

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

DATE: JUNE 25, 2018

TO: DISTRIBUTION

FROM: CAPTAIN RAY WHITELEY *Rw*
Professional Standards Bureau

SUBJECT: SHERIFF'S FINDING

Per Sheriff Gualtieri, Deputy Jacek Szymanski, #58060, will receive the following as a result of AI-18-010:

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

June 22, 23 and 24, 2018 (12 hours/day) and June 28, 2018 (4 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
Lieutenant Deanna Carey
Director Jennifer Crockett
Director Nancy Duggan
Director Susan Krause
Director Jason Malpass
Shannon Lockheart, General Counsel
Payroll
Purchasing-Uniform Supply
Deputy Jacek Szymanski

RW/kmm

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

DATE: JUNE 19, 2018

TO: DEPUTY JACEK SZYMANSKI, #58060

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-18-010

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 February 9, 2018, 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: With your agency assigned vehicle, you intentionally struck a violator's vehicle. You subsequently engaged in pursuit of this vehicle without any justification or facts to support either action. As a result, your actions were determined to be in direct violation of Pinellas County Sheriff's Office policy.

You responded to the occurred area in reference to a citizen complaint of a traffic violation. Specifically, the identified vehicle was said to be driving westbound in the eastbound lanes of 54th Avenue North from US 19.

No law enforcement officers were in the area when this occurred and no law enforcement officers witnessed this violation.

The vehicle continued westbound on 54th Avenue North, where it was first observed by another deputy in the correct lanes of travel. The vehicle made a southbound turn onto 71st Street North and the deputy attempted to conduct a traffic stop on the vehicle at 71th Street North and 46th Avenue North. This deputy disengaged as the vehicle fled from the traffic stop and continued eastbound on 46th Avenue North.

INS 18-0024

You testified to throwing a single stop stick (tire deflation device) from your vehicle window in an attempt to stop the vehicle in the area of 46th Avenue North and 68th Lane North. This action had no impact on the vehicle, which continued to flee.

You came back into contact with the vehicle as it was approaching 66th Street North at 42nd Avenue North. The vehicle came to a stop at this intersection. You admitted to intentionally striking the vehicle to push it up onto the curb. You explained this maneuver as a “modified P.I.T.,” Precision Immobilization Technique.

This action was not consistent with training or techniques instructed by the Pinellas County Sheriff’s Office for the proper execution of a P.I.T. and was contradictory to agency policy.

During testimony, you defined this “modified P.I.T.” as “anything that’s outside of the General Orders or not within the scope of “widely accepted standards.”

Your effort to stop the vehicle through this contact failed and the vehicle fled northbound on 66th Street North. At this time, you engaged in a pursuit of this vehicle, without emergency equipment activated. The fleeing vehicle proceeded northbound on 66th Street North and was involved in a vehicle crash, resulting in minor injuries to the citizen driver.

You acknowledged you engaged in a pursuit of this vehicle on 66th Street North, which was unauthorized and in violation of agency policy as the vehicular pursuit did not involve a forcible felony, an imminent and/or continuous threat, or any extremely dangerous driving.

You admitted to this violation.

Disciplinary Points and Recommended Discipline Range:

You were found to have violated one Level Five 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. At this point level, recommended discipline is 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.

Richard Nalven 52864

MAJOR RICHARD NALVEN
PATROL OPERATIONS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 6.22.18

Time 1038 PM


SIGNATURE

RW:MWW:kmm