



To: Assembly Colleagues

From: Assemblymembers Jessica Gonzalez-Rojas, Harvey Epstein, Yuh-Line Niou, Ron Kim, Emily Gallagher, Marcela Mitaynes, Phara Souffrant Forrest, Zohran Mamdani, Robert Carroll

Date: February 16, 2021

Re: Sponsorship Opportunity to Support the Removal of Governor Cuomo's Emergency Powers (Kim/Biaggi)

Dear Colleagues,

By now, you have already seen the news of Governor Cuomo's staff openly conceding that the omission of nursing home COVID-19 deaths data – now surpassing 15,000 nearly a year into this pandemic – were deliberately covered up by this administration.

In an attempt to circumvent a United States Department of Justice probe, and despite a joint hearing held by the State Legislature last August in which representatives of the Cuomo administration were compelled to testify and answer crucial questions to our body, it is now unambiguously clear that this governor has engaged in an intentional obstruction of justice, as outlined in Title 18, Chapter 73 of the United States Code.

In response to this criminal use of power, Assemblymember Ron Kim and Senator Biaggi are introducing a bill to repeal the amendments to the Executive Law that were passed by this Legislature one year ago, codified in chapter 23 in the laws of 2020, that expanded the Governor's authority to unilaterally suspend entire state statutes in response to an impending state emergency. This is a necessary first step in beginning to right the criminal wrongs of this Governor and his administration.

Most consequentially, if this Legislature fails to take collective action in stripping the Governor of his emergency powers and engage in additional measures to seek the realization of justice, **including overriding an eventual executive veto and potentially the commencement of impeaching proceedings against Governor Cuomo, per the powers vested in the Assembly as articulated in Article VI, §24 of the State Constitution**, then we too shall be complicit along with this administration in the obstruction of justice and conscious omission of nursing home deaths data.

We implore you to set aside any concerns of loyalty or disloyalty to this Governor, or that this matter is politicized. We must absolutely consider above all the sanctity of the democratic institution that we call the Legislature of the State of New York, and resolutely pursue justice in the face of an executive who we can say without hesitation has engaged in intentional criminal wrongdoing. **If you would like to sign onto this bill, please email David A. Lee at LEEDA@nyassembly.gov.**

Sincerely,



Ron Kim
Member of Assembly



Jessica Gonzalez-Rojas
Member of Assembly



Harvey Epstein
Member of Assembly



Yuh-Line Niou
Member of Assembly



Emily Gallagher
Member of Assembly



Marcela Mitaynes
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Phara Souffrant Forrest
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Zohran Mamdani
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Robert Carroll
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