

## MIDDLETOWN

**DA: Officer justified in shooting man at mall**

*The police officer could not escape the man's attack and had no choice but to shoot him, the DA said.*

By LAURIE MASON  
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A Middletown police officer was justified in using deadly force when he shot and killed a brick-wielding man outside the Oxford Valley Mall last month, District Attorney Michelle Henry said Friday.

The DA based her findings on a month-long investigation into 21-year-old Tommy Lovett's death, saying Officer Robert Compton reasonably believed his life was in danger during a confrontation with Lovett.

"The suspect looked angry. He was aggressive. He refused to back down and continued to approach. The officer reasonably believed that he was going to be hit with that brick," Henry said.

The incident occurred about 7:30 p.m. April 24 in a wooded area behind the mall. Police were summoned to the mall after witnesses said Lovett of Middletown attacked a 17-year-old girl outside the food court, choking her and sticking his fingers in her eyes.

After Lovett ran from mall security guards, Compton arrived and told him to stop.

"He said, 'I don't have to listen to you' and kept running from the officer," Henry said.

Lovett first swung a tree branch at Compton, then climbed over a large tree that had fallen over. The officer followed him and was preparing to use pepper spray to subdue Lovett, Henry said, when Lovett picked up the brick.

"At this point, the officer's back is against the tree. It's dark. He keeps telling the suspect to drop the brick, but he keeps coming." Henry said.

Lovett was about 10 feet away from the officer when he raised the brick over his head.

Compton, a 9-year veteran of the force, fired one shot, which did not hit Lovett, nor cause him to drop the brick, Henry said. Compton then fired two more shots and Lovett fell.

The incident was the second time that Lovett, who had a history of learning disabilities, was accused of threatening someone with a brick. In 2006, he was sentenced in Bucks County court in Doylestown to two years of probation for assault charges stemming from an attack at the Bristol Township group home where he lived.

In that case, Lovett hit another man several times in the head with a brick during an argument. Witnesses who called police said that Lovett was "out of control."

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