



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
LAW ENFORCEMENT MISCONDUCT INVESTIGATIVE OFFICE

October 25, 2024

Interim Commissioner Thomas Donlon
New York City Police Department
One Police Plaza
New York, NY 10038

Via Email

Re: Letter regarding Executive Law § 75(5)(b) Referral of Lt. Christopher Fusaro,
OAG Matter No. 1-816489228

Dear Commissioner Donlon,

We have reviewed your agency's October 9, 2023, referral of Lieutenant Christopher Fusaro pursuant to Executive Law Section 75(5)(b). Based on our review, we have made a finding that Lt. Fusaro has engaged in a pattern of abusing his authority, including making threats to arrest and use physical force in violation of the federal and state constitutions and NYPD policy.

Our findings are based on the following incidents:

- **CCRB #202101374**: On February 18, 2021, Complainant One's vehicle was double parked at an intersection Rego Park, Queens when Lt. Fusaro and Officer Albarati stopped him. Upon approach, Lt. Fusaro pointed his Taser at the Complainant. Lt. Fusaro then asked him if he had been drinking alcohol.

The CCRB investigated this incident and substantiated the allegations that Lt. Fusaro abused his authority when he threatened to use his Taser and questioned Complainant One without sufficient legal basis. Charges were brought against Lt. Fusaro by CCRB. Lt. Fusaro pled guilty to the charges, and he forfeited ten vacation days.

- **CCRB #202106759**: On November 5, 2021, Lt. Fusaro and Officer Albarati were on patrol in Rego Park, Queens, where they observed Complainant Two's double-parked vehicle and stopped him. After Complainant Two produced his license, Lt. Fusaro returned to his vehicle and over the PA system stated, "I want to thank you for not crying like you did in our cells," and laughed. Lt. Fusaro was referring to a previous incident where Lt. Fusaro arrested him.

The CCRB concluded that this conduct was discourteous and conduct unbecoming in violation of NYPD policy.

Lt. Fusaro also threatened to arrest a bystander for recording the officers on his cellphone. CCRB substantiated the allegation that Lt. Fusaro abused his authority when he threatened to arrest the bystander for attempting to record this officer's interaction with Complainant Two.

Charges were brought against Lt. Fusaro for this incident and NYPD imposed Command B Discipline.

- **CCRB #202300990**: On February 1, 2023, Lt. Fusaro and Officer Albarati pulled over Complainant Three's vehicle in Forest Hills, Queens. Complainant Three provided the officers with his license and registration but refused to provide his phone number when requested by Lt. Fusaro. Lt. Fusaro threatened to arrest him.

CCRB substantiated the allegation and concluded that Lt. Fusaro abused his authority when he threatened to arrest Complainant Three without sufficient legal authority. Charges were brought against Lt. Fusaro for this incident but were dismissed and, instead, the NYPD imposed Command B Discipline.

We also note that Lt. Fusaro is a subject officer in an ongoing CCRB investigation with allegations related to abuse of authority and false official statements during a May 7, 2023, incident.

Based on the above incidents, we conclude that Lt. Fusaro engaged in a pattern of misconduct, specifically, abusing his authority by issuing threats of unlawful arrest during stops in violation of NYPD policy.

OAG recommends Lt. Fusaro receive additional training on professionalism and interactions with the public and that he be monitored to ensure his compliance with NYPD policy.

We request a written response within 90 days as to NYPD's remedial actions pursuant to Executive Law § 75(5)(c), specifically including the remedial plan described above.

Thank you,

LETITIA JAMES
Attorney General of the State of New York

By: Mihea Kim
Assistant Attorney General
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