

# The Star-Ledger

## **No jail time for N.J. cop who admitted to assaulting 2 women**

By Blake Nelson

NJ Advance Media for NJ.com and The Star-Ledger

Published Jan. 17, 2020

A former Millville police officer will not serve jail time after admitting late last year to assaulting two women while he was on duty.

Joseph Dixon pleaded guilty to two charges of third-degree aggravated assault in November and resigned from the department. He is barred from working in law enforcement or public employment.

Superior Court Judge Robert Malestein in Cumberland County sentenced Dixon on Friday to two years of probation, and suspended a 364-day jail sentence.

The state attorney general's office looked into Dixon after an NJ Advance Media investigation flagged hundreds of officers across the state for using force at troubling rates.

Dixon reported using his hands and fists, restraints and other types of force 58 times during his first three-plus years, more than once a month. No other cop used force more. The more than 17,000 other officers in the state who reported using force over a similar period averaged less than one incident a year.

When the state attorney general's office announced sweeping changes to police reforms last month, an official used Dixon as an example as to why stronger oversight was needed.

Dixon, who wore glasses, a blue tie and a gray suit in the courtroom, spoke only to tell the judge he understood instructions. He declined to comment after the sentencing.

Dixon admitted to excessive force during two incidents in 2018. In February of that year, he slammed a woman named Audra Capps into the asphalt after she was stopped for suspicion of driving under the influence, according to dashcam video. Seven of her ribs were broken and one was removed, according to medical records and state officials.

She said in court that two surgeries haven't stopped the constant pain.

The next month, Tanika Joyce became argumentative after her son was investigated for shoplifting in a supermarket, according to the state attorney general's office. Dixon threw her to the ground and pepper sprayed her, bruising her hip and burning her eyes.

"I hope he realizes the long-term damage he has done to my entire family," Joyce said while Dixon looked down. "Not just me but my children and grandchildren."

Both women said they were now afraid around all cops, and they argued that he should spend a year behind bars.

Brian Uzdavinis, a deputy attorney general, said Dixon was facing other possible charges before he pleaded guilty, including a pattern of official misconduct, tampering with public records and additional assault charges. Those could have sent Dixon to prison for at least decade, the prosecutor said in court. The single year the state suggested was “lenient, if not generous.”

The judge disagreed. He cited, among other things, the fact that Dixon didn’t have a previous criminal history, and that Dixon’s resignation would prevent him from committing similar crimes.

Dixon also faces two lawsuits. The first was filed by Capps, the woman whose ribs were broken.

The second lawsuit is Barry Cottman, who Dixon punched repeatedly in the head after Cottman was stopped for jaywalking, according to video from a passerby. (Cottman was recently acquitted of several charges against him stemming from that stop, according to Cottman’s lawyer and court records.)

Dixon’s lawyer, Andrew Butchko, said in court that more lawsuits could be on the way.

“There may be others in the future, we don’t know,” Butchko said, noting that the statute of limitations had not expired concerning “all of the incidents regarding my client.”

Butchko said Dixon was remorseful and took responsibility for his actions.

In addition, Dixon has not been cleared in the fatal shooting of a murder suspect in 2018. The Cumberland County Prosecutor’s Office completed its investigation, according to Peter Aseltine, a spokesman for the state attorney general’s office, but the state’s review is ongoing.

Aseltine declined to comment further.

Millville is one of a handful of departments testing out a new program to monitor how cops use force. The system will eventually be rolled out statewide.

Jody Farabella, the city’s police chief, previously said he took the investigation into Dixon “very seriously.” He declined to comment last month on Dixon’s guilty plea, citing the lawsuits, but he said he supported the program.

Dixon is now barred from owning guns. If he violates his probation, he could go to jail.

Friday's sentencing came just a week after another former Millville officer, Jeffrey Profitt, pleaded guilty to third-degree aggravated assault, according to the Cumberland County Prosecutor's Office. Profitt, known for playing a vigilante cop in homemade movies, will be sentenced in February.