



NEW YORK STATE SENATOR

Thomas F. O'Mara

## Senator O'Mara's weekly column 'From the Capitol' -- for the week of August 12, 2024 -- 'A failure to address accountability, justice, and preparedness'

THOMAS F. O'MARA August 13, 2024

| ISSUE: **COVID-19 PANDEMIC RESPONSE REVIEW**



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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, **"A failure to address accountability, justice, and preparedness"**

Several weeks ago, I highlighted in this column that a long-awaited report on New York State's COVID-19 pandemic response, first commissioned by Governor Hochul more than two years ago, was finally released.

It's a report that cost state taxpayers more than four million dollars and it hasn't exactly drawn rave reviews. Far from it, in fact.

Remember that the governor released the report at the beginning of July with very little fanfare, to say the least. No press conference. No reassurances that the report points the way to more effective state responses in the future. Instead, it was quietly put out on a Friday afternoon -- common timing for news you want buried -- and just three days AFTER former Governor Cuomo testified to Congress on the very subject matter of that report.

That's because the report sheds virtually no accountable, honest, or transparent light on New York State's response to what was certainly the most devastating public health crisis in modern history. And after all this time -- and after all that so many New Yorkers suffered and lost throughout the pandemic, the lost lives and livelihoods -- that is a failure of the first order at the highest levels of state government.

Shortly after the report's release, the Empire Center for Public Policy stated, "Hochul had commissioned a \$4.3 million after-action review of the crisis, saying she wanted it to cover 'the good, the bad and the ugly' and bolster the state's preparedness for future outbreaks. Yet the 262-page report from the Olson Group, a Virginia-based consulting firm, turns out to be thinly researched, poorly argued, ill-informed, sloppily presented and marred by obvious errors. Although many of its findings ring true, it glosses over or ignores some of the state's most questionable actions -- such as ordering thousands of Covid-positive patients into nursing homes."

Thinly researched. Poorly argued. Ill-informed. Sloppily presented. Marred by obvious errors. All at a cost of at least \$4.3 million. Furthermore, the report itself admits that "a number of key officials were unwilling to participate" because they were worried "about possible litigation and other legal actions."

In other words, key figures involved in the day-to-day decision making and implementation of the state's response didn't even participate in what was supposed to be a comprehensive after-action review. It leaves the matter where it started: nowhere.

Most recently, state Comptroller Thomas DiNapoli, who has long been one of New York's most prominent and respected Democrats, wrote in an op-ed for the *Albany Times Union*, "The Olson report is a missed opportunity to provide answers or restore confidence in New York's emergency planning. It is replete with large and small errors and omissions -- most egregiously the undercounting of those who died in nursing homes. Without a thorough and accurate assessment of New York's pandemic response, based on reliable research and thoughtful analysis, we will not learn from our mistakes and successes. Instead, the report leaves us without answers, and it particularly failed those who lost people in nursing homes who at the least want the deaths of their loved ones to have been counted."

The comptroller concluded, "It's time for full consideration of proposed state legislation to establish an independent commission, with subpoena power, to provide the comprehensive accounting New Yorkers deserve."

The creation of such an independent commission, with subpoena power to compel testimony from every key decision maker, has long been called for by myself and our Senate and Assembly Republican conferences, as well as a handful of other leading Democrats, for years now. Sadly, key state leaders continue to ignore the urgency 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.

Having had a front row seat as the ranking member on the Senate Investigations Committee throughout the pandemic, for me the Olson Report simply stands as a colossal waste of taxpayer dollars and, most egregiously, fails to move this state forward in meeting the fundamental responsibilities of accountability, justice, and preparedness in the aftermath of this crisis.

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