

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

State of Florida,	:
Plaintiff,	:
vs.	: Case No.
	: 15-00226CF-I
John Nicholas	:
Jonchuck, Jr.,	:
Defendant.	:
-----/	: -----/

Taken by: Doug Ellis, Esquire
On Behalf of State

Date: Tuesday, October 2, 2018

Time: 1:34 p.m. - 1:46 p.m.

Place: State Attorney's Office
14250 49th Street North
Room 1000
Clearwater, FL 33762

Reported by: KayLynn Boyer
Court Reporter
Notary Public
State of Florida at Large

Deposition of:
JIM JONES

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APPEARANCES:

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Appeared on behalf of Plaintiff

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Appeared on behalf of Plaintiff

Gregory Williams, Esquire
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Appeared on behalf of Defendant

Jessica Manuele, Esquire
Assistant Public Defender
14250 49th Street North
Clearwater, FL 33762

Appeared on behalf of Defendant

1 A. Critical Care Unit and Surgical Intensive Care.

2 Q. **And what qualifications have you that makes you**
3 **a registered nurse?**

4 A. Well, I'm certified by the State of Florida, I
5 do my yearly CEU's.

6 Q. **Did you go to nursing school?**

7 A. Yes.

8 Q. **What school is that?**

9 A. St. Pete.

10 Q. **Alright. Prior to working at the hospital in**
11 **New Port Richey did you work anywhere else as a**
12 **registered nurse?**

13 A. No.

14 Q. **You've been listed as a witness in the State of**
15 **Florida versus John Jonchuck. Do you remember Mr.**
16 **Jonchuck?**

17 A. I have never come in contact with Mr. Jonchuck.
18 I've never spoken to him, never treated him, never had
19 any physical contact with him.

20 Q. **Do you know why you would have been listed by**
21 **the defense then?**

22 A. No, I don't, to be honest with you.

23 Q. **Alright. What was your position back in**
24 **January of 2015?**

25 A. 2015, nursing supervisor.

1 Q. Is that the same position you hold now?

2 A. Yes.

3 Q. Are there rules and regulations regarding the
4 taking of blood to determine the alcohol or drug levels
5 of a person who is booked in as an inmate?

6 A. Yes. We don't collect blood for the purposes
7 of evidentiary -- for evidentiary purposes. It's a
8 conflict of interest.

9 Q. Do you collect it for other purposes?

10 A. We do. We collect, we do, for women who come
11 in through booking who are possibly of age of possible
12 pregnancy we do a pregnancy test, and if that pregnancy
13 test comes up positive then we will do a follow-up with
14 a urine dip test. That's the only protocol that we have
15 for drug testing.

16 Q. So no one brought into the Pinellas County Jail
17 other than potentially pregnant females are tested for
18 controlled substances?

19 A. Correct.

20 Q. No matter what the charge, no matter what the
21 condition of the person?

22 A. Correct. And if I could expound on that.

23 Q. Sure.

24 A. If that's okay. If somebody is coming in
25 through the booking process, and let's say they come in

1 and they appear to be intoxicated, they hang out in the
2 booking process for another hour or so, we notice that
3 the person becomes lethargic, they are obtunded, they
4 are not responding appropriately.

5 Q. **Explain obtunded to us.**

6 A. Just very lethargic, not responding to the
7 stimuli, either verbal or tactile, we activate 911 and
8 we send them out to the local ER to get evaluated by an
9 ER staff, and at that point in time they may choose to
10 do a drug screen on him or her.

11 Q. **But you guys wouldn't even request that, you**
12 **would leave it up to them?**

13 A. We leave it up to the ER staff, yeah.

14 EXAMINATION

15 BY MR. BOLAN:

16 Q. **So a common drug that they treat with is**
17 **Narcan, right?**

18 A. For opiates.

19 Q. **For opiates. I know there are other drugs.**
20 **You guys don't treat people for those drugs, you send**
21 **them out to the ER if they look like they have**
22 **overdosed?**

23 A. Unless, and I can give you an example. I think
24 it was about a year ago, year and a half ago, we had
25 some opiates make their way into the jail, and into the

1 general population, I believe it was Carfentanil, and we
2 had three people overdose and go into cardiac arrest.
3 Now in our emergency drug kits we do have Narcan, so
4 with the assistance of our medical director and various
5 nursing supervisors and nursing staff we were able to
6 Narcan those individuals, they got sent out to the
7 hospital, they all survived. That's an exception.

8 Q. But generally if it looks like there's a
9 problem you're going to call the ambulance and send them
10 to the ER?

11 A. Correct, yes.

12 Q. Did you ever look at Mr. Jonchuck's records in
13 this case?

14 A. No.

15 Q. Okay. So unless he was in dire straits, so to
16 speak, if he was on drugs no one would have attended to
17 him, correct?

18 A. Correct.

19 Q. So it's possible he could have been coming off
20 of drugs and someone could have even suspected it, but
21 nevertheless there wouldn't have been a test done at the
22 jail unless he was in critical condition where he needed
23 to go to the hospital?

24 A. Correct.

25

CONTINUED EXAMINATION

1 BY MR. ELLIS:

2 Q. When a person is in the jail and they are
3 prescribed medications, for instance psychiatric
4 medications, and they refuse to take the psychiatric
5 medications, is there a policy to make them do so?

6 A. No. We are not allowed to force medication.

7 Q. So if they are cheeking it, just putting it in
8 their mouth and not swallowing it, or they are refusing
9 it, you document that but you can't force them to do
10 that?

11 A. Correct.

12 Q. Unless you have a court order?

13 A. I don't know about that.

14 Q. But you've never had a situation where you've
15 had to do that --

16 A. Not that I'm aware of.

17 Q. -- in 19 years?

18 A. No.

19 Q. We're talking at the same time.

20 A. Sorry.

21 Q. So in 19 years you've never had a situation
22 where you've forced medication on anyone?

23 A. Not to my knowledge.

24 Q. If they come in with a prescription for a
25 controlled substance and they have the controlled

1 **substance in their possession, do you administer that?**

2 A. No. Now the controlled substance, meaning a
3 scheduled medication, or a psychiatric medication in
4 general?

5 Q. **A controlled substance. For instance, they had
6 a surgery and they are taking some kind of pain pills or
7 something and they were brought in with pain pills?**

8 A. A schedule medication, no, we would actually
9 bag it, we'd count it on camera with a witness, it would
10 be bagged in an evidentiary bag and placed in the
11 inmate's property. And then a phone call would be
12 placed to a physician to see if he would like to
13 continue that medication or substitute the medication,
14 et cetera.

15 Q. **But if they refused even that medication you
16 wouldn't --**

17 A. No, we don't normally provide medications that
18 are brought into the hospital with patients.

19 Q. **Okay. If an inmate goes to the State Hospital
20 and comes back and the State Hospital is recommending
21 certain medications be administered, are there any
22 medications that you guys would refuse to administer
23 even if the State Hospital says he should have it?**

24 A. No. We give State Hospital medication.

25 Q. **So whatever they recommend you will go get and**

1 **have it administered?**

2 A. Generally they send, I think it's a ten day
3 supply of medication back with the patient to the jail,
4 and we would continue with that medication. Obviously
5 we will reorder the medication and be supplied to the
6 jail in a greater quantity to continue it.

7 Q. **Even if it was a benzodiazepine you would still**
8 **administer it?**

9 A. We would do it.

10 Q. **Because it had been ordered by the State**
11 **Hospital?**

12 A. By the State Hospital, correct.

13 MR. BOLAN: So if someone,
14 hypothetically speaking, was high, or you know,
15 under the influence of drugs, but it's not a
16 medical situation where they will have to go to
17 the hospital, would that be documented or noted
18 somewhere that they appear high or is that
19 something so routine at the jail that you
20 wouldn't necessarily document it?

21 A. No, no, no. I brought a copy of our screening,
22 I'm sure if you pulled his records this is in
23 his records, his intake screening which is
24 done. This is not his, by the way, I pulled up
25 a random inmate out of the computer. And some

1 of the questions that are gone over is
2 obviously a medical history, you know, a
3 significant past medical history, any surgical
4 history, medical observations, things that
5 we're seeing, any bruising, abrasions, then we
6 go into alcohol and drug screening, appears to
7 be sedated, intoxicated, no; drinks alcohol,
8 yes; and we go into what type do they do, what
9 frequency amount, last drink, and then there's
10 also a section for drugs. Patient is known to
11 have a documented history of withdrawal
12 seizures, the person said no. If he said yes,
13 then another screen would populate and say,
14 what drug, how frequently, last time used.

15 **BY MR. ELLIS:**

16 **Q. Now if an inmate is not responsive to your**
17 **questions, he's just ignoring you, what is put on the**
18 **form?**

19 **A.** If he fails to get through the medical
20 screening process he's deemed to be an uncooperative
21 patient, at that point in time he will be escorted, and
22 he'll be at least under a close observation status if
23 not suicide risk, so he will be placed in a single cell
24 and we will attempt every two hours to go back and
25 complete our medical screening with him. He's also

1 going to be seen by somebody from our psych staff, also
2 medical observation as well. So they will be seen by
3 somebody from our physical medical staff.

4 Q. **And I assume that's not necessarily unusual?**

5 A. It's not unusual at all.

6 Q. **Even people not under psychiatric needs
7 sometimes just sullen about being arrested?**

8 A. That, and you know, sometimes frequently folks
9 will come in intoxicated and belligerent and angry and
10 don't want to go through the process, and then they
11 sober up eight hours later, six hours later, and are
12 willing to go through the process.

13 MR. ELLIS: Put him as a read, please.

14 (Whereupon the taking of this deposition
15 was concluded at 1:46 p.m. and reading and
16 signing were not waived.)

17 *****

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CERTIFICATE OF OATH

STATE OF FLORIDA :

COUNTY OF PINELLAS :

I, the undersigned authority, certify that Jim Jones personally appeared before me and was duly sworn.

WITNESS my hand and official seal this date:
December 30, 2018.

KayLynn Boyer

KayLynn Boyer
Court Reporter
Notary Public
State of Florida

CERTIFICATE OF REPORTER

STATE OF FLORIDA :

COUNTY OF PINELLAS :

I, KayLynn Boyer, certify that I was authorized to and did stenographically report the foregoing deposition of Jim Jones, 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 employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated: December 30, 2018.

KayLynn Boyer

KayLynn Boyer
Court Reporter

<p style="text-align: center;">1</p> <p>1 [1] - 1:22 1000 [3] - 1:13, 2:4, 2:8 14250 [5] - 1:12, 2:3, 2:8, 2:13, 2:17 15 [1] - 1:22 15-00226CF-I [1] - 1:4 19 [2] - 8:17, 8:21 19th [1] - 3:15 1:34 [1] - 1:11 1:46 [2] - 1:11, 12:15</p>	<p>alright [2] - 4:10, 4:23 also [4] - 3:24, 11:10, 11:25, 12:1 am [3] - 14:12, 14:14, 14:15 ambulance [1] - 7:9 AMENDMENT [1] - 15:2 amount [1] - 11:9 an [9] - 3:20, 5:5, 6:8, 6:23, 7:7, 9:10, 9:19, 11:16, 11:20 AND [1] - 1:1 and [63] - 3:4, 3:5, 3:9, 3:13, 3:23, 3:24, 3:25, 4:1, 4:2, 5:3, 5:12, 5:22, 5:25, 6:1, 6:7, 6:9, 6:23, 6:24, 6:25, 7:1, 7:2, 7:4, 7:5, 7:9, 7:20, 8:2, 8:4, 8:8, 8:25, 9:6, 9:7, 9:10, 9:11, 9:20, 9:25, 10:4, 10:5, 10:25, 11:6, 11:8, 11:9, 11:13, 11:21, 11:24, 12:4, 12:8, 12:9, 12:10, 12:11, 12:15, 13:8, 13:11, 14:8, 14:9, 15:2, 15:23 angry [1] - 12:9 another [2] - 6:2, 11:13 any [7] - 4:19, 9:21, 11:3, 11:5, 14:13, 14:14, 15:23 anyone [1] - 8:22 anywhere [1] - 4:11 appear [2] - 6:1, 10:18 APPEARANCES [1] - 2:1 appeared [1] - 13:8 Appeared [4] - 2:5, 2:10, 2:14, 2:19 appears [1] - 11:6 appropriately [1] - 6:4 are [15] - 5:3, 5:11, 5:17, 6:3, 6:4, 6:19, 8:2, 8:6, 8:7, 8:8, 9:6, 9:18, 9:21, 11:1, 12:11 arrest [1] - 7:2 arrested [1] - 12:7 as [8] - 3:4, 3:6, 3:16, 4:11, 4:14, 5:5, 12:2, 12:13 assistance [1] - 7:4 Assistant [4] - 2:3, 2:7, 2:12, 2:17 assume [1] - 12:4 at [12] - 1:16, 3:20, 4:10, 6:9, 7:12, 7:21, 8:19, 10:19, 11:21, 11:22, 12:5, 12:15 attempt [1] - 11:24 attended [1] - 7:16 attorney [2] - 14:13, 14:15 Attorney [2] - 2:3, 2:7 Attorney's [1] - 1:12 authority [1] - 13:7 authorized [1] - 14:7 aware [1] - 8:16</p>	<p>becomes [1] - 6:3 been [6] - 3:13, 4:14, 4:20, 7:19, 7:21, 10:10 before [1] - 13:8 behalf [4] - 2:5, 2:10, 2:14, 2:19 Behalf [1] - 1:9 being [2] - 3:5, 12:7 believe [1] - 7:1 belligerent [1] - 12:9 benzodiazepine [1] - 10:7 blood [2] - 5:4, 5:6 BOLAN [2] - 6:15, 10:13 Bolan [2] - 1:8, 2:7 booked [1] - 5:5 booking [3] - 5:11, 5:25, 6:2 Box [1] - 1:24 Boyer [4] - 1:14, 13:18, 14:7, 14:22 BOYER [1] - 1:23 brought [4] - 5:16, 9:7, 9:18, 10:21 bruising [1] - 11:5 but [7] - 6:11, 7:8, 7:20, 8:9, 8:14, 9:15, 10:15 by [14] - 1:8, 1:14, 3:12, 3:13, 4:4, 4:20, 6:8, 8:1, 10:10, 10:12, 10:24, 12:1, 12:2, 14:10 BY [3] - 3:8, 6:15, 11:15</p>
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