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Guilty Verdict in Albany Rape Case



ALBANY, NY – District Attorney P. David Soares announced today that ALBERT DIRSCHBERGER, 53, of Lancaster, NY, was found guilty of (1) Count of Rape in the Third Degree, a Class E Felony, and (1) Count of Criminal Sexual Act in the Third Degree, a Class E Felony, before the Honorable Roger D. McDonough in Albany County Supreme Court this afternoon.

After hearing testimony and reviewing evidence over a week-long trial, the jury concluded that during the late evening of December 5, 2017 and early morning of December 6, 2017, while located in a hotel at 144 State Street in the City of Albany, DIRSCHBERGER engaged in sexual intercourse with an adult female victim that was known to him without her consent. In addition,

the jury found that DIRSCHBERGER engaged in oral sexual conduct with the same victim without her consent.

At the time of the incident DIRSCHBERGER was employed as the Commissioner of the Department of Social Services for Erie County, New York.

DIRSCHBERGER was remanded by the Court and faces up to 4 years in State Prison on each count when sentenced on April 12, 2019.

“This victim was forced in to sexual contact by a person with power over her, despite repeatedly telling him “No” and being too intoxicated to legally consent. We are proud to deliver justice to her and to those who have supported and believed her,” commented DA David Soares.

Executive Assistant District Attorney Jennifer McCanney and Assistant District Attorney Ariel Fallon of the Special Victims Unit handled the prosecution of this case.

For more information please contact Cecilia Walsh at (518) 275-4710 or cecilia.walsh@albanycountyny.gov

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