

**BEFORE THE STATE FIRE PREVENTION COMMISSION OF THE STATE OF
DELAWARE**

IN RE: JOHN THORPE SR.)
)
EMT I.D. NO. 528834) **Case No.: 2051**

CONSENT AGREEMENT

A written Complaint has been filed with the Delaware State Fire Prevention Commission ("Commission") alleging that John Thorpe Sr. ("Respondent"), an emergency medical technician in the State of Delaware has engaged in conduct which constitutes grounds for discipline under 16 *Del. C. Ch. 67* and the Delaware State Fire Prevention Regulations.

Respondent and the State enter into this Consent Agreement and submit it to the Commission for review and approval as a means of resolving the pending administrative prosecution against Respondent pursuant to 16 *Del. C. Ch. 67* and 29 *Del. C. Ch. 101*.

IT IS UNDERSTOOD AND AGREED THAT:

1. Respondent ") is a resident of Houston, Delaware and is certified as an emergency medical technician ("EMT") in Delaware pursuant to the provisions of 16 *Del. C. Ch. 67*.
2. Respondent's EMT certification, I.D. Number 528834 was originally issued on June 12, 2014, and expires on March 31, 2022. His certification is currently active.
3. At all times relevant, Respondent was working as an EMS supervisor at Memorial Fire Department ("Memorial) located in Slaughter Beach.
4. At all times relevant, Respondent was responsible for the supervision of EMT Kristin Miller, EMT No. 706789 ("Miller").
5. In September 2020, Steve Horn ("Horn"), a driver for Memorial, reported to

the Fire Commission Investigator that he had supplied Miller with pain medications not prescribed to Miller on at least two occasions.

6. In January 2021, Respondent was interviewed by the Fire Commission investigator and a Drug Diversion Unit agent from the Delaware State Police.

7. Respondent admitted that he was aware that Miller was soliciting co-workers for medications, and that she had solicited him for pain medications on at least one occasion in August 2020.

8. Respondent admitted that he did not report Miller to EMS supervisors at Memorial or to the Fire Commission.

9. In March 2021, investigators learned that Respondent had also provided narcotic pain medications to Miller, and that she had consumed those medications while working as an EMT.

10. When questioned subsequently by investigators, Respondent stated that his girlfriend had supplied narcotics to Miller in August 2020 and admitted that he did not report that to EMS supervisors or the Fire Commission. Furthermore, he did not affirmatively inform investigators of that transaction after he learned about it.

11. By the above referenced conduct, Respondent has violated Part 710, Section 14.4.1.9 of the Delaware State Fire Prevention Regulations in that he has engaged in unprofessional conduct as defined by Section 14.4.2, specifically:

- a. 14.4.2.3 in that he has engaged in dishonorable, unethical or other conduct likely to harm the public; and
- b. 14.4.2.11 in that he failed to provide adequate supervision to Miller;
and

c. 14.4.2.16 in that he failed to cooperate in a Commission investigation.

12. Respondent hereby admits that the allegations set forth in paragraphs one (1) through eleven (11) above are true and correct.

13. Respondent and the State agree that the appropriate disciplinary sanctions shall be as follows: Respondent shall be issued a Letter of Reprimand.

14. The parties to this Consent Agreement are the State of Delaware and Respondent.

15. The parties agree and acknowledge that nothing contained in this Consent Agreement shall affect any rights or interests of any person not a party to this Agreement.

16. Respondent acknowledges that he is waiving his rights under the State Fire Prevention Regulations and 29 *Del. C.* Ch. 101 to a hearing before the Commission prior to the imposition of disciplinary sanctions.

17. Respondent acknowledges that he has carefully read and understands this Consent Agreement, and is entering into this Consent Agreement freely, knowingly, voluntarily, and after having received or having been afforded the opportunity to receive the advice of counsel.

18. Respondent acknowledges that this Consent Agreement is a public record within the meaning of 29 *Del. C.* § 10002 and will be available for public inspection and copying as provided for by 29 *Del. C.* § 10003.

19. The parties acknowledge and agree that this Consent Agreement is subject to approval by the Commission.

20. The parties acknowledge and agree that if the Commission does not accept this Consent Agreement, it shall have no force or effect, except as follows:


- a. Neither Respondent, nor anyone on his behalf, will in any way or in any forum challenge the ability of the Commission or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint;
- b. The Consent Agreement, or conduct or statements made in negotiating the Consent Agreement, will be inadmissible at any administrative, civil or criminal legal proceeding; and
- c. No provision contained in the Agreement shall constitute or have the effect of an admission by the Respondent as to any fact alleged in the Complaint in this matter or in this Agreement.

21. If the Commission accepts the Consent Agreement and enters it as an Order, the Consent Agreement shall be admissible as evidence at any future proceedings before the Commission.

22. The parties acknowledge and agree that this Consent Agreement, along with any exhibits, addendums, or amendments hereto, encompasses the entire agreement of the parties and supersedes all previous understandings and agreements between the parties, whether oral or written. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.


23. This Consent Agreement shall be effective upon acceptance by the Commission and entry of the Commission's Order.

[signatures on next page]



John Thorpe Sr.
Respondent

Dated: 5/7/2021



Zoe Plechopis
Deputy Attorney General
Delaware Department of Justice

Dated: 5/7/2021

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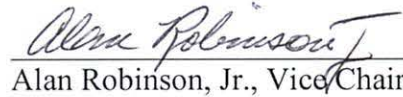
ORDER

WHEREAS, the Delaware State Fire Prevention Commission has reviewed this matter and hereby approves the Consent Agreement of the parties, and enters it now as an Order of the Delaware State Fire Prevention Commission;

IT IS SO ORDERED this 18th day of May, 2021.



Ronald Marvel, Chairman



Alan Robinson, Jr., Vice Chairman



William Kelly



Joseph J. Leonetti, Sr.



Lynn Truitt



Richard T. Perillo



Willard (Bill) Betts