

McKinley County releases MCSO deputy-involved fight report

Written by By Bernie Dotson Sun Correspondent
Friday, 24 March 2017 10:27

The investigative report related to the three disciplined deputies at the McKinley County Sheriff's Office gives a scathing run down of what happened to Cody Bitsilly the night of Jan. 6 at a party near Hill Avenue and reportedly at the residence of former sheriff's deputy A.J. Noriega.

The report, done on behalf of McKinley County, was done by Universal Investigation Services of Albuquerque and is dated Feb. 9. The *Gallup Sun* obtained the report this week. The name of the person who completed the report is Doug Shawn, who is identified in the eight-page document as a chief investigator with the firm.

Two reports about the January incident are now complete. Another report, done by the New Mexico State Police, was not available by press time.

"On Jan. 9, 2017, Ella Howard initiated a verbal complaint on behalf of her son, Cody Bitsilly, regarding an alleged assault/battery that occurred between Jan. 6 and Jan. 7," Shawn writes in the opening pages of the report. "Ms. Howard subsequently provided a written complaint on Jan. 10. Ms. Howard alleged her son was assaulted at the residence of off-duty MCSO Deputy Arnold (A.J.) Noriega and by off-duty MCSO Deputy Richard Rangel."

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Shawn states in the report that various policies and procedures were violated by the MCSO deputies that were present at the party. MCSO personnel interviewed for the report were Lt. James Maiorano, Deputy Johnson Lee, Deputy Monty Yazzie, Deputy Joey Guillen, Noriega and Rangel. The latter two deputies have since resigned.

The report states that Maiorano is a witness and accepted the complaint from Howard; calls Lee and Yazzie witnesses who attended the party; labels Guillen a person at the party who "struggled" with Bitsilly and assisted in the removing of Bitsilly from the property and with the placing of an injured Bitsilly in a Gallup Police Department vehicle driven by GPD Officer Clarisssa Morgan.

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It also states that Noriega provided alcohol at the party and assisted in the removal of Bitsilly from the party and made the call to GPD for the Bitsilly removal. The report states that Rangel “punched” Bitsilly and reportedly consumed alcohol at the party.

Shawn states in the report that there were eight civilians attending the party, which included girlfriends and relatives of the deputies. All but one civilian witnessed Makayla Garcia, listed in the report as the girlfriend of Rangel, get attacked by Bitsilly. The report does not state the nature or details of the attack by Bitsilly upon Garcia.

The report continues with an admission by Rangel that he, indeed, struck Bitsilly in the face after Bitsilly assaulted Garcia.

“Other witnesses at the gathering that saw Rangel strike Bitsilly, included Lee...,” the report states. “The others saw Deputy Lee holding Rangel back, but not the punches,” the report reads. “Based on admissions and statements, there is evidence that Deputy Richard Rangel punched Cody Bitsilly multiple times.”

The report alludes that Rangel’s punches were from a defensive nature and not punches that came at Bitsilly for no apparent reason.

The separate report done by the State Police Department made its way to the McKinley County District Attorney’s office for possible criminal charges. To date no such charges have been filed in the incident by the McKinley County District Attorney.

Decker has said the cost for UIS to do the report is between \$2,000 and \$3,000.

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