



# BROOME COUNTY SHERIFF'S OFFICE

Sheriff Frederick J. Akshar II

Undersheriff Sammy L. Davis

155 Lt. Van Winkle Drive, Binghamton, NY 13905

**For Immediate Release:**

September 16, 2024

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## **BROOME COUNTY SHERIFF'S OFFICE PRESS RELEASE**

### **Update on Investigation into Fatal Motor Vehicle Accident in the Town of Binghamton**

(TOWN OF BINGHAMTON, NY) On Monday, Sheriff Fred Akshar joined Broome County District Paul Battisti and members of the Broome County Sheriff's Office to provide an update on the ongoing criminal investigation into a fatal motor vehicle accident that claimed the life of a Conklin man over the weekend.

#### **Arrival at the Scene**

On Sunday, September 15, 2024 at approximately 3:06 AM, Broome County Sheriff Road Patrol deputies responded to a serious injury motor vehicle accident involving two vehicles on Morgan Rd at the intersection of Cobblestone Ct in the Town of Binghamton. Upon arrival at the scene, deputies located the two vehicles involved in the crash as well as one of the occupants, Charles Burrell, Jr., age 29 of Conklin, who sustained serious injuries from being ejected from one of the vehicles at the time of collision. Deputies and emergency responders attempted life-saving measures, but Burrell was pronounced dead at the scene.

#### **A "Road Rage" Dispute**

The subsequent investigation revealed that the two vehicles, a U-Haul pickup truck and a Honda sedan, each containing two occupants, were involved a road rage dispute while traveling south on Morgan Road in the Town of Binghamton.

The drivers, Cody Diffendorf, age 20 of Kirkwood, NY, and James Macdowall, age 26 of Binghamton, NY, had been engaged in an ongoing dispute in the weeks leading up to Sunday's accident.

While traveling south on Morgan Rd, both operators engaged in reckless behavior, leading to both vehicles losing control and leaving the roadway. The Honda sedan, driven by Macdowall, left the roadway and rolled over, ejecting Charles Burrell Jr., who had been seated in the

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passenger front seat. The U-Haul pickup, driven by Diffendorf, also left the roadway at the intersection of Morgan Rd and Cobblestone Ct, but neither of the U-Haul pickup truck's occupants were injured.

The U-Haul occupants called 911 from a nearby house. Macdowall fled the scene on foot and was later located at his residence.

### **Felony Manslaughter Charges**

The investigation determined that the actions of both James Macdowall and Cody Diffendorf, engaging in reckless behavior while operating a motor vehicle, resulted in the crash that led to the death of passenger Charles Burrell, Jr.

Diffendorf and Macdowall were each charged with Manslaughter in the 2<sup>nd</sup> Degree, Class C Felonies as a result of their actions. Diffendorf was arrested and arraigned at Central Arraignment Part before being remanded to the Broome County Sheriff's Correctional Facility. Macdowall was taken to Wilson Hospital on Sunday, where he was admitted for observation. A bedside arraignment was conducted and Macdowall remains in the custody of the Broome County Sheriff's Correctional Facility while at the hospital.

### **Ongoing Investigation Continues**

The accident is still under active investigation by the Broome County Sheriff's Office Accident Reconstruction Unit. The Broome County Sheriff's Detective Division currently executing multiple search warrants related to the incident as part of an ongoing investigation.

“Our team is still in the process of gathering further details into this incident, but it's clear to me that this accident was an entirely avoidable, needless and senseless tragedy,” said Sheriff Fred Akshar. “This reckless behavior over an interpersonal dispute cost a young man his life, and could very easily have harmed more innocent people. Mr. Burrell's family and friends are sadly facing the immutable consequences of this behavior, I have full confidence that our investigators and our partners at the Broome County District Attorney's Office will ensure that those responsible of this incident face the appropriate and just legal consequences as well.”

The Broome County Sheriff's Office was assisted on scene by the Town of Binghamton Fire Department, Broome Volunteer Emergency Squad, the New York State Police and the City of Binghamton Police Department.

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