

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

DATE: APRIL 16, 2018

TO: DISTRIBUTION

FROM: CAPTAIN RAY WHITELEY *Rw*
Professional Standards Bureau

SUBJECT: SHERIFF'S FINDING

Per Sheriff Gualtieri, Sergeant James Campbell, #54210, will receive the following as a result of AI-17-044:

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

April 18, 19, 23, 2018 (12 hours/day) and April 24, 2018 (4 hours/day).

2. An executed Last Chance Agreement under which you waive all Civil Service appeal rights as to the current violation. You also agree that in the event that you are substantiated in any violation of any Sheriff's Office policy, rule, regulation, operating procedure or other written directive at any time for one year from April 10, 2018, you shall immediately be demoted from the rank of sergeant to deputy and you further agree to waive any and all due process rights under the Civil Service Act in connection with such demotion.

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
Sergeant James Campbell

RW/kmm

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

DATE: APRIL 10, 2018

TO: SERGEANT JAMES A. CAMPBELL, #54210

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-17-044

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, October 29, 2017 and November 29, 2017, 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: You were made aware of an allegation of criminal misconduct concerning a subordinate member and failed to either investigate this allegation, or notify any member of your chain of command, the involved member's chain of command or the Administrative Investigation Division.

The allegations provided included sexual misconduct and involvement with drug activity; operating a drug house and engaging in sexual activity with prostitutes, both on and off-duty. You were also advised there were witnesses to substantiate these allegations and that video of the member involved in criminal conduct (sexual and drug activity) could be produced.

In lieu of any investigative effort, notifying your chain of command, or the Administrative Investigation Division, you allowed a deputy who you were assigned to supervise, to collect evidence, or pertinent information related to the allegations.

You were provided with these allegations concerning the same subordinate member, on three separate occasions:

- On or about October 29, 2017, you were first provided the allegations. This information was provided by a deputy. The allegation involved a separate subordinate agency member, not within your chain of command. You testified you were informed of this member operating a drug house and engaging in sexual activity with prostitutes. You admitted that when provided with these allegations, you "sat" on the information and waited to receive further. With this initial information, you failed to notify your chain of command, the involved member's chain

of command, or the Administrative Investigation Division. You failed to take any investigative action.

- On or about November 2, 2017, you received a second complaint involving the same allegation against the subordinate member. You testified that the deputy who'd initially received the allegation was to meet the original complainant and requested you attend, as the allegations would be discussed. During this meeting which you attended, you testified the complainant alleged the subordinate member was involved in sexual activity with prostitutes, both on and off-duty, and that the member was frequenting a drug house. The complainant explained there was video of the subordinate member engaging in sexual activity with prostitutes, however, it was not available at the time of the meeting. You admitted that when provided with this allegation for the second time, you "sat" on the information so you could look into it further. Again, you testified that you failed to notify your chain of command, the involved member's chain of command, or the Administrative Investigation Division. You failed to take any investigative action. You also testified that you instructed the deputy in attendance not to notify other agency members of the allegations.
- On November 11, 2017, the complainant requested a meeting. You instructed the deputy who'd received the initial complaint, to meet with the complainant. During this meeting, the complainant provided his cell phone alleged to contain video of the involved member engaged in sexual activity with prostitutes. The deputy and the complainant were unable to retrieve video from the phone provided. At the request of the complainant, the deputy delivered the phone to the complainant's girlfriend, who attempted to locate or retrieve the video evidence. Efforts to locate video evidence were unsuccessful. You were present during this meeting. You concluded there was nothing of value retrievable from the phone and you dismissed the allegation, without efforts to take custody of the phone for forensic analyzation regarding the possibility of deleted data. During this meeting, you were also informed that video could be located of the member engaged in sexual activity, on pornographic websites; i.e. Pornhub and hamster.com. The complainant's girlfriend provided you with specific names of prostitutes involved. You testified you conducted no records management checks in efforts to identify the prostitutes and conducted no research of the involved addresses. With this information, you stated, "I believed at that point that all these allegations were false, and I decided that there was no further need to look into it." You also testified that you instructed the deputy, "Until we get pertinent solid evidence, I asked him to not run his mouth to anybody about it." After receipt of this additional information, you again failed to notify your chain of command, the involved member's chain of command, or the Administrative Investigation Division. You failed to take any investigative action.

You then met with the subordinate member the allegations involved. You advised him of the allegations; sexual activity with prostitutes on and off-duty, and frequenting a drug house. The member denied the allegations.

On November 21, 2017, you were contacted by a Sergeant assigned to the Administrative Investigation Division (AID) and asked if you were currently aware of, or working any complaints involving members. You failed to provide knowledge of this complaint to the Sergeant when you were in fact aware of the incident.

After AID spoke to the original complainant and listened to inmate phone calls, it was learned that you had, in fact, met with him and his girlfriend in reference to the allegations he was claiming. On November 29, 2017, you were placed under oath and admitted to having knowledge of the complaint and the allegations.

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

- You admitted that you failed to document anything related to your investigation.
- You admitted to allowing another deputy to investigate the allegations and speak to the complainant.
- You admitted that you never provided notification to your chain of command.
- You admitted that you never provided notification to the subordinate member's chain of command.
- You admitted that you never provided notification to AID.
- You admitted that you completed some investigation by utilizing "hamster.com" on your personal computer while off-duty in efforts to locate video involving sexual activity involving the subordinate member and prostitutes.
- You admitted that you never conducted any research in the Agency Records Management System (ACISS) of the alleged occurred address in an effort to identify subjects involved, establish validity of the complaint, or to negate the allegation.

You testified, "If I ever come across these types of serious incidents again, that they are documented and pursued the appropriate way."

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 Regulations 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 from 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.


BOB GUALTIERI SHERIFF

I have received a copy:

Date 04-10-18

Time 1720


SIGNATURE

BG