

CENTER for JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8101
White Plains, New York 10602

Tel. (914)421-1200

E-Mail: mail@judgewatch.org

Website: www.judgewatch.org

July 17, 2024

TO: Albany County District Attorney P. David Soares

FROM: Elena Ruth Sassower, Director

RE: Your Duties, Unaffected by your Defeat in the Albany County Democratic D.A. Primary: CJA's February 23, 2024 grand jury/public corruption complaint, involving your financial and other interests, that you have been "sitting on"

Notwithstanding your defeat in the Albany County Democratic D.A. primary, you remain Albany County district attorney until January 1, 2025 and, until then, are required to discharge the duties of your office.

To assist you in doing so, attached is a copy of my sworn and notarized ethics complaint against you, to the Albany County Ethics Commission. It is based on your 11 years of willful violations of the Albany County Code of Ethics, ¶1(a) and ¶2, barring you from using your office "in a manner which [you] know[]...may result in personal financial benefit, not shared with a substantial segment of the population of the County", including by "failing to act", and mandating, in such circumstances, that you "promptly recuse" yourself.

Your most recent violations of ¶1(a) and ¶2 pertain to CJA's February 23, 2024 grand jury/public corruption complaint to you, which, by reason of your "failing to act", resulted, on April 1, 2024, in a jump in your state-mandated D.A. salary from \$202,800 to \$223,700. As you know, the FY2024-2025 state budget provided no additional state reimbursement to the counties beyond the \$4,212,000 it has been since FY2014-15, when your D.A. salary was \$167,300.

Please confirm, without further delay, that you will now, belatedly, "promptly recuse" yourself from the February 23, 2024 grand jury/public corruption complaint and from CJA's underlying complaints to you that it encompasses – and advise as to the protocol you will be employing for securing a "special prosecutor" or whether you will be referring the matter to an "appropriate governmental authority", as indicated by Section 1-3.5 of the National Prosecution Standards of the National District Attorneys Association, quoted at page six of the February 23, 2024 grand jury/public corruption complaint, under the section heading "Your Threshold Duty to Confront Your Conflicts of Interest", quoting *verbatim* from CJA's June 4, 2020 grand jury/public corruption complaint to you.¹

As stated by the February 23, 2024 complaint (at p. 8), "Time is of the essence". It still is.

Thank you.

cc: Albany County Ethics Commission

¹ This is now Section 1-3.6 of the [2023 National Prosecution Standards \(4th edition\)](#).