



**OFFICE OF THE DISTRICT ATTORNEY
24th PROSECUTORIAL DISTRICT (GUILFORD COUNTY)**

AVERY L. CRUMP, DISTRICT ATTORNEY

NEWS RELEASE

In Re: The Investigation into the shooting death of Nasanto Antonio Crenshaw.

The findings indicate that on August 21, 2022, at approximately 2108 hours, Cpl. M.L. Sletten had initiated a traffic stop in the 4900 block of W. Market Street on a white in color 2018 Nissan Altima bearing a Florida license plate. Cpl. Sletten was operating a fully marked GPD patrol car, adorned with GPD insignia and rooftop light bar. Cpl. Sletten was also dressed in the standard GPD uniform bearing a badge and other markings to clearly identify himself as a GPD officer. Prior to Cpl. Sletten activating his blue lights to make a traffic stop, the driver of the Nissan, later identified as Nasanto Antonio Crenshaw, turned into the parking lot of a shopping center located at 4929 West Market Street. Dash cam video shows that after Cpl. Sletten activated his blue lights, the Nissan continued to drive slowly through the parking lot without stopping. Cpl. Sletten then radioed to communications to start an assist car to his location and advised that the Nissan is not stopping.

Moments later, while still in the parking lot, the Nissan came to a stop. The brake of the Nissan was not released, and the Nissan never shifted into park. Cpl. Sletten exited his patrol car and began to approach the Nissan when the driver suddenly accelerated away from the stop. Cpl. Sletten entered his patrol vehicle and continued to follow the Nissan while notifying communications that the Nissan had driven away. At that time Cpl. Sletten was advised by communications that the Nissan had been reported as stolen out of Fayetteville, NC earlier in the day of August 21, 2022. Cpl. Sletten found the Nissan at a dead end in the parking lot. Dashcam video shows that as Cpl. Sletten was approaching the Nissan in his patrol vehicle, three subjects exited the rear passenger area of the Nissan and fled leaving the back rear passenger door open. Dashcam video also shows that Cpl. Sletten pulls his patrol vehicle up to the Nissan attempting to block it in. At that time the driver of the Nissan backed the car up and turned hard to the right causing the front left of the Nissan to collide with the front of the patrol car. The collision appeared to happen as Cpl. Sletten was getting out of his patrol car.

Cpl. Sletten can be heard on his body worn camera giving several loud verbal commands for the occupants to "Get on the ground!" As Cpl. Sletten walked to and around the rear of his patrol car, he gave a final loud verbal command of "Stop!" It is at that moment the Nissan

began to accelerate toward Cpl. Sletten, whereupon he discharged his duty weapon three times striking the driver, Nasanto Antonio Crenshaw, three times. The evidence shows that there were two bullet holes in the front windshield and one bullet hole noted on the front passenger window. Mr. Crenshaw died from his injuries.

A juvenile was in the front passenger seat of the Nissan, and he remained with the vehicle. He was not injured. Another juvenile, one of the passengers seen on dashcam running from the rear passenger seat of the vehicle, was located a short distance from the car and was also not injured. Mr. Crenshaw and the two apprehended juveniles were all from Fayetteville.

NCSBI was called and responded to the scene that night. Later, agents from the NCSBI executed a search warrant on the vehicle and revealed a tan and black Taurus 9mm pistol located between the front left driver seat and center console of the Nissan Altima. In addition to the firearm, ski masks, gloves, a backpack and cell phone were also recovered.

During the investigation, the owner of the vehicle stated that she did not know Mr. Crenshaw, or any of the other individuals apprehended, and did not give him permission to drive her vehicle. The owner also stated none of these items listed above belonged her.

The officer-involved shooting of Nasanto Antonio Crenshaw

Corporal M. L. Sletten

Cpl. Sletten was interviewed by SBI agents on September 21, 2022. In that interview, Cpl. Sletten stated that he has worked with GPD since January 2008. On the night of this incident, Cpl. Sletten stated that he was working patrol and was in his police uniform. Cpl. Sletten stated that while driving on Market Street, the 2018 Nissan was behind him driving with its high beams on, thus blinding him and other cars traveling in the opposite direction. Cpl. Sletten pulled over to let the Nissan pass him. Cpl. Sletten said that the driver of the Nissan slowed down to avoid passing him but did eventually. Cpl. Sletten stated that he then got behind the Nissan. Cpl. Sletten said then the vehicle changed lanes several times. Cpl. Sletten said he switched lanes as well. Cpl. Sletten said that the Nissan then turned into the parking lot of the Dollar General. Cpl. Sletten said he then initiated a traffic stop on the 2018 Nissan by activating his blue lights. Cpl. Sletten said he advised communications of the traffic stop and relayed the Florida tags of the vehicle. Cpl. Sletten said the Nissan drove pass the Dollar General. Cpl. Sletten said that he bumped his siren several times for the vehicle to stop, but the driver would slow down and then accelerate but would not stop.

Cpl. Sletten said that the driver continued to drive through the parking lot of the shopping center. Cpl. Sletten stated that he radioed communications for an assist car because the driver would not stop. Eventually the driver stopped the Nissan in the parking lot. Cpl. Sletten said that he exited his patrol vehicle and began to approach the Nissan. Cpl. Sletten said that once he walked to about the front of his patrol vehicle, the driver suddenly accelerated away from the stop. Cpl. Sletten said that he ran back to his patrol vehicle and

notified communications that the Nissan had driven away. Cpl. Sletten said that proceeded to follow the direction in which the Nissan had driven. Cpl. Sletten stated that he was advised by communications that the car was stolen out of Fayetteville.

Cpl. Sletten said that he located the Nissan at a dead end of the parking lot. Cpl. Sletten stated that he pulled up and placed the front of his patrol car as close to the Nissan driver's door as possible to restrict movement. Cpl. Sletten stated that he got out of his patrol vehicle and ran to the back of it to put some distance between himself and the other vehicle. As he was getting out, Cpl. Sletten said the driver of the other vehicle had put the car in reverse and the left front of the Nissan hit the front of his patrol vehicle. Cpl. Sletten said he moved around to the passenger side of his patrol vehicle and began giving verbal commands to stop. Cpl. Sletten said the engine of the Nissan revs up and Cpl. Sletten yells for the driver to "Stop" and "Get on the ground." Cpl. Sletten said the vehicle begins to accelerate and drive towards him, whereupon, he discharged his duty weapon three times striking the vehicle and the driver, Nasanto Antonio Crenshaw, at least one time. Cpl. Sletten said that the Nissan crashed into the grease trap of a restaurant.

Cpl. Sletten said that he fired his weapon when the Nissan was about 5 to 8 feet distance from him, and it appeared the driver was driving straight at him. Cpl. Sletten stated that he felt he had no other choice because he had nowhere to go. Cpl. Sletten stated that this all occurred in a matter of seconds. Cpl. Sletten stated that he rendered assistance to Mr. Nassanto Antonio Crenshaw once his assist car arrived.

As you know, this letter specifically does not address issues relating to tactics, or whether officers followed correct police procedures or Greensboro Police Department Directives. That Law Enforcement agency must make that separate determination.

Consistent with the District Attorney's Office Officer-Involved Shooting Protocol, this case was presented by the NCSBI to a team of the office's most experienced prosecutors.

The role of the District Attorney under North Carolina Law

The District Attorney (DA) for the 24th Prosecutorial District is a state official and, as such, does not answer to city or county governments within the prosecutorial district. The District Attorney is the chief law enforcement officer of the 18th Judicial District, the boundaries of which are the same of the County of Guilford. Pursuant to North Carolina statute, one of the District Attorney's duties is to advise law enforcement agencies within its prosecutorial district. However, the DA has no administrative authority or control over the personnel of GPD or other police agencies within the jurisdiction. That authority and control resides strictly with each city or county government.

Furthermore, the DA does not arrest people or charge people with crimes. When the police charge a person with a crime, the DA decides whether there is enough evidence to prosecute the charged crime. Generally, the DA does not review police decisions not to charge

an individual with a crime. However, in officer-involved shooting cases, the DA reviews the complete investigative file of the investigating agency. The DA then decides whether she agrees or disagrees with the charging decision made by the investigating agency. If the DA concludes that uncharged conduct should be prosecuted, the case will be submitted to a grand jury. If the grand jury returns no true bill, then the DA can not prosecute.

However, if no criminal charges are filed, that does not mean the District Attorney's Office believes the matter was in all respects handled appropriately from an administrative or tactical viewpoint. It is simply a determination that there is not a reasonable likelihood of proving criminal charges beyond a reasonable doubt unanimously to a jury of 12 individuals. This is the limit of the DA's statutory authority in these matters. The fact that a shooting may be controversial does not mean that criminal prosecution is warranted. Even if the District Attorney believes a shooting was avoidable or an officer did not follow expected procedures or norms, this does not necessarily amount to a violation of criminal law. In these circumstances, remedies (if any are appropriate) may be pursued by administrative or civil means. The District Attorney has no administrative or civil authority in these matters. Those remedies are primarily in the purview of city and county governments, police departments, and private civil attorneys.

Legal Standards Around Use of Force

In North Carolina, the law recognizes an inherent right to use deadly force to protect oneself or others from death or great bodily harm. This core legal principle is referred to as the right to "self-defense." A police officer does not lose the right to self-defense by simply becoming a police officer. Officers are entitled to the same protections of the law as every other civilian. An imminent threat to the life of a police officer or civilians, entitles them to respond in a reasonable way as to stop that threat.

Under North Carolina law, the burden of proof is on the State to prove to a jury of 12 beyond a reasonable doubt that a defendant did not act in self-defense of himself or others. The Supreme Court of North Carolina defined the law of self-defense in State v. Norris, 303 N.C. 526 (1981). The court held that a killing is justified under North Carolina law, if it appeared to a person that it was necessary to kill in order to save himself or another from death or great bodily harm. The law requires that the belief in the necessity to kill must be reasonable under the circumstances. Id. At 530.

Use of deadly force by a law enforcement officer

The same legal standards apply to law enforcement officers and private citizens alike. However, officers have a sworn duty to enforce the laws of this State which often place them in situations in which they are required to confront, rather than avoid, potentially dangerous people and situations.

The United State Supreme Court stated, "[t]he 'reasonableness' of a particular use of force must be judged from the prospective of a reasonable officer on the scene, rather than

with the 20/20 vision of hindsight.” Graham v. Conner, 490 U.S. 386, 396 (1989). The Court further explained that “[t]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments, in circumstances that are tense, uncertain, and rapidly evolving, about the amount of force that is necessary in a particular situation.” Id. At 396-97. A situation in which an officer is confronting an armed person (whether it be a firearm or automobile) with uncertain motives, is by definition dangerous, and such a circumstance will almost always be tense, uncertain, and rapidly evolving. In these circumstances, we are not deciding whether the officer’s belief in the need to use deadly force was correct but only whether his belief in the necessity of such force was reasonable.

What the law demands, is an evaluation of the reasonableness of the officer’s decision at the moment he fired the shot. The Supreme Court of the United States has provided guidance on what is objectively reasonable and how such an analysis should be conducted. An analysis must make “allowance for the fact that police officers are often forced to make split-second judgments.” See Graham v. Conner, 490 U.S. at 396. The Court suggests that when reviewing use of force cases, caution should be used to avoid analysis “more reflective of the ‘peace of a judge’s chambers’ than of a dangerous and threatening situation on the street.” Elliot v. Leavitt, 99 F.3d. 640, 643 (4th Cir. 1996).

In conducting a legal analysis, this office must take its guidance from the law, and a decision must not be based upon public sentiment or outcry. The obligation of a District Attorney is clear, one must simply apply the law to the known facts.

Conclusion

Based on the findings presented, it is clear the Cpl. M.L. Sletten discharged his service weapon three times at the vehicle that the decedent was driving, thereby causing his death. After careful review, although tragic, the use of deadly force by Cpl. Sletten under these circumstances was justified by both the common law principles of self-defense and also by the statutory provisions of N.C.G.S. 15A-401(d)(2), which permits the use of deadly force by a law enforcement officer to defend himself or another from what he reasonably believes to be the imminent use of deadly force.

Criminal charges are appropriate when it appears that there is both probable cause to believe that a crime has been committed, and when it appears that the evidence of that crime is sufficiently strong to afford the State some reasonable prospect of obtaining a conviction at trial. Under these circumstances, wherein mere seconds elapsed from the moment Nasanto Antonio Crenshaw, having struck the patrol car of Cpl. Sletton, placed the Nissan in drive and began to accelerate forward toward where Cpl. Sletton stood before the officer fired his weapon, I will not be seeking charges related to the death of Nasanto Antonio Crenshaw.