

Ex-NPD officer gets 2.25 years for sex with teen

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Former Nogales Police Officer Mariano Amado Garibay was sentenced to two years three months in prison for a sexual relationship he struck up with a 16-year-old member of the Nogales Police Explorers program.

“You took advantage of a very young girl and there’s frankly no excuse for what you did,” said Superior Court Judge James A. Soto.

“You’ll get out of prison in a little over two years but my guess is this girl is going to be suffering emotionally for many years after that. I hope you think about that while you’re in prison.”

Garibay previously pleaded guilty to three of 11 counts of sexual conduct with a minor.

Prosecutor Charlene Laplante asked the court for a heavier sentence of five years and three months, but Soto said because the sexual encounters happened in a relatively short time period, and because the 29-year-old defendant had no prior record, the shorter sentence was more reasonable.

Garibay, who had sex with his victim between December 2009 and March 2010 with the first time being on her 16th birthday, told the court he was sorry for his crimes and that “emotions just got the best of me.”

Laplante called Garibay a sexual predator who took advantage of a young girl and who knew that what he was doing was wrong and illegal, but who only stopped because he got busted.

“He carried on this relationship until he was discovered,” she said. “It wasn’t that he stopped this behavior, it was that he got caught.”

Garibay was arrested in May after the victim told police that she was having a sexual relationship with the officer and that she was scared she was pregnant. He was arrested after detectives set up and recorded a phone call between him and the girl.

Garibay will not be eligible for parole and was ordered to pay \$3,657 in restitution while he is in prison. He will also have to register as a sex offender when he is released from prison, and was ordered to have no contact with the victim or her family.