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## Citizen Misconduct Referral – Deputy Miguel Bittony – MCSO Case 2026-00010128 – Certification Review Requested

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[REDACTED]

Sun, Sep 20, 2026 at 6:16 AM

To: Jessica.Arballo@dps.(nm).gov

I am submitting this as a citizen misconduct referral and request that the Law Enforcement Certification Office open a certification review concerning Deputy Miguel Bittony of the **McKinley County** Sheriff's Office.

### BITTONY'S INVESTIGATIVE REPORT - 7/16

[REDACTED] stated she suddenly felt her right side buttocks touched but thought nothing of it at first; thinking Shubham was moving to get comfortable. However, she continued to feel Shubham's hands and fingers where she immediately confronted Shubham. [REDACTED] stated she told Shubham to stop and began to record him with her cell phone."

### CRIMINAL COMPLAINT FILED UNDER BITTONY'S NAME - 9/10

[REDACTED] stated she suddenly felt her right side buttocks touched but thought nothing of it at first; thinking Shubham was moving to get comfortable. However, she ... told Shubham to stop and began to record him with her cell phone."

The sentence documenting Shubham's hands and fingers on me again is gone.

I am asking LECB to open a certification-misconduct investigation into Deputy Miguel Bittony and determine how material facts I reported became progressively smaller as this case moved through his hands and ultimately into a criminal complaint he personally signed.

Bittony knew exactly what I reported.  
On his own body-worn camera he asked me:  
"Once, twice?"  
I answered:  
"Four times."

I held up four fingers while answering him. I physically demonstrated what Shubham had done and showed how the conduct progressed from my butt toward my private area.  
I told him. I gestured it. I demonstrated it.

His own investigative report separately records the Greyhound driver saying Shubham was "touching her butt area and was trying to touch further into her private area."

Yet from that point forward, my account repeatedly became less specific.

My explicit "four times" did not appear in the paragraph summarizing my statement. The complete progression toward my private area did not appear there either.

Bittony questioned Shubham.

A GPD officer asked Shubham to spell his own name. He could not provide the spelling. This is the level of English proficiency Bittony was dealing with. As a reminder, a five year old child can generally spell his or her own name. It is the most rudimentary piece of identifying information.

With Bittony, Shubham repeatedly asked for a translator. He said he spoke only a "little bit" of English. He said, "I'm not speak proper English." He misunderstood a basic question about where the bus came from as a question about where he himself came from. Questions had to be repeated.

And while trying to understand the accusation against him, he asked:  
"Why she say touch?"  
That is the level of comprehension at issue here.

Bittony then presented my allegation to this man as generic "touching" six separate times:

"She said that you were touching her."

"With your hand. Touching her?"

"Why would she say you were touching her?"

"You didn't touch her? Maybe you were sleeping."

"The female is saying that he was touching her."

"Why does that lady say he's touching her?"

Only after those six generic formulations did Bittony finally mention my butt once at 28:31:

"But the girl was saying that he was touching her butt."

That's how Bittony presented my sexual assault which occurred MULTIPLE TIMES to a man who didn't speak English - touching. Not once, not twice. SIX times. A man who COULDN'T SPELL HIS OWN NAME was asked if he did something as innocent as TOUCHED me.

The complete allegation was not clearly presented:

Four separate incidents. My butt. Progression toward my private area.

If Bittony believed simplified English was necessary, his responsibility was to simplify the language, not erase the facts.

Four times is simple language.

Her butt is simple language.

Private area is simple language.

Bittony knew all three.

He did not clearly give Shubham all three.

Simplifying the language is not the same thing as minimizing the accusation.

And this was not one isolated wording choice.

It was a continuing, one-directional pattern.

The four-contact count disappeared.

The progression toward my private area disappeared.

The allegation became generic "touching" six times during the accused interview.

Then, when the case moved toward court, the sentence documenting Shubham's hands and fingers on me again disappeared from the criminal complaint.

Every step made my account smaller.

That is not one typo. It is not one awkward sentence. It is not one disagreement over wording.

It is a directional pattern in which the details making my allegation more specific repeatedly disappeared while the case moved through Deputy Bittony's hands.

LECB should determine whether that progression resulted from incompetence, negligence, deliberate distortion, or something else.

What it should not be called is accurate police reporting.

There are two separate questions here: who physically removed the language from the charging document, and who personally certified the resulting complaint.

LECB should investigate the first.

The second is not uncertain.

Miguel Bittony signed it.

Please direct your attention to the September 10, 2026 filing itself: immediately above Miguel Bittony's signature is his personal affirmation, under penalty of perjury, that the facts set forth in that complaint are true to the best of his information and belief. I assume LECB is familiar with **New Mexico**'s perjury statute. If not: perjury is a fourth-degree felony, and knowingly making a material false statement under penalty of perjury in an official proceeding is exactly what the statute prohibits. Bittony signed this complaint himself. The State should investigate his conduct accordingly.

No unknown editor signed that affirmation for him.

No supervisor signed it on his behalf.

Bittony did.

Someone else may ultimately be identified as the person who physically typed, deleted, copied, pasted, shortened, formatted, or otherwise changed portions of the document.

That does not change who signed it.

Deputy Miguel Bittony personally placed his name beneath the resulting factual account.

And he did so after personally hearing me say “Four times,” watching me hold up four fingers, and watching me physically demonstrate what happened.

The native electronic records can establish exactly how the complaint changed, including the Word narrative, editable complaint, drafts, metadata, version history, audit records, emails, routing records, approvals, and the precise version presented to Bittony before he signed it.

I requested those records immediately after MCSO produced the discrepancy.

The timing deserves particular scrutiny.

IPRA Requests #7 through #11 were all due September 17.

MCSO sent #7 at approximately 3:52 p.m. Mountain Time, only eight minutes before the final business hour began. It then sent #8, #9, #10 and #11 at approximately 4:01, 4:07, 4:13 and 4:19 p.m., all during the final hour of MCSO’s stated 8:00 a.m. to 5:00 p.m. business day.

IPRA #10, which produced the documents exposing this discrepancy, arrived at approximately 4:13 p.m.

My targeted follow-up seeking the native Word file, drafts, edit history, metadata, routing records and approval history was sent September 17.

The ordinary fifteen-day date is October 2.

Shubham is scheduled to appear in court at 8:30 a.m. Mountain Time on October 2.

MCSO knows the court date.

MCSO knows the hearing is first thing in the morning.

MCSO knows exactly what records I requested.

And MCSO knows those are the records capable of establishing who changed the complaint, when it changed, what version Bittony received, and what he reviewed before signing it.

MCSO has since placed those requests into an additional “reasonable period of time” processing posture.

The practical consequence could not be clearer.

If the same deadline-day production timing used for the September 2 cohort is applied here, records concerning the integrity of the criminal complaint would not arrive until hours after the October 2 court appearance has already occurred. The additional-time position MCSO has now taken may postpone them later still.

LECB should investigate that timing.

But LECB should not wait for it.

Preserve the native records now. Obtain them independently. Follow the edits. Determine who changed the complaint, and determine exactly what Deputy Miguel Bittony knew and reviewed before he signed it.

If investigation establishes knowing minimization or knowing certification of a materially inaccurate account, LECB should not stop at this one case.

A certified law-enforcement officer’s reports and sworn representations are relied upon by victims, prosecutors, judges, defendants, and the public.

If a deputy knowingly allows material facts from a victim’s account to be reduced repeatedly within the same case, the obvious professional-integrity question follows:

What else bearing his name needs to be reviewed?

How many victim statements has he summarized?

How many investigative reports has he written?

How many affidavits, charging documents and sworn complaints have depended upon the assumption that Miguel Bittony accurately carried facts forward?

I am not claiming without evidence that other cases were altered.

I am asking the State to determine whether what happened in this case requires it to look.

And I want an equally direct answer about the standard itself.

If the State of **New Mexico** contends that this is behavior it accepts from its deputies, please say so plainly.

Say plainly that a certified deputy may hear a victim report four separate incidents, watch her hold up four fingers, watch her physically demonstrate the conduct and its progression, repeatedly reduce that allegation while questioning the accused, omit material details from the written account, and then personally sign a criminal complaint in which still more of that victim's account has disappeared.

If that meets **New Mexico**'s standard for a certified law-enforcement officer, I want the State to put that position in writing.

If it does not, then act accordingly.

If the evidence establishes conduct warranting certification discipline, I am asking LECB to impose the strongest sanction supported by its findings, including revocation of Deputy Miguel Bittony's **New Mexico** law-enforcement certification.

This is not a matter that should be resolved with a reminder to write better reports.

The State does not need to speculate about whether Miguel Bittony was responsible for signing this criminal complaint.

He signed it.

No one acted on his behalf when he placed his name beneath that affirmation.

He did so after hearing me say "Four times," seeing me hold up four fingers, and watching me demonstrate what happened.

When the investigation establishes that Deputy Miguel Bittony knowingly did this, then his official word is exactly what can no longer be trusted.

A deputy whose word cannot be trusted should not continue carrying the authority of the State of **New Mexico**.

[REDACTED]



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