



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara calls reversal by ethics panel a step toward holding ex-governor accountable: Continues to call for full investigation of pandemic response

THOMAS F. O'MARA November 16, 2021

| ISSUE: **COMBATING COVID-19 AND PROTECTING NEW YORKERS; PROTECTING NURSING HOME RESIDENTS**



New Yorkers deserve accountability and the families who lost their loved ones in nursing homes deserve justice.

Elmira, N.Y., November 16—State Senator Tom O'Mara (R,C,I-Big Flats), ranking member on the Senate Investigations and Government Operations Committee, welcomed today's decision by the Joint Commission on Public Ethics (JCOPE) to rescind its approval of ex-Governor Andrew Cuomo's \$5.1-million pandemic book deal last year.

O'Mara called the JCOPE decision a potentially important step in ultimately requiring Cuomo to pay back millions of dollars for a book published last October, "American Crisis: Leadership Lessons from the COVID-19 Pandemic," that has come under fire for falsely touting the Cuomo administration's handling of the pandemic and remains under investigation by state Attorney General Letitia James and federal investigators for the use of state resources in its writing and intentionally underreporting nursing home COVID deaths to make it a better story.

O'Mara, who has been a leading critic of Cuomo's handling of the COVID-19 crisis in nursing homes, has long expressed outrage at Cuomo's earnings from a book written while the state was in the middle of the COVID-19 crisis. Reports have revealed that the governor and his inner circle withheld information and accurate data on the number of COVID-19 deaths in state nursing homes in order to, in part, portray the administration's response efforts in a more favorable light in his book.

Furthermore, O'Mara has contended, JCOPE spelled out specific conditions that Cuomo could not violate in the writing of the book, including that state property, resources or personnel could not be used to produce or market it. O'Mara said that subsequent news reports have made it clear that Cuomo and top aides likely ignored JCOPE's ethics requirements and violated the state's Public Officers Law. That remains the subject of ongoing investigations by the state attorney general and federal authorities.

In a statement, O'Mara said, *"Today's decision by JCOPE to rescind Andrew Cuomo's corrupt book deal marks a long overdue step toward accountability. To be clear, our disgraced ex-governor should never have been allowed to pocket millions upon millions of dollars by enriching himself off of what we now know was a tragic pandemic response.*

"In New York State, on top of the COVID-19 crisis, we had a Cuomo crisis of arrogance and self promotion nearly every step of the way. The lasting lessons of this chapter of the Cuomo administration will not be about leadership, they will be about abuse of power. It is outrageous and unconscionable that Cuomo would be paid and accept millions of dollars for a book that willingly created and pushed, for his own personal benefit, a false narrative about his handling of the COVID-19 crisis in nursing homes and other areas. It was a false account built on cover-ups, deceptions, stonewalling, and possible criminal conduct.

"The fact that Andrew Cuomo made himself a multi-millionaire peddling outright lies, false bravado, and dishonest government is a disgrace and continues to demand a full investigation.

*"I, along with my Republican colleagues in the Senate and Assembly, have pushed for our Democrat colleagues to conduct a top-to-bottom investigation of the pandemic response and issue subpoenas to bring closure to the thousands of families who lost loved ones. In February, as the Ranking Republican on the Senate Investigations Committee, I demanded the committee Chairman, Democrat Senator James Skoufis, to issue subpoenas to take testimony of the many upper level Department of Health officials who abruptly retired in 2020 during and following the nursing home cover-up. Included in those we requested, at that time, to be subpoenaed was **Dr. Elizabeth Dufort, then medical director of the department's Division of Epidemiology, who recently made headlines for her deposition testimony in the AG's investigation regarding how Cuomo ignored the advice of the Health Department experts.** I continue to call on Senator Skoufis and the Senate Democrats to pursue further testimony from these former health experts.*

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O'Mara was a strong and frequent Cuomo critic throughout the year preceding the former governor's resignation in August. O'Mara repeatedly called for the Senate Investigations Committee, and others, to fully investigate the governor and members of his inner circle concerning the handling of the COVID-19 crisis in New York's nursing homes and long-term care facilities.

