



# St. Petersburg Police Department News Release



**Media Relations Office**  
**Bill Proffitt**  
**Mike Puetz**

**Voice 727-893-7550**  
**Fax 727-893-7773**  
**Media Line 727-893-7878**

## **For Immediate Release**

March 31, 2011

## **Chain of Command Board**

On Thursday June 30, 2011, Chief of Police Charles "Chuck" Harmon held a Chain of Command Board to review an Internal Affairs investigation on Major David Hawkins, who oversees the Department's Vice and Narcotics Division.

The allegations against Major Hawkins included "Guilt or conviction of a felony or misdemeanor, Conduct Unbecoming an Employee (CUBE) and Improper Procedures."

Chief Harmon determined the first allegation was unfounded, but he "sustained" the allegations of CUBE and Improper Procedures and gave Major Hawkins a three day suspension.

I have attached a copy of Chief Harmon's Chain of Command memorandum, which provides the details of the internal investigation.

Information by Bill Proffitt on June 30, 2011 at 6:00 p.m.

####

## MEMORANDUM

To: All Personnel

From: Charles "Chuck" Harmon  
Chief of Police

Date: June 30, 2011

Subject: Chain of Command Board for Major David Hawkins

---

On April 8, 2011, Major David Hawkins, along with his wife and adult daughter, visited a rural property in Plant City for the purpose of target practice and checking the property. The property belonged to a subordinate coworker, and Major Hawkins had permission to utilize it. After target practice, Major Hawkins and his family drove around the property. They observed two vehicles parked along the county road at the south end of the property. They took photographs of the vehicles due to previous problems with trespassing and thefts on this and surrounding properties. Prior to leaving the area, Major Hawkins discharged two rounds from his privately owned hunting rifle into a berm to his west. After he fired the rounds, he heard voices call out "cease fire" from the property to his east.

The voices came from three members of the United States Marine Corps who were on the adjacent property owned by the county. The Marines were not in military attire and were setting up a training exercise for the following day. The Marines had written permission from the Hillsborough County Park, Recreation and Conservation Department, to utilize the property.

Major Hawkins and his family immediately left in his vehicle. The Marines saw his vehicle leave but were unable to obtain a tag number. They initiated a call to the Hillsborough County Sheriff's Office. They believed someone had shot at them. One of the Marines later located Major Hawkins and his vehicle as he was leaving the property.

All of the parties remained at the scene, and the Hillsborough County Sheriff's Office responded and investigated the incident. A "Street Check/Field Interview" report was completed. The report concluded that "due to the conflicting statements and lack of evidence the criminal activity was unfounded and a criminal investigation was not pursued."

Major Hawkins indicated he did not see anyone at the time he discharged his rifle. He was surprised by the voices that came from a direction behind him as he shot. Major Hawkins and other witnesses testified that the shots fired by Major Hawkins were directly away from where the Marines were located. Having his family with him, he left

the area to avoid any confrontation with potential poachers or trespassers. The Marines believed the shots were in their direction, but no one indicated they were fired with the intent to strike someone. They could not see anyone and only felt safe to emerge from cover as they heard a vehicle leaving. The Marines did say they heard shots consistent with target shooting earlier in the afternoon.

On June 30, 2011, a Chain of Command Board was convened for Major David Hawkins consisting of:

Charles "Chuck" Harmon, Chief of Police  
David H. DeKay, Assistant Chief, Investigative Services Bureau

Michael Kovacsev, Major, Peer Representative

It was the determination of the Board that Major Hawkins was in violation of the following:

**St. Petersburg Police Department General Order II-26, VII, C, #1, to wit:**

*"An officer discharging a firearm on or off duty, accidentally or intentionally, within or outside the City, except for training or practice at a range or while involved in a hunting or sporting event, shall make a report to the Communications Center as soon as circumstances permit."*

**St. Petersburg Police Department General Order IV-1, III, A, #7, to wit:**

*"Employees shall conduct themselves in a proper manner and with appropriate demeanor. They shall not engage in conduct unbecoming an employee of the Police Department."*

**St. Petersburg Police Department General Order IV-1, III, F, #1, to wit:**

*"Employees who observe or obtain any information concerning crimes, while on or off duty, shall promptly report the same."*

**St. Petersburg Rules and Regulations of the Personnel Management System, Group III, #23, to wit:**

*"Violation of a City or departmental rule which is considered within the Group II level for overall seriousness, nature and significance of the misconduct."*

It was determined that Major David Hawkins will receive an Employee Notice and a three (3) day suspension.

The Board noted that Major Hawkins had legitimate prior knowledge of illegal activity on and around the property. When faced with this situation, where he felt there was potential criminal activity, he should have initiated contact with the law enforcement agency of jurisdiction. Although he did not actually see anyone in the area, his decision to fire a weapon was a very intrusive method of alerting potential people in the area. His intended alert could have been handled in a less intrusive manner, such as calling out, honking the car horn, or simply leaving and notifying law enforcement.

The Board also noted that Staff Members of the Department are held to a higher standard of conduct. Major Hawkins did not notify the Department or his supervisor of the incident as soon as circumstances permitted. Although he felt the incident was not being investigated criminally, there were other considerations to be made regarding the other agencies that were involved in the incident. The totality of the incident and circumstances obligated him to notify his Chain of Command.

---

Charles "Chuck" Harmon  
Chief of Police