

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: JASON PLUMB
TAKEN BY: Counsel for the Defendant
DATE: November 20, 2024
TIME: 11:40 a.m. - 11:58 a.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 JASON PLUMB

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

5 EXAMINATION

6 BY MS. DELIBERATO:

7 Q State and spell your name for the record.

8 A Sure. Jason Plumb, P-L-U-M-B. Jason is
9 J-A-S-O-N.

10 Q where are you employed?

11 A I'm a detective 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. Present for the State is Elizabeth
16 Constantine.

17 we're here for your deposition. It's Sheriff's
18 case number 22-305232. I have that you did not author a
19 supplement. My understanding is that you were actually
20 working the construction detail when this started and
21 didn't author a supplement. Is that right?

22 A That's correct.

23 Q Okay. And so before we get into the facts of
24 this, can you walk me through your law enforcement
25 background, your time with PCSO, and any law enforcement

1 background before that.

2 A Sure. I've been employed with PCSO for almost
3 four years, since February of 2021. Prior to that I was
4 employed in New Hampshire for the Rochester Police
5 Department for four years as a patrol officer.

6 Q And you said you're a detective now with PCSO?

7 A Correct.

8 Q In what unit are you a detective?

9 A The Mass Casualty Planning Unit. It's under the
10 Threat Management Division.

11 Q Okay. How long have you been there?

12 A Since July.

13 Q This year?

14 A Yes.

15 Q Okay. And in your law enforcement career at
16 either New Hampshire or PCSO, ever had any complaints
17 sustained against you for any reason?

18 A No.

19 Q So I'm going to ask you some questions. Do you
20 have an independent recollection of what you were doing on
21 the night of this accident?

22 A I do.

23 Q Okay. Did you review anything before our
24 deposition today?

25 A I reread my transcription of my interview with

1 robbery-homicide, but I had reviewed it, yes.

2 Q So you're prepared to go forward with the
3 deposition today?

4 A Yes.

5 Q So you were working the construction detail for
6 Archer Western that night. Is that right?

7 A Correct.

8 Q And had you worked it before?

9 A Many times.

10 Q Okay. Like how many times?

11 A Forty or fifty prior to that.

12 Q Did you work previous Archer Western details or
13 just that project?

14 A No, just that project.

15 Q Okay. And have you worked it since the
16 accident?

17 A Yes.

18 Q Okay. Did you know Deputy Hartwick personally
19 or professionally?

20 A Not super well. We were on opposite shifts. So
21 I knew who he was, but we never worked together prior
22 other than details.

23 Q Okay. Did you have any conversations with him
24 that night before you guys went out on the detail?

25 A We did.

1 Q what did you talk about?

2 A It was mostly about vacation. I had an upcoming
3 vacation to Ireland, so we talked a bit about that. We
4 talked about how he's working a lot because he was getting
5 close to retirement and wanted to travel once he was
6 eligible to retire. Just a bunch of small talk basically.

7 Q Okay. And my understanding from another officer
8 is, the night before, he kind of went to a different shift
9 because he wasn't feeling well. Did he mention to you
10 whether he was feeling okay that night physically or
11 anything like that?

12 A He never mentioned anything.

13 Q Okay. So when you get to the construction
14 detail, do you get a safety briefing from Kody Gardner who
15 I think was your -- was the manager or the --

16 A He was the supervisor.

17 Q Do you get a safety briefing from him?

18 A No. No. Generally, the way it works is we meet
19 in one central location. And most of us had worked it
20 many times prior, so we kind of understood the flow of
21 kind of what they are doing. We meet in one central
22 location. A supervisor like Kody would come by and say,
23 hey, I need X number of deputies. We would follow him,
24 and they would place us where they needed us.

25 Q Okay. Have you ever gotten any sort of safety

1 briefing from Archer Western on this construction detail
2 before about what you're supposed to be doing, things like
3 that?

4 A No. Not officially, no.

5 Q Anyone official?

6 A I mean, back when we first started, it was kind
7 of like, Hey, go sit in those cones. You're going to be
8 lights over there. But it was never -- there was never --
9 the expectation was they would say, hey, go sit in those
10 cones, this section of cones with your lights on. It's
11 for visibility while we have those roads closed. That's
12 pretty much the extent of it.

13 Q Did they talk about wearing a safety vest or
14 anything like that if you stepped out of your vehicle?

15 A No.

16 Q And is a safety vest something you had in your
17 patrol car?

18 A Yes.

19 Q As part of the Sheriff's department issued
20 uniform, right?

21 A Yeah. Everybody is issued one, yeah.

22 Q So that night, what do you -- when you get
23 there, you have the brief conversation with Deputy
24 Hartwick, and then you and he are placed kind of together,
25 is that right, or sort of one --

1 A Yeah, very close.

2 Q So tell me how that went.

3 A So the process is Kody came by. He grabbed --
4 he said he needed two people, so Hartwick, myself -- I
5 think I was first and then Hartwick and then another
6 deputy, Boateng was a third in. So we followed up onto
7 275.

8 Usually the way it would work is Kody would be
9 the lead construction truck. He would stop and then
10 motion, hey, I need somebody to stay here. So usually the
11 first car just stays, and then everybody continues on.
12 Deputy Hartwick had pulled up next to me and said, Hey,
13 I'll take this spot if you want to keep going, so I said
14 okay. Didn't think anything of it. So then, just the way
15 the cars are, Boateng kind of became in front of me. So
16 it was Boateng and then me. So Boateng got placed. Then
17 I got placed in front of him. So that would be a matter
18 of maybe -- maybe collectively from Hartwick to me was
19 probably about 80 yards, you know, sequentially.

20 Q Okay. And about what time of night were you
21 placed?

22 A It was -- it was around 11:30, I believe.

23 Q Okay. And then what do you -- you get in
24 position, and what do you do?

25 A Yeah. So, basically, our goal there is --

1 everybody drives erratic on 275. So we're there to help
2 with lane closures, so visibility. Generally, stay in our
3 cars because you're there for the visibility. Obviously,
4 it's a construction detail. You're trying to protect
5 everybody within that -- you know, within that road
6 closure ahead of you.

7 Q And are you -- you said you're supposed to have
8 your lights on. You're parked with your lights,
9 red-and-blue lights. Like the flashy, swirly ones?

10 A Correct, yeah.

11 Q Okay. Do you keep your -- like, you have an
12 in-car camera, like a fleet. I think it's the AXON. Do
13 you keep that activated as well?

14 A So it's -- no. It's always recording, but I
15 didn't manually activate it. So it will be manually
16 activated, you know, if I pull my firearm, Taser, or when
17 I activate my emergency lights. So in a situation like
18 that where we're going to be sitting there for quite a few
19 hours and we're not expecting to take police action, we
20 can activate our lights and then turn it off because
21 there's no reason for it to record that whole -- you know,
22 that whole time.

23 Q And so --

24 A We're not expected to.

25 Q Sorry to interrupt. So did you do that? When

1 it got activated when your lights went on, did you then
2 turn it off?

3 A I did, yeah.

4 Q And in order for it to record, you would have to
5 turn it back on?

6 A It's always recording. Really, there's two ways
7 this works. One is it's manually activated. Those videos
8 are then immediately uploaded. However, it has a period
9 of 24-hours where it does record everything, and somebody
10 can go in and pull that video, if that makes sense. So
11 it's always recording and then rewriting over itself.

12 Q That was my question. Because I know we have
13 Deputy Hartwick's footage from his car, and I wasn't sure
14 if that's because he pressed a button or because it was
15 the automatic recording.

16 A Yeah. It's just the way the videos get
17 uploaded. But, yeah, if you get within that 24-hour
18 window, you can manually pull the video.

19 Q Even if you had turned it off?

20 A Correct. Yeah.

21 Q So what did -- you're sort of in the car kind of
22 doing your thing I guess. What is the first thing you
23 note happens that's sort of unusual?

24 A The first thing that draws my attention is some
25 radio traffic. Basically, every unit, all sheriff's

1 office -- every police officer in the county is GPS
2 tracked. So we have a map that's up on my laptop, and
3 that's what is up. Obviously, it's our computer-aided
4 dispatch software. On the map, you can see everybody's
5 location.

6 There was radio traffic from Dispatch trying to
7 call Hartwick's call sign. He wasn't answering. So
8 obviously, I look at the map because I don't know his call
9 sign off the top of my head. I look and he -- on the map,
10 it shows all three of us very close. You can almost not
11 differentiate how close we were. So I look and see that
12 it's him.

13 At this point, I look back. His car is there.
14 Everything looks normal. The radio traffic was something
15 to the effect of we're getting a call that we have a
16 deputy down, which is odd because, again, I'm looking back
17 and everything seems fine. So that kind of drew my
18 attention to it. And then, you know, obviously they
19 started having some responders in that area.

20 Unfortunately, I'm on 275, so I can't just turn
21 around and go against traffic. So even though I'm really
22 close, I can't just get my car turned around and drive
23 down 275. So as soon as I hear that, I unfortunately have
24 to go forward to then go back around to kind of get back
25 around, if that makes sense.

1 Q Did you -- so do you have to go over to the
2 Tampa side?

3 A No. There is -- there is a cut-through before
4 you go over the bridge that a lot of people don't know
5 about. So you can go work underneath the bridge and then
6 come back around. So it's not super long, but it takes a
7 couple of minutes.

8 Q And so did you do that?

9 A I did.

10 Q Okay. And what -- were you able to actually get
11 close to the scene of the accident?

12 A No.

13 Q Why not?

14 A So there was a bunch of -- obviously, at this
15 point, as I'm taking that time to turn around -- again, I
16 pass them. I don't see anything crazy. So as I'm headed
17 now north on 275, I hear the first deputy get on scene and
18 calls out the deputy down. So obviously at this point I'm
19 going to continue. But when that kind of verbiage goes
20 over the radio, you now have every deputy anywhere coming.
21 So by the time I was able to get under the bridge and come
22 back around, you know, there was a ton of deputies there.
23 So I didn't -- there was no point in me going up to the
24 scene, so I just stayed back.

25 Q Okay. In that timeframe, do you recall -- once

1 you heard deputy down, did you hear a signal 7 called
2 pretty soon after that?

3 A Yeah.

4 Q Like within a minute or so?

5 A Very quickly, yeah.

6 Q Okay. Do you then like -- does the traffic
7 detail stop at that point? I assume they're stopped.
8 Like everything has stopped working. Is that right?

9 A Yeah. We immediately shut down the highway.

10 Q Okay. And what do you do next?

11 A So, I mean, to be honest, I'm still kind of in
12 shock. So at that point, what I do is I shut 275 down
13 southbound at the Ulmerton offramp while we waited for
14 Tampa PD and FHP to get there. Shortly after they arrive,
15 they relieved me. I go to the scene, and I'm told to
16 stand by to be interviewed and to get my video and things
17 of that nature. So I'm kind of -- after I was relieved of
18 my post, I'm at the scene just waiting to be interviewed
19 essentially.

20 Q Okay. And you kind of said you were in a state
21 of shock. I can understand why. Just for the record, I
22 want you to sort of explain. Obviously, you were working
23 the same detail. This was a spot that you probably were
24 going to be at yourself. Is that correct?

25 A Correct.

1 Q Is that part of the reason that you were like --
2 I don't want to put words in your mouth, but were you
3 thinking this could have been me or something like that?

4 A Yeah. I think it's a mix of things. I think
5 it's -- yeah, it could have been me. It's -- I mean, we
6 just talked for two hours before we got placed. So it's a
7 very fresh thing. Obviously, there's a lot going through
8 your head.

9 So at that point, obviously I had a bunch of
10 friends working, and on the map, you can't tell -- you
11 can't tell who is there, right. So it looks like it's me
12 and Hartwick together. So I -- I'm not answering the
13 radio. I'm not talking on the radio, so nobody knows.

14 So at this point you're like -- there's a lot
15 going through your head of like your friends have tried to
16 call you. There are 200 missed calls in a period of 15
17 minutes. You know, it's just all those things that start
18 going through your head. So you're just kind of in shock
19 where you don't know how to talk. You're not picking up
20 the phone because of your shock, and then you're in shock
21 because you just -- somebody you just talked to for two
22 hours, one of your coworkers is dead. So it's kind of
23 just a lot of things.

24 Q I understand. And please know, you know, I
25 don't mean any disrespect.

1 A No, I get it.

2 Q I just want to make sure our record is clear.
3 So you stand by then to do the interview with Corporal
4 Syers and just tell him essentially what you've just told
5 me, which is this is how I was placed, this is what I was
6 supposed to be doing, that sort of thing?

7 A Correct.

8 Q Are there any protocols that you're aware of if
9 you do have to step out of your vehicle on these active
10 construction sites about wearing your traffic safety vest?

11 A I don't know to be honest with you.

12 Q That's okay. I wasn't sure if that was
13 something that you were aware of or not. Certainly
14 nothing that Archer -- you don't recall Archer Western
15 telling you?

16 A No. And to be honest with you, I'm not sure
17 exactly if we have anything in our policy that
18 specifically talks about that type of situation.

19 Q And after this, you worked the -- and I'll come
20 back to it in a few more questions, but you worked this
21 detail after this accident. Was there anything different
22 about the construction detail? Any additional safety
23 briefings or information or anything like that?

24 A No.

25 Q Not that you're aware of?

1 A Business as usual.

2 Q Okay. So you give your interview, and then what
3 happens?

4 A I gave my interview. It was a few hours later.
5 I did stand by a little bit longer because they had to get
6 the video. They manually removed the video from my
7 cruiser. So we did that, and it was just kind of hanging
8 out there to make sure nothing was missed, nobody else
9 needed anything of me. They told me to stand by until
10 they felt comfortable that they had all the information
11 they needed. And then eventually, we were so taxed at the
12 time that they asked me to assist with the procession back
13 to the ME -- the MEO's office.

14 Q You followed the procession with Deputy Hartwick
15 back to the medical examiner's office?

16 A Correct.

17 Q And did you go off shift after that?

18 A I did, yeah.

19 Q Did you -- does the department, like, provide
20 any kind of counseling services? Anything like that
21 available to you afterwards?

22 A CISM. So our Critical Incident Stress
23 Management team had come out, and they did offer that to
24 us.

25 Q Did you have any further involvement after that

1 day?

2 A No.

3 Q You didn't author any reports or anything like
4 that, right?

5 A No.

6 Q Did you attend any briefings or meetings in your
7 department or over at the State Attorney's office about
8 this case?

9 A No.

10 Q Were you still on scene when Mr. Molina-Salles
11 was taken into custody?

12 A At that point I was still on scene, yes.

13 Q Do you remember laying eyes on him or seeing
14 him?

15 A No.

16 Q Do you remember hearing anything on the radio
17 about where he was or what he was doing or anything like
18 that?

19 A All I remember -- because the only reason I knew
20 is because I heard it over the radio. Just something that
21 he was in that wooded area to the west of our location.
22 They located him very quickly with a Pasco bloodhound.
23 That was pretty much all I know.

24 Q Did you do any research into either his
25 background or follow the news stories about who he was and

1 what he's charged with and anything like that?

2 A Not really.

3 Q Not really but any or --

4 A The only thing I know is that -- I know what
5 he's charged with obviously, but other than that, I've
6 disconnected myself from it. I don't really want any
7 involvement; so, no, I don't know much.

8 Q That was my question. You haven't sort of
9 followed the case as it's progressed through the system or
10 anything like that?

11 A No desire.

12 Q Just got your subpoena and responded?

13 A Uh-huh.

14 Q Is there anything that I haven't asked you about
15 today that you did that day or that was important to this
16 case?

17 A Not that I can think of. My involvement is
18 pretty narrow.

19 MS. DELIBERATO: Understood. I don't have any
20 further questions. I'm not sure if my co-counsel has
21 any.

22 MS. BLAQUIERE: No, thank you.

23 MS. DELIBERATO: I don't know if the State has
24 any. Doesn't seem like it. Thank you so much.

25 (Deposition concludes at 11:58 a.m.)

1 COUNTY OF PINELLAS)

2 STATE OF FLORIDA)

3 CERTIFICATE OF OATH

4

5 I, the undersigned authority, certify that JASON
6 PLUMB personally appeared before me and was duly sworn.

7 witness my hand and official seal this 30TH day
8 of JANUARY, 2025.

9

10

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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 JASON PLUMB; 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, RPR

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ERRATA SHEET

IN THE CASE OF: STATE OF FL V. JUAN MOLINA-SALLES
NAME OF DEPONENT: JASON PLUMB
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