

CommonWealth

POLITICS, IDEAS & CIVIC LIFE IN MASSACHUSETTS

Overexposed

Regulators can't
rein in soaring
costs of medical
imaging

Political geography
puts Deval on defense

Greenway showdown

The wage sage
of Northeastern

Moscovitch: Teachers
need help, not blame

Birmingham on
Ravitch's U-turn

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It's 2010...

I must learn only in certain ways, and only between 8 am and 3pm, 5 days a week, until I am 18...

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I must learn only in certain ways, and only between 8 am and 3pm, 5 days a week, until I am 18...

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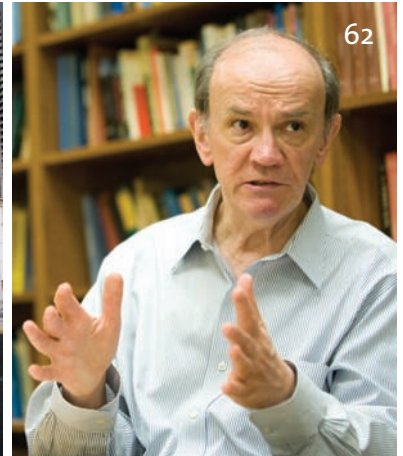
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LEAVE PROP 2½ ALONE

From all I hear, Jay Ash is an excellent city manager, and we appreciate his kind words about Proposition 2½ and his concern for its continued viability. I hope he will appreciate the response here of the organization that created it, which I think reflects the opinion of the voters who voted for it in 1980 and the even larger number who would vote for it today: Leave Prop 2½ alone!

Jay ("Tax cap courts tragedy," Spring '10) complains that "inflation has outpaced the 2.5 percent property tax allowance," which is accurate but meaningless considering that the 2.5 percent allowance has been increased by new growth. New growth statewide has more than doubled the allowance, easily keeping pace for most of the past 30 years with inflation. The community also gets fees and local aid to spend. If it wants more, it can ask voters for an override. If they are presently uninterested, it's because many of them are in revolt against government excess.

The ballot question couldn't tell mayors, city managers, and selectmen not to give in to the public employee unions. When all that local aid was available, much of it went to creating "fixed costs" that are now becoming unaffordable. There's a big problem with spending and unfunded liabilities, but there's nothing wrong with Massachusetts that higher property taxes would fix.

*Barbara Anderson
Executive Director, Citizens for
Limited Taxation
Marblehead*

NURSING HOMES AREN'T MOVIES

Evaluating a nursing home for a parent or grandparent isn't as easy as choosing where to eat or what movie

to see. While the federal government's Nursing Home Compare website is a tool that consumers can use to get basic information on health inspection results, staffing, and whether the facility meets certain quality standards, it is no substitute for visiting a facility and talking with residents, families, and staff.

Unfortunately, in your recent article about nursing homes ("Misdiagnosis," Spring '10), it doesn't appear that your reporter ever left her computer screen to visit any Massachusetts nursing homes. If she had, she might not have taken such a negative view of the state's 430 nursing facilities or suggested that the only reason that they score so highly on the federal website is because of some kind of "grade inflation." Couldn't it simply be that Massachusetts nursing homes have higher staffing levels and better quality-of-care scores compared to other states, as noted by the state's chief nursing home regulator?

Consider the following: In a new independent survey of 20,000 family members conducted by Market Decisions and the Rutgers University Institute for Health, Health Care Policy and Aging Research, nine out of 10 family members said they would recommend their loved one's nursing home to others. The primary reasons families cited were nursing facility staff and the physical environment of the nursing home.

Or consider this: More than 85 percent of nursing home residents are now referred directly by hospitals. Because of the care they receive in nursing homes, more than half are able to return to their own homes within a month.

The remarkable thing is that nursing homes are able to achieve these results despite the lack of adequate financing. Today, nearly 7 in 10 of the



state's 45,000 nursing home residents rely on the state Medicaid program to pay for their care. Medicaid funding for nursing home care has not increased in the past two years, and payments are now well below the actual cost of care.

The nursing home community continues to strive to provide high quality, compassionate care, but it needs the support of its largest payer—the state. Without that support, we won't need to look at a federal website to figure out if nursing home care is good or not. We'll see the effects all around us.

*Abraham E. Morse
President, Massachusetts Senior
Care Association
Newton Lower Falls*

GAMBLING ARTICLE EVENHANDED

I commend *CommonWealth* for the evenhanded article by Alison Lobron describing the inconclusive effect of casinos on Bethlehem, Pennsylvania, after one year ("Ka-ching!" Spring '10). We need more reports like hers.

I am an opponent of increasing the availability of gambling in Massachusetts because I believe the long-term costs (increases in addictions of all kinds, crime, suicides, recidivism, bankruptcy, and domestic violence) will eventually outweigh the short-term benefits (jobs).

I acknowledge opponents tend to

maximize costs and minimize benefits. Proponents do the opposite. That's why we need an independent cost-benefit analysis, which is supported by Gov. Deval Patrick but not supported by House Speaker Robert DeLeo. DeLeo did not even bother to have public hearings. A market study of potential jobs, provided by the speaker, is a benefit analysis, not a cost-benefit analysis.

Tom Larkin
Bedford

GAMBLING ARTICLE NOT UP TO STANDARDS

As a reader of *CommonWealth* magazine since its inception, I found the Spring cover story on the Bethlehem, Pennsylvania, casino well beneath its usual standard.

Historically, *CommonWealth* has been an important source of informa-

tion for opinion leaders and concerned citizens across the state, and its writers are among the best. It built its reputation on well-researched, data-driven journalism, yet its recent casino piece, timed to release on the eve of the House debate to maximize its reach, represents the total opposite of that tradition. In eyebrow-raising fashion, it based much of its analysis on just a handful of interviews, three of which were major boosters of the Bethlehem casino project from the outset.

A typical *CommonWealth* investigation would have included a stop at the widely advertised Pennsylvania Gaming Congress held in February, where the state's casino operators like Parx Casino President Dave Jonas candidly spoke about how their business really operates. Jonas said his revenue comes almost exclusively from local low rollers "who give us \$30 five times a week," 150 to 200 times a

year, and tend to live within 20 miles of the casino. He said it didn't take much to lure them, beyond proximity, free valet parking, and \$50 comps. "If you live 15 minutes away, you really don't need a room," Jonas said. "They come in, grab a hot dog or maybe a chicken sandwich, gamble three hours, then go home and sleep in their own bed." This reality best explains why Sands Bethlehem opened its casino and did not build the hotel it promised during the approval process.

Typical *CommonWealth* coverage would have referenced the Lehigh Valley Research Consortium survey released in March that showed a whopping 48 percent of those below the poverty line in the Bethlehem area said they intended to frequent the casino compared with 20 percent of those making more than \$100,000.

Typical *CommonWealth* coverage would have looked at the research find-

Sometimes financing involves bears and bulls.

OTHER TIMES DOGS AND CATS.



Jennifer Durkin of the Friends of Scituate Animal Shelter, MassDevelopment's Lou Texeira, with Diane St. Ours and Ellen Goldenson from the Friends of Scituate Animal Shelter. (Left to Right)

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ings of Natasha Schull, associate professor in MIT's Program in Science, Technology, and Society, who has prominently testified that the electronic gambling machines at Sands Bethlehem and elsewhere are designed to get every user "to play to extinction" —until all their money is gone—by using technology that has been labeled a "high-tech version of loaded dice." While *CommonWealth* used a picture of a slot machine on the magazine's cover, it included not one reference to the design and technology behind the machines within the story.

Typical *CommonWealth* coverage would have pointed out the *Lehigh Valley Express-Times* report in late February that Las Vegas Sands wants to sell its Bethlehem slots parlor because the company is disappointed in the facility's financial returns.

There are many people across Massachusetts who talk about casinos

yet know virtually nothing about the casino business model, its "products and services," and why it is the most predatory business in America today. Regretfully, after reading *CommonWealth's* most recent story, that still remains true.

Les Bernal
Executive Director,
Stop Predatory Gambling
Lawrence

BAD JUDGMENT AT ARCHIVES

Thank you for taking on the Massachusetts Archives' poor treatment of the state's valuable documents ("Hidden Treasure," Spring '10). When the new "fortress" was built at Columbia Point, those in charge showed bad judgment in not allocating funds for proper, safe displays. Their overreaction to the 1984 burglary of the Bay Colony's Charter—an inexcusable

loss—was simply to put everything in vaults.

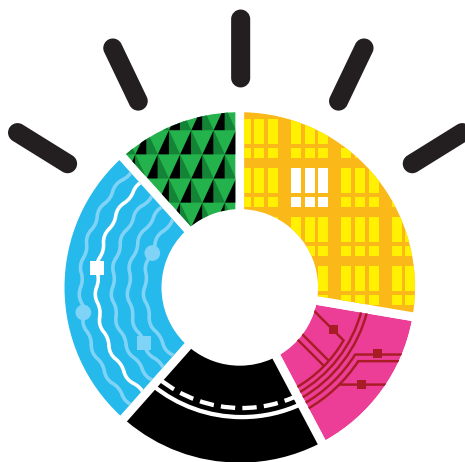
Not only does the state of Massachusetts own a full set of Audubon's *The Birds of America*, but also the original watercolors for the three-volume (93 plates) *Birds of Massachusetts* by Edward Howe Forbush. In the early 1980s, as staff for Sen. Chester Atkins, then-chairman of the Senate Ways and Means Committee, I talked the curator into putting the Forbush watercolors on exhibit, launching the show with the customary white wine and brie. They have probably never been seen since.

The author's interviews with other states' curators make it clear that more than money is needed to get the Massachusetts Archives staff to allow the public to see the wealth of materials in our state's possession.

Deborah Stark Ecker
Chatham

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Filling the cracks

The news business is changing so quickly that sometimes you have to stop and take stock. Shawn Zeller did just that in his Washington Notebook report for this issue, and what he found was discouraging.

Zeller discovered that over the last five years every Bay State newspaper except the *Boston Globe* has pulled its reporters out of the nation's capital. The *Globe* continues to cover Washington, but its bureau there is only two-thirds of its original size.

Stories like this are becoming all too familiar as newspapers struggle to remain afloat. There are fewer local reporters in Washington, but there are also fewer at the State House and fewer overall. It's the type of attrition that you barely notice, and that's what's really scary about it. News coverage is disappearing and, unless you're paying close attention, you don't even know what's missing.

My biggest concern is for the watchdog role the press plays. I remember a meeting of the Massachusetts Life Sciences Center last year. The center's board voted to hand out \$25 million in tax credits to 28 companies, with more than half of the tax breaks going to three very profitable firms. It was a revealing look at the use of taxpayer funds, yet I was the only reporter in the room.

CommonWealth, along with a handful of other non-profit entities like the Center for Investigative Reporting at Boston University and Professor Walter Robinson's investigative reporting collaborations at Northeastern University, is filling some of the growing cracks in news coverage.

We've had some early successes. Jack Sullivan reported last year on how the concrete ties supporting South Shore commuter railroad lines were falling apart prematurely ("Back Tracking," *CW*, Summer '09). The MBTA, which owns the lines, minimized the problem initially but this year was forced to admit that the crumbling railroad ties were a safety concern. The T now plans to replace every one of the concrete ties at a cost of more than \$90 million.

Last year, as a result of our coverage of state tax credits, Gov. Deval Patrick included a provision in his budget proposal that would have required state agencies to iden-

tify tax credit recipients and disclose the number of jobs they create. The Patrick proposal stalled last year, with the Senate balking at its disclosure requirements. But in May the Senate changed course. Greater transparency in the issuance of tax credits now seems likely.

Our online magazine this year reported on patronage at the state's probation department (we were the first to report that Probation Commissioner John J. O'Brien's daughter was working there) and the tug of war for control of the agency between the executive, legislative, and judicial branches of government. The *Globe's* Spotlight Team in May weighed in with a devastating two-part series on the agency that prompted the Supreme Judicial Court to put O'Brien on paid leave and bring in a special counsel to investigate the agency.

This issue of the magazine continues to explore issues receiving scant attention elsewhere. Sullivan spent more than two months investigating one of the chief causes of health care inflation—the exploding use of medical imaging tests like MRIs and CT scans. He concludes that many of the tools at the state's disposal for reducing health care costs are not being used effectively.

Last fall, Michael Jonas reported on a growing body of research suggesting that there are substantial differences among teachers in their ability to drive student learning ("Teacher Test," *CW*, Fall '09). That research is fueling calls for the firing of some teachers and dramatic changes in the way the rest are evaluated. In this issue, economist Ed Moscovitch, relying on his own research, suggests teachers are being scapegoated to explain differences in achievement that are mostly a function of student demographics. He says that if the teachers in Wellesley and Lowell switched places there would be very little difference in student outcomes in either district.

Going beneath the headlines. Exploring alternative viewpoints. This is what we do at *CommonWealth*. Good journalism illuminates important issues and can be a powerful force for change. Happy beach reading. **CW**



BRUCE MOHL

inquiries

Mystery solved

Tucked deep inside an April report by Boston's Climate Action Leadership Committee is a photo of a wharf seemingly under water. There is no explanation with the photo—indeed, no mention at all in the report—but the implication is that Boston's waterfront is already feeling the effects of climate change.

It turns out the photo was taken by Bud Ris, the president and chief executive of the New England Aquarium and a member of the committee, which recommended ways for the city to deal with climate change.

Ris took the photo at the end of Long Wharf on January 1, one of the few times a year the sun and moon are aligned in such a way to maximize tides. Ris says the tide was 12-feet high, about 2 to 4 feet higher than normal. Long Wharf is one of the city's oldest and lowest piers, but Ris says the picture shows what may happen along Boston's waterfront as water levels rise due to global warming.

"The key point is that—given that sea level has already risen nearly a foot in Boston over the last century, partly from subsidence of the land and partly from thermal expansion of the oceans because of climate change—we don't have a lot of time," Ris says.

Ris heeds his own advice. The harbor walk around the aquarium was elevated an extra two feet, partly in anticipation of sea level rising.

► BRUCE MOHL



Transit authority's student pass may hold lessons for MBTA

► BY GABRIELLE GURLEY

IF CHICAGO IS a guide, the forever cash-strapped MBTA may be sitting on a rich vein of untapped revenue—area college students.

The Chicago Transit Authority's U-Pass is mandatory for the nearly 140,000 full-time students at the 45 participating colleges and universities in the metro area, bringing in \$20 million to the authority last year.

By contrast, the MBTA's semester pass program is voluntary. Only up to 20,000 of the roughly 383,000 undergraduate and graduate students in the Boston metro area buy passes, with as much as \$5 million a year going to the T.

Richard Rodriguez, president of the Chicago Transit Authority, says signing up college students boosts ridership, revenues, and helps the environment. But, even more importantly, the U-Pass program teaches them the advantages of using public transit, he says.

"If we can really get students while they are still students, when they go out into the workforce, they would have already gone through this learning curve of using mass transit," Rodriguez says.

The CTA charges the schools 81 cents per student per day for the pass, which provides unlimited rides on buses and subways in the Windy City and 40 surrounding communities served by the system. The schools pass the charge along to their students through fees or as part of tuition, depending on how each school administers the program.

For example, a Northwestern University graduate school student paid \$74 for a three-month U-Pass last fall as part of a \$78 activity fee. That's a steep discount off the regular CTA unlimited-ride pass, which costs \$86 a month.

The almost decade-old MBTA program offers an 11 percent discount on a variety of bus, subway, and commuter rail options. A four-month unlimited bus and subway pass costs a student \$210, a \$26 savings. The MBTA delivers the passes to the 53 area colleges and universities, which actually run the program.

Jacky Grimshaw, a Chicago Transit Board member who helped spearhead the first U-Pass pilot program more than 10 years ago, says back then there was immediate interest from students, faculty, and administrators at the city's major schools like DePaul University. A dozen schools signed up for the program in the fall of 1998.

The authority pulled out all the stops to promote the benefits, trumpeting the deep discounts, the environmental gains, the ability to get out and see the city, and even the prospect of less competition between faculty and students for on-campus parking spaces. As awareness of the program spread,



other schools, like the community colleges, wanted in. “It wasn’t a hard sell at all,” says Grimshaw. “It was just the opposite.”

“You need to talk to the students,” she adds, calling the U-Pass an “HMO for transit.” You don’t need to use it all the time, she adds, but if your bike gets a flat, you have it.

A transit system has to start small by getting one or two schools interested in a year-long pilot program, weighing the pros and cons, and getting the bugs out, suggests Rodriguez. “We weren’t able to convince all 45 to do it at once,” he says. “By word of mouth, it begins to sell itself.”

But MBTA officials don’t think a U-Pass-style program would fly here, according to Joe Kelley, the deputy general manager for system-wide modernization. He believes a mandatory pass wouldn’t be attractive to the many students living on campus in a city like Boston, where many people get around by biking and walking. Most of the students who use the MBTA pass program are commuters, Kelley says.

While the MBTA could certainly use the additional revenue, Kelley considers the Chicago program “not flexible.” He doubts that Boston-area colleges and universities would want to formally contract with the MBTA for a program that requires every full-time student at a university to buy a pass. “I would think they would opt out,” Kelley says of the schools.

Boston University spokesman Colin Riley is also skeptical about a mandatory pass program. About 14 percent of full-time BU undergraduates, about 2,350 students, used the semester pass last fall. Riley says that the number of students using passes has actually declined over the

past three years, especially since the introduction of the Charlie Card. Students use Charlie Cards like a debit card, taking a “pay-as-you-go” approach and only buying the fares that they need. “I wouldn’t imagine that anyone would want to increase the cost to students attending college and university in Boston with an additional mandatory fee, since there are so many other options,” says Riley.

But Ben Timmins, a Boston University senior and Mass-INC intern who lives on campus during the academic year, says he likes the U-Pass concept. Initially, parents and students would be wary of additional fees, he says. But Timmins, who has used the MBTA semester pass on and off during his BU years, admits that he sees more of what the city has to offer with it than without it. “It’s only a matter of time before you start to see the positive consequences of those transit pass fees,” he says.

Nine questions for Mass. GOP chair Jennifer Nassour

CW: Has there been a surge in GOP registrations since Brown’s victory?



NASSOUR: We don’t have the registration numbers, but what we do have is an uptick in interest. We have a group of different people who come to us wanting to help out. They’re not necessarily Republicans, but they’re happy to help us now. We’re finding people coming to us and asking to volunteer.

CW: Do you have any way of quantifying the increase?

NASSOUR: It’s hard to say, but probably about a 150 percent increase from January 2009, when I became chair, until now.

CW: What besides Scott Brown’s victory might account for the increase?

NASSOUR: Sen. Brown was a huge portion of it, but I think there was a lot of buyer’s remorse between what was going on in the federal government and what they were

seeing in state government. We had a focus group in the fall and one of the things we heard is that this governor has been a disappointment. That was a lot of what we kept hearing from people.

CW: We've had a few big surges in GOP candidates in the last 20 years, but none has led to a lasting two-party system in the state. What has to happen to reach a point where we routinely have a Democrat and a Republican in most races?

NASSOUR: Right now, we have 174 Republicans running, the biggest number we've seen in recent memory. What has to happen for people to run is to see that government is unresponsive. There's no transparency. As far as how we have more people running, it's continuously engaging anyone who is paying a bill, anyone paying attention, anyone who has a job or has lost a job.

CW: In what areas of the state are you strongest?

NASSOUR: Plymouth County and the Cape. Next is the North Shore, Nikki Tsongas's district. Twenty out of 29 districts up there went for Scott Brown.

CW: What's your perfect candidate?

NASSOUR: The perfect candidate is someone who works really hard, someone who's not afraid to get out there on a cold, snowy day and shake hands outside of Fenway. The most phenomenal thing I got from the Brown campaign is that if you can work as hard as Scott Brown, you're the perfect candidate. The perfect candidate is Scott Brown: someone not afraid to be who he is.

CW: How much campaign help do you expect local candidates to get from Sen. Brown?

NASSOUR: I don't think he has time to help all 174, and I don't know how much he'll get involved with [legislative races], but I know he'll be helping out Secretary of State candidate [William Campbell] and Charlie Baker. He will be around. He did make a promise to support candidates in Mass.

CW: Who are the key names to watch in legislative races?

NASSOUR: We have a lot of young rising stars, like Brett Schetzle in Beverly, Geoff Diehl in Whitman, Sean Downing in Methuen, Ryan Fattman in Sutton, Kim Ferguson in Holden, and Matt Beaton in Shrewsbury. And then Kevin Kuros [of Uxbridge] who is coming back after a great showing in 2008.



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CW: How would you describe the state GOP's relationship to the Tea Party movement?

NASSOUR: I think we have the exact same message. We are all looking for small government, lower taxes, more fiscal responsibility. I really see no difference between what they're doing and what we're doing.

Washington may frown on South Coast Rail

► BY GABRIELLE GURLEY

WHAT WOULD PETER Rogoff say about the \$100 million deal the Massachusetts Department of Transportation recently signed with rail freight company CSX Transportation, giving the state ownership of 30 miles of track that could become part of the proposed South Coast Rail project?

Rogoff, the head of the Federal Transit Administration, hasn't said anything specific about South Coast Rail yet. But at a Boston transit summit in May, where he delivered a speech targeted at transportation officials from Massachusetts and across the country who are counting on federal funds to help build new rail lines, he made clear where he stands.

"At times like these it's more important than ever to have the courage to ask a hard question," Rogoff said at the conference hosted by the MBTA Advisory Board and MassINC, the publisher of *CommonWealth*. "If you can't afford to operate the system you have, why does it make sense for us to partner in your expansion? If you can't afford your current footprint, does expanding that underfunded footprint really advance the president's goals for cutting oil use and greenhouse gases? Does it really advance our economic goals in any sustainable way?"

He also pointed to financial problems down the road. "Are we at risk of just helping communities dig a deeper hole for our children and our grandchildren?" he asked. "Might it make sense for us to put down the glossy brochures, roll up our sleeves, and target our resources on repairing the system we have?"

It's an open secret that even if Massachusetts manages

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to find the \$1.4 billion to \$2 billion it needs to construct a new commuter rail line from Boston to New Bedford and Fall River, the MBTA does not have the financial wherewithal to operate it. The MBTA faces a nearly \$100 million deficit in 2012, so any new operations would only push the authority deeper into debt.

The finance plan for construction of the line is currently scheduled to be unveiled later this fall after the Army Corps of Engineers selects one of the three possible routes—rail lines through either Attleboro or Stoughton or bus rapid transit along Route 24 and Interstate 93.

“We know it will be a mix of federal and state monies,” says Richard Davey, MBTA general manager and the Massachusetts Department of Transportation’s rail and transit administrator. “We need to be creative in terms of our financing.”

SHOULD MBTA EXPAND OR FIX IT FIRST?

Gov. Deval Patrick, who is up for reelection this year, says he plans to make the long-discussed rail line a reality. Although bus rapid transit is one of the options being considered by the Army Corps of Engineers, it has few fans on the South Coast and Patrick typically talks about a rail link.

But Rogoff reminded his Boston audience that most transit trips in the US are done by bus, and bus routes are a lot cheaper to build and operate than rail connections. “Communities deciding between bus and rail investments need to stare those numbers in the face,” he said. “Bus rapid transit is a fine fit for a lot more communities than are seriously considering it.”

The South Coast Rail project has fared poorly in recent

federal grant competitions, even compared to other Bay State rail proposals. “For whatever reason, in two competitions, it hasn’t come out well,” says David Luberoff, executive director of the Rappaport Institute for Greater Boston at Harvard’s Kennedy School of Government and a strong critic of expanding MBTA service when the agency carries mind-boggling debt.

Three rail projects in other regions of the state have won a total of nearly \$150 million in federal funds. Western Massachusetts picked up a \$70 million grant for high-speed rail design and construction for its portion of the Connecticut River rail project through New Haven, Springfield and onto St. Albans, Vermont. South Coast rail lost out on its bid to secure \$1.9 billion in the same round of high-speed rail funding.

To date, South Coast Rail has only received \$20 million in stimulus funding (for a total of \$30 million in federal funds since 2005) for the rehabilitation of three structurally deficient freight rail bridges that could also carry passenger trains if rail routes are eventually selected. Two other MBTA projects did as well or better: the Fitchburg commuter rail line reeled in \$55.5 million to extend that rail line five miles, the seventh largest award in the country. Another \$20 million went to improvements around the Blue Line’s Wonderland station in Revere.

Boston charities set ambitious education goals

► BY MICHAEL JONAS

WHEN THE KINDERGARTEN and first-grade chorus members from the Haynes Early Education Center in Roxbury closed the program with an uplifting rendition of “We Are The World,” they might as well have been referring to the assembly of Boston bigwigs crowding the stage behind them. By the time the young singers put a coda on the mid-June announcement of a new \$27 million education initiative, it seemed every major foundation and education leader in the city had been called onto the stage at the Frederick Middle School in Dorchester to join Mayor Tom Menino and Boston Public Schools Superintendent Carol Johnson.

And that was exactly the intended image, as city and nonprofit leaders unveiled what they say is an unprecedented collaboration of Boston's leading foundations and charities. The effort, dubbed the Boston Opportunity Agenda, aims to improve educational outcomes for Boston public school students from preschool through higher education. The \$27 million committed for the first two years will boost a number of ongoing programs that target Boston students at different points across that wide age span.

"We want to make Boston a city renowned for upward mobility at a time when the data since the '70s for society as a whole show that upward mobility has diminished and people are having more trouble realizing the American Dream," says Paul Grogan, president of the Boston Foundation. The foundation is leading the effort along with three of the city's other largest philanthropic organizations, Catholic Charities of the Archdiocese of Boston, Combined Jewish Philanthropies, and the United Way of Massachusetts Bay and the Merrimack Valley.

Though nonprofit leaders say they expect more money to follow the initial commitment, the dollars themselves may be less noteworthy than the joint participation of the city's leading charities—and the ambitious goals and

public accountability they are tying to the funding.

Among the nine goals put forward are a near tripling of the percent of Boston third-graders who test proficient in reading on the MCAS exam, from 31 percent last year to 85 percent by 2014; cutting in half the high school dropout rate over that time period; and doubling the percentage of Boston public schools graduates who go on to receive a two-year associate's college degree or higher.

\$27 MILLION PLEDGED FOR FIRST 2 YEARS

"They're very ambitious, but I think some of them can be reached and I think significant progress can be made on all of them," says Grogan. The clearly defined goals—and the plan to provide regular public accounting of the progress in meeting them—put the foundations and the city's public schools on the line.

In the wake of the new education reform law passed in January, which gives districts new powers to intervene in underperforming schools, the initiative will really test "whether an urban district school system can perform," says Grogan. "I don't know the answer, but I'm glad we're giving it our best shot."

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—Alfred North Whitehead

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While the program will tap the wealth of information now available through school department data systems to track progress, and will make that information widely available online, the origins of the partnership lie in decidedly old-school networks.

Robert Beal, president of the Beal Companies real estate firm and a longtime Boston civic leader, says he simply had the thought, starting five years ago, that the city's four major foundations "had never done anything together." Beal, who serves on the board of Combined Jewish Philanthropies, co-chairs a major United Way fundraising committee, and has long ties to officials at the Boston Foundation and Catholic Charities, certainly knew who to call.

He credits Rev. Ray Hammond, cofounder of the anti-crime Ten Point Coalition and former chairman of the Boston Foundation board, with getting foundation leaders to zero in on education as the most compelling target for their efforts.

The collaboration of the various charities on a big project may well be unprecedented. In some ways, however, what's surprising is that it didn't happen sooner. "It's a small city and we're well-connected," Beal says of the local civic leadership. **CW**

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The Brown Effect

BY JACK SULLIVAN AND SAMANTHA VIDAL

IN WASHINGTON

He said he wanted to be “a Brown Republican,” but what does that mean? Judging from his voting record from the time he took office in February until June 15, Scott Brown is difficult to pigeon-hole. He is as likely to throw his lot in with Democrats as with Republicans, but most often he seems to be a voting soul mate of the other two moderate Republican US senators from New England—Susan Collins and Olympia Snowe of Maine.

Of the 169 rollcall votes he has cast between taking office in February and June 15, Brown was recorded as yes 95 times and no 74 times. He sided with the Senate’s top Democrat, Harry Reid of Nevada, 38 percent of the time. He voted with his political mentor, Sen. John McCain of Arizona, 81 percent of the time. It was Sen. Collins whom he sided with most often, voting with her 87 percent of the time.

A closer look, though, shows when Brown votes yes, he’s more likely to position himself with the Democrats than party-line Republicans. While he still teamed with Collins the most, with both voting yes on the same bills 94 percent of the time, he votes yes with Reid 56 percent of the time while only 31 percent with McCain. Among the key votes where he sided with Democrats were the jobs bill in March, the bill to regulate Wall Street, and the nominations of a Treasury undersecretary, a District of Columbia associate justice, and an assistant attorney general, all of which were opposed by McCain and the Republican leadership.

When it came to just saying no, Brown was more in tune with his GOP colleagues. Brown and McCain agreed to say nay 92 percent of the time while the Bay State junior senator voted no in concert with Collins 78 percent of the time. Only 16 percent of the time did Brown and Reid see nay to nay.

And for those who thought they sent the 41st GOP senator to Washington to regularly uphold Republican filibusters and derail the Democratic agenda, you’re in for some disappointment. Brown took part in 13 cloture votes, the parliamentary term to close off debate and end a filibuster. Of those roll calls, Brown cast his lot with the Democrats eight times while voting to block bills or appointments by filibuster five times.



WHEN BROWN VOTES, HE VOTES WITH



SUSAN COLLINS
R – MAINE

87%
of the time



JOHN MCCAIN
R – ARIZONA

81%
of the time



HARRY REID
D – NEVADA

38%
of the time

Source: U.S. Senate Clerk's office

\$5.8million

Money in campaign account as of March 31.

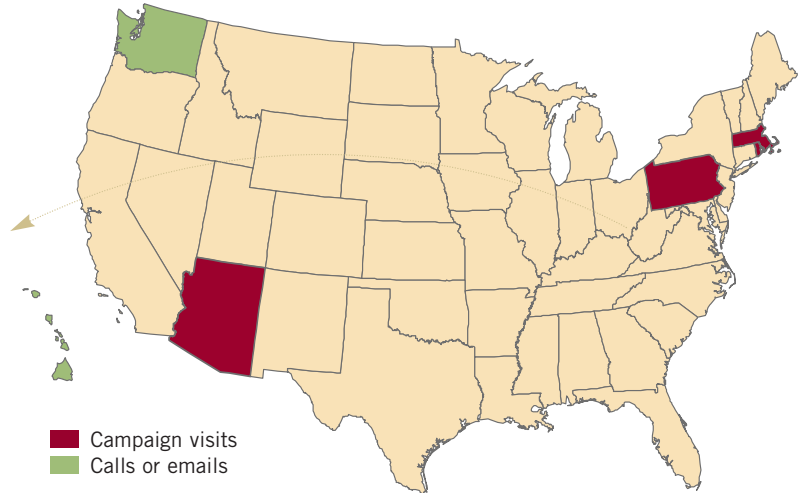
WHAT CAN BROWN DO FOR YOU?

The Massachusetts senator has stayed close to Washington in his first few months in office, but he's done some campaigning for fellow Republicans around the nation. He's also taken one official government business trip abroad to Pakistan, Dubai, and Afghanistan, where he met with President Hamid Karzai.



KARZAI

Senate committee trip to Afghanistan and Pakistan



Source: Brown's Senate and campaign offices, Republican National Committee

AT HOME

In 2008, Massachusetts had the dubious distinction of being the state with the lowest percentage of contested legislative races in the nation. But Scott Brown's victory in the special election to replace the late Sen. Edward M. Kennedy seems to have reenergized the Grand Old Party in Massachusetts. Republicans have nearly tripled the number of races where they are running for state Senate and more than doubled the number in the House. There are even contested races in the GOP primaries themselves. In 2008, there was just one contested Republican primary for the 160 seats in the House and none in the Senate. This year, there are 15 contested Republican primaries in the House and six in the Senate.

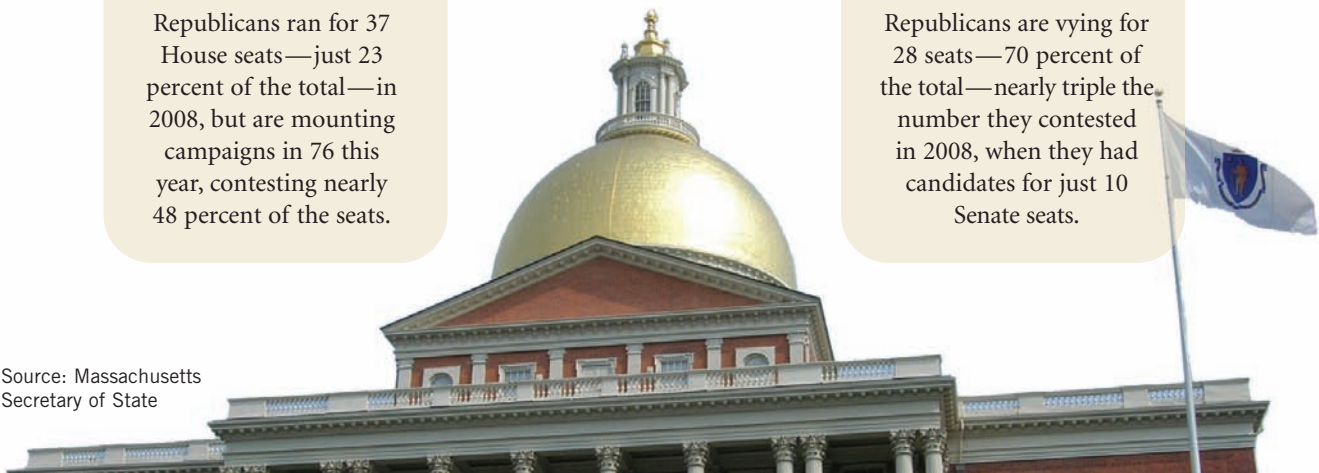
HOUSE

Republicans ran for 37 House seats—just 23 percent of the total—in 2008, but are mounting campaigns in 76 this year, contesting nearly 48 percent of the seats.

SENATE

Republicans are vying for 28 seats—70 percent of the total—nearly triple the number they contested in 2008, when they had candidates for just 10 Senate seats.

Source: Massachusetts Secretary of State



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Probation location

BY JACK SULLIVAN

THE BATTLE RAGES over which branch of government will control probation—and its \$150 million budget—in Massachusetts. But looking for help to see how other states do it offers little in the way of guidance.

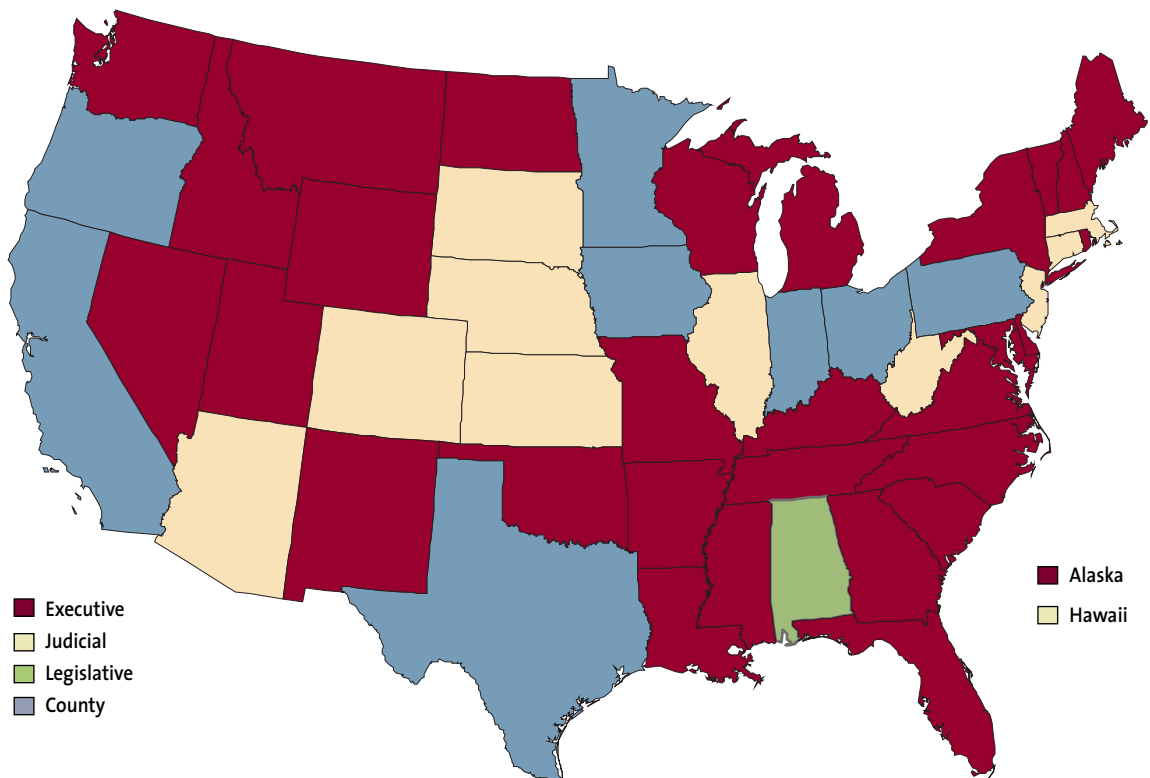
According to the American Probation and Parole Association, there is no one-size-fits-all approach or best-practices template to overseeing the people who oversee the criminals. Massachusetts is one of 11 states where the courts oversee probation. The majority have it under various agencies in the executive branch, while eight states place the burden on county government. Alabama, oddly, gives its legislature control of probation.

While the judiciary technically oversees probation in Massachusetts, it's not quite that simple. Under now-suspended Commissioner of Probation John O'Brien, the agency enjoyed an unusual degree of autonomy. Thanks to his friends in the Legislature, O'Brien controlled his own budget and could hire and fire employees with little interference.

Back in January, Gov. Deval Patrick filed a bill that would move probation into the executive branch and place it under the same agency that oversees parole. When media stories blew the cover off the patronage-laden system at probation, the question of who should oversee the agency moved to the front burner. The Legislature responded by creating a commission to recommend a course of action, with a report due later this year.

Patrick has said he'd be open to keeping probation in the courts but he says both probation and parole should be under the same branch for continuity, whatever the outcome. But, again, there is no universal model to go by. There are 35 states plus the District of Columbia that have both probation and parole under one branch of government, including all 31 where probation falls under the executive branch. The 11 states that place probation under the courts, including Massachusetts, all have parole under the executive branch. **CW**

WHO'S WATCHING THE WATCHERS



Sources: American Probation and Parole Association



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Eating up deficits

BY JACK SULLIVAN

WITH DEPLETED COFFERS forcing belt-tightening at all levels of government, it would make sense that officials, especially at the local level, would grab onto any chance to pick up a few more pennies to avoid service cuts.

But like their Beacon Hill counterparts, many municipal officials are leery of any additional tax, particularly if it puts them at a competitive disadvantage.

According to the Department of Revenue, only 108 of the state's 352 communities have adopted the .75 percent local option surcharge on the state meals tax approved by the Legislature a year ago. According to the Massachusetts Municipal Association, at least 10 other municipalities have flatly rejected the surcharge. The remainder have either taken no action or, perhaps, quietly considered it and then thought better of asking their residents and visitors to pony up an extra 7.5 cents when purchasing a \$10 pizza.

The early adopters are concentrated in Greater Boston and areas of Cape Cod and western Massachusetts. Boston stands to gain the most from the surcharge, an extra \$11.3

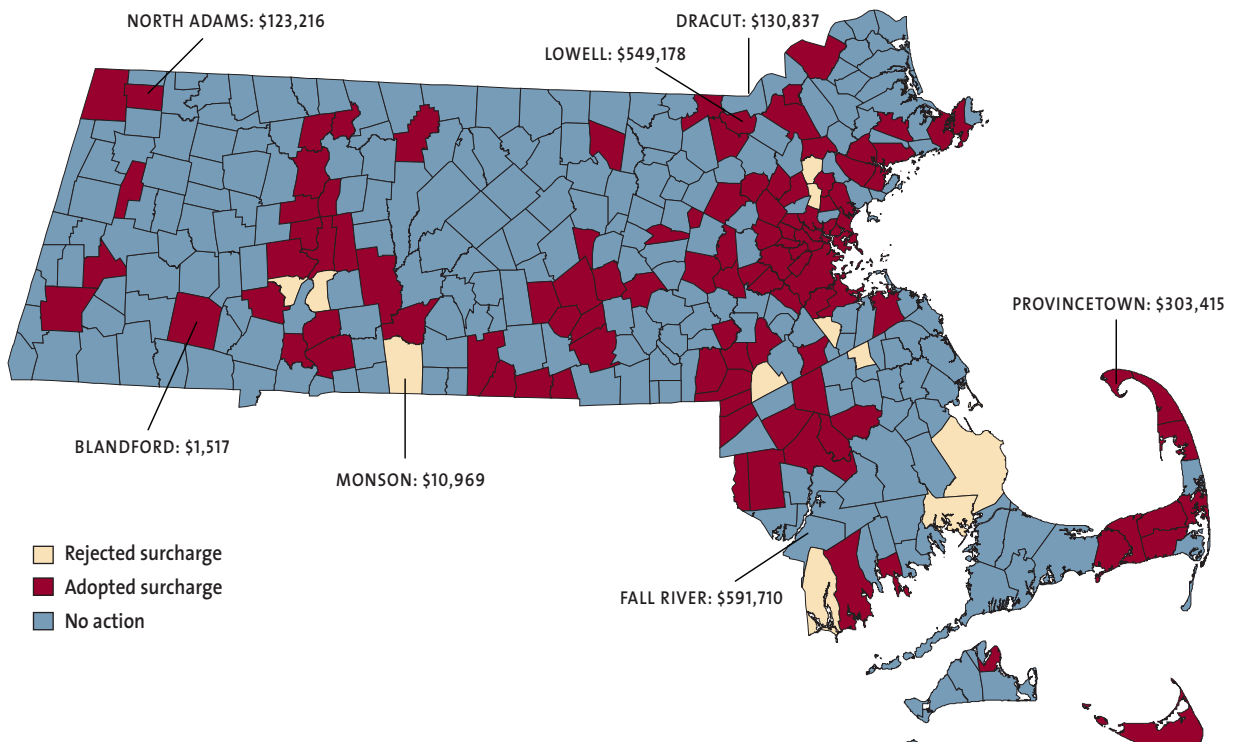
million over the course of a full year, while Cambridge will net \$1.9 million, Worcester \$1.2 million, and Nantucket \$494,000. DOR officials estimate the surcharge could generate \$57.6 million a year if all cities and towns adopt it.

Not everyone sees the need. Tony suburbs such as Weston, Sudbury, and Lincoln have made no move to adopt it, while other towns such as Reading and Randolph opted not to go after the money.

Foxborough officials, with Gillette Stadium and Patriot Place accounting for a good portion of the estimated \$305,000 the town could generate from the surcharge, declined to approve the local option, fearing it would drive diners to adjacent towns without the tax. Town Meeting members in Plymouth approved levying the surcharge in an attempt to pull in \$427,000, but the issue was subsequently placed on the ballot where voters rejected it during the special election in January.

The next deadline for cities and towns to adopt the tax is Aug. 31. **CW**

STATUS OF MEALS TAX SURCHARGE AND SELECTED ANNUAL REVENUE PROJECTIONS



Source: Massachusetts Department of Revenue and Massachusetts Municipal Association



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Shrinking coverage

Massachusetts news outlets, with the exception of the *Globe*, have pulled out of Washington **BY SHAWN ZELLER**

IN THE LAST five years, Massachusetts newspapers have dramatically altered the way they cover—or don't cover—the state's congressional delegation in Washington.

Every Bay State newspaper except the *Boston Globe* has pulled out of Washington. The *Globe*, which is owned by the *New York Times*, has closed its foreign bureaus and demanded financial give-backs from its employees, but it continues to employ seven journalists in the nation's capital because it believes that Washington coverage is of interest to readers in Massachusetts.

"The shuttles from Logan to National are packed all the time with lobbyists and officials and people from Harvard and scholars and scientists and biotech executives and lawyers, so there's this gigantic nexus between Boston and Washington," says Christopher Rowland, the paper's Washington bureau chief.

Other newspapers in Massachusetts are focusing closer to home on local news rather than covering Washington. The Springfield *Republican* was the last Massachusetts paper besides the *Globe* to have a Washington correspondent. It lost her when its corporate owner, Advance Publications, closed its Newhouse News Service in Washington in late 2008.

The *Globe's* chief competitor in the Boston market, the *Boston Herald*, closed its two-person DC shop in 2005. Lead reporter Andrew Miga now covers politics in the northeastern states, including Massachusetts, for the Associated Press, and the *Herald* occasionally sends reporters south to cover top stories. Other papers, like the *Patriot Ledger* of Quincy, the *Worcester Telegram & Gazette*, and the *Cape Cod Times*, left Washington long ago, with few regrets.

"In an ideal world, I'd rather have three more

people covering town government than one in Washington," says Chazy Dowaliby, editor of the *Ledger* and the *Enterprise* of Brockton.

In her view, as well as that of many of her fellow editors, small and mid-sized papers must now focus on the news that's closest to home. "We have to do what nobody else is doing," she says. "We need a spotlight on Washington, but lots of people are providing that."

The *Worcester Telegram*, which is also owned by the *New York Times*, relied for years on graduate students in Boston University's journalism program—who would spend a semester in Washington—to cover Worcester's congressman, Jim McGovern, but BU shuttered its program this year. That's regrettable, says the paper's editor, Leah Lamson, but it's not the end of the world in her view. "Our *raison d'être* is local news," she says. "It's who we are. We're a local paper for central Massachusetts."

Lamson's city editor keeps in regular touch with McGovern's press secretary and she'll assign a reporter to cover McGovern when he is holding events in the district. State House reporter John Monahan also jumps in when McGovern is in the news.

Editors at smaller papers say they can usually get the information they need on what's going on in Washington without a reporter on the ground there. "Even in Washington, the reporters aren't in the cloakrooms and you can develop sources in Hyannis just as well as you can in Washington," says *Cape Cod Times* editor Paul Pronovost. "If I had additional resources, it's not the first place I'd put them."

Like other Massachusetts editors, Pronovost will send a reporter to Washington when something is going on with a big local impact. He did that, for example, when a senator from Alaska tried to insert language in legislation a few years ago that would have killed the Cape Wind project.

But most of the editors outside the Boston area say they pay more attention to the congressional delegation when they come home to campaign than when they are developing policy in Washington. The *Patriot Ledger* and the *Cape Cod Times*, for instance, are both devoting extra resources this year to the race to replace William Delahunt, the 10th District representative who is retiring after seven terms.

James Campanini, editor of the *Sun* in Lowell, who closed the paper's one-person Washington bureau in mid-2008, does miss having a reporter in the capital. "When you have someone in Washington, you pick up more," he says. "For a long time, we were one of the smallest papers with a full time reporter in Washington. We fought like hell to keep him, but we had to downsize."

The *Globe* has downsized its bureau but continues to believe it can be a player on the national scene. The paper's strong Washington coverage dates to the 1970s tenure of editor Tom Winship, who first envisioned the *Globe* as having a national scope. Combine that with Massachusetts' reputation as a training ground for politicians with national ambitions and it's no wonder the paper has stuck with Washington.

"Massachusetts is a big-league town when it comes to political talent and influence in Washington," says Mark Jurkowitz, a former *Globe* ombudsman who's now associate director of the Project for Excellence in Journalism in Washington.

The *Globe* bureau has something of a split personality. It doesn't have the resources to cover most day-to-day events in Washington or the routine work of the congressional delegation, yet it tries to provide coverage with high relevance to Massachusetts readers while at the same time competing for major national scoops with the *New York Times* and *Washington Post*.

In reality, that's nothing new, says Walter Robinson, who led the *Globe* bureau in the 1980s and is now a professor at Northeastern University. "Even in the days when we had 11 or 12 reporters, the congressional delegation received scant coverage," he says.

Rowland only has one reporter assigned, specifically, to delegation coverage—former State House and Boston City Hall reporter Matt Viser, who arrived in Washington earlier this year. Rowland makes no apologies for how he's divvied up his resources. "We're not going to cover the delegation like the State House bureau covers Deval Patrick," he says. "There are too many things of national interest."

Many of the stories Rowland cites with pride are pieces with little or no local angle that might well have run in big national papers. The stories range from coverage of development work in Afghanistan to nuclear proliferation to the fight against AIDS in Africa. Others have zeroed in

on Massachusetts business sectors, including stories on Washington lobbying by biotech companies and by financial institutions.

When the bureau has targeted the congressional delegation, the stories tend to point out a big shift in attitude, as when Rep. Stephen Lynch—who'd been accused in the past of hostility to gay rights—won over gay and lesbian activists by opposing efforts to repeal a gay marriage law in the District of Columbia. Or they take note of a principled stand, as when loyal Democrat Jim McGovern

'We fought like hell, but we had to downsize.'

opposed President Obama's troop build-up in Afghanistan earlier this year. Others are broad and sweeping, such as a story last year that examined how Massachusetts lawmakers had provided earmarked federal funding for Bay State companies that gave money to their campaigns.

Rowland has dedicated a lot of ink to Scott Brown since the new senator arrived in the capital, assigning a big first-100-days story and a follow-up soon thereafter about how Brown joined Democrats in passing a major financial regulation bill. Rowland makes sure that John Kerry and Ed Markey—who are leading the push for climate change legislation, and Barney Frank, the chairman of the House Financial Services Committee—get plenty of coverage.

The *Globe* plays Washington stories prominently. Rowland says he wants every story written by the bureau to compete for the front page and, for the most part, he's succeeded. Since he took over last summer, the bureau has produced more than 450 stories, with 260 of them on page 1.

Tara McGuinness, a former Markey press secretary who now works for the Center for American Progress, a liberal think tank in Washington, says Massachusetts news consumers are better off than their counterparts in other parts of the country. "There are entire states now with no one on the ground in Washington," she says. "Massachusetts is a rich media market and there's a huge amount of legislation driven by the Massachusetts delegation, so it gets covered."

But Thomas Burr, a reporter for the *Salt Lake Tribune* and president of the Regional Reporters Association, worries about his organization's shrinking size. The group, which represents Washington bureaus of regional papers, once boasted more than 200 members; it now has about 70.

"I fear in some ways that our watchdog role—that of pressing senators over controversial votes or digging through documents tucked away in Washington file cabinets or tracking a federal agency decision—is becoming a casualty," he says. **CW**

Saying sorry

Michigan project's response when medical procedures go awry is resulting in lower malpractice insurance costs and better communication between doctors and patients **BY ALISON LOBRON**

RICK BOOTHMAN STILL thinks about a malpractice case he won 30 years ago. Fresh out of law school, Boothman represented a surgeon who had been sued by a former patient. "As the jury was filing out, the lady who sued my client leaned around the podium and I learned this was the first time she'd talked to him in three or four years," he recalls. "She said, 'If I'd known everything you said in the courtroom, I never would have sued you.'"

Boothman remembers being surprised by the woman's reaction—and intrigued by the idea that a simple conversation might have prevented an expensive, multi-year court procedure. "I was still wet behind the ears, right out of law school, but I remember thinking to myself, 'Wow, that's a long way to go to have a conversation,'" he says.

Boothman, now the chief risk officer at the University of Michigan Health System in Ann Arbor, has since put his idea to the test by changing the way his health system responds to threatened and actual lawsuits. The results of the new approach, which was launched in 2001, are striking and may have implications for Massachusetts, where some physicians hope to see state law changed to facilitate more open doctor-patient communication when allegations of possible malpractice are raised.

The University of Michigan Health System operates three hospitals, a medical school, and dozens of health centers. Prior to 2001, the system typically cut off communication between doctors and patients while parties prepared to go to trial. Now, the system conducts an internal review of each case and shares the findings with the patient—including whether the physician acted in error. It also facilitates conversations about what happened among patients, physicians, and their lawyers.

Boothman says many doctors initially feared that more openness would invite more lawsuits. In fact, the opposite is true. In 2001, 121 lawsuits were filed against the university. In 2002, the first full year under the new system, there were only 88 new claims, a number that has held steady in subsequent years. Boothman doesn't take full credit

for the drop, noting that malpractice lawsuits have declined nationally during the same time period. But he says a culture of frankness has led to quicker resolutions and settlements for patients, and to doctors being more willing to discuss, and learn from, their mistakes.

"If we've proven anything, I hope we've shown that being open and honest doesn't cause the litigation sky to fall in, doesn't invite litigation, doesn't increase settlement costs or anything else," says Boothman. "Given a chance, our patients are far more forgiving than we previously believed. I can say that once we made our staff safe by expertly working hard to resolve the claims that needed to be resolved through a principled approach, our doctors both embraced this approach and have in a palpable way turned their attention to patient safety like never before."

The system has more quantifiable benefits: Patients who do file claims don't wait as long for closure since the average case now lasts 10 months instead of 20. Malpractice insurance costs have stayed level in the university's system over the last 10 years even as the system got larger. By comparison, in Massachusetts, average malpractice insurance costs rose 132 percent between 1992 and 2005. A typical malpractice case in Massachusetts lasts for over five years.

The university medical system's approach depends upon two key aspects of Michigan law, which underwent significant tort reform in 1994: Physicians know they can apologize, or express regret and sympathy for what happened to a patient, without having their words used in court as an admission of negligence. The state also requires that a plaintiff's lawyer file a notice-of-intent to sue 182 days before doing so, allowing for a cooling-off period in which, at least some of the time, patient and doctor and their lawyers can talk about what happened.

And conversation is key, as Boothman discovered in court and according to some individuals who have experienced medical errors first-hand. Doug Wojcieszak lost his oldest brother in 1998 at

an Ohio hospital. “It was typical cover-up,” says Wojcieszak. “He died in a hospital where they misdiagnosed a heart attack and mixed up his charts. No one talked. We sued, and the judge forced a settlement. We got money, but we never got an apology or emotional closure or were told what the hospital would do to make sure it would never happen again.”

Wojcieszak, who works in public relations, has since made changing the often adversarial relationship between patient and doctor both a personal and professional crusade. He runs Sorry Works, a company that consults with doctors and hospital officials who want to imitate the results in Michigan. He says he’s worked with medical providers all over the country, and many of them have gone on to adopt new policies for disclosing medical errors to patients. Not all are patterned after the Michigan approach, but many are, including one at the medical center at the University of Illinois.

“When I started doing this work five years ago, every time I went to give a speech, I’d be ready for a fight,” Wojcieszak says. “Now, when I give presentations, there’s none of that. Hospitals, doctors, insurance companies are all interested. The debate isn’t whether we should do it, it’s how: How to say sorry.”

He says some medical providers imagine that sorry will be a magic bullet—and patients won’t also want compensation. His experience suggests otherwise; in cases of real injury, particularly the sort that lead to lost wages and ongoing new medical expenses, he says an apology usually needs to be part of a larger financial package. What he believes can be prevented are patients seeking huge damages specifically to punish physicians. “When you trust a doctor with your care or the care of a loved one, and something goes wrong, and they shut down conversation, it drives people crazy. And the only way we have to punish them is with money,” he says.

More open communication can lessen the anger. “When doctors talk to patients, we become altruistic,” Wojcieszak says. “We want to know medicine is going to improve. Just the act of hearing someone say sorry, it takes the wind out of your sails. Hearing them say they screwed up is a game-changer.”

Even as some Massachusetts hospitals are working to improve communication in cases of adverse medical outcomes, many doctors in Massachusetts say they need better legal protections if they and their employers are going to adopt a Michigan-like approach. “Every sweet little old lady who walks into my office, I wonder if she’s the one who is out for money,” says Stephen Metz, a Springfield gynecologist who specializes in geriatric patients. Metz is also one of many Massachusetts physicians who says fear of lawsuits has fundamentally changed what it means to

practice medicine—and, to his dismay, changed the way he looks at his patients.

“You start backing up, you start saying, this person looks like a problem, so I’ll distance myself,” says Metz, who has been sued five times since 1992. (Two cases were dropped, two were decided in his favor, and one is pending.) “You can’t talk to the patient once they’ve alleged something’s your fault,” he says, adding that his malpractice insurer bars him from talking to patients who have threatened—or even hinted—that they might sue him.

A bill sponsored by state Rep. Sean Curran, now in the

Open communication can lessen the anger

Judiciary Committee, would allow doctors to apologize without it being treated as a legal admission of negligence. The bill would also build in a six month cooling-off period similar to Michigan’s. Curran, a Springfield Democrat, says his bill is intended to help hospitals in Massachusetts implement programs to achieve the kind of lawsuit reductions that the University of Michigan’s system has experienced.

“We’ve got the best doctors in the country and the best lawyers, and there’s a friction between the two,” he says. “I think, in the end, the patient often loses out. We end up paying higher insurance rates and it’s making it more difficult for doctors to practice here.”

Curran believes that by allowing apologies, and requiring the six-month wait, patients can learn the specifics of their care and what might or might not have gone wrong. “A lot of times, if the victim were to hear, ‘I’m sorry,’ and parse out an agreement, this would avoid litigation,” says Curran. An attorney, he says his interest in the topic stems from having a large hospital, Baystate Medical Center, in his district, where, he says, “there’s tremendous friction between hospitals and the bar. Doctors are terrified of lawsuits. We need to change that dynamic and let doctors practice medicine.”

Curran’s words speak to another potential benefit of adopting the Michigan approach: a decrease in the use of “defensive medicine,” which the Massachusetts Medical Society defines as “tests, procedures, referrals, hospitalizations, or prescriptions ordered by physicians out of the fear of being sued.” According to a 2008 report by the society, an advocacy group for physicians, defensive medicine adds an annual \$1.4 billion to the state’s total health care bill.

Alan Woodward, an emergency room doctor who serves as vice chairman of the medical society’s committee on professional liability, says that, in his 30 years as a physician, medicine has become more test-obsessed because colleagues are so worried about lawsuits. “The mentality in

the ER is you're not going to see this person again. You can't afford to miss anything," he says. "I've never been sued, but I ran a couple of emergency departments and every time you see a physician sued, not only does that physician get more defensive but everyone does. It's a shifting standard of care to the most conservative approach."

While it's difficult to measure directly whether reducing malpractice costs and opening up conversation—as Michigan has done—will reduce defensive medicine, many doctors think it could. "It's hard for an individual to truly know whether she behaves differently because of fear of liability, but there's literature suggesting it's pervasive," says Erin Tracy, an obstetrician and gynecologist at Massachusetts General Hospital in Boston. "We all feel vulnerable."

Boothman, who designed the University of Michigan's system, is quick to say that apology-protections and waiting periods alone are unlikely to change doctors' behavior—either as far as reducing defensive medicine or fostering more open communication. Another key element to his program is harder to replicate statewide or through legislation: The university's health system is self-insuring, meaning it sets its own malpractice policies. It also promises to protect its health care providers financially, making them more amenable to conversation than a doctor in a small

practice might be.

"I have the luxury of telling our staff that we'll protect them financially," Boothman says. "You have to protect the people who go into the trenches and do inherently dangerous work with no guarantee. Everything is risky. If a doctor prescribes an antibiotic, they don't know if you'll be dead in an hour."

He speculates that the self-insurance piece is one reason the program hasn't spread on a grand scale, even in Michigan. He knows of one other medical system in Michigan that has adopted a similar program—Allegiance Hospital, in Jackson, Michigan—but says, "In general, there's a lot of talk and a lot of interest, but not a lot of movement as far as I can see."

Still, physician advocates like the Massachusetts Medical Society believe if the Bay State puts apology protections and a waiting period in place, hospitals will be more likely to adopt similar reforms.

But there's opposition to the bill from the Massachusetts legal community. Jeffrey Catalano is a lawyer who represents patients in malpractice cases and serves as vice president of the Massachusetts Bar Association. He notes that the state already has some apology protections in place—typically applied in auto-accident cases, to ensure that



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a driver who says “sorry” isn’t assumed to be at fault—but says he supports explicitly protecting doctors who want to apologize. Still, he fears language in Curran’s bill may make it harder for patients to make their case and get compensation. “It’s often a case that a patient has no idea what has happened to him or her, for example, if they were under anesthesia,” says Catalano. “It’s very frequent that medical records don’t tell you what happened. The doctor is the sole source of information. If a doctor can tell a patient what happened but not have that used in court, that’s unfair.”

Catalano also cites a report from the Administrative Office of the Trial Court showing the number of malpractice lawsuits in Massachusetts declined by 34 percent between 2000 and 2008—mirroring both the University of Michigan and national trends. But Catalano doesn’t see that statistic as good news; he thinks patients with legitimate claims may not be seeking justice or compensation. “The problem is the obstacles to pursuing a lawsuit, which is largely that there is a lot of hostility toward patients who sue,” says Catalano.

Boothman says that he encountered significant opposition from attorneys in Michigan, but thinks that the

years he spent in courtrooms—before working at the hospital—helped ease the tension between the legal and medical worlds in Ann Arbor. “I knew everyone and when I first got here, I told people on the plaintiff side, ‘Call me, we’ll do the right thing,’” he says. In a 2009 article for the *Journal of Health & Life Sciences Law*, Boothman reports

Malpractice lawsuits fell 34% in Massachusetts

the findings of a survey of local doctors and attorneys suggesting that both sides largely support the new approach. Some 98 percent of the system’s physicians “fully approved” of it, and while there was no identical question included of attorneys, 86 percent of lawyers “agreed that transparency allowed them to make better decisions about the claims they chose to pursue.”

Curran says his bill makes clear the difference between an expression of regret and an admission of wrongdoing. The latter would still be allowed in court. He says he is not optimistic about the bill’s chances this year. “Eventually, you’ll see some form of this bill passed in Massachusetts,” says Curran. “It makes a lot of sense.” **CW**

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Overexposed

Massachusetts has become a medical imaging mecca, a place where diagnostic scans are fueling cutting-edge medicine—and runaway health care costs

BY JACK SULLIVAN

PHOTOGRAPHS BY MARK OSTOW

GOV. DEVAL PATRICK in April took the unprecedented step of rejecting double-digit rate increases being sought by most of the state's health insurers for their small business plans. It was a popular move politically, but the governor was basically shooting the messenger because he didn't like the message being delivered. He may have even shot himself in the foot because an appeals board within his administration later said the decision was wrong.

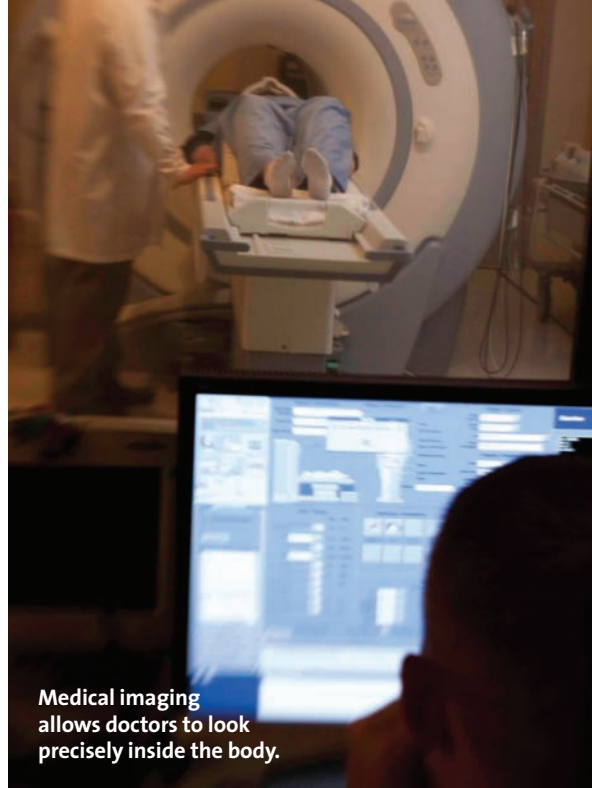
It was another reminder that rising health care costs are not subject to easy solutions. Health insurance rates keep rising because costs keep going up, and one of the biggest cost drivers in Massachusetts is medical imaging, the use of devices such as x-rays, MRIs, CT, and PET scans to take internal pictures of the body. These machines have revolutionized the practice of medicine, but their use in Massachusetts has grown faster than anywhere else on the planet.

Massachusetts, in fact, has become a medical imaging mecca. MRIs, or medical resonance imaging units, cost \$1.5 million or more to purchase and an estimated \$800,000 a year to operate. Massachusetts has 42 MRIs for every million residents, dwarfing the national average of 26, which is already higher than any other country. There are now more MRI units serving the 6.5 million residents of Massachusetts than there are for the 55 million residents of Australia and Canada combined.

At least \$2 billion was spent on medical imaging in Massachusetts in 2008, up more than 20 percent from 2006. After medical procedures, imaging is the fastest growing health care expenditure in the state, exceeding the rate of increase for prescription drugs and administrative expenses.

Medical experts say the explosion in medical imaging facilities is fueling a dramatic increase in scans, many of them unnecessary and, in fact, harmful. Numerous studies estimate that, of the \$100 billion spent on imaging each year in the United States, as much as one-third is wasted on unneeded procedures. Experts also say the overutilization of imaging technology is contributing to radiation overexposure and an increase in cancer, with estimates of as many as 29,000 new cancer cases a year from inappropriate procedures.

None of this was supposed to happen. Nearly 40 years ago, Massachusetts and most other states began regulating the delivery of health care services through a statutory review process. Convinced the normal laws of supply and demand didn't apply to health care, legislators created a Determination of Need program within the Department



Medical imaging allows doctors to look precisely inside the body.

of Public Health, the goal of which was to make sure that expensive health care services like medical imaging were distributed evenly across the state and to rein in costs by eliminating the spread of duplicative and unnecessary technologies and facilities.

But the agency has failed to accomplish its mission. State officials say lawmakers gutted many of the agency's enforcement powers in the early 1990s. Until recently, doctors were allowed to sidestep the agency entirely, in some cases buying their own machines and referring their patients for scans. Regulatory resources have also dried

MEDICAL IMAGING PRIMER

Computed Tomography (CT also known as CAT): A CT scan is a three-dimensional look inside the body that combines x-ray and computer technology to create detailed, cross-sectional pictures. The procedure, which involves more radiation than a regular x-ray, is used for treatment and diagnosis of such things as brain injuries, tumor detection, muscle and bone disorders, and complex fractures.

Mammogram: A low-dose x-ray specifically designed to capture a picture of breast tissue. A more recent development, not widely in use, is digital mammography, which allows a computer to view and manipulate the x-ray image of the breast.

Magnetic Resonance Imaging (MRI): An alternative to CT scans that takes a three-

dimensional image using magnets and radio waves rather than radiation. An MRI is used for detecting chest or abdominal tumors, heart abnormalities, or liver disease. It is also used for pediatric diagnoses where radiation carries a greater risk.

Positron Emission Tomography (PET scan): A radioactive isotope is injected into a patient and then traced by the PET scan to detect cancers and organ function. It can also be used to determine brain function, diagnose heart problems, and find areas of poor blood flow to the heart.

Ultrasound (also known as sonography): An image is formed from sound waves rather than ionizing radiation. A computer captures the sound waves after they are

reflected off body structures to create a picture. Ultrasound is often used for fetal monitoring, to guide a biopsy needle, diagnose thyroid problems, and detect prostate abnormalities.

X-ray: The most common form of medical imaging, x-rays send particles called photons through the body to capture an image. Structures that are dense, such as bone, block most of the x-ray particles, and they appear white in the image. Structures that contain air appear black. Muscle, fat, and fluids will appear as shades of gray in an x-ray image. X-rays are used to determine if a bone is broken, diagnose arthritis and osteoporosis, or locate objects accidentally swallowed by a child.

Source: National Imaging Associates.

up, as the number of employees in the Determination of Need office dwindled from a peak of 25 to just three today.

Even more alarming is the lack of accurate information. The Department of Public Health's radiation control unit, for example, lists 4,500 medical imaging machines that emit radiation at 1,360 facilities across the state, excluding the offices of dentists and veterinarians. But officials don't know what specific machines are at each facility, making it nearly impossible to determine whether more or fewer are needed.

"There is not a centralized database of how many there are," says Dr. JudyAnn Bigby, the state's secretary of health and human services. "This is definitely the problem with our system. We do not have a system of care that is based on identifying needs and gaps and then planning our health resources based on those needs and gaps. Our system is fundamentally based on who can put a service in place and bill for it and justify its service."

A MEDICAL IMAGING EXPLOSION

When Dr. Julian Wu was completing his residency in neurological surgery nearly 25 years ago, the most reliable ways to diagnose and treat patients were often invasive or painful. Wu, a neurosurgeon at Tufts Medical Center, said either exploratory surgery or procedures such as pneumoencephalography, where air is pumped around the patient's brain so x-rays could better detect tumors and other abnormalities, were the only viable procedures available to doctors in his delicate field.

"In the old days, we had to do exploration," says Wu. "You had to do surgery, open the patient to try to find the problem."

But in the late 1980s, the growing use of technology such as CT scans began to revolutionize Wu's field by giving physicians a glimpse inside people without having to subject them to anesthesia and sharp blades.

"Imaging really, really revolutionized the way we can dissect the patient without harming them," says Wu. "You could see things that you couldn't see before. The beauty of having imaging—you can see the anatomy before you do anything to the patient."

Wu and others say advanced imaging such as CT scans and MRIs, which eliminate the radiation exposure to patients, and, most recently, PET scans, which have brought cancer detection and treatment to a higher level, gave doctors a whole new set of data to work with. Small tumors that were often overlooked could be seen before they became big tumors. Vascular lesions that might escape the trained eye of a surgeon could be found on a high-resolution digital image. Cardiac imaging and circulation mapping became more precise. Early onset disease could

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be diagnosed before a patient becomes terminal. Orthopedic surgery treatments could be avoided or at least confined by using scans. In some ways, costs could be controlled or even reduced because less surgery and hospital stays would be needed.

With such obvious benefits, the use of medical imaging exploded. The nation now spends close to \$100 billion a year for medical imaging and that figure is expected to double by 2012, according to a study by the McKinsey Global Institute. In 1994, medical imaging manufacturers shipped \$5 billion of devices to buyers in the United States. That figure is estimated to be \$26 billion this year.

The rapid deployment of the technology is now raising concerns. Since 1980, a typical American's exposure to radiation has increased 600 percent from advanced medical imaging such as CT and PET scans as well as increased use of mammography and x-rays, according to the National Council on Radiation Protection and Measurement. Medical imaging now accounts for more than 50 percent of all radiation exposure in the United States, up from 15 percent in 1980.

In Massachusetts, a study earlier this year for the state Division of Health Care Finance and Policy found that privately-insured outpatient imaging costs increased 26 percent between 2006 and 2008. Less than half of the increase was attributable to cost increases, while more than 60 percent was pegged to the rising number of images taken.

"This is a treatment that can be quite useful," says Stanley Wallack, executive director of the Schneider Institutes for Health Policy at Brandeis University and the study's lead author. The question facing health care officials, he says, is determining "when's the appropriate time to use it?"

As the overall cost of medical imaging has soared, so has the debate about what's driving it. The price for an MRI ranges from \$350 to \$1,400. Most health insurance plans in Massachusetts pay about \$700 to doctor-owned and free-standing facilities. Hospital imaging facilities tend to charge fees toward the higher end of the scale. A report issued earlier this year by Attorney General Martha Coakley, while not specifically mentioning imaging, said hospitals leverage their market power to get favorable payments from health plans. Hospital officials say their higher prices are needed to offset the lower reimbursements they receive for handling Medicare and Medicaid patients.

Local health plans say their imaging costs are rising largely because hospitals are doing more of the scans. According to Blue Cross Blue Shield of Massachusetts, payments for MRIs performed in hospitals rose to nearly half the imaging claims submitted in 2008, up from 40 percent just two years before. At Fallon Community Health Plan, per-member imaging costs increased 33 percent between 2006 and 2009, with 56 percent of imag-



Dr. JudyAnn Bigby, the secretary of health and human services, borrows from *Field of Dreams* to explain the soaring use of medical imaging. “If you build it, people will come,” she says.

ing expenses being paid to hospitals last year.

A growing body of research suggests medical imaging costs are soaring simply because the technology is so readily available. Bigby borrows the theme from the movie *Field of Dreams* to explain the phenomenon. “If you build it, people will come,” she says. “Part of the reason we have this demand is the general public thinks having an MRI when they have a headache or a lower back pain is a good thing. More is not always better.”

Dr. John Patti, a radiologist at Massachusetts General Hospital and chairman of the American College of Radiology, says many patients have what radiologists refer to as “pro-athlete MRI syndrome.” They see reports of tests being routinely performed on an injured sports star and want the same treatment. “Referring physicians want to make sure no stone is left unturned,” says Patti. “That has driven physicians to order inappropriately.”

Doctors also practice defensive medicine, ordering tests and scans that aren’t really necessary but can be helpful in easing patient concerns. Dr. Lowell Rosman, a retired physician from Andover who remains a shareholder in a medical imaging company, says he sometimes ordered scans for patients just to protect himself. “They’ll say, ‘What if it turns out to be a brain tumor, don’t you think we should be sure?’ There’s always the threat of litigation if you’re wrong,” Rosman says. “Sometimes, real-

istically, you can’t say no. It may be difficult to deny them that test.”

Paul Levy, CEO of Beth Israel Deaconess Medical Center, says many medical providers have an infatuation with technology, particularly imaging equipment. “There’s a tendency for academic medical centers to want to have the

There’s a tendency for academic medical centers to want to have the best, latest, highest-resolution medical imaging.

best, latest, highest-resolution medical imaging and to always buy that new machine,” Levy says. “I think we have to be realistic. While some of that is driven by medical necessity, a lot of it is driven by the desire to have the latest and the best.”

Robert Adams, owner of South Carolina-based InMed Diagnostics, which operates 10 freestanding imaging facilities, including four in Massachusetts, is one of the beneficiaries of America’s love affair with medical imaging. He says imaging is among the safest investments one can make in these troubled economic times. “It’s not neces-

sarily recession-proof, but I see it as recession-resistant,” says Adams, a Brockton native who now lives in Florida. “It’s a great field to be in. From a job security standpoint, it’s a growth area.”

FAULTY DETERMINATION OF NEED PROCESS

For the state’s Determination of Need program to work, regulators need to know how many machines are out there and where they are located. They also need to be able to restrict the deployment of new machines in areas where there is sufficient capacity. But that hasn’t happened in Massachusetts, largely because regulators have lacked the resources and tools to do their job.

When the Determination of Need program was launched in 1972, its charge was to regulate hospitals and ambulatory surgical centers that were spending more than set minimums for different types of capital expenditures. While Massachusetts was one of the early adopters of need-based oversight, Congress passed a mandate in 1974 for all states to get on board. The idea was to rein in runaway health costs by having government regulate how health care resources are distributed and to ensure all segments of the population—rich and poor, urban and rural


—had access to care when they needed it.

Congress repealed the law in 1987 and at least 14 states followed suit because the process had become embroiled in politics, with decisions being made as much by connections as need. Massachusetts didn’t do away with its law, but lawmakers did significantly change the oversight guidelines in 1991.

“The whole [determination of need] process was pretty much deregulated back in the early ’90s by the Legislature to basically be one where, quite frankly, the most important factor the DPH is allowed to look at is whether or not the provider who is offering the service can afford it,” says Bigby.

From the outset, one large loophole in state regulations was an exemption allowing physicians to purchase and operate equipment without going through the Determination of Need process. The reasoning was that relatively few doctors could afford to purchase such expensive machines and, if they did, the accessibility and immediacy of a doctor’s machine were in a patient’s best health interests. But, with financing from equipment manufacturers, doctors began purchasing the new and costly imaging technology in greater and greater numbers.

When the Legislature revamped the Determination of



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Need process in the early 1990s, lawmakers tried to close the physician loophole by prohibiting doctor ownership of imaging devices. But they didn't shut the door completely. Doctors who declared their intention to buy an imaging machine were given a "physician exemption letter" from the Determination of Need process, essentially an entitlement to buy one machine sometime in the future. The doctor didn't even have to buy the machine himself; he could sell the letter and the right to own a machine to anyone else. Some sold them immediately; others held on to them like money in the bank until the law was changed again to set a 2008 expiration date for the letters.

There was no limit on exemption letters. The medical director of Shields Health Group, one of the largest imaging companies in the state with 24 sites, obtained 12 exemption letters for MRIs for the company.

Members of Concord Radiologists, a now-defunct medical group practice in Concord, obtained an exemption letter for an MRI machine in 1991. In 2008, a year after the practice dissolved, the letter was transferred to Harbor Medical Associates, a Weymouth practice made up primarily of cardiovascular, internal medicine, family

medicine, and other non-radiology practices. It's unclear whether money changed hands; neither of the doctors listed as president or the CEO of Harbor Medical Associates returned calls.

Joan Gorga, director of the Determination of Need program, says her department uses a licensing process to

One loophole in state regulation was an exemption for doctors from the need process.

regulate new purchases of imaging equipment by hospitals and medical centers, but the agency can do little to prevent an existing license holder from adding more machines. "We may be limiting competition but [operators] can get them through expansion," she says.

Despite the various regulatory flaws, Gorga says the once-rapid expansion of imaging facilities is no longer happening. "That's all pre-2008," Gorga says, drawing a

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line in the calendar for when she says the state began “to ask the tough questions” of applicants.

Gorga says there have been no applications for new MRI or CT units for several years. She says the enhanced oversight her office is now exerting over the application process is a “deterrent” that likely keeps prospective operators from attempting to open a facility where one may not be needed.

But even without new approvals the stockpile of machines keeps growing. According to records obtained by *CommonWealth*, at least 21 MRI units have been added around the state since January 2008, through expansion and physician exemption letters.

Gorga also acknowledges the Determination of Need process is flawed because she doesn’t know how many advanced imaging units are in use in Massachusetts. I reviewed applications and other paperwork going back as far as 1986 and concluded the state has 268 MRI facilities as well as at least 103 CT units, which includes the cutting-edge positron emission tomography (PET) technology used to detect cancer and other diseases in organs. Asked if my number is correct, Gorga says matter-of-factly: “It very well could be.”

SELF-REFERRALS RAISE CONCERNS

Dr. Jonathan Kruskal has been watching the growth of medical imaging for nearly 30 years, since graduating from medical school in his native South Africa. He marvels at the benefits of imaging and how it has helped both doctors and patients. But he’s troubled by a dark underside to medical imaging spawned by the big-money lure of the technology.

As chief of radiology at Beth Israel Deaconess Medical Center, he has watched as a number of doctors, including some at his own hospital, sent patients to imaging facilities where they have a financial stake. Like many in his field, he says the self-referral phenomenon is driving up costs unnecessarily and endangering patients through potential misdiagnoses and overexposure to radiation.

Kruskal says some physicians send higher-paying privately insured patients to imaging centers where the doctors have a financial interest while referring government-paid or indigent patients—who carry a much lower reimbursement rate or even none at all—to hospital facilities. Kruskal would not name names but says “there is a lot of nastiness” because of the money involved.

“It’s immoral and unethical,” says Kruskal. “I’m made aware on almost a daily basis where physicians are own-

ers of CT scans... It’s pretty much out of control. Physicians don’t seem able to police themselves. Something has to be done at the legislative level.”

A 2008 national study by Harvard-affiliated doctors and public health analysts suggested patients were more likely to be referred for medical imaging if they were being seen by a physician with a financial stake in an imaging

‘It’s immoral and unethical,’ says Dr. Jonathan Kruskal.

‘It’s pretty much out of control. Physicians don’t seem to be able to police themselves.’

facility or a colleague of that physician in the same specialty. The study said patients being seen by those types of physicians were as much as three times more likely to be sent for scans than if they were treated by a doctor who refers patients to radiologists for imaging procedures.

“The magnitude of our findings and their consistency with those of other studies suggest that financial incentives may play a role,” wrote the researchers from Harvard and the Institute for Technology Assessment at Massachusetts General Hospital.

Massachusetts is one of 17 states that have no prohibition on physician self-referrals. The most recent effort to regulate self-referral in Massachusetts was legislation filed in 2006 by state Rep. Paul Kujawski, a Webster Democrat. The bill died in committee, but the following year a special legislative commission issued a report bolstering the contention that doctors who had imaging investments were ordering unnecessary scans and, in many cases, rescans because the initial ones were botched or read improperly.

“We learned many doctors were buying second-hand machines and referring their patients to these facilities where they had a stake,” Kujawski says.

In 1992, Congress passed the so-called Stark Law, which prohibits physicians in most cases from being reimbursed if they refer Medicare or Medicaid patients to facilities in which they have a financial self-interest. At least 33 states have passed some version of the law, named for its original sponsor, US Rep. Pete Stark of California, but Massachusetts only prohibits self-referrals by physical therapy services.

Some private insurance plans in Massachusetts have begun to clamp down on medical imaging by requiring preauthorization for all scans, certification of the facility

by the American College of Radiology, or both. The goal is to reduce unnecessary scans by requiring physicians to provide more evidence of why they are needed.

Patti, the American College of Radiology chairman, says the relative minor restrictions on self-referrals are having limited impact. "Minor regulatory changes are like throwing darts at the big elephant sitting in the room. The problem needs to be solved at its core," he says. "Patients may be receiving unnecessary procedures on the basis of a physician's financial interest."

Efforts to speak with physicians who have a financial interest in an imaging facility were unsuccessful. I called 16 practices around the state where physicians own imaging machines, and 15 never returned my calls. One doctor I reached said he would call back, but never did.

Physicians can also acquire a financial interest in an imaging facility through block leases. Under these arrangements, which are difficult to document, doctors pay an imaging facility a set price for a block of time at an imaging facility and then bill their patients or health plans directly for any services provided.

Adams, the InMed owner, says he leased blocks of time to Massachusetts physicians but ended the practice four years ago on the advice of his attorney because it violated updated Medicare and Medicaid prohibitions on self-referral and could adversely impact his ability to remain certified. But he acknowledged it is still likely going on at other facilities, although he says he has no evidence.

"Physicians are always looking for alternative ways to improve their income because it keeps going down," he says, citing lower reimbursements from Medicare and Medicaid as well as pressure from health plans to cut payments.

In Illinois in 2007, the attorney general brought action against 325 doctors who had similar arrangements. But a spokeswoman for Attorney General Coakley said there is no ongoing effort to ferret out similar arrangements here.

Bigby, who supports moving to a system of paying for patient outcomes instead of individual services, says not having a reliable inventory of imaging machines and their utilization precludes public understanding of how the soaring use of the procedures is contributing to spiraling health care costs.

"I think if you asked the American public, 'Would you rather us spend our resources to make sure the state has more MRIs than Canada and Australia combined versus making sure we have enough pediatricians, or orthopedic surgeons or ob/gyns?' I think people would wake up and take notice," she says. "Why is it we have more MRIs than most countries yet we have a primary care physician shortage? Because MRIs pay better and generate more revenue than primary care doctors do." **CW**

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Deval on the defense

An economic downturn and a GOP resurgence complicate the electoral geography for 2010

BY ROBERT DAVID SULLIVAN

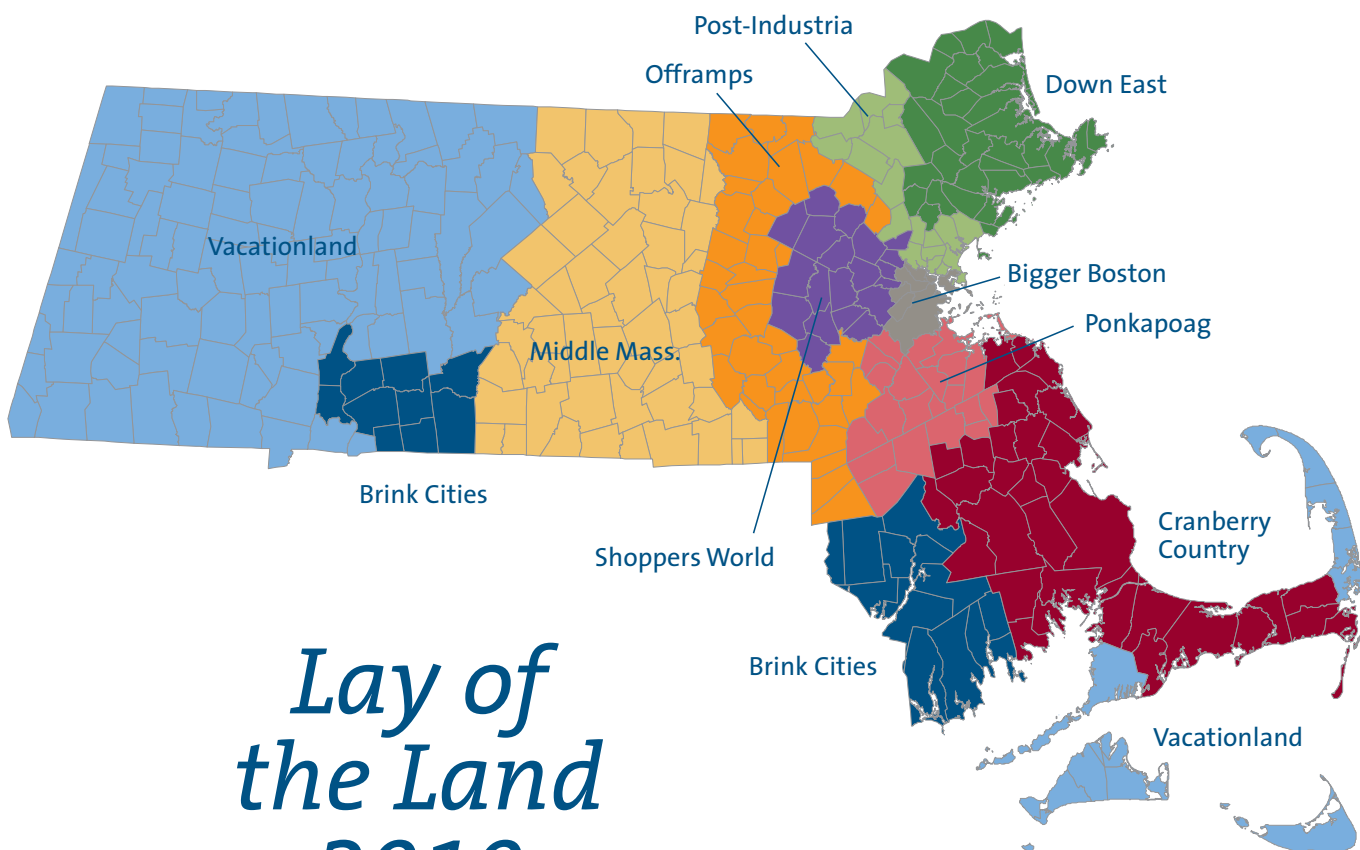
Four years ago, the Democratic Party reached a new apex in Massachusetts with the landslide election of Deval Patrick as governor. And the demographics seemed to portend further happy days, with Democrats doing especially well among growing populations such as non-whites, urban residents, and college graduates. New voters were another source of encouragement, as exit polls in November 2006 gave Patrick a whopping 66 percent among voters under 30. Barack Obama's victory in Massachusetts in the 2008 presidential election seemed to put an exclamation point on the pro-Democratic trend.

But just over seven months ago, the moods of the two major parties in Massachusetts did a complete switch. In January, Scott Brown became the first Republican US Senator to be newly elected from Massachusetts in 44 years, energizing a GOP already encouraged by

Patrick's poor job approval ratings for much of his term.

Brown's victory also seems to have helped set the agenda for this fall's campaign. Instead of running again as the "together we can" progressive who won in 2006, Patrick is likely to

Lay of the Land 2010



emphasize his fiscal discipline following the economic crash of 2008. And his opponents are likely to say that the Patrick administration hasn't been tough enough in downsizing state government.

Conventional wisdom is that the "middle" holds the key to the 2010 elections: middle-of-the-road ideology, voters who don't declare themselves Democrats or Republicans, suburbs with average incomes and educational levels, etc. But election results aren't that simple, as evidenced by the cross currents in *CommonWealth* magazine's 10 political regions in Massachusetts. Both the richest and the poorest communities in the state have driven recent vote swings.

This is our third quadrennial mapping of political trends, in which we divide the state into 10 similarly sized pieces. (See map and go to the end of this article for descriptions of each region. Also see "The Lay of the Land," *CW*, Summer '02, and "Shifting Ground," *CW*, Spring '06.)

For at least 35 years, no one has won an election for governor without carrying at least five of the regions (see chart on page 44). In 2006, each region cast between 213,000 and 233,000 votes, but the goal of drawing 10 regions with roughly equal electoral weight would have produced a much different outcome in, say, 1978, when present-day Cranberry Country had only about half as many voters as Post-Industria—which hadn't exactly earned the "Post" part of its name yet. More recently, Middle Mass. grew the most from 2000 through 2008 (though Post-Industria, perhaps undergoing a population revival, has registered the most births), while Shopper's World is the only region to have lost people (see Chart 2).

Shopper's World, comprising some of Boston's most highly educated and affluent suburbs, was one of seven regions that Mitt Romney carried in 2002 while winning his single term as governor. While Shopper's World had



DEVAL PATRICK can count on Bigger Boston and Vacationland, but he needs to pump up his vote in the Brink Cities, which may have suffered the most during the recession.



CHARLIE BAKER needs to recapture the Mitt Romney magic in Shopper's World and Offramps, full of highly educated suburbs with a history of backing reform candidates.



TIM CAHILL has potential in his home base of Ponka-poag and independent-minded Cranberry Country, but he needs to do well elsewhere to be a serious contender.



JILL STEIN has little chance of catching up to the other three, but a doubling of her 3 percent showing in 2002—and an expansion from her college-town base—could give the Green Party a bit of credibility.

been part of the GOP base for most of the 20th century, it had turned away from the party during the 1990s, when the national version of the party became identified with religious devotion and social conservatism. Romney recaptured the region with an emphasis on efficiency and reform (specifically, warning that the Democratic Party couldn't be trusted to run both the executive and legislative branches) and reversed trends in places like high-toned Sudbury, which went from 37 percent for George W. Bush in 2000 to 58 percent for Romney two years later. His success seemed to confirm that a candidate who was moderate and reformist on fiscal issues and who was liberal (or, in Romney's case, who didn't mind being *assumed* liberal) on gay rights and abortion was the ideal for the Massachusetts electorate.

Yet this year the more forthrightly conservative Scott Brown lost Shopper's World by a wide margin and was still elected senator (again, by carrying seven of our 10 regions). He made up the difference by running surprisingly well in distressed urban areas outside of the Boston economic orbit. Brown, in fact, did better in the Brink Cities, which includes four of the five poorest communities in the state, than any of the Republicans elected governor over the past two decades (if you don't count Bill Weld's re-election in 1994). In Fall River, Brown got 41 percent, well above the 26 percent that John McCain received in the 2008 presidential election (though, because of a much lower turnout, Brown got about 400 fewer votes than McCain did).

Neither Shopper's World nor the Brink

Cities made much of a difference in the 2006 gubernatorial race, as Patrick won them both by almost 2-1 margins and carried every other region except Cranberry Country. But few expect things to go so easily for him this year.

Aside from the Brink Cities region's continued economic doldrums and newfound willingness to vote Republican, Patrick no doubt remembers that he was relatively unpopular among Democratic primary voters there in 2006, getting 43 percent of the vote compared with 50 percent statewide. (Barack Obama didn't do well in the Brink Cities either; Hillary Clinton beat him 66-31 in the 2008 Democratic presidential primary.) And independent gubernatorial candidate Tim Cahill could be a threat in a region that often feels that it gets shortchanged by Beacon Hill. Just ask voters on the South Coast or in Springfield about paying for Boston's Big Dig and then being told there's no money for rail service in the rest of the state. The Brink Cities region gave independent candidate Ross Perot 24 percent of its vote in the 1992 presidential race,

HOW THE 10 REGIONS VOTED IN RECENT MAJOR ELECTIONS

	1990 D-R SILBER VS. WELD	1998 D-R HARSHBARGER VS. CELLUCCI	2002 D-R O'BRIEN VS. ROMNEY	2006 D-R PATRICK VS. HEALEY	2010 D-R COAKLEY VS. BROWN
BIGGER BOSTON	52-45	63-35	63-31	74-20	72-27
BRINK CITIES	57-39	51-47	54-42	60-32	48-51
CRANBERRY COUNTRY	42-55	41-57	36-60	44-44	35-64
DOWN EAST	43-55	44-54	38-57	50-41	41-58
MIDDLE MASS.	50-48	42-57	40-55	54-36	37-62
OFFRAMPS	40-57	38-60	34-61	47-44	37-62
PONKAPOAG	48-50	45-53	43-53	50-38	42-57
POST-INDUSTRIA	50-47	47-52	45-50	53-37	45-54
SHOPPER'S WORLD	41-57	53-46	45-49	60-32	57-42
VACATIONLAND	46-50	51-48	53-41	64-28	56-42
STATE TOTAL	47-50	48-50	45-50	56-35	47-52

and Cahill is clearly hoping that his Perot-like warnings of government overspending (will he associate the Bay State's health care system with a "giant sucking sound," the way Perot said that the NAFTA treaty would ruin the US economy?) can similarly resonate there.

At the same time, this year's Republican nominee, Charlie Baker, may be an excellent fit for Shopper's World. Unlike Romney and 2002 GOP nominee Kerry Healey, Baker is quite explicit about his liberal views on social issues, and his pick of openly gay state Sen. Richard Tisei as a running mate is probably a reassuring sign in places like Lexington and Newton. Then there's Green candidate Jill Stein, who got 5 percent of the vote in Shopper's World the last time she ran for governor, in 2002, and could pull votes away from Patrick this time.

If Patrick gets squeezed at both ends—in the socially liberal suburbs and in the Commonwealth's economically besieged second-tier cities—he can still count on Boston itself, as well as the Vacationland towns in the Berkshires and Pioneer Valley. But there just aren't enough votes in those areas to achieve a statewide victory.

THE DEMOCRATIC PARTY AS SARDINE CAN

Brown's win has encouraged more Republicans to run for the Legislature, in a state that ranked dead last in the percentage of House races that were contested in 2008. (See *State of the States*, CW, Fall '08, and "Ending the One-Party State," CW, Winter '09.) And the GOP easily held on to Brown's state senate seat in a special election in May.

"This is the best chance Republicans in Massachusetts have had to gain ground for more than 20 years," wrote MassBeacon.com's Conor Yunits in March, after crunching the numbers and discovering that Brown, who beat Martha Coakley by only about 5 points statewide, actually won almost two-thirds of the state's House districts.

Why the difference between a small statewide margin and a huge geographic sweep? Because most Democratic votes are packed into a few urban areas. Coakley won the cities and towns that are at least partially within the Route 128 belt by a 57-42 margin, which helps to explain why the Brown phenomenon largely escaped the notice of Boston media outlets until the final days of the campaign. Brown, by the way, won the rest of the state by almost precisely the same margin, 57-43.

Brown's strongest showing in the state was 73.7 percent in the Worcester County town of Douglas, but Coakley got higher percentages in 19 communities—led by Cambridge with 84.1 percent and also including Somerville, Brookline, and Northampton. Coakley carried Boston with 69 percent and, as blogger Chris Lovett calculated, captured over 90 percent of the vote in several precincts in Mattapan and Roxbury.

Flashy numbers for Coakley, but they mean that "Brown territory," where he won with strong if not Soviet-style margins, takes up most of the state. Brown won 239 of the state's 351 municipalities (and tied Coakley in one more). This is similar to the GOP's narrow wins in the gubernatorial elections of 2002 (when Romney won 236 towns), 1998 (Cellucci won 270), and 1990 (Weld won 274).

This geographical asymmetry does seem to have caused trouble for the Democrats over the past few decades. As I wrote in early 2006, they seem to win big in Massachusetts or not win at all—a theorem since supported by the easy wins for Patrick and Obama and the close loss for Coakley. Republicans have the ability to shift geographic bases from election to election, depending on whom they nominate and which issues they want to emphasize, while Democrats always rely on the same few communities to provide the bulk of their vote. (For complete town-level results for gubernatorial elections in 1990, 1998, 2002, and 2006—as well as the 2010 special US Senate election—go to the Maps and Stats page at www.commonwealth-magazine.org.)

This is not necessarily fatal for Patrick, who can theoretically seal his re-election by winning only a few dozen communities. (Brown beat Coakley statewide by about 110,000 votes; Patrick's margin in Boston, Cambridge, and Worcester alone was more than that.) But Massachu-

Most Democratic votes are packed into a few urban areas.

setts is something of an aberration among large industrial states in that an "urban strategy" rarely prevails in tight elections. We haven't had the equivalent of the New York City vs. upstate, Chicago vs. downstate equilibrium in many decades. A Democrat can win here only by reaching deep into suburbia, most often in a northwest direction. And the reason Republicans rarely win big here is that it's been more than 50 years since they lost their lock on the bedroom communities. As Catholic voters emigrated from Boston in the '50s and '60s, Bay State suburbs became more Democratic. Then the "good government" Democrat personified by Brookline's Michael Dukakis (first elected governor in the post-Watergate year of 1974) weakened the GOP's advantage among suburbanites who were repelled by the machine politics associated with Boston—an advantage that Republicans have since been trying to regain by tying Democratic candidates to the less-than-sterling ethics of the state Legislature.

DEVAL PATRICK VS. THE GREEN LANTERN

Though Patrick never totally got over some early-term missteps (like the expensive new drapes in his office), most analysts say that the still-weak economy is the biggest impediment to his reelection. Patrick may be up against what political blogger Matt Yglesias calls the “Green Lantern Theory of Governing.” Essentially, that’s the belief that a chief executive, like a superhero, “can accomplish absolutely anything” if he or she tries hard enough. Or, as the *Phoenix*’s David Bernstein recently put it, “nothing in political history suggests that voters will do anything other than place all credit or blame for economic conditions on the chief executive.”

A poll released by Suffolk University in late May offered some confirmation of this conventional wisdom, with 66 percent of the respondents who felt that the state’s economy is “improving” also saying they approve of Patrick’s job performance—and 72 percent of those who didn’t see an economic improvement giving a disapproving grade to the governor. This phenomenon explains why Baker rolled out the simple campaign slogan “Had enough?” this spring. And if Patrick offers some evidence of economic improvement, Baker will presumably respond, “not good enough.”

Running against the Democratic administration in Washington, Brown did make major gains in areas that were hurt the most by the recession. The biggest city he carried was Lowell, which had an unemployment rate of 11.2 percent last year—well above the state average of 8.4 percent. Outside of cities with large minority populations, such as Brockton and Lawrence, Coakley had a lot of trouble holding on to Patrick votes in communities with high unemployment rates. By contrast, in places that have

weathered the recession comparatively well—which happen to be places where most media professionals work and live—there was little change from 2006 to January 2010. In Cambridge and Somerville, there wasn’t even a slight tremor in the political landscape this winter.

That contrast makes it all the riskier for Patrick to prematurely declare the economy in recovery—especially if he does so from the capital city, which never got the worst of the recession. One danger for the Democrats is a continued fall-off in support from the labor vote, which is stronger outside of Route 128. The CNN exit poll from the 2006 election had Patrick winning 69 percent of all voters living in households with union members. There were no exit polls for this winter’s US Senate election, but a Suffolk University poll taken a few days before the vote had 53 per-

A still-weak economy is the biggest impediment to Patrick’s reelection.

cent of the same group planning to vote for Brown. There is simply no plausible way for Patrick to be reelected if he falls short of a majority among union members.

There is one more cautionary note for Patrick. As of this writing, he had not yet hit 50 percent in any major election poll, but there’s a widespread belief that he can win with a plurality, thanks to Baker and Cahill splitting the anti-incumbent vote. But there are very few examples of

THE BAY STATE’S BELLWETHER

Is there one town that perfectly captures the Bay State political zeitgeist? There are 17 that have voted with the winner in every presidential, gubernatorial, and US Senate general election since 1990. The largest are Falmouth, Braintree, Melrose, and Wakefield. All but the first are older suburbs, not too far from Boston, near or somewhat above the state average in household income and educational attainment. But Melrose and Wakefield are both in the state senate district now represented by Richard Tisei, the Republican nominee for lieutenant governor, which may diminish their predictive value.

Then there is the Offramps town of Ashland, which has been on the winning side of every statewide general election and major-party primary, plus every referendum, since it prematurely voted to ban dog racing in 2000. Highly educated, relatively affluent, and almost entirely white, the town seems to lean Republican. (Patrick got 51 percent here and Brown got 54 percent.) But this fits the recent pattern in which Democrats don’t win unless they make serious inroads into the kind of territory that would be unwinnable for them in many states.

By the way, the longest winning streak as of four years ago was held by Fitchburg, but it knocked itself out of the running by voting for the loser in the 2006 Republican US Senate primary by six votes (141 to 135). —ROBERT DAVID SULLIVAN

a president or governor with low approval ratings getting reelected this way. A credible third candidate did not save New Jersey Gov. Jon Corzine, a Democrat, from defeat last year. At the presidential level, Jimmy Carter and George H.W. Bush still lost bids for reelection despite well-publicized third-party candidates making a play for the anti-incumbent vote. Instead of drawing votes away from Baker, independent Cahill may well get most of his support in November from voters who aren’t fond of Patrick but aren’t comfortable voting for a Republican. Patrick needs to minimize the Cahill vote, and the only way he can do that is to come up with a message that will appeal to the most disaffected residents of Massachusetts—the ones outside of the Boston media bubble.

THE 10 POLITICAL REGIONS OF MASSACHUSETTS

BIGGER BOSTON: Boston, Brookline, Cambridge, Somerville.

The most Democratic region in the state is an outlier in several other ways. Besides being far more densely populated than the rest of the state, Bigger Boston is younger, better-educated, and more diverse than the rest of the state in terms of race, ethnicity, and family structure. It is 56 percent non-Hispanic white, the lowest figure in the state.

It may be hard to believe now, but Republican statewide candidates were competitive here as late as 1990. But with Patrick winning here by more than 3-1, and even Coakley winning by more than 2-1, the only big question about Bigger Boston is how high the turnout will be, and how much of a cushion it will give Patrick.

BRINK CITIES: Acushnet, Berkley, Chicopee, Dartmouth, Dighton, East Longmeadow, Fairhaven, Fall River, Free-town, Hampden, Holyoke, Ludlow, Monson, New Bedford, Palmer, Rehoboth, Seekonk, Somerset, Springfield, Swansea, Taunton, West Springfield, Westport, Wilbraham.

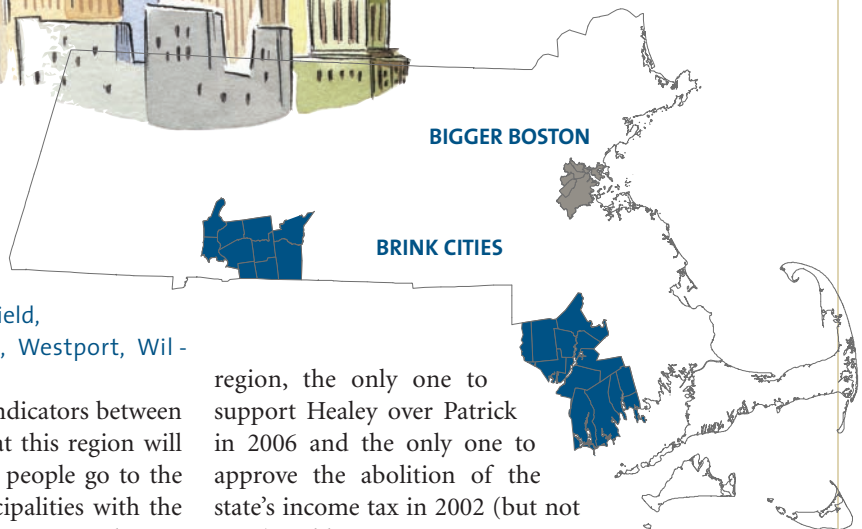
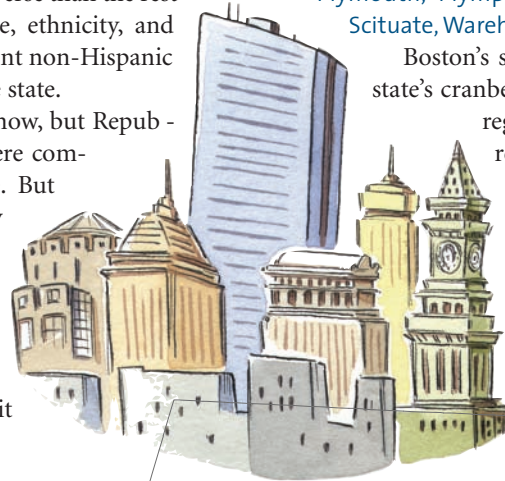
Whatever happens with economic indicators between now and November, it's safe to say that this region will still be in a lot of trouble by the time people go to the polls. It includes four of the 10 municipalities with the worst unemployment rates in 2009. The region also includes Chicopee, the largest community in the state where manufacturing is still the leading employment sector—and the poorest sizable community carried by Brown. (Health care is now the biggest employment sector in the state, and it recently passed manufacturing in New Bedford.) The 2000 Census found that only 17 percent of the population over 25 in this region had college degrees, or only about half the statewide average of 33 percent.

This was the most Democratic region in the state in the 1990 election, when John Silber, a social conservative and economic liberal, faced Republican Bill Weld, a pro-choice tax-cutter. It's generally been more conservative than the rest of the state on referendum questions. (At 61 percent, the "yes" vote for weakening laws against marijuana use was lower here than in any other region.) It was almost a reverse bellwether in state politics—until it helped to put Scott Brown in office. Another recent change: Unenrolled voters now outnumber registered Democrats here, 45 percent to 43 percent.

CRANBERRY COUNTRY: Barnstable, Bourne, Brewster, Bridgewater, Carver, Chatham, Cohasset, Dennis, Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Harwich, Hingham, Kingston, Lakeville, Marion, Marshfield, Mashpee, Mattapoisett, Middleborough, Norwell, Pembroke, Plymouth, Plympton, Raynham, Rochester, Sandwich, Scituate, Wareham, West Bridgewater, Yarmouth.

Boston's southern exburbs, which surround the state's cranberry bogs, made up the fastest growing region in the state during the 1990s. More recently, the region has slowed down in the same fashion as the "sand states" of Arizona and Florida. It is 96 percent non-Hispanic white, higher than any other region.

It is also the most conservative



region, the only one to support Healey over Patrick in 2006 and the only one to approve the abolition of the state's income tax in 2002 (but not 2008). Adding to its anti-tax reputation is that only 18 percent of Cranberry Country's population lives in a municipality that has adopted a local meals levy, the lowest of any region. This should be a cakewalk for the GOP in November, but Cranberry Country was independent Ross Perot's best region in 1992 (he got 27 percent here), which suggests the possibility of Cahill doing well against the ticket of Baker and Tisei, both of whom hail from the far-off North Shore.

DOWN EAST: Amesbury, Beverly, Boxford, Danvers, Essex, Georgetown, Gloucester, Groveland, Hamilton, Haverhill, Ipswich, Lynnfield, Manchester-by-the-Sea, Marblehead, Merrimac, Middleton, Nahant, Newbury, Newburyport, North Andover, North Reading, Peabody, Reading, Rockport, Rowley, Salem, Salisbury, Swampscott, Topsfield, Wakefield, Wenham, West Newbury.

The Down East region has a lot in common, both geographically and politically, with coastal Maine. Both areas were once known as rock-ribbed Republican, but both

have been leery of the national party's shift to the right, especially on social issues. This was Beverly resident Kerry Healey's best region against the more conservative Jim Rappaport in the 2002 primary for lieutenant governor, with her winning by a bit more than 2-1.

Republicans have consistently polled in the mid to high 50s in competitive elections; if favorite son Baker, a resident of Swampscott, pushes that to 60 percent, it's bad news for Patrick.

MIDDLE MASS: Ashburnham, Ashby, Auburn, Barre, Blackstone, Boylston, Brimfield, Brookfield, Charlton, Clinton, Douglas, Dudley, East Brookfield, Fitchburg, Gardner, Grafton, Holden, Holland, Hubbardston, Lancaster, Leicester, Leominster, Lunenburg, Mendon, Millbury,

Offramps is usually in the running for the most Republican region in the state.

Millville, New Braintree, North Brookfield, Northbridge, Oakham, Oxford, Paxton, Princeton, Rutland, Shirley, Shrewsbury, Southbridge, Spencer, Sterling, Sturbridge, Sutton, Templeton, Townsend, Uxbridge, Wales, Warren, Webster, West Boylston, West Brookfield, Westminster, Winchendon, and Worcester.

Middle Mass. lies between the two liberal extremes in the state, the Pioneer Valley to the west and Boston to the east. It was the fastest-growing region from 2000 to 2008, according to Census estimates, with Grafton, Worcester,

and Shrewsbury picking up the highest numbers of new residents.

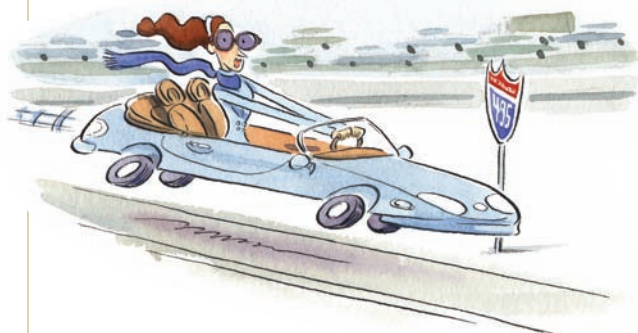
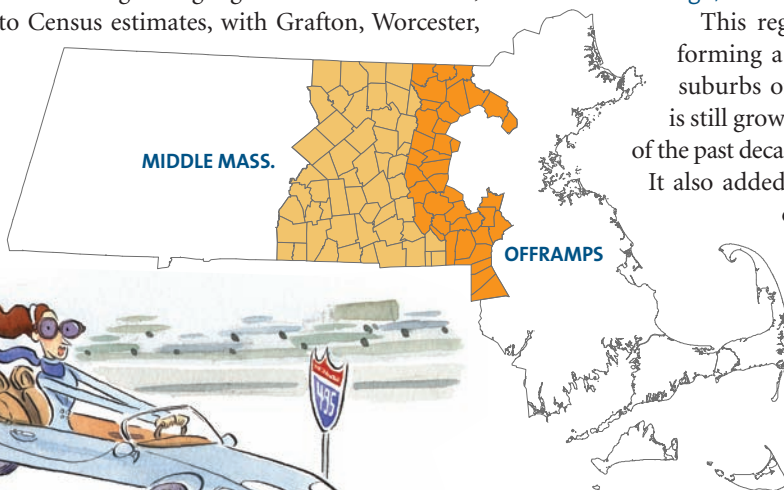
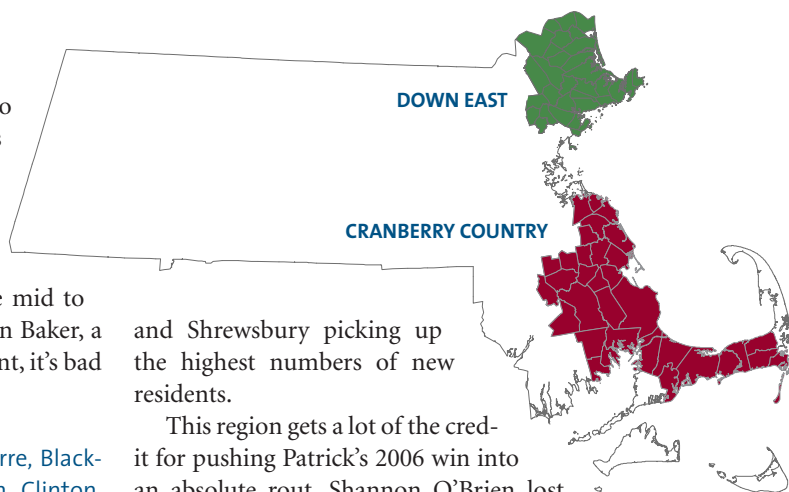
This region gets a lot of the credit for pushing Patrick's 2006 win into an absolute rout. Shannon O'Brien lost Middle Mass. by 15 points in 2002, but Patrick carried it by 18 points four years later. Obviously, having Tim Murray as a running mate helped here (even though primary voters, not Patrick, put him on the ticket). Still, it seems unlikely that the prospect of putting the mostly ceremonial mayor of Worcester into the mostly ceremonial post of lieutenant governor was solely responsible for giving Patrick margins of more than 20 points in Fitchburg and Gardner. Patrick has been careful to devote much of his attention to the state west of Route 128, and if he remains competitive in this region against the eastern-oriented Baker-Tisei ticket, the chances for his reelection will go up considerably.

OFFRAMPS: Ashland, Attleboro, Ayer, Bellingham, Berlin, Billerica, Bolton, Boxborough, Burlington, Chelmsford, Dover, Dunstable, Franklin, Groton, Harvard, Holliston, Hopedale, Hopkinton, Hudson, Littleton, Marlborough, Maynard, Medfield, Medway, Milford, Millis, Norfolk, North Attleborough, Northborough, Pepperell, Plainville, Southborough, Stow, Tyngsborough, Upton, Walpole, Westborough, Westford, Wrentham.

This region mostly runs along I-495, forming a "C" around older and denser suburbs of Boston. This exurban region is still growing, with the highest birth rates of the past decade outside of major urban areas.

It also added more housing units than any other region in 2009, with major new development in Billerica, Northborough, and Tyngsborough.

The political launch pad for both Paul Cellucci and Scott Brown, Offramps is usually in the running for the most Republican region in the state, though it is not necessarily the most conservative; in contrast to Cranberry Country, it narrowly voted to preserve the state's



income tax in 2002. At 59 percent, this region has the highest percentage of voters registered as independent in the state. With statewide Republican registration mired in the low teens, that means any GOP nominee has to win this independent voter trove by a double-digit margin.

PONKAPOAG: Abington, Avon, Braintree, Brockton, Canton, Dedham, Easton, Foxborough, Holbrook, Hull, Mansfield, Milton, Norton, Norwood, Quincy, Randolph, Rockland, Sharon, Stoughton, Westwood, Weymouth, Whitman.

Ponkapoag, named after a pond in the Blue Hills Reservation, consists of the older, nearer suburbs south of Boston—home to many families who moved here from South Boston and Dorchester. Culturally more conservative than the suburbs to the north or west of Boston, this was the only region in the state to vote against a ban on dog racing in 2008. Ponkapoag is also relatively tax-averse, and Brockton is the largest city in the state not to adopt a local meals tax.

If Quincy resident Tim Cahill does well anywhere, it will be in Ponkapoag, where he got 58 percent in the four-way primary for state treasurer in 2002 and 57 percent (his best showing) in that year's general election. Should Cahill's independent candidacy lose altitude, this will be a closely fought region between Patrick, a Milton resident, and Baker, whose party has taken this region in all of its major victories over the past 20 years.

POST-INDUSTRIA: Andover, Chelsea, Dracut, Everett, Lawrence, Lowell, Lynn, Malden, Medford, Melrose, Methuen, Revere, Saugus, Stoneham, Tewksbury, Wilmington, Winthrop, Woburn.

This region, a mostly urban corridor from the edge of Boston to the New Hampshire border, is a mix of the gritty and the gentrified. It has a sizable immigrant community, and its 14 percent Hispanic population is the highest in the state. Four of the 10 communities with the highest birth rates in the state from 2000 to 2008 were in Post-Industria (Lawrence, Lynn, Lowell, and Chelsea).

Politically, it's a closely divided region, but it doesn't have a lot of swing; nothing seems to affect the Democratic edge in Lawrence or the Republican advantage in Wilmington. It has a libertarian streak that befits its proximity to New Hampshire and gave the weakest support (51 percent) to the state's mandatory seat-belt law in 1994. It was Patrick's weakest region in the Democratic primary of 2006 and was labor favorite Tom Birmingham's strongest region in the Democratic primary of 2002. Patrick can afford to lose here, but not by more than a couple of points. Post-Industria's Lowell was the biggest city in Massachusetts carried by Scott Brown, and Patrick needs to win it back.

SHOPPER'S WORLD: Acton, Arlington, Bedford, Belmont,

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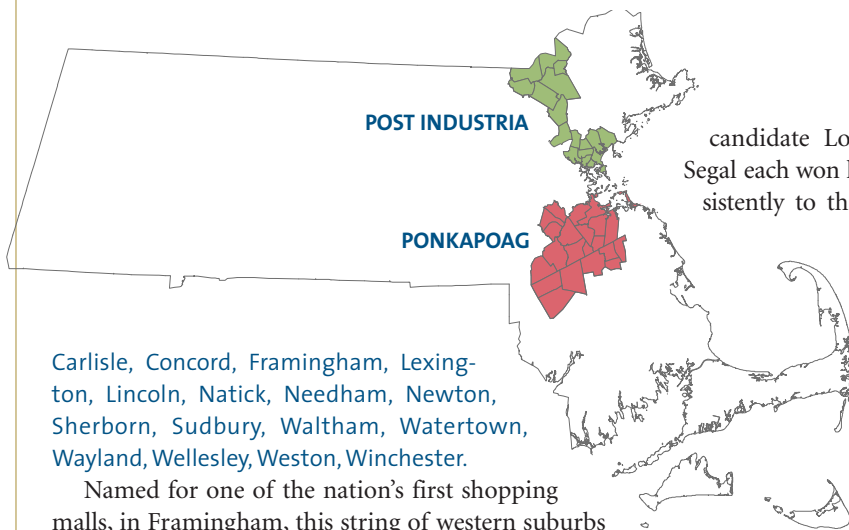
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Shopper's World is often the odd region out in Democratic primaries; in 2002, it hit a trifecta of sorts, as gubernatorial candidate Robert Reich, lieutenant governor

candidate Lois Pines, and treasurer candidate Jim Segal each won here and nowhere else. But while it's consistently to the left of the rest of the state on social issues, it's a little less predictable on fiscal matters and has voted in favor of tax-cutting referenda (if not for the extreme step of eliminating the income tax altogether).

The region includes five of the 10 communities with the biggest decline from Romney's vote in 2002 to the combined votes for Healey and Mihas in 2006: Newton, Framingham, Needham, Wellesley, and Belmont. Unless


he does surprisingly well in poorer urban areas, Baker needs to get a chunk of those votes back.

VACATIONLAND: all of Berkshire, Dukes, Franklin, Hampshire, and Nantucket Counties; plus Agawam, Athol, Blandford, Chester, Eastham, Falmouth, Granville, Hardwick, Longmeadow, Montgomery, Orleans, Petersham, Phillips-ton, Provincetown, Royalston, Russell, Southwick, Tolland, Truro, Wellfleet, Westfield.

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Vacationland leans to the left but also views Beacon Hill with suspicion. This is where

you'll find the occasional secessionist movement (Martha's Vineyard and Nantucket made noises about leaving the state after losing legislative seats in the 1970s) and self-reliance schemes (Berkshire County has its own currency, in addition to US tender: <http://www.berkshares.org/>). It's also where you'll find fewer people than you used to, and it had the lowest birth rate of any region over the past decade.

Once a Republican stronghold, Vacationland has become much more Democratic in recent years, undoubtedly due to social issues (Census data suggest a large gay and lesbian population in the region) but also because western

Massachusetts has often looked to the state for help with its sluggish economy, whether through better Internet connections or through tourist initiatives. (And at least one experiment, the state-seeded Massachusetts Museum of Contemporary Art in North Adams, is considered a success.)

Patrick, who maintains a sprawling second residence in the Berkshires ("Taj Deval" to critics) was extraordinarily popular here in 2006, winning 65 percent in the Democratic primary and 64 percent in the general election. If the election is close, he'll be counting not only on Boston but on some of the state's smallest towns to put him over the top. **CW**

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Just plain ugly

BY BRUCE MOHL

PHOTOGRAPHS BY MARK MORELLI





The Harbor Garage occupies a key spot on the Rose Fitzgerald Kennedy Greenway. Behind the garage are the two Harbor Towers buildings and to the left, partially hidden, is the New England Aquarium.

Everyone agrees the Harbor Garage is unattractive, a blight on the Rose Fitzgerald Kennedy Greenway and the harborfront. But getting to yes on redeveloping the site hasn't been and isn't going to be easy. The problem has been reduced to a punchline: It's personal. The developer, Don Chiofaro, and Boston Mayor Thomas Menino don't get along. But the soap opera over the garage on the Greenway is about much more than personalities. It's about the future of the Greenway, the waterfront, and Boston's DNA.

Bill Pedersen is a principal at Kohn Pedersen Fox Associates in New York, a powerhouse architectural firm known for designing tall towers across the globe. He personally oversaw the design of the Shanghai World Financial Center, which looks a lot like a bottle opener, and, at 1,614 feet, is one of the tallest buildings in the world. So when Pedersen was hired by Boston developer Don Chiofaro at the end of 2007 to come up with a design for a building to replace the Harbor Garage, he wasn't afraid to think big. He says he experimented with a variety of designs. Some went as high as 1,000 feet. One had what he calls "international overtones," architecture-speak for flashy and contemporary. But when he shared that idea with officials at the Boston Redevelopment Authority, they weren't keen on it. "They said they wanted it to look like a Boston building," he says.

But what does a Boston building look like, he wondered? Is it the sleek, mirror-like façade of the John Hancock tower in the Back Bay? The washboard look of the Federal Reserve Bank building across from South Station. Or the elegant brick of Rows Wharf just a short walk down the Greenway from the Harbor Garage site?

Pedersen says the emblematic structures of Boston are its town houses in the Back Bay and Beacon Hill and the brick walls of many of its buildings and warehouses. He finally settled on a design that featured two towers, one slightly higher than the other, with the north and south faces covered with terra cotta, a type of masonry that has a brick-like appearance. The BRA's chief planner, Kairos Shen, was intrigued by the design, but felt something was still missing, so Pedersen went back to the drawing board and came up with a design that used terra cotta strips to form a soaring arch between the two buildings.

The new design was shown to Shen and BRA Director

John Palmieri in early July 2008. They generally liked what they saw, according to a letter Chiofaro later wrote to Palmieri. "You will recall that the design was received enthusiastically by you and Kairos. You said we were 'almost there' and Kairos indicated we were within 10-15 percent of meeting his expectations." Chiofaro says Shen wanted the overall height reduced a bit (it was then at 775 feet) and wanted a scale model of the design built (at a cost of \$10,000) so it could be placed inside the BRA's larger model of the city and seen in context.

A week later, Chiofaro, his partner Ted Oatis, Pedersen, and a number of their associates returned to City Hall with two models showing slightly different designs. Chiofaro says Shen and Palmieri were enthusiastic, with Shen calling the design "iconic." Pedersen, choosing his words carefully, offers a different take. "I'm not saying they were jumping

'I'm not saying they were jumping up and down, but we were making progress,' Pedersen says.

up and down, but we were making progress," he says. "They felt it was moving in a positive direction. There was even talk of bringing it to the mayor."

But then, Pedersen says, "the screen went blank." There was no meeting with the mayor and the project was essentially put on hold pending the completion of a planning study for the entire Greenway, which had been announced in May. BRA planners also began signaling that tall buildings on the water side of the Greenway would not be acceptable. In February 2009, with the Greenway study still



At 10 a.m., the shadow of the Harbor Garage covers the Greenway but is beginning to disappear. With a much taller building, the shadow would remain until noon. In the afternoon, the taller building would cast shadow on Long Wharf, the aquarium, and the harbor.

far from finished, the mayor made clear what he thought. “The chance of Don Chiofaro building [it] is about as likely as an 80-degree day in January,” he told the *Boston Herald*. “It’s too big. His chances are slim to none.”

THINKING BIG

Don Chiofaro likes to think big. It’s part of his DNA. He bought the Harbor Garage because he wanted to make a skyline statement. He wants to tear down an eyesore along the city’s new front yard and transform it into a glittering symbol of Boston, complete with a hotel, office space, and condominiums. He says his project will pump new life into the Greenway, provide greater access to the harbor and the aquarium, and generate millions of dollars of new tax revenue for the city. Ever the showman, he put a big red X on the Greenway side of the garage to show the size of the glass-enclosed opening between his two proposed

towers that would provide a view toward the harbor.

Chiofaro and Oatis paid \$153 million for the garage in 2007. The mayor and other critics say they overpaid by close to \$30 million and are now trying to build big to recoup their unwise investment. Oatis finds that insulting. “What we’re trying to do is the right thing. It’s what the city needs,” he says. As for overpaying, he says he and Chiofaro didn’t even submit the highest offer during the first round of bidding. Oatis says the highest bid in the first round was \$150 million, followed by Chiofaro at \$148 million, and three others who were bunched in the \$145 million to \$147 million range.

The garage appears to be a cash cow. It has 1,400 parking spaces and anyone who parks longer than 80 minutes pays \$35. Oatis says the garage generates an operating profit of \$8.5 million a year. To redevelop the site, Chiofaro and Oatis say, they need a building or buildings that would generate enough revenue to offset the loss of the annual

parking income and the cost of burying the existing 1,400 spaces underground. They say it would cost about \$100,000 per space, or about \$140 million, to put the garage underground. To make the numbers work, Chiofaro says he needs to build high, at least 520 feet, according to one study he had done.

But the city is not interested in such a tall building at the Harbor Garage site. As this story goes to press, the city's planning study for the Greenway is headed toward final approval with a 200-foot limit on any building on the site. That's 45 feet higher than the existing zoning allows, but well below what Chiofaro says he needs to move forward.

During a series of interviews at their offices on the 46th floor of One International Place, a two-tower project they completed in 1992, Chiofaro and Oatis say they feel betrayed by the BRA. They say agency officials repeatedly offered encouragement, and then pulled the rug out from underneath them. "They forgot what their job is," Chiofaro says of the BRA officials. "They went from being an economic development agency to being a tool of the fifth floor," he says, referring to the City Hall location of the mayor's office.

Chiofaro and Oatis aren't sure what to do now. They are working on a new building design, but they vacillate between talking tough and making nice, as they have

throughout the city's review process. Early in 2008, for example, Chiofaro wrote an article for the *Boston Business Journal* as word began to spread of his ambitious plans for the Harbor Garage site. He urged Bostonians to keep an open mind, condemning the "negativism inherent in our collective character" and our "can't-do attitude." One BRA official emailed a copy of the article to Shen, the city's director of planning, with a note saying "his helmet is on," a reference to Chiofaro's days as a middle linebacker at Harvard.

During the latter half of 2008 and much of 2009, Chiofaro and his building plans were often under fire. The *Herald* quoted one anonymous City Hall source as saying Chiofaro was "annoying" and had a "tin ear." Menino, running for a fifth term, told *CommonWealth* during the summer of 2009 that it's not his job to make Chiofaro a "gazillionaire." Yet Chiofaro held his tongue. He told *CommonWealth* he had enormous respect for the mayor and hoped he would come to appreciate the jobs and benefits his project would bring. He even sent City Hall officials a picture of himself dressed as a tin man and signed some emails to BRA officials as "Tin Ear."

But in April, with the Greenway study recommending a 200-foot limit at the garage site, Chiofaro strapped his

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1846 First public demonstration of ether use during surgery

— *Massachusetts General Hospital*

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— *Massachusetts General Hospital*

1929 First use of iron lung to save polio victim

— *Brigham and Women's Hospital*

1954 First successful human organ transplant

— *Brigham and Women's Hospital*

1962 First successful surgical reattachment of severed limb

— *Massachusetts General Hospital*

1984 First heart transplant performed in New England

— *Brigham and Women's Hospital*

1993 Discovery of genes responsible for Huntington's disease and inherited ALS

— *Massachusetts General Hospital*



1998 First successful transplant of kidney with bone marrow, removing long-term need for anti-rejection drugs

— *Massachusetts General Hospital*

2003 Development of CRP test to predict risk of heart attack and stroke

— *Brigham and Women's Hospital*

2004 First quintuple lung transplant performed in the U.S.

— *Brigham and Women's Hospital*

2008 Development of microchip device to detect rare, minute cancerous tumor cells in bloodstream of cancer patients

— *Massachusetts General Hospital*

2009 Partial face transplant, only the second ever in U.S.

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Don Chiofaro, at left, and Ted Oatis on the roof of the Harbor Garage, with their other building, One International Place, in the background at left.

helmet on again. At a press conference in the lobby of International Place, he called the Greenway study a “charade” and accused Menino of manipulating the process. Menino fired back that Chiofaro was just trying to line his pockets. “It isn’t about making money,” Menino told *CommonWealth*. “It’s about how it affects the city. We have rules and regulations for the Greenway, and one person can’t changes those rules and regulations.”

Less than a week later, with many in the development community wondering whether his attack on the mayor was essentially an acknowledgement that he had given up on his project, Chiofaro was trying to make nice again. “I think we have had enough of this back and forth,” he suggested in a note to the mayor. He added a postscript about butting heads with Fred Salvucci, the state’s former secretary of transportation, when he was building International Place. Chiofaro said he and Salvucci eventually found common ground and are friends today. “I think you and I can have the same result,” he wrote.

BOSTON’S DNA

Kairos Shen says he would love to get rid of the Harbor Garage. In fact, he calls it a high priority for the city. But, like a character out of *Roshomon*, his recollection of his

dealings with Chiofaro about redeveloping the garage are very different from those of the developer. Shen says he did want a building that exemplified Boston, but he denies giving the impression that Pedersen’s designs were gaining traction with city officials. “I think he heard what he wanted to hear,” Shen says of Chiofaro.

Under the state’s Public Records Law, *CommonWealth* reviewed all BRA emails and correspondence dealing with the Harbor Garage. Surprisingly, the review found almost nothing of substance. It’s as if BRA officials never discussed the project internally, at least in memos or emails. When Chiofaro and Oatis sent BRA officials letters and emails characterizing their past meetings as positive, the officials never disputed them.

During an interview in his ninth floor corner office at City Hall, Shen sets the record straight. He


says Chiofaro uses economic feasibility as a club, saying the garage won’t get redeveloped unless the city lets him do essentially whatever he wants with the site. “They want to turn Boston into Shanghai,” he says, a reference to

It’s as if BRA officials never discussed the project internally, at least in emails or memos.

Pedersen’s design of the Shanghai World Financial Center. “It’s a spectacular building, but it’s not Boston.”


Shen says he wants people approaching the Greenway from the west to feel like they are nearing the harbor’s edge. He doesn’t want tall buildings obstructing their view or creating a canyon-like effect along the Greenway. He says he doesn’t want the Greenway to feel like Park Avenue in New York.

At a computer, Shen shows me the added shadows that would result from just a 400-foot project on the Harbor Garage site. He says shadows from the building would cover the Greenway until nearly noon, roughly two hours longer than with the current 75-foot-high garage. The



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Greenway would then be free of shadows for the rest of the day, but the shadows from the building would pivot north and then east as the sun moves west. Shadows from the building would initially cover the small park next door, then gradually extend to Long Wharf, the aquarium, the harbor walk, and the water itself.

Ian Bowles, the state's secretary of energy and environmental affairs, issued notice in July 2009 that Chiofaro's proposal would require an environmental impact report. His notice stated that Chiofaro's development proposal at that time was not in compliance with most state and local permitting requirements, including provisions requiring that 50 percent of the site be open space and that there be open-air access between the Greenway and the waterfront.

But Bowles indicated that many of these requirements could be modified if the city, the state, and the developer were amenable. Bowles called Chiofaro's project "an iconic development" and suggested it deserved serious exploration. "The redevelopment of this parcel, which seeks to replace a structure that was suitable for a building in the shadow of an elevated highway with something more appropriate to a landmark public space created by substantial public investment, is emblematic of the transformation that is both possible and necessary to fulfill the vision of the Greenway," he wrote.

Shen doesn't agree. He says Chiofaro's vision for the Harbor Garage site is not what the city or the Greenway needs. "I'm not a person who wants Boston to stay the same, but I want it to evolve within its genetic code," he says. "I can see the future, but I'm respecting the past. (Chiofaro) wants our DNA to be transformed into the super cities in Asia."

He says he prefers a building like Rows Wharf which, with its circular cutout in the middle, has become the signature building on Boston's waterfront, the one photographers center on when shooting Boston from the harbor-side. Rows Wharf is brick and its height varies, but at no point is it higher than 200 feet. "It's the right scale," Shen says. "The DNA is Boston."

But Shen makes one other point about Rows Wharf: Its developer, Norman Leventhal, didn't make any money building it.

STATUS QUO SUITS ABUTTERS

Bud Ris runs the New England Aquarium, but since he doesn't work directly with the fish, his office is located on the other side of the Greenway on Milk Street. From his fourth-floor office window, he can see the aquarium, but it's partially hidden behind the Harbor Garage and a clump of trees in a park next door to the garage that was built by a foundation backed by Edward Johnson III of Fidelity Investments.

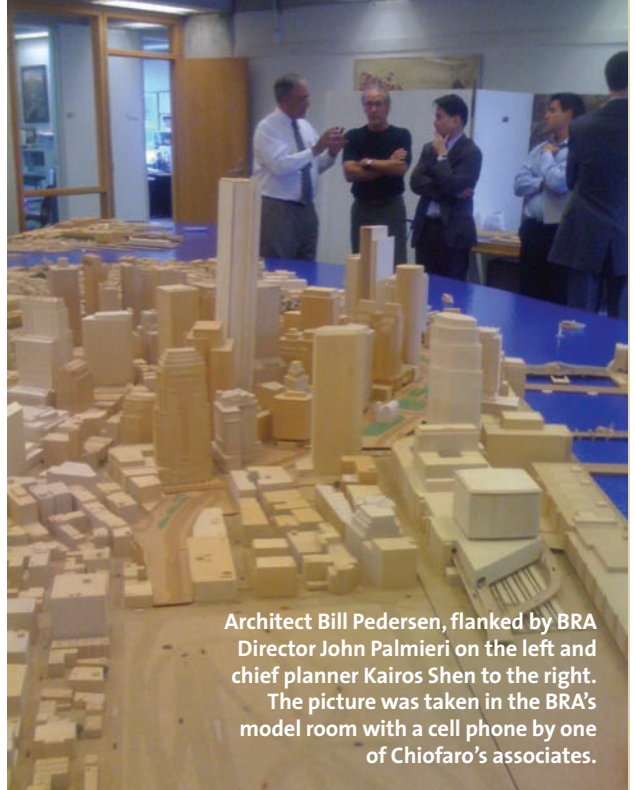
Ris won't say it, but the doorstep of the aquarium, which

attracts 1.3 million visitors a year, isn't very attractive. The aquarium looks like it's in hiding.

The debate over the redevelopment of the Harbor Garage has largely been portrayed as a clash between city and developer, but abutters to the garage have also played an important role. They, too, would like to get rid of the garage, but they have so much invested in the garage that they are wary of change. It's one of the reasons reaching a resolution on the Harbor Garage property is going to be difficult, if not impossible.

Many of the residents at Harbor Towers, who lease parking spaces in the adjacent Harbor Garage, are strongly opposed to Chiofaro's project. They live in 400-foot towers that would not be allowed today under the proposed Greenway district height guidelines. Their towers cast unwanted shadows on the Greenway and the surrounding area. Yet they vehemently oppose another tall building next door, particularly one that would rise even higher, obstruct their views, and disrupt their lives during construction.

"I've lived at Harbor Towers since 1984," wrote Eileen Cavanagh in a letter to the BRA. "It looks like my home here will lose its privacy, its view, and, consequently, a good deal of its value."



Architect Bill Pedersen, flanked by BRA Director John Palmieri on the left and chief planner Kairos Shen to the right. The picture was taken in the BRA's model room with a cell phone by one of Chiofaro's associates.

Ris has seen drawings produced by Chiofaro that open up the area and make the aquarium a focal point. The drawings incorporate some property belonging to the aquarium and eliminate the park adjacent to Chiofaro's site. Ris likes the result, but isn't sure how it could be

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accomplished. He also worries that any redevelopment of the Harbor Garage will be costly for the aquarium. “We have a lot at stake in this issue,” he says.

The aquarium rents ground-floor space on the back side of the garage for classrooms. Of its 1.3 million annual visitors, close to two-thirds drive and many of them park in the Harbor Garage. Ris is transforming the area in front of the aquarium into a more inviting space, opening a restaurant and laying plans to erect a large, high-definition outdoor screen on the side of the IMAX theater to help entice people inside.

The aquarium has dug itself out of a financial hole over the last few years and is in the midst of a \$40 million fundraising campaign. Ris worries that the aquarium’s progress could be undermined if Chiofaro begins construction and the noise, dust, and confusion over a period of several years negatively affects attendance. Choosing between change or status quo is an easy call for Ris. “For the moment,” he says, “the garage works for us.”

GETTING IT RIGHT

The BRA is one of the few agencies of its kind in the nation, a city planning agency that also handles economic devel-

opment. The joint mission means BRA planners aren’t just developing wish lists; they plan with the economics of development in mind. This dual role of the BRA was a hot issue in the campaign for mayor last year. Menino’s opponents thought the two functions should be separated, in part because the agency was viewed as too powerful.

Chiofaro’s sales pitch is geared to both the planning and economic development branches of the agency, but the economic development component is dominant. As Chiofaro said in a letter to Palmieri, “We have two choices. We can leave the garage as the eyesore that it is, blocking access to the water and impeding wayfinding for the aquarium, or we can build a substantial mixed-use transit-oriented project that will activate the Greenway, drive more visitors to the aquarium, and serve as an economic driver for the city. The Greenway is currently underutilized. The economy is slow. We have an opportunity to transform an eyesore into an icon.”

It’s an appealing argument, particularly when the Greenway is still trying to find its legs, Downtown Crossing is marred by a hole in the ground, and many office buildings are nearly empty. But planning officials at the BRA, perhaps taking their cue from the mayor, ultimately carried the day. They decided an ugly garage was better than

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a big development that could negatively impact the Greenway and the waterfront.

"We are potentially missing a large opportunity," Shen says. "But it's one of the most important sites in the city. We want to make sure we get it right."

Shen says it may take a long time before the value of the Harbor Garage property rises enough to make it economically feasible to tear down the garage and redevelop the site with a 200-foot height limit. He holds out hope that the wait may be short, noting that people once said the Post Office Square garage would never be torn down. Today, the garage is underground and a widely-acclaimed park sits on top of it.

"I guarantee you, in 10 years or 20 years time, parking spaces may not have the same values they have today," Shen says.

Matthew Littell, a principal at the Toronto firm hired by the BRA to do the Greenway study, said in one email to BRA officials that their hopes for the Harbor Garage site and area may not materialize quickly. "If Chiofaro represents what the market wants, and if he continues to control the site, then none of what we are showing is likely to happen any time soon," he wrote.

Chiofaro and Oatis have scrapped their earlier design

proposals and are now working on a new one that will be no higher than 615 feet to accommodate concerns raised by officials running Logan Airport. They haven't given up, but it's hard to see how they can make the numbers work. And BRA officials are already tuning them out. In an April 23 letter to Chiofaro, BRA director Palmieri wrote that "your discontent with the outcome of the public process does not mean that the process itself was illegitimate." He said he did not expect to "allocate any more staff resources to responding to the extraneous matters raised by your ongoing letter-writing campaign."

Vivien Li, executive director of the Boston Harbor Association and a savvy observer of the Boston scene, knows both sides of this dispute well. She's an advocate for the harbor and close to both the mayor and Chiofaro, who is a financial supporter of her organization. After all the studies and public meetings and all the claims that the process dictated the Harbor Garage outcome, her take is that Menino made the final call.

"I don't think it is about the personalities," she says. "It is about the legacy. I think the mayor feels the Greenway is very much his legacy. The mayor feels he is the unofficial guardian of the Greenway now that Ted Kennedy is no longer here." **CW**



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The Wage sage

From his perch at Northeastern University, Andrew Sum draws together data on everything from job and income growth to educational attainment to help us understand what is happening to American families and why. These days it's not a pretty picture.

Labor market and income statistics can be pretty dry stuff —until it's in the hands of Andrew Sum. The director of the Center for Labor Market Studies at Northeastern University gets positively worked up over the world of work.

After getting his doctorate in economics at MIT, Sum landed at Northeastern in 1971 and has been there ever since. In 1978, he founded the labor market studies center, which has become one of the most widely cited sources nationally for information on what's taking place in the labor market.

Recently, Sum and his colleagues have been highlighting the alarming collapse of the youth employment market and the particular toll the recession has exacted on men. He has also looked at the third-rail issue of immigration with an even-keeled approach that has highlighted the contributions of newcomers to the US and Massachusetts eco -

PHOTOGRAPHS BY FRANK CURRAN

nomies, but has not shied away from documenting the negative impacts of immigration on youth employment and the low-skills labor market.

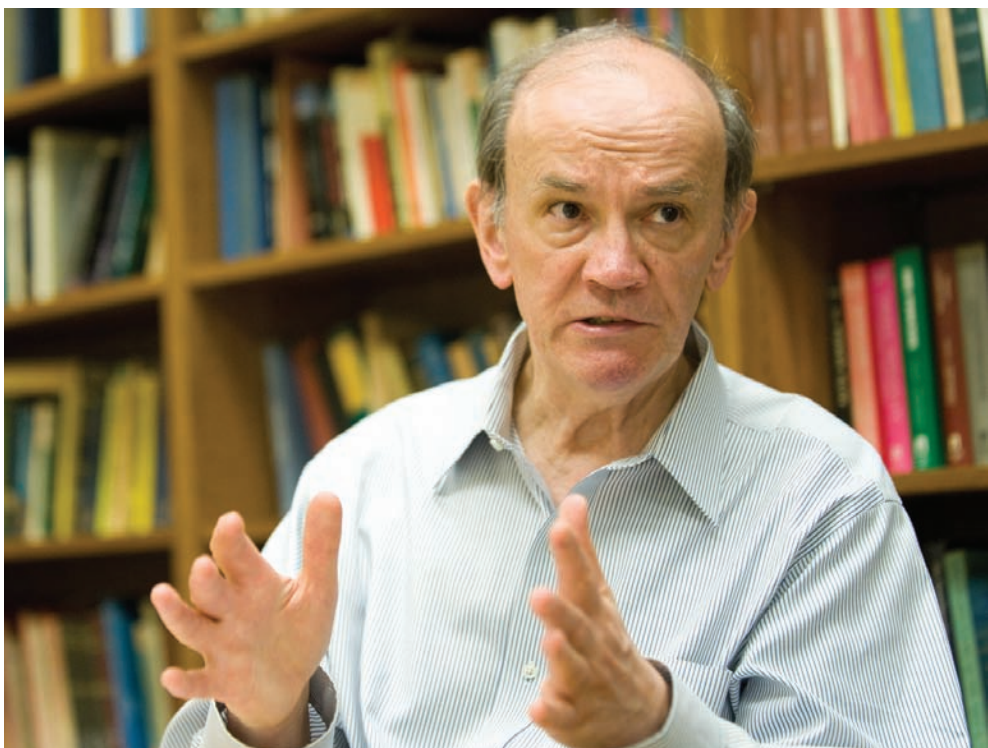
At MassINC and *CommonWealth* magazine, we're particularly familiar with Sum's work. He and his colleagues at Northeastern have carried out several of MassINC's most important research projects, including the inaugural report at the organization's founding in 1996, "The State of the American Dream in New England."

The shelves in his office—and more than a few spots on the floor—are packed with reports and books that reflect Sum's wide-ranging interests. Most relate to economics and workforce issues. But alongside texts on macroeconomic theory are such volumes as Albert Camus's *The Myth of Sisyphus* and *50 Best Plays of the American Theatre*, handy reference material for someone who likes to weave literary and historical references into presentations on labor markets and wage trends. And he has a penchant for metaphor that seems tailored to the season. Remarking on the anemic job growth in Massachusetts, despite the great assets of a highly educated workforce and an innovation-rich, entrepreneurial culture, he says, "Massachusetts has the best uniforms, but we can't even get a bunt single."

A son of working-class Gary, Indiana, the 64-year-old researcher comes at the issues of work and economic security with a passion born of his upbringing in a proud union town that has witnessed how economic convulsions can undo the fabric of communities and families. With an equal devotion to data and to the human faces behind the figures, Sum is an economist who manages to speak with his head and heart.

"There's nothing dry about Andy's work within what's sometimes called 'the dismal science,'" says Neil Sullivan, executive director the Boston Private Industry Council, a workforce development and education nonprofit that Sum has done studies with for more than 20 years. "He offers facts, figures, and a story that makes them all hang together. He creates stories with data that become our understanding of the labor market and the challenges facing the country."

I sat down with Sum at his office at Northeastern to hear some of those stories. What follows is an edited transcript of our conversation.



—MICHAEL JONAS

COMMONWEALTH: We're trying to climb out of this recession that's been called the worst economic hole we've been in since the Great Depression. You've called it the Great Recession. What's been the job loss to Massachusetts and the national economy?

SUM: We've had higher unemployment rates than we've got now, but what makes it different is the fact that there are so many different dimensions to the problem besides the job loss. Before the recession, unemployment was running at about 4.7 percent. We doubled the unemployment rate in just a little more than two years. The rapidity with which that rate went up is shocking. What's also made it so much different is that it's so hard for anybody who's unemployed to get reemployed. So, as a result, the length of time people are out of work has risen considerably. During the first four months of this year, the mean duration of unemployment here was about 35 weeks. That's the longest duration we've had since the end of World War II. Nationally, you've got over 4 million people that have been out of work more than 27 weeks, and we've now got this all-time high of people out of work over a year.

You've also got this problem of a record number of people who are what we call underemployed. They're working only part time even though they want full-time jobs, and this growing number of people who quit looking for work—what we call the hidden unemployed. There's about 6 million people like that nationally. Finally, and this primarily affects people under 30, there is a group we call the mal-employed. They are working full time, but holding a job that doesn't require the degree they have. A lot of young college grads are holding jobs, to be honest with you, that

I could have filled when I was in high school.

CW: Just this morning the state announced that May was the fourth straight month of job gains here. They said we added about 16,000 jobs for that month. Sounds like good news.

SUM: That was a good month for the state. We've had two months that have been reasonably good. I think it will be hard to replicate that. If you look back, we're still down 240,000 jobs below where we were in 2001. We have the fifth worst job creation record in the country. If you take it back to 1988, we are up only 13,000 [net] jobs from where we were 22 years ago. Back in 1984 in Massachusetts, we were making a recovery back to full employment faster than just about any other state in the country. That year we created 140,000 jobs. We created the equivalent of 13,000 a month, and that's how many we've created in the last 22 years.

CW: You've really been sounding the alarm on the big gender differential in the impact of the recession, the disproportionate toll it has taken on men.

SUM: This is really bad. We were the highest in the entire

country in terms of the ratio of male job loss from the end of 2007 through the end of 2009. There was nobody close to us.

CW: What explains it?

SUM: Take a look at the sectors where we lost jobs: Construction, manufacturing, transportation. Those are the sectors where men have constituted a strong majority of workers. Construction is still 90 to 95 percent men. If you were a blue-collar woman, you also lost. But there are a lot fewer blue-collar women. Finance, where a large number of men are employed, also took a beating.

CW: There were hits higher up the earnings ladder, too, weren't there?

SUM: Males with bachelor's degrees also lost jobs. The only men that were protected were those with master's degrees or above. Among women, however, you had a different picture. During this recession, several sectors that we're strong in added jobs: health, social services, education. Who holds those jobs? The overwhelming majority are held by women. Employment among college-educated

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Policy recommendations will be generated throughout the day to develop a post-conference policy and action agenda. For further information, contact Marcia Hohn, Director of Public Education at The Immigrant Learning Center (mhohn@ilctr.org).

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CONVERSATION

women went up. So in Massachusetts, women's employment rose during the recession. Men accounted for 165 percent of the job loss.

CW: How do you explain a 165 percent job loss?

SUM: If you're at 100 percent it means you account for all the job loss. But 165 percent means you not only lost all yours, but women gained.

CW: You've done a lot of work over the years, including reports for MassINC, that looked broadly at the Massachusetts economy, the workforce here, and, as several of our reports put it, the state of the American Dream. We're a decade into this new century. Where do things stand compared to where we were 15 or 20 years ago in terms of the pursuit of the American Dream?

In 2008, for
the first time ever,
over half the births to
women under 30 in
Massachusetts were
out of wedlock.

SUM: If you went back to 1989, on just about every measure we did well: job creation, low unemployment, family income rising across the board, even among families headed by dropouts. We outgrew the country by a large margin. The income distribution did not grow that much more unequal. Gains were widely shared. Our teenagers worked at among the highest rates in the country. We had the best-educated workforce. We looked like the wave of the future.

CW: But things look very different today?

SUM: Yes. If you look in general at states and ask who does well over the long haul, you generally find the better educated you are and the more literate you are, the better that state tends to grow, both productivity-wise and jobs-wise. So why are we at the bottom in job creation? I don't know the answer to that. There are those people that argue that we're not cost competitive, whether it's labor or utility costs.

CW: How about housing?

SUM: Housing costs do hurt us. But why is it that new firm creation is doing so poorly in Massachusetts given

our capacity to innovate? We end up with a large number of patents. A fair amount of R&D. It all shows up everywhere except runs scored. I've said Massachusetts has the best uniforms, but we can't even get a bunt single [in terms of job creation]. Back in the early '90s, there was a tendency to say we're not interested in smokestack industries. We're going to build our base on finance and high-level services. And we downplayed a lot of our strengths in manufacturing and elsewhere. And other states tried to do a better job maintaining and retaining those jobs. We put too many of our eggs in too small a number of baskets, and what you've got is an overdependence on health care and social services.

CW: You have also put a spotlight on some big changes in family-formation patterns that are contributing to the income inequality we're seeing. What has happened in this area?

SUM: You have this pattern we call assortative mating. What it says is, the likelihood that you will marry someone of your same educational background is really high in the United States. A lot higher than when I was a kid. When I was a kid, you married someone who you went to high

school with. That doesn't happen anymore. What happens is college-educated women marry college-educated men. You get to the next group and they don't marry [at nearly as high a rate]. And so you've got women with a high school diploma or less not getting married, with kids. You've got one earner with limited earnings. And that's why you find the income distribution gap both here and across the country has increased massively since the late '80s.

The out-of-wedlock birthrate in our state among women under 30 has risen unbelievably. In 2008, for the first time ever, over half the births to women under 30 in Massachusetts were out of wedlock. So you are creating the situation where more and more young children are being raised in single-parent families that are going to face severe income inadequacy problems. They cannot pay taxes, they cannot contribute to state and federal tax coffers, making it very difficult for us to balance our budget in the years ahead, and the problem has gotten worse every year since the late '80s.

CW: In a recent paper, you refer to this as creating a "new demographic nightmare."

SUM: Yes, it is. These kids who grow up in these low-income

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CONVERSATION

single-parent families have basically no chance of making it in the modern economy. They have a very high drop-out rate, very low college-attendance rate, very low college-graduation rate. These are kids we try to work with but they have everything going against them. At the same time, you have these kids who grow up in these middle-class, upper-middle-class families where mom and dad are college educated and do very well. These kids have everything going for them. So the gap between these kids is really going to create a serious problem for us in the state.

Let me give you two numbers to back up what I'm saying. You're a ninth-grader in Lawrence, a Hispanic male. What are the odds that four years later you'll graduate on time and you'll plan to attend a four-year college

**If you are a male
with a BA, you can
expect \$1.2 million more
in lifetime earnings
than a male
high-school grad.**

compared to, say, a ninth-grader in Medfield or Dover or Sherborn? 8.8 percent. For the second group, it's 97 percent—97 to 8! I'm really worried about our state becoming the uncommonwealth.

CW: A lot of what you've done is take things that may, broadly speaking, be self-evident to people—that education is closely tied to job market success and earnings, for example—and put hard numbers to it with things like comparisons of lifetime earnings based on education.

SUM: What we try to do is illustrate the simple economics. If you are a male with a BA, you can expect to earn about \$1.2 million more over your work life than a male high-school grad. A high-school grad will make in our state about \$600,000 to \$700,000 more than a high-school dropout over their lifetime. So if you compare someone with a BA with a dropout, you're talking \$2 million. What's interesting is, the magnitude of that difference is a lot higher among men than it is among women, yet women are far more likely to go to college and far more likely to get a bachelor's degree. About 140 women get a bachelor's degree for every 100 men who get a degree. For associate's degrees it's almost 190 women for every 100 men.

Why is it that men don't go to college and graduate at the rate women do? Women do a little bit better on reading tests, and they do a little bit better on the writing

tests. But in math, men still do slightly better. When we've talked to men, what's interesting is that they kind of weed themselves out very early, in eighth and ninth grade. They don't take the courses that will prepare them [for college]. The gap is really big when you go to the central cities. It's not so big when you go to the outlying suburbs.

CW: You've been working for years with the Boston Private Industry Council and the Boston Public Schools to track outcomes in the schools. One noteworthy report came out a couple of years ago that looked at the class of 2000 and their post-high school experience in higher ed. It was very sobering to see that even as the city was touting the college-going rates of its graduates, they were not faring well in higher ed, raising serious questions about how well prepared these kids are to complete a degree or a certificate, which is really the key to those higher earnings you've documented. It doesn't do you much good just to say I enrolled and went to college, right?

SUM: Getting out is key. In years past, we put a major priority on gaining access to the higher ed system. We've got to go beyond that. We've got to judge ourselves by how many people cross the finish line [with a degree].

CW: There's been some pushback lately against the broad idea that everybody should go to college. Charles Murray [the conservative author] has been among those who have argued that there aren't going to be enough jobs that require those degrees to justify pushing everyone into higher ed.


SUM: Murray makes a number of good points. There are some points that I think he's off on. But you can't dismiss it because otherwise it's kind of like a false promise to kids. I don't think there's anything worse you can say than, "Go to college," and then these kids find they're serving food. We have the best educated waiters and waitresses in the country here. Only New York City runs neck and neck with us. If students don't tie what they're taking [in college] with preparing for the world of work, and if we don't develop really strong placement offices in colleges, we run this risk of a large number of people coming out without an ability to move into the [labor] market.




CW: There's a lot of discussion about youth employment right now, in particular because it's summer. We keep hearing about fewer and fewer summer jobs for teens, something that is especially worrisome in light of these horrible episodes of youth violence in Boston.

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SUM: Teenagers, both in the country and the state, are just finished. They're working at the lowest rates since World War II by far. Over the first four months of this year, only 26 out of every 100 teenagers were working, nationally. If I took you back just to 2000, it would have been around 48. Same thing in our state. We were running at about 50 [out of 100] at the end of the last decade. In the first four months of this year, it was 23. It's fallen by over half, and, by the way, when you look at who's not working, the biggest decline is among males. Female teenagers work at a higher rate. It's the only age group where women work more than men. In our state, the gap has gotten large. Part of it is, again, guys, who would have gone into construction, landscaping, manufacturing, get no jobs. If you're in healthcare, social services, retail, things have stayed stronger. Women get those jobs and men don't. If you're at low income, you're at the bottom of the heap. Add to that living in a single-parent minority family, and you're at the very bottom of the heap. It's about 8 percent employment. The higher your family's income is the more likely it is that you work. Kids that work the most are those in families with incomes between \$125,000 and \$150,000. Nearly 40 percent work. If you are low income, it's about 18 percent. When we ask the

[better-off] parents, they say, "I want my kids to work," but not because they need the money. They want them to *earn* the money. They want them to be responsible, to learn how to work with adults, and to appreciate the value of a dollar. That's why middle-class families have more

Teenagers, both in the country and the state, are working at the lowest rate since World War II by far.

kids working. They also broker their kids into those jobs. If I ask kids, "How did you get the job?" they'll often say, "My dad knew the manager."

CW: You've done a lot of work on immigration, including a report for MassINC, pointing to ways that immigration to Massachusetts really saved us from seeing huge population losses in the 1990s and contributed a lot to the econ-

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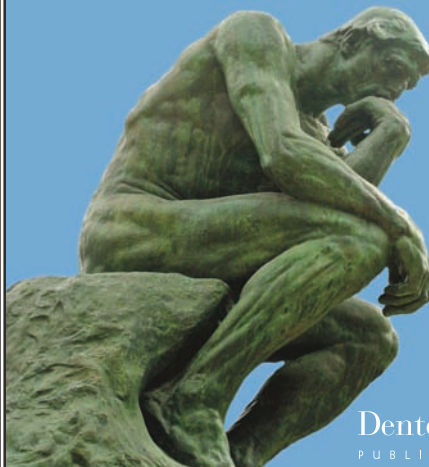
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omy. But you've also looked at the impact of immigration on youth employment and lower skills employment. Has the immigrant influx of recent years been good or bad for native-born workers?

SUM: We have mixed findings on this. There were immigrants who were major contributors to the state, job-wise and in terms of firm-formation and tax paying. Legal immigration is a net plus for the United States. Illegal immigration is a net negative. It tends to displace Americans from jobs, not at the high end, at the low end. The open borders are hurting people, including a lot of young, second-generation Hispanics. They get displaced and their wages get beat down.

CW: How much is this tied to the youth employment crisis we're having?

SUM: Youth are our biggest losers. The more new immigrants you have with limited schooling in your area, the lower the employment rate for kids.

CW: You've written that this dramatic fall-off in youth employment impacts the lifetime employment trajectory

of young people. How is it that their experience as teenagers has implications for what their fortunes are going to be in their 30s or 40s?

SUM: We use the term "path dependency" to explain it. All it says is, what happens to you today is very strongly influenced by what happened to you yesterday, and what you do today is going to influence what happens to you tomorrow. The odds of you and I working today are very much influenced by whether we worked last year. The same thing holds for teenagers. Show me a kid who works at 15, he's going to be much more likely to be working at 16. So when you delay work among kids, what it means by the time they get to be 19 is they don't have work experience. You're going to earn less and you're going to be employed less often. You also find that the more teens work in high school, the less likely they are to drop out of high school. It keeps them in. There is some research that says you can work too many hours. But when we looked at this for black men, the more you work, the better you did in high school and in terms of going to college. What a lot of the younger black guys say is, "Andy, do you know what it did? It taught me time management, how to organize my life."



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CW: What can we do to get our employment situation, especially for young people, back on track?

SUM: I think what we've got to do is go back to something we lost sight of, and that is, you can't keep giving all your jobs away, as we have in this country, to other countries. China and other countries have created these jobs largely by providing mass subsidies and then creating large economies of scale where you can take over the industry. We basically sold America out. We've got to help build our competitiveness and training opportunities there and in the other trades and green technology jobs. We've also got to put some dollars behind this. We're not organizing this very well and that's why people—we're training them but they don't have jobs to go to. We've got to do a lot more in moving kids more steadily into the world of work. I would have everyone at community college also be in a work situation. I notice a number of colleges have been asking their kids to show this on their résumé—don't tell me you went and saved the whales or you went to China—did you work?

CW: You bring a lot of passion to issues that can sometimes seem like dry numbers. Your interest in work comes from some lessons from your own life growing up in Gary. What was that like?

SUM: I worked since the time I was 11. I had a paper route [delivering the *Gary Tribune*]. I had 110 customers and those were the days you had to collect as well as deliver. It taught all these organization, financial responsibility, and management skills. By the time I was 16, I had done all this. Friday at 9 o'clock at night I'd be out there knocking on the door to get your money. I worked in a grocery store when I was 18, and then in the mill [at US Steel]. My father died when I was in high school. I helped my mom meet the mortgage. In those days, work in the mills allowed you to be a man. Now, Gary's going through really tough times. What we've done is we've taken away men's jobs from these kids. Now what they get are street values, peer values; they're not values gained from learning to work with adults.

CW: One of the gifts you have is that, with all the charts and numbers you're immersed in, you focus on using these data to tell stories.

SUM: You need to tell the stories because that's what people mentally can grasp. All these numbers, I live with them every day, but then I ask my staff, "Okay, what's our story?" Without those numbers you'd say it's just an anecdote. I want to distinguish the anecdote from the reality. **CW**



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Tools that help teachers, not firings, are the key to education success

BY EDWARD MOSCOVITCH

IN THE PAST few months, President Obama, Gov. Deval Patrick, and the press have practically made “education reform” synonymous with “firing teachers.”

The president praised a Rhode Island school superintendent for firing high school teachers. Patrick proposed legislation to make it easier for superintendents to dismiss teachers in underperforming schools. The US Department of Education requires that many of the schools eligible for school-improvement money dismiss half their teachers. Along similar lines, prominent supporters of education “reform” are pushing charter schools, merit pay, and school choice.

What all these so-called reform initiatives have in common is the assumption that teachers in low-performing schools have the tools they need to turn their schools around but, for some reason, are refusing to use them. We therefore need to use the carrot (merit pay) or the stick (losing their students via choice or to charter schools, embarrassing them by publicizing their students’ low MCAS scores, or firing them).

This view—that the right incentives (positive or negative) will produce the necessary changes in teaching—may be a very common one, but there is no data to back it up. Indeed, a close look at MCAS results shows there is surprisingly little difference between the quality of teaching in so-called “good” schools (wealthy, suburban schools with high MCAS scores) and “bad” schools (inner-city schools with low scores) when the results are averaged across all teachers in the district and disaggregated by student demographics, specifically race and poverty. Put another way, a low-income white student in a “good” suburban school tests essentially the same as a low-income white student in a “bad” inner-city school.

The implications of this finding are enormous: It suggests that the policies we are pursuing are unlikely to make much of a difference, because they don’t address the real problem.



What’s the point of getting rid of half the teachers at an inner-city school if the ones who replace them also lack the necessary tools? Similarly, replacing a public school with a charter school won’t by itself make any difference; either way, teachers need help, not blame. They need help not because they do a poor job of teaching, but because they work with very needy children.

STRESS RATIOS

My analysis is based on MCAS results by type of district (wealthy suburban, low-income urban, etc.) and by type of student (non-poor whites and Asians, low-income blacks and Hispanics, etc.) The analysis was done separately for English language arts and for math. The results were similar so the charts presented here focus on English results.

The measure of MCAS success is the proficiency index, created by the Massachusetts Department of Elementary and Secondary Education (DESE). The index runs from 0 to 100 with a higher score indicating a higher degree of proficiency on the test.

To understand more about the differences in MCAS performance between wealthy suburban districts and low-income urban districts, I divided Massachusetts school districts into four groups—wealthiest, medium wealth, medium low, and poorest. The schools are grouped by their stress ratios, where the stress ratio is the combined per-

MCAS GROUP	SCALED SCORE	PROFICIENCY INDEX
ADVANCED	260 & UP	100
PROFICIENT	240-258	100
NEEDS IMPROVEMENT	230-238	75
	220-228	50
FAIL	210-218	25
	200-208	0

cent of students who are low-income, minorities (blacks and Hispanics), and of limited English ability. Since these are counted separately, the stress ratio can be as high as 300 percent. Each group has roughly the same number of students.

The largest districts in each group are shown in Table 1. The wealthiest group consists of districts with a stress ratio less than 12.5 percent and includes Wachusett Regional, Billerica, and Andover. The medium wealth group includes districts with stress ratios between 12.5 percent and 27 percent and its largest members are Newton, Lexington, and Bridgewater-Raynham. In the grand scheme of things, the wealthiest and medium wealth groups are not very different from each other.

The medium-low group includes districts with a stress ratio between 27 percent and 90 percent and its largest members are Plymouth, Quincy, and Taunton. The range in this group is very large; Plymouth at 27.1 percent is at one end of the spectrum and Chicopee, at 83.1 percent, is at the other.

The poorest group includes districts that have stress ratios greater than 90 percent. At 164 percent and 172 percent, respectively, Boston and Springfield are the largest two districts in this group. Almost all their students are either poor or minorities and half are both. The demo-

graphic challenge they face is far greater than any of the districts in the wealthiest two groups.

Chart 1 shows average scores for each group of districts; these are three-year averages of English scores in all grades. The chart appears to confirm (but only at first glance) the popular view that poor teaching in urban schools is a real problem. The wealthier districts score well—the proficiency index is around 90—and the poorest districts—at 74—do not.

To understand what's really going on, we'll need to look at the demographics of students in each group. Chart 2 shows statewide average scores for five demographic groups. Whites (and Asians) who are not poor and who speak English have the strongest results (89.2). Blacks and Hispanics with the same economic and language background—that is, who are similarly non-poor and speak English—score less well, by about 8 points (81.3). Blacks and Hispanics who speak English, but who are also poor, score lower still—by another 8 points (73.8). Finally, blacks and Hispanics who are low-income and do not speak fluent English have the lowest scores of all (52.8).

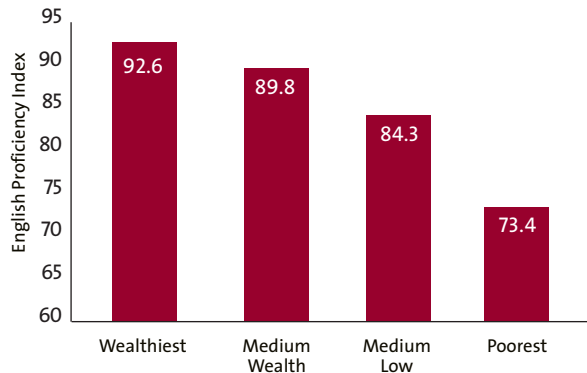
As Chart 2 makes clear, low-income, minority status, and limited English proficiency are each separate factors impacting student performance. That is why the stress ratio counts them each separately and why students are broken out into these five separate groups.

Students in these five groups are, of course, not distributed uniformly across the four groups of school districts. The demographic breakdown of the state as a whole and of each of the district groups is shown in Chart 3.

The first two columns of the chart show that the difference between the two wealthiest groups is relatively small. The demographic composition of the medium-low group is very close to that of the state as a whole. And, most important, the demographic make-up of the large urban districts is very different from the other three

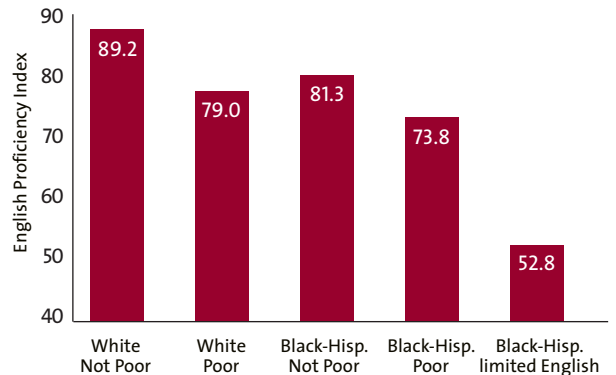
TABLE 1

WEALTHIEST		MEDIUM WEALTH		MEDIUM-LOW		POOREST	
Towns	Stress Pct	Towns	Stress Pct	Towns	Stress Pct	Towns	Stress Pct
WACHUSETT	8.9%	NEWTON	22.4%	PLYMOUTH	27.1%	BOSTON	164%
BILLERICA	8.8%	LEXINGTON	15.0%	QUINCY	56.1%	SPRINGFIELD	172%
ANDOVER	8.1%	BRIDGEWATER-RAYNHAM	14.9%	TAUNTON	52.6%	WORCESTER	126%
FRANKLIN	8.3%	SHREWSBURY	16.2%	HAVERHILL	66.7%	BROCKTON	137%
CHELMSFORD	8.6%	BRAINTREE	20.3%	FRAMINGHAM	74.8%	NEW BEDFORD	107%
WESTFORD	3.5%	N. ATTLEBOROUGH	13.6%	METHUEN	55.2%	LOWELL	135%
MANSFIELD	12.1%	NORTH ANDOVER	12.8%	CHICOPEE	83.1%	LYNN	148%
TEWKSBURY	8.5%	WHITMAN- HANSON	16.4%	WESTFIELD	42.9%	FALL RIVER	91%
NEEDHAM	9.7%	AGAWAM	23.5%	PEABODY	34.8%	LAWRENCE	187%
NORTH MIDDLESEX	11.3%	DARTMOUTH	16.7%	PITTSFIELD	65.5%	HOLYOKE	179%
BOUNDARY	12.5%		27%		90%		
TOTAL STUDENTS	133,000		124,000		125,000		128,000

CHART 1: MCAS PROFICIENCY INDEX-ENGLISH 2006-2008 by District Wealth

groups. Given the limited language skills, vocabulary, and general knowledge all too many youngsters from minority and low-income homes bring with them to school, the challenges the urban districts face are far, far greater than most people realize.

Chart 4 shows MCAS results broken down by student demographics and by the four groupings of districts. What it shows is that the differences across the four groupings of districts—the different colored bars within each section

CHART 2: MCAS PROFICIENCY INDEX-ENGLISH 2006-2008 by Demographic Group

of the chart—are far smaller than the differences across student types—that is, from one group of bars to the next. Put simply, average student results depend much more on student demography than district type.

Consider low-income white students, the second section of the chart. There is almost no difference between the scores of these students in the wealthiest districts (82.8) and in the poorest districts (77.5). Put another way, teaching quality is pretty much the same in the suburbs

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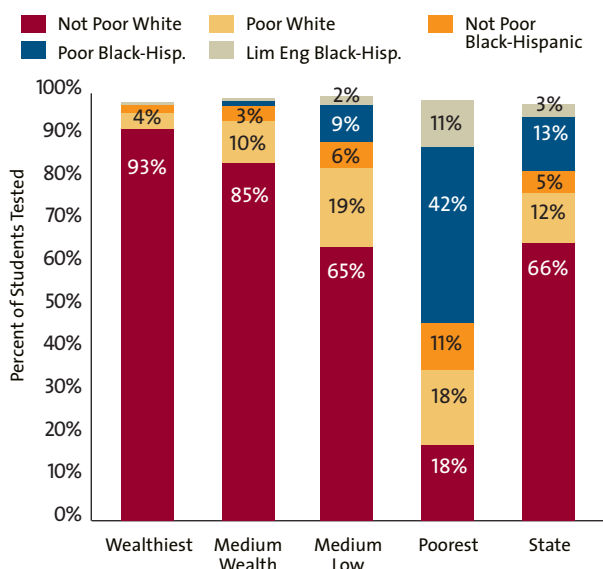
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CHART 3: STUDENT DEMOGRAPHICS by District Group

as in the inner city.

The differences between district groups are somewhat greater with non-poor blacks and Hispanics (from a high of 88.0 in the wealthiest districts to 78.3 in the poorer districts). This isn't surprising: For starters, there's much more variation among non-poor students, who run from children of college professors to children of blue-collar workers. Also, the decision about where to live (or whether to send children to suburban districts via the METCO program) undoubtedly reflects differences in parent education and motivation that are not captured by income data alone but that nonetheless have a big impact on student performance. Finally, the difference in classroom peers (there are a lot more favorable role models in sub-

urban than urban schools) must also influence student performance. Although the MCAS data alone don't allow us to quantify and measure these factors, it seems fair to say that if they could be taken into account, there'd be basically no difference in average teaching quality across district types.

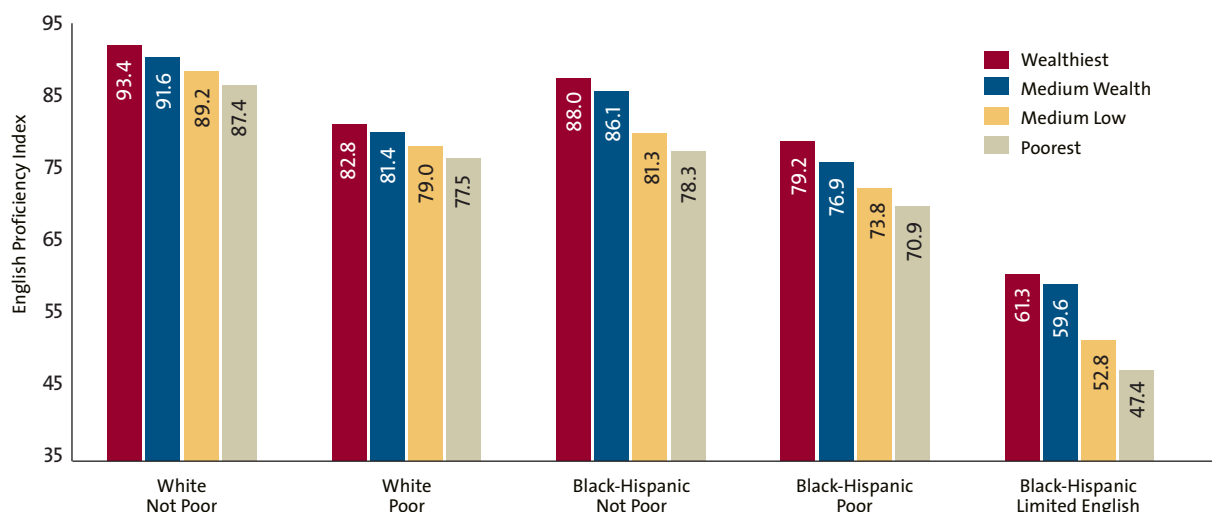
Another way to look at this data is that the scores of non-poor whites in the inner-city districts are higher than the scores of low-income students—white or black—in the wealthiest suburbs.

One way to summarize all this information is to calculate what the scores would be in each district group if the composition of their student body were the same as the state average. In this calculation, for example, the wealthiest districts are still credited with an average score of 82.8 for their low-income white (and Asian) students, but this is applied to 12 percent of the students (the state average for this group) instead of 4 percent (the actual percentage in the group).

This works in reverse for the urban districts. Their score of 77.6 for non-poor whites is applied to 66 percent of their students (the state average) and not 18 percent.

The results of these calculations are shown in Chart 5. The red bars are the same as in Chart 1, showing actual scores for each district type. The blue bars show what the overall average scores for each district type would be if they all had the same demography.

The overall proficiency index in English for the wealthiest two groups would have been 88.9 and 87.1, respectively, instead of the 92.6 and 89.8 they actually scored. And the index for the poorest districts would have been 82.3, not 73.4. Put another way, there's a 19-point difference in actual scores, but this would have been only 6.5 points if they all had the same demographics. Essentially, two-thirds

CHART 4: MCAS PROFICIENCY INDEX-ENGLISH-2006-2008 by Demographic Group and District Wealth

of the difference between average scores in the wealthiest districts and the poorest can be explained by demographics alone. As pointed out earlier, much of the rest could be the result of differences in parental motivation and education and also in classroom peer groups.

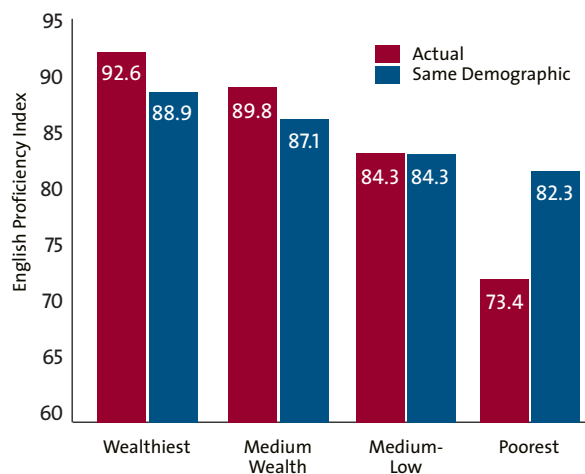
In both wealthy districts and urban districts, there are stronger teachers and weaker ones. Some of the differences between individual students are undoubtedly the result of these differences in teacher ability. The point here is that the difference in average scores across districts as a whole have far more to do with differences in demographics than differences in teacher quality.

Imagine what would happen if all the teachers in, say, Wellesley and Lowell, were to switch places. There would still be stronger and weaker teachers in each district. But the strong suggestion from the data is that there would be very little difference in average student outcomes—in either district.

BETTER TOOLS NEEDED

Far from minimizing the importance of good teaching, these findings underscore the importance of helping teachers learn the pedagogies that can move their students for-

CHART 5: MCAS PROFICIENCY INDEX-ENGLISH-2006-2008
If All Districts Had the Same Demographics



ward. Whether they are in Weston and Lexington, on the one hand, or in Holyoke and Lawrence, on the other, the vast majority of teachers do not have the tools necessary to meet the needs of low-income and minority students. As we've seen, scores of low-income black and Hispanic students in wealthy districts are far lower than scores of

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non-poor whites in those districts—and only barely higher than the scores of low-income minority students in the inner cities. The need for this kind of help is particularly important in the inner-city schools not because teachers there are somehow poorer teachers or care less, but simply because so many of their students are so very needy.

The problem with today's popular remedies—like merit pay, charter schools, and firing teachers—is that they are about carrots and sticks, not about giving teachers better tools to meet student needs.

These results absolutely do not mean that children from disadvantaged homes are incapable of performing at high levels. We know from countless examples around the country that, when teachers are properly prepared, students can perform at high levels.

One example of this is the Bay State Reading Institute, which I chair. The institute has been working with Massachusetts elementary schools since 2006, training teachers to use data to guide instruction, use research-based pedagogy, individualize instruction to teach each child at her level, help children think critically about what they read, and help principals provide extra help to struggling readers and to be effective education leaders of their schools.

The institute has extensive data on 282 first graders in

the six schools that began working with us in the fall of 2006. Of the 282 students, 48 percent are low-income and 29 percent are minorities. The students were assessed three times each year in oral reading fluency and took the MCAS exam as third graders in the spring of 2009.

In the fall of their first grade year—the first year of their schools' partnership with the institute—just over a quarter of first-grade students were at high risk (red) in fluency (Chart 6). Two years and eight months later—at the end of third grade—57 percent of those high-risk students were at benchmark (green) in oral reading fluency. Of the 45 students who rose from red to green, 71 percent were low-income, minorities, or both. This is a very hopeful message—good teaching was able to erase the fluency deficit for over half of these first-graders!

Interestingly enough, the same is not true for students at the beginning of second grade. Because of the gains made in first grade, a year later only 14 percent of these same students were still at high risk as the cohort entered second grade. However, very few—only 18 percent—of these high-risk second graders were able to achieve satisfactory reading fluency by the end of third grade. What this means is that you can't help low-performing students become successful readers unless you start in first grade.

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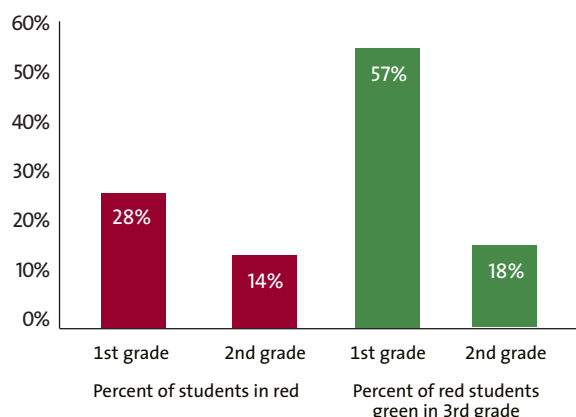


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CHART 6: LIKELIHOOD OF SUCCESS—FALL OF 1ST OR 2ND GRADE TO SPRING OF 3RD GRADE Bay State Reading Institute Cohort 1 Students-2006 1st grade, 2009 3rd grade



Fluency is an important—but not the only—factor in predicting successful reading comprehension. Chart 7 looks at the inter-relationship between reading fluency and comprehension. None of the students who remained at high risk in reading fluency at the end of third grade were proficient or advanced on the MCAS exam given that same spring. By contrast, 51 percent of the students who were at high risk at the beginning of first grade and whose fluency moved up to green during the intervening three years were proficient on the MCAS.

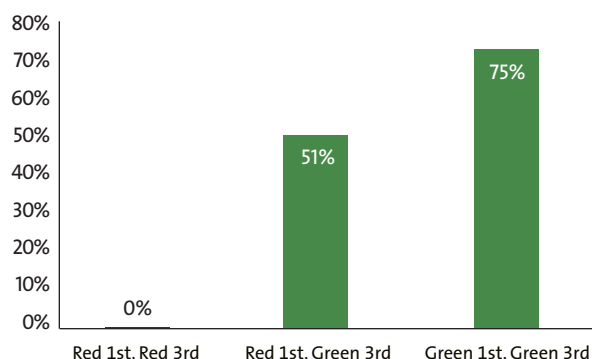
It is instructive to compare the students whose fluency increased from the start of first grade to the end of third grade with those who were in the green all along. Of the latter group, fully 75 percent were proficient on the MCAS. That is, the earlier a student reaches proficiency in reading fluency, the greater her chances of success on the MCAS. Statistics alone can't tell us why this is the case, but the most likely explanation is that success in reading comprehension is as much about vocabulary and general student knowledge as it is about the mechanics of reading. And the sooner a student becomes a fluent reader, the more time he has to use his reading skills to build vocabulary.

There is no doubt, then, that improved reading fluency leads to improved comprehension, and that strong instruction during the primary grades can make a huge difference in the reading success of children who come to school poorly prepared.

There's a very important lesson here—school turnaround cannot be accomplished in a year or two, and requires the cooperation of teachers over several grade levels.

Most of the policies currently in place are unlikely to make much of an impact on student performance. If virtually all teachers lack the training and tools necessary to address the needs of low-income and minority students, firing one group of teachers and replacing them with others

CHART 7: PERCENTAGE OF STUDENTS PROFICIENT, 3RD GRADE MCAS ENGLISH Bay State Reading Institute Cohort 1 Students-2006 1st grade, 2009 3rd grade



who are similarly unprepared will not make any difference.

Concluding from raw test scores that inner-city teachers are somehow “bad” teachers and teachers in suburban schools are “good” is grossly unfair to teachers in urban schools, the vast majority of whom work very hard and care deeply about their students. Worse, insulting teachers (unfairly) is no way to motivate them to change.

For sure, teachers in urban schools need help. But they need help not because they are poor teachers, but because of the great challenges they face.

Merit pay—particularly individual teacher merit pay—is unlikely to work. This is because the underlying problem is not teachers' motivation, but rather their lack of training. Offering them more money to do what they don't know how to do is a recipe for frustration, not for success.

School turnaround cannot be done quickly or on the cheap. It requires a long-term partnership over several years. This would mean concentrating enough money on any given school to make a difference, rather than spreading literacy funds across hundreds of small grants unlikely, by themselves, to make a lasting difference.

Because success takes several years, too much emphasis on short-term changes in MCAS results may backfire, since it diverts attention from the long-term changes necessary for success.

Gov. Patrick set out to be the “education governor.” Given the budget choices he's made—consistently favoring education over other areas of state government—there's no reason to doubt his sincerity. But he—or his successor—is unlikely to succeed if he continues to base his policies on a fundamentally flawed understanding of what is holding schools back. **CW**

Edward Moscovitch is president of Cape Ann Economics and chairman of the Bay State Reading Institute.




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Identity politics

In the race for governor, candidates draw on long-established traditions in Bay State politics **BY MAURICE CUNNINGHAM**

TO UNDERSTAND THE forces shaping the 2010 election for governor, head back to 1965, specifically, to Edgar Litt's book *The Political Cultures of Massachusetts*.

What Litt put forth is an enduring typology of political groups that inhabit our electoral system: patricians, workers, managers, and yeomen. These species are still potent in 21st century Massachusetts politics.

Litt's patricians are descendants of the Puritans. John Winthrop famously called for Massachusetts to be a "city upon a hill," the context of the speech, though, was an entreaty to extend Christian care to all community members. That willingness to see Massachusetts as a "commonwealth" lives on. Patricians are liberal on civil rights and civil liberties, though conservative on spending. They are the historical backbone of the state's Republican Party. At the time Litt wrote, the patricians' power had been declining for some time.

The group that dislodged patrician supremacy was the workers, including immigrant groups and especially the Irish. The workers lived in (but many have now fled) the cities, are Democratic and Catholic, and lower-to-middle class. Workers orient toward New Deal-style programs, though they are increasingly suspicious of social welfare spending, and are conservative on civil rights and civil liberties. Political patronage might not quite rise to a sacrament, but is considered the way the system works. Even in 1965 the workers' political power was contracting.

Real power, rising then and foremost now, is with the managers. Managers prize rationality, merit, and efficiency. They are middle-to-upper-middle class suburban professionals. Managers lean Democratic but have weak party ties, and are liberal on civil rights and civil liberties. They are egalitarian and willing to see government assist the less well off, but they want to know their tax dollars are being well spent.

Litt's yeomen were small town Yankee Protestants of the lower and working classes, and small businessmen. They were parochial and opposed

to government action across the board, suspicious of bigness whether in government, corporations, unions, or media. Yeomen were thought to be dying out—but not so fast. In the 21st century their isolation is not in small towns but is a trait of a disconnected culture Robert Putnam wrote about in *Bowling Alone: The Collapse and Revival of American Community*. They tune into conservative talk radio. You find a yeoman at a Tea Party rally clutching a sign that says, "Keep your government hands off my Medicare."



What does this all mean for 2010? Let's see how the cultural types battle it out in the race for governor.

As hard as it may be to fathom today, for most of Massachusetts history the Democrats were the out party. But as Irish (and other immigrant group) numbers grew, the newcomers upended genteel patrician procedures in favor of a style occasionally less attuned to ethical niceties. Democratic Party politics became a system of relationships, rewards, and revenge; it sometimes veered into corruption.

Along came a young suburban reformer named Michael Dukakis, who captured the party and the governor's office in 1974. Dukakis entranced managers seeking rational administration but turned the hearts of the Irish regulars to stone. As Richard Gaines and Michael Segal reported in *Dukakis and the Reform Impulse*, party bosses schemed to depose Dukakis in the next Democratic primary: "Everything else will be subplot," they quoted a legislative leader as saying, "but that's the plot." The conspirators succeeded, but Dukakis came roaring back in 1982 to recapture the Corner Office. Since then, reformers and regulars have battled for the upper hand in the Democratic Party.

Deval Patrick has consolidated power in the party, giving the more conservative Tim Cahill little running room and snuffing out Grace Ross on the left. The governor resides in the communi-

tarian tradition, using government to help the vulnerable. Workers are not always happy with him, though union leadership is strongly Democratic. Like the second-term Mike Dukakis, Patrick has accommodated his rational, managerial style to the realities of Bay State politics—sometimes painfully so. His clumsy efforts to reward state Sen. Marian Walsh with a high-paid sinecure grated at his managerial base. In 2006, when attacked as a “tax-and-spend” Democrat, he adroitly married the managers’ social welfare liberalism with their concern for their own wallets. “It is [the people’s] money,” he declared, “but it’s also their broken road. And it’s their over-crowded school. It’s their broken neighborhood and broken neighbor.”

While Democratic gubernatorial nominees have become managerial, there remains lots of room for the “go-along-to-get-along” style in the Legislature. The recent scandal over pay-for-play patronage in the Probation Department is one example. Three criminally charged members in one term of the Senate and three consecutive indicted House speakers have provided ample ammunition to critics of Beacon Hill.

Republican gubernatorial aspirants prospered for 16

years by providing a managerial alternative to Democratic shenanigans. Bill Weld offered a patrician tolerance on social issues, and managerial probity on fiscal matters. As the descendant of Yankee aristocracy, he even provided a link to the Puritans. Mitt Romney won office by railing against the “gang of three”—the House speaker, Senate president, and governor—who would lord over an over-taxed citizenry if Democrat Shannon O’Brien should pre-

Like Dukakis, Patrick has adjusted his style.

vail. Romney’s resume as a successful businessman and savior of the Salt Lake City Olympic Games was catnip to managers who saw him as just the man to purge patronage and uphold bureaucratic efficiency.

One advantage Republicans have is the widespread appeal of lower taxes. “I trust you to spend your money more wisely than the government” is a popular appeal, and Charlie Baker takes full advantage. Like Romney, Baker can claim a strong managerial background with his success in turning around Harvard Pilgrim Health Care. Baker’s censures of Patrick are not so much opposed to social

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welfare programs as to bad management. For example, when Patrick recently announced up to \$800 million in potential budget cuts, the *Boston Globe's* characterization of Baker's critique was that what is needed is "a prudent budget that would better protect the most vulnerable."

The third major candidate, Tim Cahill, is trying to hit a worker/yeoman parlay. In times past, he might have been an insurgent against Democratic reformers, in the mode of Ed King in 1978 or John Silber in 1990. But Patrick has commandeered the Democratic machine, and with no room there Cahill is running as an independent. He brings some baggage to the race. Cahill has suspended Probation Commissioner John O'Brien's wife and daughter on his payroll, and he responded to the Probation Department scandal by remarking that patronage is "part of the political process." That remark could only have infuriated managers, and his comment that he couldn't offer suggestions for cutting the state budget because he lacks insight into the financial process was positively mal-ware to the managers' Excel programs.

Yet Cahill has strengths with workers and yeomen. His heritage and tack to the right give him a leg up with white, ethnic Catholics estranged from the Democratic Party. There are still a lot of voters in this state who like the idea

of a pol that can get their kid a summer job, and Cahill might be their answer. Tea Party yeomen wearing T-shirts that say "Let me keep my wealth—redistribute my work ethic" are a likely target. According to a Rasmussen poll released in late June, 15 percent of Massachusetts voters consider themselves to be part of the Tea Party movement.

Scott Brown found a ready fandom on conservative talk radio and even sports talk radio. Years ago, when Celtics coach Rick Pitino was undergoing bitter disparagement from callers to sports radio shows, he lashed back, dubbing them "the fellowship of the miserable." Unhappy they may be, but also politically potent. Brown won rebellious working class voters—another positive for Cahill.

So here's what voters have to choose from: a communitarian alert to managers' concerns (Patrick); a manager who concedes a role for government action (Baker); and an independent who criticizes government for doing too much, with workers and yeomen in his sights (Cahill). The winner of this year's race for governor will be the candidate who builds a winning coalition from Litt's political cultures. **CW**

Maurice Cunningham is an associate professor of political science at the University of Massachusetts Boston.



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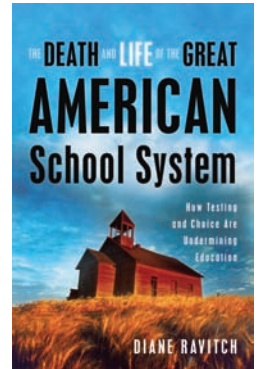
Diane Ravitch's change of heart on testing and charter schools

The Death and Life of The Great American School System: How Testing and Choice Are Undermining Education

By Diane Ravitch

New York, Basic Books, 283 pages

REVIEWED BY TOM BIRMINGHAM



DIANE RAVITCH IS the preeminent historian of American public education. For decades she has played Cassandra, challenging the received wisdom and questioning trendy notions of what does and doesn't help young people learn. Her willingness to resist fads and question the cant too often generated by educational elites—particularly schools of education—has earned her a reputation as a courageous and thoughtful maverick.

Although a lifelong Democrat, she served in the Bush I administration as Assistant Secretary of Education. In that capacity, she became one of the nation's fiercest champions of standards measured by testing and of choice in education through charter schools.

In *The Death and Life of The Great American School System: How Testing and Choice Are Undermining Education*, she announces an about-face, abandoning her support for charter schools and criticizing the use of testing in many public schools. Was this apostasy, as some of her erstwhile allies would have it? Or, as Ravitch claims, was she acting in the intellectually honest tradition of John Maynard Keynes who, when accused of flip-flopping on monetary policy during the Great Depression, replied, "When the facts change, I change my mind. What do you do, sir?"

To try to find out for myself, I went to the Boston Teachers Union headquarters in early April to hear Ravitch speak about her new book. The atmosphere reminded me of a political rally. The teachers were energized by Ravitch's opposition to charter schools and to evaluating teachers based on student test scores. She was welcomed as the prodigal daughter returning to her senses.

Ravitch skillfully played to the crowd, including attacks on President Obama for uncritically adopting Republican orthodoxy on education policy

generally and, in particular, for praising the mass firing of the teachers in Central Falls, Rhode Island. When she concluded her remarks, Ravitch received a standing ovation. A long line of teachers snaked around the room to purchase her book. I bought one, too.

The Death and Life of the Great American School System makes a number of important contributions to our understanding of what is going on in K-12 public education. Ravitch makes a convincing case about the positive role teachers' unions play in protecting teachers' dignity and their freedom of speech. She also provides a trenchant criticism of the influence that large private foundations are exerting to shape education policy. But such matters are tangential to the core issues that Ravitch's book is meant to answer: how she came to reverse her position on testing and charter schools.

With regard to these issues, the book is considerably more nuanced than her remarks at the teachers' union hall. In print, Ravitch heaps accolades on Massachusetts, praising our high standards and achievement, and repeatedly citing the Commonwealth as the rule-proving exception to the underperformance of public schools in other states. Accordingly, it is questionable how much of her critique of American education is applicable to Massachusetts.

Ravitch dates contemporary education reform to 1983 and the publication of the federal report *A Nation at Risk*, with its insistence on a rich curriculum with commensurate standards. To her, the No Child Left Behind (NCLB) Act passed nearly two decades later degraded and deformed *A Nation at Risk*, while often borrowing its language. For Ravitch, NCLB was doubly flawed at its core: First, it failed to appropriate the funds which would be needed to support our schools'

great leap forward. Secondly, she writes, NCLB “required the states to set their own standards and to grade their own progress. This led...to confusion about standards with 50 standards for 50 states.”

It was also an invitation to game the system. Mississippi is the poster child for this practice, self-reporting that 80 percent of its students are proficient in math and English. When the same students take the National Assessment of Education Progress (NAEP), fewer than 20 percent achieve proficiency. Ravitch advises, “In a choice between the state’s self-appointed scores and [NAEP], the public should trust [NAEP].”

For Ravitch, Massachusetts stands apart from the empty standards and grade inflation practiced by many states under NCLB: “Most state standards were windy rhetoric, devoid of concrete descriptions of what students should be expected to know...One exception was Massachusetts, which produced stellar standards in every subject.”

She is equally complimentary of the Commonwealth’s curriculum, calling us “[o]ne of the few states with excellent curriculum in every subject.” Ravitch goes on to note that “students in Massachusetts have the highest academic performance in the nation on the NAEP and rank near the top when compared to their peers in other nations,”

as measured by the TIMMS international assessment.

It is telling that she relies on standardized test results to demonstrate Massachusetts’ primacy in educational achievement. Those who are reflexively antipathetic to any form of objective measurement of student performance find no friend in Diane Ravitch:

“The information delivered from tests can be extremely valuable if the tests are valid and reliable. The results can show students what they have learned, what they have not learned and where they need to improve. They can tell parents how their children are doing compared to others of their age and grade... They can inform educational leaders and policy makers about the progress of the educational system as a whole.”

According to Ravitch, NCLB has not encouraged an intelligent use of assessments based on a robust curriculum. Instead, the federal law too often reduces testing in the states to a drill-and-kill exercise in math and English, while crowding out instructional time for other subjects. It is less than clear where Ravitch stands with regard to our assessment system, MCAS, because she does not explicitly address it. Nonetheless, given her generous praise for our curriculum and education outcomes, it is hard for me

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to imagine how she could logically condemn the way we measure the results.

What is clear is Ravitch's insistence that tests not be the exclusive basis for evaluating teachers. Ravitch observes that test developers are quick to caution against using their products for purposes for which they are not designed and student assessments are not designed to measure teacher effectiveness. Clearly, many variables affect student performance from year to year, but to me Ravitch goes too far with her insistence that factors other than student performance provide most of the basis for teacher reviews. Tests may be an imperfect means of measuring an educator's performance, but how can we abide a teacher, school, or district that fails year after year to educate the children entrusted to them?

This is not to celebrate the collective punishment (later withdrawn) meted out to the Central Falls teachers, some of whose only sin may have been to try to teach poor kids. At the same time, it is not enough for Ravitch to identify a problem without offering a solution. In practice, I fear that refusal to evaluate teachers based on their students' performance—over time—tends to default to laissez-faire acceptance of the status quo.

Ravitch said something at the Boston Teachers Union hall that reinforced my concern. When asked what it would take to make equal educational opportunity a reality, she replied, "Income equality." Income equality may well be a consummation devoutly to be wished, but if this is the precondition to fundamental reform of public education, our great-grandchildren will still be awaiting real change when they send their kids to school.

While Ravitch's critique of some of the misuse of tests in some states under NCLB is withering, and at times, spot on, her failure to identify a politically viable and intellectually realistic alternative marks the absent center of her analysis.

With regard to charter schools, Ravitch writes that she initially came to support them when she asked herself a question she couldn't answer: "Since affluent families could choose their schools by moving to a better neighborhood or enrolling their children in private schools, why shouldn't poor families have similar choices?"

But Ravitch has grown disillusioned with charter schools because she believes they would create "a two-tiered system of widening inequality." She sees motivated poor students deserting the regular public schools for charters, leaving the traditional system with a population of largely unmotivated poor pupils.

Whether this specter has come to pass in school districts like New Orleans (where a majority of the students are in charters) or in Washington, DC (one-third in charters), I

do not know. But we are a long way from this threat being realized in Massachusetts (3 percent in charters) or even Boston (9 percent).

Ravitch's worry about charters is based on her experience chronicling the history of American public education: "If there is one consistent lesson that one gleans by studying school reform over the past century, it is the danger of taking a good idea and expanding it rapidly, spreading it thin."

Ravitch has real authority on this score, given her lengthy career debunking trendy but ineffectual teaching

Why should poor kids be the only ones denied choice in education.

approaches. With regard to charters, however, the most her warning counsels is prudent restraint in expanding the number of charters granted. As it happens, admittedly as a function of politics and not conscious policy, the cautious path has been followed in Massachusetts.

There remains a principled reason to reject Ravitch's rationale for opposing charters, and it goes back to the question that prompted her support of them in the first place. Why should poor kids be the only ones denied choice in education?

Ravitch well describes the way privileged families "make sure to enroll their children in schools that have small class sizes, a broad curriculum in the liberal arts and sciences, well-educated teachers and well-maintained facilities."

It would be politically unthinkable to broach depriving upper class parents of this freedom of choice even if their children's departure from the regular, neighborhood school would disadvantage the unmotivated poor kids remaining behind. How can we, then, justify holding only poor kids hostage in schools they would prefer to leave? Until Ravitch answers that question, the modicum of options charter schools provide kids whose parents can't afford to buy school choice is for me reason enough to support their continuation.

With her willingness to stand against accepted wisdom, Ravitch remains a strong and important voice in the ongoing education policy debate. But with the zeal of a new convert, she goes too far in her opposition to charters and testing, threatening some of the reform principles she previously did so much to advance. **CW**

Tom Birmingham is senior counsel at Edwards Angell Palmer & Dodge. He is a former president of the Massachusetts Senate and was co-author of the Massachusetts Education Reform Act of 1993.



Wemmick was right

How a minor Dickensian character foresaw—and tackled—our trouble with work/life balance

GIVEN CHARLES DICKENS'S penchant for outrageous character names, the hero of *Great Expectations* falls a little short. I'm not talking about narrator Philip Pirrip, whose "infant tongue could make of both names nothing longer or more explicit than Pip" and whose youthful ambition steers the 1861 novel. I'm talking about John Wemmick, law clerk to Pip's guardian, Jaggers, and a role model for recession-weary, summer-vacation-starved 21st century office workers.

Wemmick's goals may, on a first reading, seem too modest to be heroic. While Pip must journey to London to seek out his fortune, Wemmick just needs to eat lunch at his desk without getting crumbs all over the floor. Pip chases convicts; Wemmick longs to get home in time for supper without his job following him. At the office, he presents as the kind of tired, middle-aged employee who is easily overlooked for promotions: "a dry man, rather short in stature, with a square wooden face, whose expression seemed to have been imperfectly chipped out with a dull-edged chisel."

Yet Wemmick achieves a feat that eludes the other Victorian professionals of the novel—and is the envy of a lot of modern American ones. With determination and ingenuity, he creates a "work/life balance" more than a century before life coaches and yoga instructors will dream up the phrase. His methods merit attention from anyone who regularly checks work email at 11 p.m. or is right now struggling to figure out if she can squeeze in a real vacation this summer. If you've ever yearned to cut the technological cord that ties you to your office, Wemmick can help.

The way Wemmick sees it, any white-collar worker who wants a personal life must guard it fiercely—and literally. He models his tiny cottage after a Gothic castle, replete with moat and all the defense machinery. He tells Pip, "The office is one thing, and private life is another. When I go into the office, I leave the Castle behind me, and when I come into the Castle, I leave the office behind me."

Like many Dickensian characters, Wemmick is both a comic figure and a prescient one. There, at the dawn of modern corporate life, he sees how a white-collar profession can consume all aspects of an employee's life and personality, a possibility embodied by his boss Jaggers, whose clients follow him home to dinner. Wemmick also sees that the crossover occurs not because Jaggers actively

encourages it, but because he never forcibly discourages it. So Wemmick creates barriers between office and home that are artificial and a little ridiculous. But you know what? They work.

The boundaries work even though they don't genuinely cut Wemmick off from his place of employment. Their effectiveness comes from Wemmick's decision to abide by them. Modern workers who want a private life distinct from their professional one must create similar boundaries, however gimmicky they may at first seem.

I'm fortunate not to toil in a cubicle, but in the years I spent as a high school teacher, I often felt like a slave to the 24-hour email culture of teenagers. Students would ping me late at night with questions on the next morning's homework, and I would either stay up answering them or stay up thinking about the ones I hadn't answered. So a few years ago, while teaching *Great Expectations*, I vowed to Wemmick-ify my life.

My town of Arlington takes a liberal view of many things, but amateur arsenals and personal moats aren't among them. (Besides, I wasn't sure how effective a drawbridge could be against an email onslaught.) Making promises to spend less time online didn't work so well either. So when a new semester began, I wrote on all my course syllabi: "Please note that I don't check email after 5 p.m." At the time, it was a total lie, yet once the words were in print there was something mandatory and moat-like about them. I don't check email after 5 p.m. I don't. I don't. Eventually, I really didn't. Evenings became mine in a more deliberate way; no matter how I spent them, I had a sense of separation, of life distinct from work.

Even after changing to a career that doesn't involve syllabi, I've largely stuck to my system. Sometimes 5 becomes 6 or 7, but it rarely becomes 10. My friends report a wide variety of moats (as well as some unsuccessful experiments with them). One locks her Blackberry in a drawer during the evening; the lock helps her keep her hands off it, never mind that she's also the keeper of the key. Another claims that by removing his saved username and password from his email—and having to type them in anew each time—he broke his habit of checking messages every two minutes.

Artificial? Sure. Ridiculous? A little.

Wemmick would be proud. **CW**

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