

SUPREME COURT: COUNTY OF NASSAU
STATE OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

RANDY STITH,

Defendant

THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, accuses the defendant of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Section 170.25 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 22nd day of April, 2015, in the County of Nassau, State of New York, with knowledge that it was forged and with intent to defraud, deceive or injure another, did utter or possess a forged instrument of a kind specified in Section 170.10 of the Penal Law which purported to be or which was calculated to become or to represent if completed a written instrument filed or requested or authorized by law to be filed in or with a public office or public servant, to wit: Randy Stith, knowing that it was forged, presented a Hose 2 recommendation letter to the Nassau County Civil Service Commission; and he offered or presented the forged Hose 2 recommendation letter with intent to defraud the Nassau County Civil Service Commission.

SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Section 175.10 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 22nd day of April, 2015, in the County of Nassau, State of New York, did commit the crime of falsifying business records in the second degree, and his intent to defraud included an intent to commit another crime or to aid or conceal the commission thereof, to wit: Randy Stith, made or caused a false entry in a Hose 2 recommendation letter, a business record of the Nassau County Civil Service Commission.

THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of FALSIFYING BUSINESS RECORDS IN THE SECOND DEGREE, in violation of Section 175.05 Subdivision 1 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 22nd day of April, 2015, in the County of Nassau, State of New York, with intent to defraud, made or caused a false entry in the business records of an enterprise, to wit: Randy Stith, made or caused a false entry in a Hose 2 recommendation letter, a business record of the Nassau County Civil Service Commission.

FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Section 175.35 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 22nd day of April, 2015, in the County of Nassau, State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the state or a political subdivision thereof, offered and presented said written instrument to a public office and public servant with the knowledge and belief that said written instrument would be filed with, registered and recorded in and otherwise become a part of the records of such public office and public servant, to wit: Randy Stith, knowing that it contained a false statement or false information, offered or presented a Hose 2 recommendation letter to the Nassau County Civil Service Commission; and he offered or presented the forged Hose 2 recommendation letter with intent to defraud the Nassau County Civil Service Commission.

FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE SECOND DEGREE, in violation of Section 175.30 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 22nd day of April, 2015, in the County of Nassau, State of New York, knowing that a written instrument contained a false statement and false information, did offer or present said written instrument to a public office and public servant with the knowledge and belief that said written instrument would be filed with, registered and recorded in and otherwise become a part of the records of such public office and public servant, to wit: Randy Stith, knowing that it contained a false statement or false information, offered or presented a Hose 2 recommendation letter to the Nassau County Civil Service Commission.

SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of GRAND LARCENY IN THE THIRD DEGREE, in violation of Section 155.35 Subdivision 1 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, between on or about the 1st day of March, 2015, to on or about the 31st day of January, 2018, in the County of Nassau, State of New York, did steal property from Southside Hose 2 and the value of the property exceeded three thousand dollars, to wit: money belonging to Southside Hose 2.

SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of GRAND LARCENY IN THE FOURTH DEGREE, in violation of Section 155.30 Subdivision 1 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, between on or about the 1st day of March, 2015, to on or about the 31st day of January, 2018, in the County of Nassau, State of New York, did steal property from Southside Hose 2 and the value of the property exceeded One Thousand Dollars, to wit: money belonging to Southside Hose 2.

EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of PETIT LARCENY, in violation of Section 155.25 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, between on or about the 1st day of March, 2015, to on or about the 31st day of January, 2018, in the County of Nassau, State of New York, did steal property from Southside Hose 2, to wit: money belonging to Southside Hose 2.

NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Section 175.10 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 25th day of January, 2017, in the County of Nassau, State of New York, did commit the crime of falsifying business records in the second degree, and his intent to defraud included an intent to commit another crime or to aid or conceal the commission thereof, to wit: Randy Stith, made or caused a false entry in a financial statement, a business record of the Hempstead Volunteer Fire Department.

TENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of FALSIFYING BUSINESS RECORDS IN THE SECOND DEGREE, in violation of Section 175.05 Subdivision 1 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 25th day of January, 2017, in the County of Nassau, State of New York, with intent to defraud, made or caused a false entry in the business records of an enterprise, to wit: Randy Stith, made or caused a false entry in a financial statement, a business record of the Hempstead Volunteer Fire Department.

ELEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Section 175.35 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 25th day of January, 2017, in the County of Nassau, State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the state or a political subdivision thereof, offered and presented said written instrument to a public office and public servant with the knowledge and

belief that said written instrument would be filed with, registered and recorded in and otherwise become a part of the records of such public office and public servant, to wit: Randy Stith, knowing that it contained a false statement or false information, offered or presented a financial statement to the Hempstead Volunteer Fire Department; and he offered or presented the financial statement with intent to defraud the Hempstead Volunteer Fire Department.

TWELFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE SECOND DEGREE, in violation of Section 175.30 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 25th day of January, 2017, in the County of Nassau, State of New York, knowing that a written instrument contained a false statement and false information, did offer or present said written instrument to a public office and public servant with the knowledge and belief that said written instrument would be filed with, registered and recorded in and otherwise become a part of the records of such public office and public servant, to wit: Randy Stith, knowing that it contained a false statement or false information, offered or presented a financial statement to the Hempstead Volunteer Fire Department.

THIRTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF NASSAU, by this indictment, further accuses the defendant of the crime of OFFICIAL MISCONDUCT, in violation of Section 195.00 Subdivision 1 of the Penal Law of the State of New York committed as follows:

The defendant, RANDY STITH, on or about the 25th day of January, 2017, in the County of Nassau, State of New York, with intent to obtain a benefit or to injure or deprive another person of a benefit, did commit an act relating to his office but constituting an unauthorized exercise of his official functions knowing that such an act was unauthorized, to wit: Randy Stith filed a false financial statement with the Hempstead Volunteer Fire Department; and that Randy Stith did so with the intent to obtain a benefit for himself.

Dated: March 20, 2018
Mineola, New York

MADELINE SINGAS
District Attorney

BY: _____

Lisa Berk
Assistant District Attorney

PLEASE TAKE NOTICE that in accordance with the provisions of Section 240.30 of the Criminal Procedure Law, the People hereby demand that within fifteen days of the date of service of this Demand, you disclose and make available to the District Attorney of Nassau County for inspection, photographing, copying or testing: (a) any written report of document or portion thereof, concerning a physical or mental examination, or scientific test, experiment, or comparisons, made by or at the request or direction of the defendant, if the defendant intends to introduce same at trial of this action, or if the defendant has filed a notice of intent to proffer psychiatric evidence and such report or document relates thereto, or if same was made by a person, other than the defendant, whom the defendant intends to call as a witness at trial; and (b) any photograph, drawing, tape, or other electronic recording which the defendant intends to introduce at trial.

PLEASE TAKE FURTHER NOTICE that in accordance with the provisions of Section 250.20 of the Criminal Procedure Law, I hereby demand from you and each of you that if you intend upon the trial of this indictment to offer, for any purpose whatever, testimony which may tend to establish your presence elsewhere than at the scene of the crime or crimes with which you are charged, at the time of their commission, you must, within eight days from the date of service of this Demand, serve upon the District Attorney of Nassau County, and file with this court, a copy thereof, a "notice of alibi" which shall set forth in detail the place of places where you claim to have been together with the names, post office addresses, residences and places of employment and the address thereof of the witnesses upon whom you intend to rely to establish your presence elsewhere than at the scene of the crime or crimes at the time of their commission.

If at the trial of this action the defendant calls such an alibi witness without having served a notice of alibi pursuant to the demand, or, if having served such a notice he calls a witness not specified therein, a motion will be made pursuant to the provisions of Section 250.20 of the Criminal Procedure Law to exclude any testimony of such witness relating to the alibi defense.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 710.30 of the Criminal Procedure Law, the People intend to offer at the trial of this indictment evidence of oral and/or written statement(s) made to a public servant pertaining to the charge set forth in this indictment.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 710.30 of the Criminal Procedure Law, during the trial of this matter, the People expect to introduce testimony identifying the defendant as a person who committed the offenses charged as set forth in this indictment, which testimony will be given by a witness (witnesses) who has (have) previously identified the defendant.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 220.51 of the Criminal Procedure Law, if at the time of the alleged felony crime the defendant was a public official, as defined in subdivision six of section one hundred fifty-six of the retirement and social security law, the defendant's plea of guilty and the court's acceptance thereof or conviction after trial may result in proceedings for the reduction or revocation of such defendant's pension pursuant to article three-B of the retirement and social security law.

MADLINE SINGAS
District Attorney
Nassau County, New York

IND. NO.

SUPREME COURT: COUNTY OF NASSAU: STATE OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

RANDY STITH,

Defendant

MADELINE SINGAS
District Attorney

INDICTMENT FOR:

CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE
FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (TWO COUNTS)
FALSIFYING BUSINESS RECORDS IN THE SECOND DEGREE (TWO COUNTS)
OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(TWO COUNTS)
OFFERING A FALSE INSTRUMENT FOR FILING IN THE SECOND DEGREE
(TWO COUNTS)
GRAND LARCENY IN THE THIRD DEGREE
GRAND LARCENY IN THE FOURTH DEGREE
PETIT LARCENY
OFFICIAL MISCONDUCT

A TRUE BILL

Foreman
