Arrest Made Contrary to OD Protection Act

Wheeler Cowperthwaite) A man talks to Española Police Officer Saucedo, Ernest Monday afternoon, before being transported to the Española Hospital for an overdose, while medics and firefighters look on. The man admitted to Saucedo that he shot up in the car while parked behind the Shanghai restaurant on River-

side Drive.



Continued from C1

immune from arrest and prosecution pursuant to New Mexico's Good Samaritan Statute."

The Overdose Prevention Act states officers "shall not" charge anyone with possession of a controlled substance if they are called to the site of an overdose and they obtain the evidence of the crime as a result of being called out to the overdose.

Because Rael arrested Salazar "in direct contravention" of the statute, he had no probable cause when he arrested Salazar and allegedly committed the act of false imprisonment, Kennedy wrote.

"As a result of his false arrest and false imprisonment, Plaintiff suffered considerable damages, including, but not limited to, the 18 days' imprisonment which he endured," Kennedy

Following the arrest, the top prosecutor in Rio Arriba County, Ben Schrope, said in a 2015 interview, that as soon as prosecutors find an arrest has been made contrary to law, prosecutors dismiss it.

According to court docu-

would have to know."

paign.

donate to Trujillo's campaign.

the aforementioned claim.

doing business with the District.

Continued from C1

Quintana maintains that Coriz must have been mis-

The complaint alleges that Coriz wasn't the only con-

"Upon information and belief, other Española Public

Higgins didn't return a call seeking substantiation for

It must be noted that it isn't against the law for Tru-

Trujillo and Coriz were once political allies. Coriz

jillo or his representative to seek donations from vendors

supported Trujillo in 2010, when he ran to fill the Rio

Arriba County District 1 commission seat Coriz occupied

taken, because she never asked him or anyone else to

tractor that was asked to contribute to Trujillo's cam-

Schools District vendors and subcontractors were solic-

ited for cash donations for Barney Trujillo," Higgins

(SUNfoto by Wheeler Cowperthwaite) Medics and Española firefighters load a woman into the back of an ambulance, Feb. 3, on North Railroad Avenue, after she overdosed on an unknown substance. She was taken to the Española Hospital. Medics and police often respond to several OD calls a day. Those who are overdosing, and those who report overdoses, are protected from arrest, according to the law.

Office only received Rael's pa- Salazar. perwork on May 14, 2015, six

ments, the District Attorney's days after he unlawfully arrested

"We saw a lot more of it three

years ago," Schrope said at the time, referring to the overdose

According to personnel documents from Los Alamos, Rael started as an officer there in 2010, well after the Law Enforcement Academy began teaching its recruits when it is unlawful to arrest someone in the throes of an overdose.

The Academy began teaching about the Overdose Prevention Act in 2006, the same year it was enacted, former Academy director Jack Jones said at the time.

Rael joined the Española Police Department in March 2015.

Jones said, in a May 26, 2015 interview, that the illegal arrest is no different than a motorist being issued a ticket for not having proof of insurance.

"If it's a mistake, they need to be retrained on it," he said.

Kennedy said that attitude is not appropriate.

Salazar said violation of the law should not just be a slap on

"They need to be liable for their actions and they need to learn a lesson, I guess," he said. "Maybe this will teach them

Good Samaritan Attacked

By Wheeler Cowperthwaite SUN Staff Writer

An Alcalde man who thought he stopped to help a stranded motorist was attacked with a knife, Jan. 21, in an apparent robbery attempt on State Road 68.

Jeremy Martinez, 40, called 911, at 4:18 p.m., to say he'd had been stabbed and he was driving to the Española Hospital emergency room, Rio Arriba County Sheriff's Deputy Joseph Aquino wrote in an incident report.

Española Police officers were able to intercept Martinez's vehicle and escort him to the hospital.

According to E911 Dispatch Center logs, Jeremy Martinez's wife, Tammy Martinez, told dispatchers that her husband was conscious and breathing, but in a lot of pain, and he told his wife that the he thought the vehicle left northbound.

Nine minutes after the initial call, Officer Jeremy Apodaca reported that he had found the truck, and they were behind him, and he was escorting the vehicle to the hospital.

Instead of a stab wound, the medics evaluating Jeremy Martinez found that he had a superficial cut from the knife.

Jeremy Martinez did not return voicemails requesting comment.

Jeremy Martinez told Aquino that he was waved down by a woman holding jumper cables in front of a car with its hood

"Tammy states, 'Jeremy got out; a man got out and demanded his wallet and phone when Jeremy didn't give it to him, the man stabbed him," Aquino

Jeremy Martinez told Aquino that the man swung something at him, hit him with the knife, and then Jeremy Martinez grabbed the man's hand before jumping into his own truck.

Shortly before swinging at him, the attacker grabbed something from out of the trunk.

After being attacked, Jeremy Martinez got into his truck, drove home, and told his wife to take him to the emergency

at the following locations Angelina's Restaurant

Center Market Club Tropicana El Paisa de Santa Cruz **El Rey Liquors** Española Hospital **Fairview Drug** Floral Expressions

Española

Allsups

Carniceria Jireh

Giant on Riverside (near Walmart) Giant on the Westside (both locations) Lowe's Super Save **Lovin Oven**

Giant @ Chama Hwy

NNMC Bookstore Ohkay Express Mart Ohkay Gift Shop Ohkay Travel Center Pueblo Eagle Mart R&E Glass

Rio Grande SUN offices Riverside Smokeshop & Liquors

Saints & Sinners

Santa Claran Travel Center **Santa Cruz Country Store** San Pedro Shell Socorro's Restaurant

The Water Store

Treasures of Enchantment Triple S Valero on the

Los Alamos Hwy Abiguiu Bode's

Albuquerque Page One **Alcalde**

Alcalde Quik Mart La Tiendita

> Cebolla El Cuerno

Chama **Ed's Chevron High Country 7-11**

Chimayó Martinez Grocery Dixon **Dixon Co-op**

Dulce Apache Golden Nugget La Madera

Apache Junction Los Alamos

Smiths Ojo Caliente Oliver's

Penasco Sahd's

Pojoaque Java City Kicks 66

Kokoman Liquors Phillip's 66-Totavi Pojoaque Supermarket **Jake's Liquor Store**

Rio Chama

Chevron

Santa Fe

Allsups on Guadalupe **Book Mountain Christus St. Vincent Smiths on Pacheco**

Tesuque

Valero

Tierra Amarilla Henry's Store

Truchas

Truchas Public Library Velarde

Mike's Minimart

Club Lumina White Rock

Phillips 66

If you'd like to sell the Rio Grande SUN

call

"Upon information and belief, other Española Public Schools District vendors and subcontractors were solicited for cash donations for Barney Trujillo."

ProSec Owner and Commissioner Were Political Allies

Rachel Higgins

Elias Coriz's Albuquerque attorney

Trujillo declined to comment on the lawsuit. Higgins argues Eric Martinez's willful disregard for

hardships that Coriz is struggling to navigate.

"The actions of the Defendants, by their decision to terminate ProSec's contract in retaliation for plaintiff's exercise of protected speech, were intentional, malicious, wanton and willful, and undertaken in reckless disregard of, and with deliberate indifference to, plaintiff's rights," the complaint states. "Defendants' actions have caused plaintiff economic losses in the past, presently and continuing into the future."

Coriz is asking the court to award him compensatory damages "but not limited to the amount he would have earned through the security contract."

The former contractor is also seeking reasonable attorney fees and any other relief the court believes is just. Lujan refused to comment, other than to say the law-

suit will be handed over to the District's legal team. Citing pending litigation, Coriz also declined to com-

The court assigned the case to First Judicial District Court Judge Jennifer Attrep, but a court date hasn't been



Española Valley Youth Baseball and Softball Registration Boys and Girls 4 - 16

Beginning February 6th

Monday-Thursday 6am · 8:30pm

Coaches and Volunteers needed.

Registration Fee: \$60 per player

Late Registration Fee: \$75 after March 11 Lucero Center Office (CHECK/MONEY ORDER ONLY)

Friday 6am - 6:30pm Lucero Center Foyer: Sat. 8am - 12pm Contact: Anthony Sanchez 505-692-0221 evybsl.pres2017@gmail.com and on Facebook @ EVYBSL