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Video shows deputy using Taser on 15-year-old boy at Espanola Valley HS

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Chris Ramirez

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ESPANOLA, N.M.- A 15-year-old boy with special need was Tased by a Rio Arriba County Sheriff's deputy at Espanola Valley High School.

The incident occurred after staff at the school suspected that the boy may have exchanged drugs.

A police report filled out by deputy Jeremy Barnes states that the boy was "verbally uncooperative and kept refusing to comply with security to be searched" before being Tased.



The boy has retained an attorney and plans to sue the sheriff's office and Espanola Public Schools.

"We are investigating the school's response, but this is a boy who had a BIP and IEP, which said if this boy is in some way disrupting the classroom that you need to deescalate the situation," said the boy's attorney, Shannon Kennedy. "That is the exact opposite of what happened in this situation."

Deputy Barnes's police report states, "I directed (the boy) to stand up to be restrained. With a clenched fist, he pushed me away forcefully. (The boy) continued to actively resist."

However, video from the deputy's lapel camera shows the boy following commands.

The deputy appears to attack when the boy called him a slur.

"I see a poorly trained deputy who escalates the situation with a child and uses unconstitutional excessive force because his masculinity was challenged by protected speech," Kennedy said. "This is an outrage. It is beyond debate. A deputy abused a child at a public school."

Deputy Barnes aimed his Taser at the boy's chest. The darts landed above the boy's heart.

Taser International's policies state that the Taser should never be deployed in the chest because the electricity could affect the heart.

A certificate from 2013 shows deputy Barnes was trained on use of the Taser, which was manufactured by Taser International.

The Rio Arriba County Sheriff's Office declined to comment about the story. However, a high-ranking official told 4 Investigates reporter Chris Ramirez that the incident is under an internal investigation and deputy Barnes continues to patrol the streets.

New Mexico Attorney General Hector Balderas said his office has opened up its own investigation into the incident.

"It's very concerning because you don't want to use that type of force on a child or a minor," Balderas said.

Balderas is demanding that the sheriff's office turn over evidence.

“We all have a duty to deescalate and mitigate and minimize use force, especially when you are dealing with children,” Balderas said.

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