YUNOYIYYLALIII OF FENNOYLVANIA COUNTY OF: NORTHUMBERLAND POLICE CRIMINAL COMPLAINT Magisterial District Number: 08-3-04 COMMONWEALTH OF PENNSYLVANIA MDJ: Hon. Michael P. Toomey Address: 399 South 5th Street DEFENDANT: VS. (NAME and ADDRESS): Sunbury, PA 17801 JIMMIE JASON First Name CORTELYOU Middle Name Last Name Telephone: (570)988-4485 185 RAUPSTAL ROAD, HERNDON, PA 17830 Gen 1-Felony Full NGIC Extradition Code Type 5-Felony Pending Extradition ☐ 2-Felony Limited C-Misdemeanor Surrounding States ☐ 6-Felony Pending Extradition Determ. ☐ 3-Felony Surrounding States ☐ D-Misdemeanor No Extradition ☐ Distance: ☐ A-Misdemeanor Full ☐ E-Misdemeanor Pending Expadition ☐ B-Misdemeanor Limited F-Misdemeanor Pending DEFENDANTIDENTIFICATION INFORMATION Docket Number Date Filed 228-19 OTN/LiveScan Number 612619 Complaint/incident Number GENDER <u>U722059-22</u> DOB 06/09/1978 Request Lab Services? 36-679 РОВ Ра Male ÖYES ⊠NO First Name Add'I DOB ☐ Female Co-Defendant(s) Middle Name Last Name RACE White Gen. ETHNICITY ☐ Asian ☐ Hispanic Black Unknown ☐ Non-Hispanic Native American GRY (Gray) Unknown RED (Red/Aubn.) Hair SDY (Sandy) BLK (Black) BLU (Blue) ONG (Orange) Color PLE (Purple) 🖾 BRO (Brown) WHI (White) BLN (Blonde / Strawberry) ☐ XXX (Unk./Bald) GRN (Green) PNK (Pink) BLK (Black) Eye BLU (Blue) ☐ HAZ (Hazel) ☐ BRO (Brown) Color GRN (Green) MAR (Maroon) GRY (Gray) PNK (Pink) DNA ☐ MUL (Multicolored) □ XXX (Unknown) ☐ YES 図 NO DNA Location FBI Number WEIGHT (lbs.) **MNU Number** Defendant Fingerprinted ☐ YES **⊠** NO Fingerprint Classification: HEIGHT In. 6 DEFENDANT VEHICLE INFORMATION State Haz Registration Comm'l Veh. Ind. □ School Veh. Plate # Oth. NCIC Veh. Code mat Reg. Sticker (MM/YY) same as VIN Year Make Def. Model Style Color Office of the attorney for the Commonwealth 🖫 Approved 🖂 Disapproved because: (The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507). (Date) AGENT RALPH W. RALSTON (Name of the Affiant) (PSP/MPOETC -Assigned Afflant ID Number & Badge# Pennsylvania Office of Attorney General PA0222400 (Police Agency ORI Number) (Identify Department or Agency Represented and Political Subdivision) do hereby state: (check appropriate box) I accuse the above named defendant who lives at the address set forth above ☐ I accuse the defendant whose name is unknown to me but who is described as ☐ I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe 322 N. 2nd Street, Sunbury, Pa with violating the penal laws of the Commonwealth of Pennsylvania at [302] (Place-Political Subdivision) on or about JUNE 2014-FEBRUARY 2016 in NORTHUMBERLAND [49] (County Code) County

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Defendant Name:	First: JIMMIE		William Nimber
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			CORTELYOU

AFFIDAVIT of PROBABLE CAUSE

Your affiant is employed as a Special Agent with the Office of the Pennsylvania Attorney General, Bureau of Criminal Investigations. Your affiant has over 39 years of law enforcement experience, 35 of which were spent with the State College Police Department. Your affiant served as a Detective for 25 years and was responsible for the investigation of many types of crimes including, but not limited to, criminal homicide, sexual assault, elder abuse, assault, arson, robbery, theft, fraud and training provided by the PA Office of Attorney General, the University of North Florida, the Federal Bureau of Investigation, St. specialized training in the areas of basic and advanced criminal investigations, crime scene management, homicide, DUI, very familiar with the techniques and the methods of operation used by suspects in their quest to violate the law.

On 3/11/2016, District Attorney Anthony Matulewicz wrote to then-Executive Deputy Attorney General Lawrence Churba about the discovery of a significant discrepancy in the accounting of funds in the House Arrest (H.A.) Program at Northumberland County Probation and Parole (NCPP). Jimmie Cortelyou (Cortelyou), was the Probation Chief at the time and was implicated in the theft of H.A. funds. Cortelyou was hired on 5/21/2014 and terminated on 2/10/2016 after discrepancies were discovered. DA Matulewicz requested the Office of Attorney General (OAG) investigate the matter due to an apparent conflict of interest. On 3/24/2016, the OAG accepted the case for investigation and potential prosecution.

Current Adult Probation Chief Tim Heitzman (Heitzman) and Deputy Chief Brian Updegrove (Updegrove) were interviewed. NCPP's H.A. procedures prior to Cortelyou becoming Chief involved dual control; a proven method of using checks and balances that mitigates the theft of money. This method requires that money be handled, counted and deposited by two individuals. The procedure was developed as the result of a state audit in 2010 or 2011.

On the first day of his tenure as Chief, Cortelyou posed "what if" scenarios trying to poke holes in the way H.A. funds were collected such as what would happen if envelopes were missing or stolen from the drop box or if envelopes fell behind a probation officers desk. They explained the steps they would follow to find the missing money such as comparing receipts with deposits. They also explained that while following their procedures they had never encountered issues involving missing money. Regardless of their explanation detailing the benefits of dual control, Cortelyou changed the procedure to one of sole control by him.

The issue of missing H.A. funds was confirmed while Cortelyou was on vacation during the week of 8/3/2015. It was at this time that Heitzman and Updegrove were tasked to conduct the H.A. count and deposits. They reverted back to the dual control procedures. They discovered irregularities when the Invoices were compared with deposits. They emptied the envelopes and counted the cash to make sure the cash matched the amount listed on the envelopes. Each envelope was recorded in a H.A. spreadsheet. They also compared the receipt numbers with the numbers in the receipt book that was filled out by the collecting probation officer. During the count it was discovered that the numbers in the receipt book were not matching. Upon further investigation, they found that the receipt book was missing 2 pages of receipts. They called in H.A. Probation Officers Andrew Orzehowski and Ryan Hall and asked if there was a reason those pages were removed. Neither had any idea why the pages were missing. It was obvious that money was missing because someone removed the wrong receipts from the book in an attempt to conceal the theft of money. However, it was discovered that the individual saw the client's name that they thought was to be removed to cover up a theft but instead they removed the receipt with the same name but wrong number in the receipt book. Heitzman immediately notified Cortelyou, who told him not to say anything to anyone. Both Heitzman and Updegrove believed that Cortelyou would conduct an investigation on his return but he never did.

On his return to the office, Cortelyou instituted another change which involved the use of a receipt book with triplicate copies. He continued to count the money himself. It became apparent to Heitzman and Updegrove that Cortelyou was definitely taking cash from the H.A. funds so they started to copy the receipt books and compare deposit amounts. They were fearful the receipt books would disappear if they didn't copy them. They determined that the deposits were always short and never matched the amount of funds receipted from H.A. clients. They were able to determine that Cortelyou was taking money every time he did a deposit. This evidence was taken to President Judge Charles Saylor in early 2016 while Cortelyou was on vacation Cortelyou was terminated by Judge Saylor in February 2016.

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Docket Number:	Device English	MX	
	Date Filed: OT	William POI	LICE CRIMINAL COMELAINS
Defendant Name:	<u> </u>	N/LiveScan Number	ICE CRIMINAL COMPLAINT Complaint/incident Number
Defendant Name	First:		36-679
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Cortelyou also instituted use of the United Case Management (UCM) system. He admitted that the system did not work and knew staff would not use it due to its difficulty. Heltzman believed that Cortelyou switched to this system knowing it would not be used to its full capability thus creating another way to conceal the theft of H.A. funds.

President Judge Charles Saylor hired the accounting firm Boyer and Ritter, LLC, to conduct an audit of the H.A. Program. Lisa A. Myers (Myers), Certified Public Accountant and Certified Fraud Examiner; and staff conducted the audit and issued a report Brian Updegrove, review of H.A. receipt books from May 2014 through February 2016, management's prepared H.A. payment tracking spreadsheet, Treasury deposit details, United Case Management data, Independent data of H.A. clients from BI incorporated, statistical information of H.A. revenues and participants developed by Chris Grayson, county controller and prison board reports.

Myers and staff reviewed the H.A. receipt books, deposit detail and total deposits for the time frame 6/2/2014-2/10/2016. They compared payments noted in the receipt books to the Excel tracking spreadsheet and noticed receipts missing from the spreadsheet, yet noted in the receipt book. During this period of time, Cortelyou changed procedures and the tracking spreadsheet of deposits was no longer used. Receipt books and Independent listings of active offenders were used and compared with court orders or dockets to verify payments. In order to verify receipts with the spreadsheet, they compared individuals and payment dates from the spreadsheet to an independent list of active offenders obtained from other county providers. They also obtained court orders or court dockets to validate payments. They discovered that \$31,530.00 was missing from the deposits to the county fund for the aforementioned time frame.

House Arrest Transactions for 6/2/2014 through 2/10/2016:

\$130,208	Money logged in vessely best
\$ 21,801	Money logged in receipt book
\$152,009	Total money collected in spreadsheet, but not receipt book
(\$120,478)	Total projected deposits
	Total deposits with Treasury
\$31,530	Money not included in deposits to county funds

Total loss for time period 6/2/2014-2/10/2016 is \$31,530.00.

I, AGENT RALPH W. RALSTON, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL. INFORMATION AND DOCUMENTS DIFFERENTLY THAT NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

(Signature of Affiant)

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