

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

**DATE:** AUGUST 21, 2018

**TO:** DISTRIBUTION

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

**SUBJECT:** SHERIFF'S FINDING

Per Sheriff Gualtieri, Deputy Kristopher Mohr, #55574, will receive the following as a result of AI-18-011:

1. Eight (8) hours Suspension to be served on:

August 25, 2018

**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  
Deputy Mohr

RW/kmm

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

**DATE:** AUGUST 14, 2018  
**TO:** DEPUTY KRISTOPHER MOHR, #55574  
**FROM:** SHERIFF BOB GUALTIERI  
**SUBJECT:** CHARGES RE: AI-18-011

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 March 19, 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 3-1.3, Rule and Regulation 3.4(d), Performance of Duty.

Synopsis: At approximately 0305 hours, you conducted a traffic stop of a vehicle for a red light violation. You testified that, in addition to the red light violation, you observed several indicators of impairment, which included:

- The time of day
- Your estimate of the vehicle's speed, which at the time of the red light violation, you estimated to be approximately 62 miles per hour
- Your observation of the vehicle driving over a curb as it entered into a parking lot
- Your acknowledgment that, upon contact with the driver, you noted his manner of speech was rambling, so much so that you even commented, "I don't know what you're saying" and "you're saying a lot without saying anything" to the driver.

You testified that, even in the presence of these indicators, you elected not to perform any of the Standardized Field Sobriety Tests typically used to objectively assess a driver's level of impairment, because you didn't feel this driver had "a significant level of impairment for DUI at that point." You testified that you were looking for, "The main clues. The slam dunk DUI case." Also, you failed to request the driver submit to a portable breath test prior to allowing him the opportunity to drive away.

INS 18-0032

Instead, you opted to issue the driver a citation for the red light violation. After the traffic stop was concluded, the driver walked away from the location, only to return a few minutes later.

Surveillance video from within a nearby restaurant captured images of the driver as he approached, and walked into the restaurant. You acknowledged that, during a review of these videos, the driver had a stagger-step gait and also had difficulty maintaining his balance.

In your testimony before the Administrative Review Board, you acknowledged that when the driver returned to your location, he was belligerent, and that he was not able to make rational decisions. Therefore, you placed the driver under arrest for Disorderly Intoxication.

You testified to the Administrative Review Board that the driver exhibited a “little bit of impairment to give me a disorderly intox...” adding that you should have conducted more testing to determine the driver’s level of impairment, but you were distracted by what you thought was a significant quantity of marijuana in plain view inside his vehicle.

You acknowledged to the Administrative Review Board, that you should have conducted an investigation to determine if this driver was driving under the influence. You also acknowledged that the involved vehicle should have been impounded, which you failed to do.


Additionally, during almost the entirety of your transport of the driver to the jail, COBAN Video recorded him using his cellular telephone, while handcuffed and in the rear of your cruiser, to send text messages. You acknowledged to the Administrative Review Board that once you realized the prisoner had, and was using his cellular telephone, you should have stopped and taken it away from him; you were unable to provide any explanation as to why you didn’t take possession of the cellular telephone.

The Administrative Review Board determined you committed this violation.

Disciplinary Points and Recommended Discipline Range:

You were found to have violated one (1) Level Three Rule/Regulation, totaling fifteen (15) points. This point total, affected by no carryover points from previous discipline, resulted in fifteen (15) progressive discipline points. At this point level, the recommended discipline is a Reprimand to a three (3) days Suspension.

Disciplinary action shall be consistent with progressive discipline, for cause in accordance with the provisions of the Pinellas County Civil Service Act.

  
MAJOR RICHARD NALVEN  
PATROL OPERATIONS BUREAU  
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 8/14/18

Time 2134

 52574  
SIGNATURE

RW:RHO:kmm