

**Volusia County Department of Public Protection
Internal Affairs
Case number 2010-08-286
D. Pronovost Witness Interview**

September 3, 2010

Present:

Nikki Dofflemyer, Captain, Internal Affairs

Daniel Pronovost, 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 February, oh I'm sorry, September 3rd, 2010, the time is 1034 hours. We're conducting this interview with Mr. Daniel Pronovost at the Volusia County Historic Courthouse located in DeLand, Florida. This is a taped interview statement regarding Internal Affairs' case number 2010-08-286. Mr. Pronovost is not the subject of the investigation. He is currently on-duty, and has been released from service for the purpose of this interview. Dan can you identify yourself for the record please?

Pronovost: My name is Daniel Norman Pronovost.

Dofflemyer: And you're currently employed by Volusia County Fire Services?

Pronovost: That's correct.

Dofflemyer: And you're in a capacity of a paramedic firefighter?

Pronovost: That's correct.

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

Pronovost: About two and a half years.

Dofflemyer: Have you been a paramedic the whole time?

Pronovost: I have not. I've been a paramedic since July of 09'.

Dofflemyer: Okay, what station are you currently assigned to?

Pronovost: Station 45.

Dofflemyer: Okay, June 2nd of 2010, where were you assigned?

Pronovost: I was assigned at Station 44 Pierson.

Dofflemyer: Okay and February where were you assigned?

Pronovost: Station 45 DeLand.

Dofflemyer: Okay, Mr. Pronovost has been advised he's participating in an official administrative investigation for the Department of Public Protection. I will be asking him questions specifically directed and nearly related to the performance of his official duties. He is entitled 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 is 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 the questions, neither 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?

Pronovost: I do.

Dofflemyer: You understand that you'll be providing a sworn statement today?

Pronovost: I do.

Dofflemyer: You also understand this is an open and active internal affairs investigation?

Pronovost: I do.

Dofflemyer: I'm also going to direct you at this time not discuss any parts of this investigation with anyone until the case comes to closure. 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?

Pronovost: No.

Dofflemyer: Okay, be advised any time during this interview that you wish to get representation, please advise and the interview will cease so you have the opportunity to seek a representative to sit with you.

Pronovost: I understand.

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

Pronovost: I do.

Dofflemyer: June 2nd, 2010, where were you assigned?

Pronovost: I was assigned in Station 44 in Pierson.

Dofflemyer: Okay, did Captain Roy Rawlins come by that day to change out the Lorazepam?

Pronovost: He did.

Dofflemyer: Tell me about that.

Pronovost: Ah, Captain Rawlins came into the station. Ah, we knew that the Lorazepam was expiring that day. I had it ready in the office, ah, to be wasted and to receive new Lorazepam. Ah, when Captain Rawlins came in he had a ah, one gallon Sharps container empty and when I asked him or he instructed me to ah, put the Lorazepam sealed into the container. I asked him do you want me to waste it first. He said no go ahead and put it in the container. I did. He told me to sign for the narcotics that they were wasted and transferred over to him. So I signed and then he exited the building.

Dofflemyer: Okay, anybody else present during that?

Pronovost: Ah, Lieutenant Pat Walden was present.

Dofflemyer: Was he sitting right there with you?

Pronovost: He was in the office with us yes.

Dofflemyer: Was he within a range where he could have watched...

Pronovost: Ah, he was little...

Dofflemyer: the exchange between you and Captain Rawlins?

Pronovost: Yeah, he was within ten feet. He watching the proceedings.

Dofflemyer: So he would have been aware that the medication wasn't wasted in accordance with policy?

Pronovost: Ah, I don't know if he's aware of the policy but he was aware of how the proceedings happened.

Dofflemyer: Do you know if he's a paramedic?

Pronovost: He is not.

Dofflemyer: So you were instructed by Captain Rawlins to place the Lorazepam into the container?

Pronovost: That's correct.

Dofflemyer: Was the medication ever drawn out and or shot into the sink or into a bucket?

Pronovost: The medication was never opened. It was packaged just as it was shipped from the manufacturer.

Dofflemyer: Okay.

Pronovost: It was totally sealed.

Dofflemyer: So did he direct you to sign the form, the controlled substance accountability form, as if the medication was wasted?

Pronovost: That's correct.

Dofflemyer: Did he sign the form also as a witness, do you remember?

Pronovost: Ah, I believe he signed it there.

Dofflemyer: Okay. Would this be the form that you complete when you wasting medication?

Pronovost: That's correct, we write on the top there.

Dofflemyer: Okay, and that would be your signature showing medication was wasted?

Pronovost: That's mine.

Dofflemyer: And that Captain Rawlins witnessed?

Pronovost: That's correct.

Dofflemyer: But it's your testimony that the medication was not wasted on site. It was taken away?

Pronovost: It was taken sealed, right.

Dofflemyer: So you never were able to witness the medication actually be wasted?

Pronovost: I never witnessed the medication being wasted.

Dofflemyer: Okay, did you challenge Captain Rawlins about why he was doing it in that fashion?

Pronovost: I asked him do you want me to waste the medication and he said no. I didn't give any further challenge.

Dofflemyer: Did you report that to anybody after it took place?

Pronovost: I reported it to Captain or I'm sorry Lieutenant Pat Walden and ah, he made a notation in the log book of it.

Dofflemyer: Do you know what that notation said in the log book?

Pronovost: Ah, I actually I have the copy.

Dofflemyer: I'll take that.

Pronovost: It's the last (inaudible) lines.

Dofflemyer: Okay. And this was Station 45?

Pronovost: No, this was June 2nd, 2010, at Station 44, it doesn't have the station number but.

Dofflemyer: Okay.

Pronovost: It has engine, Station, it should be in here. This shows ah, Walden, Stynchcomb, Pronovost on duty. This is Station 44's log book.

Dofflemyer: Station 44 okay. So you reported to your supervisor right after it took place.

Pronovost: That's correct.

Dofflemyer: Very good. So you were instructed by Captain Rawlins not to waste the medication at that time?

Pronovost: That's correct.

Dofflemyer: Or ordered?

Pronovost: I was ordered to put the medication in the Sharps container.

Dofflemyer: Have you talked to anybody else about this since it transpired?

Pronovost: Ah, the lieutenant on duty.

Dofflemyer: Ah hum.

Pronovost: That was there and the previous incident with Mercedes.

Dofflemyer: Okay, tell me about the previous incident that was in February?

Pronovost: That's correct.

Dofflemyer: Okay, where were you stationed?

Pronovost: Ah, Station 45.

Dofflemyer: Okay, tell me what took place.

Pronovost: Ah, again we had medication that were expiring that day and ah, we had it ready in the office for when Captain Rawlins came in. ah, again he came in with the Sharps container and Mercedes was in control of the narcotics that day. And he instructed her to put the narcotics into the Sharps container. She said would you like me to waste them first. And he said no put them in the Sharps container and she did. Ah, he told her to sign for it, she signed it, he witnessed , and then he left.

Dofflemyer: Was that incident reported to anyone?

Pronovost: Ah, we didn't have a lieutenant on duty at the station that day.

Dofflemyer: Ah hum.

Pronovost: I didn't report to anyone. I don't know if she did.

Dofflemyer: Okay. Have you had any supervisor ah, instruct you to turn over medication that wasn't wasted properly prior to Captain Rawlins?

Pronovost: No.

Dofflemyer: Has it happened since Captain Rawlins?

Pronovost: No.

Dofflemyer: Is there, is there a reason that when Captain Rawlins was asking you to violate policy that, that there wasn't more of a challenge made to him?

Pronovost: Ah, well he was my commanding supervisor and I was following orders. I gave the one challenge of do you want me to waste it, he said no. so then I followed orders.

Dofflemyer: Okay.

Pronovost: But then you know I reported it to the occasion in Pierson to my supervisor that the ah, that it happened.

Dofflemyer: Okay, has Captain Rawlins attempted to talk to you at all?

Pronovost: No.

Dofflemyer: About this?

Pronovost: No.

Dofflemyer: Do you know where he took the medication or what he did with it after he left your station?

Pronovost: I do not.

Dofflemyer: On February or June either time?

Pronovost: Neither occurrence.

Dofflemyer: Have you talked to any other firefighter? Has anybody called you to say the same thing that has taken place with them?

Pronovost: Ah, I heard rumors, I don't know any facts...

Dofflemyer: Ah hum.

Pronovost: of it happening at different stations. But I don't know first hand of anything happening.

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

Pronovost: I can't think of anything.

Dofflemyer: Okay, alright, then we're going to go off the record. It's still September 3rd. We're still at the Historic Courthouse and the time is 1044 hours and we're going to go off the record.

(Tape recording devices off)