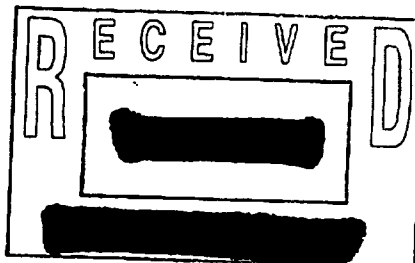




PLANTATION POLICE
DEPARTMENT



LARRY L. MASSEY, JR.
Chief of Police

To:

[REDACTED]

From:

[REDACTED]

Subject:

[REDACTED]

Date:

[REDACTED]

Copies:

[REDACTED]

As previously informed, [REDACTED] culminated with a finding that you violated two department policies, specifically [REDACTED] b),

On Friday, [REDACTED] I held a [REDACTED] hearing to discuss the findings. Individuals in attendance consisted of [REDACTED]

Although the gathering was, by definition, a [REDACTED] hearing, I called attention to the fact that in notifying you of the hearing I did not serve notice of intent to impose discipline. I entered the meeting with an open mind and admittedly held reservations about whether the investigation uncovered substantial proof to warrant the current findings.

[REDACTED] opened the meeting and, in summary, argued that the positive [REDACTED] test revealed the presence of a controlled substance that was not automatically an illicit drug by its very nature, such as [REDACTED]. The [REDACTED] doctors interviewed as independent subject matter experts in the context of this inquiry agreed that the substance is often dispensed for legitimate medical purposes. Furthermore, [REDACTED] maintained that you sought the care of qualified medical professionals who lawfully prescribed the substance to you, that it was administered within normal limits and that it continues to be prescribed to this very day by your

current physicians. [REDACTED]

[REDACTED] then expressed a concern [REDACTED] that any time a police officer tests for the presence of a controlled substance they should not have to shoulder an unfair or disproportionate burden of proving their innocence or risk having the charges against them sustained.

The evidence against you and pointing towards possible violations of department policy [REDACTED]

[REDACTED] The real battleground here is whether you were under the care of qualified medical professionals and if so, did they lawfully prescribe the controlled substance(s) to you.

In addition to carefully considering the point [REDACTED] the first item I looked to in trying to reach a fair decision was your personal and employment history as police officers. Give or take a few years, both of you are [REDACTED] who are not [REDACTED] athletes attempting to gain a competitive advantage in any sport or improve your athletic ability. The Controlled Substances Act specifically prohibits distribution of the substance in question solely for performance enhancement. Doing so falls squarely outside the scope of legitimate medical practice and subjects an individual to criminal liability; however, the substance is gaining widespread acceptance when administered as part of a medically supervised [REDACTED]

[REDACTED]. There exists no evidence to support the notion that your use of the controlled substance was merely to enhance athletic performance, but there are indications that it was part of a program intended [REDACTED] one's health [REDACTED]

Professionally, both of you have served the City of Plantation admirably for well over [REDACTED] [REDACTED] there have been no reports to support the assumption that either of you abused the controlled substance as evidenced by sudden physiological changes, increased irritability or aggression. To the contrary, one could argue that the absence of these common side effects tends to support the assertion that the substance was lawfully prescribed and administered in compliance with established doses and schedules.

Memorandum to [REDACTED]

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The next item I looked to involved the medical facility itself [REDACTED]

[REDACTED]

The building has prominently displayed medical signage and a directory to assist visitors. The facility is staffed by [REDACTED] whom, according to the Florida Department of Health, all possess valid medical licenses. In fact, their licenses carry the designation of "Clear/Active", which is defined as "the licensed practitioner is clear to practice his profession in the State of Florida", without any conditions.

[REDACTED]

You put forth an effort to appear in person, at an actual brick and mortar medical facility, to establish a doctor/patient relationship and nothing highly irregular stands here with respect to the facility or your actions.

The next item I looked to involved medical records. [REDACTED]

[REDACTED]

[REDACTED]

included partially completed medical exam sheets and prescriptions in support of your claim that

[REDACTED]

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you consulted with a doctor, since one of your names appears on the documentation. Several unsigned prescriptions, bearing one of your names for the controlled substance in question, were written under the name of [REDACTED] who holds a valid DEA License Number. [REDACTED]

[REDACTED]

The incomplete medical exams and prescriptions, although not conclusive, lead me to believe that you did in fact consult with a licensed medical doctor, and that he issued a prescription.

I find myself agreeing [REDACTED] that you met with doctors licensed to practice medicine in the State of Florida, that they prescribed the controlled substance resulting in a positive drug test, and that they administered the controlled substance within normal limits. The fact that you continue to be prescribed the controlled substance(s) by your attending physicians and that you use it in the manner for which it was prescribed also suggests that you did not violate the policies enumerated at the onset of this memorandum. As such, the initial findings are not supported [REDACTED]

[REDACTED]

In the course of this [REDACTED] investigation I have subjected you to independent medical exams, psychological consultations and health counseling, all of which show you to be in good mental and physical health, and that you can continue to safely perform the essential duties of a police officer. From this date forward I strongly encourage you to maintain detailed personal medical records upholding the burden of establishing that any controlled substances used by you are through prescription and under the care of a qualified medical professional, especially those controlled substances with a high propensity for abuse. Doing so easily avoids circumstances such as this while maintaining the highest standards of conduct in our profession and meeting our responsibilities to the community.

[REDACTED]