


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

DATE: **JANUARY 25, 2022**

TO: **DISTRIBUTION**

FROM: **CAPTAIN DEANNA CAREY **
 Professional Standards Bureau

SUBJECT: **SHERIFF'S FINDING**

Per Sheriff Gualtieri, Sergeant Richard Heaton, #54787, will receive the following as a result of AI-21-012:

1. A forty (40) hours Suspension, reduced by Education Based Discipline, is amended to a sixteen (16) hours Suspension to be served on:

February 14, 2022 (8 hours) and February 15, 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
Sergeant Richard Heaton

DC/kmm

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

DATE: JANUARY 21, 2022

TO: SERGEANT RICHARD HEATON, #54787

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-21-012

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, August 25, 2021, 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: You failed to provide direction to agency members under your command and allowed a student and their mother to search a backpack that was alleged to have contained a firearm.

You responded to Hollins High School at the request of a deputy under your command regarding a tip that a student was possibly in possession of a firearm in his backpack. In addition to the allegation reference the firearm, you had prior knowledge that this student has a history of violent acts and recently threatened to commit violence to a school official. Learning that the student was refusing a search of their backpack, you failed to take control of the investigation and displayed no command presence during this incident.

You, along with the two school resources deputies, made contact with the student, his mother, and two administrators in a school conference room. After discussing the details of the allegation, the mother informed you that she would not consent to a search of her child's backpack. You failed to recognize the reasonable suspicion that existed would have allowed deputies to search the backpack and instead, continued to negotiate a search with the mother. Ultimately, you agreed to allow the student and their mother to search the backpack without any deputies being in close proximity. Furthermore, you exercised poor judgment by having two of the deputies exit the room as part of your negotiations with the mother.

The backpack was searched for approximately fifteen (15) seconds by the mother and the student with both of them placing their hands inside. At the conclusion of the search and

after additional failed attempts to obtain consent to search the backpack, you allowed the student and mother to leave the school without verifying the contents of the backpack or taking any further action. Additionally, you failed to direct an investigation into the validity of the tip by identifying and interviewing students who possibly had firsthand knowledge of the information relayed to deputies.

Your failure to take command of the situation jeopardized the safety of deputies, school administrators and students at the school.

During your administrative interview, you admitted allowing the student and his mother to search the backpack was a "definite failure on my part."


During your Administrative Review Board, you admitted your officer safety during the incident was poor and you did not provide proper guidance to the deputies present. You further admitted you allowed the student's mother to control the situation and acknowledged that you did, in fact, have a legal basis to search the backpack.

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 Regulations 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 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.



MAJOR DENNIS KOMAR
PATROL OPERATIONS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 1/25/22

Time 12:43



SIGNATURE