



DISCIPLINE OBJECTION

TO: Chief Lisa Davis, Austin Police Department
FROM: Director Gail McCant, Office of Police Oversight
DATE: February 4, 2025
SUBJECT: 2024-0863 Discipline Objection

Dear Chief Davis:

On August 14, 2024, the Office of Police Oversight (OPO) received an external citizen's complaint, 2024-0820, alleging an Austin Police Department (APD) officer had used excessive force during her arrest. OPO conducted a Preliminary Review that identified Officer Calvin Fusilier, AP9065, as the subject of the complaint. Commander Shauna Griffin subsequently requested that IAD conduct an Administrative Investigation on Officer Fusilier's actions regarding the same incident and it was given case number 2024-0863.

At the conclusion of the investigation, I made the following recommendation to Commander Griffin regarding case classification and disposition:

"During Officer Fusilier's IAD interview, he admitted to violating General Orders 200.2.1, 200.4 and 208.4.2. It should be noted that Officer Fusilier failed to attempt de-escalation and used excessive force on a passively resistant individual. This action is in direct violation of General Orders established by APD.

Considering the totality of the circumstances and in alignment with APD's General Orders discipline matrix, The OPO recommended the complaint be Sustained and Officer Fusilier receive a 1-5-day suspension in accordance with the Discipline Matrix."

On January 24, 2025, a Disciplinary Meeting (DM) was held for Officer Fusilier that resulted in a Sustained finding for violation of APD General Orders 200.2.1, Assessment and De-Escalation, and 208.4.2, Prohibited Uses-Taser Device. Officer Fusilier's Chain of Command issued a discipline of Education Based training in lieu of a one-day suspension.

OPO Discipline Objection:

I do not believe the discipline assessed appropriately reflects the seriousness of the incident. I also believe that the use of force in violation of APD General Orders is less a matter of re-training, and more reflective of a discipline that serves as a deterrent for future behavior. Officer Fusilier deployed the taser device on a passively resistant subject, which is contrary to his training and APD General Orders.



OFFICE OF POLICE OVERSIGHT

P.O. BOX 1088, AUSTIN, TEXAS 78767
WWW.ATXPOLICEOVERSIGHT.ORG
POLICEOVERSIGHT@AUSTINTEXAS.GOV
PHONE: 512.974.9090 | TTY: 711 | FAX: 512.974.6306
COMPLAINT HOTLINE: 512-972-20PO

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Due to the nature of the violation of APD General Orders, I object to the issuance of Education Based Discipline and recommend that the Chain of Command upholds the one-day suspension in accordance with the APD Discipline Matrix.

Sincerely,

Gail McCant
Director
Office of Police Oversight

