

STATE OF NEW YORK: CITY COURT
CITY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

FELONY COMPLAINT

-against-

JUSTIN DERWAY
DEAN WATKINS,

Defendants.

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

BE IT KNOWN, by this Complaint, Detective Supervisor Samuel R. Scotellaro III, as the Complainant herein, a police officer with the Office of the New York State Attorney General ("OAG"), accuses the defendants, JUSTIN DERWAY and DEAN WATKINS, with having committed the following crime in the City of Albany, County of Albany: Offering a False Instrument for Filing in the First Degree, as defined by Penal Law §175.35(1), a class E felony.

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COUNT ONE

ALBANY CITY COURT
CRIMINAL PART

The defendants, JUSTIN DERWAY and DEAN WATKINS, acting in concert, committed the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law § 175.35(1), a class E felony, in that on or about October 16, 2019, in the City of Albany, County of Albany, State of New York, and elsewhere, when they, 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 or she 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: on the aforementioned date, time and location of occurrence, the Defendants submitted a signed Supervised Field Training Orientation and Review Evaluation Summaries (“Final Evaluation”) to the New York State Division of Criminal Justice Services (“DCJS”), verifying that Fort Edward Police Trainee 1, completed the requisite requirements for the police training program, when Defendants did not directly observe the completion of various training performance areas. Defendants, then having entered false information into the Final Evaluation, caused it to be filed with DCJS.

FACTUAL BASIS

This felony complaint is based upon information and belief, with the source of deponent’s information and the grounds for his belief being: (a) New York State Division of Criminal Justice Services (DCJS) records relating to the Supervised Field Training Program including, but not limited to Final Evaluations and Daily Observation Reports (“DOR”) from the Ft. Edward Police Department and; (b) interviews of various witnesses and the defendants, among other sources.

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VENUE

DCJS is located in the Alfred E. Smith State Office Building on South Swan Street, in the City and County of Albany, New York.

ALBANY CITY COURT
CRIMINAL PART

OVERVIEW

DCJS is a state agency that, among other things, is responsible for setting standards for police training throughout the state and certifying police officers and police training officers. DCJS also keeps and maintains police training and certification records. In appropriate

circumstances, DCJS has the authority to revoke police officer certifications and police officer training certifications.

BACKGROUND ON TRAINING PROCEDURES

Pursuant to NYS General Municipal Law § 209-q and DCJS, all individuals who seek a permanent appointment as a municipal police officer are required to successfully complete an approved Basic Course for Police Officers (“BCPO”) within one year of the date of their original appointment with a police department. The standards for courses are set by the Municipal Police Training Council (“MPTC”). DCJS oversees training, to ensure that practitioners meet the minimum standards established by the MPTC. The BCPO course curriculum consists of a minimum standard of over 700 hours of training comprised of academic and skills training in conjunction with supervised field training.

The supervised field training is a continuation of the job screening process for recruit officers. During this process, recruit officers perform regular police duties under the supervision and instruction of an Field Training Officer (“FTO”) for a minimum of 160 hours. In the past, FTOs were veteran officers who, in addition to their assigned road patrol duties, volunteered to assist with on-the-job training for new officers. Typically, officers were selected to be FTOs based on their combined skills as experienced road officers, and qualities such as patience, positive attitude, communication skills, writing skills, and an ability to perform as positive role models. Since January 1, 2015, officers are still chosen based on these characteristics, but they are also required to successfully complete a 28-hour FTO in-service course approved by the MPTC.

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The FTO assigned to a recruit officer must physically observe and evaluate a recruit officer and document their findings on a Daily Observation Report (“DOR”). The DOR contains numerical scores for various categories and a narrative portion for a more in-depth evaluation. Together, the FTO and recruit officer must review the DOR and initial and sign the bottom as evidence of their review. Once a recruit officer has accumulated enough DORs to satisfy the 160 hours of supervised field training, a Final Evaluation indicating whether the officer passed or failed is signed by the FTO, the recruit officer, the chief executive officer of the police department, and the Police Academy director. The Final Evaluation and the supporting DORs are filed with the police academy, and the original Final Evaluation is filed with DCJS in Albany. Once that is received, DCJS issues the recruit officer his/her certification.

FT. EDWARD POLICE TRAINING

On July 27, 2018, the Fort Edward Village Police Department received approval to conduct a BCPO from October 20, 2018 through September 27, 2019. The dates of the academy were subsequently amended to October 20, 2018 through October 20, 2019. At the conclusion of the academy, DCJS received documentation from the course director, Sergeant Watkins, concerning the completion of the BCPO by fifteen recruits; eleven of the recruits were employed by the Fort Edward Police Department.

After receiving the documentation, DCJS observed that the supervised field training portion of the BCPO was conducted on or about between July 28, 2019 through October 20, 2019. DCJS also observed that the Fort Edward police department only employed two certified FTOs – Watkins and Derway. Watkins was the FTO signatory on the Final Evaluation for seven recruits, and Derway was the FTO signatory on the Final Evaluation for four recruits. In order to

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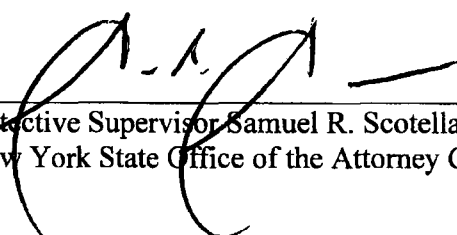
MAR 18 2022

ALBANY CITY COURT
CRIMINAL PART

verify the proper completion of the supervised field training, DCJS requested copies of the DORs for each of the recruits. Upon review of the DORs, DCJS observed that Watkins and Derway were the only individuals listed as an FTO on the recruits' paperwork. They also noticed several discrepancies. Specifically, they observed that Watkins and Derway worked an astronomical number of hours as an FTO. Watkins was listed as working as an FTO for 71 out of 78 calendar days for a total of 892.5 hours; he reportedly worked several shifts exceeding 24 consecutive hours as an FTO and often had three or more recruits assigned to him simultaneously. Derway was listed as working as an FTO for 51 out of 67 calendar days for a total of 510 hours, and he was routinely assigned multiple recruits during the same shift.

Based on this initial review, DCJS requested the time and attendance records for each of the eleven recruits as well as Watkins and Derway. DCJS was informed that the DORs served as the attendance records of the recruits; they received the attendance records for Watkins and Derway. After reviewing these records, DCJS determined that Watkins signed off on 668.5 hours of supervised field training that he did not actually work, and Derway signed off on 228 hours of supervised field training that he did not actually work.

False statements made herein are punishable as a class A Misdemeanor pursuant to Penal Law §210.45.



Detective Supervisor Samuel R. Scotellaro III
New York State Office of the Attorney General

Dated: March 17, 2022
Albany, New York

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COUNT ONE

The defendants, JUSTIN DERWAY and DEAN WATKINS, acting in concert, committed the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law § 175.35(1), a class E felony, in that on or about October 16, 2019, in the City of Albany, County of Albany, State of New York, and elsewhere, when they, 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 or she 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

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servant, public authority or public benefit corporation TO WIT: on the aforementioned date, time and location of occurrence, the Defendants submitted a signed Supervised Field Training Orientation and Review Evaluation Summaries (“Final Evaluation”) to the New York State Division of Criminal Justice Services (“DCJS”), verifying that Fort Edward Police Trainee 2, completed the requisite requirements for the police training program, when Defendants did not directly observe the completion of various training performance areas. Defendants, then having entered false information into the Final Evaluation, caused it to be filed with DCJS.

FACTUAL BASIS

This felony complaint is based upon information and belief, with the source of deponent’s information and the grounds for his belief being: (a) New York State Division of Criminal Justice Services (DCJS) records relating to the Supervised Field Training Program including, but not limited to Final Evaluations and Daily Observation Reports (“DOR”) from the Ft. Edward Police Department and; (b) interviews of various witnesses and the defendants, among other sources.

VENUE

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OVERVIEW

DCJS is a state agency that, among other things, is responsible for setting standards for police training throughout the state and certifying police officers and police training officers. DCJS also keeps and maintains police training and certification records. In appropriate

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BACKGROUND ON TRAINING PROCEDURES

Pursuant to NYS General Municipal Law § 209-q and DCJS, all individuals who seek a permanent appointment as a municipal police officer are required to successfully complete an approved Basic Course for Police Officers (“BCPO”) within one year of the date of their original appointment with a police department. The standards for courses are set by the Municipal Police Training Council (“MPTC”). DCJS oversees training, to ensure that practitioners meet the minimum standards established by the MPTC. The BCPO course curriculum consists of a minimum standard of over 700 hours of training comprised of academic and skills training in conjunction with supervised field training.

The supervised field training is a continuation of the job screening process for recruit officers. During this process, recruit officers perform regular police duties under the supervision and instruction of an Field Training Officer (“FTO”) for a minimum of 160 hours. In the past, FTOs were veteran officers who, in addition to their assigned road patrol duties, volunteered to assist with on-the-job training for new officers. Typically, officers were selected to be FTOs based on their combined skills as experienced road officers, and qualities such as patience, positive attitude, communication skills, writing skills, and an ability to perform as positive role models. Since January 1, 2015, officers are still chosen based on these characteristics, but they are also required to successfully complete a 28-hour FTO in-service course approved by the MPTC.

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The FTO assigned to a recruit officer must physically observe and evaluate a recruit officer and document their findings on a Daily Observation Report (“DOR”). The DOR contains numerical scores for various categories and a narrative portion for a more in-depth evaluation. Together, the FTO and recruit officer must review the DOR and initial and sign the bottom as evidence of their review. Once a recruit officer has accumulated enough DORs to satisfy the 160 hours of supervised field training, a Final Evaluation indicating whether the officer passed or failed is signed by the FTO, the recruit officer, the chief executive officer of the police department, and the Police Academy director. The Final Evaluation and the supporting DORs are filed with the police academy, and the original Final Evaluation is filed with DCJS in Albany. Once that is received, DCJS issues the recruit officer his/her certification.

FT. EDWARD POLICE TRAINING

On July 27, 2018, the Fort Edward Village Police Department received approval to conduct a BCPO from October 20, 2018 through September 27, 2019. The dates of the academy were subsequently amended to October 20, 2018 through October 20, 2019. At the conclusion of the academy, DCJS received documentation from the course director, Sergeant Watkins, concerning the completion of the BCPO by fifteen recruits; eleven of the recruits were employed by the Fort Edward Police Department.

After receiving the documentation, DCJS observed that the supervised field training portion of the BCPO was conducted on or about between July 28, 2019 through October 20, 2019. DCJS also observed that the Fort Edward police department only employed two certified FTOs – Watkins and Derway. Watkins was the FTO signatory on the Final Evaluation for seven recruits, and Derway was the FTO signatory on the Final Evaluation for four recruits. In order to

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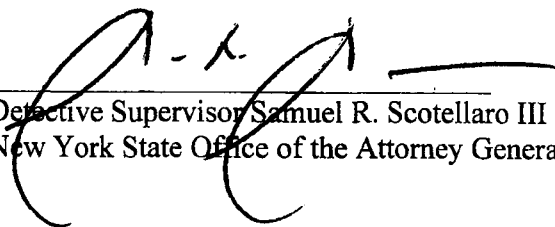
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verify the proper completion of the supervised field training, DCJS requested copies of the DORs for each of the recruits. Upon review of the DORs, DCJS observed that Watkins and Derway were the only individuals listed as an FTO on the recruits' paperwork. They also noticed several discrepancies. Specifically, they observed that Watkins and Derway worked an astronomical number of hours as an FTO. Watkins was listed as working as an FTO for 71 out of 78 calendar days for a total of 892.5 hours; he reportedly worked several shifts exceeding 24 consecutive hours as an FTO and often had three or more recruits assigned to him simultaneously. Derway was listed as working as an FTO for 51 out of 67 calendar days for a total of 510 hours, and he was routinely assigned multiple recruits during the same shift.

Based on this initial review, DCJS requested the time and attendance records for each of the eleven recruits as well as Watkins and Derway. DCJS was informed that the DORs served as the attendance records of the recruits; they received the attendance records for Watkins and Derway. After reviewing these records, DCJS determined that Watkins signed off on 668.5 hours of supervised field training that he did not actually work, and Derway signed off on 228 hours of supervised field training that he did not actually work.

False statements made herein are punishable as a class A Misdemeanor pursuant to Penal Law §210.45.


Detective Supervisor Samuel R. Scotellaro III
New York State Office of the Attorney General

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-against-

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COUNT ONE

The defendants, JUSTIN DERWAY and DEAN WATKINS, acting in concert, committed the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law § 175.35(1), a class E felony, in that on or about October 16, 2019, in the City of Albany, County of Albany, State of New York, and elsewhere, when they, 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 or she 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

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servant, public authority or public benefit corporation TO WIT: on the aforementioned date, time and location of occurrence, the Defendants submitted a signed Supervised Field Training Orientation and Review Evaluation Summaries (“Final Evaluation”) to the New York State Division of Criminal Justice Services (“DCJS”), verifying that Fort Edward Police Trainee 3, completed the requisite requirements for the police training program, when Defendants did not directly observe the completion of various training performance areas. Defendants, then having entered false information into the Final Evaluation, caused it to be filed with DCJS.

FACTUAL BASIS

This felony complaint is based upon information and belief, with the source of deponent’s information and the grounds for his belief being: (a) New York State Division of Criminal Justice Services (DCJS) records relating to the Supervised Field Training Program including, but not limited to Final Evaluations and Daily Observation Reports (“DOR”) from the Ft. Edward Police Department and; (b) interviews of various witnesses and the defendants, among other sources.

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BACKGROUND ON TRAINING PROCEDURES

Pursuant to NYS General Municipal Law § 209-q and DCJS, all individuals who seek a permanent appointment as a municipal police officer are required to successfully complete an approved Basic Course for Police Officers (“BCPO”) within one year of the date of their original appointment with a police department. The standards for courses are set by the Municipal Police Training Council (“MPTC”). DCJS oversees training, to ensure that practitioners meet the minimum standards established by the MPTC. The BCPO course curriculum consists of a minimum standard of over 700 hours of training comprised of academic and skills training in conjunction with supervised field training.

The supervised field training is a continuation of the job screening process for recruit officers. During this process, recruit officers perform regular police duties under the supervision and instruction of an Field Training Officer (“FTO”) for a minimum of 160 hours. In the past, FTOs were veteran officers who, in addition to their assigned road patrol duties, volunteered to assist with on-the-job training for new officers. Typically, officers were selected to be FTOs based on their combined skills as experienced road officers, and qualities such as patience, positive attitude, communication skills, writing skills, and an ability to perform as positive role models. Since January 1, 2015, officers are still chosen based on these characteristics, but they are also required to successfully complete a 28-hour FTO in-service course approved by the MPTC.

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The FTO assigned to a recruit officer must physically observe and evaluate a recruit officer and document their findings on a Daily Observation Report (“DOR”). The DOR contains numerical scores for various categories and a narrative portion for a more in-depth evaluation. Together, the FTO and recruit officer must review the DOR and initial and sign the bottom as evidence of their review. Once a recruit officer has accumulated enough DORs to satisfy the 160 hours of supervised field training, a Final Evaluation indicating whether the officer passed or failed is signed by the FTO, the recruit officer, the chief executive officer of the police department, and the Police Academy director. The Final Evaluation and the supporting DORs are filed with the police academy, and the original Final Evaluation is filed with DCJS in Albany. Once that is received, DCJS issues the recruit officer his/her certification.

FT. EDWARD POLICE TRAINING

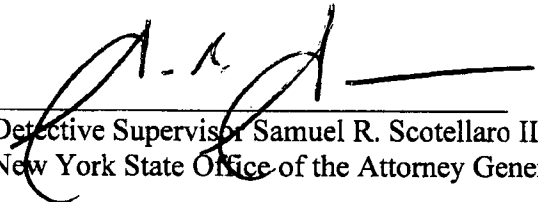
On July 27, 2018, the Fort Edward Village Police Department received approval to conduct a BCPO from October 20, 2018 through September 27, 2019. The dates of the academy were subsequently amended to October 20, 2018 through October 20, 2019. At the conclusion of the academy, DCJS received documentation from the course director, Sergeant Watkins, concerning the completion of the BCPO by fifteen recruits; eleven of the recruits were employed by the Fort Edward Police Department.

After receiving the documentation, DCJS observed that the supervised field training portion of the BCPO was conducted on or about between July 28, 2019 through October 20, 2019. DCJS also observed that the Fort Edward police department only employed two certified FTOs – Watkins and Derway. Watkins was the FTO signatory on the Final Evaluation for seven recruits, and Derway was the FTO signatory on the Final Evaluation for four recruits. In order to

verify the proper completion of the supervised field training, DCJS requested copies of the DORs for each of the recruits. Upon review of the DORs, DCJS observed that Watkins and Derway were the only individuals listed as an FTO on the recruits' paperwork. They also noticed several discrepancies. Specifically, they observed that Watkins and Derway worked an astronomical number of hours as an FTO. Watkins was listed as working as an FTO for 71 out of 78 calendar days for a total of 892.5 hours; he reportedly worked several shifts exceeding 24 consecutive hours as an FTO and often had three or more recruits assigned to him simultaneously. Derway was listed as working as an FTO for 51 out of 67 calendar days for a total of 510 hours, and he was routinely assigned multiple recruits during the same shift.

Based on this initial review, DCJS requested the time and attendance records for each of the eleven recruits as well as Watkins and Derway. DCJS was informed that the DORs served as the attendance records of the recruits; they received the attendance records for Watkins and Derway. After reviewing these records, DCJS determined that Watkins signed off on 668.5 hours of supervised field training that he did not actually work, and Derway signed off on 228 hours of supervised field training that he did not actually work.

False statements made herein are punishable as a class A Misdemeanor pursuant to Penal Law §210.45.



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New York State Office of the Attorney General

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COUNT ONE

The defendants, JUSTIN DERWAY and DEAN WATKINS, acting in concert, committed the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law § 175.35(1), a class E felony, in that on or about October 16, 2019, in the City of Albany, County of Albany, State of New York, and elsewhere, when they, 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 or she 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

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FACTUAL BASIS

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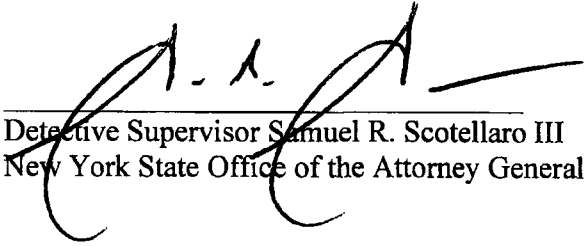
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servant, public authority or public benefit corporation TO WIT: on the aforementioned date, time and location of occurrence, the Defendants submitted a signed Supervised Field Training Orientation and Review Evaluation Summaries (“Final Evaluation”) to the New York State Division of Criminal Justice Services (“DCJS”), verifying that Fort Edward Police Trainee 5, completed the requisite requirements for the police training program, when Defendants did not directly observe the completion of various training performance areas. Defendants, then having entered false information into the Final Evaluation, caused it to be filed with DCJS.

FACTUAL BASIS

This felony complaint is based upon information and belief, with the source of deponent’s information and the grounds for his belief being: (a) New York State Division of Criminal Justice Services (DCJS) records relating to the Supervised Field Training Program including, but not limited to Final Evaluations and Daily Observation Reports (“DOR”) from the Ft. Edward Police Department and; (b) interviews of various witnesses and the defendants, among other sources.

VENUE

DCJS is located in the Alfred E. Smith State Office Building on South Swan Street, in the City and County of Albany, New York.

OVERVIEW

DCJS is a state agency that, among other things, is responsible for setting standards for police training throughout the state and certifying police officers and police training officers. DCJS also keeps and maintains police training and certification records. In appropriate

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circumstances, DCJS has the authority to revoke police officer certifications and police officer training certifications.

BACKGROUND ON TRAINING PROCEDURES

Pursuant to NYS General Municipal Law § 209-q and DCJS, all individuals who seek a permanent appointment as a municipal police officer are required to successfully complete an approved Basic Course for Police Officers (“BCPO”) within one year of the date of their original appointment with a police department. The standards for courses are set by the Municipal Police Training Council (“MPTC”). DCJS oversees training, to ensure that practitioners meet the minimum standards established by the MPTC. The BCPO course curriculum consists of a minimum standard of over 700 hours of training comprised of academic and skills training in conjunction with supervised field training.

The supervised field training is a continuation of the job screening process for recruit officers. During this process, recruit officers perform regular police duties under the supervision and instruction of an Field Training Officer (“FTO”) for a minimum of 160 hours. In the past, FTOs were veteran officers who, in addition to their assigned road patrol duties, volunteered to assist with on-the-job training for new officers. Typically, officers were selected to be FTOs based on their combined skills as experienced road officers, and qualities such as patience, positive attitude, communication skills, writing skills, and an ability to perform as positive role models. Since January 1, 2015, officers are still chosen based on these characteristics, but they are also required to successfully complete a 28-hour FTO in-service course approved by the MPTC.

The FTO assigned to a recruit officer must physically observe and evaluate a recruit officer and document their findings on a Daily Observation Report (“DOR”). The DOR contains numerical scores for various categories and a narrative portion for a more in-depth evaluation. Together, the FTO and recruit officer must review the DOR and initial and sign the bottom as evidence of their review. Once a recruit officer has accumulated enough DORs to satisfy the 160 hours of supervised field training, a Final Evaluation indicating whether the officer passed or failed is signed by the FTO, the recruit officer, the chief executive officer of the police department, and the Police Academy director. The Final Evaluation and the supporting DORs are filed with the police academy, and the original Final Evaluation is filed with DCJS in Albany. Once that is received, DCJS issues the recruit officer his/her certification.

FT. EDWARD POLICE TRAINING

On July 27, 2018, the Fort Edward Village Police Department received approval to conduct a BCPO from October 20, 2018 through September 27, 2019. The dates of the academy were subsequently amended to October 20, 2018 through October 20, 2019. At the conclusion of the academy, DCJS received documentation from the course director, Sergeant Watkins, concerning the completion of the BCPO by fifteen recruits; eleven of the recruits were employed by the Fort Edward Police Department.

After receiving the documentation, DCJS observed that the supervised field training portion of the BCPO was conducted on or about between July 28, 2019 through October 20, 2019. DCJS also observed that the Fort Edward police department only employed two certified FTOs – Watkins and Derway. Watkins was the FTO signatory on the Final Evaluation for seven recruits, and Derway was the FTO signatory on the Final Evaluation for four recruits. In order to

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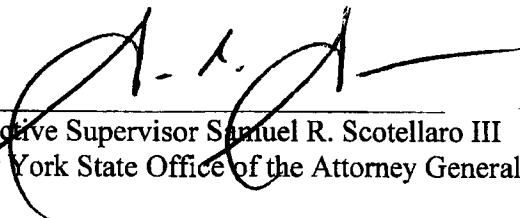
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verify the proper completion of the supervised field training, DCJS requested copies of the DORs for each of the recruits. Upon review of the DORs, DCJS observed that Watkins and Derway were the only individuals listed as an FTO on the recruits' paperwork. They also noticed several discrepancies. Specifically, they observed that Watkins and Derway worked an astronomical number of hours as an FTO. Watkins was listed as working as an FTO for 71 out of 78 calendar days for a total of 892.5 hours; he reportedly worked several shifts exceeding 24 consecutive hours as an FTO and often had three or more recruits assigned to him simultaneously. Derway was listed as working as an FTO for 51 out of 67 calendar days for a total of 510 hours, and he was routinely assigned multiple recruits during the same shift.

Based on this initial review, DCJS requested the time and attendance records for each of the eleven recruits as well as Watkins and Derway. DCJS was informed that the DORs served as the attendance records of the recruits; they received the attendance records for Watkins and Derway. After reviewing these records, DCJS determined that Watkins signed off on 668.5 hours of supervised field training that he did not actually work, and Derway signed off on 228 hours of supervised field training that he did not actually work.

False statements made herein are punishable as a class A Misdemeanor pursuant to Penal Law §210.45.



Detective Supervisor Samuel R. Scotellaro III
New York State Office of the Attorney General

Dated: March 17, 2022
Albany, New York

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STATE OF NEW YORK: CITY COURT
CITY OF ALBANY
THE PEOPLE OF THE STATE OF NEW YORK

FELONY COMPLAINT

-against-

JUSTIN DERWAY
DEAN WATKINS,

Defendants.

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

BE IT KNOWN, by this Complaint, Detective Supervisor Samuel R. Scotellaro III, as the Complainant herein, a police officer with the Office of the New York State Attorney General ("OAG"), accuses the defendants, JUSTIN DERWAY and DEAN WATKINS, with having committed the following crime in the City of Albany, County of Albany: Offering a False Instrument for Filing in the First Degree, as defined by Penal Law §175.35(1), a class E felony.

COUNT ONE

The defendants, JUSTIN DERWAY and DEAN WATKINS, acting in concert, committed the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law § 175.35(1), a class E felony, in that on or about October 16, 2019, in the City of Albany, County of Albany, State of New York, and elsewhere, when they, 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 or she 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

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