AGENDA ITEM REPORT

Title: POST2300809 - DILLON FUSTON (POST ID: C71-S10)
LAST EMPLOYING AGENCY: SAN DIEGO POLICE DEPARTMENT

REPORT PROFILE

MEETING DATE 03/21/2024	**BUREAU SUBMITTING THE REPORT** Professional Conduct Southern Bureau	
RESEARCHED BY Mark Nagel	**REVIEWED BY** Christine Ford	
REPORT DATE 02/29/2024	**APPROVED BY** Annemarie Del Mugnaio	**DATE APPROVED**
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Peace Officer Standards Accountability Advisory Board (POSAAB) for review and recommendation regarding the subject peace officer's certification status.

BACKGROUND:

The Respondent began his employment with the San Diego Police Department on September 4, 2018. He was promoted to a fulltime peace officer after graduating from the San Diego Regional Training Academy on February 21, 2019. At the time of this incident before POSAAB, the Respondent was employed as a Peace Officer with the San Diego Police Department. On September 22, 2022, he resigned from the San Diego Police Department and was hired as a Deputy with the San Diego Sheriff's Department on September 23, 2022.

This position is a peace officer position as defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a).

Video Evidence Links:

POST2300809 Fuston, Dillon BWC Redacted

ANALYSIS:

The Division found that the clear and convincing evidence substantiated that Respondent violated California Penal Code § 13510.8(b)(1), in that the Respondent was dishonest relating to the reporting of a crime. Specifically, the Respondent was dishonest in documenting that a suspect had immediate

access to a weapon during an initial contact, was dishonest in reporting that he used half-second paused distraction blows to secure a suspect's arm, and was dishonest in reporting that he guided a suspect to the ground after a leg sweep. Finally, Respondent incorrectly reported the amount of time a suspect was unconscious following the Respondent's use of an unapproved leg sweep.

RECOMMENDATION: The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigation presented by the Peace Officer Standards Accountability Division (POSAD) and shall make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

ATTACHMENT(S):

BR1 - POST2300809 - Fuston_ Dillon - ISF.pdf