

Volusia County Department of Public Protection
Internal Affairs
Case number 2010-08-286
Fiorina, S. Witness Interview

August 27, 2010

Present:

Nikki Dofflemyer, Captain, Internal Affairs

Samuel Fiorina, Firefighter/Paramedic, Division of Fire Services

Transcribed:

Rebecca Perryman, Senior Staff Assistant

Dofflemyer: This is Captain Dofflemyer with the Volusia County Department of Public Protection Internal Affairs Unit. Today's date is August 31st, 2010, the time is approximately 1002 hours. We're conducting this interview with Mr. Samuel Fiorina. We are at the DeLand Historic Courthouse. This is a taped interview statement regarding Internal Affairs' case number 2010-08-286. Mr. Fiorina is not the subject of this investigation. He is currently on-duty, has been released from service for the purpose of this interview. Sam identify yourself for the record please.

Fiorina: Samuel Fiorina.

Dofflemyer: And Samuel who are currently employed by?

Fiorina: Volusia County Fire Service

Dofflemyer: And how long have you've been with Fire Services?

Fiorina: Three and a half years.

Dofflemyer: And what position do you hold?

Fiorina: Firefighter paramedic.

Dofflemyer: Okay and on June 2nd, 2010, what station where you assigned to?

Fiorina: Station 36 Osteen.

Dofflemyer: Do you remember who you're partner was on that particular day?

Fiorina: No.

Dofflemyer: Okay, no problem. Mr. Fiorina has been advised that he is participating in an official administrative investigation for the Department of Public Protection. I'll be asking him question specifically directed and nearly related to the performance of his official duties. He is entitled to all rights and privileges guaranteed by the Constitution of the United States and the laws of the State of Florida, including the right not to be compelled and incriminate himself. He's further advised that if he refuses to testify or answer questions relating to the performance of his official duties, it will be considered an act of insubordination. If he does answer, neither his statements, nor any information or evidence which is gained by reason of such statements can be used against him in any subsequent criminal proceeding. Do you understand your Garrity rights?

Fiorina: Yes.

Dofflemyer: Be advised this is an active and open internal affairs investigation. I am directing you not to discuss any part of this investigation with anyone other than your representative until the case comes to closure. At this time you don't elect to have representation present?

Fiorina: No.

Dofflemyer: Okay. Any time during the interview if you change your mind and you feel that you need representation, just advise and we'll stop the interview and allow you to gain representation. Do you understand this is going to be a sworn statement?

Fiorina: Yes.

Dofflemyer: Okay raise your right hand for me. Do you solemnly swear or affirm that the statement that you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Fiorina: I do.

Dofflemyer: Okay. June 2nd, 2010, you were assigned to Station 36?

Fiorina: Yes.

Dofflemyer: Captain Rawlins been to the station on that particular day to exchange some medication that was expiring, I believe it was Lorazepam?

Fiorina: Yes.

Dofflemyer: Okay, tell me what took place on that day.

Fiorina: Captain Rawlins came into the station said it was time to swap out Lorazepam because it expires. Ah, pull out the narc sheets, he filled them out, I threw the Lorazepam into a Sharps container because he advised me to and I asked him if that was, if he wanted me to waste it then throw them in there. He advised throwing it into the Sharps container is fine that's considered wasting it and told me to sign on the, in the proper spot on the sheet.

Dofflemyer: Is this the form that you were directed to sign?

Fiorina: Yes.

Dofflemyer: What is the protocol to waste medication?

Fiorina: You're suppose to waste it and have someone witness like dispose of it. Throw it in the garbage.

Dofflemyer: Do you draw it out of the vial to dispose of it?

Fiorina: Yes.

Dofflemyer: Okay, so that would be the common practice is to extract the medication.

Fiorina; Waste it into the garbage.

Dofflemyer: Okay and this ah, on June 2nd, that's not what transpired?

Fiorina: No, the medication was still in the, in the vial.

Dofflemyer: And where was the vial placed?

Fiorina: Into a Sharp's container.

Dofflemyer: And Captain Rawlins is the one that completed this form?

Fiorina: Yes ma'am.

Dofflemyer: And he directed you to sign it?

Fiorina: Yes.

Dofflemyer: Has that ever happened before?

Fiorina: No.

Dofflemyer: Has it ever happened since that time?

Fiorina: No.

Dofflemyer: Okay did you report it with anybody?

Fiorina: No.

Dofflemyer: Is there a reason why you didn't report it?

Fiorina: Because Captain Rawlins is superior officer and he was advising that was the proper procedure.

Dofflemyer: Okay.

Fiorina: So I went with it.

Dofflemyer: Did he direct you to sign that form?

Fiorina: Yes.

Dofflemyer: Did he direct you to place that vial into the Sharps container?

Fiorina: Yes.

Dofflemyer: Did you consider that an order by a superior?

Fiorina: Yes.

Dofflemyer: Okay. Is there anything that I have not asked you that you believe I need to know?

Fiorina: No.

Dofflemyer: Okay. Have you ever found ah, medication in a Sharps container like that prior to the situation?

Fiorina: No.

Dofflemyer: Okay, very good. All right we're still at the Historic Courthouse in DeLand Florida, it is 1006 hours and we're going to go off the record.

(Tape recording devices off)