

70394-21/001

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SUPREME/COUNTY COURT
CLERKS OFFICE

KPD

STATE OF NEW YORK
COUNTY COURT :: BROOME COUNTY

THE PEOPLE OF THE STATE OF NEW YORK

I N D I C T M E N T

-vs-

(Felony Pleading No. 21-248)

STEPHEN K. CORNWELL, JR. and
JAMES M. WORHACH,

2021 BROOME COUNTY TERM VII

⁰¹
₀₂ Defendants.

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of PUBLIC CORRUPTION, in violation of Sections 20.00 and 496.06, Subdivision 1, of the Penal Law of the State of New York, a Class C Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about and between October 2016 through December 2019, a person commits the crime of public corruption when being a public servant he commits a specified offense through the use of his public office, or being a person acting in concert with such public servant he commits a specified offense, and the state or any political subdivision thereof or any governmental instrumentality within the state is the owner of the property, to wit: at the aforementioned time period and place, said defendants, being public servants employed by the Broome County District Attorney's Office, acting in concert with each other, did commit a specified offense, the

crime of Grand Larceny in the Third Degree, through their use of their public office, Broome County District Attorney's Office, and the Broome County Government was the owner of the property said defendants wrongfully obtained, all contrary to the provisions of the statute in such case made and provided.

SECOND COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of GRAND LARCENY IN THE THIRD DEGREE, in violation of Sections 20.00 and 155.35, Subdivision 1, of the Penal Law of the State of New York, a Class D Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about and between October 2016 through December 2019, did steal property the value of which exceeds three thousand dollars, to wit: at the aforementioned time period and place, said defendants, acting in concert with each other, did steal property exceeding three thousand dollars from the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

THIRD COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of CORRUPTING THE GOVERNMENT IN THE THIRD DEGREE, in violation of Sections 20.00 and 496.03, of the Penal Law of the State of New York, a Class D Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about and between October 2016 through December 2019, being a public servant, or acting in concert with a public servant, he engages in a scheme constituting a systematic ongoing course of conduct with intent to defraud the state or one or more political subdivisions of the state or one or more governmental instrumentalities within the state to obtain property, actual services or other resources, or obtain property, actual services or other resources from the state, or any political subdivision or governmental instrumentality of the state by false or fraudulent pretenses, representations or promises, and thereby wrongfully obtains such property, actual services or other resources with a value in excess of one thousand dollars, to wit: at the aforementioned time period and place, said defendants, being public servants employed by the Broome County District Attorney's Office, acting in concert with each other, did engage in a scheme constituting a systematic ongoing course of conduct with the intent to obtain property from the Broome County Government by submitting vouchers to the Broome County Office of Management and Budget containing false information, thereby wrongfully obtaining property with a value in excess of one thousand dollars, all contrary to the provisions of the statute in such case made and provided.

FOURTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 26th day of October, 2016, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

FIFTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 25th day of January, 2017, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

SIXTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 31st day of May, 2017, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with **Broome County Office of Management and Budget** knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

SEVENTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 3rd day of October, 2017, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

EIGHTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 14th day of March, 2018, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

NINTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 18th day of July, 2018, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

TENTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 10th day of April, 2019, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

ELEVENTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 10th day of July, 2019, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

TWELFTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 24th day of July, 2019, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

THIRTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 28th day of August, 2019, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

FOURTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 22nd day of October, 2019, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.

FIFTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF BROOME, by this Indictment, accuse the above defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Sections 20.00 and 175.35, Subdivision 1, of the Penal Law of the State of New York, a Class E Felony, committed as follows:

That the said defendants, STEPHEN K. CORNWELL, JR. and JAMES M. WORHACH, acting in concert with each other, in the City of Binghamton, County of Broome and State of New York, on or about the 3rd day of December, 2019, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation, to wit: at the aforementioned date and place, said defendants, acting in concert with each other, with intent to defraud the Broome County Government, did file a voucher with Broome County Office of Management and Budget knowing that it contained false information and/or representations, and knowing or believing that said voucher would be filed with, registered or recorded in or otherwise become part of the records of the Broome County Government, all contrary to the provisions of the statute in such case made and provided.