



DEPARTMENT OF THE ATTORNEY GENERAL

**News Release**

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GOVERNOR

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For Immediate Release: April 6, 2010

News Release 2010-06

**KAUAI PHYSICIAN PLEADS GUILTY TO PRESCRIPTION DRUG CHARGES**

HONOLULU – Harold Spear, a physician licensed in Hawaii, has pleaded guilty in the state Circuit Court of the Fifth Circuit to two counts of Prohibited Acts Relating to Controlled Substances (a class C felony) for illegally prescribing and dispensing controlled substances.

The charges stem from federal search warrants that were executed on Spear's clinic in Hanapepe in March and June 2006. State Narcotics Enforcement Division investigators, who were assisting federal agents, discovered and seized hundreds of pre-signed blank prescriptions. Further investigation revealed that Spear was prescribing and dispensing controlled substances without being present at the Hanapepe clinic.

On at least two occasions in October and December 2005, several dozen prescriptions for Scheduled II Controlled Substances, including Oxycontin and Ritalin, were prescribed and dispensed from the Hanapepe clinic while Spear was in Florida. The state's Uniform Controlled Substances Act requires that all prescriptions for controlled substances be signed and dated on the day the prescriptions are issued.

Spear is scheduled to be sentenced by the Honorable Kathleen Watanabe on June 16, 2010. Under a plea agreement with the Department of the Attorney General, Spear will be sentenced to an indeterminate term of five years in prison, to run concurrently with any prison sentence that Spear may be given in a related federal criminal case. Spear is scheduled to be sentenced in the federal case on April 12, 2010.

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