



Before McKinley County votes: what MCSO's bodycam shows

To: molly@gallupsunweekly.com

Thu, Oct 22, 2026 at 6:57 AM

Molly,

Your October 16 article reads to me like a puff piece for officials whose treatment of an actual victim deserves scrutiny. Having lived through that treatment—and having already contacted you twice—reading it felt like being spat in the face.

You describe Bernitz as “restoring public trust and improving communication with victims.”

On the day you published that, I was exactly TWO WEEKS past the October 2 hearing in my case, still without the update he had promised. The defendant failed to appear. Judge Tina Garcia issued a no-bond bench warrant. Erika Pirotte appeared for the State; Bernitz himself did not attend.

On September 24, Bernitz told me he would contact me sometime after October 2 to explain what would happen next. He also wrote: “I will not be responding to any further of your inquiries until that time.”

October 2 came. October 16 came. Your glowing account of improved victim communication appeared. His promised update did not.

You also report that Bernitz and his staff “regularly attend Maiorano’s weekly command meetings,” and relay Maiorano’s praise for Bernitz’s “proactive communication.”

They have an established opportunity to discuss investigations and prosecution plans every week. What did that coordination accomplish in my case? Was my case discussed? Were the concerns I raised examined? What action followed, and why was I still waiting to hear what would happen next?

Those are questions your article leaves unanswered.

Here is what those same officials actually wrote to me.

On August 21, after reviewing Deputy Bittony’s report and video, Maiorano called the investigation “sufficient” and stated that “no further action can be taken at this time by my Office.”

The original investigative report described continued contact involving Shubham’s hands and fingers. That language was missing from the criminal complaint filed on September 10, while the initial explanation that I had thought the contact might be accidental remained.

When I raised that discrepancy, Bernitz wrote on September 23: “I am not concerned,” and “I do not believe that discrepancy is material to the issues involved in your case.”

That is the record against which his public claims about victim communication should have been tested.

And you had already been offered a way to examine this case.

I emailed you on August 27 with a detailed account, body-camera timestamps, Maiorano’s written conclusion, and an offer to provide the underlying evidence. I followed up on September 23. My tracking indicates both messages were opened. Neither received a response.

Why?

What review did you undertake before publishing this account of improved leadership and victim treatment? Did you examine the evidence I offered? Did you ask either official about my concerns? Did you speak with victims whose experiences might challenge the picture they presented?

You gave readers the officials’ praise for one another. My experience—and my unanswered approaches to your newsroom—deserved scrutiny too.

Published during an election, this kind of coverage has consequences. Voters deserve to see how an incumbent's claims hold up against the records. Victims deserve reporting that examines whether promised improvements reach the people who need them.

Will you now review the evidence, put these discrepancies directly to Bernitz and Maiorano, and report their answers?

I will be in **Gallup** and am available to meet on Friday, October 30, or Monday, November 2. I can bring the correspondence, the original investigative report, the filed complaint, and the relevant body-camera footage for you to review directly.

Will you meet with me? Please confirm a time in Mountain Time on either date. If you are declining the meeting, please say so plainly.

[REDACTED]

She/Her/Hers

And the judge initially "would not," but because she **continually came**, he eventually answered her.

Luke 18:3–5

[Quoted text hidden]