

STATE OF NEW MEXICO
-VS-

ARTICLE 2
INITIATION OF PROCEEDINGS
STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

Name: Sanchez-Trujillo, Kristy
Address: [REDACTED] 2009 OCT 28 PM 11: 29
Albuquerque, New Mexico 87120
D.O.B. 5/12/1976
S.S.N. [REDACTED]
Charge: Criminal Sexual Penetration By School Personnel (3 counts);
Criminal Sexual Contact By School Personnel

Arrest Date: _____
Driver Lic. #: _____
Citation #: _____
Arrest #: _____
Docket #: CR2009109
Date Filed: 10/28/09

Complainant or Officer: Detective M. Scott Saul, Albuquerque Police Department #1408

CRIMINAL COMPLAINT - ARREST WARRANT AFFIDAVIT

I, Detective M. Scott Saul, the undersigned, under penalty of perjury, state that on or about the 23rd-28th Day of October 2009, in the County of Bernalillo, State of New Mexico, the above-named defendant did (state the essential facts):

commit the felony offenses of Criminal Sexual Penetration By School Personnel and Criminal Sexual Penetration By School Personnel during two sexual encounters with a 13-year-old student, while employed as a middle school teacher. The first encounter involved oral sex (fellatio) and penile/vaginal penetration. The second encounter involved penile/vaginal penetration.

INVESTIGATION

October 28, 2009

Albuquerque Police Department Child Exploitation Detail Detective D. Roberts was contacted by Albuquerque Public Schools (APS) Police Lieutenant S. Gallegos regarding a sexual relationship between a middle school teacher and a student. Lieutenant Gallegos advised the principal of Jimmy Carter Middle School, Rita Martinez, learned that a teacher, 33-year-old Kristy Sanchez-Trujillo, had a sexual relationship with a middle school student. The student, a 13-year-old boy, has been identified and interviewed by police, and, because of his age, will only be referred to in this document by his initials as "E.R." or "victim."

Detective Roberts met with another teacher, [REDACTED], and [REDACTED] advised Sanchez-Trujillo had confided in her and told her she had, "really fucked up." Sanchez-Trujillo told [REDACTED] she had taken a student to a movie and the student's older brother had seen her and "E.R." together at the movie and was afraid she would be in trouble for taking the victim to a movie without parental permission. She asked [REDACTED] for advice in explaining why she was at the movie with the victim and confided in [REDACTED] that she had sexual intercourse with the student.

[REDACTED] also advised that Sanchez-Trujillo had called her and sent her text messages from her mobile regarding the sexual relationship.

Kristy Sanchez-Trujillo was contacted and advised of her constitutional rights, per Miranda, which she said she understood. Sanchez-Trujillo waived her rights and provided the following statement, which has been summarized:



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Sanchez-Trujillo said she picked up "E.R." around 1930 hours this past Friday or Saturday night [October 23 or 24th (she could not remember which night)] and had taken "E.R." to a movie at the Cottonwood Theatre (located in Albuquerque, NM). Following the movie, she asked "E.R." if he wanted her to take him home and he said, "No."

Sanchez-Trujillo and "E.R." drove around in her vehicle (the described Ford Explorer) and eventually parked at the Petroglyph National Monument, where it was dark and secluded. She and "E.R." proceeded to watch another movie, the second Transformers movie, in the backseat of her vehicle, which was equipped with a movie player.

After watching the movie, Sanchez-Trujillo and "E.R." began hugging and kissing. Sanchez-Trujillo said she asked "E.R." if he was sure that was what he wanted because she was 33 and he was only 13. "E.R." told Sanchez-Trujillo it was what he wanted and they continued hugging and kissing. "E.R." then slipped his hand down Sanchez-Trujillo's pants and began rubbing her vagina. Sanchez-Trujillo said she briefly performed oral sex (fellatio) on "E.R." and they then had penile/vaginal intercourse, during which time Sanchez-Trujillo repeatedly asked "E.R." if it was what he wanted. Sanchez-Trujillo said they finished and "E.R." said he had an orgasm, but she said she wasn't sure he had ejaculated because he was a boy.

Sanchez-Trujillo then took "E.R." home around 0500 hours. (Sanchez-Trujillo said she asked "E.R." about being in trouble with his parents but he told her his parents didn't care what he was out doing and he would come and go all the time.)

Sanchez-Trujillo said she then picked up "E.R." a second time on Tuesday October 27th around 2100 hours. She took "E.R." to a movie at Century 24 Theatres (located in Albuquerque, NM), that started after 2200 hours and concluded after midnight. After the movie, "E.R." wanted to go to the Petroglyphs (located in Albuquerque, NM), which he referred to as, "our spot."

Once parked, Sanchez-Trujillo said she and "E.R." again had penile/vaginal intercourse and "E.R." had an orgasm. Again, "E.R." said he had climaxed; however, because he was a young boy, she was not sure if he ejaculated. She said this time there was less hugging and kissing and it was much quicker.

Sanchez-Trujillo said she took "E.R." immediately home and dropped him off around 0100 hours on Wednesday.

Sanchez-Trujillo described the sexual intercourse with "E.R." as "loving" and "caring," described him as more experienced than any man she's had sex with and described him as a 25-year-old in a 13-year-old body. Sanchez-Trujillo described the clothing she was wearing during the second sexual encounter late last night/early this morning (October 27-28, 2009) as a blue Dallas Cowboys sweatshirt, blue sweatpants, two "wife beater" "T-shirts" ("A" style shirts), and white panties (underwear). She said those items of clothing are on her bedroom floor at her house.

When officers met with Sanchez-Trujillo, she was using her mobile phone to send text messages. Detective D. Roberts took possession of her phone and asked her to turn off the power. At the time of this warrant, Detective Roberts was still in possession of the phone.

October 28, 2009, approximately 1239 hours

The Child Exploitation/Sex Offender Unit supervisor, Sergeant P. Garcia, contacted me and asked me to assist on this investigation. I responded to the main police station, where I met with Detective D. Roberts and he advised me of all the aforementioned information.

(24)

02/21/2009

Child Exploitation Detail Detective J. Hawkes met with "E.R." and "E.R." admitted to having sexual intercourse with Sanchez-Trujillo two times and said he did not ejaculate inside Sanchez-Trujillo. "E.R." said, although Sanchez-Trujillo told him she had Tubal ligation surgery, he ejaculated both times on the backseat of Sanchez-Trujillo's vehicle.

Sergeant P. Garcia advised me Sanchez-Trujillo, at the time of these events, was "E.R.'s" teacher and he was a student at Jimmy Carter Middle School.

Based on the aforementioned facts, I respectfully request that an arrest warrant be issued for Kristy Sanchez-Trujillo.

contrary to Section(s) 30-9-11G(1); 30-9-13D(1) NMSA 1978.

I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FACTS SET FORTH ABOVE ARE TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE STATEMENT IN A CRIMINAL COMPLAINT.

Subscribed and sworn to me in the above named county of the State of New Mexico this 26 day of OCT., 2009.

[Signature]

Judge, notary, or other officer
authorized to administer oaths

M. Sant Saul

Affiant

DISTRICT JUDGE
TITLE

Detective, A.P.D., # 1408
TITLE

APPROVED BY ASSISTANT DISTRICT ATTORNEY L. Trabaudo (via email/telephone) ON 1810 hours

- Court - Defendant - Attorney - District Attorney