

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, August 2, 2024 4:33 PM
To: 'susan.arbetter@charter.com'; 'albanynews@charter.com';
'timothy.p.williams@charter.com'; 'Maryfrancis.Stoute@charter.com';
'Kate.Lisa@charter.com'; 'seamus.lyman@charter.com';
'nick.cowdrey@charter.com'

Subject: **Albany County Ethics Commission -- & Albany D.A. Soares**

Attachments: [7-17-24-complaint-vs-soares-to-albany-ethics.pdf](#);
[7-17-24-transmittal-to-soares.pdf](#)

TO: [Spectrum News – Capital Region](#)

Earlier today, I filed a FOIL request with Albany County, [#24-391](#), whose first paragraph, referencing Albany's "local journalism", such as [Spectrum News-Capital Region](#), reads:

"This is to request publicly-available records pertaining to the recusal of the Albany County Attorney, in or about December 2023/January 2024, from the inquiry into the bonus payments that D.A. Soares gave to himself from state grant monies and his 'longevity payments' – and the retention of outside counsel Bond, Schoeneck & King – whose specifics do not appear to have been reported by the [Albany Times Union](#)^{fn1} or other local journalism."

Unless I hear from you to the contrary, I will assume that [Spectrum News](#), which produced stories on the topic, did not report on the specifics the FOIL request identifies.

Meantime, above-attached, for your journalism, is my July 17th ethics complaint to the Albany County Ethics Commission against D.A. Soares and its accompanying letter to him – as to which the threshold issue, reflected by my below August 2nd and July 18th e-mails, is whether the Albany County Attorney, which functions as legal counsel for the Ethics Commission, will be recusing itself. CJA's webpage for the complaint is [here](#).

I am available to answer questions, no matter how early or late – and over the weekend. Please let me hear from you by the end of the day, Monday, August 5th, as to whether [Spectrum News](#) will be reporting on this far-reaching politically-explosive complaint, showcasing the integrity and efficacy of Albany County's own Ethics Commission – and, if not, the reason.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgwatch.org>
Sent: Friday, August 2, 2024 11:11 AM
To: 'Sia.Googas@albanycountyny.gov' <Sia.Googas@albanycountyny.gov>;
'necole.chambers@albanycountyny.gov' <necole.chambers@albanycountyny.gov>

Subject: STATUS? -- CJA's July 17, 2024 conflict-of-interest complaint to the Albany County Ethics Commission vs D.A. Soares

TO: Albany County Ethics Commission

c/o Law Department Counsel – Asst. County Attorney Sia Zois Googas
c/o Clerk of the Legislature Necole Chambers

I have received no response to my below “**EXPEDITION REQUIRED**” July 18th e-mail, with its above two attachments. On [July 19th](#) I mailed originals of all three “in an Envelope Marked ‘Confidential’...c/o Clerk of the Legislature”. What is the status?

Please confirm that (1) the office of the Albany County Attorney has recused itself due to its obvious conflicts of interest and has advised the Albany County Ethics Commission of the steps necessary for obtaining outside counsel; (2) that the Ethics Commission has concurred and has already taken such steps; and (3) that the County is in process of soliciting and retaining outside counsel for the Ethics Commission – or has already done so.

Meantime, I have today filed a FOIL request pertaining to the recusal of the office of the Albany County Attorney, in or about December 2023/January 2024, from the inquiry concerning the bonus payments that D.A. Soares gave to himself from state grant monies and his “longevity payments” and the County’s retention of outside counsel to make findings and report. The August 2nd FOIL request has been assigned [#24-391](#).

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgwatch.org>
Sent: Thursday, July 18, 2024 2:35 PM
To: 'Sia.Googas@albanycountyny.gov' <Sia.Googas@albanycountyny.gov>;
'necole.chambers@albanycountyny.gov' <necole.chambers@albanycountyny.gov>
Cc: 'David.Soares@albanycountyny.gov' <David.Soares@albanycountyny.gov>

Subject: EXPEDITION REQUIRED BY ALBANY COUNTY ETHICS COMMISSION: Conflict of Interest Complaint vs Albany County D.A. Soares

TO: Albany County Ethics Commission

c/o Law Department Counsel – Asst. County Attorney Sia Zois Googas
c/o Clerk of the Legislature Necole Chambers

Attached is the Center for Judicial Accountability's signed and notarized July 17, 2024 ethics complaint against Albany County District Attorney P. David Soares for violation of Albany County's Code of Ethics, proscribing financial interest and mandating recusal. CJA's webpage on which it is posted is [here](#).

In conformity with the instructions on the complaint form and the [Ethics Commission's website](#), the complaint will also be mailed "in an Envelope Marked 'Confidential'...c/o Clerk of the Legislature". You will find, however, that reviewing the complaint from the above-attached or posted pdf is far more useful, as it contains live hyperlinks to the evidence, to facilitate verification.

I note that the sole "Ethics Commission Determination" posted on the Commission's website, that of [November 15, 2023](#), states "Due to the Law Department having a conflict [pertaining to the subject complaint], the Commission determined that outside counsel was necessary to handle the preliminary review phase investigation".

In light of the particulars of this complaint (at pp. 5-8) pertaining to my 2016 e-mails to then County Attorney Daniel Lynch, alerting him to the situation and to his duty, I trust the Ethics Commission will similarly decide that the Law Department has a conflict and that outside counsel must be retained.

Please confirm that this is the case – and that the Ethics Commission, whose next meeting is not until [September 25, 2024](#), will be making that decision at an IMMEDIATE meeting convened for that purpose, inasmuch as this complaint against D.A. Soares, impacting the 2024 Albany D.A. race and the races for all 213 state legislative seats, plainly requires investigation and determination PRONTO.

To further facilitate expedition, D.A. Soares is cc'd on the complaint and on this e-mail, which includes the above-attached July 17, 2024 transmittal letter to him, to which the Ethics Commission is cc'd.

Thank you.

Elena Sassower, Director
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