

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

DATE: MARCH 13, 2023

TO: DISTRIBUTION

FROM: CAPTAIN DEANNA CAREY
Professional Standards Bureau

*Lt. Polk #56759
for Captain Carey*

SUBJECT: SHERIFF'S FINDING

Per Sheriff Gualtieri, Deputy Brendan Kavanagh, #59468, will receive the following as a result of AI-22-036:

1. Forty (40) hour Suspension to be served on:

March 22, 2023 (11.5 hours), March 23, 2023 (11.5 hours), March 27, 2023 (11.5 hours), and March 28, 2023 (5.5 hours).

DISTRIBUTION:

Sheriff Bob Gualtieri
Chief Deputy Paul Halle
Assistant Chief Deputy Dave Danzig
Assistant Chief Deputy Dennis Komar
Colonel Paul Carey
Major Adrian Arnold
Major Dennis Garvey
Major Joe Gerretz
Major Nick Lazaris
Major Jennifer Love
Director Jennifer Crockett
Director Susan Krause
Director Tom Lancto
Director Jason Malpass
Director Michelle Posewitz
Shannon Lockheart, General Counsel
Payroll
Purchasing-Uniform Supply
Deputy Brendan Kavanagh

DC/blb

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

DATE: MARCH 6, 2023

TO: DEPUTY BRENDAN KAVANAGH, #59468

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-22-036

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, December 5, 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 3-01, Rule and Regulation 5.17(a) Insubordination, Refusal to obey a lawful order.

Synopsis: On December 5, 2022, while on duty as a deputy at the Pinellas County Jail, you were assigned to the Clinic Open Waiting position. This position is located within the secure portion of the jail where cell phones are prohibited. While utilizing the restroom, also located within the secure portion of the jail, you used your personally owned cell phone to view your social media account. You placed your cell phone on the toilet paper dispenser, leaving it behind when you exited. A short time later, another agency member entered the restroom and discovered the cell phone. The cell phone was reported and retrieved by other agency members who then provided it to a supervisor.

The cell phone was determined to belong to you and you were called into a meeting with your chain of command. Initially, you were less than candid about the facts related to the violation, testifying, "...I genuinely believed I could talk myself out of it." During subsequent questioning, you admitted to intentionally bringing the cell phone into a secure area of the jail and acknowledged you had it on your person from the beginning of your shift.

During your Administrative Interview, you admitted that in addition to this incident, you previously brought your cell phone into secure areas on five other occasions. You stated you used the cell phone for the sole purpose of accessing social media. You testified that you were aware that you were prohibited from bringing your cell phone into the secure

areas of the jail but deliberately disregarded the policy. You testified you did this "just because I felt like I could."


During the Administrative Review Board, you stated, "I made an immature, selfish...decision that day."

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) hour 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 CAREY
DEPARTMENT OF DETENTION AND CORRECTIONS
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 3/13/2023

Time 0936


SIGNATURE

BG:YMT