


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

DATE: MAY 05, 2022

TO: DISTRIBUTION

FROM: CAPTAIN DEANNA CAREY 
Professional Standards Bureau

SUBJECT: SHERIFF'S FINDING

Per Sheriff Gualtieri, Inmate Records Specialist III Marlin Rivera-Perez, #59262, will receive the following as a result of AI-22-003:

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

May 11, 2022 (8.0 hours), May 12, 2022 (8.0 hours), May 13, 2022 (8.0 hours), May 18, 2022 (8.0 hours), and May 19, 2022 (8.0 hours).

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
Inmate Records Specialist III Marlin Rivera-Perez

DC/blb

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

DATE: **APRIL 29, 2022**

TO: **INMATE RECORDS SPECIALIST MARLIN RIVERA-PEREZ, #59262**

FROM: **SHERIFF BOB GUALTIERI**

SUBJECT: **CHARGES RE: AI-22-003**

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, January 5, 2022, through January 26, 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 3-1.1, Rule and Regulation 5.21, Chronic Offender.

Synopsis: On April 1, 2021, while working the Release Desk, you failed to call the Public Lobby at the Pinellas County Jail to confirm that a program representative was present and ready to take custody of an inmate being released to them for a court ordered program. This violation of General Order 3-1.3, Rule and Regulation 3.4(d), Performance of Duty, was investigated and substantiated under AR-21-032. A Written Reprimand was issued to you on July 1, 2021.

Between, but not limited to August 3, 2021 and December 4, 2021, you made 14 documented errors and displayed deficiencies at all seven positions an Inmate Records Specialist III can be assigned. This violation of General Order 3-1.3, Rule and Regulation 3.4(d), Performance of Duty, was investigated and substantiated under AR-22-002. A Written Reprimand was issued to you on January 25, 2022.

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

On January 5, 2022, you were assigned to the Affidavit Desk, and generated an Administrative Released on Own Recognizance (ROR) Evaluation Form for an inmate being arrested on a 1st Degree Misdemeanor Simple Battery charge. All Inmate Records Specialist III's are provided the Uniform Bond Schedule for Pinellas County in order to assign the appropriate bond amounts. You failed to refer to this document when assigning

the bond for this inmate. The Uniform Bond Schedule clearly states the appropriate bond amounts in the "exceptions" for any 1st Degree Misdemeanor Battery charge; an Administrative ROR is not part of the bond range provided for that charge. The Administrative ROR was subsequently denied, and the appropriate bond was assigned by a supervisor.

On January 12, 2022, you were assigned to Booking, and failed to send a teletype to Sarasota County for an inmate that was arrested on their warrants. The teletype is sent in order to verify the warrants with that county, to advise them that the subject is in custody at the Pinellas County Jail, and to advise them to make transportation arrangements to their jail. This inmate had no Pinellas County charges and was only in custody on the Out of County warrants for Sarasota County. A Booking Manual was provided to you and would have aided when booking the Out of County warrant and would have provided a reminder of the necessity of sending the teletype. The following day, another Inmate Records Specialist III recognized the teletype was not sent, notified their supervisor and subsequently sent the teletype to Sarasota County.

On January 15, 2022, you were assigned to the Release Desk, and distributed \$130.00 to the incorrect inmate, who had a negative account balance at the time of her release. When the inmate who was owed the \$130.00 was being processed for release approximately one hour later, you realized your error and subsequently had to provide him with the monies owed to him. Per the Inmate Records Procedural Guidelines, you are responsible for verifying the ID strip is on the paper file and that the correct money receipt is taped to the file. You are also responsible for highlighting the docket number, transaction type and amount to be dispersed to ensure the correct inmate is provided with the correct amount of money upon release, if applicable. You failed to complete these steps, resulting in a \$130.00 loss to the agency.

On January 26, 2022, an error was discovered that initially occurred on September 22, 2021, while you were assigned to Booking. You completed the booking process for a US Marshal inmate and utilized the booking code for "On-View," which is used for Pinellas County charges instead of the "Federal Marshal" booking code. This failure caused an erroneous court case number to be created once the Jail Inmate Management System interfaced with Odyssey, the case management system for the Clerk of the Circuit Court. The error was not discovered until the Clerk of the Circuit Court called an Inmate Records Supervisor inquiring why the court case was still open in Odyssey.


During your Administrative Investigation Interview, you admitted to not referring to several different documents provided to an Inmate Records Specialist III while completing your work, testifying, "You get the knack of it, and you don't refer to your documents anymore." When asked if you violated General Order 3-1.1, Rule and Regulation 5.21, Chronic Offender, you testified, "So, no, I feel like I didn't. But, you know, obviously that's why I'm here, so I can't do anything about that."

During your Administrative Review Board, you stated, "I make mistakes, you know, that's life." You also stated, "I can't justify mistakes, you know, it's a normal thing."

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 fifteen (15) points from previous discipline, resulted in sixty-five (65) progressive discipline points. Per policy, the lower point value of sixty (60) progressive discipline points was utilized. At this point level, the recommended discipline range is from fifty-six (56) hours 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 5/5/2022

Time 1024



SIGNATURE

BG:KCC:blb