

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

Case Number: 22-09348CFANO

STATE OF FLORIDA,

Plaintiff,

VS.

JUAN ARIEL MOLINA-SALLES,

Defendant.

DEPOSITION OF:

SERGEANT ALAN CLARK

TAKEN BY:

Counsel for the Defendant

DATE:

November 18, 2024

TIME:

1:42 p.m. - 1:56 p.m.

PLACE:

ZOOM Videoconference

REPORTED BY:

Tamara M. Pacheco, RPR  
Notary Public, State of FL

Pages 1 - 19

JTP REPORTING (727)422-8287

ZOOM VIDEOCONFERENCE APPEARANCES

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## EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 ALAN CLARK

3 (was adduced as the deponent herein, and being first duly  
4 sworn on oath, was examined and testified as follows:)

5 EXAMINATION

6 BY MS. DELIBERATO:

7 Q Good afternoon. Can you please state and spell  
8 your last name for the record.

9 A My name is Alan Clark, C-L-A-R-K.

10 Q And how are you employed?

11 A I'm a sergeant with the Pinellas County  
12 Sheriff's Office.

13 Q My name is Maria DeLiberato. I'm an assistant  
14 public defender. Myself and Nichole Blaquiere represent  
15 Juan Molina-Salles in this case. Elizabeth Constantine  
16 and Nathan Vonderheide are here for the State.

17 It's PCSO case number 22-305232. I don't have  
18 that you authored a supplement here. I think you were  
19 acting in a supervisory capacity. Is that correct, or do  
20 you have a supplement?

21 A I do not. I was just the scene supervisor. I  
22 just controlled the area until the on-duty lieutenants  
23 arrived, and then after that, I took over the command bus  
24 operations.

25 Q Okay. We'll walk through your involvement. I

1 just wanted to make sure that I didn't miss anything in my  
2 discovery.

3 A No.

4 Q Can you tell me a little bit about your career  
5 in law enforcement. How long have you been with PCSO?

6 A This month is 27 years.

7 Q Any prior law enforcement before PCSO?

8 A No.

9 Q And this is a question I ask of everybody. Have  
10 you ever had any complaints sustained against you for any  
11 reason?

12 A No.

13 Q So do you have an independent recollection of  
14 this traffic accident and scene?

15 A I do.

16 Q Is that because it was a deputy-involved death?

17 A Yes. It was a little more traumatic.

18 Q Understood. Did you know Deputy Hartwick  
19 personally?

20 A Yes.

21 Q Did you talk to him regularly inside and outside  
22 the office?

23 A Not so much outside, but inside, yes. He worked  
24 with me the day before.

25 Q That was my next question. The last time you

1 saw him was the day before?

2 A Yeah. I was -- at the time, I was a supervisor  
3 for the Seminole area and also the Largo area around  
4 Seminole, and he filled in an overtime spot for me.  
5 Ultimately, I moved him out to the beach because he wasn't  
6 feeling well that night, so I let him go to a slower area.

7 Q Okay. Do you remember, did he have a cold or  
8 something?

9 A Yeah.

10 Q Okay. So you sent him out to take a little bit  
11 of an easier shift since he wasn't feeling well?

12 A If I remember the correct night, yeah. There  
13 was a couple of times he filled in for me as overtime  
14 during that last few weeks.

15 Q Okay. Did he ever talk to you about the Archer  
16 Western detail, the construction detail or anything like  
17 that?

18 A Not specifically. A lot of us work it on a  
19 regular basis.

20 Q That was my next question. Did you ever work  
21 that detail?

22 A Yes. I have frequently.

23 Q Okay. Both before and after the accident?

24 A Yes.

25 Q Anything -- any concerns that you had about

1 Archer Western and their safety protocols or anything like  
2 that?

3 A Specifically, I know that there were a number of  
4 accidents that were unrelated to police involvement. In  
5 particular, one where a car drove around some barricades.  
6 It was a pickup truck for the Fourth Street exit coming  
7 off of 275 and went over the non-existent bridge and ended  
8 up falling down below. There were -- there have been  
9 other incidents of people getting injured and dying as a  
10 result of injuries sustained there.

11 Q Anything that Archer Western talked to the  
12 police officers about regarding safety protocols or  
13 wearing a safety vest or anything like that?

14 A No.

15 Q Not that you're aware of?

16 A Not with me.

17 Q Okay. So that night were you on duty when this  
18 happened, or did you get called in?

19 A I was on duty, and I was working our Sector-3  
20 area. I was 30, meaning that I was a supervisor for the  
21 Largo and Seminole area, which goes basically from Lake  
22 Seminole west out towards the beaches and includes the  
23 City of Seminole and the unincorporated areas of Largo up  
24 to the Clearwater-Largo Road area.

25 Q Okay. And what do you remember about the call?

1 How did it come out, and how did you get involved?

2 A I remember hearing the radio talk about a deputy  
3 being struck by a vehicle. They were trying to raise the  
4 deputies on the radio to try to confirm everybody was  
5 okay. We were getting calls about a deputy being down.  
6 So when I started hearing that radio talk, I immediately  
7 went lights and siren out towards the area to try and  
8 assess the situation from a supervisory perspective.

9 Q What do you remember seeing when you got on  
10 scene?

11 A When I got on scene, there were already several  
12 people on scene. It probably took me, if I remember  
13 correctly, ten or twelve minutes to get across the county  
14 and become involved, so maybe even up to fifteen. It  
15 was -- it was a few minutes, like I said, getting from the  
16 Bay Pines area over towards the Howard Frankland area.

17 There were several people on scene already, to  
18 include Deputy Hirshman, and I can't recall the others. I  
19 know Deputy Hirshman was one of the first people to arrive  
20 on scene. I know there were several deputies that were  
21 there for the off-duty as well, part of the Archer detail;  
22 so they were able to respond more quickly than I was. So  
23 when I got on scene and I was able to confirm Deputy  
24 Hartwick had passed as a result of the injuries, then I  
25 just began to take over in a scene-control method.



1 Q And what does that mean, scene control? what  
2 did you do?

3 A I stopped the traffic on the interstate because  
4 initially we weren't sure. The initial reports were that  
5 it could have been a hit-and-run. We didn't know if  
6 somebody, a citizen ignored the barricades and cones and  
7 struck him and continued. We weren't positive of the  
8 cause yet.

9 So what I did was, I stopped the traffic on both  
10 directions of the interstate. I ordered that the exits  
11 north and south of the occurred location get blocked by  
12 police to divert people off the roadway so that we could  
13 do two things: One would be to look for any evidence in  
14 the area regarding the injury and the crash that resulted  
15 in the death; and two, also protect the people that were  
16 working in the area to not be struck by somebody who was  
17 being careless and inattentive trying to see what the  
18 police activity was about. I knew it was going to be what  
19 we call a MAIT, Major Accident Investigation Team. So I  
20 knew that stopping the traffic and preserving the evidence  
21 was the primary concern at that time.

22 Q Did you get close to Deputy Hartwick to observe  
23 his injuries, or he was already pronounced and covered by  
24 the time you arrived?

25 A He was already pronounced and covered. When

1 Lieutenant Killian arrived, we walked over and I glanced.  
2 we lifted the cover to observe him briefly. I honestly  
3 don't remember -- I remember seeing him. I don't remember  
4 specifics. I couldn't look any further. That's only the  
5 second time. I've been in charge twice now, when Deputy  
6 Magli was killed and -- well, I wasn't the scene  
7 supervisor on that one. I was a corporal. But I was  
8 directly involved in his as well, and it was just a little  
9 bit much to see him.

10 So once Lieutenant Killian was able to confirm  
11 that it wasn't something like a drive-by shooting, that it  
12 was an apparent auto-related injury, then we replaced the  
13 cover over him and backed away from the area. I do recall  
14 seeing pieces of his belt and his camera -- body-camera  
15 and things like that strewn about, indicating an impact  
16 versus something like a shooting that might have kept all  
17 of his equipment intact on his body.

18 Q Okay. And then you started sort of protecting  
19 the scene. Do you also direct deputies to do certain  
20 things or collect certain pieces of evidence?

21 A I remember that there were a couple of employees  
22 on scene, and I don't remember their names. There were a  
23 couple of employees on scene, and I directed the deputies  
24 to keep them separate so that we could interview them in a  
25 controlled manner separately, not have them influencing

1 each other's testimony. The deputy that I recall speaking  
2 to was Deputy Duran, Denise Duran.

3 But there were several deputies, and we  
4 basically just went into a holding pattern at that point  
5 until other outfits could get there, including the command  
6 staff, the Major Accident Team, homicide investigators.  
7 At that point, it's trying to determine whether or not it  
8 was an actual hit-and-run by somebody who was passing by  
9 coming from Tampa to St. Pete kind of thing or if it was  
10 something else. And we were still gathering our  
11 information at that time, and it was still in that respect  
12 very fluid.

13 Q It looks like you maybe sat in on some of the  
14 interviews with some of the first responding officers,  
15 like your name is there, or is that just your name is on  
16 there because it happened -- like, there's a police report  
17 that talks about an interview with Deputy Hirshman. Did  
18 you sit in on that, or is your name just on that report  
19 because you're the sergeant?

20 A I think it must have just been attached by CAD  
21 records. I did not sit in on any direct interviews that I  
22 recall. I primarily stayed at the scene with the command  
23 bus. I did not bring the command bus out there, but I'm  
24 one of twelve operators. And because I was already on  
25 duty, I maintained control of the command bus.

1           In doing that, we do things like we access the  
2 computer systems. We access cameras. We access other  
3 data to provide to the Sheriff and anybody else who was in  
4 command and requests something, like Major Lazaris or  
5 anybody else. I did not sit in on any interviews. If  
6 you're talking about an interview with traffic crash  
7 investigators or homicide investigators, no.

8           Q     Did you yourself interview any lay witnesses on  
9 scene?

10          A     I was trying to figure out what we needed as far  
11 as a bulletin, but I did not interview anybody directly.  
12 I was just trying to gather information, if anybody saw a  
13 particular vehicle for description reasons, a driver,  
14 anything like that that we could put out so that we could  
15 put out a be-on-the-lookout, a BOLO alert for anybody that  
16 was in the area in respect to the event.

17          Q     And did you gather that information? Do you  
18 remember anything that you gathered?

19          A     Not prior to the other command staff arriving on  
20 scene. Lieutenant Kilian was a north county commander.  
21 She arrived a short time after me and took over and  
22 controlled the scene.

23          Q     Okay. Then did you stay with the command bus at  
24 that point?

25          A     Primarily the command bus. There were other

1 times when Deputy Hartwick was transported to the medical  
2 examiner's office in a caravan, but otherwise, yes, I was  
3 just on scene with the command bus, ensuring the operation  
4 was successful for the command staff to gather the  
5 information that they wished to gather, such as the camera  
6 system from Deputy Hartwick's cruiser and things like  
7 that.

8 Q You said you were part of the caravan that  
9 transported him to the medical examiner's office. Were  
10 you driving, or you were just in one of the line of cars?

11 A I was driving my own cruiser, but I was in the  
12 line of cars back. I wasn't toward the front. I was  
13 somewhere in the middle or the rear end of the caravan  
14 itself. I know that the ambulance was leading the  
15 caravan, so I wasn't part of that portion of it.

16 Q Were you on scene at the command bus when  
17 Mr. Molina-Salles was ultimately taken into custody?

18 A I don't recall. I did not have any interaction  
19 with him. As far as that goes, I don't recall. I  
20 remember hearing about him being taken into custody. It  
21 was after sunrise. But I don't recall seeing him directly  
22 myself.

23 Q Okay. Do you remember -- what do you remember  
24 hearing about it, if anything?

25 A Just that he was captured in the wooded area a

1 little bit north and west of us, kind of south of  
2 Ulmerton, west of the interstate; that he had been in  
3 there for a number of hours; and that a K9 unit found him  
4 later that morning.

5 Q Okay. Anything else that you remember hearing  
6 about Mr. Molina-Salles either that day, night, or in the  
7 days later? Anything about his background or anything  
8 like that?

9 A No. I do recall there was a camera that was  
10 being obtained from one of the semi-trucks, and it showed  
11 him handing his yellow jacket or yellow vest to another  
12 person before leaving the area. I wasn't involved in  
13 recovering that. I recall seeing it, but I did not have  
14 anything to do with recovering it or placing it in  
15 evidence.

16 That would be part of the case evidence, that  
17 particular video of some sort of dash cam from one of the  
18 semi-trucks. Because the construction that was going on  
19 at that time was a front-end loader moving some of those  
20 concrete jersey barriers from semi-trucks to the Roosevelt  
21 exit to create a new exit lane when the crash occurred.  
22 So that's what was occurring at the time. One of the  
23 semi-trucks had some sort of dash cam that they were able  
24 to recover.

25 Q So you say you remember seeing the video of him

1 handing the construction vest, right?

2 A Yes.

3 Q Did you see the actual recovery of the vest  
4 itself?

5 A I know it was recovered, but I did not see it,  
6 no.

7 Q And you already said no contact with  
8 Mr. Molina-Salles, and no research about him or his  
9 background. Anything after your -- how long were you on  
10 the scene? How long did you stay?

11 A After Deputy Hartwick was transported to the  
12 medical examiner's, my computer and laptop were still at  
13 the command bus, so I had to return to the command bus to  
14 get it. I probably didn't get home until 11 or 12 --  
15 between 10 a.m. and noon, if I remember correctly, and it  
16 began around 11 o'clock the night before.

17 Q Did you attend any briefings either in your  
18 department or with the State Attorney's office about this  
19 case afterwards?

20 A No. I was not involved in any briefings or  
21 investigation of the event itself.

22 Q And you said you did not author any reports.  
23 Did you review or sign-off on any reports?

24 A I don't recall. I don't know. I would have to  
25 look and see through the supplements and see that, but

1 they would not have been part of the investigation, like  
2 the MAIT Team or Homicide Team. I would not have seen  
3 that. Deputy Duran was not under my supervision, so I  
4 would not have seen hers. It would not be in my chain of  
5 command to have seen those. I don't know if there were  
6 any other deputies that responded that may have authored  
7 something minor that I would have approved but nothing  
8 substantial.

9 Q Okay. Anything that I have not asked you about  
10 today that I missed on your involvement in this particular  
11 case?

12 A No.

13 MS. DELIBERATO: I don't have any further  
14 questions. I don't know if co-counsel does or the  
15 State does.

16 MS. BLAQUIERE: No.

17 MS. DELIBERATO: Thank you so much. I really  
18 appreciate your time this afternoon.

19 (Deposition concludes at 1:56 p.m.)  
20  
21  
22  
23  
24  
25



1 COUNTY OF PINELLAS )

2 STATE OF FLORIDA )

3 CERTIFICATE OF OATH

4  
5 I, the undersigned authority, certify that SGT.  
6 ALAN CLARK personally appeared before me and was duly  
7 sworn.

8 witness my hand and official seal this 18TH day  
9 of JANUARY, 2025.

10  
11 Tamara M. Pacheco

12 Tamara M. Pacheco, RPR  
13 COMMISSION # 474485  
14 EXPIRES: March 30, 2028  
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## 1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA )

3 COUNTY OF PINELLAS )  
4

5 I, Tamara M. Pacheco, certify that I was  
6 authorized to and did stenographically report the  
7 Deposition of SGT. ALAN CLARK; that a review of the  
8 transcript was requested; and that the transcript is a  
9 true and complete record of my stenographic notes.

10 I further certify that I am not a relative,  
11 employee, attorney or counsel of any of the parties, nor  
12 am I a relative or employee of any of the parties'  
13 attorney or counsel connected with the action, nor am I  
14 financially interested in the action.

15 *Tamara M. Pacheco*16 Tamara M. Pacheco, RPR  
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25

# ERRATA SHEET

IN THE CASE OF:            STATE OF FL v. JUAN MOLINA-SALLES

NAME OF DEPONENT: SGT. ALAN CLARK

CASE NUMBER: 22-09348CFANO

Please read the transcript of your deposition.  
If you feel you need to make corrections, please note on  
this page. DO NOT mark on the transcript itself.  
Sign and date the transcript below.

PAGE	LINE	ERROR/AMENDMENT	REASON FOR CHANGE
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Signature

Date