



*State of North Carolina  
General Court of Justice  
Prosecutorial District 7*

BERTIE, HALIFAX, HERTFORD, NORTHAMPTON COUNTIES

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**PRESS RELEASE**

To: All Local Media Outlets

From: Valerie M. Asbell  
District Attorney

Date: May 28, 2020

Re: Police Involved Shooting by Chief Bobby Martin of the Roanoke Rapids Police Department

On the morning of December 20, 2019, Darrius Carter led both Roanoke Rapids Police Officers and Halifax County Sheriff's Deputies on a high-speed chase throughout the city of Roanoke Rapids. At the time, Carter had outstanding felony warrants for his arrest. A Roanoke Rapids Police Department (RRPD) Officer recognized Carter driving a silver Ford Crown Victoria and attempted to perform a traffic stop. Carter immediately sped off, repeatedly swerving into oncoming traffic and reaching speeds in excess of 90 miles per hour in downtown Roanoke Rapids. At least one time, Carter was driving at a high rate of speed directly at a Deputy's patrol car, forcing the Deputy to make an evasive maneuver to avoid being struck. Eventually, officers were able to block off Carter's path of travel, and he drove into the yard of a private residence on South Monroe Street.

At that time, Carter was being pursued by numerous law enforcement vehicles, including RRPD Chief Bobby Martin. Once Carter drove behind the residence, Chief Martin fired a single shot at Carter that travelled through the driver's side window and struck Carter in the right forearm near his elbow. Carter was transported with a non-life-threatening injury to Vidant Medical Center in Greenville and later to Central Prison in Raleigh.

Per requests by RRPD and the District Attorney's Office, the North Carolina State Bureau of Investigation (NCSBI) immediately responded to assist with the investigation of the shooting.

Within a few hours, SBI Agents interviewed two members of the Halifax County Sheriff's Office (HCSO) who were involved in the chase of Carter's vehicle. Neither of the HCSO Deputies, however, were in a position to see the shooting. The same morning, SBI Agents attempted to interview four members of the RRPD who had been involved in the chase and present at the scene at the time of the shooting. All four officers declined to be interviewed. Likewise, when an SBI Agent attempted to interview Chief Martin, he declined to be interviewed. One RRPD Officer, Captain Charles Vaught, did agree to speak with the SBI, but he stated that he was not in a position to see the shooting, and when he arrived at the back of the residence, the shooting had already occurred, and the vehicle was stopped.

Later on 12/20/19, SBI Agents interviewed Darrius Carter while he was being treated at Vidant Medical Center. Carter admitted that he knew he had outstanding warrants, and he was fleeing from the officers to avoid arrest. Carter stated that once he was blocked in, he drove into a private driveway and was attempting to circle the house when he felt his arm go weak. He did not initially realize he had been shot, but once he was blocked in the back yard, he stopped the vehicle, submitted to officers and was arrested. Carter also acknowledged that he had a loaded pistol in the front of the car, but he said that he never brandished it at the officers.

Approximately two weeks later, the four RRPD officers who initially declined to be interviewed agreed to individually meet with SBI Agents and gave statements. One of the officers was not on the scene at the time of the shooting, came to the residence afterward, and did not see the shooting. Two of the officers were at the scene, but were positioned in the yard obstructed by a fence or an out building. They heard the gunshot but did not witness the exact moment of the shooting. Both of those officers told the SBI that Chief Martin was visibly shaken and Martin said Carter had tried to run him over. The fourth RRPD officer stated that he was involved in the chase and he followed Carter into the yard on South Monroe Street. He stated that when he got into the backyard, he saw Chief Martin shoot once into the driver's side window. The officer stated that the car was still driving forward when Martin shot, and that Martin was on the driver's side, less than an arm's length from the car.

On January 7, 2020, after obtaining the statements from the RRPD officers, SBI Agents contacted Chief Martin to request an interview. Chief Martin again declined to be interviewed by the NCSBI.

Darrius Carter was re-interviewed by the NCSBI. Carter stated that he was not trying to run anyone over, and he was just trying to get away. Carter stated that he realized he was blocked in when he got to the backyard of the residence on South Monroe Street, and he was attempting to get out of the yard. Carter said he saw police officers everywhere, but he never saw one in front of the car, and he was not intentionally trying to hit anyone.

In late February, the SBI concluded its investigation and released the file to District Attorney Valerie Asbell for her review. In mid-March, after reviewing the voluminous file and physical evidence, Asbell requested the NCSBI to conduct follow-up interviews of some of the officers to clarify their statements as to Carter's vehicle and Chief Bobby Martin's actions on December 20th, 2019. During this time, Chief Martin contacted the SBI and indicated that he now wanted to make a statement.

SBI Agents met with Martin in mid-April. Martin said that he heard over the police radio that a RRPD officer was involved in a car chase, and he got into his patrol car to attempt to assist. At one point, Carter's vehicle was coming down a street and Martin attempted to block the road

with his patrol car. Carter's vehicle was not slowing down as it approached Martin's patrol car, and Martin had to back his vehicle out of the way to avoid being hit by Carter's car. Martin stated that he then began pursuing Carter's vehicle, along with the other officers who were already in pursuit. When Carter got onto Monroe Street, he turned into the private residence. At that point, Martin stated that he believed Carter was going to abandon the car and run on foot. Martin and the other officers ran toward the backyard, and when Martin got into the backyard, Carter was still driving and coming directly toward him. Martin stated he then unholstered his pistol and yelled "Stop-Stop-Stop" at Carter. As Martin was yelling at Carter to stop, he stated that he was also attempting to retreat. Chief Martin said it was a small backyard and there was a trailer behind him and he did not want to get trapped and Carter run over him. Martin stated that Carter continued to drive toward him, and the vehicle got approximately 6-8 feet away before Martin said he jumped out of the way to avoid being hit. At the same time, Martin stated that he shot once into the vehicle. Martin said that he shot because he felt that Carter was going to kill him, and he was also concerned about his fellow officers and the citizens of Roanoke Rapids. Chief Martin stated that Carter had no intention of being captured, and he was a threat until he was stopped. Chief Martin's statement was released from the NCSBI to District Attorney Asbell in mid-May.

North Carolina General Statute 15A-401(d)(2) authorizes a law enforcement officer to use deadly force upon another person to defend himself or a third person from what the officer reasonably believes to be the imminent use of deadly physical force or to effect an arrest[...]of a person who[...]by his conduct or any other means indicates that he presents an imminent threat of death or serious physical injury to others, unless apprehended without delay.

Based on the investigation and evidence, Chief Bobby Martin's use of force was both reasonable and warranted. According to Martin and other officers as well as physical evidence that corroborates their statements, Darrius Carter presented an imminent threat of death or serious physical injury to Chief Bobby Martin and other law enforcement officers by driving recklessly in a high-speed chase through the streets of Roanoke Rapids and then directly toward Martin even after being ordered to stop. According to the evidence, the threat level that Darrius Carter presented was quickly escalating the closer he came toward him. After a thorough review of the NCSBI report and meeting with NCSBI agents, I have concluded that Chief Martin was legally justified in his use of force. As a result, no criminal charges against Chief Bobby Martin will be filed related to this incident.