

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

DATE: APRIL 21, 2022

TO: DISTRIBUTION

FROM: CAPTAIN DEANNA CAREY *AK*
Professional Standards Bureau

SUBJECT: SHERIFF'S FINDING

Per Sheriff Gualtieri, Deputy Benjamin Rushakoff, #60275, will receive the following as a result of AI-22-005:

1. A forty (40) hours Suspension, reduced by Education Based Discipline, is amended to an eight (8) hours Suspension to be served on:

April 25, 2022 (8 hours).

Due to the nature of the above listed disciplinary action, Education Based Discipline is rendered in accordance with General Order 10-2(a).

DISTRIBUTION:

Sheriff Bob Gualtieri
Chief Deputy George Steffen
Assistant Chief Deputy Dave Danzig
Assistant Chief Deputy Paul Halle
Colonel Paul Carey
Major Adrian Arnold
Major Dennis Garvey
Major Dennis Komar
Major Jennifer Love
Director Jennifer Crockett
Director Nancy Duggan
Director Susan Krause
Director Jason Malpass
Shannon Lockheart, General Counsel
Payroll
Purchasing-Uniform Supply
Deputy Benjamin Rushakoff

AH/blb

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

DATE: APRIL 14, 2022

TO: DEPUTY BENJAMIN RUSHAKOFF, #60275

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-22-005

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 violation.

On, but not limited to, January 11, 2022, 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: On January 11, 2022, you engaged in a vehicle pursuit that violated Pinellas County Sheriff's Office policy.

While on duty and assigned to the city of Madeira Beach, you observed a motorcycle with an expired tag in the area of Tom Stuart Causeway and Duhme Rd. While attempting to conduct a traffic stop, the driver momentarily pulled over into a right turn lane, but then accelerated away from you northbound towards Seminole Blvd. Prior to initiating the traffic stop, you failed to notify dispatch of your location, the vehicle tag, and vehicle description. As the vehicle was fleeing northbound, you advised dispatch the vehicle was "failing to yield." You continued to follow the vehicle northbound on Seminole Blvd, with your overhead lights activated.

Upon approaching Seminole Blvd and 54th Avenue N, the vehicle took evasive actions by veering off the roadway and onto a sidewalk in an attempt to avoid stopped traffic. The vehicle continued to flee eastbound on 54th Avenue North and then drove at low speeds through a residential neighborhood, before going westbound back towards Seminole Blvd. As you and the vehicle turned northbound on Seminole Blvd, your supervisor asked if you were following with your lights off, at which time you immediately turned your emergency lights off and advised, "Copy, lights are off."

As the vehicle approached Seminole Blvd and 66th Avenue N, it continued to actively evade you and proceeded through the red light. Without stopping or activating your emergency lights or siren, you pursued the vehicle through the red light. You continued to pursue the

vehicle through the red light at Seminole Blvd and 70th Avenue N, again without stopping or activating your emergency lights and siren. Your supervisor asked if you stopped for the red light, and you responded, "10-4." Shortly after, the vehicle stopped and the driver was placed under arrest.

During your Administrative Interview, you admitted there was no forcible felony or extremely dangerous driving present, and the pursuit was unauthorized and in violation of agency policy. You testified, "I should have disengaged... But my sole focus was on getting this guy." You further testified, "I kind of just got tunnel vision and made severe lapse in judgment calls."

During your Administrative Review Board, you testified, "I take full responsibility for what I did. I know I broke policy."

You admitted to this violation.

Disciplinary Points and Recommended Discipline Range:

You were found to be in violation of one (1) Level Five Rules and Regulation violation totaling fifty (50) points. These points, which were affected by no modified points from previous discipline, resulted in fifty (50) progressive discipline points. At this point level, the recommended discipline range is a forty (40) hours 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.



MAJOR DENNIS KOMAR
PATROL OPERATIONS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 4/22/22 8:48 AM

Time 8:48 AM



SIGNATURE