

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: NORTHUMBERLAND

Magisterial District Number: 08-3-04
MDJ: Hon. Michael P. Toomey
Address: 399 South 5th Street
Sunbury, PA 17801

Telephone: (570)988-4485



DEFENDANT:

JIMMIE

First Name

POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

(NAME and ADDRESS):

JASON

Middle Name

CORTELYOU

Last Name

Gen

185 RAUPSTAL ROAD, HERNDON, PA 17830

<input type="checkbox"/> 1-Felony Full	<input type="checkbox"/> 5-Felony Pending Extradition	<input type="checkbox"/> C-Misdemeanor Surrounding States	COPY
<input type="checkbox"/> 2-Felony Limited	<input type="checkbox"/> 6-Felony Pending Extradition Determ.	<input type="checkbox"/> D-Misdemeanor No Extradition	
<input type="checkbox"/> 3-Felony Surrounding States	<input type="checkbox"/> A-Misdemeanor Full	<input type="checkbox"/> E-Misdemeanor Pending Extradition	
<input checked="" type="checkbox"/> 4-Felony No Extradition	<input type="checkbox"/> B-Misdemeanor Limited	<input type="checkbox"/> F-Misdemeanor Pending Extradition	
<input type="checkbox"/> Distance: _____			

Docket Number CR 228-19		Date Filed 6/24/19	DEFENDANT IDENTIFICATION INFORMATION OTN/LiveScan Number U7220592		Complaint/Incident Number 36-679	Request Lab Services? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB 06/09/1978	POB Pa	First Name	Middle Name	Add'l DOB	Co-Defendant(s) <input type="checkbox"/>
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian	AKA		Last Name		Gen.	
ETHNICITY <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLN (Blonde / Strawberry)	<input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> ONG (Orange)	<input type="checkbox"/> Non-Hispanic <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> WHI (White)	<input type="checkbox"/> Black <input type="checkbox"/> Unknown <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> XXX (Unk./Bald)	<input type="checkbox"/> Native American <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> GRN (Green)	<input type="checkbox"/> Unknown <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> PNK (Pink)	
Eye Color <input type="checkbox"/> BLK (Black) <input type="checkbox"/> HAZ (Hazel)	<input checked="" type="checkbox"/> BLU (Blue) <input type="checkbox"/> MAR (Maroon)	<input type="checkbox"/> BRO (Brown) <input type="checkbox"/> PNK (Pink)	<input type="checkbox"/> GRN (Green) <input type="checkbox"/> MUL (Multicolored)	<input type="checkbox"/> GRY (Gray) <input type="checkbox"/> XXX (Unknown)		
DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location		MNU Number		WEIGHT (lbs.)	
FBI Number	Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Fingerprint Classification:		FT. HEIGHT In.	
					6	5

DEFENDANT VEHICLE INFORMATION							
Plate #	State	Haz mat <input type="checkbox"/>	Registration Sticker (MM/YY) /	Comm'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	Year	Make	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).

Nicole Forzoso
(Name of the attorney for the Commonwealth)

Nicole Forzoso, SDAC
(Signature of the attorney for the Commonwealth)

6/24/19
(Date)

I, AGENT RALPH W. RALSTON (Name of the Affiant)	527 (PSP/MPOETC -Assigned Affiant ID Number & Badge #)
of Pennsylvania Office of Attorney General (Identify Department or Agency Represented and Political Subdivision)	PA0222400 (Police Agency ORI Number)

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 with violating the penal laws of the Commonwealth of Pennsylvania at [302] 322 N. 2nd Street, Sunbury, Pa
(Subdivision Code) (Place-Political Subdivision)

in **NORTHUMBERLAND** [49]
County (County Code)

on or about **JUNE 2014-FEBRUARY 2016**

Case Number:	Date Filed: / /	OTN/LiveScan Number		POLICE CRIMINAL COMPLAINT	
Defendant Name:	First: JIMMIE	Middle: JASON	Complaint/Incident Number 36-679		
		Last: CORTELYOU			

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older		
<input checked="" type="checkbox"/> 1	3921	(A)	of the	TITLE 18	1	F3
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description (include the name of statute or ordinance): THEFT BY UNLAWFUL TAKING OR DISPOSITION						

Acts of the accused associated with this Offense: In that the above named defendant did unlawfully take, or exercise unlawful control over, movable property of another with intent to deprive him thereof. To wit: between June 2, 2014 and February 10, 2016, while the defendant was employed as the Chief of Northumberland County Probation and Parole, he took \$31,530.00 in House Arrest funds. During the aforementioned period of time, the defendant was solely responsible for counting House Arrest funds and handling deposits.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older		
<input type="checkbox"/> 2	3927	(A)	of the	TITLE 18	1	F3
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description (include the name of statute or ordinance): THEFT BY FAILURE TO MAKE REQUIRED DISPOSITION OF FUNDS RECEIVED						

Acts of the accused associated with this Offense: A person who obtains property upon agreement, or subject to a known legal obligation, to make specified payments or other disposition, whether from such property or its proceeds or from his own property to be reserved in equivalent amount, is guilty of theft if he intentionally deals with the property obtained as his own and fails to make the required payment or disposition. To wit: between June 2, 2014 and February 10, 2016, while the defendant was employed as the Chief of Northumberland County Probation and Parole, he took \$31,530.00 in House Arrest funds. During the aforementioned period of time, the defendant was solely responsible for counting House Arrest funds and handling deposits.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older		
<input type="checkbox"/> 3	3925	(A)	of the	TITLE 18	1	F3
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description (include the name of statute or ordinance): RECEIVING STOLEN PROPERTY						

Acts of the accused associated with this Offense: In that the above named defendant did intentionally receive, retain, or disposed of movable property of another knowing that it has been stolen, or believing that it has probably been stolen, unless the property is received, retained, or disposed with intent to restore it to the owner. To wit: between June 2, 2014 and February 10, 2016, while the defendant was employed as the Chief of Northumberland County Probation and Parole, he retained \$31,530.00 in House Arrest funds. During the aforementioned period of time, the defendant was solely responsible for counting House Arrest funds and handling deposits.



POLICE CRIMINAL COMPLAINT

Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number 36-679
Defendant Name:	First: JIMMIE	Middle: JASON	Last: CORTELYOU

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/> 4	4911	(A)(3)	of the	TITLE 18	1	F3		
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<input type="checkbox"/> PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	

Statute Description (include the name of statute or ordinance): **TAMPERING WITH PUBLIC RECORDS OR INFORMATION**

Acts of the accused associated with this Offense: In that the above named defendant intentionally and unlawfully destroyed, concealed, removed or otherwise impaired the verity or availability of any such record, document or thing. To wit: between June 2, 2014 and February 10, 2016, while the defendant was employed as the Chief of Northumberland County Probation and Parole, he took \$31,530.00 in House Arrest funds. During the aforementioned period of time, the defendant was solely responsible for counting House Arrest funds and handling deposits. The defendant destroyed receipt books used to record clients House Arrest payments.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/> 5	4113	(A)	of the	TITLE 18	1	M2		
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<input type="checkbox"/> PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	

Statute Description (include the name of statute or ordinance): **MISAPPLICATION OF ENTRUSTED PROPERTY AND PROPERTY OF GOVERNMENT OR FINANCIAL INSTITUTIONS**

Acts of the accused associated with this Offense: In that the above named defendant applied or disposed of property that had been entrusted to him as a fiduciary, or property of the government or of a financial institution, in a manner which he knows is unlawful and involves substantial risk of loss or detriment to the owner of the property or to a person for whose benefit the property was entrusted. To wit: between June 2, 2014 and February 10, 2016, while the defendant was employed as the Chief of Northumberland County Probation and Parole, he took \$31,530.00 in House Arrest funds. During the aforementioned period of time, the defendant was solely responsible for counting House Arrest funds and handling deposits.


<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>			of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<input type="checkbox"/> PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	

Statute Description (include the name of statute or ordinance):

Acts of the accused associated with this Offense:

2019/06/24 10:41:06 5 /9

Docket Number:	Date Filed: / /	OTN/LiveScan Number	 POLICE CRIMINAL COMPLAINT
Defendant Name:	First: JIMMIE	Middle: JASON	Complaint/Incident Number 36-679
		Last: CORTELYOU	

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
4. This complaint consists of the preceding page(s) numbered 1 through 4.
5. 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 than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

(Date)

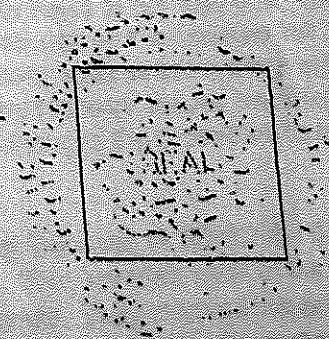
(Year)


(Signature of Affiant)

AND NOW, on this date 6-26-19 I certify that the complaint has been properly completed and verified.
An affidavit of probable cause must be completed before a warrant can be issued.

88-3-04
(Magisterial District Court Number)


(Issuing Authority)



Date Filed: / /	OTN/LiveScan Number		POLICE CRIMINAL COMPLAINT
Defendant Name:	First: JIMMIE	Middle: JASON	Complaint/Incident Number 36-679
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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 financial exploitation, to name a few. Your affiant is a graduate of the PA State Police Academy and has attended specialized training provided by the PA Office of Attorney General, the University of North Florida, the Federal Bureau of Investigation, St. Petersburg (FL) College, the Pennsylvania State University and many other training institutions. Your affiant has received specialized training in the areas of basic and advanced criminal investigations, crime scene management, homicide, DUI, financial crime, computer crime, electronic surveillance, etc. Your affiant, through years of training and experience, has become 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 (NCP). 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 Updegrave (Updegrave) were interviewed. NCP'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 Updegrave 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 Orzechowski 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 Updegrave 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 Updegrave 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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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 Rittler, 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 on 7/11/2016. Their forensic investigation involved interviews of current Probation Chief Timothy Heltzman and Deputy Chief Brian Updegrave, 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 receipt book
\$ 21,801	Total money collected in spreadsheet, but not receipt book
\$152,009	Total projected deposits
(\$120,478)	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 THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

(Signature of Affiant)

Sworn to me and subscribed before me this 26 day of June

Date

, Magisterial District Judge