

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

DATE: JANUARY 23, 2023

TO: DISTRIBUTION

FROM: CAPTAIN DEANNA CAREY *DC*
Professional Standards Bureau

SUBJECT: AI-22-030 SHERIFF'S FINDING

On January 23, 2023 at 0833 hours, Deputy Timothy Lafave, #55150, was terminated per Sheriff Gualtieri as a result of AI-22-030.

DISTRIBUTION:

Sheriff Bob Gualtieri
Chief Deputy Paul Halle
Assistant Chief Deputy Dave Danzig
Assistant Chief Deputy Dennis Komar
Colonel Paul Carey
Major Adrian Arnold
Major Dennis Garvey
Major Joe Gerretz
Major Nick Lazaris
Major Jennifer Love
Director Jennifer Crockett
Director Nancy Duggan
Director Susan Krause
Director Jason Malpass
Shannon Lockheart, General Counsel
Payroll
Purchasing-Uniform Supply

DC/blb

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

DATE: JANUARY 23, 2023

TO: DEPUTY TIMOTHY LAFAVE, #55150

FROM: SHERIFF BOB GUALTIERI

SUBJECT: CHARGES RE: AI-22-030

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, October 18, 2022, and October 19, 2022, 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 03-01, Rule and Regulation 5.16, Sexual Harassment and Discrimination.

Synopsis: During the month of April 2022, and over a two-week period, you were present while a new member was training in the Detention Control Room at the Pinellas County Justice Center. During this period the member noticed you "liked to be closer" to her and appeared to have "a fond for...staring" at her. Other members noticed you staring at her, and in conversations with them she described your behavior as "weird" and "creepy." The agency member testified since she was new to the agency, she did not want to make a "certain type of impression"; therefore, supervision was not notified.

In the Fall of 2022, you organized and prepaid for hockey tickets for a group, to include yourself and approximately 20 other agency members. You were told the member requested a ticket be purchased for her to attend by another coworker.

On October 18, 2022, while assigned as a deputy in the Detention Court Squad, your duties were to escort inmates from the jail facility to the courthouse. After completing the escort of inmates to court, you entered the x-ray/scanning area at the Pinellas County Justice Center, while the member was conducting safety screening procedures. You passed through the stanchion area and placed your left arm around the member's back and hugged her from the side. You asked about the hockey tickets and if the member still planned to attend. After a brief conversation, you then left the area.

On October 19, 2022, while the member was seated at the x-ray/scanning area conducting her job duties, you again passed through the stanchion area and approached the member from behind. You placed both of your hands on the member's shoulders and began to massage them. You then transitioned to the member's left side, keeping your right hand on her shoulder, then leaned in and hugged her. While you hugged the member, she made an obvious effort to lean away from you during contact. After the hug, you kept your right hand on her upper body and began to rub her back. During this interaction, the agency member testified you referred to her as "babe," as you again discussed payment for the hockey ticket. As you continued to talk to the member, you placed your hand on the back of her chair and then transitioned it to her left shoulder briefly before engaging in conversation with another member. Shortly afterwards you left the area.

During the member's interview, she testified your physical contact and actions toward her on these two consecutive days were unwelcome and unsolicited. The contact made her feel "uncomfortable," "embarrassed," and was "unprofessional." Other members interviewed as witnesses described your behavior as "inappropriate" to the extent that it needed to be reported to a supervisor.

During your Administrative Interview, you admitted to giving the member unsolicited hugs on both days, along with massaging her shoulders and rubbing her back. You stated you did not consider yourself a "touchy-feely" person, yet you made contact with the member in what you described as from a "fatherly standpoint." You stated it was possible you referred to the member as "babe" during your conversation.

During the Administrative Review Board, when questioned about why you were staring at the member during her training, you stated, "she was new, I'm just trying to get a feel for her as a person, as a coworker" and were trying to make her "feel welcome." You were unable to articulate how staring at a person would be deemed welcoming by any member.

When questioned as to why you did not interact with the other agency members in the x-ray/scanning area on those days in the same way you did with this specific member, you stated you "interact with different people differently" based on your relationship with that person. However, you also testified you did not have a personal relationship with the member, had not seen her in months, and the contact between the two of you was limited to casual greetings in passing. You stated it is not common practice for you to touch or massage female coworkers' shoulders, nor do you use the word "babe" as "part of regular vernacular" when communicating with coworkers and could not provide a valid reason for choosing to interact with the member in this way. The excuses you provided for your conduct, to include being "fatherly" and attempting to comfort the member, were deemed untruthful based on the testimony and evidence provided. You admitted it is not appropriate or professional to physically touch a member in this way and admitted to violating policy.

Disciplinary Points and Recommended Discipline Range:

You were found to be in violation of one (1) Level Five Rule and Regulation 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 40 hours (40) 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.

Capt. DG #5020
CAPTAIN DEANNA CAREY
PROFESSIONAL STANDARDS BUREAU
FOR BOB GUALTIERI, SHERIFF

I have received a copy:

Date 1/23/23

Time 0830

[Signature]
SIGNATURE

BG:PDL