Dillon Fuston

POST2300809

San Diego Police Department

Senate Bill 2 – PC 13510.8

(g) (1) The commission may initiate proceedings to revoke or suspend a peace officer's certification for conduct which occurred before January 1, 2022, only for either of the following:

(A) Serious misconduct pursuant to paragraphs(1)(Dishonesty) or (4)(Sexual Assault) of subdivision (b), or pursuant to paragraph (3)(Physical Abuse) of subdivision (b) for the use of deadly force that results in death or serious bodily injury.

Officer Fuston committed **four** instances of dishonesty used to mitigate his actions and the extent of the suspect's injuries stemming from excessive use of force.

Officer Fuston stated on multiple occasions the suspect was unconscious for 2 to 3 seconds.

Officer Fuston's statement that he held onto the suspect's body with both hands to guide the suspect to the ground.

Officer Fuston's statement that the suspect had immediate access to a weapon while lying on the bed was not supported by articulable facts.

Officer Fuston stated in his investigative interview that he used distraction blows to secure the suspect's arm.

POST Regulation 1213: In considering whether to act against a peace officers' certification, and in considering whether a revocation or suspension is appropriate…the Commission shall consider any of the following factors.

(5) Peace officer's prior conduct, discipline and service record, and any prior instances of misconduct.

October 27, 2019

December 14, 2019

October 20, 2022