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in Middleborough

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CommonWealth

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"Top 100 Companies for Working Mothers"

— *WORKING MOTHER MAGAZINE*

"Best Places to Work in IT"

— *COMPUTERWORLD*

"Fit-Friendly Workplace"

— *AMERICAN HEART ASSOCIATION*

"Best Employee Assistance Program in the U.S."

— *EMPLOYEE ASSISTANCE SOCIETY OF NORTH AMERICA (EASNA)*

"Best Employers for Workers Over 50"

— *AARP*

"One of the Area's Best Places to Work"

— *BOSTON BUSINESS JOURNAL*

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CPA FUNDS BENEFIT THE ENTIRE STATE

The Rappaport Institute for Greater Boston's report on the Community Preservation Act ("Study Says CPA Steers Money to Wealthy Towns," *Inquiries*, *CW*, Summer '07) is so flawed it is difficult to know where to begin.

While it is true that many communities that adopted the Act initially had higher-than-average income levels, that trend began to change in the fall of 2005. The majority of the 27 communities that have passed the CPA since then are from the middle- and lower-income ranks. Of course, another way to look at those early years is that communities in the highest-growth areas of the state—the Route 128 and I-495 belts, the South Coast, and Cape Cod—saw the CPA's smart-growth provisions and jumped in first.

The study's other major flaw is that it sets up fictional winners (communities that have passed the CPA) and losers (those that have yet to adopt it). This fails to recognize that the projects funded under CPA benefit the Commonwealth as a whole, not just the adopting communities. To date, the CPA has been used to create more than 1,000 units of much-needed affordable housing. It has saved more than 8,000 acres of our precious remaining open space to maintain our connection to the natural world. CPA communities have made more than 750 appropriations to preserve our historic assets, a major generator of tourism dollars in Massachusetts.

We hope the Rappaport Institute

does the requisite homework on its next report before seeking sensational headlines, and treats the stakeholders it plans to "study" with a modicum of respect and professional courtesy.

Clarissa Rowe

*Chair of executive steering committee
Community Preservation Coalition
Boston*

RAPPAPORT STUDY IS A SOP TO DEVELOPERS

I am rather disturbed by some of the statements put forth regarding how CPA funds are distributed and used. This is not unexpected. I find that studies emanating from the Rappaport Institute seem overly biased to the developer industry, especially when they involve affordable housing.

As an elected town meeting member, I am aware of the CPA process, but my town, unfortunately, has failed to adopt it. As a result, our real estate transaction fees feed CPA without any return. If cities and towns choose to waive on CPA, it's their loss.

Now, for the concern as to how it's used. First, there seems to be an objection to using the money for the renovation of potential affordable units. What happened to anti-sprawl smart-growth development? This objection smells of making sure developers continue to have opportunities for new construction. Why can't CPA money be spent on rehabbing old mills, school buildings, etc. to provide affordable units?

As for the detailed reporting of fund expenditure, CPA funds are voted on



at town meetings, city council meetings, etc. From my experience, town meeting members are very inquisitive about where appropriated money is going, and I'm sure there are citizens in each city that want to know what their council is spending. The need for additional reporting is almost an unwarranted assault on the integrity of our local governments.

Last is the objection to towns using CPA funds to "land bank." Isn't that exactly what many of our developers do when buying large tracts and holding them until they provide a high profit opportunity—and in so doing contribute to the increased cost of Massachusetts housing?

The Rappaport Institute and the study's authors seem to be more interested in enhancing a developer's welfare program than in allowing the towns that were farsighted enough to adopt CPA to use and administer what they were willing to fund.

I would suggest that the "Robin Hood" designation is aimed at the wrong party.

*John Belskis
Arlington*

HEALTH COSTS CALL FOR NATIONAL REFORM

Dave Denison's article ("Cost Unconscious") gives an excellent picture of the cost dilemma facing Massachusetts as it tries to implement its

We welcome letters to the editor. Send your comments to editor@massinc.org, or to Editor, *CommonWealth* magazine, 18 Tremont Street, Suite 1120, Boston, MA 02108. Please include a city or town, as well as a daytime phone number. Letters may be edited for clarity and length.

new universal health insurance plan. Uncontrolled health cost inflation is indeed the central problem in our state, as it is in the rest of the nation.

But absent from the comments by the authorities cited in the article was any recognition that the solution cannot be achieved by state action alone. It will require major national health reform, involving a change in the insuring of health care as well as a change in the funding and organization of the delivery of that care. With the right kind of national reform, we could easily afford to cover everyone with excellent care, and support strong academic and research sectors as well.

As I explain in my recent book (*A Second Opinion: Rescuing America's Health Care*), the reason US health care is so uniquely expensive is that our health care system is more commercialized, more investor-owned,

and more driven to maximize its income than the health systems of any other advanced country. Even “not-for-profit” institutions compete for income and market share in the US health care marketplace. Unless we eliminate, or at least greatly moderate, the commercialism driving our insurance and medical care delivery systems, we will not control rising costs and will not be able to afford the kind of health system we need.

Arnold S. Relman, MD
Professor Emeritus of Medicine
Harvard Medical School
Boston

‘BUSINESS AS USUAL’ MEANS BILLIONS IN WASTE

The quote from business writer Steven Pearlstein is dead on: “Lots of powerful interests do nicely with things just the way they are.”

Before the 2006 health care reform

law in Massachusetts, skyrocketing premiums had insurers fretting about a “death spiral” as younger and healthier residents decided not to buy pricey coverage. Hospitals worried about the rising bad debt that comes with rising numbers of uninsured patients. The reform law, if fully implemented, addresses the worries of these insurers and hospitals. The individual insurance mandate delivers private insurers the young, healthy members they need, along with something on the order of \$1 billion in new revenues after full implementation. Hospitals get an upfront bonus of almost \$400 million in reimbursement rate increases from MassHealth and in the protection from bad debt that comes with near universal coverage. The best thing of all, from the perspective of insurers and hospitals, is that they are asked to do nothing in return other than to carry on with business as usual—that



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is, the inefficient delivery and the uneven quality of care that wastes billions of dollars each year.

In 2005, six months before the current reforms were enacted, advocates for a health care constitutional amendment delivered concrete proposals, prepared by nationally respected health care economist Kenneth Thorpe, that would have cut Massachusetts health care spending by over \$2 billion. Those savings would have more than paid for moving to a universal, public-private hybrid health care financing system. The proposals included: a requirement that hospitals use patient safety monitoring systems to reduce medical errors; the requirement that providers better coordinate care for the chronically ill; and a public health initiative to cut the obesity growth rate to zero. Each one of these proposals would improve the health of Massachusetts residents and the bottom lines of hospitals and insurers.

Not one of these proposals was included in the final reforms. If the Thorpe report had any impact at all, it was to galvanize the major stakeholders in their efforts to kill the constitutional amendment. And why not? Instead, they got what they wanted—nearly \$1.4 billion without having been even asked to do anything in return. And without the constitutional amendment, there is virtually no political leverage to force change.

If cost-cutting and quality improvement required blazing new trails, then maybe more data collection would be in order. But it doesn't. Patient safety monitoring systems save lives and have cut inpatient spending by 10 percent to 15 percent in the hospitals that have adopted them. Better coordination of chronic care reduces expensive complications and avoidable hospitalizations.

So far, Massachusetts taxpayers have footed almost the entire bill for reform. Over 90 percent of the newly insured have been enrolled in the

MassHealth or Commonwealth Care subsidized plans. All of this new money has been wasted because expanded coverage could have been paid for with the savings from providing better quality care. Instead, last year 2,200 patients died in Massachusetts hospitals from *avoidable* medical errors at a cost of about \$700 million.

How long should we wait?

*Barbara Waters Roop, Ph.D.
Boston*

CONSUMERS MUST MAKE MORE INFORMED CHOICES

Imagine that you need to buy a new car and someone gives you a coupon that entitles you to select any car you want. What kind of car would you choose? You would not likely go for the least expensive model you could find. In fact, you'd probably go in the opposite direction.

Now imagine that instead of a coupon, you receive \$20,000 toward the cost of the car and are allowed to keep any portion of the money you don't spend. What would you do? Would you spend more than \$20,000 by using money out of your own pocket? Spend exactly \$20,000? Or would you spend some of the \$20,000 and save the rest? It's interesting how our desire for information and our ultimate buying decision change when we have "skin in the game." It's that skin in the game that is clearly missing from the health care system in Massachusetts today.

Creating a sustainable health care system requires that we shift the debate into new directions that more fully—and responsibly—engage all of us as consumers. Transparency, as discussed in Dave Denison's article, is a part of the equation. But transparency needs to be defined and supported in the broadest sense possible. The creation of a Web site with cost and quality information (a key objective of the Health Care Quality and Cost Council) is a great start, but it is by no means a silver bullet. Quality and cost

data for some Massachusetts providers have actually been available for a few years now, but the information is often represented in ways that only a health care insider can understand. The information has to be presented in a way that works for two key stakeholders in the health care system: patients and their providers.

More fundamentally, we need to link the use of quality and cost data with health insurance plans to better engage consumers financially in their own health care decisions and lifestyle choices. For example, tobacco use and obesity have a significant impact on health care costs, but our system has few financial incentives to encourage non-smoking and a healthy diet. Building those incentives into health plans is a place to start. Our experience at Fallon Community Health Plan shows that even small financial incentives can influence behavior. We believe that applied to everyone, these incentives could bring down health care costs. Will quality and cost data help? Absolutely. But controlling costs while also improving health outcomes depends on giving consumers "skin in the game." They need the power and the responsibility to make their own informed choices.

*Eric H. Schultz
President and chief executive officer
Fallon Community Health Plan
Worcester*

LIVE FREE OF WINDMILLS IN NANTUCKET SOUND

Charles Euchner ("Squeaky Wheels," The Book Case) has a sort of condescending irritability toward those who oppose the Cape Wind project in Nantucket Sound. He writes that only Kennedys and wealthy sailboat owners oppose the installation of these "toothpicks." Nicely designed though they are, I cannot love them, and I certainly don't want the sight of them coming between me and this comforting view of water, sky, and graceful curve of land.

I am used to these windmills. I often see them as I enter Toronto on the Queensway from the west. The sight of these 40-foot-tall white columns doesn't bother me so much in that setting. Towering over the 19th-century buildings of the Canadian National Exhibition grounds, they prepare one for the miles of high-rise apartments that Toronto has seen fit to erect along its Lake Ontario waterfront. Today, it seems to me, everything is for sale.

So I hope the Kennedys will continue to take it on their chins for the rest of us of more modest means who do not want Jim Gordon's money-making machines despoiling a beautiful area. It is not necessary to have a house in Nantucket to appreciate the beauty of the island. Anyone can go there, spend the day, walk through the town, and along the beaches, and browse through the shops. Nantucket

and Martha's Vineyard, like the Cape Cod National Seashore, are special places, and we all should strive to keep them "free."

*Judy Carr Johnson
Bradford, N.H.*

WE'RE MAKING STRIDES ON EARLY EDUCATION

As your title correctly states ("In Tight Times, Universal Preschool Gets Held Back," *Inquiries*, CW, Spring '07), times are tight. However, contrary to the article's premise that the effort to expand access to high-quality early education opportunities for all 3-, 4-, and 5-year-olds throughout Massachusetts has diminished in recent years, there have actually been many positive and significant steps taken by the Commonwealth toward achieving this goal.

In 2005, the state created the first-in-the-nation Department of Early

Education and Care. Among EEC's statutory responsibilities is to oversee the development and implementation of voluntary, universally accessible, high-quality early childhood education for all preschoolers in the Commonwealth. To this end, the Legislature appropriated \$4.6 million for pilot funding for the Massachusetts Universal Pre-Kindergarten Program (MA UPK) in the fiscal 2007 state budget. This pilot funded 131 grants to programs serving 5,900 children in 62 cities and towns to promote school readiness and to inform the longer-term implementation of the MA UPK program. Despite a challenging budget cycle of significant structural deficits and escalating costs, MA UPK received a \$2.5 million (54 percent) funding increase in the state's fiscal 2008 budget.

The Legislature has also acted upon evidence that the most effective

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pre-kindergarten teachers have specialized training in early childhood education, establishing the early educator scholarship program in fiscal 2006 with funding of \$1 million. This program has awarded 1,273 scholarships to help educators obtain either an associate's or bachelor's degree and, thus, improve the quality of early education and care programs for our young children. Due to demand, the Legislature tripled the program's funding to \$3 million in fiscal 2007 and further increased funding to \$4 million in the fiscal 2008 budget. Additionally, the Legislature has continued to annually increase investments in full-day kindergarten, Head Start, and the low-income child care programs, all of which represent important elements of the state's early childhood education and care system. Since fiscal 2005, the Commonwealth has increased investments in early educa-

tion and care in the state budget by nearly \$100 million.

Last session, the Legislature unanimously passed An Act Relative to Early Education and Care, a comprehensive proposal for the effective development of a coordinated system of early education and care in Massachusetts. Regrettably, Gov. Romney vetoed the bill at the end of the session, but the legislation has been refiled and has already been heard before the Joint Committee on Education. Advocates are optimistic that it will again receive the strong support of the Legislature and be signed into law by Gov. Patrick. Most recently, Patrick has introduced the Readiness Project, a group of educators, legislators, business leaders, and community leaders who will work to create a plan that provides universal pre-kindergarten and full-day kindergarten.

The process of ensuring that all

young children in the Commonwealth have access to universal pre-kindergarten built upon a mixed system of public schools and private providers is a monumental task and one that requires many systematic and bureaucratic changes to take place before it can be successfully achieved. Our funding recommendations purposely assume a long-term and deliberate roll-out process that ensures that the money can be invested effectively. To suggest that the issue has lost some momentum because large amounts of funding have not been allocated to UPK is inaccurate and fails to appreciate the thoughtful process that the Commonwealth has undertaken to successfully achieve high-quality "early education for all" young children.

Margaret Blood

*President/campaign director
The Early Education for All Campaign
Boston*

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Medford embraces wind power

As controversy continues to swirl around the Cape Wind proposal in Nantucket Sound, the city of Medford is leaping to the head of the class by shoring up its renewable energy bona fides. The Massachusetts Technology Collaborative has awarded the city a \$250,000 Renewable Energy Trust grant to design and build a 100-kilowatt wind turbine at the McGlynn Elementary/Middle School. An additional \$100,000 may go to the project if the Legislature approves a request by Rep. Paul Donato, a Medford Democrat; the total construction cost for the project is about \$473,000. The wind turbine will be similar in size to one located in Dorchester that is visible from the Southeast Expressway.

The blades are scheduled to begin turning next year, and the turbine is expected to provide 10 percent of the school's annual energy use. That would save the city roughly \$25,000 in electricity costs. It would also offset 76 tons of greenhouse gas emissions each year.

This northern suburb of 55,000, where solar panels help to generate energy for City Hall, is no stranger to green power plays. It was the first municipality in the state to adopt a climate action plan, back in 2001, and Mayor Michael McGlynn created the Medford Clean Energy Committee in 2004, which encourages residents to sign up with renewable energy suppliers.

Thanks to these outreach efforts—and the threat of rising fuel costs—Medford has turned renewable energy into a household term, says Patricia Barry, director of the city's energy and environment office.

► GABRIELLE GURLEY

Transportation pros make tough calls, get cold shoulder

► BY JIM O'SULLIVAN

COLUMBUS DAY FELL during a particularly volatile moment in the 2006 gubernatorial campaign. Three weeks past his runaway primary win, there were still doubts about Deval Patrick's electability—specifically, whether he'd be seen as too soft on crime and too vague on how he would pay for his promised new programs. Meanwhile, Republican nominee Kerry Healey, facing poor poll numbers, had gone on the attack and trotted out the tried-and-true argument that only a GOP governor could hold the line against the overwhelmingly Democratic Legislature.

The issue *du jour*, as both candidates gathered in Revere for the holiday parade, was a 9-cent increase in the state's 21-cent-per-gallon gas tax. The idea was reportedly under consideration by the Transportation Finance Commission, a panel of business and transportation experts reviewing the state's transportation system. Swarms of reporters, trained to the electorate's sensitivities on taxes, bounced back and forth between Healey and Patrick during the parade, eager to capture the “he said, she said.”

A PLAN TO RAISE THE GAS TAX BY 9 CENTS WAS DEAD ON ARRIVAL.

The campaigns squabbled about who controlled the commission. But both candidates ruled out increasing the gas tax if elected. The proposal, which analysts said could net \$270 million annually, was rendered dead on arrival.

The Columbus Day flap likely had little impact on the campaign; Patrick so thoroughly trounced Healey it's doubtful even his full-on embrace of the tax hike would have swung the election to the Republican. And commission chairman Stephen Silveira, a Boston lobbyist and former top MBTA official, hopes that the back-and-forth last October will have little policy resonance. “If the election was decided on that, it would be game over,” he says, pointing out that Patrick's pledge isn't seen as a major campaign promise. “But there's no film or ‘read my lips,’ as it were.”

It wouldn't be the only time the transportation commission—created in 2004 amid escalating concerns about the condition of roads, bridges, and rails—got a cold shoulder for its efforts. By late March of this year, it had identified a funding deficit for transportation network maintenance that could hit \$20 billion over the next 20 years.

At a noontime press conference in mid September, the commission made recommendations for closing that gap—highlighted by a call for an 11.5 cent increase in the gas tax. But at that very hour on the other side of the Common, Gov. Patrick was upstaging the panel by announcing his plans for expanding legalized gambling in the state. The commission had taken three years to



Chairman Stephen Silveira hopes that it's not "game over" for the commission's proposals to raise revenue.

reach its conclusions, but after a few months pondering casinos, Patrick wanted to make his pitch to the Commonwealth with the greatest hype possible. Thus, the day's topic became casinos vs. gas taxes.

Michael Widmer, president of the Massachusetts Taxpayers Foundation and a commission member, says, "I think it was a deliberate decision of the administration, and I think they accomplished it in the short term, to sort of overwhelm or steal the thunder of the Transportation Finance Commission."

Also doused in the gambling excitement were the transportation commission's other proposals: among them, reduced police construction details and MBTA employee fringe benefits on the savings side, new revenues from user fees, and steadily escalating MBTA fares.

As casinos and fallout from Patrick's announcement commanded the agenda, and despite its delivery just six weeks after the Minneapolis bridge collapse, the package stirred fewer prolonged discussions about its utility than the authors had hoped. Unsurprisingly, the pricier ideas elicited concerns that a high-cost state needs no more wallet grabs. And reforms totaling \$1.2 billion were targeted at members of powerful public employee unions, which helped quell support for those initiatives.

One longtime state government veteran calls the commission's report a victim of two delays: one the long neglected, decaying transportation infrastructure, the other the long lead time between major efforts at savings and revenues. "It put together all the bad news and all the old solutions," he says, agreeing to speak for the record only anonymously.

Commissioners are almost defiant in predicting that their recommendations, sooner or later, will wind up on the books as law. Says Widmer, "In the end, I don't know if it's going to be this governor or the next governor, somebody's going to support a gas tax, because they're going to discover that there's no way to make this work, to have the money for the roads and bridges at a bare minimum, without having to raise a tax of some sort."

In the short term, the panel's greatest feat may be drilling home the notion of a \$20 billion shortfall. "I think that's not a small accomplishment," Widmer says. "I think that reality is out there. And it's a number that's going to be impossible for politicians to dodge forever."

Silveira, who acknowledges that the focus on revenues was unavoidable, sounds a similar note: "The Legislature created this commission, they asked us to ask and answer some tough questions, and we did that, and that information's not going away. They're going to have to figure out how to deal with that."

Jim O'Sullivan is a reporter for State House News Service.

On district matters, a Patrick ally turns adversary

► BY GABRIELLE GURLEY

A YEAR AGO, Marty Walz was among the legion of liberal Democrats enthralled by Deval Patrick's gubernatorial candidacy. The state representative from Boston's Back Bay was an enthusiastic supporter of the candidate who promised a new way of doing business on Beacon Hill. Today, however, Walz finds herself battling the new administration on three high-profile issues in her district. She remains diplomatic about the disagreements, but Walz's experience illustrates the difference between the lofty rhetoric of the campaign trail and the often messy business of making decisions and governing.

Sitting in her State House office one afternoon in mid September, the two-term lawmaker is clearly exasperated. "I could talk about Storrow Drive all day," she says. No one

said that managing the rebuilding of Boston's 55-year-old Storrow Drive tunnel would be easy. But an option being floated by the Patrick administration—a temporary roadway through the Esplanade—has floored Walz and many area residents. Walz has thrown down the gauntlet, vowing to stop the administration from clear-cutting trees and paving the fabled green space along the Charles River. Don't underestimate her tenacity, says her House colleague Michael Moran, a Brighton Democrat. "She is going to fight tooth and nail for this," he says.

Richard Sullivan, the Department of Conservation and Recreation commissioner, understands that putting back on the table the idea of the temporary Esplanade detour—an approach that the Romney administration considered but rejected—was "a controversial move." He says he doesn't have any preconceived notions about what option will ultimately emerge as the preferred one. "If at the end of the day, there are certain impacts that [Walz and her constituents] are willing to live with over others, then that's fine," he says.

Even so, Walz says those who have been involved in advisory consultations with the state view the proposal's unexpected resurrection as a subversion of the community engagement process. In an op-ed headlined "Betrayal" that she penned this summer for the *Back Bay Sun*, Walz wrote, "The process has been a model for how a governmental agency should work with community members. Until now."

Labeling the department's recommendations "antiquated," a recent *Beacon Hill Times/Back Bay Sun* editorial called on neighborhood leaders to work on getting the governor, Energy and Environmental Affairs Secretary Ian Bowles, and Transportation Secretary Bernard Cohen "to shut this project down" for at least a decade—and repair the structurally deficient Longfellow Bridge instead.

The Esplanade rift exposes some raw nerves not only in Walz's district, but among the governor's supporters in the environmental community. "This is fairly standard operating procedure with the new administration. Unfortunately, there is not a lot of opportunity for conversation," says Robert Zimmerman, executive director of the Charles River Watershed Association, which plans an independent study of tunnel construction management alternatives. "They tend to keep their own counsel, make decisions, and then let everybody know afterward."

Even before the Storrow Drive controversy erupted over the summer, Walz and environmental leaders were at odds with the administration. In February, the Supreme Judicial Court ruled that the Department of Environmental Protection exceeded its authority by exempting the NorthPoint mixed-use development under construction in East Cambridge from Chapter 91, the state waterways laws that regu-

late development on coastal sites and in filled areas that were once tidelands. The exemption the state had been granting for filled tidelands, the justices found, infringes on the Legislature's prerogative to safeguard the public's rights to oversight of development in such areas.

Developers said the ruling will wreak havoc on projects far from any coastline. The Greater Boston Real Estate Board called the decision "a drastic change to the rules that developers had followed for many years." In March, Patrick filed a bill that would exempt landlocked filled tidelands from the law.

The debate over Chapter 91 has largely focused on public interests in those lands and impacts on existing and future development. But Walz has zeroed in on a particular issue of big concern in her district. By exempting land-

KEEP OFF THE ESPLANADE, SAYS WALZ.

locked filled tidelands from Chapter 91, as the administration proposes, she says the state would lose an opportunity to regulate development impacts on groundwater levels. Water

moving beneath the earth's surface helps protect the wood pilings supporting the foundations of scores of buildings in the Back Bay, South End, and other nearby neighborhoods. If the pilings dry out due to falling groundwater levels, those buildings are at risk for structural failure. "If it's your home that's been torn down because some developer disrupted the groundwater flow, the exemption under Chapter 91 hasn't worked out so well for you," says Walz.

Meanwhile, in a yet another dust-up over district matters, Walz says a big administration-supported development project in her backyard isn't working well for taxpayers. In July, the Patrick administration approved a \$10 million grant to the developers of Columbus Center, a huge residential, retail, and hotel complex, for a platform to be built over the Massachusetts Turnpike to support the structure. The developers are also seeking a second \$10 million state grant.

"Just how many times are taxpayers going to pay for that deck?" asked Walz, House Speaker Salvatore DiMasi, and Rep. Byron Rushing, a fellow Boston Democrat, in a July letter to Patrick, calling such requests "a misuse of taxpayer dollars." Last year, the Columbus Center developers secured \$20 million in MassHousing loans from a fund created for affordable apartments. Another \$22 million in tax increment financing and investment tax credits came from the state Economic Assistance Coordinating Council.

At issue is whether or not developers should receive public subsidies, monies the developers originally said that they wouldn't seek, she argues. (The developers have denied making such statements.) "Now that it's all approved, they are coming to every government agency that will have them,"

Walz says. “I’m not in the business of paying income taxes every year so real estate developers can get richer at my expense.”

Dealing with the rough and tumble of life on Beacon Hill comes naturally to the native New Yorker, who was born into a politically attuned family. She learned the ropes spending one campaign after another going door to door with her siblings handing out literature for Democratic candidates in the overwhelmingly Republican Rochester suburb where she grew up.

“Very busy and complicated” is how she describes her district, which includes Back Bay, Beacon Hill, and Cambridge neighborhoods along the Charles. “There are days when I wish I represented a quiet farming community in Idaho,” she says, smiling.

Of her recent run-ins with the new administration, Walz speaks in measured tones. “In all three instances, there was a failure to consult and get advice and guidance from each of the communities involved,” she says. What does this say about the Patrick administration’s much-touted commitment to civic engagement? “I think they are still learning to do that,” she says.

Unions fight moves against construction labor agreements

► BY SHAUN SUTNER

FISCAL WATCHDOG GROUPS have long railed against agreements guaranteeing union-only workers on major construction projects. But with public budgets under stress, even some usual labor allies are questioning whether the labor agreements are always the way to go.

Last year, Fall River Mayor Edward Lambert, a Democrat with long ties to organized labor, revoked the union-only Project Labor Agreement on three school construction jobs totaling about \$100 million. And PLAs have been rejected or abandoned in recent years on municipal projects in Brockton, Lowell, and Worcester, as well as on a new science center at Smith College.

In Fall River, when the school construction projects were re-bid without the PLA, they came in about \$6 million less — confirmation, say critics, that the agreements drive up construction costs by narrowing the pool of bidders and imposing costly union work rules. “We just saw a lack of what we felt were appropriate bids,” says Lambert, who adds that he still supports union-only agreements in some instances.

“I always said to the labor unions that I thought PLAs would be beneficial, but that I wouldn’t allow a PLA to delay the projects or inflate the bids. I called the unions in and had a frank discussion and told them my first priority was to build the schools.”

A PLA essentially is a pre-construction collective bargaining contract governing a specific project that requires all laborers to be hired from union halls and that imposes union work rules on the construction site. Labor leaders and many supportive politicians maintain that PLAs are as useful as ever in ensuring high-quality and on-time construction, labor peace, and the coordination of intricate projects. And union leaders say they don’t see evidence of an anti-PLA trend.

They point to Bristol-Myers Squibb’s decision to use a PLA on a new \$1 billion biologics plant in Devens, and to union-only agreements on major projects such as Gillette Stadium, a municipal parking garage in Worcester, a Milford co-generation plant, and Tufts University’s Cummings School of Veterinary Medicine in Grafton.

“The only attack on PLAs has been a public relations attack,” says Frank Callahan, president of the Massachusetts Building Trades Council. “When you’re calling people from local union halls [to work on projects], it’s good for the local economy.”

Anti-PLA forces often point out that Massachusetts state law requires all public works projects to pay prevailing union wages regardless of whether they are union jobs. But labor leaders say that their workers get significantly better benefit packages. “We also have outstanding pensions, annuities, and the most comprehensive health insurance for our workers and the best training in the business,” says Callahan.

Those benefits could also be one reason why PLAs appear to raise building costs on some projects.

In Worcester, former city manager Tom Hoover rejected a PLA for the \$90 million Technical High School that opened last fall, but city officials kept a labor agreement in place on a new \$21.5 million parking garage complex, which includes retail space, now under construction next to historic Union Station.

City officials decided that the PLA governing the long-delayed municipal garage, designed to be an architecturally impressive anchor for a neighborhood revitalization program, was still valid even though the agreement had been signed a decade ago. But the pre-cast concrete and brick structure, derided as the “Garage Mahal” by the Worcester *Telegram & Gazette* editorial board, has focused attention on the practice of restricting projects to union labor and contractors during tight fiscal times. A comparable municipal garage with retail space in Lowell was built recently without a PLA. It came in at the same price as the Worcester project,

but with nearly twice the parking capacity and retail space.

“Project Labor Agreements do nothing but help unions recover lost market share,” says Ron Cogliano, executive director of the Merit Construction Alliance, which represents about 75 non-union contractors in Massachusetts and has led the charge in recent years against the union agreements.

Cogliano claims that construction unions have held back women and minorities and that the no-strike promise held

out by PLAs is a barely concealed picket threat to those not agreeing to a pact with unions. He scoffs at union claims of quality and work-

UNIONS KEPT WORCESTER’S ‘GARAGE MAHAL’.

force training superiority, noting that all skilled tradesmen must be licensed by law anyway.

“The days are long gone when anyone with a pickup truck and a ladder can show up and go to work,” Cogliano says.

Cogliano’s group appealed to the federal government to block the Worcester garage PLA. Its contention is that the agreement violated a 2001 executive order issued by President Bush banning requirements to use only union la-

bor on federally funded projects. The Worcester project is 40 percent federally funded.

Prodded by the anti-union group, federal transportation officials in late summer made the city submit a request for a waiver from the PLA rule. In September, the exemption was approved on the grounds that halting the project, which was already under construction, would cause too much harm and would disrupt labor agreements already in place. The project, complete with PLA, actually started in 1999, then was delayed nearly a decade.

In Fall River, the contractors’ group failed in its attempt to get a court injunction against the PLA on the city’s school construction projects, though in the end the mayor scuttled the agreements on his own. That case is still under appeal, because Merit is trying to set a precedent against PLAs in case law. The group won a more limited court injunction in Brockton in 2002, when a judge ruled that PLAs on two new schools and a renovation project did not meet established legal criteria that mandated labor agreements on only the biggest and most complex projects.

Meanwhile, Merit watched approvingly from the sidelines as Smith College officials battled student groups and organized labor in the Pioneer Valley over a PLA on a \$70 million science and engineering center.



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After months of negotiations, Ruth Constantine, the college's vice president for finance and administration, told pro-union students that Smith would voluntarily agree to pay the prevailing wage, but there would be no PLA on the \$70 million building. Smith's construction manager had determined that a PLA would raise the building cost by at least \$2 million.

Jon Weissman, secretary-treasurer of the Pioneer Valley Central Labor Council, doesn't buy the school's figures on the savings. "In general, they've exaggerated the cost difference," says Weissman. "They're probably sending a signal that they're going to cut corners and build as cheaply as possible."

The history of PLAs dates back to the big West Coast public works dam projects of the Great Depression. The agreements have continued to be used up to the present day, usually on public construction sites but also on private projects ranging from the Alaska Pipeline and Disney World to Boston's Big Dig.

Starting in the 1980s, non-union construction groups such as Associated Builders and Contractors and the Merit Construction Alliance began challenging PLAs in court and lobbying against them in state legislatures. They have argued that they are not only expensive, but also discriminatory because most construction workers don't belong to unions.

(Only about 20 percent of construction workers in the Bay State are in unions, though that's considerably higher than the national rate of about 13 percent, according to the U.S. Department of Labor.)

The assault on PLAs here continued this decade, with the Beacon Hill Institute and Worcester Regional Research Bureau producing research papers claiming the agreements boost construction costs by about 15 percent.

By most indications, Massachusetts and other Democratic Party-dominated Northeast states will continue their pro-union policies. But if recent experience is a guide, the people paying the bills on big-ticket construction items may begin to think twice about always using PLAs.

"The big advantage of a PLA to an employer is not having to worry about a picket line being put up next to a construction site," says Gary Chaison, professor of industrial relations at Clark University. "When unions dominated the construction industry, PLAs made sense, but those days are largely over. PLAs make a lot of sense from unions' perspective because the unions are interested in protecting their jobs and incomes. But the cities are starting to be opposed to them because they can't afford them." **CW**

Shaun Sutner is a reporter for the Worcester Telegram & Gazette.



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STATISTICALLY SIGNIFICANT

BY ROBERT DAVID SULLIVAN

FRANK PREFERS GABBING TO GOLFING

The Web site LegiStorm reports that Massachusetts Rep. Barney Frank of Newton has logged more trips paid for by private sponsors (84) than any other member of Congress so far this decade. But his itinerary is strikingly different from the others on the Top 10 list, such as Stephanie Tubbs Jones of Ohio (who last year made trips to Barbados and Jamaica, the latter costing more than \$6,000 and paid for by the Inter-American Economic Council).

Only two of Frank's trips since 2000 have been out of the country—to the International Management and Development Institute, in Brussels, and to the World Economic Forum in Davos, Switzerland. Instead, most of Frank's jet-setting involved speaking engagements in East Coast cities, often to gay rights groups (Equality Virginia shelled out all of \$172 this spring for Frank's travel expenses to Richmond), or drop-ins to Los Angeles to appear on political satirist Bill Maher's TV series.

A WELL-WORN SEAT OF GOVERNMENT

This summer Michael Bloomberg, the former resident of Medford and current mayor of New York City, ruffled some feathers by declaring his workplace "the oldest and longest-serving City Hall in the nation." Residents of Perth Amboy, N.J., took offense, pointing out that their city's main offices have been in the same building since 1767—or 44 years before Gotham's City Hall was constructed. But the tiny Bay State town of Pelham has an even more impressive historical claim: Its municipal affairs have been conducted in the Old Meeting House, just a couple of miles west of what is now the Quabbin Reservoir, since 1743. Are there any hamlets in New Jersey that can boast an older seat of government?

For the record, the oldest *city* hall in Massachusetts is in Salem, which has been using the same Greek Revival building since 1837.

EAT YOUR PEAS, KNOW YOUR POLITICS

Adolescents who discuss current events with their parents are more civically engaged and more eager to vote than their peers, say three researchers in the July issue of *PS: Political Science and Politics*. That may seem obvious, but the more surprising result of their regression-analysis study is how little socioeconomic factors matter. "The effect size of the youth-discussion variable," write Hugh McIntosh, Daniel Hart, and James Youniss, "is three times larger than any other parent or youth predictor" in determining whether a high schooler regularly follows the news. The study showed no significant correlation between "news monitoring" and whether one's parents were homeowners, were steadily employed, or even whether they had voted themselves during the previous five years. "Who parents are" is less important than "what parents do with their children," the authors conclude.



EXERCISE MAKES US THIRSTY

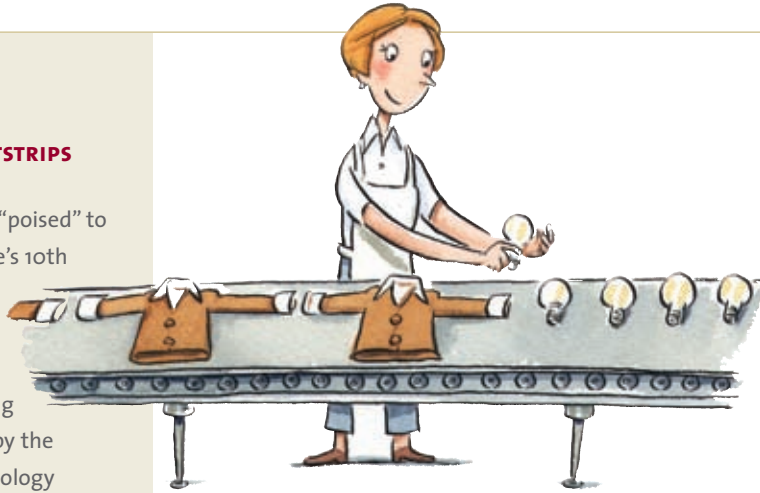
Bay Staters claim to both drink more and exercise more than the typical

American, according to data from Centers for Disease Control and Prevention's latest "risk factor" survey. Sixty-three percent of adults questioned in Massachusetts last year said they had imbibed alcohol in the previous 30 days, compared with 55 percent nationwide. We tied with New Hampshire to rank fifth in the nation by this measure, behind Wisconsin (69 percent), Rhode Island, Vermont, and Connecticut.

But even more of us claimed to have worked our muscles over the previous month: 79 percent, a bit above the national average of 77 percent and good for 15th place overall. Minnesota was first with 86 percent; Mississippi brought up the rear at 69 percent.

CLEAN ENERGY OUTSTRIPS CLOTHING

Renewable energy is “poised” to become the Bay State’s 10th largest source of employment, outstripping the clothing industry, according to an August report by the Massachusetts Technology Collaborative. The MTC said there are currently 14,400 jobs related to the production of renewable energy (including solar or wind power) or to the more efficient use of all forms of energy, and it predicts an annual increase of 20 percent in this number over the next few years—as opposed to the 5 percent drop in jobs related to textiles and apparel from 2004 to 2005 (the last year for which data are available).



HARD WORK MAKES US LESS HELPFUL

According to the Department of Labor’s American Time Use Survey, released this summer, Americans over 15 years old are devoting more time to work (an average 3.40 hours every day in 2006, up from 3.33 hours three years before) and sleep (an average 8.63 hours, up from 8.57 hours). So what activities are getting less attention? The steepest slide was in “caring for and helping nonhousehold members”—accounting for 0.21 hours per day, down from 0.28 in 2003.

The survey also noted that time spent on “organizational, civic, and religious activities” was highest among men over 75 (who logged an average 0.44 hours a day) and lowest among men between 25 and 35 (only 0.15 hours); age differences were less significant among women.



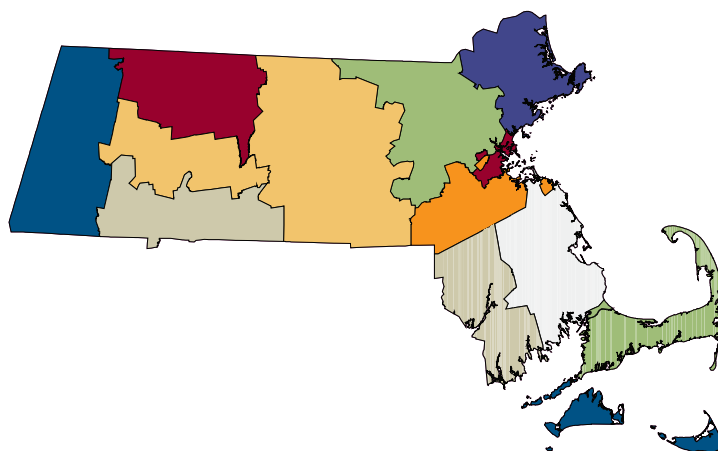
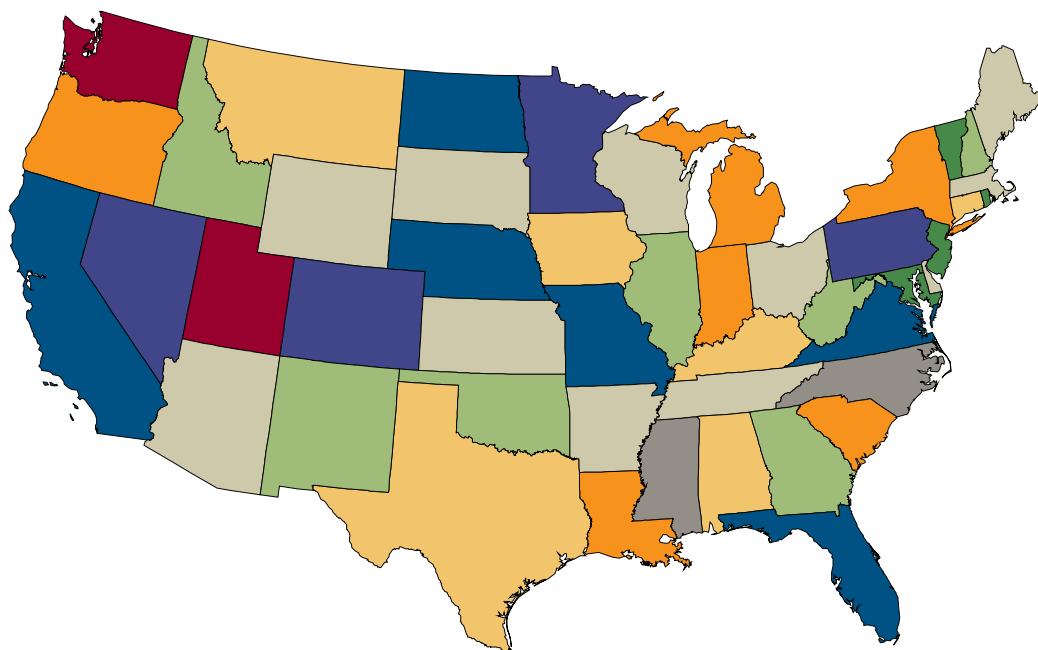
SHORT TERM REPRESENTATION

As of early September, 17 percent of the state’s electorate had lost legislators in Washington and on Beacon Hill who were sworn into office only eight months before. The biggest vacancy came when US Rep. Marty Meehan gave up his seat in the Fifth District, where 217,000 people voted last fall, in order to become chancellor of UMass–Lowell. But the departures of state senators Jarrett Barrios, now president of the Blue Cross Blue Shield Foundation of Massachusetts; Robert Havern, who joined the consulting firm ML Strategies; and Robert Travaglini, who left to set up his own consulting practice, affected another 135,000 people who participated in the last election (not counting the overlap with Meehan’s district).

Add state representatives Robert Coughlin, who resigned his seat to take a job in the Patrick administration (then left that job to become head of the Massachusetts Biotechnology Council); and James Leary, who became Lt. Gov. Tim Murray’s chief of staff, and you’ve got almost one-fifth of the state without the representation they thought they were getting last fall. (Note: As *CommonWealth* went to press, Rep. Michael Festa of Melrose announced that he would also vacate his seat, to become Patrick’s elder affairs chief.)

IT'S NOT JUST ABOUT THE PRESIDENT ANYMORE.

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Pension pinching

BY ROBERT DAVID SULLIVAN

MASSACHUSETTS IS NOT quite the public pension paradise that it's often made out to be. In fiscal 2005, we ranked 15th in the total amount of paid benefits divided by the number of beneficiaries, which is rather modest given the high cost of living here. ("The pension system is not overly generous for typical employees," concluded the Pioneer Institute in a report on public pensions last year, before emphasizing that it is "riddled" with exceptions that "abuse the system and collect unwarranted benefits.") If you compare annual benefits with each state's median household income, Oregon is the most generous and Vermont—with New Hampshire not far behind—is the most tight-fisted.

At 20 percent, we rank 18th in the share of pension-plan revenue that comes from state and local government, as opposed to employee contributions (13 percent, as seen on the chart at right.) and earnings on investments (67 percent, somewhat worse than the 74 percent national average). West Virginia, dubbed the "poster child for sickly public pensions" in 2005 by *Business Week*, relies most heavily on government

Government retirees may have it best in Oregon.

contributions, with employees kicking in 8 percent of revenue and earnings on investments accounting for a pathetic 39 percent. New Jersey pensions put the least stress on government coffers, with employees directly contributing 18 percent of revenue and earnings bringing in a robust 78 percent.

The Bay State is more of an outlier when it comes to local vs. state control of public pension systems. In 2004-05, local governments held 28 percent of all cash and investment holdings in public pensions here, higher than in any state except Illinois and New York. By contrast, New Jersey's local pensions held only 0.2 percent of all holdings. Because Massachusetts has so many public pension plans administered by local governments (for a statewide total of 100 plans, by the last Census estimate), the average enrollment is quite low by national standards, leading to questions of whether consolidation might lead to more efficiency and more uniform returns on investments. But our retirement funds aren't nearly as fractured as they are in Pennsylvania, which has a staggering 925 public pension plans—or one for every 609 enrollees. **CW**

STATE AND LOCAL PUBLIC PENSION PLANS, FY 2005

	BENEFITS PER BENEFICIARY	EMPLOYEE % OF REVENUE	AVERAGE PLAN ENROLLMENT
1. CONNECTICUT	\$28,063	16.2	2,245
2. COLORADO	\$26,524	8.9	5,167
3. NEVADA	\$25,953	2.7	51,627
4. NEW JERSEY	\$25,953	17.7	52,687
5. RHODE ISLAND	\$25,080	13.4	3,352
6. CALIFORNIA	\$24,231	9.1	35,190
7. ALASKA	\$24,014	10.8	13,885
8. NEW YORK	\$23,891	3.5	91,893
9. ILLINOIS	\$22,827	13.3	2,496
10. OREGON	\$22,776	0.1	49,985
11. GEORGIA	\$22,501	8.4	17,975
12. WISCONSIN	\$22,286	6.4	138,295
13. TEXAS	\$21,475	11.6	27,921
14. OHIO	\$21,100	11.7	196,480
15. MASSACHUSETTS	\$20,746	13.4	3,824
16. HAWAII	\$20,310	4.3	67,948
17. PENNSYLVANIA	\$20,092	9.6	609
18. MINNESOTA	\$20,070	10.1	3,455
19. ARIZONA	\$19,326	15.7	58,005
20. MAINE	\$19,281	9.7	49,107
21. FLORIDA	\$18,972	1.3	4,946
22. NEW MEXICO	\$18,630	13.8	31,174
23. MISSOURI	\$18,297	9.1	5,104
24. KENTUCKY	\$18,189	17.9	14,408
25. MARYLAND	\$18,099	5.6	21,456
26. WASHINGTON	\$17,754	4.5	11,165
27. NEBRASKA	\$17,577	13.0	6,076
28. LOUISIANA	\$17,481	11.1	7,598
29. MISSISSIPPI	\$17,474	14.7	70,572
30. MICHIGAN	\$17,095	5.8	3,420
31. UTAH	\$16,737	1.4	20,670
32. ALABAMA	\$16,658	12.0	19,659
33. SOUTH CAROLINA	\$16,401	16.9	62,025
34. VIRGINIA	\$16,390	2.1	34,980
35. ARKANSAS	\$16,198	4.9	3,701
36. OKLAHOMA	\$15,991	12.3	14,360
37. NORTH CAROLINA	\$15,889	12.3	53,777
38. NEW HAMPSHIRE	\$15,486	22.3	17,782
39. DELAWARE	\$15,003	6.0	7,213
40. IDAHO	\$13,195	13.3	18,228
41. TENNESSEE	\$13,065	7.2	17,963
42. INDIANA	\$12,928	9.6	3,680
43. SOUTH DAKOTA	\$12,556	8.2	10,070
44. VERMONT	\$12,423	12.3	6,638
45. WYOMING	\$12,384	10.5	7,195
46. WEST VIRGINIA	\$12,357	8.0	1,674
47. MONTANA	\$12,077	16.9	8,179
48. KANSAS	\$11,741	12.2	23,920
49. NORTH DAKOTA	\$11,661	12.8	2,917
50. IOWA	\$11,591	10.7	25,724
US TOTAL	\$20,463	8.9	6,794

SOURCE: U.S. Census Bureau (<http://www.census.gov/govs/www/retire.html>).



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BY ROBERT DAVID SULLIVAN

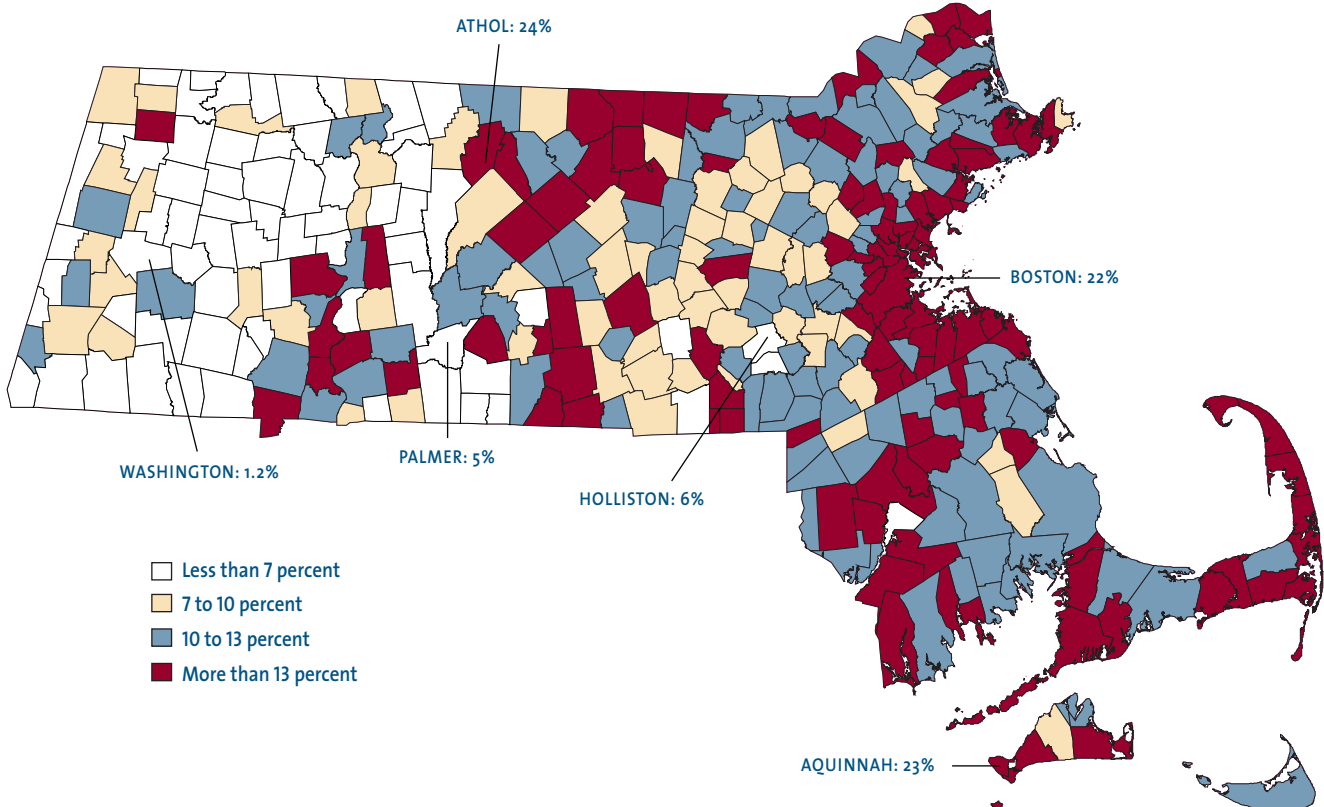
NOTHING IS CERTAIN in life but death and taxes, and the one thing almost everyone thinks taxes should be used for is saving us from early deaths. Police and fire departments are almost entirely funded by local governments, but there are significant differences from town to town in how much they take out of the budget. As the map below indicates, the percentage devoted to public safety (fire, police, and “other public safety,” as reported to the state Department of Revenue) in fiscal 2006 was highest in major cities from Fall River to Holyoke, but also in certain tourist areas such as Cape Cod and the North Shore town of Salisbury.

The town of Athol ranked first by this standard, but it was something of an aberration, as it was below the state average on per-capita spending in just about every area of government, including fire and police—which accounted for a large slice of the pie only because spending on education was even farther below the state average. In contrast, second-place Aquinnah spent more than the state average on almost

everything. In particular, its police budget, at \$919 per capita, was by far the highest in the state. (It doesn’t seem to be a violent area, but the *Martha’s Vineyard Times* last year reported on a crackdown on nude beachgoers.) Outside of the Cape and Islands, public safety made up the biggest shares of the budget in Boston and in Raynham, home to a greyhound racing track.

At the other end of the spectrum, high property values and below-average spending on police and fire departments in Holliston allowed that town to devote almost 60 percent of all general fund expenditures toward education. Several other western suburbs, including Acton, Hopkinton, and Stow, fit this pattern. However, any savings from the small budget devoted to the police and fire departments in Washington seem to have been eaten up by public works costs, as was the case in much of Berkshire and Franklin counties—perhaps because of heavy snowfall in the western part of the state. **CW**

LOCAL SPENDING ON PUBLIC SAFETY, FY 2006 (as percentage of all municipal expenditures)



Source: Massachusetts Department of Revenue, Division of Local Services (www.dls.state.ma.us). Note: Data on Truro is from FY 2005.



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Tax returns

Patrick's woman in Washington works to get more federal funds flowing to Massachusetts **BY SHAWN ZELLER**

CRITICS HAVE BLAMED much of Deval Patrick's early troubles on Beacon Hill on a lack of political experience. But if experience counts, Patrick may do better on Capitol Hill, where his chief Washington advocate—Susan Liss—is a policy veteran with close ties to Sen. John Kerry and Democratic Party leaders.

Liss's hire is part of a hoped-for expansion of the state's operations in Washington that Patrick says could yield dividends in the form of increased federal funding for the Bay State. Liss describes her role as Patrick's "voice and eyes and ears" in Washington. And her mission, she says, is to reverse a long slide in the return Massachusetts taxpayers receive on their federal investment. Her method in achieving that goal, Liss says, will be to ensure that Patrick and the state's DC delegation walk in lock-step to promote the state's funding objectives.

That level of cooperation never existed during the Romney years, according to US Rep. Michael Capuano of Somerville, who says that the Republican governor contacted the state's representatives only "when he wanted to do a press release." Increased staffing in Washington—Patrick has asked the Legislature for an additional \$500,000 in funding for the DC office—combined with better coordination, says Capuano, will ensure that no potential funding opportunities are ignored. "If we find one item that we would have otherwise missed," he says of the expanded effort, "it can pay for itself tenfold."

If Liss is successful, it may also be the result of another factor: For the first time in nearly 20 years, a Democratic governor in Boston can join forces with members of his own party holding important committee chairmanships in Congress. Republican majorities in Washington were not kind to Massachusetts. Between 1992 and 2004—a period en-

compassing the last Democratic Congress followed by 10 years of GOP rule—Massachusetts went from a return of \$1.01 from the federal government for each \$1 in federal taxes paid by Bay State residents to just 77 cents in federal funding per dollar paid, according to the Tax Foundation, a Washington think tank. The state dropped in its rate of return from 31st to 44th among all states.

That's not to say that a change in party control is going to make things easy for Liss. Lobbying scandals have prompted new scrutiny on earmarked funding for state projects, and a Republican president eager to re-establish his fiscal conservative credentials during his final two years in office may veto bills he deems to be laden with pork.

But Liss says she's just the person to get the job done. "I am used to plowing ahead no matter what the obstacles," she says. "I don't take no for an answer easily."

In explaining why she's up to the task, Liss, 55, points to her long experience in the capital, during which time she developed a reputation for overcoming bureaucratic obstacles. Her resume includes a string of high-profile positions, perhaps the highlight of which is her dual stint at the White House in the late 1990s as counsel to Vice President Al Gore and chief of staff to Tipper Gore.

LISS GOT TO know Patrick in the mid-1990s at the Justice Department, when Patrick was nominated to become assistant attorney general for civil rights. Liss, who'd served in the department's legal division since 1993, was charged with preparing him for his confirmation hearings.

She earned the respect of top Justice officials for her skill as bureaucratic infighter. Liss points to her efforts, after Congress passed legislation to



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restrict abortion clinic violence, to create an enforcement program at Justice to bring local and federal resources to bear. Her skill at navigating turf battles also helped when she worked with law enforcement agencies to coordinate a response to a series of burnings of Southern black churches during the mid '90s.

A Baltimore native, Liss has never lived in Massachusetts—a weakness she says she hopes to one day rectify—but she's brought on board three people with strong local ties. Her first hire, Caroline Powers, is a Dorchester native and former legislative director to US Rep. Stephen Lynch of South Boston. She's the point person on health care issues, particularly the renewal of Massachusetts's federal Medicaid waiver. Administrative assistant Paige Bik is from the Worcester area and came recommended by that city's congressman, Jim McGovern, and his former chief of staff, Tim Murray, who's now Patrick's lieutenant governor. Gabe Maser, originally from Arlington, joined the team after leaving the staff of Democrat Sander Levin, a congressman from Michigan. And Liss says she hopes to bring on one more experienced aide before she's through.

Among the 30 or so states that have Washington offices, Liss's five-person staff is mid-sized, according to David Quam, the director of federal relations for the National Governors Association. He says the state is wise to give it more attention. Having a strong Washington office "puts a direct face on state policy-making at the national level," he says. "Too often, there can be a disconnect between DC and what happens back in the states. A DC office helps close that gap."

At the top of Patrick's Washington agenda is negotiating a renewal of the Medicaid waiver—set to expire next summer—that allows Massachusetts flexibility in how it manages millions in federal funding. Renewing the waiver will be crucial to Patrick's efforts to implement the state's health care reform plan and ensure that all residents have insurance. Liss also says she will work closely with Ted Kennedy in the Senate and with John Tierney, who sits on the House Education and Labor Committee, on the pending reauthorization of the No Child Left Behind education law. In the economic development arena, Liss plans to promote Patrick's life sciences initiative, which aims to make Massachusetts the national leader in stem cell research, by reaching out to health research companies, many of which maintain offices in Washington.

Over the summer, Liss and her staff lobbied on the extension of a federal program that provides funding for states to offer health insurance to children even when they are in families above the poverty line, and they worked with the National Transportation Safety Board in advance of its report on the 2006 collapse of ceiling tiles that killed a woman in one of the Big Dig tunnels. She also launched an innovative program to provide Bay State nonprofits

with intelligence on Washington grant programs and tips on how to secure funding from them.

But her most significant achievement so far and, Liss hopes, the foundation for her future success, has been simply to establish some trust between the governor's office and the state's congressional delegation. "If you talk to anyone in the delegation, they'll tell you this: We do our best to be ahead of the curve, to notify the offices when something is happening in their district and to include them. It never happened before," she says.

That's surely an exaggeration, but Liss has a point. Having a Democrat working for the governor in Washington has created a level of trust that didn't exist during 16 years of Weld, Cellucci, Swift, and Romney administrations. And Liss isn't just any Democrat. In addition to being a close friend of Patrick, she is very close with Kerry, having chaired Women for Kerry, an arm of the senator's 2004 presidential campaign.

Unlike most state liaisons in Washington, Liss is a member of the governor's senior staff, participating in policy-making and senior-level discussions. She reports to Charlotte Golar Richie, a former state representative from Dorchester who most recently served as chief of housing for Boston Mayor Tom Menino and is now Patrick's senior

advisor for federal, state, and community relations. Liss also works closely with Patrick chief of staff Doug Rubin, senior advisor David Morales, and senior communications advisor Joe Landolfi.

And Liss's clout with Patrick has proved a boon to her outreach efforts in Washington. Since taking office, Patrick has pitched in by making several visits to the capital, and he has set a goal of maintaining direct contact with the congressional delegation at least once every six weeks, either in face-to-face meetings or by conference call.

With her access to Patrick and his inner circle and a newly empowered congressional delegation behind her, Liss says now is the time to set high goals. That, in spite of the fact that the Democratic majority in Congress has not shown, at least as yet, that it has the numbers to overcome GOP resistance in the Senate and President Bush's veto pen. Both stand in the way of any significant federal largesse trickling down to Massachusetts.

But Liss doesn't allow Washington gridlock to dampen her enthusiasm. "People told me that this is one of the most interesting jobs in Washington," she says. "Almost every issue on the Hill has impact on the Commonwealth. And for a person who believes government has a role to play in making people's lives better, it's a feast." **CW**



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BY B.J. ROCHE

THE \$15 MILLION PARKING SPOT

It's one thing to figure out the tax bill for a homeowner's new deck or rehabbed kitchen, but the board of assessors in the town of Rowe faced a more unusual valuation conundrum last year: Just what is the property value of 244 tons of nuclear waste?

The waste is the last visible remnant of the Yankee Atomic Nuclear Power Plant, which was built in 1960 and shut down in 1991. The plant has been dismantled and the site cleared in an effort to return it to (and this is the industry term) a "green field."

But with the opening of a nuclear waste repository in Nevada still at least a decade away (if it gets built at all), the waste will remain in Rowe for the foreseeable future. Mostly consisting of spent fuel rods, it is stored in 15 concrete casks on a parcel of land owned by the Yankee Atomic Electric Company — which, in turn, is jointly owned by 10 New England utility companies.

"It's one of the few assets I can think of where there is value to the person responsible for disposing [it], but there's little value to anyone else," says Glenn Walker, a New Hampshire appraiser who specializes in power plants and industrial facilities.

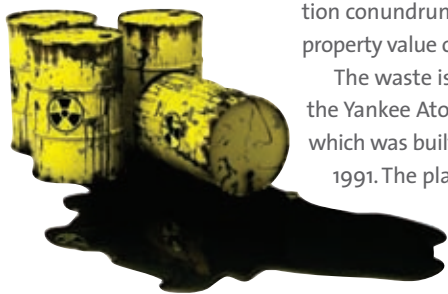
"Things are pretty cookbook when it

comes to houses," says Rick Williams, chairman of the Rowe board of assessors. "You look at square footage, what kind of condition. That gets fed into the computer and it spits out a value. But for something this unique, we had to turn to experts."

That meant talking to officials in two other New England towns with shut-down nuclear plants: Haddam, Conn., the former home of Connecticut Yankee Atomic; and Wiscasset, Maine. Selectmen in Wiscasset reached a settlement with Maine Yankee after a two-year dispute over the value of a site where 600 tons of radioactive waste are stored. Harvard Law School professor Peter Murray, who consulted with Wiscasset selectmen, also advised the Rowe board. Assessors considered not only the value of the land but also Yankee Atomic's "avoided costs" in not having to find an alternative waste site.

"What we came up with is an assessed value of about \$1 million per cask, or about \$15 million," says Williams.

That's a quarter of the \$60 million valuation of the plant at the time it closed, and, along with the \$100 million valuation of the town's Bear Swamp hydroelectric plant, helps keep Rowe's property taxes among the lowest in the state.



THE FREELANCE TOWN CLERK

And the value of a competent town clerk? Priceless. A good town clerk keeps up with the flow of new state regulations, files paperwork in a timely and accurate fashion, and, in most towns, keeps a low profile.

But how low is too low? That was the talk of the Berkshire County town of Monterey last summer, after the selectmen's full-time secretary, Melissa Noe, complained about the number of people hunting for town clerk

Barbara Swann during Town Hall business hours. For much of her 20 years on the job, Swann has worked from her home, and now she shows up at Town Hall only on late Wednesday afternoons and on Saturdays.

Swann, who has a telephone billed to the town in her home, counters that hers is not a front office job, and people always know where to find her. Besides, in a town largely made up of vacation homes, with only

1,000 year-round residents, Swann says that limited, off-peak office hours just make more sense.

She is paid about \$17,000 for a job that, Swann says, fills 40 to 60 hours per week. But while the salary has remained the same for years, she says that her workload has increased: "People don't realize how much time it all takes."

Town clerks constantly have to re-jigger their computers to accom-

CARNEGIE'S LEMON LIBRARIES

It's not only town officials who have to change with the times: Buildings do, too. Rockport selectmen have conditionally approved the \$506,800 sale of the town's century-old Carnegie Library to a Florida doctor and his wife, who intend to convert it into a summer home. The town built a new library in 1993, and the old brick-and-granite building, not far from the town center, had been vacant since 2004. Town administrator Michael Racicot says the building had deteriorated over the years, and the cost of maintaining and restoring the building had been too much for the town.

"We're not getting any taxes from it, and we don't have the staff to keep it up," he says. "It's beautiful on the outside, but it only has one toilet for the whole building."

That's a common lament in the 43 Bay State communities that own beautiful (but now aged) buildings that were part of industrialist Andrew Carnegie's \$56 million plan to create more than 1,600 libraries around the United States. Built at the turn of the last century, after the Chicago World's Fair, the libraries are distinctive, ornate public edifices of stone and brick. They virtually shout: "Lift thineself up!" There's just one problem: The buildings never worked well as libraries, says Corinne Smith, librarian at Anna Maria College in Paxton, whose Web site necarnegies.com tracks the fate of Carnegie libraries in the Northeast. Why not? Too many windows, not enough shelf space. And that

circulation desk in the center? Downright unworkable. (Most of the libraries were built from among six floor plans provided by Carnegie.)

"They were impractical from the beginning, and the basic structures have grown more impractical as time goes on," Smith says.

Factor in the infrastructure requirements of the Americans with Disabilities Act, plus the space and wiring needs for computers and other technologies, and we're talking *Extreme Makeover: Library Edition*.

Still, the Bay State bent toward preservation and reuse endures, and only three Carnegie libraries here have actually been torn down or burned. A few others have been converted to different uses: In Worcester, Carnegie libraries are now a school building and an apartment duplex, and Reading's former library is now part of the Town Hall. (The town of Freeport, Maine, leases its building to an Abercrombie and Fitch outlet.)

But most remain working libraries; for example, all three of Somerville's branches are Carnegies. The city of Leominster recently capitalized on the Carnegie cachet by polishing up and refurbishing its 1910 library, while also building a three-story, \$12 million addition, which opened this summer. The complex is proving to be a big hit with locals, as well as a spark for downtown revitalization.

Says director Susan Shelton: "I think Andrew Carnegie would be pleased."



modate forms and procedures stemming from new legislation, she says.

"Same-sex marriage brought huge changes to the job," she says. "That was all right, but it was something else to learn. And I'm not alone. The tax collector and the treasurer are subject to the same whimsy."

Swann says she was surprised by the questioning of her work schedule, but she seems nonplussed by it all. The 67-year-old, who holds a

doctorate in political anthropology from Brandeis, points out that she was elected to her post, and is thus beholden to voters rather than to other town officials. (She's up for re-election in 2009.)

"If the state were to complain, saying, 'She never gets anything done in a reasonable time,' then [the board of selectmen] can request that I be down there more," she says.

For now, she's not budging.

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Plugged in, tuned out

Young Americans are embracing new media but failing to develop an appetite for news **BY DAN KENNEDY**

IT'S MORNING IN Boston. Take a look around. Whether you're on the subway, walking through downtown, or standing in line at Starbucks or Dunkin' Donuts, you're surrounded by young people—twentysomethings, thirtysomethings, maybe a few teenagers, all of them getting ready for work or for school.

Now look more closely. What are they doing? Maybe a few (a very few) are flipping through the section fronts of *The Boston Globe*, or carrying a folded-up *New York Times*. You might see a couple of *Boston Herald* readers poring over news about the Patriots. Quite a few more might be glancing at the *Metro*, or possibly the newer *BostonNOW*—thin weekday freebies with a distinctly lite approach to the news.

Most, though, will be staying as far away from the news as they can. They might be talking to one another. They might be keeping to themselves, staring into space or reading a book. Or they might be wearing the distinctive white earbuds of an iPod. And if you assume they're not listening to a podcast of *All Things Considered* or *The NBC Nightly News*, you would most likely be correct.

For some years now, media executives and social scientists alike have been fretting over the disconnect between young people and the news. It's not just that those under 40 are less attuned to current events than older people are. It's also that they pay dramatically less attention to what's going on in the world than did people of the same age a generation or two ago.

"What's happening, I think, is that many more of them are entering adulthood without a news habit," says Tom Patterson, the Bradlee Professor of Government and the Press at Harvard's Kennedy School of Government. "As they age, they'll probably consume a bit more news, but it's not going to get up there to the level of older people today."

This past July, Patterson and the Kennedy School's Joan Shorenstein Center on the Press, Politics, and Public Policy released a study called *Young People and News*, which asked why most young adults—despite spending as much as six hours a day with

media of various kinds—are unable, for example, to identify the secretary of state by name. The answer: Despite being saturated with media, young people, when surveyed, evince a notable aversion to *news* media. For instance, just 16 percent of young adults (ages 18 to 30) read a newspaper every day, compared with 35 percent of those older than 30. Despite the rise of the Internet, young adults are more likely to watch a national newscast (31 percent) or local newscast (36 percent) every day than to read online news (22 percent)—although, again, they're far less likely to watch television news than are older adults. And a whopping 24 percent of young adults "paid almost no attention to news, whatever the source."

If you suspect it's ever been thus, you're wrong. Because, the study notes, in the late 1950s, some 53 percent of Americans in their 20s read newspaper coverage of national politics, a proportion not much lower than that of older adults during that era. A study of television news in 1967 found roughly the same pattern.

To Patterson, the culprit is obvious: cable television and a concomitant rise in choices. The typical household news habit of a newspaper on the doorstep every morning and Walter Cronkite on television every evening has given way to all entertainment, all the time. "I think we've broken the link between adult and child, or parent and child, in the transmission of the news habit," says Patterson.

That broken link represents a threat not just to the news media, which are losing readers, viewers, and listeners, but to civic life, the ideal of an informed citizenry, and our ability to govern ourselves.

STEVE BABCOCK IS a self-professed news junkie. As one of my students at Northeastern University, from which he graduated earlier this year, he read the *Globe* and the *Times*, the *New Yorker*, *Harper's*, and the *New York Review of Books*, and he listened to National Public Radio whenever he found himself in a car. But Babcock was unusual, and he realized it whenever he would try to engage his friends in a conversation about the news.

"I'm the kind of person who wants to know what's going on in Sri Lanka. I never found many people who have that kind of knowledge," says Babcock, 23, who's now working as a reporter for the weekly *Rio Grande Sun*, in Española, N.M. "I think college is when your consciousness about the world gets raised. If you come up in an environment where you haven't been exposed to these things, you don't understand that keeping up with the news is important."

It's also a leading indicator of community well-being. In his oft-cited 2000 book, *Bowling Alone: The Collapse and Revival of American Community*, the scholar Robert Putnam found that young adults were far less likely than older people not just to read a newspaper, but also to attend religious services, sign a petition, go to a public meeting, write to an elected official, or serve as an officer in a local organization. "Newspaper readers are older, more educated, and more rooted in their communities than is the average American," Putnam wrote.

Similarly, Peter Levine, director of the Center for Information and Research on Civic Learning and Engagement, at the University of Maryland, observes that there is a direct correlation between voting and news awareness, and that young people are distinctly lacking in both. In his new book, *The Future of Democracy: Developing the Next Generation of American Citizens*, Levine writes that "you cannot vote unless you know whom you will support, and you cannot know that unless you are aware, at least, of the candidates or parties and a few fundamental issues."

Earlier this year, veteran television journalist Judy Woodruff hosted an hourlong documentary on PBS called *Generation Next*, which examined the lives of people between the ages of 16 and 25. The program was accompanied by a lengthy survey conducted by the Pew Research Center for the People and the Press, which found that there had been a slight uptick in news interest among young people since the late 1980s, but that their knowledge of current affairs was dismal nevertheless.

Even so, Woodruff expresses some hope, saying that critics are too focused

on the traditional media, and that alternative venues such as *The Daily Show with Jon Stewart* and even cartoons such as *Family Guy* are reaching young people with substantive critiques of politics and public affairs in ways that, say, *The New York Times* or the network news can't, or won't. With about 1.4 million viewers, *The Daily Show* is hardly a threat to the Big Three network newscasts, whose combined audience can reach as high as 30 million. But its viewers' median age (35) is considerably lower than that of the audience for traditional news outlets.

"Much of the news young people see is not presented in a way that's relevant to them," says Woodruff in a telephone interview. "It's presented in a way that makes sense to people who are older, who know what Medicaid Part B is, or who know what the Kyoto Accord is, or McCain-Feingold. There's a lot of jargon in the news, and there's an adult framing of the news, if you will."

Woodruff adds: "I think we need to put ourselves in their shoes. I'm not at all saying we should dumb stories down, because young people today are smart. They're better educated than any generation that preceded them. But we need to find out what they're interested in and address the news to



them. They're young. They're not at a stage in their lives where they own property and are home by 6 or 6:30 at night."

Woodruff is far from alone in pointing to Jon Stewart as a way of commenting on serious news so that it's entertaining without being aimed at the lowest common denominator. For instance, Saint Michael's College journalism professor David T.Z. Mindich, a former CNN assignment editor and the author of *Tuned Out: Why Americans Under 40 Don't Follow the News* (2005), says that *The Daily Show* is consid-

The Daily Show is seen as a smarter alternative to CNN.

erably more intelligent than a lot of what passes for news programming on television these days, especially on cable.

"If you can contrast *The Daily Show* with a typical hour on CNN now," Mindich says, citing the evening talk shows hosted by Glenn Beck and Nancy Grace, as well as *Showbiz Tonight*, "the only conclusion that we can reach is that the CNN executives think that we're idiots. In contrast, *The Daily Show* assumes that we're intelligent people capable of sophisticated thought."

Surveys show that news interest and voter turnout among

young people was up slightly in 2004 and '06, a likely reflection of worries over the war in Iraq. Mindich says that's borne out by conversations he's had with young people since writing his book—and he notes that the consequences of not paying attention to the news can be a government whose officials do not fear having to suffer any consequences for their actions.

"One of the clearest examples of this is Abu Ghraib," Mindich says, referring to the notorious abuse of Iraqi prisoners by American soldiers. "You'd think that days after Abu Ghraib, [then-secretary of defense Donald] Rumsfeld would have been out. But the Bush administration was operating under the assumption—perhaps the correct assumption—that bad news would just blow over. So nobody in power was held accountable."

IF THERE'S ONE downward trend that appears irreversible, it is the cratering circulation of daily newspapers, caused in large part by the near-total abandonment of daily papers by young adults.

Peter Kadzis, executive editor of the weekly *Phoenix* newspapers, in Boston, Providence, and Portland, says studies of



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the *Phoenix's* core demographic—readers in their late 20s and early 30s—show two trends. First, with Americans marrying, having children, and buying their first houses later than ever, they have less need for the nuts-and-bolts news about government and community goings-on that are the typical fare of daily papers. Second, young adults are accustomed to using media that are well-designed and easy to use—cell phones, laptops, and iPods. The broadsheet newspaper (though not as broad as it used to be) is seen by this age group as a 19th-century relic, says Kadzis, who presided over a 2005 redesign to make the *Phoenix* papers more magazine-like in appearance.

"We're in the trenches with this age group, because if we lose them, we've got no one else to get," says Kadzis. (Disclosure: I worked with Kadzis at the *Phoenix* from 1991 through 2005, and continue to be an occasional contributor to the paper.)

Daily newspaper executives understand the problem, which is why they've been so aggressive about pursuing younger readers online. It's a difficult challenge; despite the long hours young adults spend on the Internet, they're not necessarily looking for news. And even if they are, that doesn't necessarily mean they're going to visit the Web sites of local newspapers.

Still, the region's two biggest dailies, the *Globe* and the *Herald*, have enjoyed some success on the Internet. Nielsen/NetRatings reports that the *Globe's* Boston.com site attracted 4.2 million unique users in June, making it the fifth-most-popular news site in the country, and that BostonHerald.com drew 1.2 million unique users, good for 30th place. (A technical aside: BostonHerald.com's internal count showed 4.4 million unique users in June. Experts say such a disparity is not unusual, and there's widespread frustration with Nielsen's methodology, which is based on surveying people by phone. Nevertheless, the Nielsen numbers are the only ones available for making apples-to-apples comparisons.) The evidence also suggests that the papers' Web sites are attracting a younger audience than their print versions are. Boston.com, for example, reports that 54 percent of its users are between 25 and 44; by contrast, the median reader of the *Globe's* print edition is 46, according to the paper.

Both Boston.com and BostonHerald.com rely heavily on blogs, multimedia, interactivity, and featury material. Much of this might appear fluffier than what's in print. But is it condescending?

No, says Dave Beard, the editor of Boston.com, who argues that members of a generation who've been putting together PowerPoint presentations since they were in grade school aren't necessarily going to sit still and read a long story on a computer screen. He's focused on pulling in readers for the *Globe's* longer stories through online features such as a slide show on what you could buy with the \$456 billion spent on the war in Iraq. (Some answers: 30 Big Digs; 52,615 years of Daisuke Matsuzaka's contract; or five and a half years of

feeding and educating the world's poor.) "I think the impact of that is much more than another 2,000-word article on what we're doing in Iraq," says Beard.

Adds Kerry Purcell, director of content development for Herald Interactive: "It's very difficult to get younger people involved in reading newspapers, even getting online to learn what is happening. But I think most news organizations ought to, first of all, get the readers involved with more user-generated content." For instance, BostonHerald.com (which

Young readers can get involved through more user-generated content.

underwent a spiffy redesign in September) published reader reviews of the Police concert earlier this year, and posted a survey asking users whether they would read "spoilers" giving away the ending of the last Harry Potter novel. The site also had a notable success with posting the payrolls of public employees this past spring—so much so that the Web traffic crashed the paper's server.

Two other 24-hour news organizations in Boston—WBUR

radio (90.9 FM) and New England Cable News—don't have any specific strategies for attracting young people but are pursuing on-demand delivery systems that younger users would presumably find attractive.

Some of WBUR's programs are already available via free podcasts through outlets such as Apple's iTunes online store. Also, the new weekly *Radio Boston* program, hosted by former WCVB-TV (Channel 5) reporter David Boeri, had a strong Web presence even before its on-air debut. "You

walk down Commonwealth Avenue, and all you see are white earbuds, and those people aren't listening to the radio. Those people are listening to downloaded content," says John Davidow, the station's news director and managing editor. According to Sam Fleming, managing director of news and programming, 18 percent of WBUR's audience is under 35, and

another 22 percent is under 45. With an average age of 48, he says, WBUR listeners are about four years younger than those of news-oriented NPR affiliates nationwide.

Much of the news video at NECN is available online (the station is a content partner with the *Globe* at Boston.com) and can even be accessed through cell phones and personal digital assistants. But Tom Melville, NECN's assistant news director, resists the idea that young people need to be ap-



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proached differently from the rest of the television news audience. "The people who are dying in Iraq right now are young people," he says. "We're very committed to covering, from a local angle, the war in Iraq. I think it's the most important story of our time, and we get a very positive response."

But even if local news organizations are doing a reasonably good job of repositioning their content for digital delivery, is that enough? The buzz phrase in online media for the past year or so has been "Web 2.0." Get past the hype, and it means this: Increasingly, users of online media see themselves not as passive consumers but as members of a community who create, share, and discuss content. If news organizations want to engage young people on their own turf, then that is the paradigm they're going to have to embrace.

WHAT DOES A successful Web 2.0 news outlet look like? Well, it might look something like Blue Mass. Group, a liberal political site started in 2004 by three youngish Democratic activists. Blue Mass. Group is small (it attracts 2,500 to 3,000 unique users a day). It does little in the way of original reporting, relying mainly on links to the mainstream media (though it does include some on-the-ground accounts). And it's noncommercial, despite the presence of a few ads.

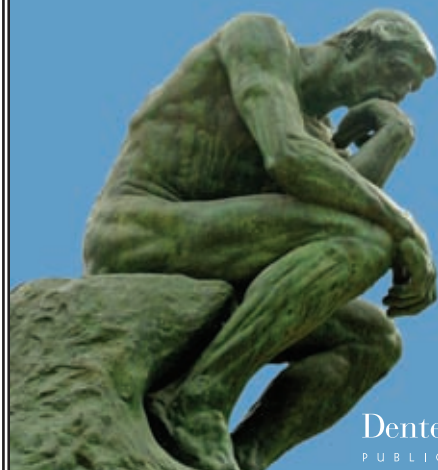
But Blue Mass. Group is built on a software platform that has enabled a community essentially to assemble itself. It's a group blog. Anyone can post items, and any of the site's three co-editors can promote those items to the "front page," making them more readily available to casual readers. The comments are as lively as the posts. Blue Mass. Group can be engaging or enraging, and it can be criticized for giving Gov. Deval Patrick the benefit of the doubt even though he doesn't always deserve it. (To be fair, Patrick does take an occasional hit.) But it's rarely dull.

David Kravitz, one of the co-editors, says he has no way of knowing Blue Mass. Group's demographics, but he suspects they skew young based on some of the live events the site has sponsored. "I think that younger people are just more accustomed to interacting with the world through a medium like the Internet than through a medium like radio [or TV or newspapers], which is more like other people talking to you," says Kravitz, a lawyer who is himself a not-particularly-young 43. "To the extent that blogs are able to bring in a somewhat younger demographic than *The CBS Evening News*, maybe that's why, because it does become a conversation."

Can mainstream news organizations reinvent themselves through conversation and community? John Wilpers thinks

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so. The founding editor of *BostonNOW* (he was let go in August, though he's still consulting on Web projects), Wilpers helped put together the paper's unusual hybrid model—letting readers set up blogs on the paper's Web site, and running excerpts from those blogs, as well as from other blogs in Greater Boston, in the print edition.

To be sure, the paper itself is pretty uninspiring, but the model is interesting, potentially giving readers what Wilpers describes as a sense of ownership in the newspaper. "If they feel they have a stake in something, if they're a member of something and have a say in its direction and they get their viewpoints out there, I think that's really powerful," Wilpers says. "And it can bring people back to the print medium."

Young people are already involved in non-news-related social media. Social-networking sites, especially MySpace and Facebook, have been enormously successful, with their mostly young users spending hours tweaking their profiles with photos, videos, blogs, and lists of their favorite musicians and movies. Politicians have also been quicker to embrace social media than have news organizations, and most of the current presidential candidates have set up shop on both sites. YouTube, another type of social network that allows users to share videos, has become the go-to site for raw political content, whether it's former US Sen. George Allen's "macaca" meltdown or positive footage posted by the campaigns themselves. Pauline Millard, a 30-year-old former Associated Press reporter who's now online editor for the newspaper trade magazine *Editor & Publisher*, believes news sites need to adopt some of those participatory features.

"I think it works because the young people actually get to participate in it," she says. "And one of the big things that newspapers are overlooking is that if you're a young person, you already create content all the time."

Perhaps the most popular example of social-media-meet-the-news is Digg.com, a site that allows users to submit news stories that are then rated by other members of the community. The more people who "digg" a story, the higher it moves toward the top of the list. Digg tends to be heavy on tech stories, and the most popular political items are often silly or of dubious provenance. But the idea of a community forming itself around the news is compelling.

In fact, shortly after issuing his *Young People and News* report, the Kennedy School's Tom Patterson put out another Shorenstein study showing that Digg and news sites based on other kinds of participatory models, such as Newsvine and Reddit, were growing exponentially faster than traditional news sites—with Digg exploding from fewer than 2 million unique users in April 2006 to more than 15 million in April 2007. Digg could conceivably pave the way for more serious attempts to build news communities, such as NewsTrust, an experimental site whose users are asked to rate stories on such journalistic values as importance, sourcing, and fairness.

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Tom Rosenstiel, director of the Washington-based Project for Excellence in Journalism, is optimistic about the power of technology and community to revitalize the news business. "I think that, to some extent, these Web sites like Digg and Reddit represent something really meaningful," Rosenstiel says. "Digg's got really big numbers. There's something going on there." The idea, Rosenstiel adds, is to "make it participatory—it's a dialogue now, not a lecture. People don't just want to be able to complain afterwards, they want to converse." Social media, he says, allows users to "re-edit the agenda," adding that news organizations need to "give up some control and give up some of that omniscient-narrator pose."

NONE OF THIS, of course, is meant to suggest that transforming a typical 25-year-old news ignoramus into a well-informed citizen is simply a matter of persuading her to watch Jon Stewart, check in on a few news sites, and then turn her loose on a social-media network or two to discuss what she's learned with like-minded young people. The news is a hard sell, especially in a time of affluence and a war that, thanks to the all-volunteer military, can seem very distant from the life of a typical young adult living in Massachusetts.

The ongoing reinvention of the media that's being driven by the Internet could lead to a better, more democratic, more decentralized way of staying informed—a type of participatory news that could evolve into an example of civic engagement in and of itself. But for participatory news to work, you need participants. And the evidence suggests that young adults (most of them, anyway) are not using these new tools to learn about the world around them.

When Matt Storin was editor of the *Globe*, he once told me there was nothing wrong with newspaper circulation that a depression and a draft wouldn't cure. Indeed, in many ways the disconnect between young people and the news is a product of prosperity and, if not exactly peace, then at least the security of knowing that the government can't compel you to fight and die in a foreign land.

Even so, we need a certain amount of information in order to govern ourselves, to be full participants in civic life, to vote knowledgeably on matters of more significance than who ought to win the latest version of *American Idol*. The late social critic Neil Postman warned us a quarter-century ago that we were "amusing ourselves to death." If anything has changed, it's that the trends he warned of then have accelerated. Yes, the news media need to evolve. But young people—and all of us—also need to get over our self-absorption and start paying attention to what's going on, too. **CW**

Dan Kennedy is a visiting assistant professor at Northeastern University's School of Journalism. His blog, *Media Nation*, is at medianation.blogspot.com, and he can be reached at da.kennedy@neu.edu.

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Founder, New England Scholastic Press Association; Faculty Advisor, *The Villager*, Westport High School daily newspaper

Helen Smith

Executive Director, New England Scholastic Press Association; Faculty Advisor, *The Newtonite*, Newton North High School newspaper

Edward Sullivan

Director, Columbia Scholastic Press Association

12:30 pm

Session 1:

WAR REPORTING

Mark Bowden

National correspondent for *The Atlantic Monthly* and author of *Black Hawk Down*

Samantha Power

Professor at the Kennedy School of Government and author of the Pulitzer Prize-winning, *A Problem from Hell: America and the Age of Genocide*

Anthony Shadid

Pulitzer Prize-winning foreign correspondent, Washington Post, and author of *Night Draws Near: Iraq's People in the Shadow of America's War*

David Greenberg
Moderator

Professor of History, Media Studies and Journalism, Rutgers University; author of *Nixon's Shadow: The History of an Image*

2:00 pm

Session 2:

POLITICAL REPORTING

Joe Lockhart

Political strategist, former White House Press Secretary

Todd Purdum

National editor and political correspondent, *Vanity Fair*; former New York Times bureau chief, and author of *A Time Of Our Choosing: America's War in Iraq*

Margaret Talbot

Staff writer for *The New Yorker* magazine and Senior Fellow at the New America Foundation

Marcy Wheeler

Citizen journalist, blogger, and author of *The Anatomy of Deceit: How the Bush Administration Used the Media to Sell the Iraq War and Out a Spy*

Alan Brinkley
Moderator

Professor of History and Provost, Columbia University

3:30 pm

**Session 3: THE NEWS BUSINESS
AND THE BUSINESS OF NEWS**

Lowell Bergman

Award-winning investigative journalist, *Frontline* correspondent for *News War*, and Professor of Journalism at the University of CA Berkeley

David Carr

New York Times columnist on the media, business, and culture

John Carroll

Former editor, *The Los Angeles Times*

Andrew Sullivan

The Atlantic Monthly blogger; former editor, *The New Republic*

Ellen Hume
Moderator

Director, Center on Media and Society, UMass/ Boston; former White House and political correspondent for *The Wall Street Journal*

5:00 pm Book Signing

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Municipal meltdown

The view is nearly unanimous:
Cities and towns are in big trouble.

Agreeing on what to do
about it is another matter.

A MAJESTIC GROVE of evergreen trees overlooks the town swimming pools in West Boylston's Goodale Park. For Dennis Mulryan, it's a sentimental spot. The longtime resident of the Worcester suburb worked there as a lifeguard, met his wife poolside, and saw his son take up his old job of keeping an eye on swimmers. But on a muggy afternoon this past summer, there were no youngsters splashing around in the water; instead there were pine cones and needles covering the floor of the kiddie pool and a heap of concrete chunks sitting at one end of the main swimming area. After more than five years of budget cuts, the parks department doesn't have the \$1 million needed to refurbish the 1950s-era facility.

The pool has been closed for two years now. Not that residents didn't knock themselves out trying to keep it open with volunteers and do-

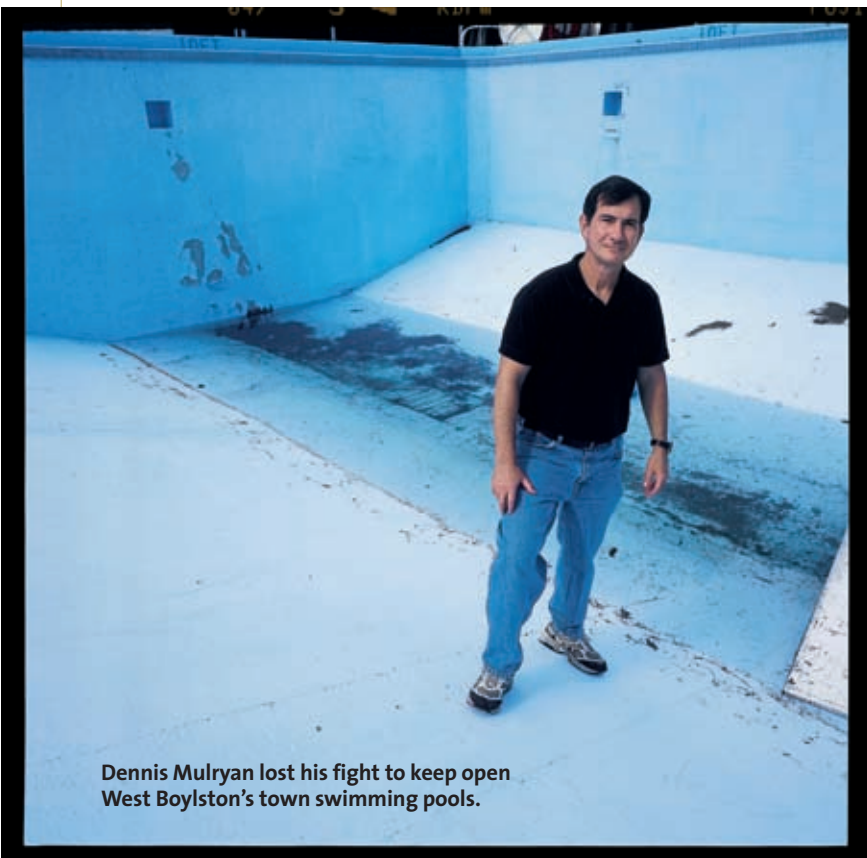
nations, including a \$6,000 bequest from a former town moderator. And Mulryan, the chairman of the town's Board of Parks Commissioners, surely went beyond the call of duty. A scuba diving enthusiast, he learned how to plug leaks with putty while underwater, and did his best to keep things patched up. But the discovery of more extensive structural defects sealed the pool's fate.

A volunteer parks commissioner in scuba gear armed with a tube of putty? Is this what it has come to for Massachusetts cities and towns? Increasingly, yes.

The West Boylston pool story stands out because it was an attempt to hold things together almost literally with chewing gum, but other Massachusetts communities have their own examples of retreat from services that had long been taken for granted as worthy, if not

BY GABRIELLE GURLEY
PHOTOS BY MARK MORELLI





Dennis Mulryan lost his fight to keep open West Boylston's town swimming pools.

essential, roles of local government. In Saugus, the complete shutdown of the town library made headlines earlier this year. In Stoneham, residents faced a possible elimination of all high school sports. And the town of Randolph stopped providing school bus service to all except special education students and others with extraordinary needs.

Local governments on the ropes aren't exactly new to the Bay State. Chelsea and Springfield have both served as poster children in recent years for fiscal dysfunction. The difference now is that the problems are not just hitting struggling older cities, but are increasingly finding their way to middle-class suburbs. Today's communities on the edge are the West Boylstons, Stonehams, and Sauguses—places where libraries and pools were never regarded as perks, but as time-honored touchstones of community life.

For more and more Massachusetts cities and towns, the financial equation isn't adding up. The costs of local government are simply rising at a rate far faster than the revenues used to pay for services. Though homeowners have been howling over steadily rising bills, overall property tax collections are held in check by Proposition 2½, the state's landmark tax cap measure. State aid to cities and towns, which has become an increasingly important source of funding for local governments because of the property tax cap, has risen only modestly in recent years—after deep cuts during the state budget crisis several years ago. Add soaring health care and pension costs, and you have a recipe

for municipal disaster. One result has been a creeping government-by-subscription, with residents now asked to pay out of pocket for everything from trash pick-up to joining the high school football team, while local officials cast about for creative fixes to keep core departments running.

"Communities have been underfunding their libraries, their public works programs, their recreation programs for years," says Geoff Beckwith, executive director of the Massachusetts Municipal Association, the statewide lobbying group for cities and towns. He calls it a "quiet crisis" that has been building over time.

His cry of crisis finds an echo from a most unlikely corner. Barbara Anderson was one of the architects of Proposition 2½, and she remains the state's most prominent anti-tax activist. But even Anderson says municipal government is in a true state of peril. "[It's] not just the usual 'the sky is falling' that you hear all the time," she says. "This time I think the sky really is going to fall."

When the leader of the Massachusetts Municipal Association (a group whose initials are mocked by critics to mean "more money always") and the state's leading anti-tax advocate agree that cities and towns are in trouble, people should pay attention. But what to do about the crisis is where the agreement ends. While Beckwith and other municipal advocates invariably point to the need for more revenue—from an increase in state aid to its former levels,

Fiscal problems aren't limited to older cities. They are now hitting middle-class suburbs too.

from Proposition 2½ overrides, or from new options for raising revenue—Anderson sees it as a spending problem, with communities unable or unwilling to get a handle on things like public employee salaries and benefits.

Perhaps there is an opening for solutions that draw from both viewpoints. In a *Boston Globe* op-ed this spring, David Luberoft, executive director of Harvard's Rappaport Institute for Greater Boston, called for a "grand bargain" between the state and cities and towns, one that would include new revenue for cash-strapped local government but would also require communities to adopt certain management reforms.

The Patrick administration has offered a version of this with a set of proposals put forth earlier this year. It would be nice to believe that this kind of thinking could lead cities and towns out of the hole they are in. But no one expects a major attitude adjustment any time soon.

TAXING SITUATION

The town common in Stoneham is dominated by a traditional gazebo at one end and perennial flower beds throughout. It is the nexus of municipal life, with the town hall, a post office, and police and fire stations sitting along three sides of the park. But what happens on the green itself may soon be as important to the operation of town government as what takes place in the buildings alongside it.

The defeat of a \$3 million Proposition 2½ override in June, the second in three years, led to a high-profile bout of soul-searching. At an August special town meeting, Stoneham voters approved a \$200-per-residential-unit trash fee that will bring in \$1.3 million. The schools received \$750,000, saving the day for the high school sports programs, and other departments divided the remainder. But the fee was a one-time assessment, making for a stopgap measure that solves Stoneham's problems only for this year.

Randy Perillo, a stay-at-home Stoneham dad, envisions the town common as the staging ground for a civic renewal

that fills the holes created by the budget crunch. Perillo, who distributes an email newsletter on town affairs to some 400 families, is trying to help residents become better-informed about Stoneham's financial issues. He is also organizing fundraising events on the common that benefit programs from youth sports to the police and fire departments.

Town administrator David Ragucci supports Perillo's efforts for a simple reason: He sees droves of people stepping up to the plate to contribute if they see a clear path for their dollars to go directly to sports programs or other things they care about. But he says those same residents recoil at requests for tax overrides to support general operating costs, including pay raises and employee benefit costs that are more and more rapidly draining many municipal coffers. To John Hamill, chairman of Sovereign Bank New England, who has headed two task forces on municipal finances over the last 18 years, helping local budgets through bake sales is a noble venture, but it's no substitute for a shoring up of local government finances. "It's a good thing," says Hamill, "but it's not going to make the difference."

Ragucci doesn't pretend that it will take care of Stoneham's woes, either. At the edge of the common, in Town Hall, he and the town accountant, Ron Florino, add up the factors that explain why the generous impulses of a few good citizens won't begin to solve the town's big problems. Like most municipalities, the town's quandaries begin with



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health insurance costs. Health care costs consume \$7 million, or 12 percent, of the town's current \$58 million budget. Five years ago, health insurance consumed 5 percent to 6 percent of the budget.

Stoneham has also been pretty aggressive in funding its employee pension liabilities. The town participates in the state's public employee pension fund and is on track to be fully funded by 2018, well before the state-mandated deadline. That's hard enough to do, Ragucci says, with money needed elsewhere. But the tab for retiree health care benefits, about \$50 million, is also looming. "One million plus per year will bankrupt us right now," he says of the amount needed to begin funding future health care costs for retirees. "Not only Stoneham, but most other communities."

Clearly, municipal officials are going to have to get creative about how they finance local government. For a start, Ragucci has switched health care providers from Blue Cross Blue Shield to Tufts Health Plan, which will translate into \$250,000 in savings on premiums. Ragucci also notes that a more lucrative use could be found for 3.5 acres of land that now constitute the town dump. He has even entertained the

idea of purchasing life insurance policies on town employees, with the town designated among the beneficiaries, to pay for a portion of its unfunded health care and pension liabilities. "We're not cry-babbling about anything that's happening in Stoneham," says Ragucci, who is now staring at a \$700,000 deficit for fiscal 2009 (which could increase to

Health care consumes 12 percent of Stoneham's budget, up from 5 percent only a few years ago.

\$2 million if other unions reach agreements similar to a recently negotiated teachers' pact). "We are looking at innovative ways of spending our money and utilizing our assets in a better way."

Some municipal managers dream of commercial development as the answer to their problems, but new business doesn't always spell long-term relief. A housing and commercial construction boom a decade ago in West Boylston

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helped keep the town afloat until investment funds dried up, leading to an unsuccessful \$3.1 million override vote in May. In Saugus, the busy Route 1 business corridor hasn't helped forestall financial stress, since only about 30 percent of the town's revenues come from commercial property. Saugus Chamber of Commerce president Jim Morin explains that most businesses are of the "mom and pop" variety, as opposed to the outlets of deep-pocketed national chains that many communities covet.

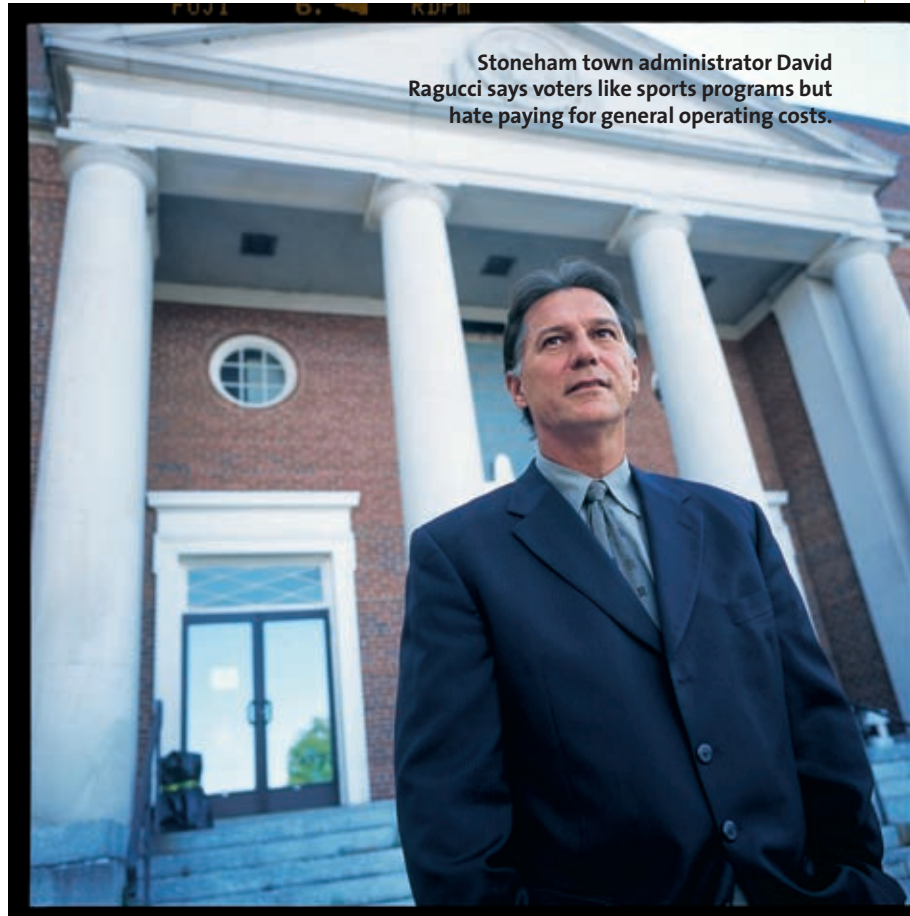
While anti-tax sentiment seems to be running high across the state, it has had many years to get embedded into the political landscape. Modern-day disillusionment with taxation crystallized under President Ronald Reagan. "Government is not the solution to our problem; it is the problem," Reagan declared in his first inaugural address, setting the tone for an era of harsh views toward taxes and government spending. In Massachusetts, rising anti-tax attitudes translated into passage of Proposition 2½, approved by voters on the same election day in 1980 that swept Reagan into office.

Under that law, cities and towns cannot increase their overall tax levy by more than 2.5 percent a year, and the total tax levy cannot exceed 2.5 percent of the full market value of all taxable property in the community. Passage of the property tax cap measure led to a significant increase in state aid to municipalities, but those payments have not kept pace recently with rising local costs. The Massachusetts Municipal Association projects that 54 percent of municipal revenues statewide will originate with the property tax in fiscal 2008, up from the low point of 46 percent in 1988. (It was 59 percent in fiscal 1981, before Proposition 2½.)

So municipal officials trudge up to Beacon Hill, hat in hand. At a recent Local Government Advisory Council meeting, they called on the Patrick administration to support increased funding for cities and towns, including benchmarking local aid to 40 percent of all state revenues. Lawmakers are sympathetic, but they believe they have done right by municipalities, given demands elsewhere in the state budget. "The state has been more than generous and more than an equal partner with every single city and town in the state," Rep. John Binienda, a Worcester Democrat, told the State House News Service in September. "They should be thanking us."

The latest property tax revolt peaked as a confluence of

Stoneham town administrator David Ragucci says voters like sports programs but hate paying for general operating costs.



events reduced the dollars coming into municipal coffers. In contrast to the 1990s, when Massachusetts was comparatively flush with funds, in 2002 the state experienced a 15 percent decline in revenue, thanks to stock market woes and a recession that coincided with an income tax cut. Local aid payments from the state are now nearly 12 percent below the fiscal 2001 level. What's more, most local aid increases since the 1990s have gone to education aid, limiting monies available for other services.

"Even if we were trading water and had local aid at the same levels, there would be a need to invest more," says Mass Municipal's Beckwith. That's partly because rising fuel and construction costs, as well as debt service charges, are eating up the new dollars coming in. But the biggest municipal budget buster in many communities is employee health insurance. A recent joint study by the Boston Municipal Research Bureau and the Massachusetts Taxpayers Foundation reported that from fiscal 2001 to fiscal 2005, health care costs rose 63 percent, even as municipal budgets overall went up by only 15 percent.

"In an era of declining resources, health care and fixed costs to the town are rising at an explosive rate, higher than what we can raise through Proposition 2½ constraints," says Leon Gaumond, the town administrator in West Boylston, where a \$3.1 million override request was voted down last spring by a 3-to-1 margin.

As of early September, 66 cities and towns had either

taken at least one property tax override vote or were scheduled to for fiscal 2008. While that isn't a historic high, municipal leaders say that it's becoming increasingly frequent for towns to schedule multiple override attempts only a few months apart from each other. Bridgewater, Dartmouth, Norton, and Groton have each voted twice this year on override requests, a trend that shows how tight things are, according to Beckwith.

Indeed, cost pressures have effectively transformed the Proposition 2½ override into the default revenue raising mechanism for local government. "There is no place [else] for us to go," says Andrew Bisignani, the town manager of Saugus, where a \$5.2 million property tax hike override failed in April.

HEALTH CARE PRESCRIPTIONS

The fiscal stresses facing cities and towns got plenty of attention in last year's gubernatorial campaign, with candidate Deval Patrick often zeroing in on the shaky condition of local government. "Unless we are approaching these things with forethought, then we're really not going to break this cycle that it seems we're in, where cities and towns are having to figure out patches year after year—and frequently that

patch is a 2½ override, which, for operating [expenses], is just not a sustainable model," Patrick told *CommonWealth* in an August 2006 interview.

Six weeks after taking office, Gov. Patrick proposed a series of measures designed to shore up the financial health of cities and towns. The Municipal Partnership Act combines reforms aimed at cost savings in health insurance and pensions with a new set of tax-raising options to help communities boost revenues.

With exploding health insurance and pension costs at the center of the fiscal storm, it is perhaps not surprising that the two components of Patrick's plan that have been passed by the Legislature and signed into law deal with those issues. Municipalities can now join the Group Insurance Commission, which provides health insurance coverage to 286,000 state employees and retirees. Using its bulk purchasing power and other negotiating clout, the GIC has held down increases in health care premium costs far better in recent years than have cities and towns, making it an attractive option for municipal managers. (Between 2001 and 2006, municipal health care costs grew 84 percent, while Group Insurance Commission costs grew 47 percent, according to the Boston Municipal Research Bureau and Massachusetts Taxpayers Foundation's 2007 report on municipal health

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reform.) However, the legislation requires that communities secure approval to join the state system from 70 percent of a municipality's public employee committee, a panel made up of union representatives and retired municipal workers.

The Legislature also approved a measure submitted by Patrick that requires the 25 cities and towns with underperforming municipal pension plans to move their assets into the Pension Reserves Investment Trust, the state public employee pension fund.

The Group Insurance Commission provision, which has created the most buzz among municipal officials, has garnered mixed reviews. In contrast to their municipal counterparts, unions covered by the state system have no say in copayment levels, hospitalization charges, and other elements of health plan design. Given that, many municipal leaders say it will be hard to convince local unions to join the GIC system. In their report, the Boston Municipal Research Bureau and the Massachusetts Taxpayers Foundation claimed that, by joining the GIC, cities and towns could save \$100 million in fiscal 2009, \$750 million in fiscal 2013, and \$2.5 billion in fiscal 2018. But the report also labeled

Towns can join the state's health plan, but only if unions give their approval.

the requirement for collective bargaining approval "a stumbling block."

At his September press conference announcing his plans on casino gambling, the governor conceded that his administration "had to do more work to encourage cities and towns to take advantage of the cost control opportunities presented by the MPA." He did not spell out how his administration might take the pressure off municipalities in the next two fiscal years before those savings can be realized.

Hamill, the Sovereign bank executive and longtime municipal affairs expert, insists critics will be proven wrong as the new GIC opt-in has time to take hold. The idea of bringing cities and towns into the state system "has been out there for a long time," and "no one wanted to take it on," he says.

"It isn't going to be an overnight sensation," says Leslie Kirwan, Patrick's secretary of administration and finance. "But these problems didn't happen overnight, either." As of mid September, three communities had signed onto the state system.

Some supporters of the GIC measure argue that making it more ambitious would have alienated unions and doomed the legislation. They point out that two years ago the



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Massachusetts Teachers Association helped scuttle a bill that would have allowed municipalities to join the state system without consulting unions. This time around, the teachers' union and AFSCME were on board, though the Professional Fire Fighters of Massachusetts opposed the law.

Kirwan says the towns and cities that join the GIC, as Springfield has, will see savings in a relatively short period of time. That, in turn, will temper growth in property taxes and will allow communities to invest in neglected areas. "Those savings will make the case to other communities and public employee unions that they should do the same," she says.

In Quincy, health insurance costs were a key issue in a contract showdown in June that resulted in illegal four-day strike by the city's 900 teachers. As part of the contract settlement, city leaders got the teachers to agree to reopen the health coverage negotiations should Patrick's proposal, then still pending, become law. But other city unions would still have to agree to join the state system, something the president of the teachers union doubts there will be much interest in. "Getting municipal unions to act in concert," says Paul Phillips, is "a lot like herding cats."

At any rate, "the health insurance and pension reforms are partial solutions, not the structural changes that will make a long lasting difference," says Tim Brennan, executive director of the Pioneer Valley Planning Commission. He sees the local option taxes that Patrick also proposed as one structural fix. Those provisions of the Municipal Partnership

Lawmakers balk at local meals taxes: 'People are afraid of not having uniformity.'

Act would allow communities to increase the hotel tax from 4 percent to 5 percent and to levy a local meals tax of up to 2 percent (on top of the state tax). Patrick also proposed eliminating a longstanding property tax exemption on telephone company poles and wires.

Of these local-option provisions, the proposed meals tax has met with stiffest resistance in the Legislature. The fact that restaurant-rich communities would seem to benefit far more than other cities and towns would is one factor hurting its prospects. "People are afraid of not having uniformity," says Rep. Paul Casey, a Winchester Democrat.

That means Massachusetts communities, for now at least, won't be able to take advantage of well-established taxation mechanisms that localities rely on elsewhere. Arizona, California, Florida, Michigan, New Jersey, New York, North Carolina, Pennsylvania, and Washington state all permit

municipalities to levy an additional sales or income tax in addition to the property tax, according to the 2006 report by Northeastern University's Center for Urban and Regional Policy. A 2007 Boston Foundation study of the taxation powers of Boston and six other cities—Atlanta, Chicago, Denver, New York, San Francisco, and Seattle—found that Boston fared the worst. In 2003, Boston saw 60 percent of its revenues come from property taxes, while the comparable figure in Seattle was 27 percent (the next highest) and in Chicago was 12 percent (the lowest). All but Boston received revenues from sales taxes. Boston had only four taxes overall, including the property tax; the others anywhere from three to seven times that figure.

ALL TOGETHER NOW

One concept for easing the fiscal crunch facing local government that nearly everyone professes support for is regionalism. Massachusetts certainly is no stranger to joint purchasing, health insurance collaboratives, and other regional initiatives. The challenge is to extend those models to areas where there are significant savings to be gained in municipal services delivery—not through a return to unfondly remembered county government, but not by reinventing the wheel, either, when the state's 13 regional planning councils already coordinate numerous programs among cities and towns.

The future of municipal government in Massachusetts has to be focused on regionalization, says Gaumond, the West Boylston town administrator. "Economies of scale are going to be the thing that gets us through the next several decades," he says. Public safety may be a sector particularly well suited to municipal alliances. Thirteen Essex County communities are currently studying a proposal to consolidate their individual public safety dispatch units into a central location to handle police, fire, and ambulance calls. Under mutual aid pacts, many fire departments are already operating on a de facto regional basis.

Other states have established specific programs to stimulate regional cooperation. Maine's Fund for the Efficient Delivery of Local and Regional Services takes 2 percent, or about \$2 million of municipal revenue sharing funds each year, and allows one or more other applicants to apply for grants to develop collaborative arrangements such as municipal service consolidation, regional emergency dispatch, and recycling and waste management projects.

But there are several significant barriers to regionalization in Massachusetts. One is the contradiction between state policy and practice. While state officials encourage municipalities to work together, there are laws on the books that make collaboration difficult. For example, current law requires the approval of town meeting in order for communities to enter into agreements with other towns to

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jointly contract for services. A bill pending in the Legislature would allow town administrators to strike such deals on their own.

Quite a bit of state policy promotes the importance of regionalization in areas such as smart growth and homeland security planning, but there are no tools available to facilitate the process, says Linda Dunlavy, executive director of the Franklin Regional Council of Governments, an umbrella group comprising the 26 towns of Franklin County. Another obstacle to regional agreements is the lack of groups like Dunlavy's in other parts of the state. "They don't have an organization to say, 'We will work together to form a building inspection program for 17 towns,'" she says.

The principal roadblock to more cost-saving regional agreements, however, may be the tradition of home rule itself, which fosters an inviolable sense of local autonomy—a cherished, if quaint, notion even when things are falling apart. Accustomed to running local affairs as they see fit, some municipal officials may simply balk at joining forces

The idea of tinkering with Proposition 2½ and its tax cap sets off alarms on Beacon Hill.

with others, especially if voters in any one of the affected towns believe that those alliances could result in inferior programs or services. "One of the real fundamental issues is the way we run our railroad here in Massachusetts, with 351 cities and towns [each] like its own fiefdom. And they do things 351 different ways," says Rep. Rachel Kaprielian, a Watertown Democrat and co-sponsor of the GIC legislation.

In the meantime, the Patrick administration has proposed a commission to study ways for the state to provide incentives for the regionalization of municipal tasks such as budgeting, economic development, and capital planning. No one argues that there aren't efficiencies to be gained from regionalization, says Samuel Tyler, president of the Boston Municipal Research Bureau. "The question is," he says, "is it going to require a fiscal crisis to make that happen?"

OVERRIDING CONCERNS

Though it has long been a third-rail topic, Ragucci, the Stoneham town administrator, goes there anyway. He suggests that "maybe it's time" to raise the state property tax cap to 3 percent, a move that, he says, would eliminate the need for overrides and program cuts. But it's not hard to imagine communities quickly bumping up against a new,

slightly higher tax cap. The idea has long been a nonstarter anyway on Beacon Hill, where the mere suggestion of tinkering with the law sets off alarms. In case there are any doubts, Kirwan stresses that the governor “has not proposed nor is considering any amendments to Proposition 2½.”

Indeed, some think that despite a steady stream of stories about cash-strapped communities slashing programs and services, we need to put cities and towns on an even stricter revenue diet. A recently certified initiative petition would lower the annual allowable increase in the property tax levy from 2.5 percent to 1 percent. The ballot question’s backer, Greg Hyatt of Citizens for Real Property and Excise Tax Control—a one-time Republican candidate for governor—calls the proposal “a fairly moderate middle step between reducing the tax and getting rid of it altogether.”

Linda Dunlavy, of the Franklin Regional Council of Governments, says the state isn’t doing enough to promote regional solutions.



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In addition, a bill pending in the Legislature would require 12 months between one override and the next request and also permit votes on “overrides”—a permanent lowering of the tax limit—by referendum without a recommendation from municipal legislators. State Sen. Scott Brown, a Wrentham Republican who filed the Citizens for Limited Taxation-backed measure, says some communities are abusing overrides by treating them as a first option rather than a last one. “If they are doing an override for operational reasons, there is a basic ledger problem in the community anyway,” says Brown.

But agreement on the nature of the ledger problem and on solutions that can carry the day politically is proving elusive. In particular, the Legislature’s reluctance to give cities and towns some additional revenue-raising powers is angering those who are convinced of the need for more money to fund local government.

“Somebody has got to ask the question, ‘If not this, then what?’” says Nathaniel Karns, executive director of the Berkshire Regional Planning Commission. “Somebody is going to have to show the political courage.”

TURNSTILES ON MAIN STREET

There’s no doubt that people enjoy West Boylston’s Beaman Memorial Public Library. Circulation has soared from an estimated 24,000 items in fiscal 1984 to nearly 73,000 in fiscal 2007. Borrowing books, however, doesn’t pay the library’s bills. Every year since 2003, the library budget has been level-

Generous benefits for municipal employees aren’t playing well in the court of public opinion.

funded or cut. To keep some periodicals on the shelves, the library resorted to an “adopt a magazine” drive. Of the 92 subscriptions available for “adoption,” residents and businesses have paid for 50. But adopting magazines won’t save Beaman, which is already in trouble on two of the four standards needed to maintain state certification. It doesn’t spend the state-required percentage of its total budget on materials, and it is failing to meet a requirement of regular



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increases in the town's library budget.

Library director Louise Howland isn't sure whether Beaman will be able to secure a waiver for fiscal 2008 from those requirements. But if it doesn't, Beaman will lose its certification, state aid, and interlibrary loan privileges. "In some ways, it is very draconian, but there has to be some measurable way of holding communities accountable," says Howland.

But what does it mean to hold communities accountable? There is a strong current of public sentiment that says municipal officials brought this crisis on themselves by doling out overly generous pay raises to municipal employees and maintaining benefit packages that most private sector workers couldn't dream of having. Residents shouldn't have to fork over more of their hard-earned dollars to pay for poor public management, goes this line of thinking. "I really fail to see why the failure of the cities and towns' leadership to deal with their unions, which is partly the fault of the state for not giving them the tools, is the fault of the person stopping by the coffee shop to have lunch," says Barbara Anderson. She points to cases like that of Wrentham's King Philip Regional High School, where the principal retired three years ago, only to take another job as a Rhode Island high school principal. The district still pays 75 percent of his health insurance premium. When he dies, the benefit goes to his wife.

On the other side of the coin, municipal officials see a disconnect between town hall and the average household. Residents want the same level of services that they have become accustomed to, but without paying any more for them than they have in past years. At one extreme are wild ideas about the ramifications of fiscal breakdown. Bisignani, the Saugus town manager, says that a woman who stopped by his office during the spring override campaign announced that she was voting no and encouraging her entire family to do the same. A parent of school-age children, the woman explained she wanted to see Saugus go into receivership, so that the town could get the resources that Chelsea got during its fiscal crisis. "We'll get all new schools if the town goes into bankruptcy," the woman told him.

More common is pure disinterest in the number-crunching. According to Ragucci, the Stoneham administrator, most people, particularly younger ones, don't want to delve into the "very dull and boring" world of municipal finance to better understand how their tax dollars are spent. "You have young families out here who are going out and buying those beautiful, 42-inch flat-screen TVs, and when the time comes for an override, they say, 'My taxes are going to go up 200, 400 bucks a year. I can't afford that.'"

Some view the disenchantment with local government simply as an expression of the powerlessness citizens feel with state and federal government decision-making. "They come down to town meeting, they're frustrated, they are

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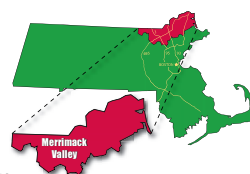
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angry, and they can vote 'no' here, and their voice is heard," says Howland.

Other municipal officials believe that, under present conditions, a fiscal meltdown involving multiple communities is inevitable. "Chelsea's stress at the time was considered to be an isolated incident," says Jay Ash, the city manager there. When middle-class communities like Saugus and Stoneham start to experience problems, Ash says, "that's a signal that we are getting to the point that the stress is such that the state is going to have to react." Amesbury Mayor Thatcher Kezer III agrees. "You are going to have a line of local government officials, figuratively speaking, dropping off the keys at the desk of the state saying, 'Here, you own it, we're done,'" says Kezer.

Beyond the local quality of life, the fiscal dilemma of many cities and towns signals bigger issues for the state. Much fanfare accompanies any expansion announcement from a local company or any news from state economic officials that they have wooed a firm to Massachusetts. But as a 2006 report from Northeastern's Center for Urban and Regional Policy pointed out, municipalities stand at the frontlines of any drive for economic growth. If Massachusetts towns and cities offer only minimal services, companies considering expansion or relocation here may well think twice. Who would blame them for concluding that skilled

workers and managers will be unenthused about landing in a high-cost state where local communities nonetheless struggle to keep libraries or pools open from year to year?

In West Boylston, Mulryan, the parks commissioner, has more or less resigned himself to the new reality. By defeating the proposed override earlier this year, the voters have

Voters may not want to delve into the 'very dull and boring' world of municipal finance.

spoken, he says. Possible state grant monies may yet bring the pool back. But, in a nod to the government-by-subscription trend, he says with only the faintest trace of humor, the town seems to be somewhere between keeping parks free and putting up turnstiles and charging to walk on the grass. "Who knows what is going to happen?" he says. "I don't think the 'pay-as-you-go' and the à la carte mentality is going to go away for a long time." **CW**

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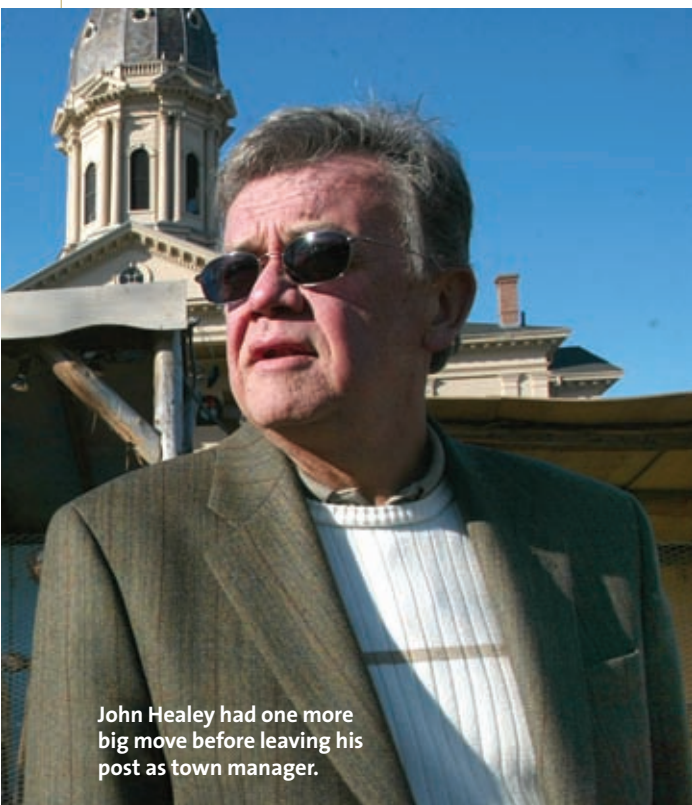
Betting the farm

Big money and tough times forced Middleborough's hand. The rest of the state may soon get the same cards.

BY SEAN P. MURPHY

ON JULY 28, thousands of Middleborough voters assembled on a high school football field for town meeting, one of the purest exercises in grass-roots democracy. Carpenters and lawyers, farmers and small-business owners all mingled under the hot sun. The question of the day: Should Middleborough approve an agreement negotiated by selectmen with the Mashpee Wampanoag Indian tribe to bring a massive casino and resort to town? It would mean millions to the cash-strapped town budget, but plenty of new headaches for the rural community, too. Town meeting was a way to "let the people decide." Yet for all the homage paid to this form of direct democracy, the issue had already been decided, in a practical sense, well before the moderator gavelled the meeting to order. Approval of the casino was a *fait accompli*, or at least close to it, as of April 27, the day a man nobody seemed to know walked into Town Hall and purchased a key parcel of land at a little-publicized town auction. The mystery man turned out to be an agent of the casino developers working with the Indian tribe. Once the Mashpee Wampanoag and their backers had control over the land they needed, they were sitting on pocket aces in a game of Texas Hold 'em.

After hours of sometimes rancorous debate on that late July afternoon, town meeting approved the casino deal by a wide margin. All eyes then turned toward Beacon Hill. Anticipation mounted for weeks as the state awaited Gov. Deval Patrick's declaration of whether or not he would support casino gambling, an issue on which he had struck a Hamlet-like pose since taking office in January. On September 17, after weeks had turned to months, Patrick made official what many had come to guess, announcing his support for expanded legalized gam-



John Healey had one more big move before leaving his post as town manager.

bling in Massachusetts. Both tribal and non-tribal developers would be allowed to bid on commercial gambling licenses under the governor's proposal, which called for three "destination resort" casinos in Massachusetts.

Perhaps nowhere was the decision felt more viscerally than in Middleborough, which had seemed to be the front-runner to host the state's first full-scale casino, one planned to be among the largest in the world. The governor's decision suddenly meant the tribe and town would now face lots of competition. But it also meant the state's leading political figure was now on the casino bandwagon, bringing Massachusetts one crucial step closer to rolling the dice on expanded gambling.

How did Middleborough emerge as the town that got the casino gambling debate moving in high gear? On February 15 of this year, the federal government had finally recognized the Mashpee Wampanoag Indians as a sovereign tribal nation, making them eligible to take advantage of the Indian gaming rights that were established by a 1987 US Supreme Court decision. Though based on Cape Cod, the tribe claims a historic link to land in Middleborough, meeting a requirement of the federal Indian gaming law. But no one thinks the tribe set its sights on building a casino in Middleborough simply because of an abiding sense of connection to the land there. The town, best known for its cranberry bogs, offered two critical ingredients that made it a prime location for a casino: great expanses of available land and direct access to a major interstate highway.

But there were other key factors at play. The town was a fiscal basket case, with scheduled expenditures far outstrip-

ping its revenue stream from property taxes and other sources. Middleborough had recently reached generous contract agreements with municipal unions, a move that was stoking the anger of citizens fed up with the fiscal management of the town. One group was organizing a recall drive against three of the town's five selectmen. Against that bleak fiscal backdrop, the lure of a big payout to the town from a casino proved hard for local leaders to resist. In many respects, then, the Middleborough saga reads like a miniature version of the story unfolding at the state level, where talk of spending needs outpacing tax revenues has framed the casino debate. In Middleborough, critics say the lure of gambling money was so strong that town leaders effectively dealt the citizenry out on the question of whether to have a casino at all. As the governor's plan is rolled out in the coming days, what happened when the free-spending of deep-pocketed casino moguls met a small town on the fiscal ropes may be a cautionary tale about the forces that could be unleashed statewide if Massachusetts opts to go "all in."

GAINING A Foothold

I first visited Middleborough, a Plymouth County town of 22,000, in May, though I've been covering Indian casinos for the *Boston Globe* since 2000. As I made my rounds at Town Hall to begin reporting on the Mashpee Wampanoag proposal, everyone pointed me toward John Healey, then in his third decade as Middleborough town manager. "Jack," people in Middleborough told me, kept the town going. Jack fixed the problems. Jack knew all.

But as 2007 began, Healey painted a dire picture of the state of affairs in Middleborough. Residents would have to pay higher property taxes or accept deep cuts in basic services. Police, firefighter, and teacher layoffs were certain. The town was on the ledge, ready to jump. As Healey told a regional section of the *Boston Sunday Globe* in January, "There are no more rabbits to pull out of the hat."

'The state is never going to bail us out. What are we going to do? It starts with a C.'

But it turned out that Healey, who had announced plans in 2006 to retire in the summer of this year, did have one move left. Beginning in March, the veteran municipal manager meticulously and quietly laid the groundwork for a casino in his beloved town, though he hardly dared say the word in public. Lamenting the town's fiscal crisis to a Brockton *Enterprise* reporter in June, he said, "The state is never going to bail us out. What are we going to do? It starts with a C."

As the town meeting came closer, the attitude in town toward casinos became: "If you can't beat them, join them." Selectmen busily stoked the momentum by arguing that townspeople had better grab the millions now being dangled by developers—or else watch helplessly as the developers exploited the Wampanoag's tribal status to build a casino without paying the town a dime. In the end, Healey openly campaigned for the deal, telling me in June that it was "a great deal, a huge deal." It was the town rescued off the ledge.

Later, when reviewing the events leading to the town's historic July 28 vote, I kept coming back to the April auction at which developers locked up the land needed for a casino. Healey had put it together at the same time he was meeting behind closed doors with the casino developers. Still, he repeatedly insisted to me he never gave them a heads-up on the auction. Further, he insisted he did not even realize the casino developers might be interested in the one large piece of town-owned property put up for auction in years. He said it was only after the auction had closed that he realized the winning bid had come from the casino development team.

When I asked about the auction, he told me, "There was nothing nefarious about it. It was an open, public auction." The fact that the developers chose to come to Middleborough, Healey says, "was fortuitous." But could anyone as savvy as Healey, after almost 35 years in the trenches of state and local government, arrange to sell a piece of property per-

fectly suited for a casino without realizing that a casino developer might actually want it?

"The town government really let the people down," says Richard Young, a town resident and leader in the anti-casino movement. "They did not deal squarely with the town when they first knew about the casino plan. The auction was absolutely key because it gave the casino a foothold in town before anyone knew the plan."

THE CONNECTICUT GOLD RUSH

There was a kind of gold rush in New England during the late 1990s, unleashed by the spectacle of Connecticut's two Indian-owned casinos positively choking on cash. But to break into the lucrative casino market, investors needed a tribe with government-conferred special status. So a large number of would-be tribes began arriving at the federal government's doorstep brandishing newly drawn genealogies and demanding official recognition.

The Seminole Indian tribe of Florida pioneered high-stakes bingo in the 1970s, but it was the tiny Cabazon tribe of California who lent their name to a 1987 landmark court case. In *Cabazon*, the US Supreme Court considered for the first time the clash between the state interest in setting policy on gambling and the concept of Indian sovereignty. The state of California argued that it had crafted gambling



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prohibitions to protect its citizens, and that its efforts would be rendered meaningless if people could gamble on reservations. The Reagan administration took a different position. It favored the cultivation of gambling enterprises to provide at least modest support to tribes in barren prairies or deserts. The court ultimately ruled that California could not interfere with the tribal nation. To the Reagan administration, it was a satisfying win for market-based approaches to solving social problems. To tribes, the decision was much more. It validated the idea of sovereignty.

Congress responded to *Cabazon* by quickly stitching together a confounding set of compromises. Most importantly, it carved out a role for the states—an insult, really, to sovereignty, but the price tribes would have to pay to avoid Congress enacting a complete prohibition on tribal gambling.

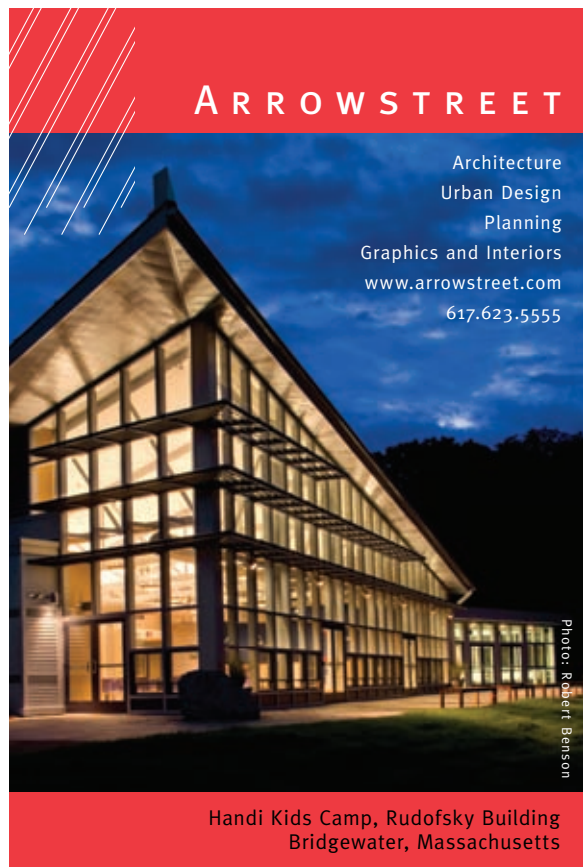
The legislation authorized tribes to operate on their lands any type of gambling legal in that state. But in states where gambling was prohibited, a state could not simply ignore the tribes. The law required those state governments to search for a compromise that would allow tribes to operate gambling ventures. The goal of the mandatory negotiations was what Congress called a “compact,” a

set of conditions agreeable to the state under which a tribe could go into the gambling business. In practice, it usually meant the tribe paying the state a share of its gambling profits in exchange for the state’s go-ahead. (Congress did not spell out, however, what would happen if negotiations broke down because the state rejected every offer the tribe made.)

Massachusetts currently allows bingo, greyhound and horse racing, lotteries, and table games such as blackjack and roulette during charity fund-raising events, typically called

Richard Hayward parlayed his Pequot ancestry into a little bingo enterprise that he dubbed Foxwoods.

“Las Vegas nights.” That means federally recognized tribes in the Bay State have the absolute right to operate those kinds of gambling enterprises on their reservations. But to step up to lucrative slot machines, tribes in Massachusetts would need either a compact with the state or the kind of expansion



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Casino opponent Richard Young says that Middleborough leaders “did not deal squarely” with their own constituents.

of legalized gambling that Patrick is now proposing.

During the late '80s, few anticipated even the slightest ripple from Indian gambling in staid old New England. But even before the *Cabazon* decision, a tiny tribe was experimenting with bingo in the swampy woods of southeastern Connecticut. The Mashantucket Pequot comprised no more than 40 people, led by Richard “Skip” Hayward—a restless pipe-fitter of, at most, one-sixteenth Indian blood, according to *Revenge of the Pequot*, a 2001 book by Washington author Kim Isaac Eisler. Hayward parlayed that precious Pequot blood into a little enterprise he dubbed Foxwoods. From the start, its bingo operation boasted handsome cash flows, but it would never truly be a casino without slot machines. So Hayward moved his chess pieces carefully. The federal courts sided with him when he argued that the state’s approval of occasional “Las Vegas night” charity events gave the tribe the right to operate blackjack, roulette, and other games. Hayward next invoked the state’s legal obligation to negotiate with him over a compact to cover slots. Lowell Weicker, the governor of Connecticut in the early 1990s, who had blustered that there would never be slots in his state, blinked. If he could no longer hold off slots, Weicker reasoned, he had better get the state something in return. Hayward offered a minimum of \$100 million a year or 25 percent of gross slot revenues to the state, whatever was greater. Weicker jumped at it. Fifteen years later, Foxwoods

cuts the state in for about \$220 million a year.

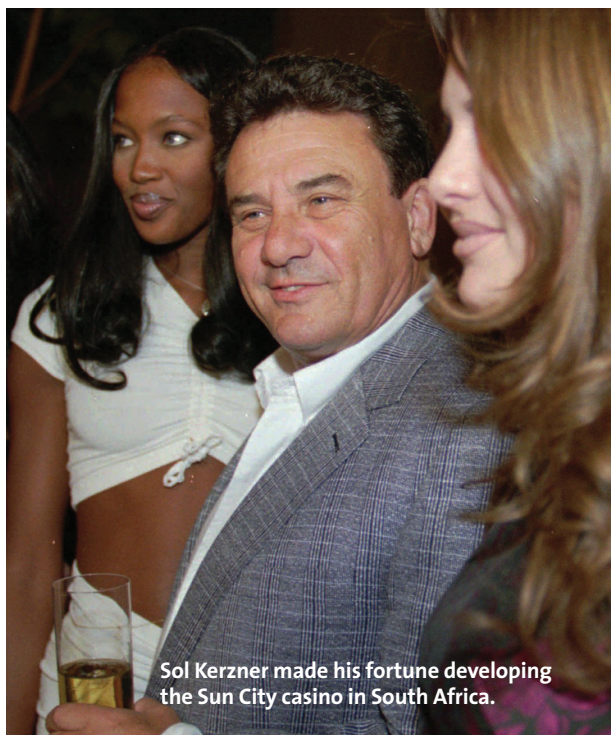
Foxwoods opened in 1992 and has never closed its doors since. Nor has it ever stopped expanding. More than \$3 billion in construction investment has poured into the tiny town of Ledyard. Now one of the largest casinos in the world, Foxwoods includes 8,700 slot machines, 425 table games, a booming hotel, restaurants, stores, a convention center, and golf courses, and it employs over 13,000 people. It is a \$1.5 billion-a-year business. Not bad for an itinerant pipe-fitter.

The Pequot inspired a lot of imitators, but most of their dreams unraveled trying to prove themselves tribes in Washington. For example, the Nipmuc Indian tribe won preliminary recognition from the federal government on the last day of the Clinton administration. The tribe had picked out a huge tract of land in Sturbridge off Interstate 84 in central Massachusetts for a casino. But “tribehood” was fleeting; upon a second reading of the tribe’s history and genealogies, the Bush administration ruled in 2000 that this was no tribe at all.

The Mohegan Indian tribe of Uncasville, Conn., had better results. Their quest for recognition had begun long before casinos became an irresistible incentive. But by 1994, when the Bureau of Indian Affairs made recognition official, Mohegan leaders were in the thrall of Sol Kerzner and his partners, notably local hotelier Len Wolman.

Kerzner had spent a lifetime in the casino business. He made his gambling bones—and a fortune—in his native South Africa in the 1970s developing the Sun City casino. Casinos were banned in South Africa at the time, but not in the black “homelands” carved out under the system of racial apartheid. Kerzner struck a deal to operate in Bophuthatswana, one such homeland located only a two-hour drive from Johannesburg. Whites flocked there, but Sun City was widely condemned because it operated under the apartheid government. Kerzner was later accused of bribing the government of another homeland, Transkei, and he abruptly left the country. In 1976, New Jersey gambling regulators concluded that Kerzner had paid a bribe of \$900,000 in Transkei in 1986 (he has denied these charges) but decided it was an “aberration” and that enough time had elapsed to grant him a license for a casino in Atlantic City—which failed miserably. His partnership with Wolman and the Connecticut tribe, in contrast, has succeeded brilliantly from the moment the doors of Mohegan Sun opened in 1996. Today, Kerzner’s growing casino empire includes the popular Atlantis resort on Paradise Island in the Bahamas, and extends to Dubai, Mexico, Maldives and Mauritius. Could Massachusetts be next?

In 2001, I discovered by reviewing financial records that Kerzner and his partners had made deals with the Mohegan that would pay them about \$1 billion for helping to build the tribe’s casino. Congress had tried to be vigilant in making sure tribes, not investors, received the benefits of tribal



Sol Kerzner made his fortune developing the Sun City casino in South Africa.



Len Wolman became one of Kerzner's most prominent partners in New England.

casinos, but it was hard to police lopsided business deals between willing parties.

Before the casino opened, the Mohegan had little cash and no business experience. Kerzner and Wolman stepped in to fund at least \$9 million in tribal expenses, including salaries for Chief Ralph Sturges and other leaders. They renovated the chief's house and gave his son a job. And Sturges signed several agreements giving Kerzner and Wolman a vast array of financial interests in the yet-to-be built casino.

Kerzner and Wolman shrewdly tapped the New York bond market for hundreds of millions to build the Sun. They correctly decided to go high end, sparing no expense for indoor waterfalls and unrelenting elegance. They even arranged to have a direct ramp to the casino built off busy Interstate 395. Most importantly, they put people in the casino seats, most of them busily pulling slot machine levers.

In the process they made billions for the tribe. And they did not stint on themselves. At a 2001 hearing of the Senate Indian Affairs Committee in Washington, a perturbed Sen. John McCain recounted the huge Kerzner-Wolman payout and grilled the head of a federal agency charged with policing such deals. "Do you find that disturbing? Outrageous, even?" he asked angrily of the deal. Monte Deer, the head of the agency, acknowledged that loopholes had been exploited by "innovative" lawyers. It was all perfectly legal, just not what had been intended by Congress.

THE MIDDLEBOROUGH CRUNCH

Kerzner and Wolman waited a long time to ride into Massachusetts. Not that they weren't paying attention. In an in-

terview with the *Providence Journal* earlier this year, Wolman described their business philosophy this way: "We're opportunists. We are always looking." What they needed was a tribe. And as federal recognition of the Mashpee Wampanoag appeared ever more certain late last year, Kerzner and

Kerzner and his partners got about \$1 billion for helping the Mohegan tribe build their casino.

Wolman made their move, finally sealing a development agreement with the tribe on December 1.

On February 15, when recognition became official, Gov. Patrick telephoned his congratulations. "This recognition is long overdue," he told tribal chairman Glenn Marshall in what was the first call the Wampanoag received from a politician after receiving word from the Bureau of Indian Affairs. "I look forward to working with the tribe to move Massachusetts forward," Patrick said, according to a statement released by the governor's office.

Marshall was already a familiar figure from his politicking on Beacon Hill. In the days ahead he arranged an April 6 meeting in Boston with Daniel O'Connell, the governor's secretary of economic affairs and point man on the gambling issue. Meanwhile, in Middleborough, word got out that the tribe might be enticed into town. In March, Jack Healey wrote a three-paragraph memo to the board of selectmen and titled it "Casino anyone?"

Since last winter, Marshall and his representatives had been scouring southeastern Massachusetts for a large parcel of land close to a major highway to serve as their reservation, on the theory that getting the town to back a casino would go a lot more smoothly if the tribe already had the land in its possession. The US Department of Interior must ultimately approve the reservation site, as the department would hold the title to the land “in trust” for the tribe. (This requirement is a holdover from when the federal government considered Indian tribes ill-suited to own and manage land themselves.) Getting land into trust can be an excruciatingly long bureaucratic process—after all, federal recognition of the Mashpee Wampanoag had taken more than 30 years—and approval is not automatic. But getting land into trust is the key to unlocking the vault. With it comes the federally guaranteed right to operate a casino without striking any revenue-sharing deal with the town.

The Mashpee tribe has already gone further than the Aquinnah Wampanoag, which came knocking in Middleborough in 2003. The reaction in the town then was unambiguous.

“I won’t support a casino. There is no way, shape, or form,” Selectman Wayne Perkins, now an ardent casino supporter, told the *Brockton Enterprise* in March 2003.

What changed between then and summer 2007? First, the

town had been rescued time and again by depleting cash reserves and by selling off assets such as the town landfill. When the real estate market was hot, Middleborough lived off the surge in building permits fees. But those days were over. Healey, Perkins and other town officials felt they were running out of options for filling the gap between Middleborough’s revenues and anticipated expenditures.

Scores of towns were similarly suffering, but Middleborough’s problems were exacerbated by generous municipal union contracts. While public-sector unions have long held considerable sway in Massachusetts, that was even more true in Middleborough, which has an especially large municipal workforce because the town operates its own electric, gas, and water utilities. In 2005, Healey and the selectmen negotiated contracts giving some workers as much as a 30 percent raise over three years. The town also paid 90 percent of health care insurance for its employees, along with pensions of up to 80 percent of a worker’s salary at retirement and the buy-back of unused sick days. Stephen Studley, a member of the town finance committee, channeled a growing sentiment in Middleborough. “We know we don’t have the money for these ridiculous contracts the selectmen negotiated,” he said at a committee meeting in March 2005, according to a report in the *Brockton Enterprise*.



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Healey's own annual pay rate jumped from \$116,000 in 2004 to \$142,500 this year. The selectmen even gave him a raise effective July 1, knowing that his last day on the job was June 22; the higher pay kicked in while Healey was enjoying his last 10 weeks on the payroll soaking up unused vacation time. This farewell bump in Healey's salary meant an extra \$3,000 for his unused sick time, giving him a total of \$41,100 for 75 unused sick days, and a higher lifetime pension of \$102,700 a year. On top of all that, the town pays almost \$15,000 a year for Healey's retirement health insurance.

Others in Town Hall were set for sizeable raises this year, too. The budget called for a 19 percent pay raise in Treasurer Judy MacDonald's salary, to \$99,770, and a 32 percent pay raise for the selectmen's executive secretary, to \$66,000. But residents voted down those proposed raises at the annual town meeting.

LAYING THE GROUNDWORK

The Mashpee Wampanoag and their partners concentrated their search for a reservation in southeastern Massachusetts because the tribe's ancestral homelands were there and the Interior Department would insist on such a historical connection. But the casino business partners also continued

highly visible negotiations with the city of New Bedford to build on the waterfront there, even though that site was simply not in keeping with the Mohegan Sun-styled casino playbook. High density and high crime brought complications, and the first choice remained a bucolic setting where a casino could be self-contained—more an exit ramp off the highway than part of an established urban environment. Still, New Bedford made for a useful foil to keep Middleborough's attention.

Scott Ferson, a seasoned Democratic operative and public relations specialist who once worked for US Sen. Edward Kennedy, had been hired to keep the development team purring, along with the politically connected law firm Quinn & Morris, headed by the former House speaker and attorney general Robert Quinn. They packaged the casino in Middleborough as fulfilling the aspirations of a hard-working native people long overdue for a break, a people as "Massachusetts" as the bean and the cod.

Middleborough town records show that town manager Healey contemplated an auction of town land in October 2006. In a memo to selectmen at that time, he said the town might raise \$400,000 selling various parcels. Although the parcels weren't listed in the memo, it is unlikely that Healey had in mind the piece of land that eventually wound up in the

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hands of the casino developers, since it would later be valued by Healey at a minimum of \$1.5 million, the records show.

Only after Healey wrote his “Casino anyone?” memo in March, and discussed it with selectmen, were steps taken to auction off one of the town’s largest pieces of land. (The subject of a casino was not raised again at selectmen’s meetings until May, after the auction.) On April 9, Healey came to the board of selectmen’s meeting with a list of 31 properties he recommended for auction. Selectmen briefly discussed the proposed auction before voting to authorize it, without paying any particular attention to the 120-acre property that made the others look the size of postage stamps. That large property was taken by the town from the late Daniel Striar for failure to pay taxes in 1997. It was surrounded by 200 more acres still owned by the Striar family, which fronted on busy Route 44. Before the auction, the casino developers had already privately negotiated an option with the Striar family to buy this larger property, according to documents filed in the county registry of deeds. This optioned parcel, combined with formerly Striar-owned land now going to auction, would provide an ideal site for a casino.

During the April meeting, Healey downplayed the significance of the planned auction, according to a videotape of the meeting. It would raise cash for the town, he cautioned, but it would still not prevent “dramatic cuts in budgets.” The auction was mostly intended for existing property owners to acquire slivers of land, he told selectmen, never mentioning the possibility of a casino. “We’re hoping abutters pick

dollars during its drive for recognition, and then gone into partnership with Kerzner and Wolman to back the effort to open a casino.

By law, abutters had to be individually notified of the auction by mail. One abutter, Richard Beal, happened to be in the real estate business. Beal stepped up with a bid \$5,000 over Wilson’s. But Wilson had been instructed not to come home without the 120-acre parcel, a representative of the casino developers told me. “We needed to control that parcel for our plan to work,” the representative said. “We couldn’t afford to have another player involved.”

The competition wore on, with 31 bids in all.

“One million, seven hundred and sixty-five thousand,” Wilson finally said.

Silence.

“Sold,” declared Healey.

It was only after the auction, Healey told me, that he realized that it was a representative of the casino developers who had successfully bid on the property.

I called Marshall, the tribal chairman, on his cell phone a few hours after the auction. He said the casino developers were already in discussions with Healey and other town officials, and that the talks had predated the auction. “We’ve had a couple of good meetings,” he told me. “We’re still negotiating.”

Healey was only eight weeks from hanging a “gone fishing” sign on his career and retiring. But what a whirlwind eight weeks it would be.

An agent for the casino developers bought a 120-acre parcel at a little-publicized auction.

up some of the properties,” he said.

The auction was approved for April 27, less than three weeks away. The town ran plain vanilla legal notices in the back pages of the weekly *Middleborough Gazette* on April 12 and April 19.

At about two in the afternoon on April 27, Healey opened bidding on the 120-acre property once owned by Daniel Striar. A couple of dozen folks had gathered in the domed Middleborough Town Hall. When a man in a neat leather jacket offered the minimum bid of \$1.5 million, heads turned. He was unfamiliar to people in the room. His name was Jason Wilson, general counsel of Strather & Associates of Detroit. Herb Strather, a Detroit-born businessman who had built a fortune investing in real estate and casinos, had funded the Mashpee Wampanoag with millions of

INROADS ON BEACON HILL

Federal recognition of the Mashpee Wampanoag in February prompted legislative gambling opponents, such as state Rep. Dan Bosley and state Sen. Sue Tucker, to insist on a meeting with Patrick. They made their case against gambling, but the governor remained noncommittal. When the story broke that casino developers had purchased a large tract of land in Middleborough, the lid blew off the State House. Anyone who had ever dreamed of breaking into the gambling market sensed it was time to pounce. Racetrack owners argued that their businesses could survive only by adding slot machines. Boston Mayor Tom Menino suggested a casino at Suffolk Downs in East Boston. Las Vegas billionaire Sheldon Adelman, a Mattapan native, met with Dan O’Connell, the governor’s secretary of economic affairs, to sketch his ideas for a mega-casino somewhere near Interstate 495. Further west, the Mohegan tribe dusted off a plan to open a casino in Palmer, just off the Massachusetts Turnpike.

Beacon Hill seemed to be tilting in favor of expanded gambling. The state Senate had passed a bill to allow slot machines at racetracks just last year—only to have it stymied by House Speaker Sal DiMasi, considered by many to be the most potent political figure opposing gambling. Newly elected Lt. Gov. Tim Murray had led a coalition of munic-

ipal officials in favor of casinos when he was mayor of Worcester. The new Senate president, Therese Murray, was on board, and Attorney General Martha Coakley was voicing no opposition.

Then state Treasurer Tim Cahill took everyone by surprise. The treasurer oversees the lucrative state lottery, which returns more than \$900 million a year in local aid payments to cities and towns. Ever since the lottery was created in the 1970s, treasurers had guarded it jealously, opposing any proposals for casinos, which they feared could eat into lottery sales. On May 24, with the Mashpee Wampanoag's proposal in Middleborough gaining steam, Cahill broke rank. Hoping for an end run around the Wampanoag, he said the time had come for state-licensed, commercial casinos. Cahill argued that the Commonwealth could raise more money by selling licenses and collecting taxes at commercial casinos than it could by negotiating a Foxwoods-like agreement for sharing revenues from tribal-owned casinos. It was essentially the same proposal that Patrick would make four months later.

GAINING STEAM

After the April land auction, Healey and the town's board of selectmen, meeting in secret, got down to negotiating an

agreement with the Mashpee Wampanoag and their backers. Middleborough, meanwhile, divided into pro- and anti-casino sides for what would be an emotional debate. Those in favor emphasized the new construction and casino jobs and the millions of dollars in new revenue in store for the beleaguered town. Those against decried the wholesale transformation of the quiet, rural community that a casino would bring, raising concerns about everything from heavy traffic to a possible increase in drunk driving.

When opponents asked that the casino question be put to a referendum vote, selectmen at first voted no. Even a suggestion that selectmen conduct an informational hearing about the casino failed. Under intense pressure from opponents, the selectmen finally agreed to an informational meeting, but a referendum was determined to be legally impermissible until the annual election next April, and the casino developers were not willing to wait that long.

Patience with the selectmen seemed to be running thin. Even before the casino issue broke, selectmen could hardly claim a broad mandate, given the lackluster voter turnout at the most recent town election. In April, Adam Bond had been re-elected to his selectman's seat with just 901 votes—the most of any candidate but only about 6 percent of the 14,200 registered voters in Middleborough. Townspeople

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then began a drive to recall three of the selectmen (Bond was not among them). The recall effort charged the officials with financial mismanagement, citing, among other things, the generous union contracts the selectmen had approved. Town residents easily collected the 800 signatures needed for the recall election, the first in 15 years, scheduled for September 29.

While all this was going on, Healey and the selectmen were turned back in their efforts to generate an additional \$2.5 million per year for town government through a Proposition 2½ override. On June 2, residents voted the proposal down by a 2-1 margin. (Scheduling difficulties prevented the casino vote from being taken at the June 2 meeting.)

Over the summer, casino proponents gained strength in the municipal, building trades, and hotel workers' unions. Healey publicly predicted that 2,000 union construction jobs would be created by the casino, plus 5,000 permanent jobs. The pro-casino forces mobilized sign waving at a heavily traveled rotary on Route 44. Public meetings became crowded with supporters. At one, the president of the police union delivered a letter of unanimous support to Glenn Marshall. The president of the firefighters' union publicly endorsed the casino, as did the United Food and Commercial Workers union. Proponents even distributed feathers to

those attending meetings, a reminder of the American Indian heritage they would supposedly be honoring by backing the tribe's plan.

Marshall, in casual dress and sporting his trademark silver ponytail, put his personal credibility on the line again and again, telling small-business owners that if they suffered economically due to a casino, they should personally come to him for redress. Larry Deitch, a lawyer for the developers, heaped unqualified praise on Marshall and the others leading the casino effort. "This is a focused group of leadership, integrity, and honesty," Deitch said in a Brockton *Enterprise* story in June. Two months later, Marshall would resign as tribal chairman after admitting to a 1981 rape conviction and to repeatedly lying about the extent of his military experience as a Marine in Vietnam. The Internal Revenue Service recently began reviewing records subpoenaed from tribal headquarters.

Proponents also had the professional assistance of PR guru Ferson and others. They were far better financed and better organized than opponents, who later said they were able to raise less than \$8,000 for the campaign to try to block the casino. Leaders of the anti-casino effort challenged proponents to disclose their spending, but casino advocates declined. There is no legal obligation to report on spending

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on such town meeting matters, as there is under state law for spending in other campaigns. One development representative nevertheless told me that proponents spent close to \$100,000 on the pro-casino campaign.

The agreement that emerged from the negotiations among Healey, selectmen, and the developers called for the tribe and its partners to pay for massive infrastructure improvements in the vicinity of the casino, plus \$7 million a year to the town in lieu of property taxes. A revised agreement six weeks later sweetened the deal by promising the town a 4 percent room tax on the casino's planned hotel. When the selectmen met on June 25 to discuss the negotiated but as yet unsigned contract, a cadre of casino supporters showed up in force, chanting, "Sign the contract, sign the contract."

But the town lawyer ruled that the contract had to be approved by voters at town meeting to have legal effect. Town officials quickly scheduled a town meeting for the earliest possible date, which was July 28. By then, however, opinions on the casino had hardened. Many in Middleborough were already being conditioned by selectmen to think of the town as helpless to stop the casino. "The tribe owns the land, and if they go to the state without an agreement [with the town], the town will lose a lot," Marsha Brunelle, chairman of the board of selectmen, said at a June 5 meeting, according to minutes of the session.

At the same meeting, Perkins, the selectman who four years earlier was adamant in opposing a casino, said the matter was out of his hands. This was one of the few situations where "we don't get to make the decision," he said, according to the minutes of the meeting. "If we don't get on the page, we will get zero."

ODDS AND ENDS

Organizers of the July 28 town meeting tried to liven it up with baby boomer-era rock music blasted from loudspeakers on the football field. They called the event Votestock, a play on the iconic 1969 concert in upstate New York. Many of the thousands who braved the hot, humid weather dragged lawn chairs as if en route to the Esplanade for the Boston Pops' annual Fourth of July concert. But not all was fun and games. Nor, say casino opponents, were those pushing for the deal leaving much to chance.

The electrical union had begun distributing bright orange pro-casino T-shirts the day before, and hundreds came wearing them in support of the casino. The town's police chief Gary Russell, addressed the crowd in uniform, one of five speakers selected by proponents to urge a "yes" vote for the casino deal. Russell said he expected no significant increase in crime due to a casino. Meanwhile, police lieutenant Bruce Gates oversaw security at the town meeting. His family owned 200 acres of land next to the planned casino site, land for which the Gates family would sell an option to the casino

developers two weeks after the town meeting.

Moderator James Thomas kept the meeting under a tight rein. When the votes were counted, he announced that the casino agreement had passed, 2,387 to 1,335. A cheer went up. But there was a second item on the agenda, a nonbinding question to town residents. It asked a more basic question: Do you want a casino in Middleborough?

Thomas asked for a show of hands. Remarkably, the vote was overwhelming against a casino. Some chalked it up to proponents having left the football field after the binding vote on the selectmen's casino deal was taken. What did they care once that deal had been validated? But others saw it as evidence that Middleborough residents really didn't want a casino at all, but voted for the selectmen's deal because, once the tribe and its bigfoot partners had scooped up the land, they felt painted into a corner.

Whether a casino will actually open in Middleborough is far from clear. If the Legislature goes along with the Patrick/Cahill casino plan, the Mashpee Wampanoag, backed by Kerzner and Wolman, could bid for a license like anyone else. Or they could press ahead with their already filed land-into-trust application, knowing that the moment Middleborough is declared a reservation, they have the right to operate a casino with any form of gambling allowed in the state, but without having to buy a \$200 million to \$300 million license and without sharing 27 percent of its revenues with the Commonwealth, as Patrick was proposing for commercial operations.

What does seem certain, however, is that the rush to lock up land in Middleborough and the moves by big money casino interests to exploit openings they saw in the financially wobbly town will play out in a lot more places if the state opens the door to casinos. Whether all the promised economic benefits of casinos are real, whether it's the right way to raise revenue—and whether it's worth the toll on compulsive gamblers and those hurt in their wake—are questions for those communities and the state as a whole to decide.

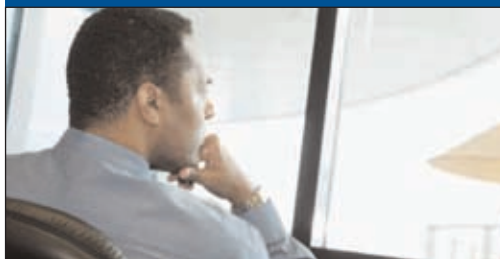
More losing than winning is, of course, the one sure thing about gambling at casinos. What Middleborough casino opponents say they didn't realize until it was too late was how much the odds were stacked against them from the start in the debate over whether to have a casino at all.

Ted Eayrs, a lifelong resident and past selectman, recently told me he voted for the agreement because he was afraid the town might get stuck with a casino without the cash payments. But he voted against the casino in the second, nonbinding vote. "A casino was thrust in the laps of the public without any input from the public because of that auction," he said, fingering the April land sale as the point of no return. "I thought we needed the agreement as protection, but that didn't mean I wanted a casino." **CW**

Sean P. Murphy is a reporter for The Boston Globe.

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TOP COP

Ed Davis wants to rebuild trust between police and crime-weary Boston residents. But he'll be measured by whether he can lower the body count.

AT A PARK on the corner of Talbot and Washington in Dorchester's Codman Square, a sea of blue uniforms behind him, Boston Police Commissioner Ed Davis is announcing the expansion of his Safe Streets initiative. For the previous six months, teams of officers on foot and on bikes have been deployed at three high-crime "hot spots" around the city: the Theater District, the Grove Hall neighborhood on the Roxbury-Dorchester line, and Dorchester's Bowdoin Street and Geneva Avenue. Now, with gun violence continuing its assault on city dwellers—and on the sense of security across a broad swath of Boston neighborhoods—nine places are being added to the list, including two in the Codman Square area itself.

Since his tenure as police chief in Lowell, where he served from 1994 until he took over as Boston commissioner last December, Davis has been an ardent proponent of community policing. Under this approach, which has enjoyed widespread support in recent decades, officers don't simply race in cruisers from call to call. Instead, they interact more

regularly with residents and walk neighborhood beats in the old-fashioned manner, with an eye toward nipping problems in the bud and discouraging crime. In the commissioner's view, this preventive approach is the only way to get ahead of crime problems. Such thinking is hardly new in Boston, where it has been embraced to varying degrees for more than two decades. But it almost seems a quaint throwback these days, when the response to each new shooting seems to be a plea from police for information from residents who increasingly shun cooperation with authorities.

The 60 or so officers standing behind Davis on a late August afternoon make up the new Safe Streets teams, and the podium is flanked on both sides by police on bicycles. Inside the wrought-iron fence that encloses the park, a few black ministers and Codman Square business owners huddle. But most of the handful of neighborhood residents present—almost all of them African-American—are standing outside the fence, looking in. This tableau seems to capture the situation now facing Davis: a community largely dis-

BY NEIL MILLER

PHOTOS BY KATHLEEN DOOHER

tant from the police but still curious about what the new commissioner might be up to.

Standing 6-foot-6, with the build of a football tackle, the 50-year-old Davis is hard to miss. Dressed in a dark suit with a yellow tie, he looms over Mayor Tom Menino, who stands next to him at the lectern. The commissioner reads his prepared remarks without much expression. It's when he puts down his notes and begins to speak extemporaneously that he finds his voice. Two weeks ago a woman with a young child was shot by a stray bullet in a Dorchester parking lot, he reminds the onlookers. And only three days before, a Salem State College student, T'Shana Francis, was murdered by a gunman who fired wildly on a normally quiet Mattapan side street.

"Gangs are not soldiers," says Davis, his inflection rising. "This is not a war. It is neighbors killing neighbors. Individuals must stop this. Innocent women are getting killed! If you know the perpetrators of these crimes, tell them it is unacceptable. If you are related to them, tell them this is unacceptable."

The passion and resolve in Davis's voice are unmistakable. If determination was everything, Ed Davis, who until last December led a police force barely the size of some Boston districts, might already have solved the city's epidemic of gun violence. But Davis, above all, knows this can't happen. "What I was trying to emphasize in those remarks was that the police can't do it alone," says Davis later. "The only way to stop the violence is to get the public to rise up against it. We need a cultural shift—something like Mothers Against Drunk Driving back in the '80s and '90s. It's more important what mothers and grandmothers say than what I say. The police can't organize it. It has to come from the people most affected."

Still, a major part of the solution must come from the police and others in the law enforcement world. And though he brings his own well-honed style, informed by an innovator's appetite for new approaches to crime fighting, Davis knows he is being measured by a past yardstick: the "Boston Miracle" of a decade ago, when the homicide rate plummeted from 150 in 1990 to 31 in 1999. (At one point, Boston went two-and-a-half years without a juvenile homicide, something almost unthinkable today.) Despite the name, this "miracle" didn't emerge from thin air. An almost seamless collaboration among police, prosecutors, probation officers, and state and federal authorities, all working with community groups, made Boston a nationally recognized success story in reducing violent crime. As much as he seeks to put his own stamp on the department, Davis knows the task is to re-create a version of that model—to rejuvenate partnerships among law enforcement agencies and to regain the trust of the community, both hallmarks of those heady days of the late '90s.

TAKING CHARGE

It is a significant challenge. From that low point of 31 homicides in 1999, Boston's murder count rose to 74 in 2005 and 75 in 2006. (As of early September, homicides were running slightly behind last year's rate.) Gang warfare, which terrorized Dorchester and Roxbury during the height of the crack epidemic in the early '90s, has attracted a new generation. This time it's fueled less by drugs than by personal disputes over ill-formed notions of "respect" that trigger cycles of deadly retaliatory violence—often with indiscriminate shootings into crowds. Three women were killed by stray bullets in the first six months of 2007. In a recent survey of 200 young Bostonians aged 14 to 24 in Dorchester, Roxbury, and Mattapan, 85 percent said they had at least one friend who was a victim of gang-related violence. That there is often not even a conflict over illegal commerce involved in today's shootings only adds an extra measure of madness to the mayhem, and it makes even more vexing the task of developing strategies to end the violence.

Equally troublesome, in an atmosphere of fear and distrust in the afflicted communities and a "stop snitchin'" culture scornful of cooperation with police, law enforcement officials have been unable to make arrests in many of these cases. Police say witnesses are simply unwilling to come forward. The department was able to solve only 29 percent of the murders



'The only way to stop the violence is to get the public to rise up against it. We need a cultural shift.'

committed in 2005 and 38 percent of the homicides last year. Those rates are far below the 53 percent average from 1994 to 2003 and significantly lower than the 60 percent national rate for "clearing" homicides, defined as making an arrest, issuing a warrant, or identifying a suspect. The rate of clearance in nonfatal shootings in Boston is even more dismal: a breathtakingly low 19 percent during the first six months of 2007. Rev. Ray Hammond, a cofounder of Boston's clergy-based Ten Point Coalition, states the challenge bluntly. "You cannot inspire confidence if you cannot clear cases," he says.



Davis is battling the “uniformity of thought” that can hobble police forces, says second-in-command Robert Dunford.



State Rep. Marie St. Fleur says the new commissioner has moved to repair badly frayed relations with the public.

As part of his effort to repair the breakdown in community trust, Davis has answered questions at more than 60 neighborhood meetings, and he shows up regularly at crime scenes. The Safe Streets initiative—made up almost entirely of new officers—is central to his community policing strategy, but he has also set up an anonymous text-messaging tips hotline, which is credited with solving two recent slayings, and has increased the number of detectives in the homicide division.

An uncooperative and fearful citizenry hasn't been the only problem. Conflicts within the 2,000-person Boston police force during the past few years haven't helped the situation, either. Kathleen O'Toole, the previous commissioner, who left in July 2006 after a rocky two-and-a-half-year tenure, was widely viewed as ineffective in dealing with the internal conflicts of the department. Specifically, a rivalry between Robert Dunford (head of the Bureau of Field Services, which oversees all uniformed officers) and Paul Joyce (who ran Investigative Services, directing the department's detectives and specialty units) was described in one *Boston Globe* editorial as “internecine warfare” and is thought to have hurt the department's efforts to move effectively against gun violence. “The lack of harmony within the department has been hampering its ability to

respond,” says Hammond.

In mid July, Davis moved to settle the factional strife. As part of a sweeping set of top-level personnel changes, Davis appointed Dunford superintendent-in-chief, making him the clear number two man in the department and empowering him to oversee both Field Services and Investigative Services. He moved Joyce to a position where he would be developing community-based crime-fighting initiatives. Meanwhile, Davis had already moved in February to bring back Gary French—a 25-year veteran of the force who led Operation Ceasefire, the centerpiece of the successful anti-violence efforts of 1990s—to once again oversee the Youth Violence Strike Force, the department's anti-gang unit. It was a welcome sign to many that Davis wants to revive some of the tactics that proved so effective during the city's crime-fighting heyday of several years ago.

TURF WAR

Those moves met with broad approval, particularly among the leadership in the city's black community, where nearly all of the gun violence is centered. Things have not gone as smoothly, however, with the one change Davis has made that is targeted most directly at concerns over the department's



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success in solving gun violence cases. As part of the command staff overhaul he announced in July, Davis also replaced the head of the department's homicide division, Deputy Superintendent Daniel Coleman, as well as the overall chief of all police investigations, moves widely seen as an effort to improve the lagging clearance rates.

The removal of Coleman was met with an unusually harsh and public rebuke from Suffolk County District Attorney Dan Conley. Under state law, the Suffolk County DA has control of Boston homicide investigations, though previous district attorneys have shied away from direct involvement in police personnel matters. However, Conley said by replacing the head of homicide unilaterally without any consultation with the DA's office, Davis made a damaging break with longstanding practice. (Things turned unpleasant again a few weeks later when Conley excluded Davis from the announcement of a high-profile murder arrest.)

"The commissioner has just unilaterally thrown out decades of communication, collaboration, agreement, and joint decision-making," Conley told the *Globe* shortly after the decision was announced. Conley suggested the replacement of Coleman was driven by pressure Davis was under to solve homicide cases quickly, without investigating them thoroughly, something Conley said he was not going to acquiesce in. Reacting angrily to the idea that he should not feel free to make his own command staff decisions, Davis shot back at Conley. "I've never heard anything so ridiculous in my life," Davis told the *Globe*.

For his part, Davis insists the link between his personnel changes and clearance rates is "minimal, at best." The dispute with Conley is "more political than operational in nature," he insists. "We haven't had one disagreement over the progress of a case or the direction of an investigation or prosecution."

Some tension between the police commissioner and the DA's office is inevitable, according to former US Attorney Don Stern. "It is not uncommon that there be some disagreement between enforcers and prosecutors," he says. "But having it spill over into the public realm is not a good thing." Stern suggests that the focus on clearance rates—something that both the police department and the DA's office must work together on—is revealing. "My guess is that some of the public part of this is simply good people frustrated at how things stand," he says. "The fact that it [clearance rates] has become a flashpoint suggests to me just how important this issue is."

Speaking in early September, Davis struck a conciliatory note about the tensions with Conley. "We are working to resolve this," he insisted. "We have to be on the same page."

Only days later, however, the rift between the two leaders widened, as Conley announced that he planned to deploy state police detectives who work under his jurisdiction to investigate all homicides in Boston occurring on MBTA

property, as well as at state-controlled parklands. Conley insisted the move was not part of an ongoing beef with Davis, but was intended to aid homicide work by relieving overworked Boston police investigators of cases. Boston police leaders saw things differently. The head of the police detectives union told the *Globe* he was “dismayed and disgusted”

The spat between Davis and Conley is a contrast to the crime-fighting partnerships of the '90s.

by what he called the “small-time politics” behind Conley’s move. Davis issued a statement citing Conley’s “apparent lack of consideration for what’s in the best interest of the public safety” in the city. The department dismissed the idea that the move would relieve the burden on city homicide detectives, saying murders on the T and state parklands “represent less than 1 percent (six homicides in seven years) of BPD homicide investigators’ workload.”

Conley did not respond to multiple calls seeking his comments on the rift.

A spat involving the city’s two leading law enforcement officials, which stands in such sharp contrast with the partnerships that were the hallmark of the crime-fighting successes of the 1990s, casts a depressing shadow over efforts to gain control over the current wave of urban violence. Jorge Martinez, executive director of Project Right, an anti-crime community organization in Grove Hall, worries that the conflict between Davis and Conley sends a signal that Boston law enforcement authorities are not working together. “Gang members read the *Herald*,” says Martinez in reference to that newspaper’s front-page headline BIG SNUB on an August 2 article about tension between the two officials.

CALM COP

Within the Boston Police Department itself, the appointment of the Lowell police chief was met with some initial skepticism. According to one department source, some Boston cops looked at Davis “the way an NFL player would look at a very promising college coach who had just taken

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over an NFL team: You did pretty well in the minors, but this is the big leagues." That attitude may be changing. "He is coming in with new ideas," says French, the gang unit commander. "He is decisive. He has a vision and he is marching to that vision."

Among community leaders, Davis is getting positive early grades. "In terms of gaining the community's trust, he has made all the right moves," says the Rev. Jeffrey Brown, another co-founder of the clergy-based Boston Ten Point Coalition. Even Horace Small, executive director of the Union of Minority Neighborhoods, who is often more willing than other black leaders in the city to throw a sharp elbow, fairly gushes about the city's new top cop. "In the six years I have been in Boston, this is the smartest appointment that Tom Menino has made," he declares. "You're not going to change things overnight. But if there's a guy who can change it, it's him," he says of Davis.

Davis can claim some early success, with nonfatal shootings down in Roxbury and Dorchester by 30 percent in the first six months of the 2007. But the commissioner knows that his tenure will be judged by whether he can sustain that trend over the long term. And solving shooting cases, which

goes hand in hand with lowering gun violence in general, depends on convincing a wary and often fearful public—including those mothers and grandmothers he appealed to on that day in Codman Square, but also Boston's young people—to see the police as allies, not enemies.

"When policing was invented," says Davis, "Sir Robert Peel talked about police being citizens and citizens being police. Unless a community agrees to be policed, it can't be

Davis must convince a wary and fearful public to see the police as allies, not enemies.

policed. If you think about policing that way, the fundamental responsibility that we have is engaging the support of the public so that they'll talk to us, they'll call us.... That is what it is all about. It is not about the size of the guns you have. It is about your ability to convince people that you are there for the right purpose and that you are a benefit to them."

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It is difficult to pigeonhole Davis. In many respects, he's "a cop's cop," who came up through the ranks of the Lowell police department by taking on a couple of the least savory beats in the force: vice and narcotics.

Still, the adjectives that people apply to him are "calm" and "approachable." "Even if there is a shooting or a homicide, he just brings a calmness along with him," says Martinez, the Grove Hall neighborhood leader. "The patience that man has... I haven't seen him angry yet."

John Wooding, a former U Mass–Lowell provost who served on a race relations council that Davis organized in Lowell, points to another trait, one not usually linked to the local constabulary. Davis, he says, is "something of an intellectual." The two would meet over drinks and talk community development and urban revitalization. Over the years, Davis has served on teams reviewing grant proposals at the National Institute of Justice, the research arm of the US Department of Justice, a role that exposed him to cutting-edge ideas in criminal justice policy and tactics.

In Lowell, Davis surrounded himself with academics and criminal justice "policy wonks," something he has continued in Boston. Davis has tapped Anthony Braga, a criminal justice researcher at Harvard's Kennedy School who worked with him in Lowell, as his policy advisor. Dunford

has seen Davis mix that intellectual curiosity with toughness. "He must read everything that he can get his hands on," says Dunford. "He is always questioning you about this study or asking you, 'They did this here, what is the implication for us?'"

THE ROAD TO DAMASCUS

Davis practically grew up in the Lowell police force. His father was a Lowell police officer, and the son always wanted to be a cop when he grew up. He joined the Lowell department in 1978, at age 22. Ironically, it was his father's death that same year that opened up a spot for him on the force. In 1982, he became a detective in the vice bureau, investigating sexual assaults. He moved over to the combined vice and narcotics squad in 1985 and headed it for almost 10 years.

By the mid 1980s, Lowell had become the source city for heroin and cocaine in New England. At one point, six people in one family were burned to death in a Molotov cocktail attack on a drug house. "It got to the point," says Davis, "where people wouldn't buy property or locate businesses there because of crime and the perception of the city as extremely dangerous."

Davis says he was brought up in "the culture of arrest and

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prosecution—"If we just get enough of them in jail, the crime rate will drop." He operated on that philosophy, and during the period he headed the combined vice and narcotics unit, the number of search warrants increased from five to 200 a year. But despite all the search warrants and drug seizures, the city was looking worse and worse every year to Davis. "I was spinning my wheels," he says. "I made a whole career on making a lot of arrests and getting a lot of awards, but the truth of the matter is that by 1993 or '94, I had hit a brick wall. In spite of all the arrests and all the people I had put in jail, I wasn't able to stop crime from occurring."

It was around that time that Davis went to the Senior Management Institute for Police at Harvard's Kennedy School, a three-week course in which he lived with police officers from other jurisdictions. The '90s were the heyday of community policing, and he spent time with working cops from cities like Chicago, Tampa, and Reno, Nev., who were taking this new approach and having some success with it. There he had his "Road to Damascus" experience. He learned from fellow practitioners and instructors that policing could be preventive, not just reactive, and that when you approached it that way, the crime rate could drop. The philosophy, as he

explains it, was simple: Instead of waiting for a kid on the corner of Olney Street in Dorchester to sell drugs and then lock him up, only to watch him get out and sell drugs the next day, you could put one policeman in uniform standing on that corner. But that officer in uniform wouldn't necessarily make an arrest, which means the department might not get a data point to throw around.

The city of Lowell became Davis's 'laboratory,' and then a national model for community policing.

"The truth is that people don't care about statistics," Davis says. "What they care about is, can they walk down to the corner safely? By putting one officer there, the crime doesn't get committed and the neighborhood is safer."

According to Davis, National Institute of Justice studies on crime displacement show that, when a walking beat officer is present, 60 percent of crime just goes away, rather



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than being shifted to new venues. "I'll take a 60 percent reduction any day," he says.


When Davis became the police chief of Lowell in 1994, he got a chance to put some of his new ideas into practice. The city would become his "laboratory," according to former US Rep. Marty Meehan, now chancellor at UMass-Lowell. As 5th District congressman, Meehan worked closely with Davis on the implementation of Bill Clinton's 1994 omnibus federal crime bill. "The Clinton administration was interested in investing in models to show that community policing would work, and Lowell really was a national model," says Meehan. "Ed was the architect." Davis thus gained a national profile in law enforcement circles.

As chief, Davis inherited a department that was poorly trained and severely undermanned. He opened storefront police precincts across Lowell and instituted foot patrols. He increased the size of the department by almost 100 police officers, tapping into \$13 million in state and federal anti-crime money. (He also put every officer through the same course at the Kennedy School where he had first been exposed to community policing.)

He took ideas that were successful elsewhere and applied them to Lowell. From Boston, he adapted Operation Ceasefire, which relied on enforcement "levers" to quell youth gang violence—offering social services but also using other criminal justice agencies to threaten gang members with loss of probation, federal sentencing, and the like if they didn't stop shooting. From New York City commissioner (and one-time Boston chief) William Bratton, he took the CompStat system, a management tool that, through biweekly meetings, holds police captains accountable for rates of crime in their districts.

Davis attended hundreds of community meetings in Lowell and appeared on cable TV call-in shows, where he tried to bridge the gaps between the various ethnic communities and the police. When Davis's version of Operation Ceasefire had little effect on warring Asian gangs in Lowell, he and his team researched the unique structure of the groups, discovering that gang "elders"—in their late 20s and 30s—shunned street violence in favor of gambling rackets. Police promptly put the squeeze on gambling dens. According to Braga, during the nine-month period when these police operations were taking place, gun violence declined by 24 percent in Lowell, the homicide rate was cut in half, and there wasn't a single incident of Asian gang violence recorded in the city.

All wasn't perfect for Davis in Lowell. When he left, the police chief could claim an impressive 60 percent decrease in gun violence in the city from 1993 to 2005. But homicides spiked in 2006, jumping from two the previous year to 14. Such "statistical abnormalities" are not uncommon, asserts Davis, and in 2007 the numbers seem to be back to previous levels (two murders so far this year). Meanwhile, he sparred on the pages of the *Lowell Sun* with city manager John Cox,



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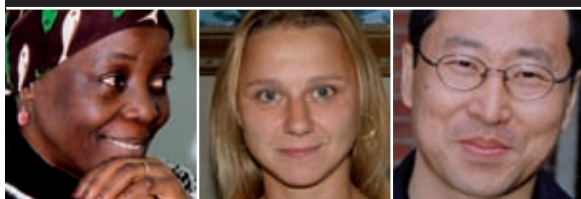
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who, according to media accounts, was eager to push Davis out and replace him with one of his allies. In 2003, Tom Menino considered him for Boston police commissioner, but chose Kathleen O'Toole instead; the next time around, Davis was the mayor's choice.

"He was the candidate who really stood out," says Menino. "He understood community policing—same cop, same beat. Folks in the public safety realm thought he was a perfect fit." The mayor adds that there has been "a lot of energy in the department" since Davis took over.

"I knew from my personal conversations that Ed was meant for bigger things," says Meehan. "If he didn't go to Boston, he would have gone someplace else. He was ready for greater challenges."

ALONG FOR THE RIDE

It's a Tuesday evening in Boston in late summer and, with a member of his security detail behind the wheel, Ed Davis, spokesperson Elaine Driscoll, and a reporter are driving around Boston's crime "hot spots" in the commissioner's SUV. Davis does these ride-arounds as often as his schedule allows (usually once a week) to observe his Safe Street teams in action. There isn't much happening this evening. The night before, however, gunfire had injured two people on the Boston Common and a bullet from the shooting pierced a window at the State House, one floor below the governor's office. The media is all over the story. In response, Davis has assigned a second Safe Streets foot-and-bicycle team to the Common. More than anything else, the evening ride-around becomes an exercise in management—managing the media, the mayor, and the police department itself.

The trip begins in Mattapan and Dorchester, passing well-kept homes, roadside memorials to victims of youth violence, and an old brick synagogue turned into a Haitian Seventh-Day Adventist church. The SUV passes Lucerne Street, where 25 people were arrested in a major crackdown on gang violence this spring, but where the shooting still hasn't stopped. Then it is down Blue Hill Avenue. "There is a lot of stable housing and good families here," says the commissioner. "It is unfortunate that the retaliatory lifestyle of small groups of kids is ruining it for everyone."

By the time the SUV gets to Codman Square, the commissioner is on the phone with the mayor, warning him that the bullet which struck a member of the Youth Violence Strike Force during a gunfight with a gang member back in May was actually fired by a state trooper—not by the gang member, as originally thought. "It's going to be in the papers," he tells the mayor. "I just thought you should know about it first."

At the corner of Bowdoin Street and Geneva Avenue, the commissioner notes that this area had the heaviest shooting in the city when he started the job. Now a Safe Streets team patrols the area. "They made a big difference," he says. At the

corner of Bowdoin and Olney, now largely quiet, he says that 30 kids formerly hung out in front of a check cashing place, selling marijuana and essentially controlling the block.

The SUV eventually makes its way downtown—avoiding the media frenzy at the Common—and Davis chats about police attitudes toward walking a beat. “From the cop’s perspective, the downside is not having the protection of a car from the weather,” he says. “Not being able to get somewhere when something is going on. It takes away some of their capacity to move around. But on the other hand, they become mayor of the block. It’s a pretty good deal.”

On a side street next to the Four Seasons Hotel he spots a Safe Streets team, seemingly hanging around and doing nothing. He gets out of the car and engages in good-natured banter, but he can’t be very pleased. “I’ll tell you what the downside of walking beats is from *my* perspective,” he says, back in the SUV. “Making sure they are where they should be!”

Davis’s determination to be out on the streets as much as he can, to connect with his officers and the public, has impressed a lot of people both within the department and outside and differentiates him from many of his predecessors. It’s not just a matter of stylistics. “Any major crime scene, he’s out there, talking to officers, talking to the community,” says French, the reinstated gang unit commander. “It gives a sense of calm to the officers in a chaotic situation to have the commissioner out there, a sense of order.”

When a shooting happened on Washington Street in Dorchester, not far from where the Rev. Jeffrey Brown lives, the minister went to the crime scene and there was Davis. “My first reaction was: What is the commissioner doing here?” says Brown. “You get the sense that he wants to be a field commander rather than a pencil pusher.”

Another major aspect of the commissioner’s visibility has been his attendance at community meetings. State Rep. Marie St. Fleur organized a meeting between Davis and about 150 of her constituents in early January, shortly after he arrived in Boston. Held at a Columbia Road middle school in Dorchester, the meeting featured a panel of young people who laid out a litany of complaints about their treatment by police, including frequently being pulled over and harassed, they said, for no reason. “But he was never defensive,” St. Fleur says of Davis. “He said he would put a structure in place to report this activity. He walked us through it so we got an education on how police thought.”

St. Fleur also says that constituents have told her staff that police responsiveness has improved, in part because some of the young officers have some competency in Cape Verdean and Haitian Creole. On Bowdoin Street these days, you can see officers communicating with both kids and business leaders, she says.

But even if things are starting to change, Davis faces a long road to repair the relations that have badly frayed, says St. Fleur. “The breach in the trust for the police has grown

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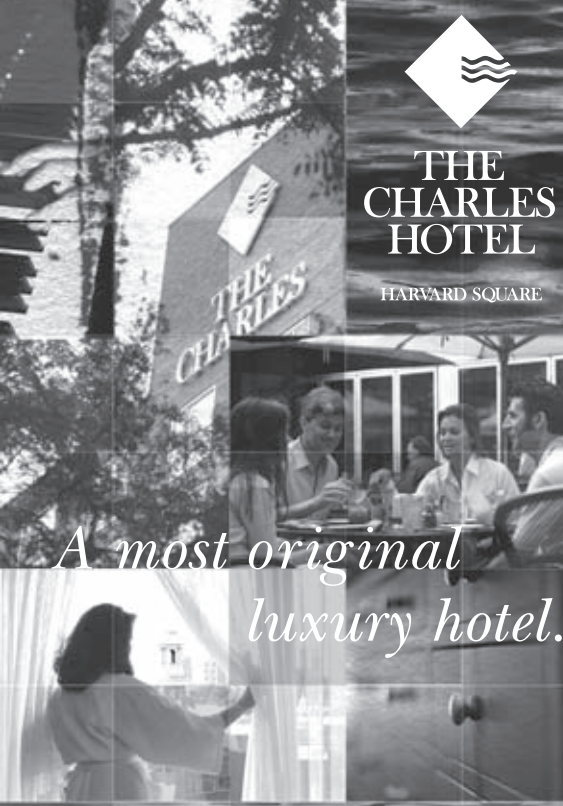
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significantly since when I started in the Legislature in 1999. But it is actually being talked about now. They are putting things in place to grow that trust. You didn't have that before."

CULTURE OF FEAR

The lack of trust in the police is related to the reluctance of people to give evidence and to testify in cases involving gun violence. Behind that is the "stop snitchin'" culture which has stubbornly entrenched itself in Boston—and other cities—in recent years. Emmett Folgert, longtime executive director of the Dorchester Youth Collaborative, a center for at-risk teens, sees this as part of the "subculture of murder."

It used to be that murder and bank robbery resulted in the highest arrest and conviction rates, Folgert says, but a "tipping point" came after recent gang formation. "People became so afraid of the gangs that it overwhelmed a basic tenet of human nature—that you didn't want to live next door to a murderer," he says. "And the testifying stopped."

The best hope for Davis, he believes, is to get community relations to the point where the police can persuade people to be brave enough to give them accurate information about what happened, even if they are not willing to testify. Law enforcement authorities can then get those responsible for

violence off the street on other charges, as happened during the Boston Miracle. "That can go a long way to knocking down crime," says Folgert.

By bringing back Gary French to oversee the gang unit, Davis signaled that many of the tactics of Operation Ceasefire would return. Davis, who had first met French when the two were evaluating research grants for the National Institute for Justice, praises him for his "in-depth and textured knowledge of gangs." "Operation Ceasefire is back," says Davis flatly. "Gary is running with the ball with Ceasefire."

French talks about reaching out to "community-based partners" and "solidifying relations with different law enforcement agencies" that the gang unit has worked with over the years, including other police departments, probation departments, prosecutors, and federal law enforcement officials. The role of interagency cooperation was underscored earlier this year when 25 members of the Lucerne Street gang—responsible for a third of shootings in the city last year, according to Davis—were arrested after an 11-month investigation, with seven of them sent away on federal charges.

Beyond the crackdown on established gangs, one recent episode involving two boys in the prime "at risk" window for turning toward gang involvement heartened both French and Davis. One day over the summer, an 11-year-old and a

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12-year-old knocked on the door of the Youth Violence Strike Force, located in a tough stretch of Dorchester, and turned in a loaded firearm that they had found. "It's a terrible situation, but that was a ray of hope," says Davis.

COMFORT ZONE

Rays of hope are better than nothing, and they can offer encouragement that more good news may follow. That seems to be how most community leaders are viewing Davis's first 10 months in office. With the possible exception of Conley, the district attorney, it's hard to find any crime prevention leader who doesn't give Davis good reviews so far.

Some of the elements that played a part in the resurgence of Boston's gun violence problems—socioeconomic factors, the "stop snitchin'" culture, cuts in federal anti-crime funds, the demographic bulge of young people at the beginning of new millennium—are beyond the abilities of one man and one police department to fix. Still, it appears that under Ed Davis, there is a willingness to try new approaches, and also to bring back some that have lain dormant. "Police departments are conservative organizations," says Dunford. "At a certain level you get uniformity of thought. He is shaking that up. He is looking for people who move outside the circle."

Back in Dorchester, on the day that Davis introduced his expanded Safe Streets initiative, a young black man named Chris leans against the Codman Square park fence. He grew up in Dorchester and remembers the violence of the early 1990s. Things are "crazy" now, but still not as bad as they were then, he says. He has a positive impression of Davis and likes the idea of community policing. "The important thing for the police is to interact with you, to talk to people one on one," he says. "They don't talk to you when they are in packs."

Chris is exactly the kind of person Davis needs to win over to his vision of a "city on a hill" where the police and community work together in harmony. "The numbers are going to determine how successful we are," the commissioner says. "We have to look at prevention of crimes as our main goal—getting those numbers down—and we will announce specific reduction goals in the coming year. But almost as important is the level of trust in the police department." Ever the wonky believer in statistical analysis, Davis emphasizes that there are ways to measure trust in the police department, too, using surveys of public satisfaction with the department from the 1990s as a baseline, for example.

Still, on that day in Codman Square, the commissioner says that he, too, was struck by the sight of those local residents standing outside the fence and looking in at the police and the media inside. "The separation that exists between the community and the police is something we are working hard on," he says. "People are always nervous to approach police. It is our responsibility to approach them and make them feel comfortable with us." **CW**

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Ed reform's missing piece

Bridging the achievement gap will take much more than carrots and sticks. BY EDWARD MOSCOVITCH

WHEN MASSACHUSETTS PASSED its education reform law in 1993, everyone expected that the combination of greatly increased funding and high-stakes testing would produce dramatic gains in student achievement. Since then, state aid to public schools has tripled, with most of the new money going to inner-city schools, and the MCAS exams have been put in place. But schools with large numbers of low-income and minority students have made disappointingly little progress.

Massachusetts schools are as good as any in the country at educating children from well-off homes. And there's been modest progress in the percent of high school students who eventually meet the MCAS graduation requirement. But there's been virtually no progress in improving the basic skills of minority students in elementary grades. Last year, 65 percent of black third-graders were not proficient in reading. The figure five years ago was 64 percent. In fourth grade, 72 percent of black students fell short in reading last year, down only slightly from 76 percent five years ago; the comparable figures for math were 82 percent and 89 percent. The results for Hispanics are even worse.

The recently released 2007 MCAS results show some progress, with proficiency scores up by one percentage point for black third-graders and by six points for fourth-graders. For Hispanic third- and fourth-graders, the reading proficiency rates increased by 2 and 4 percentage points, respectively. Even with these gains, however, roughly two-thirds of black and Hispanic third- and fourth-grade students are still not proficient in English language arts.

The proposals on which the education reform law were based, which I helped put together, never addressed the question of exactly how schools would make the desired gains. Our assumption

was that with substantially more funding, along with the carrot and stick of the MCAS exams, educators would have the tools to achieve those gains. It's now apparent that there was a critical piece missing: a systematic way to help principals and teachers make the necessary changes. In effect, the reform law was based on the premise that teachers and principals knew what to do but for some reason weren't doing it; embarrassing them through low MCAS scores, while decreasing their enrollments through school choice, would somehow get them in gear. This fundamental premise was mistaken.

Since 1993, I've visited scores of schools and talked with hundreds of teachers and principals. As evaluator for one of the largest school turnaround programs in the country—the Alabama Reading Initiative (ARI), which covers almost 1,000 schools—I've been asked to figure out why some schools have made spectacular progress with their low-income and minority students while others remain virtually unchanged. The ARI started with the assumption that all teachers needed was greater familiarity with reading pedagogy. But they quickly realized that teachers needed frequent, hands-on help from outside coaches. The ARI also found that change required active leadership from principals, who needed—and welcomed—assistance from outside coaches.

In my experience, the vast majority of teachers and principals care deeply about their students and work far harder than most people imagine. But they don't know how to meet the needs of students (mostly minority and low-income students) who come to school with poorly developed vocabularies and language skills.

If we are to take our schools, and our students, to a higher level, we need a new model—one that

recognizes that teachers and principals need, and want, specific blueprints for school change. They also need, and want, hands-on help in implementing such blueprints, from partners they like and respect.

BLUEPRINT FOR THE BAY STATE

Convinced that the most effective way to make this point politically was an actual demonstration, I joined Barbara Gardner as a co-founder of the Bay State Reading Institute. (Gardner was formerly assistant commissioner for literacy at the Department of Education and, before that, majority whip in the Massachusetts House of Representatives.) BSRI's pedagogy closely follows the federal government's Reading First program, which emphasizes individual student assessments. What sets us apart is that we offer our partner schools a specific blueprint for change, plus long-term coaching and hands-on training to help them get there. In so doing, we borrow heavily from the ARI, particularly on coaching for principals as well as for teachers.

We concentrate on reading because it is central to all other learning and because there's more research on how children learn to read, how to assess their progress, and what to do when they fall behind. But success in reading requires a whole-school turnaround that includes small-group instruction, research-based curricula, hands-on leadership from the principal, and changes in the way the school day is organized. Once reading levels improve, these same ideas could be used for math and science.

The BSRI is a private nonprofit, but it receives most of its funding from the state (\$3.7 million over the last three fiscal years), with additional support from the Boston Foundation. The funding is channeled through a contract with Middlesex Community College. Last year the BSRI partnered with eight schools in Brockton, Lynn, Leominster, Malden, Revere, Beverly, and Quaboag (a regional district encompassing Warren and West Brookfield). This fall we're adding 10 more schools; our new districts are Attleboro, Randolph, Fitchburg, Orange, and Bourne.

Each of our first eight schools is a very different place today than it was a year ago. Students are assessed regularly, the assessments are used to group students and shape the instruction they receive, much more time is spent in small-group instruction, principals meet regularly with teachers to discuss the progress of individual students, and school-based coaches work actively with classroom teachers to help them improve instruction. In a recent report, our outside evaluators affirmed the critical importance of an outside part-

ner, writing that "it is unlikely that these changes would have occurred without the direct involvement of the Bay State Reading Institute."

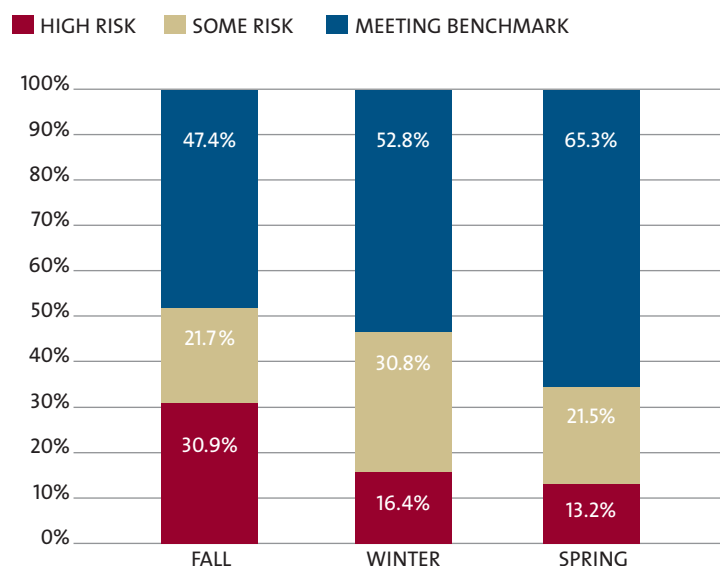
Taken as a whole, during their first year with the program, these schools show fall-to-spring gains at each grade level. In the first-grade results (see chart below), 47.4 percent of students in our eight partner schools met national reading benchmarks in the fall of 2006, while 30.9 percent had dangerously low performance levels. But 65.3 percent met the spring benchmark (which is more challenging, since it reflects the gains students need to make during the school year), and only 13.2 percent still had dangerously low scores. The kindergarten level shows similar gains; the improvement in other grades is somewhat less.

DRILLING DOWN

As Massachusetts grapples with the issue of how to make good on the promise of education reform, particularly with respect to the persistent achievement gap facing low-income and minority students, it is important to appreciate in some detail the elements of an intensive reading improvement program such as the one we have developed. This is not to suggest that ours is the only approach to this challenge. Rather, it is to take readers inside the black box of school change, to lay out what is actually involved in making major change, and to underscore that our general framework—long-term partnerships with schools based on specific blueprints for change—is the best way to take schools to the next level. The elements of this framework include:

Frequent assessment of each child's progress. This is central to any serious attempt at school turnaround.

FIRST-GRADE READING SCORES AT BSRI SCHOOLS, 2006-07



The MCAS can measure where students stand academically, but it is not well-suited for turnaround efforts with individual students. It is given only once a year, and its results are not available for several months. The assessments we use at BSRI are immediately available. A student can be tested in a couple of minutes, so a teacher can assess her struggling readers every week to make sure they are making gains.

MCAS is not enough for tracking individual students.

This type of assessment plays an enormous role in bringing teachers on board. They quickly grasp its potential for helping them see what individual students need and for making sure the interventions they're using are working. When teachers see some students progress (and when they see their colleagues' students making progress), most of them quickly buy in.

Small-group, differentiated instruction. We recommend an uninterrupted two-hour literacy block. No more than 20 to 30 minutes of this time are in whole-group instruction (that is, all students attending together to the

teacher). The rest of the time, the class is broken into groups according to assessment results (which change over the course of the year). Each group meets with the teacher every day for instruction at its level in both phonics and comprehension. When not with the teacher, students are engaged in individual or group activities that are also differentiated to meet individual needs.

Small-group instruction along these lines is the only way to meet the needs of a class in which individual student reading ability can vary from pre-kindergarten to fourth or fifth grade. Properly administered, it keeps students' minds constantly engaged. By contrast, when the class is in whole-group instruction and the teacher spends a couple of minutes on one student, most of the other students let their attention wander and instruction time is lost.

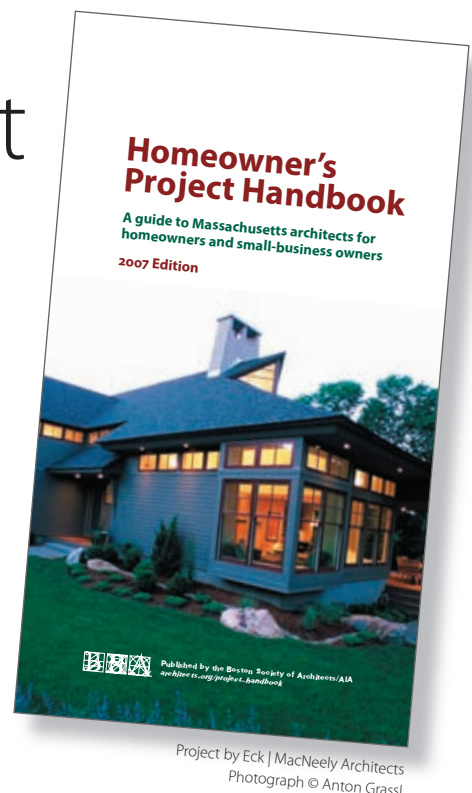
A comprehensive core curriculum. In recent years, there's been enormous improvement in the materials available for literacy instruction. At BSRI, we use comprehensive curricula with research-based scope and sequence. The order in which consonants are introduced in kindergarten matters, for example, and it's very helpful to have phonics and vocabulary development tied in with

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student readings. The best new curricula are geared to small-group instruction, with a common weekly theme for all groups (to facilitate whole-group read-alouds and vocabulary instruction) but with separate readings and instruction for students at each level. Readings include math, science, and social studies, so comprehension strategies and vocabulary development can be taught across the curriculum.

A good core curriculum sets high expectations for student performance by laying out clearly what students are expected to learn each week. One of the most heartening developments during our first year is that teachers are finding that students are capable of progressing far faster than had been previously imagined.

Interventions and extra teaching time for strugglers. Many students—well over half in inner-city schools just starting a program along these lines—will not make adequate progress, let alone catch up if they're behind, with only one daily session with the classroom teacher. They need extra instruction to reinforce the lessons of the day. We've helped our schools change their daily schedules and their use of Title 1 instructors (teachers paid with

federal funds made available to schools with low-income student bodies) and special education teachers to provide regular daily interventions for struggling readers.

A key leadership role for the principal. The data meeting is a central tool for educational leadership by the principal. At least three times a year, the principal leads a discussion with each grade-level team to review student data. Each teacher's students are discussed in turn. Praise

A good core curriculum lays out weekly learning goals.

comes first, which means celebrating progress and discussing what teachers did to help students move ahead. Then there's a discussion—practical, not punitive—of students who are not where they need to be. The school reading coach may share excerpts from the last assessment as a way of identifying the problems of specific students. The principal asks the teacher what strategies he or she proposes, and everyone can contribute ideas. In the end, the principal and the teacher agree on approaches to try over the next few weeks. I sat in on such a meeting in one of our partner schools, and was pleased to see that the teachers



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were totally relaxed about the process, even though students in that grade had made only limited progress.

The data meeting is a powerful tool for moving those few teachers who don't initially buy in to the new approach. When the principal turns and asks what strategies a teacher proposes for a particular struggling student, few will answer that they don't plan any changes. The data meetings are most effective when combined with the principal's frequent (daily, if possible) presence in the classroom, when he or she follows up to see if struggling students are making progress and if teachers are indeed implementing agreed-upon strategies.

A school-based reading coach. Teachers need constant help interpreting data, grouping students for instruction, learning how to do small-group instruction, differentiating instruction, and devising strategies for children who fail to make progress. BSRI requires its partner schools to hire (and pay for) a school-based reading coach whose primary job is to help classroom teachers improve their teaching.

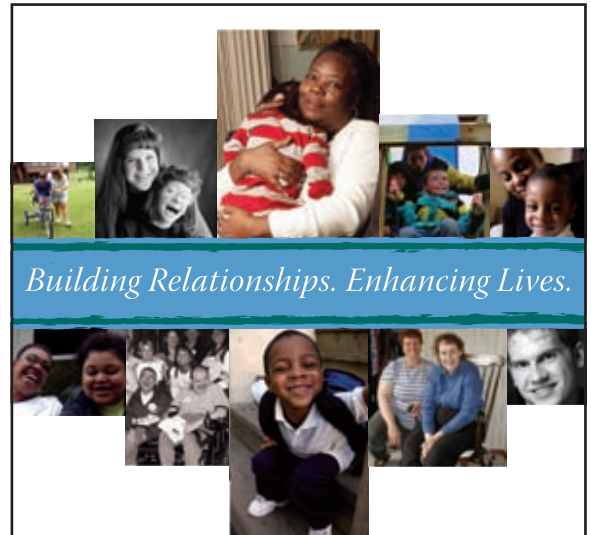
The elements I've listed here all work together. One of the key lessons from the ARI is that a school must do *all* of these things if it's to make major gains. That's why an outside partner is so important. Like the rest of us, teachers and principals find it easiest to learn new techniques when someone shows them how to do it. Our reading coaches, for example, model lessons for school teachers. And our principal coaches help run data meetings until the school principals themselves are comfortable doing it.

It's grossly unrealistic to expect principals to be at school and at evening meetings for 12 hours or more and then to go home and work out a strategy for change. But when we lay out for principals our specific model for school improvement, and make clear that our principal coach (a former principal herself) will work alongside them, we usually see an eagerness to give the effort a try.

TAKING IT TO SCALE

We work primarily with high-poverty schools that have had disappointing reading results, but we don't force any school to work with us. Our relationship with a district starts with the superintendent; we explain our model for change, what we propose to do for the district and school, and what we expect in return. If the superintendent doesn't share our vision, we go elsewhere. This means we're only working where we're wanted. It also means that there's no conflict for the principal between working with us and meeting the superintendent's goals.

As we succeed, we believe more schools will want to join us. To bring school improvement where it is most needed, the state needs a network of partners doing this work. Those change partners that develop a track record of success should be allowed to expand their portfolio of schools,



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PERSPECTIVE

while those that fail to deliver should be closed.

Typically, education programs are structured as grants. The Department of Education tells schools what it expects, and schools tell DOE what it wants to hear. Schools take the money and often use it to do whatever they intended to do in the first place. DOE may visit occasionally to try to keep them on the agreed-upon path, but the grant ends in a couple of years and everything returns to where it was before.

BSRI does not give money directly to our partner schools. Our coaches and the district's central office, principal, and teachers agree jointly on the curriculum. Together they set specific goals for what they want to accomplish each year and decide on interventions and other educational materials, which we purchase. We provide training and coaching visits to the school (typically three days a month), and we reimburse schools for stipends when teachers attend our summer training. In return, we require that the district hire and pay for the school-based reading coach, and that he or she be supportive of our approach to reading instruction. We also require that the principal try to spend two or three hours each day on data meetings, class walkthroughs, and other education leadership activities.

This model works very well for us and for our partner schools. We're all in it together, and there's no disagreement about where we want to go.

DOE, by contrast, cannot be this kind of change agent. The adversarial nature of the MCAS exam and attendant penalties makes it hard for schools to accept DOE as a partner. Moreover, large bureaucracies cannot do this type of work well, and Massachusetts has a decades-old tradition of the department not involving itself in prescribing such activities at the school level. Thus, Massachusetts needs a network of smaller, independent change agents.

As a state, we'll have to give careful thought as to how we bring new change agents into existence and how they'll be funded and supervised. By their very nature, successful change agents are flexible, informal, and non-bureaucratic. The DOE has not yet demonstrated that it can work well with such organizations, so we'll either need a major change in the way the department does business or a new home for this network—perhaps attached in some way to the state's institutions of higher education, which have more of an entrepreneurial tradition.

Several years ago the book *In Search of Excellence* laid out the techniques for managing creative enterprises and maintaining the enthusiasm and loyalty of well-educated employees. BSRI draws heavily on these ideas: Praise works better than criticism; give as much authority as possible to front-line employees; manage by walking around; articulate long-term goals clearly but give all those involved as much say as possible in how best to reach them; set reasonable goals for each year; and pause to celebrate success.

Sadly, these ideas have only rarely penetrated the world of elementary and secondary education.

The cost of our program (about \$150,000 per school in the first year; half that thereafter, plus the cost to the school of their reading coach) is quite small in relation to the \$8.5 billion or so Massachusetts spends on K-12 education and the roughly \$3 million annual foundation budget for an elementary school of 400 students. Certainly, extra spending alone, absent the kind of structural change discussed here, will not lead to measurable gains in student performance. However, our approach does require reasonable class sizes, a school-based reading coach, and a corps of teachers who don't have classrooms of their own but are instead available to provide extra instruction for struggling students.

In recent years, the state's foundation budget—and the state funding that goes with it—has not kept pace with the actual increase in school costs. All across the Commonwealth, teachers are being laid off. Why that's happened is a subject for another day, but, absent some combination of revenue gains and easing of cost pressures, these cutbacks will continue, and any kind of constructive change program, including ours, will soon be impossible.

Paul Reville, the new chairman of the state's Board of

Education, has said that MCAS alone is not enough; schools need help. He's right. Our experience sheds light on the kind of help they need and provides a specific road map on how to get from here to there. This road map must be based on the frequent assessment of student progress, with continuous feedback between instruction and assessment, and it must come with hands-on coaching from an outside partner. If Massachusetts can put less emphasis on the punitive strategy embodied by MCAS and instead build a network of effective change agents, BSRI's experience suggests that we'll find willing and enthusiastic partners in the state's teachers and principals.

Without such a program, the performance of our most disadvantaged youngsters will continue to stagnate. While BSRI still has a long way to go, our success in making major changes in our first year—working in schools with high percentages of low-income, minority, and non-English-speaking students—points the way to a broader strategy that can, at last, realize the vision of high academic performance by all of our students. **CW**

Edward Moscovitch, a former Massachusetts state budget director, is chairman of the Bay State Reading Institute and president of Cape Ann Economics.

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The 0.1 solution

Giving mayors control over public school systems is a tepid substitute for real reform **BY CHARLES EUCHNER**

IN THE SUMMER of 1995, the entire Boston public school system seemed possessed by anger and incompetence. Every day brought new reports of financial scandals, mismanagement, racial tensions, sour labor relations, high dropout rates, low test scores, school violence, crumbling buildings, and middle-class flight. Schools superintendent Lois Harrison-Jones had just left office after four years of poor relations with the mayor and school committee, and she was one of six different superintendents who had tried and failed to transform the city's schools during the previous two decades.

But this revolving door was about to slow down. Earlier in the decade, Mayor Raymond Flynn had successfully campaigned to change the Boston School Committee from a 13-member elected body to a seven-member panel appointed by the mayor—first winning an advisory referendum, then getting the state Legislature to formally make the change effective in 1992. For decades, the school committee provided a perch for ambitious politicians like Louise Day Hicks to promote themselves or reward cronies, and when it was expanded from five to 13 members in the early '80s, it became an even more fractured assembly of parochial interests. Someone could always blame someone else for the system's many failures.

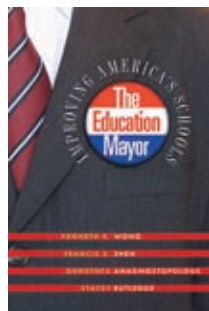
Harrison-Jones hung on for a couple of years after the switch, but when Thomas Menino succeeded Flynn in 1993, he lobbied the committee to hire Thomas Payzant, a former San Diego superintendent who was then assistant secretary of the U.S. Department of Education. For 11 years, Menino supported Payzant's "whole school" reform strategy, which included programs for principal training, schools within schools, after-school programs, standardized testing, and 17 new pilot schools.

Payzant's administration was calm, cool, and deliberate, like the man himself. A decade of calm school politics is no mean feat. Still, even now almost half of the Boston's 145 schools have been deemed "underperforming" by the standards of the federal No Child Left Behind Act. The middle class has continued to flee the public schools, with

the total number of students dropping from 62,000 to 58,000 in 15 years (even with many immigrants flowing into the city). Some 16,000 students sit on a waiting list for the city's pilot schools, underscoring the strong desire of many families for alternatives to standard district schools without the cost of private education.

All of which raises a question. Did Flynn's push

for an appointed committee make a substantial difference? Did the Menino-Payzant collaboration show that you can transform a big-city system with strong mayoral leadership? Or did it show that large urban systems are incapable of providing a good education for all students?



Kenneth Wong, Francis Shen, Dorothea Anagnostopoulos, and Stacey Rutledge—number-crunching scholars from Brown, Harvard, Michigan State, and Florida State—have tried to answer this question in *The Education Mayor: Improving America's Schools*, published in October by Georgetown University Press. After examining data from 101 districts over the period of 1999 to 2004, the authors conclude that math and reading scores could be expected to be 0.1 to 0.2 standard deviations higher in districts with mayor-appointed school boards than in districts with elected boards. (A standard deviation of 1 is equal to the average distance from the mean to all data points in the survey.) "This is a significant improvement," the authors write, even if this factor does not necessarily raise an urban district up to the level of its state's average. For some context, consider that a 1 percentage point reduction of child poverty improves test scores by a standard deviation of 0.5.

The authors' direct observation of classrooms in three schools in Chicago—which, along with New York and Boston, led the movement to increase mayoral control of public schools—puts some flesh on those statistical bones. Mayor

Richard M. Daley's superintendent, Paul Vallas, shook up the Chicago system and set clear standards for accountability, while also giving schools greater responsibility over their curricula. But the case studies show how little the schools really changed.

Greene High School is probably the most hopeful of the three examples. Building on an existing writing initiative, the principal formed a committee of teachers and outside experts to devise a new strategy for reading instruction. The committee created a monthly schedule that set specific days for teaching discrete reading strategies. Test scores climbed enough to get the school off the city's probation list. Some teachers lost their drive after this success, but the principal kept his focus.

At Reed High School, over half the teachers refused to carry out a specialist's program for boosting reading scores. Teachers outside the English Department resented teaching reading because it took time away from their own lessons. At one point, the principal clashed with English teachers who wanted to teach *To Kill a Mockingbird* by reading the screenplay instead of the novel. He argued that the goal of the reading was to understand the structure of a novel. Ultimately, the principal lamented that he could do little to change the school's culture: "This is a school

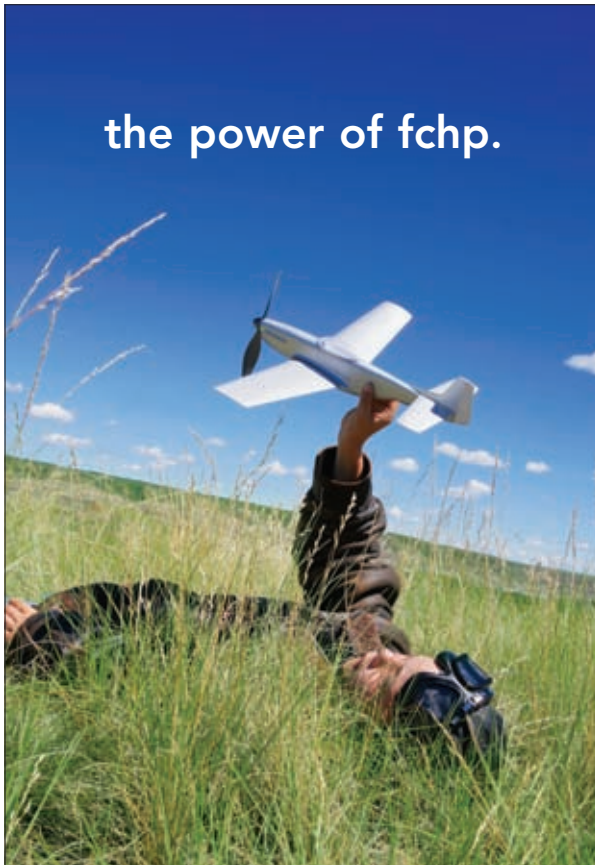
set in its ways."

At Weston High, a reading coordinator passed out readings similar to the passages used on standardized tests. The goal, unabashedly, was for teachers to focus on hiking test scores above all else. Many teachers pleaded for an emphasis on reading real texts, not just short passages. But teachers also clashed among themselves about pedagogical strategies. All the while, the principal counted how many more students needed to pass standardized tests to get the school off the probation list, rendering improvements by other students less urgent. The principal's other major reform initiative, breaking the building into small "academies," completely fell apart.

What do the experiences of these schools say about the impact of mayoral control over education?

Wong and his colleagues answer by talking about the importance of "integrated governance." That's workspeak for a system in which strong mayoral leadership produces significant change at each level of the system. For this large-scale approach to succeed, all of the system's parts need to work together to achieve common goals. Just as NASA engineers and managers worked as a massive team to put a man on the moon—legend holds that janitors boasted about their mission to explore space—the mayor,

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superintendent, bureaucrats, principals, and teachers need to work as a massive team to deliver better education.

Here's how the authors of *The Education Mayor* describe the process: "[O]utcome-based accountability policies under mayoral control can redirect the allocation of resources across the multiple levels of school organization to produce a certain degree of change in curriculum and instruction. Schools and teachers, however, respond to a narrow focus on standardized test scores by targeting resources in ways that fragment the curriculum and undermine improvements in teaching. Teachers' routine curricular and instructional practices remain largely unchanged."

Egads! This is reform?

HERE LIES THE problem with generations of education reform, from increasing required math and science classes (a favorite tack after the release of *A Nation At Risk*) to a regime of mandatory testing (a favorite of the Bush administration) to mayoral takeovers of school districts. To embrace any of these approaches is to embrace the bureaucratic, factory model of public education—namely, that school systems are large unitary systems that set basic policy, establish standards, and monitor performance in all the units of the system. This model was developed in the Progressive Era, a time of great faith in the power of large organizations to perform miracles.

Inevitably, though, organizations become oligarchic, rule-bound, conservative, and top-heavy with unimaginative, frustrated, and self-interested officials. The sociologist Robert Michels called it the "iron law of oligarchy." Even if a mature organization gets sparked with a common passion for excellence, change moves slowly. Just performing routine tasks sucks the life out of big organizations.

Large systems might work well for the post office—no, wait, bad example—but they don't work for an enterprise as idiosyncratic as education. Real learning requires the direct and creative engagement of teachers and students. Students do not really learn when teachers cram their little heads with information. They need to read exciting books, get their hands dirty in experiments, debate issues, sample visual and musical arts, join classmates in group projects, and explore the vast classroom outside the building.

Wong and his colleagues are right that mayoral control allows greater district leadership. But no matter how skilled and visionary, mayors can only do so much to steer the supertankers of education bureaucracies. As the authors themselves note, "mayors are not superheroes." Tom Menino, Richard Daley, and Michael Bloomberg cannot be expected to swoop in and bend school bureaucracies the way Superman bends steel. The best a mayor can do is to create a better environment for principals and teachers to work with students.



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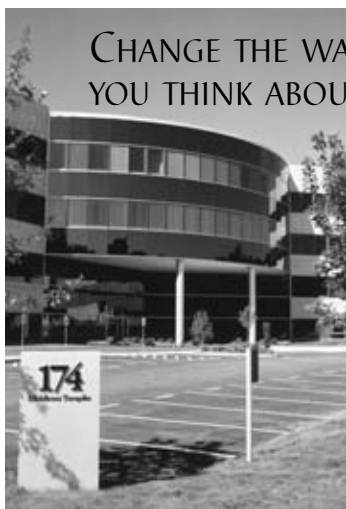
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THE BOOK CASE

Mayoral takeovers of school systems avoid the fundamental problems of education. If you're thrilled with a .1- or .2-standard-deviation improvement on standardized test scores, after months of relentless drilling, you might be satisfied with the experiences of cities that have put the mayor in charge. But without a real overhaul, a mayor running a school system is a lot like a tsar running Russia more than a century ago. When the boss issues orders, functionaries respond (or at least pretend to respond). But everyday operations remain the same. People act within the narrow confines of the system's rules and routines, alliances and rivalries, resources and allocations, deals and stalemates, play-acting and experiments. That's not going to change gradually.

Despite Wong and his colleagues' reverential talk about "laboratories of democracy"—the term Louis Brandeis coined to describe a spirit of innovation in a federal system—public schools everywhere use essentially the same basic factory model. We put kids in rows and have teachers talk to them. We use a standardized, homogenized curriculum. We administer standardized tests. We use schools so big that teachers don't get to really know more than a small covey of students. To assert control over ever bigger districts, we straitjacket all operations with regulations. A gross generalization? Sure, but it holds for most urban and suburban and rural districts, and for districts commanded both by mayors and by elected boards.

Real reform would not begin with either a strong-mayor or an elected school committee. Real reform would start with the child's truest needs as a learner, and it would subject everything in the district—district organizations and school buildings, hiring and tenure practices, homogenized curricula, unnavigable bureaucracies—to an overhaul. No systems or interests would be sacred.

Maybe it's not possible or desirable to blow up the whole system and start over. But it is possible to take big chunks of big-city school systems and allow true and radical laboratories of experimentation. (One notable case in point is the East Harlem district in New York City.) Researchers have identified a whole catalogue of approaches to learning that work in schools and can be part of a mini-district. But Brobdingnagian school systems don't allow reform to happen beyond a building here and a building there, no matter who controls the beast.

To the average Bostonian or Chicagoan, the greatest benefit of mayoral control of the school committee might be that the adults don't bicker so much in front of the children. That's positive. But don't confuse it with fundamental reform. **CW**

Charles Euchner, a New Haven writer, was the executive director of the Rappaport Institute for Greater Boston at Harvard University from 2000 to 2004.

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Joke candidates

Boston comics explain how to 'do' Bay State presidential aspirants

BY JAMES V. HARRIGAN

IT'S TOO EARLY to predict how far Mitt Romney will go in his bid for the White House, but what does it say about the sixth major presidential candidate in three decades from the Bay State that he is so daunting to professional impressionists?

"He's tough," says Steve Sweeney, 58, widely considered the dean of Boston stand-up comedians. Sweeney is working on an impression of Illinois Sen. Barack Obama but has no intention of adding Romney to a repertoire that includes Michael Dukakis, Jesse Jackson, and Ted Kennedy. (The sticky part about doing Obama, he says, is that "it references a guy who nobody remembers. Think of David Brinkley; that's Obama's rhythm.")

"Certain people you'll never see impressions of," Sweeney says, because they have no easily caricatured physical features, and the former governor is one of them. "If you went to Hollywood, to central casting, and said 'Get me a presidential candidate,' Romney would beat out anyone. With that beautiful head of hair, he could walk right onto the set of *The West Wing*."

Another comedian reluctant to take on Romney is Weymouth native and WEEI-AM personality Graig Murphy, 24, whose stable of impressions includes Ted Kennedy, Christy Mihos, and Deval Patrick. "The more normal a voice is, the harder it is to do," he says. "Tune into the middle of an interview with Romney; it takes a while before you know who it is." (Actually, it probably only takes as long as it does for the former governor to work in an "Aw, shucks," "Gee whiz," or "Holy moley," interjections that roll from the tongue of no other politician.)

Seth Meyers, the 33-year-old New Hampshire native beginning his seventh season on NBC's *Saturday Night Live*, is confident that there are "a couple of good Mitt Romneys in the [show's] cast," but as of early September no one had been assigned the role.

Boston City Councilor John Tobin, a friend of Meyers's and founder of the Boston Comedy Festival, isn't so sure there is one. "Most comedians aren't known for their [good] looks. To impersonate Mitt Romney, you'd have to be 6 feet tall, wear a \$2,500

suit, and have perfect hair," says Tobin, who is admittedly not a Romney supporter. "That's the thing with impersonations. If they don't look like the person, it doesn't work for me." That's why he applauds Keenan Thompson, the only African-American in the *SNL* cast, who shed 60 pounds in order to look more like Obama.

THE LAST PRESIDENTIAL candidate from Massachusetts, US Sen. John Kerry, could also be described as a candidate out of central casting, but he seemed to give comedians more to hold onto. Meyers portrayed the Democratic nominee 15 times on *Saturday Night Live* between 2002 and 2006. "It was a little tricky," he says. "Gravitas is one of his main selling points, and gravitas is a hard thing to sort of blow up, but I found a way to do it."

One memorable example took place in a Florida hotel room, with Meyers-as-Kerry on the telephone ordering room service in a stilted stentorian voice: "So, in conclusion, let me restate my position. I would like to order one B.L.T. and one Caesar salad, with two place settings and a third napkin. I'm John Kerry, and I approved that order."

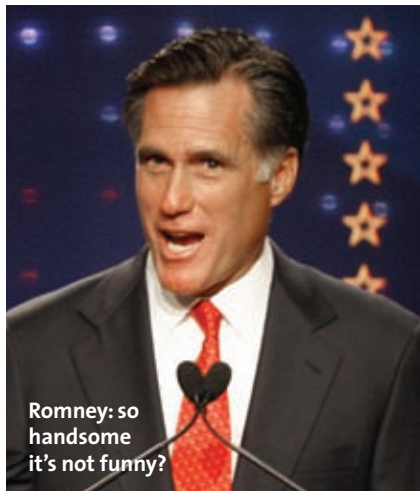
Meyers had fun playing the Massachusetts senator and says he was "crushed" by Kerry's loss. "I would love to say it was because I thought he would be better for the country," he says. "But on a really selfish level, I just wanted to get invited to the White House."

Meyers has since been promoted to head writer on *SNL* and will likely make only occasional appearances as dark horse candidates such as former Arkansas governor Mike Huckabee. "Now," he says wistfully, "I fear the only way I'm going to get into the White House is on one of those tours."

Tobin suspects his friend's regrets are rooted more in the pecuniary. "It was a huge financial hit," he says. "Think of the corporate money he lost out on by Kerry not winning that race." Last year Meyers did Kerry at the Discus Dental Extravaganza in Las Vegas, which bills itself as "the largest corporate sponsored continuing education event in dentistry," but



Kerry: heavy on the gravitas



Romney: so handsome it's not funny?

lisp and hangdog expression. (In what may turn out to be an example of art imitating life, Franken is now running for the US Senate from Minnesota.)

But judging by the number of impressionists who do Ted Kennedy, the 1980 presidential candidate may be the easiest target of all. Between 1979 and 1997, five *Saturday Night Live* cast members (including Will Ferrell, Phil Hartman, and Bill Murray) did the senior senator a total of 14 times.

invitations like that aren't as plentiful as they were in 2004.

Meyers laughs when asked if other cast members competed with him to portray the junior senator during the 2004 primaries. "Nobody thought Kerry was the guy," he says. But after his win in the Iowa caucuses (and Howard Dean's infamous scream), "I had a feeling like my horse had come in."

The comedian met the candidate and his wife, Teresa, on several occasions and admits that Kerry "was absolutely the guy I wanted to win. But when you want to satirize somebody, you can't be perceived as outwardly campaigning for them." When Democratic Party leaders suggested that he appear on the same stage as the nominee, he says, "it became a little creepy."

But there were, apparently, no hard feelings. After the election, Meyers "ran into one of the Kerry girls" and "didn't get the feeling that I have to walk the other way if I see [her father] on the street."

JON LOVITZ, WHO portrayed Michael Dukakis during the 1988 presidential campaign, is another *SNL* cast member with nothing to fear from the subject of his impression. Lovitz—who during a debate skit with Dana Carvey as George H. W. Bush, famously uttered, "I can't believe I'm losing to this guy"—struck a chord with the Democratic nominee.

"They were my sentiments exactly," Dukakis told me when I interviewed him three years ago for the *Boston Globe*. "I didn't know how I was losing to that guy. I'm still having trouble figuring it out." He might not have won the election, Dukakis says, but NBC thought that the skit "was so terrific they ran it as part of their 25th anniversary of *Saturday Night Live*."

Four years later, another Greek-American from Massachusetts, Paul Tsongas, sought the presidency and was parodied on *SNL* by Al Franken, who emphasized the late senator's

when told that he does a pretty good Ted Kennedy himself. It's Sweeney, he insists, who "does it perfectly. I could listen to his Kennedy for hours."

Sweeney calls the senator "larger than life" and thinks there are two Ted Kennedys: "There's the quiet Ted, and then there's this bellowing guy, the senator you can't understand. He's got the oddest accent. When I lived in LA, they thought we all talked like that, but I don't know anyone who talks like that, even other Kennedys."

Quimby is an 'over-the-top' take on Ted Kennedy.

You have to be into the Boston comedy scene to be familiar with Sweeney's take on the senior senator, but the Kennedy impression with which Americans may be most familiar is Dan Castellenata's "Mayor Joe Quimby" on *The Simpsons*.

Tobin calls Quimby "a total, over-the-top exaggeration" of Kennedy. Jeremy Leahy, a producer at WZLX who contributes his impressions of Ted Kennedy, Ronald Reagan, Jimmy Carter, and the two presidents Bush to the *Karlson & McKenzie* morning show, sees the mayor of the mythical Springfield as more of a "caricature" than an impression. And Murphy, who admits that he uses Castellenata's Quimby "as a reference point," is careful not to go too far. If you start doing a Ted Kennedy, he says, don't find yourself doing a Mayor Quimby instead.

The senator himself might have benefited from that advice. Or maybe it's just that some impressions become so well known that even the person being imitated starts to do them. Last summer, when 14 Springfields across the country produced 5-minute videos in a competition to host the premiere of *The Simpsons Movie*, Kennedy parodied the parody of himself and invited Mayor Quimby and the entire Simpson family to join him after the premiere for some "chow-dah." **CW**

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