

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIRCUIT CRIMINAL NO. 15-00226CFANO

STATE OF FLORIDA,

vs.

JOHN N. JONCHUCK,

Defendant.

PLACE: HILLSBOROUGH COUNTY PUBLIC
DEFENDER'S OFFICE
700 East Twiggs Street, 5th Floor
Tampa, Florida 33602

DATE: April 25, 2017

TIME: 10:53 a.m. - 11:24 a.m.

REPORTED BY: Marcy K. Guincho
Registered Professional Reporter
Notary Public at Large

DEPOSITION OF BARBARA GRAY

Pages 1 - 20

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APPEARANCES

DOUGLAS ELLIS, ESQUIRE
PAUL BOLAN, ESQUIRE
Assistant State Attorneys
Office of Bernie McCabe, State Attorney
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Attorneys for the State

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Attorneys for the Defendant

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LAW OFFICES OF DiVITO & HIGHAM, P.A.
4514 Central Avenue
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Attorney for the Deponent

1 BARBARA GRAY,
2 the deponent herein, being first duly sworn, was examined
3 and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. McNEIL:

6 Q. Good morning, Ms. Gray. My name is Jane McNeill
7 with the Public Defender's Office in Pinellas County.
8 I'm going to be asking you a few questions this morning.
9 Could you please state your full name?

10 A. Barbara Gray.

11 MS. McNEILL: And could everyone in the room
12 please go around and identify themselves for the
13 record? I'm Jane McNeill.

14 MS. MANUELE: Jessica Manuele also with the
15 Public Defender's Office representing Mr. Jonchuck.

16 MR. HIGHAM: Fred Higham, H-i-g-h-a-m,
17 representing the witness.

18 MR. WILLIAMS: Greg Williams from the
19 Public Defender's Office.

20 MR. ELLIS: Paul Bolan and Doug Ellis from the
21 State Attorney's Office.

22 Q. Have you ever given a deposition before?

23 A. Many, many years ago.

24 Q. Just a couple quick things before we get started.
25 I'm going to be asking you some questions this morning.

1 We have a court reporter who is taking down everything
2 that we say. So I need your responses to be in an
3 out-loud fashion. Okay?

4 A. Yes.

5 Q. And if I ask you a question that doesn't make
6 sense or you don't understand please let me know and I
7 will rephrase it. I am not trying to trick you or
8 anything. I'm just trying to simply find out what you
9 know about the case, okay.

10 Have you taken any medications this morning?

11 A. No.

12 Q. Is there anything that you're suffering from or
13 affecting you and your ability to give a deposition this
14 morning?

15 A. No.

16 Q. So you have a clear mind and you're good to go?

17 A. Yes.

18 Q. All right. You were on the witness list in the
19 case against Mr. Jonchuck in Pinellas County and the
20 witness list says that you are or were affiliated with
21 St. Paul's Catholic church; is that correct?

22 A. Yes.

23 Q. One other question, prior to coming into the
24 deposition today have you consulted with anyone about
25 what your testimony might be today?

1 A. No.

2 Q. You do have a lawyer present?

3 A. Yes.

4 Q. Is the lawyer who is present with you your
5 personal lawyer or associated with the church?

6 A. Associated with the church.

7 Q. Okay. Did you at some point work at St. Paul's
8 Catholic Church?

9 A. Yes.

10 Q. Do you still work there?

11 A. Yes.

12 Q. What is your job there?

13 A. Administrative assistant.

14 Q. Administrator...

15 A. Pastoral administrative assistant.

16 Q. And what do you do in the course of that work?

17 A. I'm the right-hand person of the pastor and
18 vicars of the church.

19 Q. Okay. Have you ever gone by any other name,
20 maiden or married name?

21 A. Barbara Williams.

22 Q. And was that your maiden name?

23 A. Yes.

24 Q. How long have you been Barbara Gray?

25 A. Since 1979, 37 years.

1 Q. Okay. And I'm not trying to embarrass you with
2 this question but it's something I need to ask all the
3 witnesses. Do you have any sort of criminal record or
4 arrest record?

5 A. Arrest, yes.

6 Q. Where was that?

7 A. In Hillsborough County.

8 Q. What was that for?

9 A. Don't remember the charges but it was having to
10 do with a car.

11 Q. Would that have been under your name Williams or
12 Gray?

13 A. Gray.

14 Q. And can you remind me or tell me approximately
15 when that was?

16 A. Twenty-eight years ago.

17 Q. Were you convicted of anything as a result?

18 A. No, no.

19 Q. And do you recall if it was a felony or a
20 misdemeanor?

21 A. I'm thinking a felony.

22 Q. You said you were not convicted?

23 A. Correct.

24 Q. Did you do any sort of probation?

25 A. Yes.

1 Q. You did probation?

2 A. Yes.

3 Q. Anything else that you've ever been in the court
4 system for?

5 A. Not that I remember.

6 Q. I may have already asked you this. Do you still
7 work at the church?

8 A. Yes.

9 Q. Back in January of 2015 did you have any sort of
10 interaction with someone known or later known to you as
11 Mr. Jonchuck?

12 A. Yes.

13 Q. And can you tell me about that?

14 A. A phone call requesting to see a priest.

15 Q. Did you speak personally with Mr. Jonchuck?

16 A. Yes.

17 Q. Do you remember what day it was that you spoke
18 with Mr. Jonchuck?

19 A. No.

20 Q. To try to narrow it down a little bit do you
21 recall back in January of 2015 learning on the news that
22 Phoebe Jonchuck had been killed?

23 A. I'm not --

24 Q. Do you recall seeing on the news on TV or in a
25 newspaper or anything that Phoebe Jonchuck, the young

1 child, had been killed?

2 A. Yes.

3 Q. In reference to that, can you tell me
4 approximately when you received the phone call from
5 Mr. Jonchuck?

6 A. The day before.

7 Q. Okay. The day before. And do you remember
8 approximately what time of day it was?

9 A. No.

10 Q. Do you recall anything that Mr. Jonchuck said on
11 the phone call?

12 A. Just that he needed to see a priest right away
13 and he needed an appointment.

14 Q. Did you set an appointment for him?

15 A. Yes.

16 Q. When was the appointment?

17 A. The next day.

18 Q. The next day. And did Mr. Jonchuck come in the
19 next day?

20 A. Yes.

21 Q. And did you see him that day that he came to the
22 church?

23 A. Yes.

24 Q. What, if anything, do you recall about seeing
25 him?

1 A. That he looked dishevelled and he had a little
2 girl with him.

3 Q. Describe for me what you mean by dishevelled.

4 A. He was wearing pajama pants and his hair wasn't
5 combed.

6 Q. And what about the little girl with him? Do you
7 remember anything about her appearance?

8 A. No, she was just cute, blonde.

9 Q. Did Mr. Jonchuck originally I guess interact with
10 you at the church?

11 A. No, the front office.

12 Q. Okay. And then did the front office send him to
13 you?

14 A. They called me and I came out.

15 Q. And did you then take him to the priest?

16 A. I told the priest he was there and I took the
17 little girl because usually when they go in to see the
18 priest it's a private conversation. So we just took the
19 little girl into the director of religious education's
20 office and I showed him into see Father Bill.

21 Q. First starting with the little girl, did she say
22 anything during your interaction with her?

23 A. No.

24 Q. How did she appear to you?

25 A. Just a little girl.

1 Q. Nothing out of the ordinary?

2 A. No.

3 Q. Mr. Jonchuck, during your interaction with him,
4 do you recall any statements, anything that he said?

5 A. No.

6 Q. Did he, if you remember, at any point refer to
7 himself as God?

8 A. No.

9 Q. Did he call anybody else God?

10 A. No.

11 Q. Did he at any point -- if you don't remember
12 certainly not remembering is a fine answer, okay? Do
13 you recall if he at any point referred to himself as the
14 Pope?

15 A. No.

16 Q. Or call anybody else the Pope?

17 A. No.

18 MS. MANUELE: Are you saying you don't recall if
19 he did or are you saying, no, he didn't? Sorry.

20 THE DEPONENT: I didn't talk to him. He was
21 taken right into the pastor's office and that was the
22 end of our interaction. So, no, he didn't say any of
23 those things to me.

24 Q. If somebody asked you to testify what did
25 Mr. Jonchuck say that day he came to the church could

1 you relay anything?

2 A. No.

3 Q. And you were not present for his conversation
4 with the priest; is that correct?

5 A. No.

6 Q. After Mr. Jonchuck met with the priest were you
7 involved in getting him into a room to speak with the
8 Hillsborough County Sheriff's deputies?

9 A. Yes.

10 Q. Did you know why the deputies were there?

11 A. No.

12 Q. Did they tell you anything about why they were
13 there?

14 A. No.

15 Q. Did you give them any information?

16 A. No.

17 Q. Did you overhear any of the conversation that
18 Mr. Jonchuck had with the deputies?

19 A. No.

20 Q. Were you involved in any way in getting church
21 paperwork to Mr. Jonchuck, like paperwork that you would
22 fill out to become a member of the church I guess?

23 A. No.

24 Q. Did you do anything with Mr. Jonchuck in terms of
25 initiating a process whereby he could become baptized?

1 A. No.

2 Q. Did you make any referrals for Mr. Jonchuck to
3 any other churches?

4 A. No.

5 Q. Was Mr. Jonchuck holding anything or carrying
6 anything when you saw him?

7 A. No, just a little girl.

8 Q. Were you at any point asked to give a deposition
9 in any civil case regarding Mr. Jonchuck?

10 A. No.

11 Q. Have you given any statements to any other law
12 enforcement, state attorneys or anyone else?

13 A. No.

14 Q. If somebody wants to become a member of the
15 Catholic church is there sort of a procedure that they
16 have to go through?

17 A. The front desk gives them a welcome package and
18 they fill it out.

19 Q. Are you involved in that personally?

20 A. No.

21 MS. MANUELE: Jessica Manuele for the record.

22 BY MS. MANUELE:

23 Q. Did Mr. Jonchuck ever fill out a welcome package?

24 A. I don't know.

25 Q. How long have you been with the church?

1 A. Going on 20 years.

2 Q. The priest that was there that day that you
3 walked Mr. Jonchuck back to speak with, is he still with
4 the church?

5 A. Yes, he's the pastor.

6 Q. Okay. At the same location?

7 A. Yes.

8 Q. When Mr. Jonchuck had called the day before
9 requesting an appointment was that something -- did you
10 say, you know, Okay. Your appointment is at X time, or
11 was it just come by some time tomorrow afternoon or
12 morning and you can see the priest?

13 A. I don't recall.

14 Q. Do you know is there a standard practice one way
15 or the other?

16 A. If it's an urgent matter we tell them to come on
17 in and whoever is there would be able to help them.

18 Q. In this case specifically you don't recall if it
19 was a set appointment or not?

20 A. Correct.

21 Q. The little girl that was with Mr. Jonchuck, did
22 she talk to you at all?

23 A. No.

24 Q. Did she appear frightened?

25 A. No.

1 Q. Did she appear upset?

2 A. No.

3 Q. Do you know how long the deputies were at the
4 church?

5 A. No.

6 Q. Did the deputies at some point ask you to bring
7 the little girl out to speak with them?

8 A. No.

9 MS. MANUELE: I don't have any other questions.

10 MR. WILLIAMS: I'm sorry. Just a couple quick
11 questions.

12 BY MR. WILLIAMS:

13 Q. You saw Mr. Jonchuck when he arrived at the
14 church?

15 A. Yes.

16 Q. Did you see him leave?

17 A. No.

18 MR. WILLIAMS: Nothing further then. Thank you.

19 CROSS-EXAMINATION

20 BY MR. BOLAN:

21 Q. So whose office was the little girl in?

22 A. The director of religious education. Her name is
23 Donna Kopyy, K-o-p-p-y.

24 Q. Was she in the office with the little girl?

25 A. Yes, the entire time.

1 Q. Does she still work at the church?

2 A. No.

3 Q. Where is she now?

4 A. I don't know.

5 MR. BOLAN: I don't have anymore questions. Do
6 you, Doug?

7 MR. ELLIS: Guys?

8 MS. MANUELE: I have a follow-up for that.

9 REDIRECT EXAMINATION

10 BY MS. MANUELE:

11 Q. Do you recall when she left the church,
12 Ms. Kopyy?

13 A. Not the exact date. We have a new director now.

14 Q. Okay. Do you know the reason she left?

15 A. No.

16 Q. Do you recall seeing on the news or in the
17 newspaper when Phoebe was killed?

18 A. I saw it in the morning TV.

19 Q. Did you have any discussions with the pastor
20 about what had happened?

21 A. No.

22 Q. So nobody in the church ever mentioned that was
23 the gentleman that was here earlier today or anything to
24 that effect?

25 A. Not the next day, no.

1 Q. Okay. Any time at all?

2 A. Maybe a couple days after.

3 Q. Okay. What was the extent of that conversation?

4 A. They were in shock.

5 Q. Did anybody based on seeing that and -- you know,
6 that is kind of shocking -- did either the priest or
7 anybody else at the church bring up any observation they
8 had of Mr. Jonchuck or Phoebe that would suggest they
9 should have seen something different or knew this could
10 happen or anything like that?

11 A. No, we just relied on the expertise of law
12 enforcement and if they let him go then they didn't see
13 anything and there was nothing to worry about.

14 Q. So more the discussion was kind of this is tragic
15 and sad?

16 A. Right.

17 Q. What's your date of birth?

18 A. May 23, 1957.

19 Q. Did you and the priest ever have any discussions
20 about what the priest and Mr. Jonchuck had spoken about?

21 A. No, that's under like a confession, private
22 information and it's not divulged.

23 Q. Like in law firms we can share information with
24 each other. The church is different? It's specifically
25 reserved?

1 A. Correct, private conversation is not given out.

2 MS. MANUELE: I don't have any other questions.

3 MR. ELLIS: Put her as a read please.

4 (Deposition concluded at 11:09 a.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF PINELLAS)

I, Marcy K. Guincho, RPR, certify that
Barbara Gray, personally appeared before me and was duly
sworn.

WITNESS MY HAND AND OFFICIAL SEAL this _____
day of _____, 2017.

MARCY K. GUINCHO, RPR
Notary Public, State of Florida at Large

MY COMMISSION # FF 237014
EXPIRES: June 30, 2019

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, Marcy K. Guincho, RPR, certify that I was authorized to and did stenographically report the foregoing deposition; and that the transcript is a true record of the testimony given by the witness.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

DATED this ____ day of _____, 2017.

MARCY K. GUINCHO, RPR

