



## NEW JERSEY SENATE

SENATE CHAMBERS

P.O. Box 099

TRENTON, NEW JERSEY 08625-0099

July 21, 2020

The Honorable Steve Sweeney  
Senate Democratic Office  
P.O. Box 099  
Trenton, NJ, 08625

Dear Senate President Sweeney,

After months of delay and inaction, it is time for you to formally constitute the investigative body that was promised to help us understand how the executive branch's response to COVID-19 may have contributed to the massive loss of life in New Jersey's long-term care facilities, with the goal of saving lives in the future.

Our caucus has written to you several times over the past two months to express the critical importance of this effort. For reference, our prior correspondence can be found on our website at the following links:

- May 13, 2020: <https://www.senatenj.com/uploads/select-committee-ltr-sweeney.pdf>
- May 20, 2020: <https://www.senatenj.com/uploads/sweeney-ltr-5-20-2020.pdf>
- May 29, 2020: <https://www.senatenj.com/uploads/sweeney-ltr-5-29-2020.pdf>
- June 2, 2020: <https://www.senatenj.com/uploads/sweeney-preservation-ltr-6-2-2020.pdf>

We were cautiously optimistic that progress was being made when you joined with Leader Kean on May 22, 2020 to announce plans to create a bipartisan Senate Review and Recovery Committee to "investigate the surge of COVID-19 fatalities in the state's long term care facilities," among other things.

Unfortunately, despite the determination of Senate Republicans to move this process forward, no steps have been taken by the Senate Democratic Majority beyond that initial press release. No action has been taken to understand how flawed policies of the administration could be improved to better protect the tens of thousands of seniors, veterans, and residents with disabilities who live in long-term care facilities across New Jersey.

Various members of our caucus, including Leader Kean, have asked repeatedly, both directly and through staff, when the formal resolution would be voted upon to form the committee. We have asked for details of the committee's membership and when meetings would begin. Every response at every level has been couched in uncertainty. There is no excuse for this delay.

As the weeks have dragged on into months, the situation in our long-term care facilities has not improved, nor has the need for our investigation diminished. Today, a full 50% of New Jersey's COVID-19 deaths can be attributed to LTCs, no less than when we first called for an investigation in early May. Nearly 7,000 residents of these facilities have died, and the number continues to climb every day.

This has had far-reaching consequences impacting every New Jerseyan. After the administration failed to properly protect nursing homes, leading to a wildfire of infection and death, the governor pointed to data heavily skewed by extremely vulnerable LTC populations to justify draconian statewide lockdown orders. Had he been more transparent about how COVID-19 was really impacting New Jersey, it may have been apparent sooner that less damaging steps could have been taken to protect the rest of the state.

Even today, the repercussions of dangerous policy directives, misrepresented data, and arbitrary decision-making by the administration continue to impact New Jersey. Every single legislator, Republican and Democrat, should have an interest in seeking the truth and working to develop thoughtful reforms based on what we learn. We know there are people who are waiting for the opportunity to tell us important and maybe shocking stories. We should give them a forum, and we should listen.

Surprisingly, it appears that many members of your Senate Democratic caucus do not support such an effort, wishing neither to vote for the creation of an investigative committee nor to serve on it if formed. Perhaps they do not want the public to understand how thousands of New Jerseyans may have died unnecessarily, or why a million of our neighbors needlessly lost their jobs. Maybe they don't want to investigate the failures of a Democratic governor, or are afraid of retribution from his administration, as some have claimed.

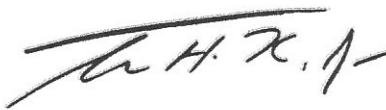
Senate Republicans are ready to take the lead if empowered to do so. As Senate President, you have the authority to advance the formation of the committee, to put Republicans in charge, and to give us the subpoena power needed to compel witness testimony. If the majority party remains unwilling to lead in a time of crisis, especially in an endeavor that could save lives, it should step out of the way.

We continue to believe that the Legislature must utilize the full range of its oversight powers as a co-equal branch of government to demand accountability and improve transparency from the administration. It should be a bipartisan effort. One way or another, however, this special investigative committee must be allowed to proceed. The thousands who died deserve nothing less.

Sincerely,



Joe Pennacchio  
Whip



Thomas Kean  
Leader



Kristin Corrado  
Conference Leader



Kip Bateman  
Deputy Whip



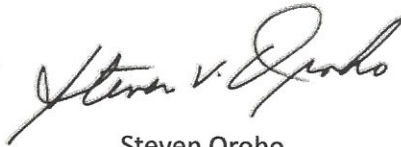
Robert Singer  
Deputy Leader



Chris Brown  
Deputy Conference Leader



Anthony M. Bucco  
Senator – District 25



Steven Oroho  
Budget Officer



Gerald Cardinale  
Senator – District 39



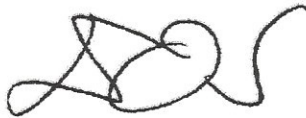
Christopher Connors  
Senator – District 9



Michael Doherty  
Senator – District 23



James Holzapfel  
Senator – District 10



Declan O'Scanlon  
Senator – District 13



Michael Testa  
Senator – District 1



Samuel Thompson  
Senator – District 12