



**BENJAMIN R. DAVID**  
**DISTRICT ATTORNEY**

*State of North Carolina*  
***General Court of Justice***  
***Sixth Prosecutorial District***  
Wilmington, NC 28402

**POST OFFICE BOX 352**  
**PHONE: (910) 772-6610**  
**FAX: (910) 772-6611**

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To: Members of the Media

From: District Attorney Ben David

Re: Wilmington Man Indicted Following Encounter with Police in July

A Wilmington man has been indicted by a New Hanover County Grand Jury for his involvement in an incident on Carolina Beach earlier this year. Robert Travis Fitts, age 41, was indicted for assault with a firearm on a law enforcement officer, two counts of possession of drug paraphernalia, possession of a firearm by a felon, and attaining the status of a habitual felon. His cases will next appear on the administrative calendar in October.

This incident took place on July 2, 2022 in Carolina Beach, at which time Carolina Beach Police Department officers were attempting to serve warrants on Fitts for felony flee to elude arrest, resisting public officer, and driving while license revoked. The encounter resulted in Fitts being shot multiple times by the officers. The State Bureau of Investigation collected evidence and conducted interviews regarding the use-of-force incident and the officers involved have been cleared of any wrongdoing.

After learning of the indictment and that no officers would face charges as a result of this incident, Carolina Beach Police Department Chief of Police Vic Ward remarked, "I would like to thank the NC State Bureau of Investigation for their timely response and due diligence in investigating this incident. I am pleased that their independent inquiries concurred with our internal administrative investigation with the conclusion that our officers, Chris Cole and Sam Smith, acted appropriately and within the law. Our officers are tasked with putting their lives at risk daily and I'm thankful that no members of the department or the general public were injured during this incident."

Since the encounter with the officers is now the subject of pending criminal charges, no further statement can be made about the July 2, 2022 incident.