

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

DATE: **JANUARY 18, 2019**

TO: **DISTRIBUTION**

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

SUBJECT: **AI-18-033 SHERIFF'S FINDING**

On January 17, 2019 at 1806 hours, Deputy Aaron Hull, #57023, was terminated per Sheriff Gualtieri as a result of AI-18-033:

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

RW/jl

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

DATE: JANUARY 17, 2019

TO: DEPUTY AARON HULL, #57023

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-18-033

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, but not limited to, September 24, 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 5.15, Custody of Arrestees/Prisoners.

On September 24, 2018, while working in the capacity of a Detention Deputy at the Pinellas County Jail you were assigned to supervise an inmate housing unit. At approximately 6:17 pm, you were seated within the housing unit, verbally counseling a group of inmates who were creating a disturbance while the housing unit was in lockdown.

While you were counseling this group of inmates, a separate inmate who was confined to a wheelchair, began to verbally challenge you and the inmates. You provided verbal commands to this inmate directing him to cease his behavior, though he failed to comply. A few moments later, you stood up, kicked the chair you were seated in and aggressively approached this inmate.

Upon contact with this inmate, you placed your left hand on the back of his neck and engaged in a verbal exchange. Through digital video surveillance it was determined that during this exchange, with a continued grasp of the inmate's neck, you proceeded to "poke" the inmate multiple times in the head with your right index finger. Your actions provoked and escalated the inmate's behavior.

You then repositioned your left hand and took hold of the inmate's shirt, near his right shoulder while you were standing directly next to the inmate. You were engaged in a verbal exchange with the inmate, with your face in close proximity to his. The inmate responded by spitting toward your face.

You reacted to this by striking the inmate three times to the left side of the inmate's face utilizing your open right hand. After you did this you then attempted to call for assistance, but your radio battery was dead and you were unable to receive a response. You also testified you did not have the duress alarm on your person. As this occurred, the inmate continued to be noncompliant and actively resisted your efforts. You knew the inmate was confined to a wheelchair and could not stand on his own.

You began to remove the inmate from the area for relocation in his wheelchair. During the relocation, the inmate became agitated and attempted to strike you with his elbows, closed fist and head. You testified the inmate made contact, "and connects a good half a dozen times" during this transport but, this contact did not have any effect on you.

You maintained physical contact with the inmate in his wheelchair, grasping him around his torso until the inmate deescalated his resistance. You were then able to change the battery on your radio to call for assistance. The inmate was relocated without further incident.

During the Administrative Interview you made the following statements:

- You admitted, "kicking a chair is not the best action I could have taken."
- You admitted, "I was a little heated but I wasn't, oh my God, raging out of control. You know, he's gotten under my skin a little bit."
- You testified, "I should have stopped. Once I first approached him and talked to him, instead of poking him in the head or continuing to argue with him, I should have just at that point escorted him to the vestibule, put him in the side pocket and been done with it, but I didn't. So I continued to argue with him for a little bit. We get heated. He spits in my face. I slap him three times. "
- You testified, "Poking him in the head while not a use of force, per se, was probably inappropriate contact."
- You testified, "I realize I could have handled things a little differently, definitely better."
- When asked what would have been done differently if faced with the same exact situation, "I would have gone to him a little less hostile in my walk, try to deescalate him." and I would, "get a supervisor on the way."
- You testified, "I messed up but I'll take my lumps."

At the time of the Administrative Review Board you provided the following testimony:

- When asked if you lost your patience with the inmate you responded, "Yah, I did."

- When asked if you allowed the inmate to get under your skin and you reacted inappropriately you responded, “Yes sir. I did.”
- When asked if you kicking the chair appeared to be a form of aggression you responded, “It did sir. Yes.”
- You admitted you overreacted to the inmate’s behavior and made a lot of mistakes.
- You admitted you placed yourself in this situation.

The Administrative Review Board determined you committed this violation.

The discipline substantiated in this case, demonstrated similar behavior to a previous policy violation that you committed.

- **AI-15-046-** In this case you were found to be in violation of General Oder 3-1.3 Rule and Regulation 3.12, Good Order and Discipline.

While assigned to and supervising an inmate housing area, you entered a specific housing unit to resolve an issue with an inmate. The inmate acknowledged his behavior and that he got down from his bunk during lockdown. It was determined you entered the inmate’s housing unit, flipped over a table as you made your way toward this inmate, causing damage to the table. You claimed this was in effort to gain the attention of the inmate.

In this previous case, you received a written reprimand.

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.



CAPTAIN RAY WHITELEY
PROFESSIONAL STANDARDS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 1-17-19

Time 1806


SIGNATURE