Lie detector tests, extortion and a rape accusation: How two NC cops landed in hot water

RALEIGH - What started with an investigation into threats against a millionaire banker has now led to two North Carolina law enforcement officers being reassigned after what they call a witch hunt by top leaders at the State Bureau of Investigation.
The two agents allege constitutional violations and whistleblower retaliation in the course of an internal investigation into a rape accusation. The made-for-TV allegations are coming to light for the first time as their cases move forward in an office that hears appeals from state employees who think they have been wrongfully fired or punished.

One of the men was an assistant director of Alcohol Law Enforcement, a state police agency that investigates alcohol-related violations.

He said he was demoted and had his pay cut by $15,000 a year because he noticed multiple violations of state policy, state law and the U.S. Constitution during an internal investigation into one of his agents and tried to stop those violations. He’s claiming he was a victim of whistleblower retaliation.

The other man appealing is the agent in question. He’s claiming he was unfairly targeted in an investigation whose outcome was determined before it even began. He was reassigned and given a 10-day unpaid suspension.

Both men are asking for their jobs and their money back.

The SBI – North Carolina’s version of the FBI – has denied many of the allegations made against its senior leaders by the two ALE employees, and it’s fighting their appeals in court. The ALE used to be a separate agency but was moved under the SBI in 2014.

Ultimately an administrative law judge at the Office of Administrative Hearings will have the chance to decide which side is right. Mikael Gross, the Raleigh attorney representing both men in their appeals, said he expects decisions in their cases in the next several months.

The details of the cases

The internal fighting started around a year ago, in late 2016, according to ALE agent Donald Ray Richardson.

Richardson had worked in and around Durham County for a decade – first with the local ABC board, then with the ALE. He says his troubles began when he investigated someone in the Durham area for attempting to extort the CEO of Bank of America, who lives in Charlotte.

Public records show Steven Allen Stone was convicted of communicating threats shortly after being accused of sending a letter to CEO Brian Moynihan, stating that unless the bank gave him a $25,000 credit card limit he would team up with ISIS to harm Moynihan.

ALE is mainly supposed to deal with violations of the state’s alcohol laws, like busting underage drinkers or unlicensed bars, not extortion cases. In fact,
Richardson says that’s one reason SBI Director Bob Schurmeier became angry with him.

Although his bosses at ALE assigned him the case, Richardson said, Schurmeier thought it was out of ALE’s jurisdiction and thought the investigation was handled poorly.

“(Schurmeier) carried a copy of the investigative file around with him and made a point to discuss his dissatisfaction with the investigation with members of the General Assembly” and with other state law enforcement officials, Richardson said in his filing.

Around the same time, in January 2017, Richardson and three other ALE officers confronted a woman for suspected heroin use at a Durham gas station. She later accused the agents of raping her.

Although the two issues seem unconnected, Richardson’s appeal makes the argument that SBI brass used this rape accusation as an opening to punish him for their dissatisfaction with the extortion case.

According to Richardson’s appeal, the Durham Police Department investigated the alleged rape and got a video from the gas station that “clearly showed that no sexual assault had taken place, that (Richardson) never touched the citizen, and that the citizen was left in a safe place.”

He said numerous ALE and SBI managers saw that exonerating video, but the SBI’s internal investigation proceeded anyway.

Schurmeier, Richardson said, had the four accused agents come to a meeting “with all of the supervisors from across the state, in order to parade the agents in front of the command staff and deliberately embarrass the agents and demean their dignity, knowing that even if the charges were false, the damage to their individual and professional relationships would already be done.”

Richardson’s complaints go on to lay out other ways he believes the investigation was tilted against him: that he was never given a form that ALE policies require in internal investigations; that the SBI won’t give him a copy of its final report or even tell him basic facts like who was interviewed during the investigation; and that he was twice forced to take a lie detector test.

Richardson said he was eventually punished not for the alleged sexual assault but for conducting an unlawful stop and search of the woman who later made the rape accusation. He said the SBI docked his pay and reassigned him based on “misapplication or misunderstanding for the laws,” leading to “an erroneous report and discipline.”

He was suspended without pay for 10 days earlier this year. He was also told he could no longer work in Durham once he did return to the job. Richardson
made $45,684 a year at the time, meaning his suspension cost him nearly $1,800.

**Agents want their money back**

The investigation into Richardson led to the case of the second man now appealing, Thomas Ronald Beckom. At the time Beckom was an ALE assistant director and had nearly 22 years of experience with the state. He was initially assigned to the investigation into Richardson and the other agents.

His own court filings contain many of the same accusations Richardson made of an investigation filled with legal and policy violations. Beckom said he got in trouble himself for trying to bring those violations to the attention of others involved in the investigation.

Beckom said he brought his concerns to Greg Tart, the second-in-command at the SBI, “on a repeated basis.”

“The chain of command failed to correct its actions and continued to violate ALE agency policies, SBI policy and state and federal laws,” Beckom wrote in his appeal. And after he made his concerns known, he said, the SBI started interviewing applicants for his job, demoted him and docked his pay by $15,000, to $79,641. He was demoted to a job directing agents in the Greensboro area, as special agent in charge of one of ALE’s eight regional offices.

After Beckom appealed those actions, Schurmeier sent him a letter stating that he was not retaliated against for being a whistleblower – and that furthermore, he hadn’t done anything to warrant being called a whistleblower.

“Your complaints about the way the four ALE agents were treated during the investigation into the rape allegations and how the extortion case was reviewed do not rise to the level of reporting gross mismanagement or an abuse of authority,” Schurmeier told him.

Schurmeier’s letter added: “Your reassignment and corresponding salary reduction was a business decision made in light of the needs of the SBI/ALE. During the reorganization, you were treated fairly and the same as other SBI employees similarly situated.”

The SBI did not respond to requests for further comment.

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