

**ABSECON POLICE DEPARTMENT
INTERNAL AFFAIRS INVESTIGATION ALLEGATIONS & CONCLUSIONS**

Employee: Sergeant Joyce Lee – Badge #844
IA Case #: I-2021-012757

Allegation #1: Commanders and Supervisors

Sergeant Joyce Lee did not exercise the proper use of her command to assure performance of her subordinates. Lee did not respond or have oversight of a high-priority call for service, namely a [REDACTED] man with a gun. This resulted in her subordinate(s) having to take command and assume the role of a supervisor.

Violation of Rules and Regulations, which states in part:

Commanders and supervisors shall be able to perform all of the general duties of a police officer.

Commanders and supervisors shall:

1. Enforce department rules and insure compliance with department policies and procedures.
2. Exercise proper use of their command, within the limits of their authority, to assure efficient performance by their subordinates.
3. Exercise necessary control over their subordinates to accomplish the objectives for the department.
4. Guide and train subordinates to gain effectiveness in performing their duties.
5. Use department disciplinary procedures when necessary.
6. When using discipline, comply strictly with the provisions of the department disciplinary process.
7. Conduct themselves in accordance with high ethical standards, on and off-duty.

More particularly, RULES AND REGULATIONS 2:1.2 – COMMANDERS AND SUPERVISORS

Conclusion: **SUSTAINED**

1. On Wednesday, June 16, 2021, at approximately 18:34hrs Sergeant Joyce Lee, [REDACTED], and [REDACTED] were dispatched to Range 129 regarding a report of a suicidal male. The reporting party stated the male was going to rent a firearm with intentions of [REDACTED].
2. While en route to the [REDACTED] male call, a call for a "suspicious persons in vehicles" was dispatched to [REDACTED]. [REDACTED] solicited Lee's preference whether he should respond to that call or continue to Range 129.

3. Lee told [REDACTED] to continue to Range 129 and that she would "divert" to the suspicious persons in vehicle call.
4. Police dispatch updated the following information to patrol: "Range 129 staff was on the line and that the [REDACTED] male has a shotgun".
5. Lee never acknowledges the now imminent and potentially immediate threat that has been learned. She continues to the non-priority call and never makes any communications via police radio.
6. [REDACTED] Lee's subordinate, requests information regarding the exact location of the suicidal male. [REDACTED] instructs dispatch to have range staff begin evacuating the building due to the threat to the public.
7. Body cam video shows [REDACTED]'s heightened awareness and the imminent threat that is posed as he grips his gun prior to entering Range 129.
8. The [REDACTED] man was disarmed by range staff prior to patrol's arrival.
9. [REDACTED] speaks with the male and escorts him from the business to speak with him outside.
10. Lee clears her call for service with the "suspicious persons in vehicle". Lee communicates over police radio that the vehicle's reported suspicious were registered to the homeowner.
11. Lee then responds to Range 129 after any and all threats had been diminished.
12. The totality of the incident would lend another reasonable police supervisor to recognize that a call for a [REDACTED] male with a gun would require the response and oversight of the shift supervisor. Decision making should not be left to a subordinate on a high-priority fluid call for service such as this. A [REDACTED] male with a gun, in a public setting, would require all police resources to assure the safety and well-being of all involved.

Based on the preponderance of the aforementioned evidence obtained during this investigation, the allegation of COMMANDERS AND SUPERVISORS (2:1.2) is SUBSTANTIATED.

Allegation #2: Performance of Duty

Sergeant Joyce Lee, assigned to the positions of supervisor, did not promptly perform her duties that are required or directed by law, rules and regulations or written directive by not responding to the call for service for a [REDACTED] man with a gun.

Violation of Rules and Regulations, which states in part:

All employees shall promptly perform their duties as required or directed by law, rules and regulations or written directive, or by lawful order of superior officer.

More particularly, RULES AND REGULATIONS 3:1.5 – PERFORMANCE OF DUTY

Conclusion: **SUSTAINED**

1. On Wednesday, June 16, 2021, at approximately 18:34hrs Sergeant Joyce Lee, [REDACTED], and [REDACTED] were dispatched to Range 129 regarding a report of a [REDACTED] male. The reporting party stated the male was going to rent a firearm with intentions of [REDACTED].
2. While en route to the [REDACTED] male call, a call for a "suspicious persons in vehicles" was dispatched to [REDACTED]. [REDACTED] solicited Lee's preference whether he should respond to that call or continue to Range 129.
3. Lee told [REDACTED] to continue to Range 129 and that she would "divert" to the suspicious persons in vehicle call.
4. Police dispatch updated the following information to patrol: "Range 129 staff was on the line and that the [REDACTED] male has a shotgun".
5. Lee never acknowledges the now imminent and potentially immediate threat that has been learned. She continues to the non-priority call and never makes any communications via police radio.
6. [REDACTED], Lee's subordinate, requests information regarding the exact location of the [REDACTED] male. [REDACTED] instructs dispatch to have range staff begin evacuating the building due to the threat to the public.
7. Body cam video shows [REDACTED]'s heightened awareness and the imminent threat that is posed as he grips his gun prior to entering Range 129.
8. The [REDACTED] man was disarmed by range staff prior to patrol's arrival.
9. [REDACTED] speaks with the male and escorts him from the business to speak with him outside.
10. Lee clears her call for service with the "suspicious persons in vehicle". Lee communicates over police radio that the vehicle's reported suspicious were registered to the homeowner.
11. Lee then responds to Range 129 after any and all threats had been diminished.

12. The totality of the incident would lend another reasonable police supervisor to recognize that a call for a [REDACTED] male with a gun would require the response and oversight of the shift supervisor. Decision making should not be left to a subordinate on a high-priority fluid call for service such as this. A [REDACTED] male with a gun, in a public setting, would require all police resources to assure the safety and well-being of all involved.

Based on the preponderance of the aforementioned evidence obtained during this investigation, the allegation of PERFORMANCE OF DUTY (3:1.5) is SUBSTANTIATED.

Allegation #3: Neglect of Duty

Sergeant Joyce Lee #844 failed to give suitable attention to the performance of duty. She failed to take appropriate action on the occasion of a high-priority call involving a [REDACTED] man with a gun which required a supervisor's attention, response, and decision making.

Violation of Rules and Regulations, which states in part:

Neglect of duty is the failure to give suitable attention to the performance of duty. Examples include, but are not limited to, failure to take appropriate action on the occasion of a crime, disorder, or other act or condition deserving police attention; absence without leave; failure to report for duty at the time and place designated; unnecessary absence from the zone/post during the tour of duty; failure to perform duties or comply with provisions prescribed in the rules and regulations and written directives, and failure to conform to the department operating procedures.

More particularly, RULES AND REGULATIONS 1:4.17 – NEGLECT OF DUTY

Conclusion: **SUSTAINED**

1. On Wednesday, June 16, 2021, at approximately 18:34hrs Sergeant Joyce Lee, [REDACTED], and [REDACTED] were dispatched to Range 129 regarding a report of a [REDACTED] male. The reporting party stated the male was going to rent a firearm with intentions of [REDACTED].
2. While en route to the [REDACTED] male call, a call for a "suspicious persons in vehicles" was dispatched to [REDACTED]. [REDACTED] solicited Lee's preference whether he should respond to that call or continue to Range 129.
3. Lee told [REDACTED] to continue to Range 129 and that she would "divert" to the suspicious persons in vehicle call.

4. Police dispatch updated the following information to patrol: "Range 129 staff was on the line and that the [REDACTED] male has a shotgun".
5. Lee never acknowledges the now imminent and potentially immediate threat that has been learned. She continues to the non-priority call and never makes any communications via police radio.
6. [REDACTED] Lee's subordinate, requests information regarding the exact location of the [REDACTED] male. [REDACTED] instructs dispatch to have range staff begin evacuating the building due to the threat to the public.
7. Body cam video shows [REDACTED]'s heightened awareness and the imminent threat that is posed as he grips his gun prior to entering Range 129.
8. The [REDACTED] man was disarmed by range staff prior to patrol's arrival.
9. [REDACTED] speaks with the male and escorts him from the business to speak with him outside.
10. Lee clears her call for service with the "suspicious persons in vehicle". Lee communicates over police radio that the vehicle's reported suspicious were registered to the homeowner.
11. Lee then responds to Range 129 after any and all threats had been diminished.
12. The totality of the incident would lend another reasonable police supervisor to recognize that a call for a [REDACTED] male with a gun would require the response and oversight of the shift supervisor. Decision making should not be left to a subordinate on a high-priority fluid call for service such as this. A [REDACTED] male with a gun, in a public setting, would require all police resources to assure the safety and well-being of all involved.

Based on the preponderance of the aforementioned evidence obtained during this investigation, the allegation of NEGLECT OF DUTY (1:4.17) is SUBSTANTIATED.

Allegation #4: Assistance

Sergeant Joyce Lee #844 failed to take appropriate action toward aiding fellow employees exposed to danger when faced with a call involving a [REDACTED] man with a gun which required a supervisor's attention, response, and decision making.

Violation of Rules and Regulations, which states in part:

All members are required to take appropriate action toward aiding a fellow employee exposed to danger or in a situation where danger might be impending.

More particularly, RULES AND REGULATIONS 3:1.4 – ASSISTANCE

Conclusion: **SUSTAINED**

1. On Wednesday, June 16, 2021, at approximately 18:34hrs Sergeant Joyce Lee, [REDACTED] and [REDACTED] were dispatched to Range 129 regarding a report of a [REDACTED] male. The reporting party stated the male was going to rent a firearm with intentions of [REDACTED]
2. While en route to the [REDACTED] male call, a call for a "suspicious persons in vehicles" was dispatched to [REDACTED]. [REDACTED] solicited Lee's preference whether he should respond to that call or continue to Range 129.
3. Lee told [REDACTED] to continue to Range 129 and that she would "divert" to the suspicious persons in vehicle call.
4. Police dispatch updated the following information to patrol: "Range 129 staff was on the line and that the [REDACTED] male has a shotgun".
5. Lee never acknowledges the now imminent and potentially immediate threat that has been learned. She continues to the non-priority call and never makes any communications via police radio.
6. [REDACTED] Lee's subordinate, requests information regarding the exact location of the [REDACTED] male. [REDACTED] instructs dispatch to have range staff begin evacuating the building due to the threat to the public.
7. Body cam video shows [REDACTED]'s heightened awareness and the imminent threat that is posed as he grips his gun prior to entering Range 129.
8. The [REDACTED] man was disarmed by range staff prior to patrol's arrival.
9. [REDACTED] speaks with the male and escorts him from the business to speak with him outside.
10. Lee clears her call for service with the "suspicious persons in vehicle". Lee communicates over police radio that the vehicle's reported suspicious were registered to the homeowner.
11. Lee then responds to Range 129 after any and all threats had been diminished.
12. The totality of the incident would lend another reasonable police supervisor to recognize that a call for a [REDACTED] male with a gun would require the response and oversight of the shift supervisor. Decision making should not be left to a subordinate on a high-priority fluid call for service such as this. A [REDACTED] male with a gun, in a public setting, would require all police resources to assure the safety and well-being of all involved.

Based on the preponderance of the aforementioned evidence obtained during this investigation, the allegation of ASSISTANCE (3:1.4) is SUBSTANTIATED.

Allegation #5: Truthfulness

Sergeant Joyce Lee #844 was untruthful during her administrative Internal Affairs interview. She was read the Candor statement prior to the start of the interview.

Violation of Rules and Regulations, which states in part:

Employees are required to be truthful at all times whether under oath or not.

More particularly, RULES AND REGULATIONS 3:13.5 – TRUTHFULNESS

Conclusion: **SUSTAINED**

1. Lee stated she did not divert to the Webb Road call (suspicious person/vehicles) until after the dispatch transmission that the [REDACTED] male was disarmed by Range 129 staff.
2. At 6:37 PM dispatch gave out the call for a suspicious persons/vehicles complaint on Webb Road. Sergeant Lee diverted from the [REDACTED] man with a gun call at 6:38 PM. It was not until 6:41 PM that dispatch notified patrol that the man was disarmed. This is contrary to Lee's statement.
3. The aforementioned was derived from two surveillance cameras at the Absecon Fire Department. One captures Lee driving east on New Jersey Avenue away from Range 129.
4. A follow-up interview with [REDACTED] provided additional statements which reflected that Lee completed a U-turn in the street and began to travel the opposite direction, north on Mill Road, away from the Range 129 call location. That occurred right after the call from Webb Road was dispatched and Lee acknowledged she was responding.
5. Lee stated she wasn't in proximity or following officers while initially responded to the Range 129 call.
6. Lee was in fact with the other officers. She responded from headquarters and was the middle vehicle in a line of 3 patrol vehicles which responded from the police department parking lot. This was captured on surveillance video and confirmed by statements from [REDACTED]
7. Lee said, "Just because I said I diverted, doesn't mean I did it right away". Lee stated she was still in route to the call for Range 129. This was confirmed not to be true. Surveillance video depicts Lee traveling east on New Jersey Avenue away from the direction of Range 129. It is unreasonable to believe that Lee could claim she was still responding when both [REDACTED] stated she diverted (made a U-turn) as the "middle" vehicle in a line of three consecutive vehicles responding to Range 129.

8. [REDACTED] both stated she diverted after receiving and acknowledging the call for Webb Road. [REDACTED] was directly behind Lee on Mill Road.

9. Lee claimed she was the last person and the closest to the suspicious call (Webb Road), so she responded.

10. Lee was confirmed to be the middle vehicle in a line of 3 patrol vehicles responding to Range 129. She was no closer than any other officer working at that time.

11. Lee stated she was on the north side of town, not having proximity to the other two officers when the Range 129 call was dispatched. Lee said she had assumed that the other two officers may have already been there (Range 129).

12. Again, it was confirmed that Lee was the middle vehicle in a line of 3 vehicles responding to Range 129. That aforementioned statement was not true.

Based on the preponderance of the aforementioned evidence obtained during this investigation, the allegation of TRUTHFULNESS (3:13.5) is SUBSTANTIATED.