

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

DATE: **APRIL 20, 2018**

TO: **DISTRIBUTION**

FROM: **CAPTAIN RAY WHITELEY *RW***
 Professional Standards Bureau

SUBJECT: **AI-18-004 SHERIFF'S FINDING**

On April 20, 2018 at 0853 hours, Deputy Jorge Lopez, #58786, was terminated per Sheriff Gualtieri as a result of AI-18-004.

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 Laura Smith
Lieutenant Deanna Carey
Director Jennifer Crockett
Director Nancy Duggan
Director Susan Krause
Director Jason Malpass
Shannon Lockheart, General Counsel
Payroll
Purchasing-Uniform Supply

RW/kmm

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

DATE: APRIL 20, 2018

TO: DEPUTY JORGE LOPEZ, #58786

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-18-004

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 January 14, 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 5.16, Harassment and Discrimination/Hostile Work Environment.

While working in a maximum security housing area of the Pinellas County Jail, you entered a housing unit control room and inquired by asking a co-worker (Criminal Justice Specialist), if an African American deputy who was assigned to the area, was currently on the floor. Once you received a negative response, you admitted to stating, "Well, there's a lot of niggers on this floor."

A deputy, also within the control room at the time, testified that you stated the inmates behind the gates were, "Stupid fucking niggers" and, "The fucking niggers behind the gates need to control themselves."

You admitted that this deputy responded by stating, "I don't like that word." This deputy also advised you not to use that word in his presence. In response, you admitted to stating, "What word? You mean nigger?" You admitted that you continued to state the word, "nigger." The deputy testified that you now began to address him by calling him a "nigger" and continuously said "nigger" several more times.

You admitted you'd been advised by this deputy that the word was not acceptable. This deputy reported you then began to refer to him as, "an inmate nigger lover" and a "fucking nigger inmate lover." The deputy testified you explained how you and he do the same job but that he, "happens to like niggers more," than you do.

When the deputy didn't respond, you admitted that you sat down in a chair close to this deputy and asked, "So what, you don't like the word nigger?" Again, the deputy didn't verbally respond and you admitted to stating, "What are you, a nigger lover?" This deputy

testified that your actions were aggressive as you told him, “You’re a fucking nigger lover, you fucking nigger.”

You were told multiple times by this deputy to stop. You admitted that you continued. You acknowledged you knew your actions were perceived as aggressive. Instead of stopping, you admitted to asking another deputy who walked into the control room if he knew the deputy you were speaking to was a “nigger lover?” You acknowledged that this inappropriate and derogatory behavior continued until the deputy you were addressing left the control room.

You testified that your definition of “nigger” is “usually a black person.” You admitted to using racial slurs while working at the Pinellas County Jail prior to this incident. You testified, “It’s a stupid joke” and “It’s something I should have never said, but I said it.” You acknowledged this incident made you “look like a racist.” You stated, “I just think I say things sometimes I shouldn’t be saying, specifically that.”

Through this investigation you also testified:

- That “taboo word” kind of brings a little more attention.
- The word “nigger” is reprehensible.
- That you offended the deputy during the exchange.
- That your behavior was not acceptable or appropriate.
- That you’d asked if the African American deputy was on the floor, “Because I knew that she’d be offended. Plus, she’s also African American.”

At the time of the Administrative Review Board you admitted to the following:

- You stated, “I’ve let down my friends, my family, and the uniform I am wearing today with the comments made.”
- “I do not condone my lack of judgement and choice of words that day. It was an obvious mistake.”
- You admitted the words you used were made in a disgusting and disgraceful manner.
- You admitted your intentions were to “tease” the deputy you were speaking to.
- You admitted you regret making this comment.
- You admitted you said this for, “Shock value, just bringing attention, completely inappropriate.”
- You admitted that you have used this word before with co-workers.
- You admitted using “derogatory terms is obviously unacceptable,” and that you should have known better.
- You admitted, “At the time I thought it was appropriate, based on their race.”
- You admitted that you agreed this was not workplace behavior.
- You admitted that you, “definitely violated the policy.”

You admitted your actions during this incident created a hostile work environment.

You admitted to this violation.

Disciplinary Points and Recommended Discipline Range:

You were found to be in violation one (1) Level Five Rule/Regulation, totaling fifty (50) points. This point total, affected by no carryover points from previous discipline, resulted in fifty (50) progressive discipline points. At this point level, the recommended discipline is a five (5) day 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.

Capt. R. Whiteley
CAPTAIN RAY WHITELEY
PROFESSIONAL STANDARDS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 4-20-18

Time 851

[Signature]
SIGNATURE

BG:TLR:kmm