

The Pueblo Chieftain

Man dies in struggle with officers

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A 36-year-old Pueblo man died after a struggle with police Sunday, spurring an internal investigation by the Pueblo Police Department.

Richard Joseph Baralla, 1730 E. First St., stopped breathing while officers handcuffed him at the intersection of Polk Street and Routt Avenue, according to Deputy Police Chief Ron Gravatt.

He was pronounced dead at St. Mary-Corwin Medical Center. An autopsy was conducted Monday to determine the cause of his death. Results are pending.

Prior to the incident, police received calls of a man jumping out in front of moving cars in the 200 and 300 blocks of Polk Street at about 9:30 p.m., according to Gravatt. When officers responded, Baralla jumped in front of a police car, Gravatt said.

Officers chased Baralla. When they caught him, he resisted arrest and a struggle ensued during which he was zapped twice with a taser, according to Gravatt. Officers noticed he stopped struggling and was not breathing as they handcuffed him, the deputy chief said. Paramedics at the scene and emergency room personnel at the hospital tried unsuccessfully to revive him.

Gravatt said witnesses to the incident believed "the officers had done nothing wrong."

William Tyler, 37, witnessed the incident and said he thought officers used excessive force on Baralla. He said he saw police strike and kick Baralla after he was on the ground.

"It seemed to me like they were overdoing it," said Tyler, who lives near where the fight took place and was taking a walk when he happened onto the scene. "To me it looked like it was turning into another Rodney King beating."

Tyler said he was close enough to hear police talking about the possibility that Baralla was on drugs. Results of toxicology tests conducted Monday to determine if Baralla was intoxicated or on illegal drugs could take weeks, according to Gravatt.

Baralla's common-law wife, Sandy Sanchez, 46, said Baralla had been struggling with manic mood swings since being prescribed the potent antidepressant Celexa. She said he had been seeking a medication with fewer side effects for several weeks.

Sanchez and members of Baralla's immediate family met with Gravatt, Pueblo Police Chief Jim Billings and internal affairs investigator Richard Harsch late Sunday, Sanchez said.

They told Baralla's survivors that he eluded police when they tried to question him about lunging into traffic and resisted them when they caught him, according to Sanchez. She said police explained that Baralla was pepper-sprayed, then they used a taser on him twice before he stopped breathing as he was being handcuffed.

Carla Garcia, Baralla's 32-year-old sister, said his body appeared to have sustained two marks from a taser in the vicinity of his heart. He also had scrapes and cuts around his temples, she said.

District court records show Baralla had been in another physical confrontation with police within the past month.

On April 24 a taser was used to subdue him at two separate times in a police cruiser and once at Parkview Medical Center when he was "uncooperative and combative," according to an arrest affidavit by officer Phillip Trujillo.

Baralla's 27-year-old niece called police to report that he pushed her and threatened her with a knife. When he was apprehended, he banged his head against the window of a police cruiser, spit on the windows and kicked Trujillo, according to the affidavit.

Charges of second-degree assault on a police officer, menacing with a deadly weapon, third-degree assault and resisting arrest were pending against him in connection with that incident, according to court records. He was free on a personal-recognizance bond.

Garcia said she believes police had a vendetta against her brother over their past dealings with him. He had prior convictions for violating terms of his bail in 1993, and theft by receiving in 1987, according to court records.

Sanchez said Baralla feared police after the run-in last month.

"He was afraid of them," she said, "deathly afraid."

Gravatt said the officers under investigation have clean records, and investigators have found no evidence to this point that would indicate wrongdoing on their part.

"When there's a death involving police in any way, we obviously find that kind of unfortunate," Gravatt said. "It's hard on the deceased's family and the officers as well."

He defended tasers as a safe, nonlethal way to subdue suspects who resist arrest.