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Fourth Prosecutorial District

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Press Release **September 26, 2016**

On Sunday, May 29, 2016, John Mark Coffey, age 53 years, of Warsaw, North Carolina was shot and killed by officers of the Clinton Police Department and a trooper with the North Carolina State Highway Patrol. This occurred at the Burger King parking lot located at 100 Southeast Boulevard (Hwy. 701) in Clinton, North Carolina. After reviewing the investigation with the North Carolina State Bureau of Investigation, it is clear that Coffey's death, while tragic, was justified because Coffey's actions caused officers of the Clinton Police Department and a trooper with the North Carolina State Highway Patrol to reasonably believe it necessary to use deadly force to protect the lives of law enforcement officers at the scene.

The investigation showed that prior to the shooting, Coffey had parked a white Dodge truck registered to his wife in the back parking lot of the Burger King late in the evening of May 28, 2016 shortly prior to the midnight hour. Coffey was armed with a 20 gauge H&R 1871 shotgun. At the time, Coffey appeared armed and dangerous to the officers at the scene. Coffey was told by law enforcement numerous times to put the shotgun down but Coffey refused to follow the commands of law enforcement. Within approximately eighteen minutes of arriving at the scene, seven officers of the Clinton Police Department and one trooper with the North Carolina State Highway Patrol fired their law enforcement issued weapons hitting Coffey fourteen times. The shooting death of Coffey is found to be justified to protect the safety and lives of the officers and trooper at the scene, as well as potential bystanders, from potential harm as perceived by the law enforcement officers at the scene.

On Sunday, May 29, 2016 at approximately 3:50 a.m., I received a call from Chief Jay Tilley of the Clinton Police Department and Special Agent-in-Charge Trent Bullard of the North Carolina State Bureau of Investigation Southeastern District regarding an officer-related shooting fatality that occurred at the Burger King in Clinton, North Carolina. Chief Tilley had requested that the SBI conduct

an investigation and I provided verbal concurrence. On May 30, 2016 at 7:40 p.m., I was in telephone contact with Assistant Special Agent-in-Charge (ASAC) Errol Jarman of the SBI who was assigned to investigate this matter. The SBI commenced with the investigation with the arrival of SA J.T. Bain of the SBI at the scene at approximately 2:00 a.m. on May 29, 2016. On May 31, 2016, I sent a letter to SAC Bullard formally requesting that the SBI conduct an investigation of the shooting death of Coffey. The officers were placed on administrative leave pending the completion of the investigation and review by the District Attorney.

ASAC Jarman's investigation included reviewing the crime scene, interviews of eight officers with the Clinton Police Department, an attempted interview of the trooper, obtaining the body cameras of the officers at the scene, obtaining the on-board cameras in the patrol cars, and consulting with this office. ASAC Jarman updated me throughout the investigation. On August 3, 2016, this office received a copy of the autopsy report in the case. On Monday, August 29, 2016, Assistant District Attorney Arneatha Gillis and I met with ASAC Jarman at my office at the Sampson County District Attorney's Office and we were provided 16 discs and one flash drive of interviews and other recorded materials including officer body cameras and on-board camera videos. On August 29, 2016, Assistant District Attorney Arneatha Gillis and I went to the scene of the shooting with ASAC Jarman and viewed the Burger King parking lot. On Wednesday, August 31, 2016 and Thursday, September 1, 2016, Assistant District Attorney Arneatha Gillis and I reviewed the discs with particular attention to the interviews of the Clinton Police Department officers, the recorded audio videos from the body cameras and the recorded audio videos of the on-board cameras.

Late in the afternoon of September 14, 2016, the Sampson County District Attorney's Office downloaded the written SBI report. On the morning of September 15, 2016, I obtained a copy of the report at the Sampson office. Assistant District Attorney Arneatha Gillis and I began reviewing the written SBI report. On September 22, 2016, Assistant District Attorney Gillis and I met at the Sampson County District Attorney's Office and again reviewed the investigation and also made telephone contact with ASAC Jarman.

The evidence shows that seven officers with the Clinton Police Department and one trooper with the North Carolina State Highway Patrol fired their weapons at the Burger King parking lot on May 29, 2016. The Clinton Police Officers who fired their weapons were Lt. Robert Dalton, Sgt. Alpha Clowney, Officer Saturnino Crespo, Officer Jesse Kittrell, Officer Brent Hall, Officer (Corporal) Justin Snell, and Officer Allen McDuffie. The trooper who fired his weapons was Trooper Louis M. High, Jr.

The evidence shows that on May 28, 2016 before midnight, John Mark Coffey entered the Burger King parking lot in a white Dodge truck. The truck was later determined to be registered to Coffey's wife, Patricia. Coffey was alone. Coffey requested a patron at Burger King to call the police and advise that Coffey needed assistance. A patron called 911 at approximately 11:55:53 p.m. on May 28, 2016. The patron told communications that a Hispanic male was in a white truck and had requested assistance for an unknown reason. Coffey was later determined to be a white male.

Clinton Police Officers Brent Hall and Justin Snell responded to the 911 call and arrived on scene in separate vehicles at approximately 12:01 a.m. on May 29, 2016. Both Officers Hall and Snell provided oral video and audio statements to the SBI. The officers entered the parking lot of Burger King from College Street and noted the white truck behind the Burger King backed in the rear of the parking lot with his truck facing Hwy. 701. Officer Hall pulled his vehicle to within about approximately 20 feet of Coffey's white truck. Officer Hall was wearing a Clinton Police Department uniform. Officer (Corporal) Snell pulled his patrol car up next to Officer Hall's patrol car. Officer Hall got out of his marked patrol car and stepped to within six to eight feet of the driver door of the white truck. Coffey was sitting in the driver's seat. The truck engine was running. Officer noted the driver, Coffey, appeared to be in a daze. The driver's window of the truck was down.

Officer Hall asked Coffey if he was all right. Officer Snell was wearing a Clinton Police Department uniform and was in a marked patrol car. Officer Snell remained in his patrol car. Officer Snell observed Coffey get out of his truck and point a shotgun at Officer Snell while Officer Snell was sitting in his patrol car. Officer Snell told Officer Hall to back up and yelled that the driver had a gun. Officer Snell backed his patrol car up to the entrance of the parking lot at College Street and Officer Hall backed his patrol car to the left of Officer Snell. As Officer Hall backed his vehicle, Coffey continued to point the shotgun at the officers. Both patrol vehicles blocked the College Street entrance to the parking lot. They estimated they were now more than 60 feet from the white truck. Coffey continued to stand and hold the shotgun looking at both Hwy. 701 and College Street. Their headlights were on and directed toward Coffey. Officer Snell radioed communications that the driver of the white truck had a gun and other officers responded to the scene.

Officer Snell had served in the U.S. Army from June 2005-April 2012 and he had deployed to Iraq. Officer Snell has worked with the Clinton Police Department for two years and had been a corporal of the patrol division for about one year. Officer Snell is qualified with the Clinton Police Department issued semi-automatic M&P AR-15 rifle and the Clinton Police Department issued Glock

.40 caliber handgun. Officer Snell last slept 7-8 hours prior to his shift and was not taking any medications or other impairing substances at the time of the incident. Officer Snell exited his vehicle and retrieved his M&P AR-15 rifle from his trunk. The AR-15 was loaded with a thirty-round magazine with an additional round in the chamber. Officer Snell was wearing a body camera which was activated. Officer Snell took cover behind his patrol vehicle.

Officer Hall has been with the Clinton Police Department for ten months after completing Basic Law Enforcement Training at Sampson Tech. Officer Snell is qualified with the Clinton Police Department issued Glock .40 caliber handgun and Clinton Police Department issued Remington 12 gauge shotgun. Prior to the incident, Officer Hall slept about nine hours. He was on prescribed medication but this in no way impaired his abilities. Officer Hall exited his vehicle upon backing up his patrol car and drew his Glock .40 caliber handgun. The Glock .40 caliber handgun was loaded with a fourteen-round magazine with an additional round in the chamber. Officer Hall took cover behind his patrol vehicle.

Coffey got back in the truck and placed the shotgun barrel inside the open window frame of the driver's side. Coffey closed the door the truck. The driver's side of the truck was facing College Street. The officers continued to see the shotgun barrel. Officer Snell was not sure if Coffey understood English but Coffey shook his head no when he was told to step out of the truck. It was later determined that Coffey did speak and understand English. Coffey refused to comply with the officer's commands. When asked his name, Coffey did not respond and shook his head no when told to exit the truck. Officer Snell told Coffey this was not worth his life. Coffey told Officer Snell that if they would put their guns down, Coffey would talk with them. The officers said they could not put their guns down.

Trooper Louis M. High, Jr. of the North Carolina State Highway Patrol arrived on scene. He pulled his marked NCSHP vehicle in the parking lot across the street from the entrance of the College Street entrance. Officer Snell stated that Trooper High stood to the right of Officer Snell and Trooper High was armed with a shotgun. Trooper High positioned himself to the right of Officer Snell with his NCSHP issued shotgun near a fence separating the Burger King parking lot and a private residence. Trooper High also fired his NCSHP issued .357 handgun at the time shots were fired. Assistant District Attorney Gillis and I reviewed the on-board camera in Trooper High's patrol vehicle which depicted Trooper High's actions.

Officer (Corporal) Kenneth Matt Bland of the Clinton Police Department arrived on scene at approximately 12:04 a.m. on May 29, 2016 in his marked K-9 vehicle. Officer Bland put on his vest marked police vest. Officer Bland provided

an oral audio and video recorded statement to the SBI. Officer Bland parked his vehicle behind the vehicles of Officers Snell and Hall. Officer Bland had his Clinton Police Department issued AR-15 rifle but he did not fire any shots during this incident. Officer Bland was not wearing a body camera. Officer Bland did have his on-board camera activated in his K-9 vehicle.

Officer Allen McDuffie of the Clinton Police Department arrived on scene. Officer McDuffie went to the College Street entrance and stopped his marked patrol car on College Street near the College Street entrance to the Burger King. Officer McDuffie has been employed with the Clinton Police Department for over one year after completing Basic Law Enforcement Training at Sampson County Community College. He previously worked with the Sampson County Sheriff's Office in the Sampson County Jail. He is qualified with Clinton Police Department issued Glock .40 caliber handgun and shotgun. He last slept for seven to eight hours prior to duty and he takes prescribed medication. There is no evidence he was impaired by any impairing substances at the time of the incident. Officer McDuffie activated his body camera and his on-board camera. Officer McDuffie provided an oral audio and video recorded statement to the SBI.

As Officer McDuffie responded, he drew his Glock .40 caliber handgun. He observed Coffey in the truck with a shotgun. Officer McDuffie went to the private residence that faces College Street, behind the Burger King parking lot and banged on the door to ensure the safety of any occupants. He continued to bang on the door and announce he was a police officer but no one responded inside the residence. Officer McDuffie returned to his patrol vehicle, holstered his Glock .40 caliber handgun, and retrieved his Clinton Police Department issued Remington 12 gauge shotgun from his trunk. He then backed his patrol vehicle down College Street a short distance so as to block the road from in-coming traffic. Officer McDuffie left his car to block traffic and he returned to the parking lot, standing by the driver's side of Officer Snell's car. Officer McDuffie heard officers continue to tell the driver to put down the shotgun and Officer McDuffie observed Coffey shaking his head no.

Lt. Robert Dalton and Officer (Corporal) Jesse Kittrell of the Clinton Police Department arrived on scene at approximately 12:04 a.m. on May 29, 2016 after hearing over the radio that a subject had a gun and officers needed backup. Both officers were providing off-duty security at the Sampson County Civic Center on the evening of May 28, 2016 and Lt. Dalton rode with Officer Kittrell in Officer Kittrell's Clinton Police Department issued black and white 2015 Dodge Charger. Shortly after midnight on May 29, 2016, they pulled into the parking lot entrance of Burger King off of Hwy. 701 or Southeast Blvd. They blocked the entrance with their patrol vehicle. Both officers took cover behind Officer Kittrell's patrol

vehicle. Lt. Dalton and Officer Kittrell were wearing their Clinton Police Department uniforms.

Lt. Dalton has been with the Clinton Police Department for eleven years and he is the operations commander. He attended Basic Law Enforcement Training at Sampson County Community College and is qualified with the Glock .40 caliber handgun. He last slept eight hours prior to duty and he was taking no medications or other impairing substances on the evening of the incident. Lt. Dalton provided an oral audio and video recorded statement to the SBI.

Officer Kittrell has been an officer with the Clinton Police Department for over ten years. Officer Kittrell is qualified with the Glock .40 caliber handgun and 12 gauge shotgun issued by the Clinton Police Department. He last slept for ten hours prior to duty and he was under not under the influence of any impairing substances on the night of the incident. Officer Kittrell provided an oral audio and video recorded statement to the SBI. Officer Kittrell had an on-board camera in his patrol car that was activated. Officer Kittrell activated his body camera.

Lt. Dalton and Officer Kittrell pulled into the parking lot and they noted the white truck at the other end of the parking lot facing them. Lt. Dalton drew his Clinton Police Department issued Glock .40 caliber handgun which was loaded with thirteen rounds. Officer Kittrell retrieved his Clinton Police Department issued shotgun from his trunk. Lt. Dalton heard Officer Snell giving commands to Coffey to his gun down but Coffey did not comply. Lt. Dalton could see the shotgun sticking out the driver's window of the truck. Both Lt. Dalton and Officer Kittrell yelled for the driver to put the shotgun down.

Sgt. Alpha Clowney of the Clinton Police Department arrived on scene shortly after midnight on May 29, 2016, and pulled behind Lt. Dalton and Officer Kittrell on Hwy. 701. She parked on Hwy. 701 in the right lane of travel. Sgt. Clowney has been employed as an officer with the Clinton Police Department since over ten years and is sergeant over the one of the patrol squads. She attended Basic Law Enforcement Training at Sampson County Community College and is qualified with the Clinton Police Department issued Glock .40 caliber handgun. On the evening of May 28, 2016, she was working off-duty at the Sampson County Community College and was not under the influence of any impairing substances. She arrived at the Burger King parking lot wearing her Clinton Police Department uniform and was operating her marked Clinton Police Department Dodge Charger. The on-board camera in her patrol car was activated. On the evening of May 28, 2016, she was working off-duty at the Sampson County Exposition Center and was not under the influence of any impairing substances. Sgt. Clowney provided an oral audio and video recorded statement to the SBI.

Detective Manuel Crespo, III of the Clinton Police Department arrived on scene in his unmarked Chevrolet Impala and parked in the parking lot off of Hwy. 701 and to the left of Lt. Dalton and Officer Kittrell. Detective Crespo has been employed with the Clinton Police Department for over two years and he is qualified with the Clinton Police Department issued Glock .40 caliber handgun, AR-15 rifle and shotgun. He had slept over seven hours prior to going on duty. Detective Crespo arrived on scene wearing BDUs with a black knit shirt with a Clinton Police Department badge. On the evening of May 28, 2016, he was working off-duty at the Sampson County Exposition Center and was not under the influence of any impairing substances. Detective Crespo provided an oral audio and video recorded statement to the SBI.

Sgt. Clowney drew her Clinton Police Department issued Glock .40 caliber handgun which was loaded with fourteen rounds in the magazine and one the chamber. Detective Crespo drew his Clinton Police Department issued Glock .40 caliber handgun and his Clinton Police Department issued Smith & Wesson AR-15 rifle. His Glock .40 caliber handgun was loaded with fourteen rounds in the magazine and one in the chamber and his AR-15 was loaded with a magazine containing thirty rounds.

The evidence shows that Trooper High informed Officer Snell that Coffey said he had five rounds. Officer Snell then observed Coffey stick the barrel of the shotgun in his mouth and then under his chin. Officer Snell then observed Coffey move the shotgun to the driver's window. Officers Snell and Hall observed Coffey light a cigarette. The officers observed Coffey smoking the cigarette. After he finished smoking, he threw the cigarette out the window. Officer Bland yelled that Coffey was getting out of the vehicle. The door opened and then Officer Snell heard a shot fired from his right from the direction of Trooper High. Officer Kittrell yelled gun as Coffey opened his driver's door. Officer Snell said he saw the barrel coming down towards the officers. Officer Hall observed Coffey with the shotgun pointed at the officers. Officer Hall thought he heard a shot from his right after Coffey opened the door of the truck and Officer Snell and Trooper High were to the right of Officer Hall. The SBI investigation shows that Trooper High fired what appeared to be the first shot fired at Coffey. This office has reviewed the on-board camera recording from Trooper High's patrol vehicle, as provided by the NCSHP to the Clinton Police Department, and the recording depicts Coffey opening the driver's door of his Dodge truck and then a shot is fired from the direction of Trooper High.

The evidence shows that seven officers and one trooper fired weapons at Coffey. The crime scene was processed by SA Bain of the SBI. Spent shotgun shells, .40 caliber spent shell casings, .357 spent shell casings, and .223 spent shell casings were located in the parking lot. A total of 143 spent shell casings were

recovered from the crime scene on the morning of May 29, 2016. A 20 gauge H&R 1871 shotgun was recovered from the ground in close proximity to the white Dodge truck. There is no evidence that Coffey ever fired his shotgun. The shotgun was not loaded.

Assistant District Attorney Gillis and I reviewed the on-board camera of Officer Kittrell very closely. Review by this office of the on-board camera of Officer Kittrell shows that the shooting begins at 12:19:09 a.m. and ends at approximately 12:19:21 a.m. The first group of shots fired by the officers lasted approximately 12 seconds. There is a pause of approximately 5 seconds. The second group of shots fired by the officers resumed at approximately 12:19:26 a.m. and ends at 12:19:34 a.m. This second group of shots fired lasted approximately 8 seconds. There is a pause of approximately 10 seconds. The third group of shots fired by the officers resumed at approximately 12:19:44 a.m. and ended with sporadic fire at approximately 12:19:53 a.m. This third group of shots fired lasted approximately 9 seconds. In total, the shooting incident lasts from approximately 12:19:09 a.m. until approximately 12:19:53 a.m. for a total of approximate 44 seconds including two pauses of a total of 15 seconds.

At approximately 12:26 a.m., crime scene tape is put up at the entrance to the parking lot on College Street. The firearms used by the officers and trooper were seized by ASAC Jarman on the morning of May 29, 2016.

On May 30, 2016, Dr. F.C. Barr, Jr., M.E., examined John Mark Coffey at Sampson Regional Medical and he determined that the probable cause of death was multiple shotgun and gunshot wounds. On May 31, 2016, Dr. Craig Nelson, M.D., performed an autopsy upon John Mark Coffey at the Office of the Chief Medical Examiner in Raleigh, North Carolina. Dr. Nelson indicated that the cause of death was multiple shotgun and gunshot wounds. He noted perforating gunshot wounds to Coffey's head, left shoulder and neck, right chest and shoulder, torso, pelvis, left upper back, right upper back, right forearm, left upper arm, left forearm, right calf, left thigh, and left lower leg. Dr. Nelson indicated that although different types of firearms were reportedly used in this incident, the injuries sustained by Coffey were generically listed as gunshot wounds, with no attempt to differentiate between the handgun, rifle and shotgun wounds. Based on the recovered projectiles, some of the wounds were clearly due to handguns. Some of the other wounds and degree of tissue destruction may represent shotgun or rifle wounds and projectile fragments consistent with portions of shotgun ammunition were recovered. The recovered projectiles were provided to law enforcement as evidence. Toxicological testing detected phenobarbital, sertraline, metoprolol, nortriptyline, caffeine, and nicotine. No alcohol was detected.

Phenobarbital is a prescribed drug for sleeplessness, anxiety, tension, fear and certain types of seizures. Sertraline is a prescribed drug for depression, OCD, PTSD, social anxiety, and panic disorders. Metoprolol is a prescribed drug for high blood pressure, chest pains and heart failure. Norsertaline is a prescribed drug for depression, OCD and panic and social disorders.

Patricia Coffey, wife of John Mark Coffey, advised the SBI that her husband suffered from depression. She advised he had checked himself out of rehabilitation on May 28, 2016 at 5:00 p.m. She said he suffered from health issues related to years of alcohol abuse. She advised that Coffey was very depressed because he could not work. He routinely checked himself into hospitals located in Clinton and Kenansville. Patricia Coffey told SBI that she went to bed at approximately 10:15 p.m. on May 28, 2016 and she awoke between midnight and 1:00 a.m. She noticed that her husband was not there. She noticed her white Dodge truck was gone. She called Clinton and Kenansville medical facilities and he was not there. She drove past the rehabilitation center in Warsaw and did not see the truck there. He did not take his cell phone with him. She said she kept a 20 gauge shotgun under her bed and a search by the SBI confirmed that the gun was gone.

Based upon the investigation, the first officers arrived on scene at approximately 12:01 a.m. on May 29, 2016 and they made immediate contact with John Mark Coffey. At this time, they observed a shotgun in his possession. Other officers continued to arrive on scene. At approximately 12:19 a.m., the officers began shooting at Coffey. The evidence shows that the officers engaged in continuous discussions with Coffey for approximately 18 minutes attempting to have Coffey put down his weapon and give himself up to law enforcement. Coffey refused to comply with the officers' requests and commands.

Clinton Police Officers indicated that they felt threatened by the actions of Coffey and they felt that his opening the driver's door of his white Dodge truck with the apparent intent to exit his vehicle. At the time according to the officers, Coffey was armed with a shotgun and pointing the shotgun at the officers which caused them to believe their lives were threatened. Some officers told the SBI that they felt they were in grave danger and they fired more than one shot to eliminate the threat. Each Clinton Police Department officer fired multiple shots at Coffey indicated that they fired multiple shots at Coffey because they felt he continued to be a lethal threat to officers. The evidence shows that the third and final volley of shots fired, included a wound to Coffey's head, and in the officers' minds, Coffey ceased to be a threat to the officers.

A review of John Mark Coffey's criminal history revealed that Coffey was convicted of misdemeanor of grand larceny in the third degree in New York on

March 28, 1980; was convicted of second degree manslaughter in New York on September 15, 1980; was convicted of petit larceny in New York on October 28, 1983; and was convicted of criminal possession of a weapon in the second degree in New York on November 10, 1983.

The general rules of self-defense and defense of others in North Carolina allow for the use of deadly force when the individual actually, or honestly, believed in the need to defend himself or others from death or great bodily injury and the individual's belief is reasonable in light of the circumstances as they appeared to him at the time. Clearly, from the facts and circumstances of this case, the officers were justified in using deadly force to defend himself and others from death or great bodily injury.

A federal judge in North Carolina has ruled that "it is the duty of a law enforcement officer to stand his ground, carry through on the performance of his duties, and meet force with force, so long as he acts in good faith and uses no more force than reasonably appears necessary to effectuate his duties and save himself from harm." Law enforcement officers are required to instantaneously evaluate and employ force against possible criminal suspects to thwart apparent dangers to citizens and themselves. When Coffey pointed a gun at the officers, which is a criminal offense in North Carolina. Officers must perceive, evaluate, decide and then act often in a matter of seconds.

The perceived danger to the officer must be only apparent, not actual, in order to justify use of deadly force. Apparent danger is such that it would cause a reasonable person to believe that he was in danger of death or great bodily harm. Although there is evidence of actual danger to the officers, under the law there was also apparent danger. From the evidence, it reasonably appeared to the officers there was sufficient basis for self-defense and defense of third persons, including possible patrons at the Burger King. The facts in this case demonstrate the presence of apparent danger to the officers. A person may exercise such force if he believes it to be necessary and has reasonable grounds for such belief. An officer acting in self-defense is presumed to have acted in good faith. Federal courts have held that "The Constitution simply does not require police to gamble with their lives in the face of serious threat of harm." The law authorizes an officer to take preemptive action and use deadly force to prevent death or serious injury to himself or herself, provided that the threat assessment is reasonably made. As the Supreme Court has observed, the calculus of reasonableness must allow for the fact that law enforcement officers are often forced to make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving.

There is evidence that 143 shots were fired at the scene by the officers. Coffey was struck fourteen times according to the autopsy report. Although, some may

question the number of shots fired as being excessive, the evidence shows that it was not until the third volley of shots, that the apparent threat posed by Coffey was neutralized.

Based upon my review of the facts of this case, I have determined that the shooting of John Mark Coffey on May 29, 2016 was justified to protect the safety and lives of the Clinton Police Department Officers and Trooper High as the threat appeared to them. The officers perceived an apparent threat, evaluated the situation in seconds, made a decision and acted. The officers' actions appear reasonable under all the circumstances of this case. From all the evidence, the officers' initially exercised restraint in the face of imminent danger as Coffey opened the driver's door of his vehicle with a weapon in a manner that could reasonably be deemed as threatening. The officers faced apparent danger as perceived by them. As tragic as this incident is with the loss of life, the officers on the scene were nonetheless justified in defending themselves from death or great bodily injury and in defending the lives of others. There is insufficient evidence beyond a reasonable doubt to show that any of the officers acted in a manner that was not consistent with his or her perception of an apparent threat.

Chief Tilley of the Clinton Police Department has requested that copies of the body camera and on-board audio and video recordings be released to the public. This will ensure accountability and transparency.

I appreciate the thorough investigation by ASAC Errol Jarman and the North Carolina State Bureau of Investigation. I have determined that the shooting death of John Mark Coffey is justified and no criminal charges in this matter are warranted under the law and under the circumstances revealed by the independent SBI investigation.

ERNIE LEE
DISTRICT ATTORNEY