



State of North Carolina
General Court of Justice
Tenth Prosecutorial District

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Final Release into North Carolina State Bureau of Investigation (NCSBI) investigation into the fatal wreck of Tyrone Mason

Purpose of Investigation

In January of 2025, Wake County District Attorney Lorrin Freeman requested an investigation by the North Carolina State Bureau of Investigation (NCSBI) into the circumstances surrounding the fatal single car accident on October 7, 2024 in Raleigh, North Carolina in which Tyrone Mason was killed. For months, Mr. Mason's mother had attempted unsuccessfully to get accurate information about the circumstances that led to her son's death. The NCSBI was asked to conduct the investigation as an agency that was independent of the Raleigh Police Department who investigated the wreck and the North Carolina State Highway Patrol whose member had been involved at the time of the wreck.

Summary of Investigation

As documented in dashcam and bodycam video, Trooper Macario initiated a traffic stop of Mr. Mason for speeding at approximately 2:30 a.m. on October 7, 2024 in the vicinity of the Speedway on Capital Boulevard heading north out of downtown Raleigh. In response to Trooper Macario's attempt to stop Mr. Mason, Mr. Mason accelerated his speed to what has been estimated to be at about 100 mph. After initially pursuing Mr. Mason, Trooper Macario deactivated his blue lights and decelerated. Tragically, at about that same moment, Mr. Mason lost control of his vehicle, crossed the median on Capital Boulevard and struck a concrete barrier resulting in his death. According to toxicology reports from the Office of Chief Medical Examiner, Mr. Mason was at a blood alcohol level of approximately .11 at the time of the accident. Controlled substances and a fictitious license plate were found in Mr. Mason's vehicle following the wreck.

In conversations captured on his agency issued bodycam video, Trooper Macario called in the crash to emergency communications and then placed a call to his supervisor Sgt. Matthew Morrison. Notably Trooper Macario did not attempt to make contact or provide care to Mr. Mason. During the conversation with Sgt. Morrison, Trooper Macario informed Sgt. Morrison that he had attempted to stop Mr. Mason and that he had disengaged prior to Mr. Mason wrecking. Despite this, Sgt. Morrison advised Trooper Macario to not disclose to responding officers that he had attempted to

initiate a traffic stop of Mr. Mason. He instructed him to tell them instead that he had "rolled up on" the wreck. Once officers with the Raleigh Police Department arrived on scene, Trooper Macario volunteered false information and then subsequently again provided false and misleading information to Officer Urena with the Raleigh Police Department when Officer Urena asked him if he had tried to stop Mr. Mason. Specifically, Trooper Macario, as encouraged by Sgt. Morrison, denied trying to stop Mr. Mason and indicated that he had simply driven up on the wreck.

Following these initial exchanges with responding officers from the Raleigh Police Department and just prior to leaving the scene, Trooper Macario also spoke with Raleigh Police Officer Sisson who arrived on scene. Dashcam video captures these two engaged in this conversation within ten minutes of Macario's initial statements, but no recording of the conversation exists. According to Sisson who was interviewed by the NCSBI, Trooper Macario informed Officer Sisson at this time that he had attempted to stop Mr. Mason for speeding prior to the wreck. After Trooper Macario left the scene, the watch commander for that night for the Raleigh Police Department, Captain Yardley, arrived on scene. Shortly thereafter, Captain Yardley reached out through the emergency communications system asking that the trooper who had been on scene call him. This request is documented in the communication system phone records from that date. According to Captain Yardley who was interviewed by the NCSBI, Trooper Macario also told him that that he had attempted to stop Mr. Mason for speeding.

As is standard protocol in fatal car accidents, the Wake County Bureau of Forensic Services (WCFS) and the Crash Reconstruction Unit with the Raleigh Police Department responded to the scene to investigate the crash. WCFS Assistant Crime Scene Supervisor Johnson arrived on scene at 3:21 a.m. Officer Spaulding with the RPD Crash Reconstruction Unit arrived on scene at 4:13 a.m. In addition, there were more than ten Raleigh Police Officers on scene and other first responders and investigators throughout this time period. In statements obtained during an interview with the NCSBI, Johnson indicated that Officer Sisson told her that an officer was attempting to stop Mr. Mason just prior to his wreck. Her notes and report from that night reflect this information. In accordance with what Trooper Macario told Officer Urena and the other officers who responded initially, Officer Spaulding's report reflects that she was told Trooper Macario came up on the wreck and not that he had attempted to stop Mr. Mason. Officer Spaulding continued to operate in reliance on the misrepresentation that Trooper Macario had initially provided and, as a result, continued to provide inaccurate information to Mr. Mason's mother.

The Office of Chief Medical Examiner received Mr. Mason's body. A full autopsy was not performed but a local medical examiner examined Mr. Mason's injuries. Mr. Mason suffered multiple blunt force injuries including a fracture to his cervical spine. The medical examiner opines that Mr. Mason died at the time of impact or shortly thereafter. The crash reconstruction investigative report indicates that the passenger side of the vehicle was impacted to such an extent that it had pushed the passenger seat up under the driver seat which was broken. Mr. Mason was lying on his back in the broken driver seat with his head in the back seat area.

In November an individual who had been in the vicinity of the crash when it occurred reached out to Mrs. Mason to tell her what he had heard. Specifically, he indicated that he was standing outside awaiting a rideshare, in the vicinity of the wreck, when he heard sirens followed by a loud crash. He stated that soon thereafter he rode by the crash but did not immediately realize that it was Mr.

Mason whom he knew. Mrs. Mason brought this individual to the Raleigh Police Department on November 8, 2024, so that he could provide a statement. Officer Spaulding followed up with an interview of this person on November 19, 2024, but nothing further was done at that time.

Analysis as to any Criminal Violations by Trooper Macario or Sergeant Morrison

Trooper Macario's efforts to stop Mr. Mason do not give rise to any criminal violation. At the time Trooper Macario first observed Mr. Mason, Mr. Mason was traveling at a rate of speed over 70 miles per hour in a 40 mile per hour zone. Trooper Macario was taking appropriate traffic enforcement action when Mr. Mason failed to heed the patrol car's blue lights and accelerated. Mr. Mason posed a public safety risk to other motorists on the road. While not known at the time, Mr. Mason was also impaired at the time of this incident further increasing the risk he created to others. While Trooper Macario initially attempted pursuit of Mr. Mason, he quickly deactivated his blue lights and disengaged within forty-five seconds when he realized that Mr. Mason was at risk of wrecking. The totality of these factors leads to a finding that there was no criminal violation by Macario in his initial pursuit of Mr. Mason.

A second focus of the criminal investigation centered on whether the conduct of Macario and Morrison constituted the criminal offenses of obstruction of justice or of making a false report to law enforcement. As noted by North Carolina Supreme Court Justice Anita Earls in her dissent in *State v. Bradsher*, 382 N.C. 656, 671, 850 S.E.2D 533, 577 (2022), "not every lie or misstatement to law enforcement constitutes an obstruction of justice." Obstruction of justice requires that there be some legal or public justice that was thwarted as a result of the lie. Similarly for the offense of making a false report to law enforcement to exist, there must be evidence that the purpose of the misrepresentation was to interfere with law enforcement or to hinder an investigation. See, e.g. *State v. Hughes*, 353 N.C. 200, 539 S.E. 2d 625 (2000). While Trooper Macario's initial false statements to the officers who arrived on scene to investigate this wreck are inexcusable and create significant concerns as set out below, his subsequent truthful statements within the relevant time frame prevent the State from being able to move forward with a successful prosecution. Moreover, evidence would tend to suggest that Sergeant Morrison's and Trooper Macario's intent in initially not disclosing the effort to stop Mr. Mason was to keep them from having to manage the crash scene and do the crash reconstruction investigation. This is highlighted in Sergeant Morrison's comment to Trooper Macario that "it sounds like Raleigh's problem" when talking about the crash.

Analysis of Conduct under standards established in *Giglio v. United States* 405 U.S. 150 (1972)

Prosecutors have a constitutional and ethical responsibility to provide to defendants any information known to them that would provide a basis for questioning a witnesses' credibility when it is expected that those witnesses would testify in a trial against the defendant. Sergeant Morrison's instructions to Trooper Macario to provide false information, and Trooper Macario's false statements as captured clearly on both his bodycam video and that of Officer Yurena do, without question, trigger a disclosure requirement in any case in which either would be called as a witness pursuant to United States Supreme Court case *Giglio v. United States*, 405 U.S. 150 (1972) and its progeny. In most cases initiated by Macario and Morrison, they are the primary, if not sole, witness. The subject of this investigation would become a major point of litigation in any case where they are the charging officers and would distract from the State's ability to successfully prosecute the case

in chief. This is especially true in the context of cases in district court where the volume and considerations of judicial economy would make navigating through this process impossible. Additionally, their actions on October 7, 2024, serve to undermine confidence in their credibility. As a result, the District Attorney has determined that her office will not prosecute cases in which the testimony of Trooper Macario or Sergeant Matthew Morrison is required to prove the underlying offense.

Conclusion

While their dishonesty violates the standards to which law enforcement officers must adhere, the District Attorney is not pursuing criminal charges as the evidence would not support a successful prosecution. The District Attorney has shared her concerns about their conduct with the North Carolina State Highway Patrol who has the authority to decide whether they will remain employed and will be sharing the findings of this investigation with the North Carolina Criminal Justice Training and Standards Division which certifies law enforcement officers. District Attorney Freeman also has determined that her district will not prosecute cases in which the testimony of either of these officers is required to prove the underlying offense.

The investigation also identified concerns about the handling of the crash reconstruction investigation by the Raleigh Police Department. Information as to Trooper Macario's attempts to stop Mr. Mason was available as early as the date of the tragic wreck. While the root cause of the confusion about what preceded the accident is directly attributable to Trooper Macario's untruthfulness, Mrs. Mason may have had her questions about her son's death answered earlier had a more thorough job of investigating the circumstances of the wreck been done. The District Attorney has informed the Raleigh Police Department of these concerns.