

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

**DATE:** FEBRUARY 1, 2017

**TO:** DISTRIBUTION

**FROM:** CAPTAIN RAY WHITELEY <sup>RW</sup>  
Professional Standards Bureau

**SUBJECT:** AI-16-029 SHERIFF'S FINDINGS

Per Sheriff Gualtieri, Sergeant Michael Smith, #56153, will receive the following as a result of AI-16-029:

1. Demotion from Sergeant to Deputy
2. Fifty-six (56) hours Suspension to be served on:

February 10, 11, 12, and 15, 2017 (11.5 hours/day) and  
February 16, 2017 (10.0 hours/day).

**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  
Captain Dennis Fowler  
Director Jennifer Crockett  
Director Nancy Duggan  
Director Susan Krause  
Director Jason Malpass  
Director Julie Upman  
Shannon Lockheart  
Payroll  
Purchasing-Uniform Supply

RW/kmm

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

**DATE:           JANUARY 30, 2017**

**TO:             SERGEANT MICHAEL SMITH, #56153**

**FROM:          SHERIFF BOB GUALTIERI**

**SUBJECT:       CHARGES RE: AI-16-029**

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 violations:

While on and off 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: While assigned to the Department of Detention and Corrections, it was determined, based on evidence and testimony, that you neglected your assigned duties and responsibilities.

You acknowledged that you were involved in a thread of group text messages with subordinate staff members. Included in those messages, received by you, was a photograph of a subordinate employee on the floor in a room at the Pinellas County Jail, holding his throat, appearing distressed. You inquired, via text, and were advised, in this same text thread, that one agency member had "choked out" another member of the agency. However, you admitted that at no time did you take action, in efforts to determine the reason, basis or significance of what had occurred, neglecting your duties and responsibilities as a supervisor. This incident was later determined to have been inappropriate and unprofessional "horseplay" involving subordinate staff.

Also, you acknowledged that you were involved in another thread of group text messages, initiated by you, that was directed to subordinate staff. This communication was regarding training, which you had attended, that is mandated by the Pinellas County Sheriff's Office. The messages you sent to subordinate staff, regarding the instructions value and significance, were negative and derogatory. Through this unprofessional communication to subordinate staff, regarding agency approved and required training, you were negligent in your duties and responsibilities as a supervisor.

You admitted to this violation.

2. You violated Pinellas County Sheriff's Office General Order 3-1.3, Rule and Regulation 3.5, Conduct Toward Superior and Subordinate Officers and Associates.

Synopsis: While a supervisor, assigned to the Department of Detention and Corrections, you attended training mandated by the Pinellas County Sheriff's Office. At the completion of this training, you, via text message, made negative and derogatory comments concerning one of the instructional staff, a member of the agency. This unprofessional and disrespectful communication, initiated by you, concerning another employee of the agency, was sent to subordinate staff members.

You admitted to this violation.

Disciplinary Points and Recommended Discipline Range:

You were found to be in violation of one (1) Level 5 Rule/Regulation and one (1) Level 3 Rule/Regulation, totaling sixty five (65) points, which by policy reverts back to (60) points. At this point level, the recommended discipline range is from seven (7) 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.



COLONEL PAUL HALLE  
DEPARTMENT OF DETENTION AND CORRECTIONS  
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 2/1/13 1355

Time 1355

Det. M. Sch 84153  
SIGNATURE

BG:AEW:kmm