

**PINELLAS COUNTY SHERIFF'S OFFICE
PROFESSIONAL STANDARDS BUREAU
INTER-OFFICE MEMORANDUM**

DATE: FEBRUARY 1, 2017

TO: DISTRIBUTION

FROM: CAPTAIN RAY WHITELEY *Rw*
Professional Standards Bureau

SUBJECT: AI-16-029 SHERIFF'S FINDING

On January 27, 2017 at 1935 hours, Deputy Scott Nichols, #57511, was terminated per Sheriff Gualtieri, as a result of AI-16-029.

DISTRIBUTION:

- Sheriff Bob Gualtieri
- Chief Deputy Dan Simovich
- Assistant Chief Deputy Sean Jowell
- Assistant Chief Deputy George Steffen
- Colonel Paul Halle
- Major Stefanie Campbell
- Major Dave Danzig
- Major Bill Hagans
- Major Rich Nalven
- Major Lora Smith
- Captain Dennis Fowler
- Director Jennifer Crockett
- Director Nancy Duggan
- Director Susan Krause
- Director Jason Malpass
- Director Julie Upman
- Shannon Lockheart
- Payroll
- Purchasing-Uniform Supply

RW/kmm

**PINELLAS COUNTY SHERIFF'S OFFICE
INTER-OFFICE MEMORANDUM**

DATE: JANUARY 27, 2017
TO: DEPUTY SCOTT NICHOLS, #57511
FROM: SHERIFF BOB GUALTIERI
SUBJECT: CHARGES RE: AI-16-029

An investigation has been conducted by the Administrative Investigation Division, Professional Standards Bureau, of the Pinellas County Sheriff's Office. As a result of this investigation, the Administrative Review Board has determined you committed the following violations:

While on duty in Pinellas County, Florida, you violated the Pinellas County Sheriff's Civil Service Act Laws of Florida, 89-404 as amended by Laws of Florida 08-285, Section 6, Subsection 4, by violating the provisions of law or the rules, regulations, and operating procedures of the Office of the Sheriff.

1. You violated Pinellas County Sheriff's Office General Order 3-1.1, Rule and Regulation 5.4, Duties and Responsibilities.

Synopsis: While assigned to the Department of Detention and Corrections, it was determined, based on evidence and testimony, that you neglected your assigned duties and responsibilities.

You acknowledged that while on duty, you condoned, participated in, or recorded, via photograph or video, multiple incidents of unauthorized activity involving a total of, including yourself, nine (9) Pinellas County Sheriff's Office members, assigned to the Department of Detention and Corrections.

This prohibited activity was recreational and included games, idling, loafing, sleeping, wrestling, use of cellular phones and televisions. This activity was, through witness testimony, defined as "horseplay" and "joking." All unauthorized activity occurred within the Pinellas County Jail during members assigned work hours. All unauthorized incidents were captured via your cellular phone.

While engaged in this activity, which occurred on numerous occasions, through an extended period of time, Pinellas County Sheriff's Office duties and responsibilities were neglected.

You admitted to this violation.

3. You violated Pinellas County Sheriff's Office General Order 3-1.3, Rule and Regulation 3.31(g), Inappropriate Conduct by Members of the Agency.

Synopsis: While a supervisor, assigned to the Department of Detention and Corrections, you failed to properly supervise, or take appropriate action to cease improper and unauthorized activities committed by subordinates, in your presence. In all incidents you either condoned, or participated by capturing the prohibited activity via photograph, or video recording. You testified that at no time were efforts made to fulfill your duties and responsibilities, as a supervisor, to prevent this unauthorized conduct.

You admitted to this violation.

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Disciplinary Points and Recommended Discipline Range:

You were found to be in violation of one (1) Level 5 Rule/Regulation and one (1) Level 3 Rule/Regulation, totaling sixty five (65) points. These points, combined with thirteen (13) carryover points from previous discipline, resulted in seventy eight (78) progressive discipline points. In accordance with agency policy, this point total reverts to seventy five (75) and recommended discipline ranges are from (10) days suspension to termination.

Disciplinary action shall be consistent with progressive discipline, for cause in accordance with the provisions of the Pinellas County Civil Service Act.

Capt. R. Whitley
CAPTAIN RAY WHITLEY
PROFESSIONAL STANDARDS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 01/27/17

Time 1935

[Signature]

SIGNATURE

BG:AEW