

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

DATE: **SEPTEMBER 24, 2019**

TO: **DISTRIBUTION**

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

SUBJECT: **SHERIFF'S FINDING**

Per Sheriff Gualtieri, Case Assignment Tech Theresa Gardner, #56660, will receive the following as a result of AI-19-016:

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

 September 25, 26, 27, 30, 2019 and October 01, 2019 (8 hours/day).

DISTRIBUTION:

Sheriff Bob Gualtieri
Chief Deputy Dan Simovich
Assistant Chief Deputy Sean Jowell
Assistant Chief Deputy George Steffen
Colonel Dave Danzig
Major Stefanie Campbell
Major Bill Hagans
Major Paul Halle
Major Sean McGillen
Major Larry Nalven
Lieutenant Deanna Carey
Director Jennifer Crockett
Director Nancy Duggan
Director Susan Krause
Director Jason Malpass
Shannon Lockheart, General Counsel
Payroll
Purchasing-Uniform Supply
Theresa Gardner

RW/kmm

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

DATE: SEPTEMBER 23, 2019

TO: CASE ASSIGNMENT TECH THERESA GARDNER, #56660

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-19-016

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:

Between, but not limited to, April 22, 2019, to June 11, 2019, 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 5.21, Chronic Offender.

On February 9, 2018, you displayed the inability to multi-task, focus on specific tasks during high volume times, follow through and comprehend complex instructions. These continued deficiencies have caused Child Protection Investigation cases to be assigned incorrectly. This violation of General Order 3-1.3 Rule and Regulation 3.4.(d), All Members will be Efficient and Effective in Their Assigned Duties, was investigated and substantiated under AR-18-012. A Written Reprimand was issued to you on March 12, 2018.

On June 29, 2018, you failed to accurately process and assign an allegation of physical injury and substance misuse when the child was in the home with the involved parent. This violation of General Order 3-1.3 Rule and Regulation 3.4.(d), All Members will be Efficient and Effective in Their Assigned Duties, was investigated and substantiated under AR-18-059. A Written Reprimand was issued to you on August 24, 2018.

In the current case, on following dates, you failed to properly perform your assigned tasks:

On April 22, 2019, you demonstrated an inability to maintain the Case Assignment Log without continual assistance from your co-workers. You admitted to your supervision you often become flustered and overwhelmed when attempting to complete these tasks.

On April 30, 2019, you were unable to adequately maintain the Case Assignment Log without assistance from your supervisor. It was determined, without the assistance of your supervisor, case assignments would have been incomplete and would not have been assigned within the state mandated commencement time frames.

On April 30, 2019, you were negligent in performing your assigned tasks by assigning a Child Protection Investigator a case out of rotation, which resulted in the Child Protection Investigator being assigned two (2) cases, simultaneously.

On May 7, 2019, you failed to assign a Child Protection Investigator Trainer a case in a timely manner which then needed to be reassigned to another Child Protection Investigator. You then failed to provide a new case to the Child Protection Investigator Trainer.

On May 14, 2019, you failed to monitor your email box and missed important information related to Child Protection Investigator availability and assignments. Several assignments were delayed, which could have resulted in cases not being assigned within the state mandated commencement time frames.

On May 14, 2019, you failed to seek clarification on a newly implemented procedure regarding case assignments.

On May 29, 2019, you failed to inform a Child Protection Investigator a previously assigned case had been upgraded, requiring an immediate response. This resulted in a one-hour window for the Child Protection Investigator to initiate the investigation in accordance with state guidelines.

On May 29, 2019, you failed to properly assign a case and assigned a supplemental case to two (2) different Child Protection Investigators.

On June 11, 2019, you failed to properly monitor your emails and overlooked an email notification pertaining to a new case. This error was realized by a co-worker and brought to your attention.

On June 11, 2019, you failed to adjust the schedule after a Child Protection Investigator was removed from sick leave status. This resulted in not assigning this Child Protection Investigator any cases, and in turn, caused other cases to be assigned out of rotation.

During the Administrative Interview you made the following statements:

- Referencing the Administrative Inquiry Memorandum, being flustered and overwhelmed, you testified, "That's always been like that. I've always been..." You also testified, "...I do. I just do. I can't explain it, but I try my best. But I do – I know I miss stuff."


- It was asked how often throughout the day assistance is requested, and you testified, “If it’s over three...cases on the screen, if three pop up.”
- Referencing the Administrative Inquiry Memorandum, it was asked if you came close to missing state mandated time frames. You testified, “I think so. I would think so. That’s why I’m here I’m sure.”
- Referencing the Administrative Inquiry Memorandum, you were asked if you have good recordkeeping. You testified, “Sometimes I do good, and sometimes I don’t.”
- Referencing the Administrative Inquiry Memorandum, assigning a CPI Trainer a case in a timely manner, you testified, “Well, I missed it.”
- Referencing the Administrative Inquiry Memorandum, failure to monitor emails, it was asked how long it went unnoticed. You testified, “I’m there all day and I didn’t get it. I didn’t see it. I saw it, but I didn’t – I put it in a different folder that looked like I had looked at it.”
- Referencing an employee evaluation note where you failed to properly assign a case and assigned a supplemental case to two (2) different Child Protection Investigators, you testified, “I noticed that I did it...”
- Regarding your failure to assign a Child Protection Investigator a case after they returned from sick leave, you testified, “Well, [he] is the one that they said I called and he was there, and then he didn’t get a case. I didn’t go up there to give him a case.”
- Regarding a conversation with your supervisor, you testified, “Well, she can see that I’m not doing that well. I mean, she can see. She’s my supervisor.”
- When asked if you are able to do the job without help, you testified, “I don’t know. I hope someday.”

You admitted to this violation.

Disciplinary Points and Recommended Discipline Range:

You were found to be in violation of 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 range 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.

 0600 09/23/19
ASSISTANT CHIEF DEPUTY GEORGE STEFFEN
CHIEF DEPUTY OFFICE
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 9.23.19

Time 4:40


SIGNATURE

BG:KJK:kmm