



Governor Kathy Hochul

VIA EMAIL

May 16, 2022

Re: The urgent need for an independent, expert-led commission to review New York State's COVID-19 response.

Dear Governor Hochul,

We urge you to create a commission of experts on public health, pandemic emergency response and government management to review the New York State government's response to the COVID-19 disaster.

According to reports in [the New York Times](#) and [Gotham Gazette](#), you have ordered a two-week, internal review by the State Health Commissioner and other administration officials. Given the magnitude of the COVID disaster – which killed 70,000 New Yorkers, sickened millions and inflicted massive societal and economic costs – we believe this is far too brief and superficial and will not produce an independent, comprehensive analysis of what New York State did right, what it did wrong, and what it should do going forward.

When one aircraft crashes, the National Transportation Safety Board sends a team of experts that spend months analyzing what happened, why, and how such crashes can be prevented in the future. In New York, COVID-19 took a human and societal toll equivalent to many hundreds of jetliners crashing. A sober-minded, independent, expert assessment of how New York State responded to COVID should be proportional to the enormity of the disaster New Yorkers have endured.

We believe it is imperative that New York State government and the broader public are provided with an impartial, objective assessment that we all can learn from and that will

improve the state response to future pandemics or other disasters. To ensure a credible and useful inquiry, we recommend the commission appointed by the governor:

- **Include independent experts.** It is important to include some representatives of agencies involved in New York’s COVID-19 response, but the chair and the majority of the experts who review the state’s response should not have such ties. This will assure the public that the recommendations are well informed and that the commission is not compromised by political influence. All experts on the panel should have a robust background in public health and have worked extensively on pandemics or crisis response.
- **Include public hearings and meetings.** The commission should conduct hearings around the state to hear from government officials and the public about how New York handled the COVID-19 crisis. Any discussions that a quorum of the commission holds to discuss its findings should be held in public, as required in the Open Meetings Law. Ideally, the commission would hold at least one hearing in each of the state’s major cities.
- **Guarantee full access.** The panel should have full authority to review state records and data – including material not subject to FOIL – and to interview current and former officials, under subpoena when necessary.
- **Publish a public final report.** Once the public hearings and meetings are complete, the commission should issue a final report summarizing findings and recommending what steps should be taken to prevent or mitigate the next pandemic.

We believe that a truly independent, comprehensive, expert-led review will help prevent unnecessary deaths during the next pandemic.

Please contact Bill Hammond at billh@empirecenter.org or (518) 858-2835, or Tom Speaker at tom@reinventalbany.org or (929) 888-4683 should you wish to discuss the matter further.

Sincerely,

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