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Winston is issued petty theft citation, suspended

Sean Rossman, Tallahassee Democrat 12:41 a.m. EDT May 1, 2014

FSU star quarterback Jameis Winston was issued a civil citation Tuesday night for leaving the Publix on Ocala Road with \$32.72 worth of food he didn't pay for.

The Leon County Sheriff's Office said Winston was not arrested and will not face petty theft charges if he completes the terms of a civil pre-trial diversion program. FSU baseball coach Mike Martin announced Winston has been suspended from the team.

"This is not a criminal arrest. This is a civil-citation program," said LCSO Maj. Mike Wood during a Tuesday news conference.

An investigation determined Winston left the store about 9 p.m. with crab legs and crawfish he picked up from the deli counter. When deputies went to Winston's apartment, the FSU redshirt sophomore said he forgot to pay. Publix officials and Winston agreed to the civil-citation procedure that will require Winston to complete 20 hours of community service, among other things.

Wood said video surveillance showed the Heisman winner order seafood then wander the aisles before leaving. An employee witnessed Winston leave, but thought he was going out to grab a shopping cart, so no one, including a sheriff's deputy on staff, approached him.

After employees realized he had left, deputies were called about 10

p.m.

A “very cooperative” Winston told deputies during questioning at his residence late Tuesday that he simply forgot to pay for the items.

“He indicated to the deputies he had forgotten and when he got home he realized that he had not paid, but he in fact made no effort to contact Publix or return to pay prior to the deputy’s arrival,” Wood said.

The majority of the 19-page LCSO report was redacted Tuesday. The case is still considered pending because Winston has not yet completed the program. Should he fail to complete the program, the case would be sent to the State Attorney’s Office for prosecution on a charge of petty theft.

“I don’t have a crystal ball. I can tell you that he did exit the store, the items were not paid for,” Wood said. “He was issued a civil citation and has indicated that he has every intention of fulfilling his obligation for the community service hours and most likely restitution as well.”

Tallahassee attorney Tim Jansen, who is representing Winston in this matter, said the quarterback will enroll himself in community service today and will pay \$32 in restitution to Publix and \$294 to DISC Village, the Tallahassee nonprofit administering the program.

The program only applies to certain offenses for those with no criminal history and is designed to keep people out of the criminal justice system, Wood said. The program is used at the discretion of the arresting deputy and administered through the counseling nonprofit DISC Village.

Jansen, who represented Winston in December when there were allegations he sexually assaulted another FSU student, said he simply forgot to pay for the items from the seafood counter and wasn’t treated any different than anyone else.

LCSO has issued 32 civil citations for similar crimes since December for offenders of similar crimes, Wood said.

“He got the same availability for that program as someone without a criminal history,” Jansen said. “He cooperated and admitted his role to both the sheriff’s office and Publix.”

“Its only a big deal because of who he is. He’s a Heisman winner,” he said. “He’s known nationally and all over the world and he’s a role model to a lot of kids.”

Democrat staff writer Karl Eters contributed to this story.

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