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3 officers justified in shooting death of murder suspect two years ago, prosecutor says

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Former Millville officer Joseph Dixon and two other cops were cleared in the fatal shooting of a murder suspect almost two years ago, the Cumberland County Prosecutor's Office said Tuesday.

The announcement came two months after Dixon was sentenced to probation and a suspended prison sentence after pleading guilty to third-degree aggravated assault. He resigned from the department last year and is barred from working in law enforcement or owning guns.

An NJ Advance Media investigation had found that Dixon reported using more force than any other cop in New Jersey. Prosecutors concluded that he abused his power during multiple arrests, and Dixon still faces multiple excessive force lawsuits.

But in this instance, investigators said the 29-year-old Millville native was justified when he and two other officers shot and killed a 55-year-old man.

Dixon, who was not named in the report, "was in fear for his life when he discharged his weapon."

Millville Police Chief Jody Farabella declined comment. A lawyer who recently represented Dixon did not immediately respond to a request for comment. Dixon has declined or not responded to repeated requests for comment over the past 18 months.

The shooting happened April 14, 2018.

A little after 6 a.m., Winslow Township police arrived at the scene of a homicide in Sicklerville, according to the report.

A 47-year-old Salem man named Derek White was shot to death and a 35-year-old woman seriously wounded, authorities previously said. Cops zeroed in on Jose Pietri, 55, who had previously been in a relationship with the woman. The two were parents of 2- and 3-year-old kids, who were reported missing from the home after the shooting.

Pietri was captured on video leaving the scene in White's Kia Sorento, with a "teenaged or youthful black female in the front passenger seat," according to the report. After cops tried to pull him over, Pietri took off toward Millville.

Pietri called 911 while he was being chased, according to the report, and he told a Gloucester County dispatcher that he had a gun and a kid in the car.

“The call disconnected when the dispatcher asked why the police were chasing him,” investigators wrote.

Dixon took over the chase after Pietri nearly hit him with the black SUV.

The two stopped on a dead-end lane. A young girl jumped out of the Kia and sprinted toward Dixon, according to dashboard video.

Dixon drew his gun and pushed the girl to safety. He motioned downward as Pietri stepped outside holding a “black handgun,” according to the report, as two nearby Winslow cops pulled out rifles.

Someone ordered Pietri to raise his hands and drop his gun, investigators wrote. The video shows him instead facing forward and lifting at least one arm.

All three officers opened fire. Investigators concluded each Winslow officer fired 11 shots and Dixon fired 13 (he initially reported 14.)

Pietri fell. He was briefly handcuffed before being freed to receive first aid, the report said. He was pronounced dead at a hospital.

Cops pulled an RG 23 .22 LR revolver from under the SUV’s front left tire, and 17 rounds of ammunition from Pietri’s pants, according to the report. The State Police Ballistics Laboratory later found two used shell casings from the gun.

Investigators concluded that Pietri died from four gunshots, two of them from Dixon. Millville’s police chief nominated Dixon for a Public Safety Officer Medal of Valor, the “highest national award for valor by a public safety officer.”

The missing kids were located in Salem County that afternoon and officials confirmed that Pietri drove them there prior to his showdown with police. Authorities never publicly revealed Pietri’s relationship to the passenger in the SUV.

Fatal shootings are always investigated. The county prosecutor’s office ran the initial inquiry, but the law later changed to mandate that the state attorney general’s office take the lead when reviewing fatal police shootings.

The report said the attorney general’s office agreed with the decision to clear Dixon.

Pietri had previously been charged with aggravated sexual assault of a victim less than 13 years old and endangering in 2001, according to court records. He was a caretaker for the victim, according to the records.

Pietri ended up pleading guilty only to the second-degree charge of endangering and was sentenced to three years in prison in 2002.

He was then arrested in 2014 on charges of violating terms of community supervision for life and sentenced to a year of probation and community service.