



NEW YORK STATE SENATOR

Thomas F. O'Mara

## Senator O'Mara's weekly column 'From the Capitol' -- for the week of November 20, 2023 -- 'Another delay on reassessing NY's pandemic response'

THOMAS F. O'MARA November 20, 2023

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Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature.

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Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more. Stop back every Monday for Senator O'Mara's latest column...

This week, "**Another delay on reassessing NY's pandemic response**"

Testifying before the state Senate Aging Committee in May 2022, Bill Hammond of the Empire Center for Public Policy, who would emerge as one of the leading government watchdogs throughout the state's COVID-19 response, said the following about the need for New York to quickly undertake a comprehensive, independent reassessment of that response:

"The key to being better prepared is to learn from hard experience. The state needs a careful and comprehensive investigation of its pandemic response -- ideally conducted by a commission of independent experts. Otherwise, there is a danger that the invaluable lessons of this once-in-a-century catastrophe will go to waste ... It should be about understanding what went wrong and devising systems to get things right in the future."

Many of us agreed -- and repeatedly called for that investigation -- well before and long after that May 2022 meeting. It still hasn't happened, despite the many revelations that have surfaced of abuses of executive authority, failures, shortcomings, and waste.

We shouldn't forget that New York government, and all New Yorkers, remained under the thumb of executive order for well over two years during the pandemic, until Governor Hochul finally called an end to the COVID-19 emergency in September 2022.

For more than two years, there were no legislative checks and balances in an all-Democrat-controlled, toe-the-line Legislature. Local decision-making was ignored. It was unilateral action after unilateral action by the governor, executive dictate after executive dictate, state mandate after state mandate -- and it was a disaster, and incredibly costly, as we keep finding out. Some of the actions remain in place.

The trouble is that we're not finding out the way we should be. It just keeps raising red flags and suspicions. The Senate and Assembly Republican conferences have repeatedly called for an independent, transparent, no-holds-barred, top-to-bottom examination of *all* the decisions that were made and *all* the actions that were taken during the COVID-19 response and recovery.

Instead, in July 2022, Governor Hochul announced the hiring of a Virginia-based consultant (overseen, by the way, by her own state director of homeland security and emergency services) to conduct an "After Action Review" of the state's response. At that time, the governor said this hired hand would begin its work last November, provide preliminary results in six months, and that there was no definitive timetable for a final report. It's costing taxpayers \$4.3 million.

Last week, we learned that the release of any report remains delayed. It won't be forthcoming until at least the middle of next year.

And so it continues as it went on throughout the pandemic. The trouble is that, at best, it appears like Governor Hochul is following the playbook of her predecessor, ex-Governor Cuomo, by falling back on an essentially in-house review of New York's COVID response. The only difference is that this one is costing taxpayers millions of dollars so it can try to be characterized as an "outside, independent" investigation. Except that it's not.

The trouble is that it already appears too little, too late. Another slow walk. Just another stonewalling effort to conceal bad decisions, especially on the sordid and terrible chapter of the Cuomo administration's handling of the COVID-19 response in New York's nursing homes, which was replete with lies, misinformation, stonewalling, whitewashing, and ultimately, bald-faced personal gain for the former governor with a \$5.1 million book deal.

In other words, what has continually defined the post-COVID Hochul administration is a glaring lack of urgency to reexamine the pandemic response, all of it, from the beginning until now -- its costs, shortcomings, outright failures, what worked and what didn't, what actions should remain in place going forward and what needs to be scrapped immediately.

I have said before that this was the most devastating public health crisis this state ever faced. The longer the reassessment is delayed, the more transparency gets clouded, the more credibility is eroded, and the more the effectiveness of New York's future responses is jeopardized and weakened.

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