



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' ~ for the week of May 24, 2021 ~ 'Governor's book deal puts exclamation point on bad ending'

THOMAS F. O'MARA May 24, 2021

| ISSUE: **COMBATING COVID-19 AND PROTECTING NEW YORKERS**



In New York State, on top of the COVID-19 crisis, we have had a Cuomo crisis of arrogance and self promotion nearly every step of the way.

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, "Governor's book deal puts exclamation point on bad ending"

The million-dollar news out of Albany last week, despite Governor Cuomo's best efforts to bury it, was that he earned approximately \$5.1 million for the now infamous book he (with a little help from his friends) found time to write during the height of the pandemic and that was published last October, *American Crisis: Leadership Lessons from the COVID-19 Pandemic*.

You read that right. Governor Cuomo became an instant multi-millionaire penning a dishonest account of his actions and touting a false portrayal of how New York State, under his watch, responded to the worst crisis in modern history.

Where to even begin. Set aside the dubious timing of the undertaking, with the state in complete lockdown under state government by Cuomo executive order, with businesses shuttered, millions unemployed and, most egregious of all, a disaster unfolding in our nursing homes, Governor Cuomo still found time to enrich himself with a book that, we now know, painted a deceptive picture of his competence, to say nothing of the effectiveness and integrity of the state's response.

We now know, for example, 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. The number of COVID-19 deaths in nursing homes was certainly exacerbated by Cuomo's fateful March 25, 2020 order directing nursing homes to accept COVID-positive hospital patients.

Additionally, the state's Joint Commission on Public Ethics (JCOPE) – in an informal staff (staff which Cuomo controls by appointment) advisory opinion requested by the governor which bypassed the JCOPE commissioners -- spelled out specific conditions that this governor 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. 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.

Furthermore, the JCOPE staff opinion Cuomo received stated that "the subject matter (of the book) must be sufficiently unrelated to the governor's official activities so that authorship or the advice or material provided in the book cannot be viewed as part of the governor's job." Can he really argue now that the state's COVID response was not part of the governor's job? No.

Such violations of the Public Officers Law can be punished by a fine of up to \$10,000 and the value of any "compensation or benefit received as a result." The governor's illegitimate windfall should be forfeited.

In short, the governor penned a dishonest book and made millions.

In New York State, then, on top of the COVID-19 crisis, we have 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 Governor 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 demands a full investigation.

It can also never happen again.

Toward that end, I am currently co-sponsoring legislation (S5601A) in the Senate, which has also been introduced in the state Assembly, which would prohibit statewide elected officials in New York State from being compensated for books or any other published works written while they are in office. The same restriction would apply to gubernatorial appointees.

I have been a strong and frequent Cuomo critic over the past year. In my position as the Ranking Member of the Senate Investigations and Government Operations Committee, I have repeatedly called for the committee (and others) to fully investigate the governor and his top aides concerning the handling of the COVID-19 crisis in New York's nursing homes and long-term care facilities.

But this book deal goes too far.

It leaves a bad taste.

It has left a trail of tears.

The final chapters – on abuse of power, mismanagement, and deception – are far from written.

Worst of all, it has all but destroyed any trust whatsoever in this governor and what ultimately defines his idea of public service.

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