

Deputy Walks on DWI Charge

By Antonio Sierra
SUN Staff Writer

The state's driving while intoxicated case against Rio Arriba County Sheriff's Deputy Isaac Martinez took a big hit Dec. 10 when Santa Fe Magistrate Judge George Anaya ruled in a status hearing that two key pieces of evidence should be suppressed.

Anaya ruled to suppress a 0.28 blood-alcohol level Breathalyzer test taken at Española State Police headquarters and all evidence collected from the traffic stop at Martinez's residence.

The state's argument against suppression hinged on the testimony of State Police offi-

cer Nicholas Levine, who arrested Martinez on a DWI misdemeanor charge in Chimayó, July 7.

Defense Attorney Elden Pennington questioned the validity of the 20-minute deprivation period required by state law. State law states a person who is arrested for DWI must be deprived of food or drink and cannot belch or regurgitate for 20 minutes, before an officer can administer a Breathalyzer test, admissible as evidence.

Pennington said Martinez needed to be monitored the entire time for the deprivation period to be established. He asked Levine whether he had kept Martinez within his

sight during the deprivation period.

Levine said he briefly left the holding cell where Martinez was being kept to fill out paperwork and retrieve a DWI citation at his desk. Levine said Martinez was behind a one-way mirror and was within his sight lines and the sight lines of multiple State Police officers.

When asked who specifically monitored Martinez while Levine was away, he could not provide a name, but said an officer should have been watching him.

"Without knowing who these people are,

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Board Takes Field Trip to Parking Lot

By Lindsey Bright
SUN Staff Writer

For most of the adult working world, field trips came to an end with the departure from high school. This, however, is not the case for the Española School Board. With increased discussion in the past months for building a bus barn, the Board scheduled a field trip for Oct. 18 to check out the look and design of a bus barn in the Moriarty-Edgewood School District.

Two Board members and the superintendent drove approximately three hours round-trip to look at what board member Lucas Fresquez called a "nice parking lot."

"I know that this Board, some of the members of this Board, went out to Edgewood, Moriarty. I have not heard anything back on that," Board member Andrew Chavez said during a Dec. 11 Board construction work session.

"There was no bus barn out there to see," Fresquez said.

At this statement, laughter broke out among Board members. Fresquez and Board member Pablo Lujan were the only representatives able to make the trip. Also on the trip were Superintendent Danny Trujillo



"There was no bus barn out there to see."

Lucas Fresquez

and Sanjay Engineer of FBT Architects.

"There was a parking lot," Fresquez said. "We saw a nice school and we saw a nice parking lot. We know where it (the bus barn) is going to go, but as far as a bus barn, there was no bus barn, just the plans."

"So there was no bus barn?" Chavez asked.

"No," Fresquez said. "April Fools," Board President Ralph Medina said.

During the same construction session, Trujillo announced the Española School District had moved a new bus barn to the top of its 2011 general obligation capital projects. Trujillo said \$1.5 million of bond funds had been allocated for the project.

The project was first discussed by the Board during a special meeting July 19, when it approved going out to bid for

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Man Implicates Politicians in Theft

By Wheeler Cowperthwaite
SUN Staff Writer

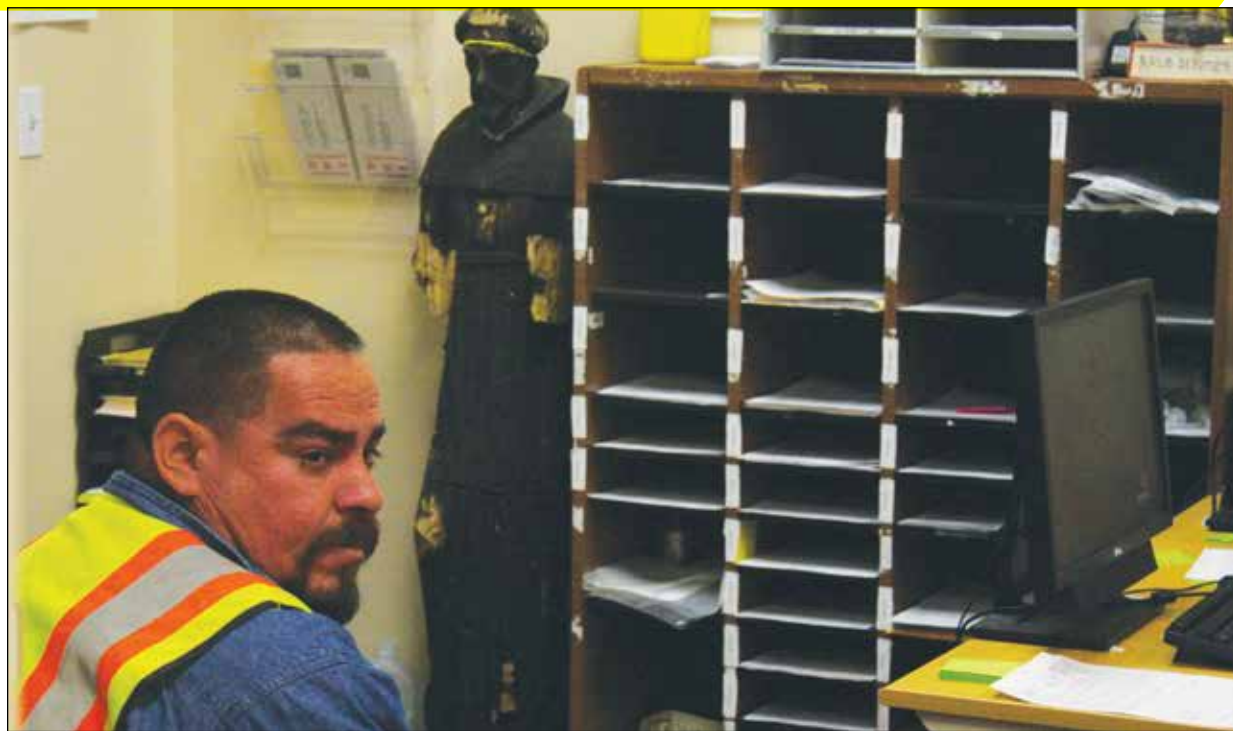
Sheriff's deputies arrested an intoxicated 41-year-old Chimayó man Tuesday, after he allegedly stole gravel from a piece of county land off State Road 76.

Dave Martinez was arrested on charges of driving while intoxicated, fourth or subsequent offense, larceny under \$100 and driving with a suspended or revoked license, according to court documents.

Martinez implicated Española City Councilman Robert Seeds, Rio Arriba County Commissioner Barney Trujillo, Elias Fresquez and county contractor David Jason Vigil in the theft. Fresquez is a part-time County employee and campaign strategist for Trujillo and Seeds.

"Martinez stated that David Ja-

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Dave Martinez sits in a side room at the Rio Arriba County Sheriff's Office Monday night after he was arrested. (SUNphoto by Wheeler Cowperthwaite)

Councilors to Vote on Turf War

By Antonio Sierra
SUN Staff Writer

Softball season has cooled down for the winter, but discussions regarding the nuts and bolts costs of the proposed Española Valley Softball Park on Industrial Park Road, are beginning to heat up.

The City Council tabled two votes on the softball fields Dec. 9, while Councilor Eric Radosevich tended to his mother in the hospital, but documents released in the agenda packet show potential costs piling up for the recreational project.

When the Council returns to the issue in January, they will be asked to consider a \$394,000 turf bid and a \$23,784 change order to add more fixtures on the field lighting. This is in addition to \$248,277 for the original lighting contract, \$290,000 for walking trails around the fields and \$10,575 for softball equipment previously approved by the Council.

If the Council approves the turf bid and change order, phase one of the softball fields and the walking trails is projected to cost at least \$966,636, according to city documents and previous Rio Grande SUN reports.

Factoring potential savings and grants, the city is set to commit \$710,854 to the total cost.

Interim city manager Joe Duran said softball necessities like dugouts, a scoreboard and bleachers need to be purchased before the fields can be opened. City vouchers indicate the city purchased \$10,575 worth of softball equipment last January.

Bleachers were a part of the original purchase order, until former Community Services Director Len Cata allegedly switched out the bleacher line item with

\$5,950 worth of baseball equipment for Española Valley High School.

Duran said these figures only cover phase one of the project and not phase two. As costs continue to rise, Duran maintains this project is still financially feasible for the city.

Duran said the city could use \$595,000 earmarked for the project to fund phase one of the project. He said city officials set aside the money after selling property east of the fields to the Española School District in 2012.

He said this would give the city time to catch up with their audits and seek capital outlay money or apply for a loan to obtain funds for phase two.

Despite the mounting costs, Duran said the softball fields are a necessary project for the community.

Repeating reasons previously given by Council proponents, Duran said the softball fields will pay for themselves in softball tournament rental fees and the increase in lodgers tax from tournament participants staying at local hotels.

Councilor Peggy Martinez has been a steadfast opponent of the fields and said in an interview she would rather use city money to directly bolster the Española Public Safety Department.

"We have certain people on this Council who have made this their project, but there are other problems to look at," Martinez said.

When Council members return to the issue in January, they will be faced with a six-figure decision.

In a letter addressed to the Council from Procurement Officer Georze-Ann Salazar, she stated her rec-

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CHRISTMAS LIGHTS ON DISPLAY



A North Regional Transit District bus decked out in lights drives down Paseo de Oñate during the 2013 Electric Light Parade. Public Information Officer Jim Nagle said a District driver volunteered his time to drive the bus. (SUNphoto by Antonio Sierra)

Crude Remark Leads Men to Scuffle in Wal-Mart

By Jeff Tucker
SUN Staff Writer

The holiday shopping season can sometimes get physical in Española Valley, evidenced by a scuffle in Wal-Mart last week, involving a former county commissioner who acknowledges he struck a former County em-

ployee multiple times.

Former Rio Arriba County senior citizens program director Richard Montoya said the inci-



Montoya

dent occurred around 12:30 p.m., Dec. 8, while he was shopping at the store. Montoya said he and former county commissioner Fe-



Martinez

lipe D. Martinez exchanged words and gestures in a canned goods aisle.

Montoya said he made a crude remark to Martinez, whom he said inaudibly mouthed back a profanity, prompting the scuffle to erupt.

"He kicked me in the groin and hit me in the face," Mon-

toya said. "He's claiming that I scratched him. He came at me. That's when people separated us. A bunch of people broke it up."

On Dec. 9, Montoya filed an oral complaint with the Rio Arriba County Sheriff's office via telephone. Deputy Joseph Aquino subsequently interviewed

Martinez.

"I don't want to file charges," Montoya said last week. "He's not worth it. I just want it documented that he attacked

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