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Officer acquitted in shooting, but won't reclaim job

By [Steve Visser](#)
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After Reginald Fisher shot an unarmed man, the Atlanta Police Department suspended him and the Fulton County district attorney indicted him. On Thursday, a jury acquitted him.

The officer was cleared in the 2009 shooting at a Mechanicsville apartment complex of Tramaine Miller, who survived but still carries a bullet in his neck.

Once the verdict was read, Fisher, 42, who has worked as a truck driver since he was suspended without pay, said he likely wouldn't try to reclaim his job with APD.

However, Fisher's attorney, J. Tom Morgan, the former DeKalb district attorney, said the public should feel safe if Fisher put on his uniform again.

"I don't think Reggie is a hothead; in fact, I know he is not a hothead," Morgan said. "I think it was a rookie mistake, but it was not a crime."

Miller, when asked for his reaction to the verdict, would only say, "I'm still alive." He still has a pending civil lawsuit against Fisher.

"Somebody has to be held accountable," said Mawuli Davis, Miller's civil lawyer.

The jury acquitted Fisher of aggravated assault, aggravated battery and conduct unbecoming an officer. Several jurors, who deliberated since Tuesday, declined comment after the trial.

Miller, then 27, was wounded in a confrontation that began when, according to testimony, he illegally parked in a handicapped spot at an apartment complex; escalated when he was ordered to unlock his car door, and refused; and was shot after Fisher smashed the man's car window with a baton. Witnesses said Miller's hands were raised when he was shot. The incident took less than a minute.

At the time, Fisher was working an off-duty job as a security guard at the apartment complex. On the police force for less than two years, he claimed he saw Miller reach beneath his seat and grab something that he mistook for a gun. It was a cellphone.

Miller, then a fast-food employee, said he was leaving his quadriplegic aunt's apartment after assisting her with her medication.

Prosecutor Clint Rucker had argued to jurors that Fisher had told different accounts of what happened. Rucker contended that Fisher used "guerrilla tactics" because he was in a high-crime area near Turner Field known for drug dealing.

"I'm not trying to say he is a bad person; I'm saying that on May 5, 2009, he was a bad officer," Rucker said. "I was happy to hear him say that he did not want to be a police officer anymore. Some folks are just not cut out for it."

Fisher worked as a firefighter and truck driver before joining the force in 2008. His lawyers argued that jurors should acquit him because he had not intended to commit a felony and had feared for his life. They contended that Miller, who did not have a drivers license, had behaved suspiciously and had tried to flee when Fisher tried to talk to him about parking illegally.

"What motive does Officer Fisher have to knowingly shoot an unarmed man?" lawyer Michael Ruppensburg argued to jurors. "It was reasonable for Officer Fisher to believe that when Tramaine Miller reached under the seat that Tramaine Miller was going for a gun."

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