



NEW YORK STATE SENATOR

Susan Serino

SERINO CONDEMNS FOIL APPEAL DENIAL

SUSAN SERINO May 25, 2021

| ISSUE: [CORONAVIRUS PANDEMIC](#); [COVID-19](#); [NURSING HOMES](#)



ALBANY, NY – Senator Sue Serino today is condemning the denial of the appeal she made in the process of filing a Freedom of Information Law (FOIL) request pertaining to the secret meeting between the Governor’s top officials and members of the Legislature regarding the cover-up of COVID-19 nursing home deaths.

“New Yorkers deserve nothing less than absolute transparency on this issue,” said Senator Serino. “This denial once again creates far more questions than it answers, and raises even more suspicions about the lengths the Governor’s Administration is willing to go to withhold information from the public on the issue of COVID-19 nursing home deaths. Despite the Governor’s stonewalling, we will not stop pushing for the

answers vulnerable residents, dedicated caregivers, and grieving families deserve, and we will continue to explore all possible options to shine light on a meeting that should never have been held behind closed doors in the first place.”

On February 15th, Senator Serino filed an official FOIL request for a full transcript or recording of the February 10th meeting, as well as any records pertaining to the meeting. On May 3rd, Senator Serino received a letter denying the request, despite the fact that a written copy of the transcript was released publicly by the Administration. Notably, it was Senator Serino’s ask for the release of any records or recordings pertaining to the meeting that triggered the denial. In a letter, the FOIL officer argued this portion of the request is problematic saying: *“any potentially responsive records ‘are compiled for law enforcement purposes and which, if disclosed, would ... interfere with law enforcement investigations.’”*

Senator Serino filed an official appeal on May 6th, and at 5:00pm on Friday, May 21st, Senator Serino received a letter denying that appeal.

A copy of this correspondence is attached. Senator Serino is the Ranking Member of the Senate’s Aging Committee.