

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:

JONATHAN TOBECK

TAKEN BY:

Counsel for the Defendant

DATE:

November 21, 2024

TIME:

2:41 p.m. - 2:50 p.m.

PLACE:

ZOOM Videoconference

REPORTED BY:

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

Pages 1 - 15

JTP REPORTING (727)422-8287

ZOOM VIDEOCONFERENCE APPEARANCES

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EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 JONATHAN TOBECK

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

5 EXAMINATION

6 BY MS. DELIBERATO:

7 Q Good afternoon. I apologize for the delay.
8 We're running a bit behind, but I'll try to get you out of
9 here soon. Can you please state and spell your name for
10 the record.

11 A My name is Jonathan Tobeck, J-O-N-A-T-H-A-N,
12 last name is T-O-B-E-C-K.

13 Q And how are you employed?

14 A I'm a captain with the Pinellas County Sheriff's
15 office.

16 Q How long with PCSO?

17 A January will be nineteen years.

18 Q We're here for your deposition. It's Pinellas
19 County Sheriff's case number 22-305232. My name is Maria
20 DeLiberato. I'm an assistant public defender. Myself and
21 Nichole Blaquiere represent Juan Molina-Salles. Present
22 for the State is Nathan Vonderheide.

23 I don't have that you authored any supplement
24 reports in this case. Is that right?

25 A That's correct.

1 Q Your role was supervisory capacity. Is that
2 correct?

3 A Yeah. I didn't take any investigative action at
4 all.

5 Q Okay. So I just -- before we get into some
6 specifics, you said nineteen years with PCSO. Any prior
7 law enforcement experience before that?

8 A Yeah. I started with the City of Fort Myers in
9 November of 2002. I worked there until January of 2006
10 when I came here.

11 Q Okay. Ever had any disciplinary complaints
12 sustained against you for any reason either in Fort Myers
13 or with PCSO?

14 A No.

15 Q And how long have you been a captain with PCSO?

16 A February will be three years.

17 Q And what are your duties as captain?

18 A I'm currently in charge of the Criminal
19 Investigations Division. So I have the Property Crimes
20 Section, the Crimes Against Persons Section, and the
21 Tactical Investigations Section all report to me. So I
22 have everything from burglary and economic crimes to, you
23 know, fugitive apprehension to homicide to crimes against
24 children. It all kind of falls under my umbrella.

25 Q And did you know Deputy Hartwick personally or

1 professionally?

2 A I knew him professionally. I worked with him
3 some on midnights seventeen, eighteen years ago.

4 Q Do you remember any kind of recent conversations
5 you had with him before the accident?

6 A It had been over a decade probably since I
7 talked to him.

8 Q Did you know anything about the Archer Western
9 detail that he had worked?

10 A No, ma'am.

11 Q Did you ever work that detail yourself?

12 A I haven't worked a detail in about eight years.

13 Q Are there any Sheriff's office procedures or
14 policies about deputies who are working off-duty details,
15 or is that not your department?

16 A It's not my department. There is a policy, yes.
17 It's not one that I would write or keep up with.

18 Q So you're not familiar with it?

19 A No.

20 Q What department oversees that?

21 A Special Operations.

22 Q Okay. How was it that you became involved in
23 this particular case?

24 A Major Garvey called me about 11:30 that night,
25 told me that we had a line-of-duty death and asked me to

1 get the Homicide Unit to respond.

2 Q Do you know why the decision was made to have
3 the Homicide Unit versus the Major Accident Investigation
4 Team?

5 A We assist them in a lot of cases. Not a lot,
6 but we assist them on some cases. There's been other
7 traffic fatalities where we've assisted them. If there's
8 a boating fatality, we also assist them. So it just
9 depends on the scope of it.

10 Q Okay. Was it the fact it was a deputy-involved
11 death and a traffic accident? Does that sort of weigh in
12 favor of bringing in Homicide as well?

13 A Yeah. I would say we would respond to all those
14 regardless of the circumstances.

15 Q Did you actually respond out to the accident
16 scene?

17 A I did.

18 Q Okay. And what was happening when you got on
19 scene?

20 A When I got there, the scene was roped off. The
21 road was shut down. There was law enforcement I believe
22 from FHP and the Sheriff's office there. You know, Deputy
23 Hartwick was still there under the tarp on the side of the
24 road, and there was two white trucks there.

25 Q Okay. What did you do when you got on scene?

1 A When I got on scene, I met with Lieutenant Suess
2 and Sergeant Robinson. We kind of came up with a game
3 plan of who was going to do what and made assignments
4 after that.

5 Q Okay. And the three of you together sort of
6 decided who would be the best fit for each role?

7 A Yes, ma'am.

8 Q How is that determined?

9 A Experience. Who's got ongoing cases. There's a
10 lot that goes into it. So if I just say, for example, had
11 a homicide last week, we wouldn't give you another one
12 this week. If you're brand new in the unit, obviously
13 you're not going to be the case agent on a homicide.
14 You're going to get a different role. So that's how it
15 gets determined.

16 Q Do you take into account, especially in a
17 deputy-involved death, whether the particular deputies you
18 might be assigning knew the decedent personally or not?

19 A I wouldn't. I would think we could handle it
20 professionally either way. If it was your best friend,
21 then maybe, yes, but we've all had to go out on suicides
22 and other things with deputies we've known. That's just
23 part of the job. You've got to maintain professionalism
24 through it.

25 Q Okay. So the three of you kind of get together,

1 put out all the case assignments. what other role do you
2 have?

3 A I just -- I was kind of there. If somebody
4 needed something, I made it happen. It's kind of more
5 just directing traffic at that point. As information is
6 coming in, you know, I pass it up.

7 Q How long did you stay on the scene?

8 A I was on the scene until after he was taken into
9 custody. Then I came back here to the SAB. So it was
10 late morning before I left the scene.

11 Q Okay. Were you -- did you see Mr. Molina-Salles
12 when he was taken into custody?

13 A I saw him as K9 and patrol were putting him in
14 the back of a police car. Yes, ma'am.

15 Q Okay. Anything that you recall about his
16 demeanor?

17 A No. There was nothing that stood out.

18 Q Did he appear to be relatively cooperative with
19 the officers?

20 A Yeah. He wasn't screaming. He wasn't resisting
21 arrest. None of that was going on.

22 Q Did you ever speak to him directly?

23 A I did not. I don't speak Spanish.

24 Q That was my next question. Did you watch his
25 interrogation I know, like, through the monitors at the

1 station?

2 A I was in and out during that. I can't say I sat
3 and watched it all.

4 Q Okay. And then what else -- any other role that
5 you played in this particular case?

6 A No, not particularly. Not investigatively.

7 Q Were there like meetings and briefings that
8 occurred afterwards?

9 A Yeah. I mean, obviously, we had to let -- keep
10 the Sheriff updated. We kept everybody updated on what
11 was going on. I attended those meetings, but the
12 information was coming from the case agents and the people
13 that actually did the work.

14 Q Okay. Were you involved in any conversations
15 with the case agent about what ultimately to arrest
16 Mr. Molina-Salles for?

17 A Not that I recall.

18 Q Okay. And I know obviously the State Attorney
19 makes the eventual charging decision, but I didn't know if
20 you had any conversation with your officers about what
21 charges or citations to issue?

22 A No, ma'am.

23 Q Okay. Did you attend the invest at the State
24 Attorney's office, the in-person invest?

25 A I did not.

1 Q Anything else that you did in this case that we
2 haven't yet talked about?

3 A Other than going to the funeral. That's the
4 only thing I did.

5 Q Have you kind of followed the case at all as its
6 wound its way through the court system?

7 A I mean, Detective Syers will update when
8 something happens, yes.

9 Q Okay. I don't know if -- are you involved in
10 any way, like, if there's plea offers or things like that?
11 Are you involved in any way relating to that Officer
12 Hartwick's family or anything like that?

13 A I've had no contact with the sons at all.

14 Q Okay. Are you in any way involved if the
15 Sheriff is being informed of a plea offer or anything like
16 that? Are you participating in any of those kind of
17 meetings?

18 A No, I'm not in any kind of meetings. I keep a
19 log of ongoing high-profile cases that are set for trial
20 or something, but other than that, no, I don't have
21 anything that's -- any direct information as far as what's
22 going on in that aspect.

23 Q Okay. And do you have a particular opinion or
24 opinion on what you think should or shouldn't happen in
25 this case as far as a plea or sentence?

1 A Outcome cannot be -- I don't worry about the
2 outcome, ma'am. I make the arrest. I present the facts
3 to the State Attorney and the jury when I'm called to
4 court, and the outcome is out of my hands.

5 Q Understood. It's always a question I ask.

6 A I know. I get it. That's not my concern when
7 I'm doing my job.

8 MS. DELIBERATO: I don't have any further
9 questions. I really appreciate your time today, and
10 I apologize for the delay.

11 THE DEPONENT: Thank you.

12 MR. VONDERHEIDE: I have no questions. Thanks,
13 Captain Tobeck.

14 (Deposition concludes at 2:50 p.m.)
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1 COUNTY OF PINELLAS)

2 STATE OF FLORIDA)

3 CERTIFICATE OF OATH

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

8 witness my hand and official seal this 4th day
9 of February, 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 JONATHAN TOBECK; 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. Pacheco16 Tamara M. Pacheco, RPR
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IN THE CASE OF: STATE OF FL v. JUAN MOLINA-SALLES

NAME OF DEPONENT: JONATHAN TOBECK

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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[illegible]

Signature

Date