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Albany County DA's salary shuffle aimed at halting exodus

JORDAN CARLEO-EVANGELIST, INSIDE POLITICS Published 10:49 pm, Thursday, June 2, 2016

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Albany County District Attorney David Soares answers questions during a Times Union editorial board meeting Thursday, Sept. 10, 2015, in Colonie, N.Y. (Will Waldron/Times Union) ORG XMIT: MER2015091015220615

Albany County District Attorney [David Soares](#) is overhauling the salary structure in his office in hopes of stopping the defections of more prosecutors in search of bigger paychecks.

The churn on Lodge Street has raised eyebrows in recent years. Soares estimates he's lost more than a third of his staff of about three dozen prosecutors in the last 36 months — an exodus the three-term Democrat pinned in part on the burdens of law school loans.

The changes, which were tentatively approved by county lawmakers last week, would reduce the entry-level salary of a first-year prosecutor and shift that money to allow incremental pay bumps along the way as mid-level staffers accumulate experience.

The problem now, Soares said, is that while Albany County's competitive entry-level pay — around \$55,000 — attracts young talent, those prosecutors eventually leave for better paying jobs with the state and federal governments.

Soares likened the problem to that faced by small-market baseball teams, like the [Pittsburgh Pirates](#), that lose their homegrown prospects to deeper-pocketed franchises.

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"We get [Barry Bonds](#), develop Barry Bonds and then Barry Bonds goes and plays for the Giants — that's what our office has become over the last three years," Soares said. "They get very, very good, and then we lose them to another agency. And the reality is we're not losing them for a lot of money. We're losing them for anywhere between 10 and 20 percent, and that's just silly."

Under Soares' plan, which still needs approval from the full County Legislature, six grades of ADAs would be established on top of the entry-level criminal law associates. The new entry-level salary would be set at \$50,000 and rise to \$95,000 at a grade six assistant district attorney.

The plan would also establish seven bureau chiefs at \$108,000 — titles already held by top prosecutors but that don't actually exist in the county budget.

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The position of deputy chief assistant would also be formally added to the budget at \$120,990.

Currently, every prosecutor other than Soares and Chief Assistant District Attorney [David Rossi](#) are booked in the budget the same way — simply as assistant district attorneys — even though their budgeted salaries range widely from about \$62,000 to \$120,000.

The chief assistant's pay would also be increased \$3,550 to \$137,500.

The proposed changes require about \$1.4 million in transfers within Soares' budget but do not involve new money beyond the \$4.4 million that lawmakers already approved for 2016 salaries in December.

Notably, Soares' reorganization comes after he sought 10 percent raises for much of his staff in 2016 — a request that County Executive Dan McCoy trimmed to 2 percent citing a need to keep the increases in line with those received by other county employees.

Soares said the restructuring is aimed at creating a career path for attorneys in his office, many of whom — like him — started there as law school interns.

"We've got to stop the bleeding," Soares said.

No challenger for Soares?

Soares, meanwhile, may be headed toward a free ride at the polls this year for the first time in his political career — despite a tumultuous run of high-profile cases that angered segments of the once friendly Democratic left.

With ballot petitioning scheduled to begin Tuesday, no other candidates — Democrat or Republican — have publicly announced their intention to seek the office.

[David Gonzalez](#), an assistant corporation counsel in Albany, put out early feelers when he interviewed with [Democratic Party](#) leaders for the job in April.

But the [Albany County Democratic Committee](#) opted to back the incumbent prosecutor, and Gonzalez has said nothing publicly about his plans since.

Soares fended off a contentious 2012 primary challenge from Bethlehem defense attorney [Lee Kindlon](#), and for a while it seemed likely he'd face a primary again.

The decision by a grand jury not to indict the Albany police officers involved in the death of mentally ill black man and Soares' support for a nine-year prison sentence for an Albany teen convicted of robbing another teen of a pair of sneakers infuriated some liberal [Democrats](#) and local Black Lives Matter activists.

Those resentments only appeared to deepen with his office's prosecution of three African American women accused of fabricating a hate crime.

Even so, efforts to field a candidate against Soares, himself elected in 2004 as a liberal insurgent, bore no fruit.

Republicans, meanwhile, also appear to have no one — though county GOP Chairwoman [Christine Benedict](#) stopped short of actually saying that.

"We're open to interview anyone who is interested," Benedict said.

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