr. A. B. Swindale, the land owner (or guide), and two other senators drove up and motioned for them to stop. Mr. Swindale asked what was the problem. Officer Poole told him that Mr. Shaw was cited for failing to have a swan permit in possession. Mr. Swindale said, "You know Mr. Shaw is a senator and it could get out of hand." Officer Poole said, "Yes". Mr. Swindale said, "Just let your supervisors know about it" and Officer Poole said he was going to. Mr. Swindell then said, "Have a good day". At this time Officers Poole and Long left the scene of the violation and contacted Sergeant Willis by radio and asked to meet him. Officer Poole did not see Mr. Swindale or his party hunting. Therefore, he did not check them. The land owner (or guide) who was with Mr. Shaw, told Officer Poole that he should not write the ticket because Mr. Shaw was a senator and was a higher caliber person than the average citizen.

During the initial portion of this incident, Officers Poole and Long, Mr. Shaw, and Mr. Shaw's hunting companions were the only people present. As Officer Poole prepared to depart the scene, A. B. Swindale, two of his companions and two other senators arrived. The total number of people at the scene of the violation was eight, including the two officers.

Officer Poole said he had never been around a man like that before and notified Sergeant Willis about the incident.

JRR/zmt  
 Attachments