

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:

ANTHONY LORUSSO

TAKEN BY:

Counsel for the Defendant

DATE:

March 26, 2024

TIME:

1:28 p.m. - 1:48 p.m.

PLACE:

ZOOM Videoconference

REPORTED BY:

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

Pages 1 - 24

JTP REPORTING (727) 422-8287

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EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 ANTHONY LORUSSO

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

9 A It's Anthony Lorusso. Last name is spelled
10 L-O-R-U-S-S-O.

11 Q And how are you employed?

12 A I'm a K-9 handler with the Pinellas County
13 Sheriff's Office.

14 Q My name is Maria DeLiberato. I'm an assistant
15 public defender. Myself and Nichole Blaquiere represent
16 Juan Molina-Salles. It's your case number 22-305232.
17 Also present are Nathan Vonderheide and Elizabeth
18 Constantine for the state, and we're here for your
19 deposition.

20 I have that you authored one supplement,
21 Supplement 8. Is that right?

22 A Correct.

23 Q Any other supplements that you authored that I
24 missed?

25 A No.

1 Q And have you had a chance to review it before
2 today's deposition?

3 A I did, but if you don't mind, I'd like to pull
4 it up real quick. What was the case number again? 22 --

5 Q 305232.

6 A 232.

7 Q Perfectly fine to have it in front of you during
8 your depo. Just if you do refer to it, just let me know.

9 A Will do. Let me find my supplement. There we
10 go. All set.

11 Q Great. How long have you been employed with
12 PCSO?

13 A Finishing my 25th year.

14 Q And the whole time as a K-9 officer or
15 different?

16 A I was in patrol, and I've been a K-9 handler for
17 the last 20 years.

18 Q Okay. Any prior law enforcement experience
19 before that?

20 A No.

21 Q In your 25 years at PCSO, ever had any
22 complaints sustained against you for any reason?

23 A No.

24 Q And the dog that you were working at the time,
25 what was your dog's name?

1 A This would be Logan.

2 Q Logan. And this was September 23rd, 2022 is the
3 timeframe we're talking about. How long had you worked
4 with Logan at that point?

5 A Let's see. 2022, so three years.

6 Q And were you on duty that night, or did you just
7 get called in to help with the K-9 search?

8 A No, I was on duty.

9 Q Okay. And so tell me how you got the call and
10 when you went to the scene.

11 A Well, we heard the initial call go out, but
12 there was a lot of confusion on whether it was a vehicle
13 involved, so we didn't respond initially. After some
14 time, right around 0340 hours it says in my supplement, I
15 was requested to come conduct an area search. Some more
16 information had been obtained by the people on scene, and
17 they needed K-9 assistance.

18 Q Okay. So you first get the call that an officer
19 is down, an officer was killed in an accident.

20 A Right.

21 Q But you don't actually respond to the scene at
22 that point?

23 A No. We all, of course, responded to the area
24 thinking we were looking for a vehicle, but I didn't go
25 directly to the scene because it didn't sound like they

1 needed K-9 at that point.

2 Q And who -- was it Corporal Aitken that ended up
3 calling you to the scene for specific K-9 assistance?

4 A I think it was actually over the radio that I
5 heard. I'm not sure who but somebody on scene. There was
6 a lot of higher administration there at some point. But
7 somebody called for K-9, and we all just started
8 responding.

9 Q Okay. And where exactly did you respond?

10 A So they had a staging area right on the
11 interstate. I responded there with Corporal Aitken.
12 Deputy Fineberg was there also, who's another K-9 handler.
13 We got briefed by Assistant Chief Deputy Danzig on what
14 they were looking for.

15 Basically, they were looking for an area search
16 with the dogs near where a bunch of front-end loaders were
17 parked. Deputy Fineberg was going to go with a patrol
18 officer and deploy his dog to the north, and I was going
19 to go to the south of where those front-end loaders were.
20 We were just going to kind of quadrant off the area and
21 see if we picked anything up in relation to human scent or
22 a track.

23 Q What kind of dog is Logan?

24 A Logan is a German shepherd. He's trained in
25 patrol and narcotics detection. So patrol would be human

1 scent detection, tracking and apprehension.

2 Q And by the time you guys get to scene, my
3 understanding is it's a couple of hours past the accident.
4 Is that right? At five or so hours?

5 A Right. It was almost five hours. It was right
6 in the five-hour mark for us to be trying to attempt from
7 when it occurred.

8 Q And are there limitations based on Logan's
9 training and the breed of dog that would make that more
10 difficult, or is there a time limit that he's stronger on?

11 A So somewhat. So a lot of environmental factors
12 come into whether you obtain a track or not, right down to
13 humidity, wind and rain, and all those things. So the
14 factors are relatively unpredictable.

15 Generally, for our patrol dogs, we -- our rate
16 of success is highest within an hour to two hours. Of
17 course, the less time lapse, the more likely you're going
18 to be successful in that. Really, we were just looking
19 for any clues. That's why we were just deploying more on
20 an area search.

21 If odor is available, no matter what the time
22 lapse, any dog that's trained in that behavior -- you
23 know, in tracking for instance in this case -- will obtain
24 a track, but the percentage of that happening gets lower
25 and lower depending on what you've trained for. So I

1 wouldn't say it's impossible for him to hit a
2 five-hour-old track, but it's not something we train for.

3 Q Okay. So, I mean, obviously, you kind of know
4 what you're up against based on the timeline of what
5 you're doing?

6 A Right. We were mostly out on an area search
7 hoping to find something related to this case, or even if
8 the suspect was hiding nearby, then the odor is still
9 available because he's hiding nearby. So we would call
10 that an area search at that point.

11 Q Okay. And did you have any information about
12 the suspect at that point?

13 A We were working with pretty limited information.
14 We were advised that it was related to a worker at the
15 construction site, that it had actually been a front-end
16 loader, not a vehicle that struck the deputy. So that was
17 really the limited information we had at the time. So
18 when I got out initially with Logan, it was just see what
19 we could find near where the front-end loader that we
20 believed was used in this incident or was involved in this
21 incident was.

22 Q Okay. It looks like you, with Deputy Raley,
23 kind of went by a fence near the front loader. Can you
24 sort of describe that and what you found?

25 A Right. So we started dividing north and south.

1 So Deputy Fineberg and I were trying to stay away from
2 each other. So I went to the far south end of where those
3 front loaders were, started working along some fence line
4 and some areas of the interstate where there's like a
5 concrete wall to bar off the interstate from the wooded
6 area.

7 We weren't really getting any indication, so we
8 just started working closer and closer to where the
9 suspected front-end loader was parked. When we were
10 there, I kind of noticed that the top of the chain-link
11 fence was bent very odd. We were looking for a way to
12 safely get over it with the K-9, and while we were waiting
13 for bolt cutters to cut through and get through to check
14 the other side, Deputy Raley could see kind of in the
15 distance in the woods some sort of reflective traffic
16 vest.

17 Q And so the fence, noticing that it was bent
18 down, did that mean something to you, the fact that it was
19 bent in an odd way?

20 A It certainly -- that's why we wanted to check
21 over there. It certainly lends toward that someone must
22 have climbed over there. Along the interstate, there's no
23 reason for the fence to be bent over or damaged unless a
24 tree or something fell on it, which there's no indication
25 of that. It seemed to be a clue that someone maybe

1 climbed over the fence at that point, which is why we
2 wanted to check the other side.

3 Q Okay. And so Deputy Raley noticed a
4 reflective something in the distance. Then what happened?

5 A So we were able to get some bolt cutters, get
6 through the fence. We went directly to where the vest and
7 there was a construction helmet also. It seemed like it
8 had been placed near a tree. It didn't look like it was
9 just discarded or the wind blew it there. It looked like
10 it was actually somewhat folded up and sit there. And
11 then I did notice that the name Vazquez was on the helmet,
12 and when I relayed that to the command center, they
13 confirmed that was a possible suspect in this incident and
14 that it matched the name that they were working with.

15 Q Okay. And you go through the fence with the
16 dogs I assume?

17 A Correct. And I had Deputy Raley with me. From
18 there, we just started working from that point using that
19 as a possible starting point to work around that wooded
20 area to see if a track or any sort of indication of odor
21 led away from that spot.

22 Q And do you do that with the dog? Do you hand
23 him the article? How does that work?

24 A So we don't do scent association articles. Our
25 bloodhounds do. Our patrol dogs are basically just

1 looking for whatever fresh human scent is nearby what we
2 would call our starting point.

3 So using this as a starting point, I gave him
4 the command to seek track again. Now he's just looking
5 for anything fresh that would be leading away from that
6 area or as fresh as it could be. So it could be two hours
7 old, but it's the freshest track that leads away from
8 there that's not related to me or Deputy Raley.

9 Q And then it looks like Deputy Raley stayed there
10 kind of with the vest and the helmet for evidence securing
11 purposes?

12 A Right. So Deputy Huckabee and a couple of our
13 K-9 officers, Byers and Corporal Aitken, came into the
14 swamp area with me. It was pretty thick, so I wanted to
15 make sure I had backup. Deputy Raley stayed with the
16 helmet and vest to make sure it stayed there for evidence
17 purposes.

18 Q And when you're doing the search and going
19 through, are you guys yelling, making noise, saying
20 Sheriff, come out, or are you quiet?

21 A It kind of depends. Certainly, a situation
22 dictates, like if we see the dog gives an indication
23 someone might be close, we always give opportunities to
24 surrender. If it was more of an enclosed area, like if we
25 went to a burglary and it's a house, we would announce at

1 the house. It's not all the time. It's not a standard
2 practice to say announce every two minutes or every
3 hundred yards. It's just kind of the judgment of the
4 handler on what's occurring.

5 I can't recall necessarily when or where we
6 might have done that while we were searching this area.
7 But we're also not quiet when we're tromping through. The
8 dog is breathing heavy. Our police radios -- most
9 suspects know that we're coming long before we know where
10 they are.

11 Q And did you have a body-worn camera at this
12 time? Do you remember?

13 A I think that might have been prior to -- you
14 know, I don't recall.

15 Q Okay. I don't have one.

16 A That's interesting. I can't recall when we got
17 -- I know body-worn cameras were relatively new right
18 around that time. So we may have had them, we may not. I
19 don't really recall here. Let me see scroll down and see
20 if it's in my supplement.

21 Q It's not.

22 A I can actually log on to the system and see if I
23 have a download.

24 Q That would be great. I have some and not
25 others. So I just to make sure I'm not -- if I'm missing

1 any, I want to make sure I request them.

2 A Right. It must have been right around the same
3 time that we were getting them. It's hard for me to
4 remember on that one. But I can log on to the system and
5 check the case number and see if I have --

6 Q That would be great, if you don't mind.

7 A Let's see. I must not have had one yet. I
8 don't know what the situation was, whether I hadn't gone
9 to the class yet or something like that because I don't
10 see one.

11 Q That makes sense. I appreciate you checking
12 just for my purposes because I do have a few but not
13 others. I'm just sort of asking everyone. That's my
14 guess is that you didn't have one yet.

15 A Right.

16 Q Okay. So you guys are sort of searching after
17 you see the helmet and the vest, and do you find anything
18 or no?

19 A So it seemed like Logan was indicating there was
20 odor in that area but not necessarily a track leading
21 away. We worked, of course, away from the front-end
22 loaders first looking for tracks leading away from the
23 areas we had already been all over. We would --
24 basically, again, environmental factors, so wind, those
25 items are going to have human scent on them. So that's

1 almost like a little smoke bomb of human sent, and then a
2 little bit of wind pushes it through the bushes. We end
3 up on the other side of the bushes, and now Logan is
4 searching around in a circle trying to find where the
5 source of the odor is, not realizing it's the vest of
6 course.

7 So it seemed like there was some odor in the
8 area, but there wasn't any sort of discernible track
9 leading away from the area. It was very, very thick,
10 which also made it kind of difficult to navigate,
11 determine whether there was a track leading away, but
12 ultimately, after searching quite a long time in there, we
13 determined that there's nobody at least in this wooded
14 area. Then we exited the wooded area and basically
15 returned to the staging area.

16 Q And did you -- it looks like in your report, you
17 also went to an apartment complex. Do you remember why
18 that was?

19 A So we were standing by at the staging area. We
20 had a lot of -- we pretty much called in every K-9 Unit at
21 that point to check different leads. So we were getting
22 different leads in different directions from either
23 detectives or citizens calling. A lot of that was
24 citizens calling saying they saw somebody suspicious or
25 they believed that whatever is related.

1 Basically, we were just sending dogs to all
2 those different things to see if that was -- if it led
3 anywhere or was related to the suspect in this case. So I
4 believe there was another K-9 team that was tracking. Let
5 me just review my report here. Yeah. So Deputy
6 Whitehurst and Deputy Fineberg were working I believe
7 Deputy Whitehurst's dog. I'm not a hundred percent sure.
8 It might have been Fineberg's.

9 I met with them basically because they had been
10 tracking one of those leads and appeared to have gotten to
11 that area of Carillon Parkway near this apartment complex
12 and wanted to see if it was a track leading away from that
13 area or if they had just gotten so deep into the wooded
14 area that they had come from that the dog was just
15 searching for a way out. Hard to say exactly, and I don't
16 remember exactly what their lead was that led them to
17 deploy in the first place, but basically I was just
18 looking for a track leading off of where they had gone to
19 to see if there was anything else.

20 Q Okay. And nothing of evidentiary value that you
21 located in the apartment complex?

22 A No. We did an extensive search right from that
23 point and didn't come up with anything.

24 Q Okay. And then at some point you're back at the
25 command post, and the Pasco bloodhound team comes or the

1 Pasco sheriff with the bloodhound?

2 A Correct.

3 Q Do you interact with them or no?

4 A No. Corporal Aitken took care of that, being
5 our liaison with them so that we had radio with them. So
6 I basically just stood by. I know that they used the
7 clothing that we had found in the wooded area as a scent
8 article, and then we just stood by the staging area
9 waiting to hear what the bloodhound came up with.

10 Q Then at some point, you learned that they've
11 taken the suspect, my client into custody, right?

12 A Correct.

13 Q Did you visually observe him at all?

14 A No. Actually, so I did respond there because
15 now they were trying to locate his cell phone possibly
16 into where he had concealed himself, which my dog is
17 trained in article or evidence recovery search work. So
18 we responded to that area, but I never saw the suspect
19 that they had taken into custody. By the time I got
20 there, he was already in custody in a cruiser.

21 Q Okay. And did your dog locate anything of
22 evidentiary value when you went back to the area where he
23 was located?

24 A No. We started working back to where they had
25 been located on an area search. Corporal Aitken was with

1 me. He saw -- before my dog even indicated, he saw a
2 wallet that ended up being the suspect's wallet. And then
3 as we were working, a short time later, they said his cell
4 phone was in his pocket, so we stopped our search at that
5 point.

6 Q So you never had any interaction with my client,
7 Mr. Molina-Salles?

8 A No.

9 Q Anything that you heard on the radio about his
10 demeanor? Anything he was saying or anything like that
11 that you can recall?

12 A No, nothing I can recall.

13 Q And then after he's located in custody, do you
14 do anything else? Are you and your dog tasked with
15 searching any other areas?

16 A No. We didn't search any other areas. We
17 returned to the staging area, just made sure they didn't
18 need us for anything else, and Sergeant Killian said we
19 were cleared to go home.

20 Q And you -- I think you said this already, but
21 you never actually made it to scene where Deputy Hartwick
22 was struck. Is that right?

23 A So the staging area was basically in that area.
24 I can't tell you exactly where it was from the staging
25 area. I know the whole interstate was closed down. So I

1 know it was close by, but I wasn't in that specific spot
2 that I'm aware of anyway. I just was either at the
3 staging area or deployed from where those front-end
4 loaders -- where the front-end loader that they located
5 was.

6 Q And it sounds like the way they have everything
7 blocked off, this was like a pretty large scene, right?

8 A Right. The interstate was closed down the
9 entire time. So for four or five hours, the interstate
10 was down and blocked off. So I can't tell you what --
11 (technical interruption).

12 THE REPORTER: You're breaking up. Can you --

13 A -- what prox was to where he was struck or not.

14 Q You broke up for a second, so I'm going to ask
15 you to go back.

16 A So I can't tell you exactly whether I was even
17 close to where he was struck. I basically just was at the
18 staging area. Maybe it was, maybe it wasn't. That's
19 certainly not my area of expertise. I'm just the dog guy.
20 Between the staging area and there, I'm not sure where he
21 was struck specifically on the interstate.

22 Q Okay. And the area that the suspect was
23 located, was that sort of within that cordoned-off area
24 from the interstate, like off of the interstate?

25 A It was very far to the north, but I do believe

1 that's where we started diverting traffic, that particular
2 exit because it's the next exit to the north.

3 Technically, it was within that cordoned off area. In
4 that, we were diverting traffic. We didn't want anybody
5 coming down. But it was also the last onramp before the
6 scene, so we kind of had to.

7 Q Understood. Any other involvement that you had
8 in this case after this day?

9 A No.

10 Q Attend any briefings either in your department
11 or with the State Attorney's office about it?

12 A Nope.

13 Q Did you do any research either on your own or
14 hear anything sort of through the grapevine about anything
15 else about my client or any other factors about his arrest
16 or anything like that?

17 A No. The only thing that I remember Corporal
18 Aitken saying is it seemed like he had fallen asleep
19 there. Like, when they located him, he was not conscious
20 at that point, and they woke him up or something like
21 that. But I don't know. I wasn't there.

22 Q Okay. Anything else that you remember?

23 A No.

24 MS. DELIBERATO: I don't have any further
25 questions. Nichole, do you have any questions?

1 MS. BLAQUIERE: No questions.

2 MS. DELIBERATO: Nathan or Liz, any questions?

3 MR. VONDERHEIDE: No questions.

4 MS. CONSTANTINE: No questions. Thank you.

5 MS. DELIBERATO: Thank you so much for your
6 time. I really appreciate it.

7 (Deposition concludes at 1:48 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 Anthony Lorusso personally appeared before me by ZOOM
7 videoconference and was duly sworn.

8 witness my hand and official seal this 24th day
9 of September, 2024.

10
11 Tamara M. Pacheco

12 Tamara M. Pacheco, RPR
13 COMMISSION # 474485
14 EXPIRES: March 30, 2028
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ERRATA SHEET

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

NAME OF DEPONENT: ANTHONY LORUSSO

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

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 ANTHONY LORUSSO; 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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