

**Volusia County Department of Public Protection
Internal Affairs
Case number 2010-08-286
R. Rawlins Subject Interview**

September 7, 2010

Present:

Nikki Dofflemyer, Captain, Internal Affairs

Roy Rawlins, Captain, 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 September 7th, 2010, the time is 1252 hours. We're conducting this interview with Captain Roy Rawlins at the Historic Courthouse located in DeLand, Florida. This is a taped interview statement regarding Internal Affairs' case number 2010-08-286. Mr. Rawlins is the subject of the investigation. He is currently on duty, has been released from service for the purpose of this interview. Roy can you identify yourself for the record please?

Rawlins: Sure, Roy Rawlins, Captain of Logistics.

Dofflemyer: How long have you been with the Volusia County Fire Services?

Rawlins: Volusia County Fire Services for nineteen years and ten months.

Dofflemyer: And you're currently assigned?

Rawlins: To Logistics.

Dofflemyer: In what capacity with Logistics?

Rawlins: Ah, I am the Logistics Officer. I'm in charge of oversight or supervision of EMS supplies, Facilities, Communications, Fleet Management, Bunker Gear and Personal Protective Equipment. I think that covers all of it.

Dofflemyer: Okay, Captain Rawlins you have been advised that you are participating in an official administrative investigation for the Department of Public Protection. I will ask you questions specifically directed and nearly related to the performance of your official duties.

Dofflemeyer: You're 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. You're further advised that if you refuse to testify or answers questions relating to the performance of your official duties, it will be considered an act of insubordination. 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?

Rawlins: Yes.

Dofflemeyer: You also understand this is an open internal affairs investigation and I'm directing you at this point not to discuss any part of this investigation until it comes to closure.

Rawlins: Okay.

Dofflemeyer: You understand this is going to be a sworn statement given under oath?

Rawlins: Correct.

Dofflemeyer: 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?

Rawlins: No.

Dofflemeyer: Any time during this interview you wish to get representation, please advise and the interview will cease so that you have the opportunity to seek a representative.

Rawlins: Okay.

Dofflemeyer: Raise you're right hand for me.

Rawlins: Sure.

Dofflemeyer: Do you solemnly swear or affirm that the statement you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Rawlins: I do.

Dofflemeyer: Okay, Captain Rawlins on June 2nd, 2010, there was an exchange of Lorazepam, ah, at the Volusia County Fire Stations. Do you remember that event?

Rawlins: Correct.

Dofflemeyer: Okay, in your own words tell me what took place, what transpired on June 2nd, 2010?

Rawlins: Sure, ah, the quarterly exchange for Lorazepam for all of the Advanced Life Support Units. Their licensed within Volusia County was due to be completed. I waited for the UPS delivery at the Resource Center, it was delayed. It usually gets there between Nine-Thirty and Ten and didn't get there until almost Eleven. Once I received the medications ah, from UPS from the Vendor, completed the necessary paperwork to make the exchange, ah, as I had done in the previous quarter. Ah, not to interfere with operations, I took it upon myself to drive around the County to all the different eighteen locations to make that exchange so that I'm not taking a battalion commander out of ah, being able to respond or delaying the exchange. Ah, the other part of that was that ah, Chief, Deputy Chief Weaver had assigned me at the same time not aware of the fact that I was doing the medication exchange, to escort the ah, and I believe he's the ah, Florida Representative for the storm shutter grant that we had received. So being that I was the, I'm also in charged of the Facilities, she felt that I was ah, the best person to escort him around at the same time. Which caused further delay in my normal plan, which was to go to, go none stop from station to station ah, distributing the medications. Didn't get a start, didn't get a good start to about Eleven-Thirty quarter to Twelve from my memory. We started, I picked up the ah, inspector here at the Courthouse. We went to Station 45 and we started the exchange. Ah, we utilized a, I had in my possession a bio-hazard waste container. Sharps container as we call the, ah, with the lid attached to it. As I went from station to station, ah, the on-duty medic would, was, placed the expiring medication inside of the Sharps container as I issued the new medication and we completed the appropriate paperwork. Again, the medication was identified as being wasted on the narcs log by being placed inside the Sharps container, which is called a bio-hazard waste container. Ah, we went from Station 45 to Station 35 and did the ALS exchange there and while I was doing the exchange the inspector was doing his rounds taking photos on that. Ah, I was little frustrated because normally it only takes me ten to fifteen minutes per station to do that exchange, medication exchange. They were with me having to escort this ah, inspector around, that was delaying me to about thirty minutes per station. Ah, knowing my time table that was going to push me all the way to ah, way past five o'clock which is my normal duty hours.

Rawlins: When we were completed we, resealed that container or we sealed that container marking it etcetera. And it was placed for disposal by the collection agency. The documentation was done ah, in original form that was not preprinted. Ah, myself and Lieutenant Huber are both medics, signed the documentation. I got back to my office, I, ah, scanned that documentation, placed it, the original in with the procurement logs and the ah, scanned that documentation and sent it out to all our operations, so that all of the medics who also had signed with me as that medication being wasted would know that ah, per the SOG that medication had been mass wasted as opposed to wasted the day of the second, it was actually done of the fourth, two days later.

Dofflemyer: You said that you had an inspector with you. What type of inspector was that?

Rawlins: He works for either depart, via Department of Homeland Security or he works for the State of Florida, and I don't remember specifically. Ah, he was doing a, what we got, we got a and again I don't know if it was a State grant or a Federal grant for placing storm shutters on the (inaudible) fire stations for the ah, hurricane shutters and I don't remember off the top of my head if he was a State Inspector or Department of Homeland Security Inspector.

Dofflemyer: Did you ever advise Chief Weaver that you were exchanging medication at the same time?

Rawlins: Yes, the day before ah, when I was advised that I would be escorting the medic, the ah, inspector around. I asked, I advised her that I was doing medication exchange on that day because it was due. Ah, it's a date sensitive issue. Ah, she said well he'll just be riding with you, and I said well I kind of go none stop when I do this. I advised the inspector that day that I, when he said well we need to go to lunch, and I said well I normally eat lunch on the fly. I go through the drive-in, grab lunch on my way so that I can kind of expedite my process, so there's no, there's no pause in that process per say. Ah, I do that for what I feel is my personal security and also the medication is security, there's no, there's no per say pause in my process. In other words the medication unsecure for any period of time.

Dofflemyer: Why was the Lorazepam being exchanged, do you know?

Rawlins: It expired. It, it's, at that time it was a ninety day medication. Ah, it ah, per the medical director's procedure because we don't keep it refrigerated on our apparatus, it's only good for ninety days. So we were doing it, like I said quarterly, we were doing it every quarterly.

Rawlins: After matter of fact, two days or so after that the medical director sent out a new letter changing that from ninety days to thirty days. So now we do it on a thirty day basis.

Dofflemyer: How many stations were exchanged on the second? Do you remember?

Rawlins: There's eighteen, there's eighteen units. So I would have to count the stations. Let's see it's all of quad, it's ah, 11, 12, 13, 11, 12, 13, 14, 15, 18, 21, 22, 23, 31, 34, 35, 36, 45, 42, and 44. So it's eleven, it's eleven stations. Ah there's more than that, it's eighteen units I know that.

Dofflemyer: Okay.

Rawlins: It's the eighteen licensed stations that we have in the County.

Dofflemyer: Okay, alright, very good.

Rawlins: Now some of the, some of the stations are squad stations and they carry, they have two licensed apparatus so they get double the quantity.

Dofflemyer: You said you returned to Station 42. did anybody direct you to return to Station 42 to make the correction?

Rawlins: Ah, that was that was per ah discussion with Deputy Chief Pocica on the third and also on the morning of the fourth.

Dofflemyer: And he directed you to return to Station 42?

Rawlins: Yes and I explained to him that I didn't realize that even though I had written, assisted in writing the SOG, because we had just updated it. ah, that we needed to go per the SOG and make that change.

Dofflemyer: Tell me the conversation between yourself and Captain Pocica or Deputy Chief Pocica.

Rawlins: Say again?

Dofflemyer: Tell me about the conversation that, tell me about the direction that Chief Pocica gave you.

Rawlins: Ah, he received the same telephone conversation or advised me that he had received the same telephone conversation from Captain Chuck Kamine ah, that several of the medics had questioned the fact that we had put wasted on the ah, narcotic log in the station and,

Rawlins: and yet we had just dropped the carpject into the waste container as opposed to ejecting the medication. In my training and background in the history, like I said once you put something into a Sharps container it is wasted you're not suppose to go back into that for any reason. Ah, so my thought pattern initially was it's wasted because it is in the waste container. I was securing that it wasn't like I was sticking it in every station's waste container. I was securing that as a group, so that I could say yes, I collected all of them. They were all placed in a single container, sealed and sent to be disposed of.

Dofflemeyer: The, the vials or the carpjects were they broken and the liquid inside wasted prior to the vials going inside?

Rawlins: Not initially, not on the second, on the fourth when I went back they were removed from their protective sleeve. They were, the ah, carpject was activated, it's a two step procedure. You have to push in. you put it in a special type ah, what they call a Tubex syringe, it pull, pushes in to activate the medication and then you squirt the medication out the back.

Dofflemeyer: That was done on the fourth?

Rawlins: That was done on the fourth.

Dofflemeyer: And who did that with you?

Rawlins: Ah, Lieutenant Steve Huber.

Dofflemeyer: And Mr. Huber counted the, the number of?

Rawlins: Correct, we laid them right out on the counter at the station. I actually did them in groups of five, by lot number because it was two separate lot numbers. And we counted to verify, he doubled check my count to make sure I want to say, I got the paperwork here, I made a copy for me. There were 97 vials, or 97 carpject in there total.

Dofflemeyer: And how many milligrams?

Rawlins: It's a total of, God I hope my math is right, 194 milligrams.

Dofflemeyer: And you said Steve Huber was with you though the entire time.

Rawlins: Correct and he sat right beside me right in the office of Station 42 as we did that.

Dofflemeyer: And the way that yourself and the Lieutenant Huber wasted medication that was in accordance with policy?

Rawlins: Correct that was in accordance with the SOG.

Dofflemeyer: Okay, the way that the medication was picked up on the second was not in accordance with policy?

Rawlins: No.

Dofflemeyer: And the policy the correct way to accomplish that would have been?

Rawlins: To do what we did on the fourth at each individual station. The medic or EMT or whoever that was there, the medic would have been receiving the medication from me. He would have taken the expiring medication, removed it from the projective container, squirted into the Sharps container and then dropped the empty carpuject into the container.

Dofflemeyer: Is that the way that you've done exchanges in the past?

Rawlins: The squirting of the medication?

Dofflemeyer: Yes.

Rawlins: Yes.

Dofflemeyer: Okay, so June 2nd, would have been not a usual way of...

Rawlins: No. It was not...

Dofflemeyer: collecting medication?

Rawlins: It was not a usual way of collecting medication.

Dofflemeyer: And can you tell me why on that particular day you didn't do it the same way you've done it in the past?

Rawlins: Frustration.

Dofflemeyer: Okay.

Rawlins: I was running behind schedule. I had the additional thing of the ah, inspector on top of and he was going slower, slowing down my process. Ah, just basically frustration and knowing that I only get paid quote unquote from seven to five or eight to five and I was,

Rawlins: and I've been doing more hours then not get paid for since I've started this job and it was just another day of doing more hours and having more than one supervisor tell me what I'm doing from day to day.

Dofflemyer: Okay. In the past you exchanged it in accordance with drawing the liquid or and breaking the seals and actually wasting the medication. Can you tell me why you did it that way in the past?

Rawlins: Majority of the time with ah, any controlled substance you do it that way so the medication can't be used. Ah, in the past I don't remember, I don't recollect collecting it up into a single Sharps container like I did this time. Normally what I do is I witness them putting it into their own Sharps container on the engine. Ah, this time I obviously had my own Sharps container to collect that medication up.

Dofflemyer: You said we sealed the containers, or the container. Who was with you when you sealed that container that was originally left at Station 42?

Rawlins: Whoever the medic was on duty and I don't know off the top of my head.

Dofflemyer: So in the second, there was a second party that helped you seal that?

Rawlins: Yes, the medic, it was part of the process that we did. The medic did, we did Station 42 medic, ah medicine exchange for the Lorazepam. And then.

Dofflemyer: You, you did it by putting all the vials into the?

Rawlins: Vials into the, the last his last four or five which ever it was, without the documentation I don't know that, he dropped his carpuments in, we finished the paperwork. He put his unit back in service by putting the medication on the unit. We then taped the container, labeling it and stuck it into the cardboard collection unit that's at the station. And there were sixteen stations that I went to. Oops seventeen because I didn't count air one.

Dofflemyer: So it would have been Justin Heinze that was the medic at 42 that sealed that?

Rawlins: I, I would say yes, I would have to look at the paperwork.

Dofflemyer: Look at the paperwork.

Rawlins: Yeah it would be Justin Heinze.

Dofflemyer: So he was present with you when that Sharps container was sealed?

Rawlins: Yeah.

Dofflemyer: So he was aware. He put full vials.

Rawlins: Yes.

Dofflemyer: Did you advise him to pass on anybody that was actually full vials in that container?

Rawlins: No.

Dofflemyer: How, how are controlled substances suppose to be stored? I understand these are...

Rawlins: Controlled substances are to be doubled locked is what the (inaudible) guidelines requires. Ah, on the apparatus there are pallets that have the padlock on them and then their in a box that has a padlock on them. At the resource center the authorized storage location they are stored inside the Resource Center which has limited access. It is Sonetrol System. They're inside of a lock room, their inside of a lock cabinet, their inside of a safe.

Dofflemyer: So would it be a correct statement to say that these and the Sharps container were not under the same type security as what controlled substances are required to be?

Rawlins: On the disposal side their not, their not required to be doubled lock and secured at that point.

Dofflemyer: But on the...

Rawlins: In other words, I think your question is, is ah, as being that they were disposed were they required to be doubled lock because they were still usable medication...

Dofflemyer: Correct.

Rawlins: inside, inside the Sharps container.

Dofflemyer: Correct.

Rawlins: Ah, again the reason that they were in the Sharps container, Sharps container was just like any other Sharps container it didn't say Lorazepam on the side. The only people that would know that those, those items were in that specific Sharps container would be either myself or the medics that put the Sharps, it in there.

Rawlins: So, for John Q public to walk up and grab that Sharps container and know that there's Lorazepam in there, they would have never known.

Dofflemyer: Okay, so the only person, the only people would know were the firefighters.

Rawlins: Correct.

Dofflemyer: But they would know that there's full vials of Lorazepam.

Rawlins: Correct.

Dofflemyer: The form that we just looked at from Station 42.

Rawlins: Ah hum.

Dofflemyer: I think I have all the forms here, I pretty much know I have all the forms from that particular day. Did you complete the form and have the medic sign?

Rawlins: Yes I did.

Dofflemyer: Okay, did you instruct the medics to sign the forms?

Rawlins: It's required for them to sign them receiving the medication and issuing the medication.

Dofflemyer: Is this a form that you've filed in the past, ah, when the medication was actually drawn out and or, and wasted?

Rawlins: It, it was filled out the exact same way.

Dofflemyer: Okay. So this would indicate for somebody if they pulled this record without you being present to explain what took place, this would indicate that the medication was, was expired.

Rawlins: And.

Dofflemyer: Was wasted?

Rawlins: Ten milligrams was wasted and they received an additional ten milligrams which is the first line of this form for Engine 11. I added ten milligrams of this lot number to their quantity and expired, we wasted ten milligrams of that quantity.

Dofflemyer: And that would show that you, but this form if you weren't present and say I collected the vial, would indicate that the medication was actually wasted on site.

Rawlins: Correct.

Dofflemyer: Did any of the firefighters question why?

Rawlins: No.

Dofflemyer: Normal protocol wasn't being followed?

Rawlins: Not at that time. Not as I was going station to station.

Dofflemyer: So nobody, is there any reason firefighters would say that they did question?

Rawlins: Not that I am aware of. I mean after the fact like I said Lieutenant Kamine ah, Captain Kamine had heard from firefighters questioning it. Nobody said anything to me. In the past when you put something in the waste container it's considered wasted.

Dofflemyer: So no firefighter said why are we doing it this way and not drawing it up into a syringe or...

Rawlins: Not that I'm aware of.

Dofflemyer: a carpject?

Rawlins: Not that I can recollect. And it's not a draw up, it's just a

Dofflemyer: Just ah,

Rawlins: Just for clarification, you're not drawing the medication up. It's already in a syringe, all you're doing is squirting out the medication or administering the medication.

Dofflemyer: Did none of the firefighters question why it was just being shot out? And how shot down the sink?

Rawlins: No.

Dofflemyer: What are the ways that you can do it?

Rawlins: It has to be per the Florida Department of Health we can no longer waste medications because of the amounts of medications that are in the Florida ground water, ah, that was a letter that was sent out to all EMS providers across the State, and I believe it was in March or April. Ah, that was one of the issues that we were having. Ah, so we had to go to disposing of it into a Sharps container as opposed to I think the HRS guidelines says that if it is a liquid, you should mix it with detergent like Tide or something like that, bandit, so that it's your neutralizing the medication. If it's a solid you should again mix it with a liquid, put it in an unmarked container and mix it with a liquid so that it's not and keep that container sealed and throw it in your normal trash, so it doesn't leak into the ground water.

Dofflemyer: Okay.

Rawlins: Until an extended period of time.

Dofflemyer: Okay.

Rawlins: And that's actually a request that I have to Volusia County EMS Division is to what are we going to do because we have a large quantity of expired medication, we're collecting them. And right now I'm just putting them into the Sharps container and sending them out for disposal. But they're still in quote unquote usable form even though they're not controlled substances.

Dofflemyer: Okay. At Station 42, I'm just going to make sure we're, we have clarity on this, the paramedic placed the carpupjects.

Rawlins: Yes.

Dofflemyer: into the Sharps container.

Rawlins: On the second, yes.

Dofflemyer: On the second, not wasted.

Rawlins: Correct.

Dofflemyer: What happened to that container where was that container placed after it was sealed?

Rawlins: It was sealed, it was placed over in their storage area inside the station, that has a cardboard red bag collection ah, container for the commercial vendor to come pick up. It's inside the station, inside a storage room.

Dofflemyer: Is it in the Bay or actually inside?

Rawlins: It's a room off of the Bay.

Dofflemyer: Is that room locked?

Rawlins: No it's not. Can be but it's not normally locked.

Dofflemyer: Station 35, go over this with me exactly what was picked up.

Rawlins: Well according to the paperwork, they gave me ten milligrams and I gave, and I issued them ten milligrams. Basically it matches the same as, matches the same as all the rest of the stations.

Dofflemyer: Okay, can you, why does it say eight down here and ten up here?

Rawlins: Ah, that I can't tell you.

Dofflemyer: Did you leave?

Rawlins: This may, this may have been a mistake on my part. I don't, I don't remember because I didn't handle the vial, the carpject. It may have only had eight. Ah, actually no it's eight there and two there that's a total of ten.

Dofflemyer: Okay.

Rawlins: That's why it's different. This is, this is all one lot number, this is two separate lot numbers, two separate expirations, so that's where that ten milligrams is.

Dofflemyer: Okay.

Rawlins: You have eight of this expiration which is the first and two of the July of, and actually you should have almost every station should have that.

Dofflemyer: Okay, the medication, in your past testimony you didn't really (inaudible) on scene.

Rawlins: No.

Dofflemyer: Did you leave any medication behind?

Rawlins: No. Well,

Dofflemyer: Any medication behind that was scheduled to be wasted?

Rawlins: No. So if I if, if it's documented that it was wasted it was placed in the Sharps container. And I took, and I took...

Dofflemyer: Is it possible.

Rawlins: And I took that medication with me.

Dofflemyer: Is it possible that you left any behind?

Rawlins: Not that I'm aware of.

Dofflemyer: Okay.

Rawlins: Cause it was all done basically sitting either at the kitchen table or at a table in the station and I'm handing you medication and you're taking these four. For instance Station 35 we did it at the kitchen table. He took four out of the engine's compartment and he stuck it in the Sharps container, I handed him four vials or four carpjects to replace it. he did it for the squad, because they have two units, and I handed him the four or five, five would be five because it's ten milligrams.

Dofflemyer: Okay.

Rawlins: It's ten, ten milligrams are five carpjects for apparatus.

Dofflemyer: What would you say if I told you that Paramedic Frazier testified that medication was left behind and he wasted on his own.

Rawlins: It would be a surprise to me.

Dofflemyer: Did he ever say anything to you about it?

Rawlins: No.

Dofflemyer: So is it possible?

Rawlins: It is possible, I will admit, I won't say it's not possible, but I was very adamant about making sure that it's part of that process that it's a one for one exchange.

Dofflemyer: And I had to get the Chief to help me out with this because these are forms.

Rawlins: That's fine.

Dofflemyer: Different to me, ah, what I totaled up was a 194.

Rawlins: Milligrams.

Dofflemyer: Milligrams.

Rawlins: Correct.

Dofflemyer: But the Chief has come up with 178 milligrams and we're trying to figure out the discrepancy, how those numbers would be, would be off.

Rawlins: 178.

Dofflemyer: You said everything was exchanged one for one.

Rawlins: Correct. This is what was, this is the number of carpjects that were accounted for at Station 42 two days after the if you take 79 add 18 to it, it gives you 97 and you multiply that times 2, because the carpject contains two milligrams, my math comes up to 194.

Dofflemyer: Okay and that's what you physically counted?

Rawlins: Correct.

Dofflemyer: Chief comes up with 178, according to the forms. Is it possible that you could have miscounted being in a rush?

Rawlins: Ah, I can, I know of two stations that did not have full ten milligrams and I would have to look at the paperwork. I believe it's Station 34, only had eight because they were down off the, and again I'm trying to remember.

Dofflemyer: I'll show you. I think I have them in order here.

Rawlins: Because it, it's, it's I issue out a hundred vials or a hundred carpjects of two milligrams so I issue out a total of 200 milligrams and I have been since then. Ah, Station 36, okay, let's see. Right over my head I remember doing it. eight milligrams, not ten milligrams and that is Engine 23 only had eight milligrams, that's why it's not a full 200 milligrams on that, it's 94 not a hundred. There are three, or there are others that I've accounted for, could be 35. I'd have to go look page for page and see which ones.

Dofflemyer: Go ahead, for the Chief's count it said you came up with more than actually.

Rawlins: Well there was also, and you don't have that documentation here, but there was also, and I'm trying to remember. I had some in storage that needed to be wasted also and I don't know if you have the documentation here.

Dofflemyer: And that would go into this count here?

Rawlins: Ah.

Dofflemyer: You had Lorazepam in storage that needed to be wasted?

Rawlins: Should not have because I wasted that on the third at the Resource Center into a different Sharps container.

Dofflemyer: So that wouldn't explain why we have.

Rawlins: No.

Dofflemyer: Our numbers being off.

Rawlins: No it wouldn't. That's ten, that's ten, this is also the reason that I am no longer doing it this way. I have not done it this way since the second. Because anytime I start to do, would start to do that. I got (inaudible) reassigned by someone else to do something else. As you'll see all these forms that the battalion commanders are now doing it. Nikki I can't account for why these numbers are different. All I can tell you is that, that number of 94 is the number of vials that were laid out on the counter and accounted for. For the total amount of 198 milligrams.

Dofflemyer: You by your own testimony said that you were in a rush on this particular day.

Rawlins: That's correct.

Dofflemyer: Possible these forms are not accurate. And I'm talking about the controlled substance accountability form.

Rawlins: That's, that's a possibility because of the rush. Now,

Dofflemyer: It would still be a violation of policy correct? For not accurately accounting.

Rawlins: Either way even with the in appropriation or the incorrect documentation it would still be violation.

Dofflemyer: Okay. You said you completed the accountability forms and the medics signed off on them.

Rawlins: Yes.

Dofflemyer: And you directed the medics to sign?

Rawlins: No, it's part of the process. I wouldn't, it's not a direction, it's a one for one exchange. It requires a medic to sign it, the medic that's responsible for the drugs to sign for them and be witnessed by someone.

Dofflemyer: Did you ever order a medic to sign that form?

Rawlins: No.

Dofflemyer: Did you order the medics to place the unbroken carpuments into the Sharps container?

Rawlins: I guess you could consider it an order when I said, what they asked me what to do with them to waste them, I said just place them into the Sharps container.

Dofflemyer: Did you do an exchange while the station was on-call on that particular day?

Rawlins: No I can not. There's no way to do an exchange when the stations out on a call. I don't know where, or that I remember.

Dofflemyer: Have you ever done an exchange?

Rawlins: Yes I have.

Dofflemyer: On, well,

Rawlins: On the scene, yes I have.

Dofflemyer: While they were on-call?

Rawlins: Yes.

Dofflemyer: You just don't remember on this particular day?

Rawlins: On this day no, I would say no. And the reason it was done on scene was because I was on the scene, they responded as a, as a unit responding to the call and to tell you the last time I remember doing it was on I-95 in Station 23 area and Engine 22 came to me to do the exchange. It was the apparatus that was done.

Dofflemyer: Engine 22 is?

Rawlins: Oak Hill.

Dofflemyer: Oak Hill.

Rawlins: And they were at half way as the closest unit responding to a MVA between 442 and 44 on the Northbound side. And Commander Inglett was also on the scene. And he was issued medication to go to the station for me on.

Dofflemyer: How about Nancy Street in Oak Hill on that particular day?

Rawlins: That's correct. I did do an exchange at Nancy Street in Oak Hill, you are correct. Because they were out at a cat in a tree, you are correct. And I had the medic come sit in the front seat of my truck to do the exchange.

Dofflemyer: Okay, and how was that exchange done?

Rawlins: Basically one for one right there in the front seat of my truck. I had the Sharps container between us. He opened his, took out his carpupject, put them in the Sharps container and I issued him the new carpupjects.

Dofflemyer: Did he ever ask to waste the medication or tell you he thought he should be wasting the medication before putting the carpupject into the container?

Rawlins: Not to my recollection.

Dofflemyer: To the medication was wasted properly on the fourth, you were at Station 42.

Rawlins: Correct.

Dofflemyer: Who else was present?

Rawlins: Lieutenant Steve Huber.

Dofflemyer: Anybody else?

Rawlins: I believe his partner Aaron Woods for the day was also present. He came in and out but was not there during the entire process.

Dofflemyer: And to your knowledge, Lieutenant Huber counted the medication vials or carpuments with you.

Rawlins: That's correct.

Dofflemyer: Chief Pocica is the supervisor who directed you to go to Station 42 and...

Rawlins: Correct.

Dofflemyer: waste the medication.

Rawlins: Correct.

Dofflemyer: As per protocol.

Rawlins: As per SOG.

Dofflemyer: SOG. Did you receive any disciplinary action?

Rawlins: No I did not.

Dofflemyer: Any other conversation with Chief Pocica about the incident itself except for the direction to go back out to Station 42?

Rawlins: Ah, we discussed it further and that's the reason we, I have changed the way it (inaudible). Ah, basically because of the time constraint and that to take out the time constraint of the fact to let the battalion commanders visit their stations. We have, I have now utilizing the on-duty battalion commanders in each of the quadrants.

Dofflemyer: When did that take place? When did you change the process?

Rawlins: Would have been the next exchange, which would have been the end of June.

Dofflemyer: Okay.

Rawlins: So literally the next occurrence of medication exchange. As I stated earlier, the medical director changed it to thirty days.

Dofflemyer: But no counseling of that nature has taken place.

Rawlins: Other than probably what would be considered a verbally counseling that it shouldn't have been done that way, nothing.

Dofflemyer: You sign any form?

Rawlins: No documentation.

Dofflemyer: Anything placed into your personnel file?

Rawlins: Not that I'm aware of.

Dofflemyer: Were you told something was going to be placed in your personnel file, verbal?

Rawlins: Not that I'm...

Dofflemyer: Have you ever seen this before? And let me ask you, you said conversation?

Rawlins: Telephone, telephone.

Dofflemyer: Telephone conversation. You never sat down face to face with any supervisor who gave you a verbal counseling?

Rawlins: Not that I'm aware of or kind of remember.

Dofflemyer: Have you ever seen that form?

Rawlins: I have not seen this form.

Dofflemyer: Of that letter, it's not really a form it's an actual letter.

Rawlins: Or letter, documentation, ah.

Dofflemyer: Did that take place?

Rawlins: Without checking my calendar I couldn't tell you.

Dofflemyer: Do you remember...

Rawlins: Ah, Chief...

Dofflemyer: sitting down with Chief Pocica and him directing you verbally that policy had been violated while at the County Admin building on that particular date?

Rawlins: I don't remember the discussion of policy being violated other than the fact, we had met which we meet on a regular basis because he is my supervisor, that I don't remember. I don't remember the specific conversation obviously because it's been three months. Ah, I'm not going to say that this did not occur the way that this is written. Ah, we did have a discussion in with the, the way this is written, we did have this discussion. Now whether I can remember whether it was, I know we had it over the phone, whether we had it in person or not, to my knowledge I don't remember. Again, if I looked at my calendar I could tell you because I document where I am throughout the day for multiple reasons.

Dofflemyer: Do you remember sitting down across from Chief Pocica and having that conversation? Do you remember having that conversation other than on the telephone with Chief Pocica?

Rawlins: I do not remember having the conversation, I 'm not going to say that it did not occur, because we had multiple conversations.

Dofflemyer: Okay. According to the verbal counseling Chief Pocica says a verbal counseling took place in Fire Admin at 830 on 6/9. There's your record from 6/9, 8:30 where were you at? Did you have training on that particular day?

Rawlins: 6/9 8:30 I was at Tiger Bay till from basically 8:28 till 9:29 according to this documentation. Well wait a minute. I was at Indian Lake Road from 8:28 was the last stop and 11:04 Indian Lake Road, which is probably the fuel pumps and I traveled 11.7 miles, this doesn't make sense, I don't know how to read this. But it says that at 8:33 I was at the, the Training Center and my next stop which is at 9:29 I was at 3877 Tiger Bay which is...

Dofflemyer: So you were not at Fire Admin building at 8:30 in the morning on 6/9/2010.

Rawlins: Not according to this documentation.

Dofflemyer: Okay, thank you.

Rawlins: Let me rephrase that, my vehicle wasn't. I'm usually in the vehicle.

Dofflemyer: But this is your vehicle correct? The vehicle assigned to you that you travel?

Rawlins: Does it say Log 10 on it? Logistics 10, yes.

Dofflemyer: So a conversation to the best recollection you have was done on the telephone, it was never done in person.

Rawlins: Not that I, not...

Dofflemyer: And not in accordance with what was documented here.

Rawlins: Correct.

Dofflemyer: This had not transpired. How correct is that correct?

Rawlins: Yeah, let me see that a second. See here I left the burn building.

Dofflemyer: Have you had any other conversations with Chief Pocica since the investigation had started?

Rawlins: The only conversation we've had was that we weren't going to have a conversation about this.

Dofflemyer: Very good.

Rawlins: And as you just witnessed in the hallway that was the end of the conversation. We're not going to discuss this and clearly stated in the letter that I received and signed for.

Dofflemyer: Very good.

Rawlins: As with anybody else that's asking about this.

Dofflemyer: Has anybody else asked you about this?

Rawlins: Oh yes.

Dofflemyer: Who else has asked you about it?

Rawlins: Several of the medics that have been interviewed by you.

Dofflemyer: After being interviewed by me?

Rawlins: Ah, that I wouldn't know because I don't know the interview schedule.

Dofflemyer: Okay. When was the last?

Rawlins: They just how I'm doing with this what's going on and I basically said I'm sorry I can not discuss this.

Dofflemyer: Do you remember who? You said you wrote this policy?

Rawlins: I co-wrote, I co-wrote the policy.

Dofflemyer: Let me put down the policy number 102.005 was controlled substance accountability.

Rawlins: That's correct.

Dofflemyer: And you co-wrote the policy?

Rawlins: That's correct. We, we didn't write the policy we revised the policy. It was myself, Chuck Kamine, Terry Boczkus, Chief Pocica, Chief Weaver, it all went through a six months review, language and I still don't like the way the policy written. It's confusing to me.

Dofflemyer: On 6/2, you admitted during this interview that you violated policy on the way that you exchanged medication.

Rawlins: I did not collectively according to the policy.

Dofflemyer: Which is SOG. Did you knowingly violate policy?

Rawlins: Not at that time no.

Dofflemyer: When did you become aware that you violated policy?

Rawlins: Ah, when I reviewed the policy on the third, after the conversation with Captain Kamine. And that's when I (inaudible) on the fourth, I took care of that.

Dofflemyer: You never received anything in writing in reference to verbal reprimand correct? Just want to kind of recap. Medications were exchanged on 6/2, that was not within standard operating procedures or guidelines.

Rawlins: Standard Operating Guidelines.

Dofflemyer: Okay, so that policy was violated.

Rawlins: I would say 102.005

Dofflemyer: 102.005

Rawlins: Right.

Dofflemyer: Policy was violated. And that's you readily admit the policy was violated?

Rawlins: Correct.

Dofflemyer: And after those meds were collected from eighteen separate,

Rawlins: Seventeen.

Dofflemyer: Seventeen separate ah, stations.

Rawlins: Locations.

Dofflemyer: Locations, they were placed at Station 42.

Rawlins: Correct for final stop for that day, if you pulled my log it would show that I stopped at 42 and that was to do their exchange, I'm almost positive to do their exchange and because that's a collection spot for the, for those containers to deposit that container there for collection.

Dofflemyer: And the medications that were not, they were still full carpujects were not secured. They were placed into a Sharps container.

Rawlins: They had been placed into a Sharps container throughout the day not removed. Place into a Sharps container throughout the day at the last station which was I believe 42, was my last stop. The container was sealed as protocol for sealing a bio-hazard container containing (inaudible) and place in the collection container.

Dofflemyer: Nobody else was made aware except for the paramedic that was with you that there were full carpujects in that...

Rawlins: Correct.

Dofflemyer: bio-hazard container.

Rawlins: Correct. They...

Dofflemyer: They were not under lock and key. They were not in a locked secured room.

Rawlins: No. They were inside the station which is not always locked, with their new (inaudible) they leave the bay doors open.

Dofflemyer: On the 4th is when you returned to Station 42?

Rawlins: Correct.

Dofflemeyer: And with Lieutenant Huber wasted the medication in accordance with proper protocol and standard operating guidelines.

Rawlins: Correct, it was accounted for, the container was broken open. The vials were accounted for and they were disposed of in accordance with the SOG. And the mass disposal form that you have showing 94 was the documentation.

Dofflemeyer: And you can not explain why our numbers aren't matching?

Rawlins: No, I can not.

Dofflemeyer: Can we attribute it to like we spoke before being in a rush and not counting the vials properly.

Rawlins: Not accounting for the vials as I was collecting them, that could be yes.

Dofflemeyer: And it's a possibility that one got left, at least one got left behind at Station 35.

Rawlins: Well according to your documentation I have more than what I'm suppose to have so.

Dofflemeyer: Right.

Rawlins: So I don't know how I left one behind.

Dofflemeyer: Okay, you do, you have more then what's accounted for on the sheets.

Rawlins: Correct. What I do want to do is I want to go back to the Resource Center where the other documentation is and look and see ah, to see the number of vials, excuse me, the number of carpjects that were disposed of, that was in storage at the Resource Center.

Dofflemeyer: Okay.

Rawlins: The reserved stock.

Dofflemeyer: Sure.

Rawlins: And I'll give you.

Dofflemeyer: You give me a call give me a copy of that.

Rawlins: I'll give you a copy of that.

Dofflemyer: Since 6/2/2010 has there been a time that you've not exchange medication in accordance with SOG?

Rawlins: No.

Dofflemyer: Prior to 6/2 was there a time that you did not exchange medication in accordance with SOG?

Rawlins: No. Not that I can recollect.

Dofflemyer: All right, Roy is there anything I haven't asked you that you think I need to know?

Rawlins: Not that I'm aware of.

Dofflemyer: Alright, be advised subject to recall if there's anything else that we need to discuss or clarify. And if you'll grab that documentation, take a quick a look at it and ah,

Rawlins: I will see.

Dofflemyer: And give me a call back and we may go back on the record if need be.

Rawlins: Okay.

Dofflemyer: Alright, we're going to officially go off the record at this time. It's still same date, ah, September 7th, 2010, the time is 1442 hours and we're off the record.

(Tape recording devices off)