

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: ROBERT DOUGHERTY
TAKEN BY: Counsel for the Defendant
DATE: November 18, 2024
TIME: 3:23 p.m. - 3:31 p.m.
PLACE: ZOOM videoconference
REPORTED BY: Tamara M. Pacheco, RPR
Notary Public, State of FL

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ZOOM VIDEOCONFERENCE APPEARANCES

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EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 ROBERT DOUGHERTY

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. Could you please state and
8 spell your name for the record.

9 A My name is Robert Dougherty. It's spelled
10 Robert, R-O-B-E-R-T, last name Dougherty,
11 D-O-U-G-H-E-R-T-Y.

12 Q And how are you employed?

13 A I'm a deputy with Pinellas County Sheriff's
14 Office.

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

19 we're here for your deposition. I looked
20 through my notes. I don't see you authored a supplement.
21 Is that correct?

22 A That is correct.

23 Q All right. Do you have an independent
24 recollection of your involvement here?

25 A Yes. So, essentially, I responded to the scene.

1 I'm part of the Major Accident Investigation Team. I was
2 tied up on another call, so I wasn't -- I promptly arrived
3 on scene when this all was kind of announced over the
4 radio.

5 when I was finally able to get on scene, not too
6 long after I arrived on scene, there was report of a
7 separate crash. So I was out of my car for maybe two
8 minutes walking towards the scene, and I was one of the
9 people that they told to go to the other crash scene. So
10 I had essentially no involvement on the Molina-Salles case
11 because I was working this other crash.

12 Q Okay. So that was my thought. I have a few
13 follow-up questions. Before we get into that, can you
14 walk me through your law enforcement experience? How long
15 have you been with PCSO?

16 A I've been with the Sheriff's office coming up on
17 six years actually. Part of that is six months of the
18 Academy and then around six months of training through
19 in-house training and FTO training. I've been on the
20 Major Accident Investigation Team for -- how old was my
21 son -- about two-and-a-half years now.

22 And that's pretty much the extent of my
23 experience. I've had various trainings outside of that.
24 I've been with the Major Accident Investigation Team. At
25 that time, I don't believe I would have had any of the

1 more advanced THI trainings or anything. I think -- I
2 think at that time, based off of the two-and-a-half years,
3 I think I only had a few months on the team at the time of
4 this case.

5 Q Okay. And this is -- PCSO is your only law
6 enforcement experience agency?

7 A Correct.

8 Q Ever had any complaints sustained against you
9 for any reason while at PCSO?

10 A Not sustained, no.

11 Q So you were on duty. You said you were working
12 a different accident, a different scene. Then you got
13 called to this scene. "This scene" meaning Deputy
14 Hartwick's death and the accident investigation, right?

15 A Correct.

16 Q As soon as you got there, there was another
17 incident where a car had driven off an overpass I believe?

18 A Correct. That's the incident I'm talking about.

19 Q And what did you do? You went over to that
20 scene and assisted with that investigation?

21 A Correct.

22 Q And did you stay on that scene the rest of the
23 evening?

24 A Yeah. I was on that scene for probably past
25 what my normal shift would be as well. I think basically

1 everybody at the Sheriff's office was past their normal
2 shift that night. Yeah, I was on that, and then
3 coincidentally, the next day was the beginning of my FMLA.

4 Q And so did you ever go back to Deputy Hartwick's
5 scene at all?

6 A Not that I recall. I don't think so.

7 Q And you never got to see my client, Juan
8 Molina-Salles when he was taken into custody or anything
9 like that?

10 A No, definitely not. I was still on duty because
11 I heard it over the radio, and I know for a fact I was
12 still at the other scene when that happened.

13 Q Okay. And then I think you said the next day
14 you went on FMLA, so you didn't work anymore?

15 A Correct. The only thing past that for the next
16 few months, I think I had another call-out in a completely
17 separate incident in, like, September. But the only thing
18 I really did work-wise was I did the crash report for this
19 other case, and then I did the -- I authored a supplement
20 for that case for a deputy interview. Again, that was
21 completely separate information. Nothing pertaining to
22 this case.

23 Q Okay. Did you know Deputy Hartwick either
24 professionally or personally?

25 A I knew him professionally, and I knew him

1 somewhat personally. I don't know -- he's kind of an
2 older guy. I don't know if he would have necessarily
3 recognized me outside of uniform. Like, he may have with
4 other deputies. But I knew him fairly personally.

5 Q Did you remember any conversations that you had
6 with him, kind of the last time you spoke to him before
7 the accident?

8 A He was -- I think he was a member of some sort
9 of like fraternal order. I don't know if it was free
10 masons or not. We had a call in Safety Harbor where they
11 had some sort of meeting, and a subject that was mentally
12 ill let himself into the meeting and was like screaming
13 and stuff like that.

14 I walked in and I recognized him, and he walked
15 up to me. We had a couple of passing conversations before
16 then. And I don't know if he was -- had been extended
17 off-duty or whatever time off. He had, like, facial hair.
18 He goes, Oh, I'm Deputy Hartwick. I was like, Yeah, I
19 know. He goes, Oh, okay. I didn't know if you recognized
20 me with the beard. I think that was the last time I
21 talked to him. He was kind of giving me information about
22 what was going on with this guy and everything like that.
23 I think that was the last time I talked to Hartwick.

24 Q Do you know about how long before the accident
25 that was?

1 A I don't think it was more than a year. Probably
2 a few months. I would have been working The Harbor. It
3 wouldn't have been -- it probably would have been more
4 than six months, but probably less than a year.

5 Q Did he ever talk to you about the Archer-Western
6 construction detail that he worked on sometimes?

7 A No. I never talked to him about that.

8 Q Did you know anything about that detail?

9 A Not other than it seemed like a really good
10 detail. I'd been meaning to work it just because I like
11 working the longer details. You get more bang for your
12 buck.

13 (Phone interruption.)

14 A Excuse me. I'm sorry. It's what time I
15 normally wake up at. So, yeah, it's an extended detail,
16 and it seemed fairly easy. But I didn't know other than
17 the fact that you met up somewhere, and they maybe tell
18 you where to go. I didn't really know if you moved around
19 throughout. I didn't know too much about it. I think
20 actually the first time I ever went onto that general area
21 might have been like -- actually onto the construction
22 area might have been that night.

23 Q So you never worked that detail yourself?

24 A No. Even after the fact, I've never worked it.

25 Q Okay. Any other involvement that we haven't yet

1 talked about?

2 A Not that I can think of, no.

3 Q Just so the record is clear, the other accident
4 where the gentleman drove off the bridge, that was
5 completely unrelated to Deputy Hartwick's accident?

6 A Correct.

7 MS. DELIBERATO: I don't have any further
8 questions. Does my co-counsel or the state?

9 MS. BLAQUIERE: No.

10 MS. CONSTANTINE: No.

11 MR. VONDERHEIDE: No questions.

12 (Deposition concludes at 3:31 p.m.)

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COUNTY OF PINELLAS)
STATE OF FLORIDA)

CERTIFICATE OF OATH

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

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

Tamara M. Pacheco

Tamara M. Pacheco, RPR
COMMISSION # 474485
EXPIRES: March 30, 2028

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF PINELLAS)

I, Tamara M. Pacheco, certify that I was authorized to and did stenographically report the Deposition of ROBERT DOUGHERTY; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

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.

Tamara M. Pacheco

Tamara M. Pacheco, RPR

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ERRATA SHEET

IN THE CASE OF: STATE OF FL v. JUAN MOLINA-SALLES
NAME OF DEPONENT: ROBERT DOUGHERTY
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

Signature

Date