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(The following has been excerpted in full from [this](#) Denver Post piece)

Rocky Allen, surgical tech with HIV who stole syringe, sentenced to 6-1/2 years in prison

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Provided by Denver7. Rocky Allen, 28, was sentenced to 6-1/2 years in prison Monday for his theft of a syringe filled with powerful painkillers from Swedish Medical Center in Englewood

A federal judge sentenced former surgical technologist Rocky Allen to 6-1/2 years in prison Monday for his theft of a syringe filled with powerful painkillers from Swedish Medical Center in Englewood.

“You got multiple, multiple chances to step away,” U.S. District Judge Raymond Moore told Allen moments before imposing the sentence.

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Allen and his lawyer, Timothy O'Hara, an assistant public defender, had sought a sentence of 2-1/2 years in prison. O'Hara argued his client had not actually infected anyone despite a health scare prompted when Swedish warned 2,400 patients to seek medical testing because Allen was HIV positive.

Allen became addicted to drugs to cope with the pain of post traumatic stress disorder caused by sexual abuse that began when he was 3 years old, as well as by the horrors he experienced when he was a surgical tech while deployed as a Navy corpsman in Afghanistan, O'Hara said during the hearing.

"I learned war is horrible," Allen, dressed in a gray suit, told the judge. "It was a start to a downward spiral to addiction and depression."

He added: "I was alone on an island only I knew about."

The judge said that while 2-1/2 years was too lenient, the 10-year sentence the prosecutor Assistant U.S. Attorney Jaime Pena sought was too harsh.

Moore said Allen received a military disability designation after a discharge from the Navy that showed he recognized he struggled with PTSD. He received military benefits that would have allowed him to seek treatment but instead he repeatedly stole drugs from hospitals where he worked, the judge said.

"I don't believe he gives a damn about people," the judge said, stressing that Allen had stolen a fentanyl syringe intended for an elderly woman about to undergo surgery. Moore said Allen then went into an operating room while under the influence of fentanyl and marijuana, putting a burn victim he was supposed to tend to at risk.

"The picture of you as a PTSD victim who does not know how to ask for help is a false one," Moore said when imposing the sentence.

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Moore said the drug theft had caused “massive collateral consequences,” which included a cost of about \$800,000 to the hospital to test patients for infections. Those patients had to live with the fear that they might have been infected by HIV or hepatitis, the judge said.

Allen [pleaded guilty in July](#) to a two-count drug theft indictment related to his theft of a syringe in January while on the job at Swedish. The charges were tampering with a consumer product and obtaining a substance by deceit.

Allen [was court-martialed in 2011](#) while enlisted in the Navy and stationed at a hospital in Kandahar, Afghanistan, after he admitted to stealing vials of fentanyl. He was fired from at [least five health care facilities](#) in California, Arizona and Washington before Swedish hired him in August 2015.

He was able to continue to find jobs in the health care field by lying about his addiction, drug thefts and work history, prosecutors said in court filings. He even touted his work [with a fake company](#) and listed a former boyfriend as a potential reference. In reality, the e-mail for that company was for an account that Allen maintained and answered, according to the prosecution.

Swedish fired him after he was caught swapping out a saline syringe to steal a fentanyl syringe from the hospital.