

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

DATE: OCTOBER 19, 2020
TO: DISTRIBUTION
FROM: CAPTAIN RAY WHITELEY ^{RW}
Professional Standards Bureau
SUBJECT: SHERIFF'S FINDING

Per Sheriff Gualtieri, Deputy Jared Toro, #59807, will receive the following as a result of AI-20-010:

1. One-hundred and twelve (112) hours Suspension to be served on:
October 26, 2020 (12 hours), November 1, 5, 10, 13, 18, 23 and 24, 2020 (12 hours/day),
November 29, 2020 (4 hours) and December 2, 2020 (12 hours).

DISTRIBUTION:

Sheriff Bob Gualtieri
Chief Deputy Dan Simovich
Assistant Chief Deputy Paul Halle
Assistant Chief Deputy George Steffen
Colonel Sean McGillen
Major Stefanie Campbell
Major Paul Carey
Major Dave Danzig
Major Bill Hagans
Major Dennis Komar
Lieutenant Deanna Carey
Director Jennifer Crockett
Director Nancy Duggan
Director Susan Krause
Director Jason Malpass
Shannon Lockheart, General Counsel
Payroll
Purchasing-Uniform Supply
Deputy Jared Toro

RW/kmm

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

DATE: OCTOBER 12, 2020

TO: DEPUTY JARED TORO, #59807

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-20-010

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, March 22, 2020, 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.

On March 22, 2020, while driving your agency assigned vehicle, you collided with a bicyclist, which resulted in serious injuries, necessitating his transport to a trauma center. The Vehicle Crash Review Board determined this crash was preventable, and your speed and the manner in which you were operating your agency vehicle contributed to this crash.

Approximately five (5) minutes before this crash, while on-duty and assigned to work in the City of Safety Harbor, you received a group text message from a Florida Highway Patrol Trooper who was requesting non-urgent assistance at US Highway 19 near Drew Street in the City of Clearwater.

This group text message from the Trooper was sent to, and received by you via a text messaging application which you were using on your agency issued laptop. This method of communication is an unauthorized communication system for law enforcement business.

The Trooper indicated he had stopped a vehicle whose driver was suspected of being impaired and to facilitate the administration of field sobriety tests (FST), the Trooper was asking for an item to draw a line on the ground, similar to a chalk line, for conducting a portion of the FST.

During witness testimony provided by the Trooper, the request was specifically for the item to create the FST chalk line, the request was non-urgent, and there was no other assistance needed.

At approximately 2058 hours, you replied to the Trooper that you had the item to create the FST chalk line and you would assist him. As you drove to the Trooper, your driving actions were video and audio recorded by your vehicle's digital recorder.

GPS data determined you traveled at excessive speeds, at times over twice that of the posted speed limit. There were no lawful reasons or explanations to justify the manner in which you were driving. You traveled east on Enterprise Road, reaching speeds of ninety (90) miles per hour in the posted forty (40) miles per hour speed zone.

At McMullen Booth Road, you turned south and traveled at a high rate of speed, reaching one hundred three (103) miles per hour in the posted forty-five (45) miles per hour speed zone. At Gulf to Bay Boulevard, you turned west, traveling at speeds that reached eighty-four (84) miles per hour in the posted forty-five (45) miles per hour speed zone.

As you approached the intersection of Hampton Road from the east, the traffic signal for your direction of travel was illuminated green. In a marked crosswalk, a bicyclist who was traveling north across Gulf to Bay Boulevard entered into your path of travel. Although you took evasive action by braking and swerving, the right-front of your vehicle struck the bicyclist. You stopped your vehicle, requested fire rescue to respond, and made contact with the bicyclist, assessing his condition.

Responding paramedics determined the bicyclist sustained serious injuries during the collision. The bicyclist was categorized as a Trauma Alert and transported by ambulance to the nearest trauma center.

The Major Accident Investigation Team (MAIT) was activated to investigate this crash. The MAIT Investigation determined your vehicle's speed before the crash was eighty-four (84) miles per hour, and at the time of the crash, your vehicle's estimated speed was seventy (70) miles per hour. The posted speed limit at the crash scene is forty-five (45) miles per hour.

From the moment you began to travel to the Trooper's location until after the crash, your emergency lights (without use of the siren) were activated two (2) times. The first for a total of six (6) seconds to clear the intersection of McMullen Booth Road and State Road 590, and the second for a total of four (4) seconds to clear the intersection of McMullen Booth Road and Drew Street.

You failed to follow policy as under normal, non-emergency operating conditions and while responding to routine calls for assistance, members operating Sheriff's Office vehicles shall not utilize emergency equipment and will adhere to all traffic laws and drive in a safe, courteous and defensive manner.

At the time you received the Trooper's message requesting assistance, you were outside of your assigned area and in the vicinity of US 19 and Enterprise Road in the City of Clearwater. You were conducting no agency related business while outside of your assigned area.

Your supervisors had spoken to you on more than one (1) occasion, before the date of this crash, about not leaving the city without informing them. There is also previous written

supervisory documentation in your performance evaluation stating the same. On the evening of this crash, you did not notify any supervisor you would be away from the city.

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.



MAJOR DENNIS KOMAR
PATROL OPERATIONS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 10/16/20

Time 0908

JWT 59807
SIGNATURE

BG:RHO:kmm