

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

DATE: FEBRUARY 7, 2017

TO: DISTRIBUTION

FROM: CAPTAIN RAY WHITELEY *Rw*
Professional Standards Bureau

SUBJECT: AI-16-029 SHERIFF'S FINDING

Per Sheriff Gualtieri, Deputy John Fischer, #58328, will receive the following as a result of AI-16-029:

1. Removal from the Corrections Response Team (CRT)
2. Removal from the Field Training Program (FTO)
3. Forty (40) hours Suspension to be served on:

February 20, 21, and 25, 2017 (11.5 hours/day) and February 26, 2017 (5.5 hours/day).

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, General Counsel
Payroll
Purchasing-Uniform Supply
Deputy John Fischer

RW/kmm

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

DATE: JANUARY 30, 2017
TO: DEPUTY JOHN FISCHER, #58328
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 participated in multiple incidents of unauthorized activity, including yourself and other Pinellas County Sheriff's Office members, assigned to the Department of Detention and Corrections.

This prohibited activity was recreational and included games, idling, loafing, and wrestling. This activity was, through witness testimony, defined as "horseplay" and "joking." In one specific incident, you acknowledged that this conduct placed the safety of another member in jeopardy.

It was determined that this conduct, on at least two occasions, was witnessed by a deputy recruit and in other instances, occurred in areas visible to Pinellas County Jail inmates. You admitted that on at least one occasion you were confronted by an inmate, who inquired reference this unauthorized activity, wrestling. You admitted you explained to the inmate that you were "roughhousing" with a co-worker.

All unauthorized activity occurred within the Pinellas County Jail during your assigned work hours. All unauthorized incidents were recorded, via photograph or video, through the cellular phone of another agency member.

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

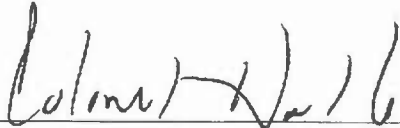
You acknowledged that the conduct participated in lacked professionalism, was not acceptable and that you had failed in your judgment.

You admitted to this violation.

Disciplinary Points and Recommended Discipline Range:

You were found to be in violation of one (1) Level 5 Rule/Regulation totaling fifty (50) points. These points, which were affected by no modified points from previous discipline, resulted in fifty (50) progressive discipline points. In accordance with agency policy, the recommended discipline range is from five (5) 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.



COLONEL PAUL HALLE
DEPARTMENT OF DETENTION AND CORRECTIONS
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 2/7/17

Time 0650


SIGNATURE

BG:AEW:kmm