

**Volusia County Department of Public Protection  
Internal Affairs  
Case number 2010-08-286  
Lucas, J. Witness Interview**

September 3, 2010

Present:

Nikki Dofflemeyer, Captain, Internal Affairs

James Lucas, Firefighter/Paramedic, Division of Fire Services

Transcribed:

Rebecca Perryman, Senior Staff Assistant

Dofflemeyer: This is Captain Dofflemeyer with the Volusia County Department of Public Protection Internal Affairs Unit. Today's date is September 3rd, 2010, the time is 1211 hours. We're conducting this interview with the first name is James, right?

Lucas: Yes.

Dofflemeyer: Mr. James Lucas at the Volusia County Historic Courthouse in DeLand Florida. This is a taped interview statement regarding Internal Affairs' case number 2010-08-286. Mr. Lucas is not the subject of this investigation. He is currently on-duty, has been released from service for the purpose of this interview. Mr. Lucas identifies yourself for the record please?

Lucas: James Lucas, firefighter paramedic, Volusia County Fire.

Dofflemeyer: Okay, how long have you been with Volusia County Fire?

Lucas: Five and a half years, almost six.

Dofflemeyer: Okay. And how long have you been a paramedic?

Lucas: Approximately three.

Dofflemeyer: Okay. Where were you assigned on June 2<sup>nd</sup>, 2101?

Lucas: Ah, Station 22, Oak Hill.

Dofflemyer: Okay, Mr. Lucas has been advised he's participating in an official administrative investigation for the Department of Public Protection. I'll be asking him questions specifically directed and nearly related to the performance of his official duties. He's 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 to incriminate himself. He's further advised that if he refuses to testify or answers questions relating to the performance of his official duties, he'll be considered an act of insubordination, a violation of a direct order by a superior or competent authority. If you do answer neither your statement nor any information or evidence which is gained by reason of such statement can be used against you in any subsequent criminal proceeding. Do you understand your Garrity rights?

Lucas: Yes.

Dofflemyer: Okay, be advised this is an open and active case. I'm directing you not to discuss any part of this investigation with anyone until it comes to closure.

Lucas: Copy.

Dofflemyer: Very good. You understand this is going to be a sworn statement given under oath?

Lucas: Yes.

Dofflemyer: Okay, also in accordance with Merit Rules and Regulations and the Firefighter Bill of Rights you do have the right to have representation present during this interview. Do you elect to have representation at this time?

Lucas: No thank you.

Dofflemyer: Okay, any time during this interview you wish to get representation, just advised and we'll stop and allow you to seek representation. All right, raise you're right hand for me. Do you solemnly swear that the statement you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Lucas: Yes.

Dofflemyer: Okay, very good. June 2<sup>nd</sup>, 2010, you were assigned to Station 22?

Lucas: Yes.

Dofflemeyer: Do you remember the exchange of expired medication Lorazepam with Captain Rawlins?

Lucas: Yes.

Dofflemeyer: Can you tell me how that transpired.

Lucas: Ah, I was on a call at one forty-one Nancy Street for an animal stuck in a tree. Ah, I thought he was coming on scene to help us with the animal, like he had a special technique or something. But further talking to him he ordered me to go get my narcs and my book ah, therefore I went and got my narcs and my book. Went up to the passenger side of his truck, opened the door and I sent my narcs down and opened them up and he directed me to get in the truck and shut the door. Told me he didn't want me to drop any medications. After that he ordered me to give him the narc books. He took the narc book, I opened up the drugs, took the expired out, held them in my hand. He filled out the forms, ah, and then gave me the new, the new meds. I read him off the lot number and then I grabbed the expired and I was looking around somewhere to snap them all in half and waste them. And he caught me looking around wondering what I was going to do. Directed me in a tone to throw them in a bucket without wasting them.

Dofflemeyer: When you say directing in a tone, what do you mean by that?

Lucas: Ah, he's just very authoritative in a way of just put them in the bucket, like you know don't ask him, don't tell him.

Dofflemeyer: Is that unusual to exchange out your medication while on scene at a call?

Lucas: Yeah, I've never done it before.

Dofflemeyer: You said the form that, the form that he was completing was the controlled substance accountability form?

Lucas: Yes.

Dofflemeyer: Does this form here when you, when you complete it does it indicate that the medication was actually wasted and witnessed by another party?

Lucas: Yes.

Dofflemeyer: Okay, so this form would indicate that you wasted the medication and Captain Rawlins witnessed you wasting the medication.

Lucas: That's (inaudible).

Dofflemyer: And what you're saying is that did not transpire.

Lucas: That did not.

Dofflemyer: Did you question him on why you were...

Lucas: Negative.

Dofflemyer: completing that task?

Lucas: No.

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

Lucas: Ah, I guess by intimidation of his authority and his tone. Ah when he speaks to me so.

Dofflemyer: Okay. Did anybody else witness your interaction with Captain Rawlins?

Lucas: No.

Dofflemyer: Did you talk to anybody about it after it took place?

Lucas: No, not any reports.

Dofflemyer: Okay. Did you have any conversation with anybody?

Lucas: Yeah another paramedic.

Dofflemyer: Who was that?

Lucas: Paramedic Inglett.

Dofflemyer: Okay, Mike Inglett?

Lucas: Yes.

Dofflemyer: Okay so a supervisor was aware.

Lucas: Supervisor yeah.

Dofflemyer: Okay.

Lucas: But that was the following day when we were out at lunch, so.

Dofflemyer: Okay, but he was made aware that it transpired.

Lucas: Yes, yes.

Dofflemyer: Have you ever exchanged medications in that fashion before?

Lucas: Ah, as far as not wasting?

Dofflemyer: Right, correct.

Lucas: No, everything's always been wasted.

Dofflemyer: Okay. Has Captain Rawlins spoke to you about this?

Lucas: Ah.

Dofflemyer: Since it took place?

Lucas: No.

Dofflemyer: Has he attempted to have you waste or, or attempt to remove medication in this fashion again since this time?

Lucas: No.

Dofflemyer: Without wasting it?

Lucas: No.

Dofflemyer: Have you ever had another supervisor have you document that you wasted something that you didn't actually waste?

Lucas: No.

Dofflemyer: Do you know what he did with the medication when he left?

Lucas: No.

Dofflemyer: You said it was dropped into a, like a Sharps container?

Lucas: Sharps, a Sharps container.

Dofflemyer: Was there any other medication in that Sharps container?

Lucas: There was other, ah, expired meds in there.

Dofflemyer: Okay.

Lucas: Yes.

Dofflemyer: How many do you think were in there?

Lucas: If I had to guess, ah, I would say probably about twelve.

Dofflemyer: Okay, what time, do you know what time?

Lucas: Yes I do.

Dofflemyer: This took place?

Lucas: I know exactly what time it was. It was approximately between 1548 and 1632.

Dofflemyer: And that's according to your log book from Station 22?

Lucas: Yes ma'am.

Dofflemyer: Okay, very good. Okay is there anything I haven't asked you that you think I need to know?

Lucas: Ah, negative.

Dofflemyer: Okay, alright we're going to go off the record. It's still the same date and we're still at the Historic Courthouse located in DeLand, Florida and we're going to go off the record at 1217.

(Tape recording devices off)