

District Attorney's Office  
State of North Carolina  
26th Prosecutorial District  
Mecklenburg County

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# NEWS RELEASE

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**December 14, 2022**

## **Jury finds CMPD officer guilty of misdemeanor death by vehicle**

CHARLOTTE, N.C. – A jury has found Phillip Barker guilty of misdemeanor death by vehicle in connection with the 2017 death of 28-year-old James Michael Short. The trial, which was held December 5-14, 2022, took place in courtroom 5370 before The Honorable Robert C. Ervin, Superior Court Judge.

The Mecklenburg County District Attorney's Homicide Team tried Barker, 29, for involuntary manslaughter. The jury found him *guilty* of the lesser-included offense of misdemeanor death by vehicle. Judge Ervin sentenced Barker to 60 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation. As conditions of his probation, Barker must perform 50 hours of community service and not operate a vehicle for a period of 12 months.

On July 8, 2017, Barker was on duty as a Charlotte-Mecklenburg Police Officer responding to a priority call for service regarding a vehicle colliding into a building. In his response, Barker, while exceeding a speed of 100 miles per hour, collided with Mr. Short, who was in the crosswalk at the intersection of Euclid Avenue and Morehead Street. Barker had the green light for his direction of travel, and Mr. Short was crossing against the light. The jury found that, since Barker was not exercising due regard for the safety of others in his response, he was not entitled to the law enforcement exemption from speed laws and that Barker's conduct was a proximate cause of Mr. Short's death.

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