



Office of the New York State Attorney General Letitia James

Office of Special Investigation

September 22, 2026

Report on the Investigation of the Death of Shelton Ennis

OVERVIEW

New York Executive Law Section 70-b (Section 70-b) directs the Attorney General's Office of Special Investigation (OSI) to investigate and, if warranted, to prosecute offenses arising from any incident in which the death of a person is caused by a police officer or a peace officer. When, as in this case, OSI does not seek charges against the officer, Section 70-b requires OSI to issue a public report describing its investigation. This is the public report of OSI's investigation of the death of Shelton Ennis, who died on June 26, 2025, after New York City Police Department (NYPD) Officer Karl Yelenic pursued him on foot and both Mr. Ennis and Officer Yelenic fell to the ground during the apprehension.

On June 26, 2025, at 9:52 p.m., NYPD Officers Marc Leandre and Karl Yelenic saw Mr. Ennis in Riverside Park, in New York County, toss away an open can of beer he had been holding. The officers repeatedly asked Mr. Ennis for his identification so they could issue him a summons. Mr. Ennis did not give the officers identification and provided a false name and date of birth. The officers could not find the name in the NYPD database and told Mr. Ennis they would have to take him to the precinct to identify him, at which point Mr. Ennis ran from the officers. Officer Yelenic pursued him on foot and forcibly took him down from behind by wrapping his arms around Mr. Ennis's upper body. Mr. Ennis and Officer Yelenic fell forward, hitting the ground. Mr. Ennis became unresponsive upon striking the ground.

The medical examiner (ME) determined that the cause of Mr. Ennis's death was "hemopericardium with cardiac tamponade due to laceration of right ventricular wall due to blunt impact to chest," and deemed the manner of death to be "homicide (the decedent was tackled from behind by police officer during police pursuit)." The ME found that the hemopericardium (blood in the pericardial sac of the heart) was caused by a 1 and 3/8-inch-long laceration of the anterior right ventricular wall, which in turn was caused by the blunt impact to Mr. Ennis's chest when he struck the ground. The ME said that without immediate surgical intervention, the injury was fatal within minutes.

Mr. Ennis was 54 years old when he died.

Having thoroughly investigated the facts and analyzed the law, OSI concludes a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Yelenic's use of force against Mr. Ennis was justified under New York Law as incident to making a lawful arrest, nor prove beyond a reasonable doubt that Officer Yelenic committed either Criminally Negligent Homicide or Manslaughter in the Second Degree. Therefore, OSI will not seek charges and closes the matter with this report.

FACTS

Background Information

The incident took place inside Riverside Park, near Riverside Drive and West 136th Street, in New York County. The two involved officers were assigned to NYPD's 30th Precinct, Crime Reduction Post, on the night Mr. Ennis died. Officer Marc Leandre joined NYPD in 2016. Probationary Officer Karl Yelenic joined NYPD in 2024.

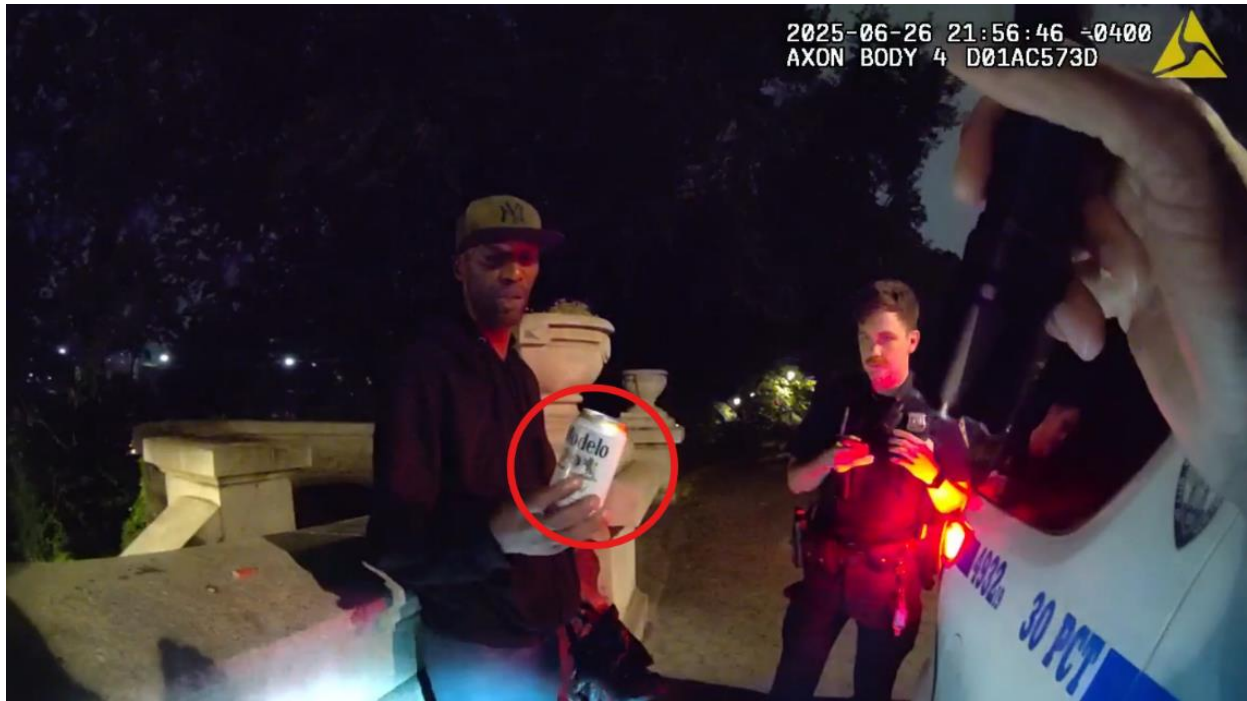
Body-Worn Camera (BWC) Videos

The narrative in this section is based on OSI's review of the BWC videos of Officers Leandre and Yelenic, which can be viewed here: [Officer Leandre](#) and [Officer Yelenic](#). The times mentioned in this section are taken from the time stamps in the BWC videos.

On June 26, 2025, Officers Leandre and Yelenic got out of a marked NYPD car at 9:52 p.m. and approached Mr. Ennis, who was leaning against a hip-level stone wall in Riverside Park. Officer Leandre said, "Good evening. Why you throw it away?" (referring to a can of beer, as shown later in the BWC video). Mr. Ennis replied, "No it was empty bro." Officer Leandre said, "It was empty? Why you throw it away?" As Mr. Ennis motioned to a black plastic bag next to his elbow on top of the stone wall, Officer Leandre asked twice more, "Why you throw it away?" The BWC videos showed that Officer Leandre stood to Mr. Ennis's right, near the front of the car; Officer Yelenic stood at the back of the police car in the path between the stone wall and the car.

BWC video captured a five-minute and 45-second conversation between Mr. Ennis and Officers Leandre and Yelenic. Officer Leandre asked Mr. Ennis for his license or other identification multiple times. Mr. Ennis repeatedly said he didn't have identification with him but said the officers could take him to his nearby apartment to get his ID. Officer Yelenic asked for Mr. Ennis's name and date of birth and said he could search for him in the NYPD database. Mr. Ennis gave a false name and date of birth. At 9:55 p.m. Officer Leandre told Mr. Ennis they couldn't find him in the system, and Mr. Ennis again told the officers he could get his ID if they took him to his nearby apartment. Officer Leandre said, "We don't do that...the thing we do, we take people back to the precinct, and you can call someone...drinking in public is a violation."

BWC video showed that at 9:56 p.m. Mr. Ennis asked Officer Leandre, "What you see me throw away?" Officer Leandre responded, "The one you threw away. It's a Modelo. You threw it over the wall...I saw it." Mr. Ennis said, "You have your body camera...Go find it then." Mr. Ennis turned around and removed an unopened can of Modelo beer from the black plastic bag he held in his hand and placed on top of the stone wall.



Screenshot from Officer Leandre's BWC video showing Mr. Ennis holding the unopened can of Modelo beer (circled in red). Officer Yelenic is standing to Mr. Ennis's right

Officer Leandre told Mr. Ennis they were going to take him back to the precinct. At 9:57 p.m. Mr. Ennis said in response, "I'm not going nowhere...Call your Sergeant." Officer Leandre moved closer to Mr. Ennis, near the path between the stone wall and the police car. Both officers' BWC videos showed that at 9:58 p.m. Mr. Ennis took off running between the two officers, down a concrete path. Officer Leandre's BWC video showed that he steadied himself after Mr. Ennis pushed him and ran after Mr. Ennis. Ten seconds later, Officer Yelenic appeared to take Mr. Ennis to the ground from behind; the BWC view was black at this time as the camera was pressed up against Mr. Ennis's back. Officer Yelenic's BWC video next showed Mr. Ennis on the ground; Officer Yelenic stood up and Officer Leandre came into view standing next to Mr. Ennis. Officer Leandre's BWC video showed that when Mr. Ennis took off running and Officer Yelenic pursued him, Officer Leandre jogged behind them; his BWC video showed that Mr. Ennis was face down on his stomach on the ground and snoring loudly when he caught up with Officer Yelenic and Mr. Ennis.

Officer Leandre handcuffed Mr. Ennis behind his back and, at 10:00 p.m., transmitted their location and requested two ambulances over the police radio. Officer Leandre turned Mr. Ennis on his back; BWC video captured the sound of Mr. Ennis loudly snoring and showed a knife on the ground next to Mr. Ennis's body. Officer Leandre was captured on BWC video saying, "That's why you were running – because you have a knife on you?" Mr. Ennis was unresponsive and did not reply. The portion of BWC showing this can be viewed here: [BWC clip](#).



Screenshot from Officer Yelenic's BWC video showing Mr. Ennis on the ground and a knife next to his body (circled in red).

Mr. Ennis made a loud gasping sound at 10:01 p.m. and again 13 seconds later. Additional officers arrived at 10:02 p.m. and sat Mr. Ennis up. Mr. Ennis did not respond to the officers' verbal communications; his head hung down and he continued to snore loudly. Officer Yelenic told one of the responding officers, "I tackled him." Lieutenant Jeffrey Pontebbi arrived at 10:07 p.m.; he spoke with the officers about what happened and assessed Mr. Ennis's condition. BWC video showed that Mr. Ennis was breathing but unresponsive and his eyes were reactive to light. As detailed below, Emergency Medical Services (EMS) personnel arrived at 10:13 p.m. and took over his care.

Officer Interviews

OSI interviewed the officers separately with their attorney present.

Officer Leandre and Officer Yelenic told OSI that on the evening of June 25, 2025, they were working an overtime shift for the Crime Reduction Initiative focused on quality-of-life offenses in the 30th Precinct. Officer Yelenic was driving a marked police car when Officer Leandre said he saw a man they later learned to be Shelton Ennis standing by a wall with a can of Modelo beer in his hand. Officer Yelenic said he saw Mr. Ennis with an open can and a black bag with a second can. They both said they had never seen Mr. Ennis before and had no prior knowledge of him. Officer Yelenic pulled over and parked the car on the sidewalk in the park near Mr. Ennis. He said their intention was to issue a summons for the open container

violation. Both officers got out of the car, activated their BWCs, and approached Mr. Ennis. Both officers said Mr. Ennis pushed the can he had been drinking over the ledge of the stone wall. The officers asked Mr. Ennis for ID, and he said he didn't have ID on him and wasn't doing anything wrong. Officer Leandre said Mr. Ennis showed him a second, unopened Modelo beer can that was on top of the stone wall in a black plastic bag. Mr. Ennis provided a first and last name and a date of birth; when Officer Yelenic put the name and birth date into a database on his department-issued phone, the query returned no results. Officer Leandre told OSI that usually, when a valid name is entered in the system, it returns at least some information. Officer Leandre said he continued to ask Mr. Ennis for ID, such as a picture of his ID on his phone; Mr. Ennis said he didn't have a phone with him and they could go to his nearby apartment to get his ID. Officer Leandre said he told Mr. Ennis they couldn't do that; he said they could either bring him to the precinct and fingerprint him to find out who he was or Mr. Ennis could call someone to bring his ID.

Officer Leandre said he was standing between the stone wall and the police car, and Mr. Ennis "aggressively shoved" him toward the police car and ran off. Officer Yelenic ran after Mr. Ennis, and Officer Leandre followed at a slower speed. Officer Yelenic said he initially thought to grab his Taser but could not because it was holstered on his right side and his phone was in his right hand. Officer Yelenic said he ran after Mr. Ennis for 40 to 50 feet, and when he was about two or three feet behind him, he put both arms around Mr. Ennis's upper body. He said when he wrapped his arms around Mr. Ennis, the forward momentum of them both running took them to the ground; there was also a slight decline in the ground where they fell. He said Mr. Ennis fell headfirst; he groaned as he hit the ground and started snoring. As they landed, Officer Yelenic's arms were underneath Mr. Ennis, still wrapped around his body, and they both slid forward as they hit the ground. Officer Yelenic said he believed the force of Mr. Ennis's head hitting the ground knocked him unconscious. He said his intent was to apprehend Mr. Ennis and handcuff him, not to tackle him and make him fall.

Officer Leandre said when he caught up to them, he heard Officer Yelenic complain of pain to his arms and hands and saw lacerations to his hands. Officer Yelenic said he was in shock and felt pain and burning to his hands. Officer Leandre said he heard loud snoring coming from Mr. Ennis. He handcuffed Mr. Ennis, turned him over, and saw a knife on the ground near Mr. Ennis's body and said aloud, "So that's why you're running." (Although not known to the officers at the time, Mr. Ennis was on parole and may have feared the consequences of being given a summons for the open container violation.) Officer Leandre called for EMS for both Mr. Ennis and Officer Yelenic. Both officers said Mr. Ennis remained on the ground and continued snoring; he was breathing but unconscious.

Both officers said other NYPD officers arrived and sat Mr. Ennis up. Officer Yelenic said the officers continuously checked that Mr. Ennis was breathing, and an officer checked his pupils. He said he didn't see any change in Mr. Ennis's condition while they waited for EMS. They said

an ambulance arrived on scene and Emergency Medical Technicians (EMTs) assessed Mr. Ennis. Before the ambulance left for the hospital, Officer Leandre said Mr. Ennis went into cardiac arrest and he saw an EMT start CPR. Officer Yelenic was taken by ambulance to the hospital; he said he was treated for abrasions to his hands and wrists. Officer Leandre told OSI that before returning to the stationhouse he retrieved the opened Modelo beer can from the steps behind the stone wall, and the unopened Modelo beer can from the plastic bag on the wall.

Medical Intervention

According to the medical records and as seen on BWC video, Mr. Ennis was breathing but unresponsive when EMS arrived at 10:13 p.m. The medical records stated that, while in the ambulance, Mr. Ennis became pulseless, and EMTs began resuscitative efforts. EMS took Mr. Ennis to Mount Sinai Morningside Hospital where he was pronounced dead at 10:49 p.m.

Evidence Collection

As displayed below, NYPD photographed the open 12-ounce Modelo beer can that Mr. Ennis pushed over the stone wall, which was recovered and vouchered.





Autopsy

Dr. Michael J. Caplan of the New York City Office of the Chief Medical Examiner conducted the autopsy and determined that the cause of Mr. Ennis's death was "hemopericardium with cardiac tamponade due to laceration of right ventricular wall due to blunt impact to chest," and deemed the manner of death to be "homicide (the decedent was tackled from behind by police officer during police pursuit)."

Dr. Caplan diagnosed Mr. Ennis with hemopericardium (blood in the pericardial sac of the heart) that was caused by a 1- and 3/8-inch-long laceration of the anterior right ventricular wall. Dr. Caplan told OSI the laceration was caused by the blunt impact to Mr. Ennis's chest when he struck the ground as he fell forward. He said that the accumulation of blood in the pericardial sac caused cardiac tamponade, during which the heart could not properly pump blood. He said that without immediate surgical intervention the injury was fatal within minutes. The autopsy found abrasions and lacerations to Mr. Ennis's face and forehead and a thin-layered contusion to the left frontal region of his scalp; Dr. Caplan said he did not find injury to the brain. The autopsy found abrasions to Mr. Ennis's left shoulder, hands, fingers, wrists, and right kneecap. Dr. Caplan diagnosed Mr. Ennis with recent ethanol intake; toxicological analysis of his post-mortem femoral blood revealed a blood ethanol content of .084 g/dL[%].

Relevant New York City Law

New York City Administrative Code 10-125, “Consumption of alcohol on streets prohibited,” provides as follows: “No person shall drink or consume an alcoholic beverage, or possess, with intent to drink or consume, an open container containing an alcoholic beverage in any public place except at a block party, feast or similar function for which a permit has been obtained.” The statute provides that, “Possession of an open container containing an alcoholic beverage by any person shall create a rebuttable presumption that such person did intend to consume the contents thereof in violation of this section.” This is a violation-level offense.

LEGAL ANALYSIS

Article 35 of the New York Penal Law defines the circumstances under which a person may be justified in using force against another. Justification is a defense, not an affirmative defense, Penal Law Section (PL) 35.00. To obtain a conviction at trial, a prosecutor must disprove a defense beyond a reasonable doubt, PL 25.00(1).

PL 35.30 is the provision defining justification when a police officer or peace officer uses force to effect or attempt to effect an arrest.

PL 35.30(1) provides:

“A police officer or a peace officer, in the course of effecting or attempting to effect an arrest ... of a person whom he or she reasonably believes to have committed an offense, may use physical force when and to the extent he or she reasonably believes such to be necessary to effect the arrest”

People v Brito, 4 Misc 3d 1004(A), Sup Ct, NY County, 2004, held that when a person “refuses to supply identification to a police officer, a custodial arrest in lieu of a summons is proper.” See also *People v Rodriguez*, NYLJ, June 21, 2002, at 20, Crim Ct, NY County, and *People v Copeland*, 39 NY2d 986, 1976, holding it was proper to arrest a motorist who did not produce a driver's license upon being asked to do so by the police officer.

A prosecutor would not be able to disprove that Officer Yelenic was justified in using at least some degree of physical force to arrest Mr. Ennis. The evidence is that, having seen Mr. Ennis holding an open can of beer in the park, Officers Leandre and Yelenic reasonably believed that Mr. Ennis had committed a violation of the NYC open container law. When Mr. Ennis did not produce identification pursuant to the officers’ requests and the officers could not identify him, the officers were unable to issue a summons for the violation. The officers were therefore authorized to arrest Mr. Ennis and bring him to the precinct to identify and charge him – and

likewise a prosecutor would not be able to disprove that they were authorized to “use physical force when and to the extent [they]...reasonably believe[d] such to be necessary to effect the arrest.” The use of physical force would only be criminal if, and to the extent that, it exceeded what Officer Yelenic reasonably believed was necessary to effect the arrest. The evidence does not show that Officer Yelenic’s use of physical force exceeded what was necessary to stop Mr. Ennis from running and effect the arrest.

The evidence does not support charging Officer Yelenic with a homicide offense. As there is no evidence he intended to cause Mr. Ennis’s death as required by Murder in the Second Degree, PL 125.25, or intended to cause him serious physical injury as required by Manslaughter in the First Degree, PL 125.20, OSI analyzes the case under the definitions of Criminally Negligent Homicide, PL 125.10, and Manslaughter in the Second Degree, PL 125.15 (1).

Criminally Negligent Homicide requires proof beyond a reasonable doubt that a person caused the death of another with criminal negligence. Under the definition of criminal negligence in PL 15.05 (4), “A person acts with criminal negligence with respect to [death] when he fails to perceive a substantial and unjustifiable risk that [death] will occur.... The risk [of death] must be of such nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation.”

Manslaughter in the Second Degree requires proof beyond a reasonable doubt that a person recklessly caused the death of another. Under the definition of recklessly in PL 15.05 (3), “A person acts recklessly with respect to [death] when he is aware of and consciously disregards a substantial and unjustifiable risk that [death] will occur.... The risk [of death] must be of such nature and degree that disregard thereof constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.”

In comparing criminally negligent homicide with reckless manslaughter, the Court of Appeals has noted that “the necessary *underlying conduct*, exclusive of the mental element, is the same. Both felonies require a risk of death *inherent in the defendant’s act*. In criminally negligent homicide, no less than in reckless manslaughter, some culpable risk creation is essential.” *People v Boutin*, 75 NY2d 692, 696, 1990 (internal quotations and citations removed; see also *People v Cabrera*, 10 NY3d 370, 2008. Applying that standard to this case, to sustain charges against Officer Yelenic, OSI would need to prove beyond a reasonable doubt that his conduct constituted “not only a failure to perceive a risk of death, but also some serious blameworthiness in the conduct that caused it.” *Boutin*, 75 NY2d at 696.

Based on the investigation, OSI concludes that a prosecutor would not be able to prove beyond a reasonable doubt that Officer Yelenic’s use of force was a “gross deviation from the standard” of care that a reasonable person in the police officer’s position would have

observed in the same situation. Mr. Ennis ran from the officers, who were lawfully attempting to identify him and issue him a summons. Under these circumstances, it was reasonable for Officer Yelenic to pursue and apprehend Mr. Ennis. Additionally, it was not foreseeable that trying to apprehend a fleeing person by grabbing them from behind would result in death. “With respect to foreseeability of the death, the People must prove ‘that the ultimate harm is something which should have been foreseen as being reasonably related to the acts of the accused,’” *People v Davis*, 28 NY3d 294, 301, 2016, quoting *People v Kibbe*, 35 NY2d 407, 412, 1974.

For these reasons, OSI concludes that a prosecutor at trial would not be able to prove beyond a reasonable doubt that Officer Yelenic committed a crime. Therefore, OSI will not seek charges against him and closes the matter with the issuance of this report.

Dated: September 22, 2026