

WHAT'S THE RIGHT THING TO DO WITH AN 18-YEAR-OLD CAUGHT WITH A GUN?

Commonwealth

POLITICS, IDEAS & CIVIC LIFE IN MASSACHUSETTS

Turning around New Bedford

Mayor Jon Mitchell's game plan
for a Gateway City

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313 Congress St, 5th Floor
Boston, MA 02210
p. 617.790.4800 | f. 617.790.4271
www.thementornetwork.com

CommonWealth

EDITOR Bruce Mohl
bmohl@massinc.org | 617.224.1705

EXECUTIVE EDITOR Michael Jonas
mjonas@massinc.org | 617.224.1624

SENIOR INVESTIGATIVE REPORTER Jack Sullivan
jsullivan@massinc.org | 617.224.1623

ART DIRECTOR Heather Hartshorn

CONTRIBUTING WRITERS Dave Denison, Colman M. Herman, Ted Siefer, Robert David Sullivan

WASHINGTON CORRESPONDENT Shawn Zeller

PUBLISHER Gregory Torres
gtorres@massinc.org | 617.224.1703

SPONSORSHIP, ADVERTISING & CIRCULATION Caroline Palmer
cpalmer@massinc.org | 617.224.1645

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We're turning 20

MASSINC, THE PARENT of *CommonWealth* magazine, turns 20 this year. We're planning a birthday party on December 1 that we're calling Serious Fun II and we're starting to think about what the next 20 years might look like. I invite you to support our work by attending the birthday party and offering your suggestions on how to build a stronger and better organization.

I wasn't here at the start, but I've heard the stories about how the founders wanted to create a nonpartisan organization that would address policy issues important to the middle class using research, events, and journalism. Over the years, the mission has evolved a bit. Polling has been added to the mix with the creation of the MassINC Polling Group. Research is increasingly concentrated on the state's Gateway Cities and criminal justice issues. And, as the news business has shrunk, *CommonWealth* has added a website and broadened its focus to become more of a daily news outlet.

This print issue of the magazine reflects *CommonWealth's* statewide focus and its pursuit of stories that the mainstream media rarely cover.

Michael Jonas has a very interesting feature on 18-year-old Timothy McManus from Dorchester, who is serving 18 months in prison for possession of a handgun. The story examines McManus's situation from all angles, but doesn't take sides. Through interviews with McManus and others with ties to the case, the story acknowledges the need to remove guns from the streets while raising questions about whether a mandatory minimum sentence for a kid showing promise like Timothy makes sense.

Gateway Cities have long been identified as down-and-out urban areas in need of special help from the state, but lately many of the communities are making what appear to be comebacks. The municipalities aren't growing anywhere near as fast as Boston, but they are exhibiting promising signs. Springfield, where an MGM casino and a facility

manufacturing railcars for the MBTA are under construction, is a good example. As Ted Siefer explains, the city is not only attempting to lure jobs to the community, it is also trying a novel approach to both improving its schools and targeting economic development.

In Conversation, we interview New Bedford Mayor Jon Mitchell and learn that his recipe for change in a Gateway City involves a heavy dose of self-reliance. "What I'm trying to do is convince people that you have your own destiny in your hands," he says. "As trite as it might sound, if you believe things will get better and are willing to work to make it happen, it will."

Our story on the Department of Conservation and Recreation continues the magazine's review of how the agency manages the state property it owns. Our story four years ago found tenants on state-owned land with lapsed leases

Help us chart the next 20 years.

and many of them paying little or no rent. It prompted a review by the state auditor and a lot of changes at the agency in an attempt to bring its lease-monitoring into the 21st Century. Commissioner Leo Roy is now trying to set the cash-strapped agency on a new course, requiring all DCR tenants to pay market or near-market rents.

There's a lot more in this issue, from commentary on education reform and charter schools to pieces on whether Sen. Elizabeth Warren can actually legislate and why Donald Trump's performance in heavily Democratic Massachusetts matters. We also have a review of a book on the American Dream and an interview with Solomon Goldstein-Rose, a 22-year-old recent college graduate who is about to land a seat in the Massachusetts House.

Enjoy the magazine, stay involved, and please help us chart the next 20 years.

Bruce Mohl

BRUCE MOHL



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inquiries

Pharmacy school pays chief well

Charles Monahan Jr. makes \$1.3 million a year in total compensation, more than all but one of his presidential peers at other colleges in Greater Boston.

Monahan does not work at Harvard University, MIT, or one of the other big-name schools in the area. He's president of the Massachusetts College of Pharmacy and Health Sciences University, a Boston school serving 7,100 students.

Besides a pharmacy program, the school offers degrees in a variety of other disciplines including nursing, dental hygiene, and public health. Monahan, who has been president of the school for close to 20 years, holds an undergraduate degree from the college and ran a pharmacy before assuming the presidency.

Through his spokesman, Monahan declined requests for an interview.

Instead, the school's Board of Trustees, which is made up of mostly pharmacists, issued a statement saying, "It is the trustees' judgment that the president's compensation is commensurate with his skilled leadership and the resultant significant achievements of the university and will provide the necessary incentives to retain him in that position."

According to the school's 2015 tax filing, the latest available, Monahan earned \$1.3 million in salary, benefits, and related compensation. That amount is \$152,000 more than Harvard pays its president, \$162,000 more than Northeastern University pays its leader, and \$387,000 more than MIT pays its president.

Only the president of Boston University, Robert Brown, earned more than Monahan; he makes \$153,000 more.

► COLMAN M. HERMAN

The toughest mile

► JACK SULLIVAN

IN 2008, THE Patrick administration set out to wire 123 cities and towns in western Massachusetts for broadband. But eight years, 1,200 miles of fiber-optic cable, and nearly \$100 million later, the effort has stalled with 44 communities still without high-speed internet.

The towns that remain essentially disconnected—or, in the words of state officials, "unserved"—represent 12.5 percent of the state's 351 cities and towns but only 1 percent of the state's population. Because of the limited subscriber base and the construction challenges in the wooded and hilly regions, private cable providers have been unwilling to invest in building what is termed "the last mile" to connect homes and businesses to the network constructed by the state.

Peter Larkin, interim executive director of the quasi-public MassTech Collaborative, says the "one-size-fits-all" approach that was envisioned at the beginning of the plan assumed that if the state took on the burden of building out the "middle mile," private companies such as Comcast, Charter, and the like would finish off the job. But, he admitted, their financial model would not allow them to provide service to the smaller towns at a low-enough cost that would ensure a sufficient subscriber base.

A CRITICAL SERVICE

Larkin says the state, through MassTech's Massachusetts Broadband Institute, which was formed to connect the unwired west to the world wide web, is stepping in to provide an additional \$45 million—\$40 million for towns with no high-speed service and \$5 million to complete the job in 10 communities deemed "underserved." The money has rebooted the interest in the program. He says high-speed internet—defined by the FCC as 25 megabytes per second download speed and 3 megabytes per second upload speed—is not a luxury just for the well-heeled, justifying the investment by the state.

"If you live in those towns, this is a critical service," says Larkin, a former state representative from Pittsfield. "This is a critical piece of our evolving economy and no community should be left behind. These people should not be relegated to second-class citizenship because of where they live."

In 2014, the Legislature authorized the technology bond bill that provided the money. Earlier this year, Gov. Charlie Baker redefined the broadband initiative to allow more flexibility for communities to complete the "last mile" connections and provided the funds to either build out municipal or regional service or attract a private provider who wouldn't otherwise invest in the project. The state in August reached an agreement to pay Comcast \$4 million to complete the wiring of 10 communities considered "underserved."

Residents, businesses, and municipal officials agree that high-speed internet

should be considered a utility, as necessary for daily living as electricity and water. They point to the need for children to be able to view homework videos and lessons that require faster service than DSL or cell service and businesses that rely on larger and larger files and graphic requirements to operate on par with their big-city competitors.

Joe Roy, Jr., and his son Joseph P. Roy run the family-owned The Floor Store in West Stockbridge and, after years of relying on phone modems and sluggish DSL service, have finally been brought into the 21st century by being connected to Charter Communications broadband service. The service came after the state agreed in August to pay the private company \$1.6 million to connect 440 households in West Stockbridge, Lanesborough, and Hinsdale, all in Berkshire County.

Joe Roy says his business relies “100 percent” on the internet to exchange quotes, designs, measurements, and orders. He says with DSL, he would have to use the internet after work hours to download files so as not to gum up the daily business. With broadband, he says he can multitask and download data in a fraction of the time.

“If this didn’t happen, I would go back to doing a lot less business in a more clunky way,” he says.

Stan Moss, chairman of the Board of Selectmen in Princeton, concurs. Moss, who runs an IT service provider for small businesses, says there have been “inferential” studies showing population and home value declines in Princeton, which does not have broadband, while connected surrounding towns have experienced increases in both areas.

Indeed, of the 44 towns defined as “unserved” by the state, 28 of them lost population between 2010 and 2015, a period when the state as a whole experienced an increase in population. Moss says, despite Princeton having high-performing schools, it is a struggle to attract families who want their children to be able to compete academically.

“The realtors tell us all the time, the schools tell us that all the time,” says Moss, who worked at the iconic tech company Digital Equipment Corporation for 20 years before starting PC Wizzards. “Parents would come and be impressed by the

HOME VALUES HURT

MICROPHILANTHROPY

A personal form of charity ► EDWARD M. MURPHY

Microphilanthropy is an occasional feature that calls attention to small acts of generosity that people do for the benefit of others and highlights little-known needs that could benefit from generosity, even on a small scale.

THE EXPLOSION OF electronic communication and content sharing have expanded the ways that charities seek donations. They can inexpensively ask for contributions with e-mail and social media posts soliciting for their cause. Donors, in turn, benefit from the quick and painless giving enabled by the charities’ websites. The interaction ends after a few clicks.

But an innovative Boston area nonprofit is working to show that there are ways to use electronic media to create a closer connection between donors and recipients to the benefit of both. The organization marries contemporary ways of managing content with the timeless belief that a chari-

table gift has the most meaning when the donor can see the specific consequences of the gift for another individual.

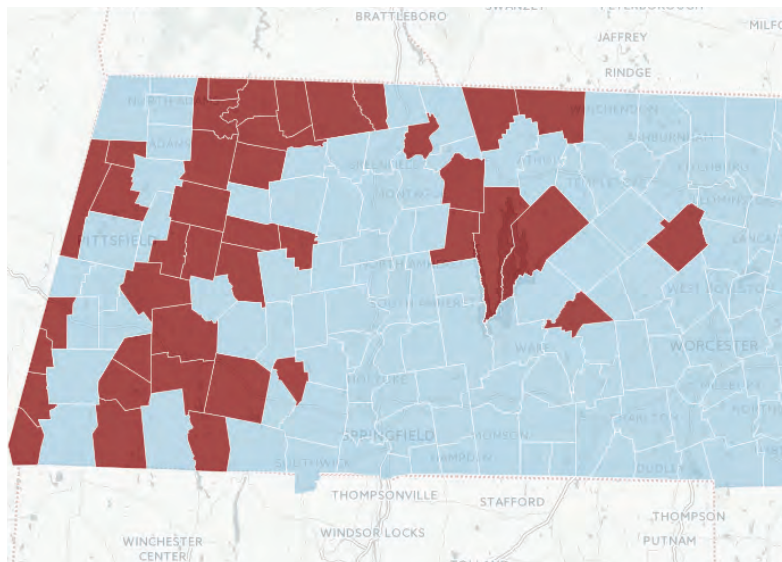
Small Can Be Big is a charity that solicits small contributions that have a big impact on families at risk of homelessness. Its mission is to provide quick and targeted financial assistance to families identified by one of 15 of Greater Boston’s best regarded social services agencies. Small Can Be Big does not itself provide direct services but responds quickly with funds that can keep a struggling family in their home, off the street, out of a shelter, and out of harm’s way. Donors help a specific family or person and receive a

report on the impact of their gift.

Professionals who work with families know that the line between having a home and not having one is often thin. An illness, a layoff, an abusive boyfriend, or brutal winter weather resulting in huge utility bills can push an economically marginal family off the cliff into homelessness. Even though the government tries to help with housing subsidies, heating, and other support, sometimes the money runs out or the rules are too inflexible to intervene quickly in a crisis. The loss of a place to live can initiate a cycle of trouble. Without a home base, it is extremely difficult to sustain a job, to maintain children in school, or to execute the myriad details necessary for a successfully coping family.

When a small amount of money can stem a crisis and sustain a family

DISCONNECTED



The darker shaded towns are defined as “unserved” by the Massachusetts Broadband Initiative.

curriculum but when they hear no internet, we never see them again. It’s frustrating.”

At the beginning of September, Princeton was on the verge of asking voters to approve a \$3.4 million bond issue to create a municipal broadband service because of the inability to attract a private provider. But just days before the vote, Comcast sent a letter of interest because the state is making \$910,000 available to build the “last mile.” Moss, who says the town will entertain applications from other companies as well as Comcast, says he’s happy it looks like Princeton will finally be on par with its neighbors but he’s frustrated it’s taken so long and that it required public money to get private enterprises interested.

in their home, Small Can Be Big will step in. On any given day the organization’s website will profile the specific current needs of a family that has been vetted and referred by one on the partner agencies. For example, a parent with stomach cancer couldn’t work for several months, fell behind on rent, and faced eviction. A mother’s automobile engine blew and, if she didn’t repair it, she couldn’t work. Paying for the repair required deferral of her utility bill resulting in threatened electric shut off. Another family had to pay for the unexpected death expenses of a relative and put themselves at risk of eviction. In each case, Small Can Be Big donors paid the arrears, stabilized the situation, and allowed the family to look forward. The woman whose family economics were sent into a spiral by the funeral

cost told her donors: “The best part is being able to breathe again and to finally grieve my loss.”

Over the past year, Small Can Be Big has served as intermediary for funding 124 families with an average grant of \$1,460. Almost all contributions come through the web site and the average donation is \$86.31. Small Can Be Big does not solicit donations from corporations or large foundations. A major part of the organization’s purpose is to engage individuals and their personal networks in charitable giving. Rather than a gift from a company, they seek multiple small gifts from people who believe it is important to help an individual in need. This adds to the meaning for both the giver and the recipient, something that is enhanced by the fact that donors receive a follow-up report on how the funds impacted a

specific family.

Small Can Be Big is lightly staffed. Another of its features is that 100 percent of all donor contributions are used for the families in need. No overhead costs are deducted because all such expenses are defrayed by the Boathouse Group of Waltham, whose owner, John Connors, saw the need for a new kind of charity when he served as a board member of St. Mary’s Center in Dorchester, a homeless shelter for women and their children.

If you would like to join others to help a specific family, have an understanding of what they need, and get a report about what happened afterwards, you can see who needs help today and make a tax deductible contribution through the web site at <https://www.smallcanbebig.org/>

“We were talking informally with Comcast and Charter for a year and half and they weren’t interested,” he says. “Without this money, under normal circumstances, no way would they wire the whole town.”

Under the state’s definition of connectivity, a town is deemed unserved if it has service less than the federal minimum of 25/3 and it is underserved if less than 96 percent of the community is not connected. Most private providers have a template that requires a density of at least 15 homes per road mile with a target of 50 percent subscriber base to justify the expense. Of the towns that are unserved, 25 have a population of less than 1,000 people, with miles between houses in some areas.

Carolyn Kirk, deputy secretary in the Executive Office of Housing and Economic Development, admits there was a period of “stagnation” in the broadband initiative from the end of the Patrick administration through the early part of the Baker administration. Much of it, she admitted, had to do with the reluctance of private companies to commit the resources, which spawned the state to pony up more money.

“It’s like trying to get electricity to rural America in the 1920s,” she says. “Internet service is a fundamental necessity in today’s world.”

Drawing a line

► JACK SULLIVAN

IT’S NOT QUITE a gang war with combatants brandishing mechanical pencils but there’s a brewing battle over state regulations that engineering companies say are arcane and outdated but architects insist are necessary for the “health, safety, and general welfare” of the public, especially for projects involving tax dollars.

Under Massachusetts regulations, only a licensed architect with “responsible control”—in other words, someone who works hands-on with the project from start to finish—can sign off on drawings to certify they meet state building codes.

Further, if an engineering company is in charge of the project, the architect with responsible control must be a corporate officer in order to ensure there’s a place for the buck to stop should something go wrong.

“You don’t want to lose personal responsibility,” says John Pesa, a licensed architect and member of the state Board of Registration of Architects. “The whole business of safety is people taking responsibility. The corporation

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A recent meeting of the state Board of Registration of Architects to discuss proposed regulation changes.



doesn't have an identity. They literally can get away with killing someone with a bad design. If you lose the personal accountability, it's game over."

But Abbie Goodman, executive director of the Massachusetts chapter of the American Council of Engineering Companies, says the regulations were drawn up half a century ago when the architectural and engineering professions were distinct professions. Requiring a corporate officer to be both a licensed architect and a hands-on manager, she says, is a cumbersome burden that could eliminate many qualified companies from bidding on public works projects.

"We have some member firms that practice both architecture and engineering, which was a business model that was not contemplated when the first statutes and regulations regarding the practice were promulgated over 50 years ago,"

RESPONSIBLE CONTROL IS KEY

Goodman wrote in an email response. "Those opposed to what we are saying appear to have a protectionist position."

The architect board is currently fashioning updated regulations and, in September, passed some amendments that reinforced the requirement for responsible control. But engineering companies are working hard behind the scenes to make changes that would be more favorable.

Much of the fight stems from an investigation several years ago into worldwide engineering giant AECOM, which has scores of offices around the globe, including one in Boston. Pesa, a former employee of AECOM, tried unsuccessfully through internal channels to force the company to stop falsely representing employees as Massachusetts licensed architects. He then went to state officials to alert them but was told he'd have to file a formal complaint for the state to launch a probe, which he ultimately did.

The ensuing investigation by the Division of Professional Licensure determined AECOM misrepresented four employees as licensed architects. According to records, the probe determined the company had at least 14 public projects, including at the MBTA, Massport, and municipal government level, that were not signed off by licensed

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architects certifying them as compliant with state code.

Officials at AECOM, who did not return a call to the corporate office for comment, passed it off at the time, saying the four employees were issued business cards—which had the titles “Project Architect” or “Senior Architect”—“through inadvertency and oversight without intent to circumvent the Commonwealth’s laws.”

The Board of Registration of Architects, though, saw it as a more egregious action that compromised public safety and levied a fine of \$75,000, the largest ever for violations of state regulations for architects.

John F. Miller, one of the founders of Cambridge-based HMFH Architects Inc. and chairman of the architect board at the time, said the violations were significant and, though nothing has occurred to date, could have potential impacts on public safety because the projects involved areas paid for and used by the public.

“In order to protect the health, safety, and welfare of the public, it is crucial that one person has responsible control,” says Miller. “You can’t just have a junior draftsman making a design. You need to have him involved throughout the process.”

Goodman, the engineering industry group’s executive director, says the same end can be accomplished by having

a lower-level architect handle the project under the “supervisory and professional control” of corporate officers who can review the work.

“The level of detail and knowledge required by the definition of responsible control suggests an intimacy with a project that is not practical for every officer tasked with overseeing a firm’s business practice,” she says. “Delegation of that responsibility, with oversight by an officer, will lead to better professional results.”

But Miller says that approach has been tried and failed.

“You can just go to the Big Dig to find evidence of that happening,” he says, citing a 2006 fatality from a collapsed ceiling panel that was signed off by engineers who didn’t factor in the requirements for load-bearing epoxy.

The engineering group “has made a particular point that the old regulations have been outdated and need to be changed and these are very cumbersome to companies,” says Miller. “I don’t believe that is the case. It’s the primary way of ensuring that the design meets the building codes and it is done in a safe manner.” **CW**



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Youth movement

At 22, Solomon Goldstein-Rose graduated from Brown and is poised to claim a House seat. What's next on his agenda? Climate change.

BY LINDA ENERSON | PHOTOGRAPH BY FRANK CURRAN

THE SCENE: *The Amherst town cemetery, sitting on a stone wall circling an old burial plot, not far from Emily Dickinson's grave. Solomon Goldstein-Rose, who won the Democratic primary for an open Amherst-based House seat and faces no opposition in November, suggested the graveyard over a busy bagel shop because his soft-spoken voice couldn't be heard above the restaurant clamor. He waves as a cop drives by, looking for loitering teens.*

Presuming you're elected, will you be the state's youngest legislator? No. There's a 21-year-old from Cape Cod. He has a general election challenge, but I think he's likely to win. It seems like there are more young people running than usual and that's exciting. There's going to be a cohort of us coming in.

Do you feel millennials are under-represented in the Legislature? People 18 to 29 are 20 percent of eligible voters and half of the voters in this district, but 2.5 percent of the Legislature. It's pretty much one of the most underrepresented groups you can imagine. It's not that we would automatically be better, but we do have a unique voice and perspective. We tend to want to think longer term. A lot of us are idealistic. I see those as strengths.

Freshman legislators don't have a lot of power. What's your strategy to get some things done? I'm not going in there to be a rabble-rouser. I want to come in, learn from my colleagues, compromise, and get smaller, short-term steps done immediately. And then build over time for the larger ideas. I've had conversa-

tions with very conservative people in the state who are fully behind clean energy. Climate change is the most serious economic threat to the Commonwealth and the most serious public health threat in the next few decades, so we need to be treating it as a nonpartisan issue.

How did you get your start in politics? I started when I was 2 months old on a picket line joining a protest to help end the genocide in Bosnia. I come from a political family. My parents are activists. When I was 12, I worked on school bus idling. That was my first big project. I was working with a group that was trying to get the school buses in this district to turn off their engines when they were picking up and dropping off kids. Ellen Story [the rep he is replacing] had a bill in the Legislature that would prohibit idling on school property. We eventually succeeded and then four years later Ellen's bill finally passed.

How much did you spend on your campaign? About \$25,000. We knew going into this we were going to have to raise twice as much money, have twice as much substance, and knock on twice as many doors, and that's what we did. I personally knocked on 3,000 doors. There are 22,000 voters and we contacted 10,000, maybe 12,000, in some way.

Climate change is your top priority? Climate change is the central issue for my generation's future and the next generation. There are many other issues I'm passionate about, but climate change is the thing. We can do whatever we want in the US, but we're still going to be hit with the full impact of climate change unless India and China and other places stop



emitting carbon pollution. Fossil fuels are lifting billions of people out of poverty around the world. If we want to phase them out, we need something that's cheaper. Massachusetts can be the state that develops clean energy technologies that are cheaper than fossil fuels. That's what I want to do, helping to invest in a center at UMass and other colleges and tech centers around the state that would develop revolutionary batteries and better solar cells or biofuels.

What about education? The biggest issue is funding. Long, long term, what I think we should be doing is reducing or eliminating property taxes and increasing income taxes in a progressive way. Property taxes are not a good way to fund public schools. They are hard for places like Amherst where half our land is untaxable. And poor communities around the state don't have a lot of tax base, so if they have underperforming schools, it's hard to break out of that.

What are your concerns about standardized tests? We should have a test, but it's the fact that it's used for high-stakes decisions, that it's used to judge teachers and districts, that it drives curricula and, most of all, that people feel like they have to teach to the test. Long term, it would be nice to have a holistic test or evaluation system, something that could get at leadership and communication skills, things

that are equally important to learn from schools. We have no way to measure them now, so they get squashed out of the curriculum. Social studies, arts get squashed out of the curriculum because they don't have a test.

When did you graduate from Brown? This May.

What did you major in? At first I was an engineering student. I thought I was going to do research and development of clean energy technologies. Then I took a semester off and interned at the White House Council on Environmental Quality. When I got back, I switched from a BS to a BA in engineering and double-majored in engineering and public policy. Luckily, I was able to plan a semester of classes that was not overwhelming. So, I focused mostly on the campaign. I did direct a theater production the first week of the semester.

You're a director, not an actor? Well, both. I'm a better director than I am an actor or singer, but I like acting and singing and tech, and so I've done a little of everything. Theater feeds my soul.

Will you continue directing plays as a legislator? I hope so. **CW**



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Why Trump's performance matters in Mass.

Clinton is expected to win, but her victory margin could influence legislative races. **BY BRENT BENSON**

REPUBLICAN KATE CAMPANALE stunned the state's political establishment in 2014 by winning the 17th Worcester district House seat, edging out Democrat Douglas Belanger by just 43 votes out of 9,750 cast. Campanale will face Democratic challenger Moses Dixon on November 8, after Dixon defeated Belanger in the September 8 Democratic primary. Campanale is in a stronger position than 2014 as a one-term incumbent, but the fate of the House seat and Campanale may rest on the popularity of another Republican, Donald Trump.

Popular poll-based presidential voting models give Hillary Clinton a 99 percent probability of winning Massachusetts and its 11 electoral votes. Yet even though Clinton is the clear favorite, her margin of victory in the Bay State may influence the outcome of down-ballot races for the Legislature.

A statistical analysis of the 211 contested Massachusetts state legislative races in the presidential years of 2004, 2008, and 2012 shows that a 1 percentage point change up or down in the presidential margin usually translates into a 0.7-point change for the candidate of the corresponding party in a state legislative race. As a result, a 37-point loss for Trump—on the order of Bill Clinton's Massachusetts margin over Bob Dole in 1996—would likely make for a terrible night for Republican state legislative candidates. A 24-point loss, on the other hand—the margin of President Obama's Massachusetts victory over Mitt Romney in 2012—would lead to a more typical outcome, as judged by elections since 2004.

The statistical model used to analyze the 211 contested state legislative races from 2004, 2008, and 2012 uses a simple linear regression to predict the Democratic/Republican margin for each state legislative race based on the margin of the presidential race in the district, and an indicator of whether the state legislative seat has a Democratic incumbent, is open, or has a Republican incum-

bent. While there are, of course, many other factors that help determine the results in each race (candidate quality, voter outreach, etc.), the regression model explains 80 percent of the variation in the margin, making it a statistically useful tool for analyzing the relationship between state legislative margins and presidential race margins.

Massachusetts Democrats have a consistent history of supporting Clinton, who won both the 2008 and 2016 primaries. By contrast, the Massachusetts Republican Party has a love/hate relationship with Donald Trump—some in the Massachusetts GOP love him, and some hate him.

Moderate Bay State Republicans such as Gov. Charlie Baker, hoping to keep the socially moderate and fiscally conservative Northeast Republican brand in play, have made a principled stand against Trump's divisive and racist ideology. Tea Party supporters, such as Rep. Geoff Diehl of Whitman, publicly endorse Trump and are working for his victory. Much of the Massachusetts GOP establishment supported more mainstream candidates in the presidential primary, while almost 50 percent of actual rank-and-file Massachusetts Republican primary voters backed Trump.

The Massachusetts Legislature has 200 members—160 state representatives and 40 state senators. There are currently 125 Democrats and 34 Republicans in the House (Democrat Garrett Bradley stepped down, leaving a total of 159) and 34 Democrats and 6 Republicans in the Senate. All 200 seats are up for election every two years.

While there is an election for every district, many seats go uncontested. Running a quality campaign for a state legislative seat takes organization, time, and money, and unseating a well-known incumbent can be difficult.

For the 2016 general election, there are 18 contested races in the Senate and 54 contested races in the House, with 128 uncontested seats.

2016 STATE LEGISLATIVE RACES WITH CLOSE MARGINS

DISTRICT	DEMOCRAT	REPUBLICAN	BASELINE PREDICTION
House 3rd Barnstable	Matthew Patrick	David Viera	R+7
Senate Norfolk, Bristol and Middlesex	Kristopher Aleksov	Richard Ross	R+7
House 2nd Franklin	Denise Andrews	Susannah Whipps Lee	R+4
Senate 2nd Hampden and Hampshire	Jerome Parker-O'Grady	Donald Humason Jr.	R+3
House 1st Essex	Brianna Sullivan	James Kelcourse	R+2
House 17th Worcester	Moses Dixon	Kate Campanale	EVEN
House 2nd Barnstable	Aaron Kanzer	William Crocker Jr.	D+5
House 10th Worcester	Brian Murray	Susan Edmondson	D+6
House 4th Worcester	Natalie Higgins	Thomas Ardinger	D+6
House 6th Plymouth	Josh Cutler	Vince Cogliano	D+6
House 12th Plymouth	Thomas Calter	Peter Boncek	D+8
House 4th Plymouth	James Cantwell	Michael White	D+8
Senate Cape and Islands	Julian Cyr	Anthony Schiavi	D+9

Blue indicates incumbency

There are a total of 193 candidates for the 72 contested races. Eleven of the contested seats are open, without an incumbent running.

Rep. Campanale's district is the race with the highest degree of uncertainty as to outcome—essentially a 50/50 coin flip—based on the model. The model takes into account Campanale's incumbency and the fact that it is a presidential election year, bringing a more Democratic-leaning set of voters to the polls.

The table lists additional state legislative races where the predicted margin between Democrat and Republican is small, and where an unexpectedly larger or smaller margin in the presidential balloting could easily swing the race one way or another.

The baseline prediction is computed using my regression model, which uses the district's presidential margin and an indicator of whether the seat has a Democrat incumbent, is open, or has a Republican opponent as variables. I used the district's average of the presidential margin in the last two elections as input for the baseline calculation. For example, the average 7-point Democratic margin that Obama won the House 2nd Franklin district by in 2008/2012, maps to a 4-point Republican advantage for Susannah Whipps Lee, when adjusted for the Republican incumbency advantage. An increased margin of 10 points

in the presidential race at the top of the ticket would move all of the Republican-leaning races into possible Democratic territory, whereas a 13-point weaker showing by Clinton would put the Democratic-leaning races into striking distance for the GOP.

Reps. Campanale and Kelcourse are facing their first challenge as incumbents, while the rest of the incumbents have shown the ability to win multiple challenges in their swing districts. Open seats have historically shown more



volatility. There are three open House races and one open Senate race, the Cape and Islands seat currently held by Senator Daniel Wolf. All four of these open seats are currently represented by Democrats and would be highly coveted pickups for the GOP.

The statistical model raises a troubling dilemma for Republican politicians in Massachusetts: support the national party's divi-

sive nominee and risk damage to the GOP brand, or reject the nominee and put more down-ballot state legislative races in jeopardy.

An average of the Massachusetts presidential election polls as of September 1 puts Clinton's margin over Trump at 22 points, similar to President Obama's 24-point win over Romney in 2012. If Clinton's Massachusetts margin in November ends up in the low twenties, we are likely to end up with a split between Democratic and Republican

winners and losers for the races in the table. However, if Trump implodes at the debates and Clinton ends up with a 30-point margin or greater, we could see many of the GOP-leaning state legislative districts moving in the Democratic direction. Alternatively, further narrowing of the Clinton/Trump margin would likely lead to more Republican state legislative winners.

But what if the measurable relationship between the presidential race and state legislative races that has held in the last three presidential years does not hold in 2016? This

The Trump phenomenon adds to uncertainty.

election cycle has already defied most predictions, resulting in a Republican nominee who has said and done things that would have completely disqualified more typical candidates. Trump is historically unpopular and Clinton has her own approval problems after suffering relentless attacks on her integrity for years.

There are surveys of elections in other states that show Republican candidates for the US House and Senate polling at significantly higher levels than Donald Trump.

This might indicate a realization among likely voters that Trump is not a mainstream candidate. Alternatively, voters might be acknowledging the likelihood of a Clinton win and be trying to provide a legislative check to a Clinton presidency by electing Republican members of Congress.

Sens. Elizabeth Warren and Ed Markey are not up for re-election this year, Massachusetts's representatives in Congress do not face serious competition this year, and Massachusetts voters already have a Republican chief executive in Charlie Baker, who may owe some of his victory to voters trying to balance a Democratically-controlled Legislature.

But history points to a sticky relationship between the Democratic/Republican margin at the top of the ballot, and those in down-ballot state legislative races. An unexpectedly big or small margin between Clinton and Trump will likely show itself in the tightly contested state representative and state Senate battles on November 8. **CW**

Brent Benson analyzes politics and public policy in Massachusetts using a quantitative approach on the Mass. Numbers blog (massnumbers.blogspot.com). You can follow him on Twitter @bwbensonjr.

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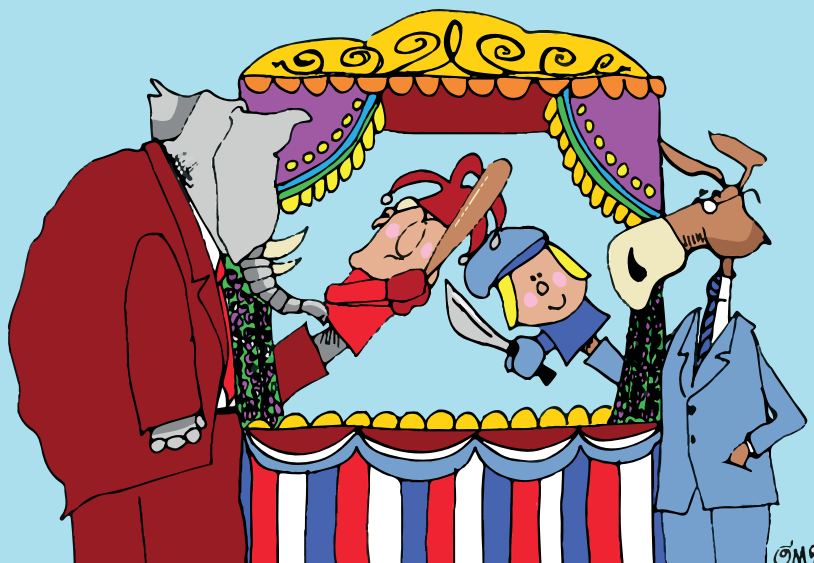
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Can Elizabeth Warren legislate?

If Dems do well, she'll have to put policy ahead of politics.

BY SHAWN ZELLER

DURING HER FIRST four years representing Massachusetts in the Senate, Elizabeth Warren has become the chamber's leading progressive voice. Hillary Clinton considered her for the vice presidential slot and, while Warren didn't get it, she's become a valued surrogate, with her Twitter war with Donald Trump and her ability to rally the supporters of Clinton's chief primary opponent, Vermont Sen. Bernie Sanders, to Clinton's side.

But come January, if Democrats do as well in the election as they hope, Warren will face a new challenge: Can she shift from progressive lightning rod to successful lawmaker?

Making the switch will require a significant change in direction. Since the beginning of the current election cycle—really since the beginning of the current Congress in January 2015—she's focused on politics first, and policy second.

It was telling, for example, when Warren told *Boston Globe* reporter Annie Linskey in July that she was going to “put every ounce of her energy” into electing Clinton president and winning a Democratic Senate majority.

What Warren hasn't done is demonstrate an ability to legislate. If she has designs to fill the role that Ted Kennedy once did for Massachusetts, she'll have to show that she's able to go on the attack, but also do something that's harder, compromise. And January, when a new president and new Congress are seated, is the best time to do it.

Democrats always figured they had a good shot at taking back the Senate this year and now they are thinking the unthinkable, that the House is in play as well. If Democrats complete the sweep, Warren will have a chance to pursue some of the policy goals she's had to defer while the Republicans have been in charge. On a few issues, she's shown some

appetite for bipartisan brokering, but Warren has yet to face a real test of her legislative chops.

“I'm still fighting for the same things I said I would fight for when I ran for the Senate,” she says in a brief interview. Those things, she adds, include “leveling the playing field for middle class families” and “making sure Wall Street doesn't roll over the rest of the economy.”

Specifically, she's talked about wanting to overhaul the tax code, to eliminate the debt burden on college students, and to expand the jurisdiction of the Consumer Financial Protection Bureau, which was her brainchild and which Congress created in the 2010 Dodd-Frank financial regulatory law. Those are tough sells, even if Democrats are in charge, but Warren says she's hopeful. “You don't get what you don't fight for,” she says.

She's also keen to raise the minimum wage and to increase funding for the National Institutes of Health, which funds basic science research at universities and clinical trials at teaching hospitals.

It's not clear where she plans to go with other items on her agenda, but they are just as grand: regulation of gig economy firms like Uber and Airbnb and increased enforcement of antitrust laws.

Republicans don't believe Warren has either the ability or the desire to be a true lawmaker. “Her inclination, her history, and temperament are much more on the side of advocacy and drawing lines rather than crossing lines,” says Frank Micciche, who ran then-Gov. Mitt Romney's Washington, D.C., office from 2003 to 2006.

Still, Warren was probably wise to write off the final weeks of the congressional session. By summer's end, the appropriations process had broken down and Congress had kicked over the final decisions into a lame duck session that will meet after



the election. Beyond that, the period before a national election is usually a dead zone for policy.

Most likely, even if there's a Democratic tidal wave in November's election, Warren will have to curb her ambitions. No one is giving the Democrats a shot at the filibuster-proof Senate majority they enjoyed for several months in 2009 and 2010. Unless the Democrats change the filibuster rules, they'll have to win over Republicans to get anything done.

In the House, if Democrats pick up the 30 seats they need for a majority, it'll be just barely. And the group of moderate, pro-business Democrats will surely grow.

So Warren will probably have to cross off her list any expansion of the Consumer Financial Protection Bureau's authority. Warren has broached giving it new powers to police loans from car dealers, but she'll have to be happy with no longer having to fend off GOP attacks. There's no way Republicans approve an expansion.

The other items on Warren's to-do list are plausible, though it's unlikely she'll get anything as far-reaching as she'd like.

Take tax reform. Warren last year laid out her principles for an overhaul but they didn't track the formula that most reform proponents have suggested could be enacted.

That's a simplification of the code in which tax breaks go away and rates go down. For Republicans, the changes must be revenue neutral. Warren said she would insist that any overhaul raise revenue.

Nonetheless, Warren is bullish: "This is an example where progressives and conservatives have clear ideas that differ sharply but where there is a real possibility of movement."

Warren argues that big corporations, and hence Republicans in Congress, are ready to deal because the overseas tax havens that companies use are drying up and they're going to need to bring money back home. The European Union bid to recoup Apple Computer's Irish tax

breaks is an example.

On her other agenda items, Warren has indicated some flexibility. She's said she wants an increase in the minimum wage, for instance, but hasn't insisted that it be any particular number.

On college debt, Republicans rejected her effort to reduce interest rates on student loans. The 56-38 vote failed to clear the 60-vote threshold to overcome a filibuster in 2014, even though three Republicans voted for it.

But her latest proposal—which would tie an increase in federal funding to the states to their efforts to set affordable tuition rates—sounds more like something Republicans might embrace. It's a similar formula to the one that led to Kennedy's deal with President George W. Bush on the 2002 overhaul of K-12 education and Warren says that, like that deal, it will require some give from both parties.

"We can do it if Republicans admit that we will never have affordable college without investing more resources in education and if Democrats admit that we will never have affordable college without demanding real accountability in exchange for those investments," she told the American Federation of Teachers in introducing the plan last year.

On NIH funding, Warren turned heads by lining up support for her push to increase the government's funding for basic research from former House Speaker Newt Gingrich, a Republican who during his time in Congress championed that cause.

Indeed, Warren is capable of reaching across the aisle. "I picked up the phone and I said, 'Hi, Mr. Speaker. This is Elizabeth Warren. Do you want to work together on this?' And he said, 'Absolutely,'" she told an audience at

Warren says she can work with Republicans.

the Washington Ideas Festival last year.

Warren has found common cause with her Republican colleagues in the Senate, too, on occasion. Last year, they helped to pass her bill to require disclosure of the terms of settlements that federal agencies reach with corporations accused of violating regulations.

Warren contends that the deals often give companies a pass. Her chief co-sponsor, Republican James Lankford of Oklahoma, believes that agencies during the Obama administration have used settlements to bypass the laborious rulemaking processes they otherwise have to follow, and imposed new regulatory burdens on companies.

In June, Warren teamed with Republican Sen. Steve Daines of Montana on a bill that would permit companies to invest assets in retirement plans that former employees have left behind and forgotten about, in investments that

will bring a higher return, such as target-date mutual funds or Treasury bonds.

Such small potatoes bills won't fire up Warren's progressive fans, but they build up goodwill for larger endeavors. And they indicate that Warren does have legislative ambitions.

Still, it will be easy for Warren to slip into another, more familiar role, that of the progressive pushing the deal-makers in Congress in a more liberal direction.

"She'll call out Hillary Clinton from the left and continue to speak out on behalf of the financial interests of the average American," says Kenny Ames, a longtime aide to US Rep. Barney Frank when Frank was a senior Democrat on the Financial Services Committee.

If that's the case, Warren may prove a deal-breaker, rather than a deal-maker during a Clinton administration. Before the current campaign, Warren had criticized Clinton for her ties to Wall Street and for Bill Clinton's deregulatory approach to the financial services industry.

But Warren says Clinton has run a progressive campaign. "My job is to help her get elected with that progressive agenda and then to help her enact that progressive agenda," she says.

Last year, Warren led the successful effort to derail

the nomination of Antonio Weiss of the bank Lazard to a Treasury Department post overseeing domestic finance issues. It was an extremely rare instance in which an Obama nomination fell because of Democratic opposition. Warren said she objected to the revolving door between Wall Street and the Treasury and that Weiss's experience didn't match with the responsibilities of the job.

Asked if she'll continue to block similar Wall Street appointments in a Clinton administration, Warren says, "yes, yes, yes."

"She's the Democratic version of what John McCain used to be, the senator who is always willing to break with his party and break with his president," says the Boston-based pollster Brad Bannon, referencing the Arizona GOP senator. Of course, McCain, in addition to sometimes criticizing his GOP colleagues, also cut deals with Democrats.

All this speculation about the path Warren will pursue is predicated on the Democrats winning in November. If they don't, and it's President Trump taking office in January with a Republican Congress to work with, expect Warren to continue on as she has for these past several months as Trump's most outspoken critic on the left. And look for her progressive fans to start urging her, again, to run for president. **CW**



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Crime and punishment

What's the right thing to do with an 18-year-old caught with a gun?

BY MICHAEL JONAS | PHOTOGRAPHS BY MARK OSTOW

DIANE MCMANUS SAYS her youngest child, Timothy, is “no street kid.” He was “raised in the church,” she says, a respectful son who minded the rules she set down, even as a teenager growing up in a rough patch of Dorchester off Blue Hill Avenue. But while Diane McManus was out of town in February 2014, visiting an older daughter who was undergoing surgery in South Carolina, Tim defied her orders to be home by 11

p.m. He was stopped by police a block from their home just after 1 a.m. on a Saturday morning and arrested when they found a loaded handgun in his jacket.

Today, Tim McManus is nearing the end of an 18-month jail sentence—the mandatory minimum penalty for carrying an unlicensed handgun in Massachusetts. Nobody thinks teenagers should be carrying guns on the streets of Boston.



Entrance to the Essex County House of Correction where Tim McManus is serving his sentence.

And gun violence is a particular plague on neighborhoods like the one where the McManuses live. Jail may be the best—or only—way to deal with many of those carrying and shooting guns there. But was it the right thing to do in this case?

Prosecutors say Tim McManus had been hanging out with known “impact players,” the law enforcement term for the small number of people believed to be responsible for much of

the gun violence in Boston, which is heavily concentrated in minority neighborhoods like those along Blue Hill Avenue. They say it’s critical to use the available enforcement tools to send a clear message about illegal guns.

Others point to the fact that McManus, a young black man being raised by a single mother in a high-crime area of Boston, had no prior criminal convictions and a stable home life. They

say he was an outgoing and popular presence at his high school, but has already been hardened by incarceration. They say he started to turn a corner following his arrest and argue that jail was the wrong answer if the goal is to steer him away from criminal activity and put him on a more positive path.

Even the prosecutor first assigned to the case seemed to agree. He had initial discussions with McManus's lawyer about pleading guilty to lesser charges that would have carried lengthy probation but no jail sentence. In the end, the district attorney's office rejected the idea.

"My position has always been that the way we approach unlicensed carrying of firearms has had an impact on public safety," says Dan Conley, the longtime Suffolk County district attorney, citing the big drop in firearm violence in Boston over the last two decades. "I don't make any apologies for strictly enforcing the law."

The imperative to get guns off city streets is a goal shared by law enforcement and community members alike. But it exists alongside another issue that is getting increased attention: Rethinking criminal justice policies that have put many young minority males behind bars at an age when mistakes come easily and incarceration can have lasting negative effects.

The gun violence and high incarceration rates are largely occurring in the same areas. That means those who worry about their own safety and that of their neighborhood, like Diane McManus, are sometimes the same people who wind up anguished and angry when a family member is sent to jail in answer to the call for safer streets.

A GUN AND A GRAD

On the night of his arrest, Tim McManus was heading home from a party in his neighborhood. He was walking with three other teenagers when they were approached by Boston Police Sgt. Thomas Brooks, who got out of his car along Blue Hill Avenue. Police had received a call about a fight at a nearby house party where there was fear that gun retaliation might follow. In his arrest report, Brooks said McManus appeared nervous and was holding the corner of his jacket in a way that made him believe he could be concealing a firearm. Brooks also recognized one of the people with him as someone connected to an area gang who has been present at "firearm incidents" and had himself been previously shot.

As he was talking to the group, Brooks said he intentionally tapped McManus's belt area in order to gauge his reaction. When McManus "tensed" and turned away, his suspicions rose considerably. Once backup officers arrived, Brooks said he reached and felt the outline of a gun in McManus's jacket. He was searched, handcuffed, and arrested for illegal possession of a .22-caliber Walther P22

Diane McManus has been the steady rock in her son's life.



handgun loaded with eight bullets. The three others who were with McManus were searched and released.

McManus, an 18-year-old high school senior, faced a mandatory minimum sentence of a year and a half in jail. The minimum penalty for illegal gun possession was increased from one year to 18 months by the Legislature in a 2006 crime bill. McManus's case went to Suffolk County's gun court, a special session established in 2006 by Conley to fast-track gun cases in the face of heightened concerns about firearms violence. The goal was to minimize the time those facing gun charges might be out on bail before trial and get cases disposed of within six months, a target that the DA's office says it is meeting.

Two unusual things then happened. The first was that, for a variety of reasons, the case got delayed several times and it was nearly a year and half after his arrest that McManus finally went to trial. The second was that after he was released on \$1,500 bail, McManus made it through the whole time before his trial—a period roughly equal to the minimum jail sentence he was facing—without getting into any trouble with the law.

He was placed on pretrial probation wearing a GPS monitoring device that tracked his whereabouts and put under strict curfew orders. He was to return to high school



classes, be home each day by 3 p.m., and not leave his house before 5 a.m. The only time the GPS tracker went off, says his lawyer, was one time that it malfunctioned.

School never came easy to McManus. He spent eight years at a Boston public school for students with learning and emotional issues before transferring in 11th grade to Dorchester Academy, a troubled district high school. He

‘I don’t think anybody thought he was going to graduate.’

needed to pass just two courses during the semester following his arrest in order to graduate, but that seemed no sure bet.

“I don’t think anybody thought he was going to graduate, especially after the charge, with all the stress and everything,” says Olivia DuBois, a social worker at Dorchester Academy who worked closely with McManus. But he completed the classes and, in June 2014, wearing a GPS ankle

bracelet, cap, and gown, McManus received his diploma.

He immediately entered a job-training program run by Youth Options Unlimited, a city-affiliated agency that works with court-involved youth. He ended up working on construction projects where he learned drywalling and other carpentry skills. “He did well with our program,” says Andrew DeAngelo, who was McManus’s case worker. “He was very respectful. He accepted constructive criticism well.” As for his construction skills, DeAngelo says, McManus “has a knack for working with his hands.”

Officials at the program were also struck by how supportive Diane McManus was. At one point, Tim was working at a job site near their home. “She would make lunch not only for Timothy every day, but because they were working right next door, she would make it for everyone. I would show up and the whole team was having Thanksgiving dinner,” says Freddie Velez, a manager at the program. “You could see there was this level of love and caring for Timothy that you don’t always see in families.”

Diane McManus has been the one steady presence in Tim McManus’s life. He is the youngest of eight children. His parents split up when he was young, and his mother says she raised him in a house where her word was second only to God’s.

After his arrest, she did whatever it took to make sure he was home by the 3 p.m. curfew. School got out at 2:15, but if there were delays with the bus he caught, she would jump in her car and rush there to get him. “Sometimes I would say just get in a cab and I’ll pay it when you get here,” she says. “I was under so much pressure.”

“He finished high school under house arrest,” says Diane McManus. “He never violated. He didn’t do anything. He kept curfew, and, remember, he was only 18 years old. Young men, they don’t pay attention to laws and regulations.”

A CLOSE CALL?

Alex Welsh, the public defender who represented McManus, was determined to try to spare him from serving time in jail. Between completing high school, starting job training, and abiding by the stringent court-imposed curfew, he thought it was clear that McManus was trying to turn things around. And he was convinced that jail would only set back those efforts and increase the chances of McManus heading back down the wrong path. Welsh’s efforts nearly paid off.

“I was talking to the DA’s office the whole time and saying, look, watch this kid, watch what he’s doing,” Welsh says of McManus’s extended time on pretrial probation.

By late 2014, the prosecutor handling the case, Peter Pasciucco, who was chief of the DA’s gun court session, seemed won over. In December, Pasciucco filed a motion to delay an upcoming court date in the case. “The Commonwealth and defense are working toward a resolu-

tion/proposal that will not include mandatory jail time,” he wrote. “The Commonwealth is not prepared to make an offer yet but will be once additional information is obtained.”

Welsh says he also spoke to Tommy Brooks, the Boston police sergeant who arrested McManus. He says Brooks was impressed by how well McManus was doing and agreed with the plan. “He was on board with not giving him a committed sentence,” says Welsh.

When the case was ultimately reviewed by higher-ups in the district attorney’s office, however, they rejected the idea of “breaking down” the charges to something that did not carry mandatory jail time.

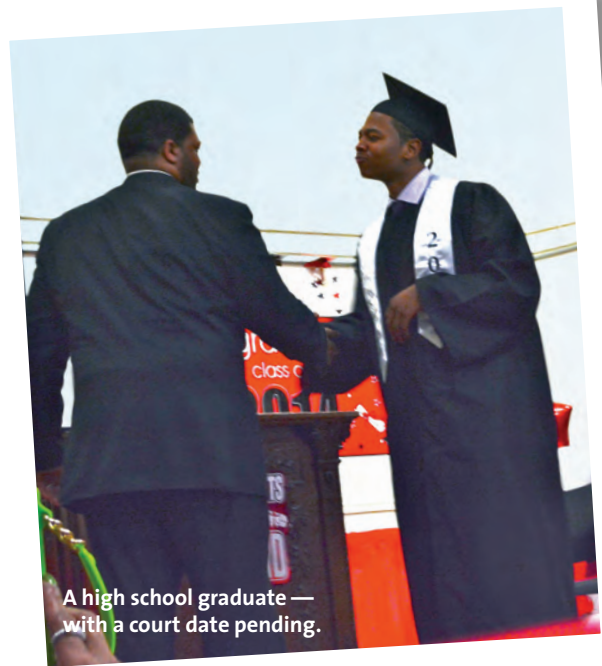
Jake Wark, a spokesman for the office, says several factors played into that decision, including the fact McManus was with a known “impact player” when he was arrested and was also with a known gang member when stopped and questioned by police several months earlier. McManus had one other brush with law: He was facing charges in connection with an assault on an older man in a downtown Boston subway station. That case was ultimately dismissed; McManus says he intervened to try to stop the fight.

Wark says prosecutors also worry about the message it would send to go easy on a defendant without a serious criminal background who could be holding a gun for someone with a long record. “He’s making very bad choices in terms of the company he’s keeping,” Wark says of McManus. “You can envision a circumstance in which a young person might be in fear of violence and choose to pick up a gun, acting out of that fear. That just does not seem to be the case here. It seems that he is among the groups that are causing fear.”

Diane McManus thinks her son was scared. She says he had come home in the months before his arrest with a black eye and another time with a bloodied mouth. When she questioned him, she says he chalked it up to “play fighting.”

Why Tim McManus was carrying a gun is not easy to answer. One reason the trial was delayed is that his attorney sought to suppress introduction of the gun as evidence, arguing that the street corner search that produced it was not lawful. His motion was denied, but McManus has taken his case to the state Appeals Court, which has not yet ruled on the petition. Because of the pending appeal, Welsh would not discuss specific facts of the case and advised McManus not to as well. (McManus is likely to be out of jail before a ruling on his appeal, but if he prevails it would mean erasing a felony gun conviction from his record.)

For his part, Conley, the Suffolk County district attorney, says the community has demanded aggressive prosecution of gun cases, and his office has responded. “There was real concern in the communities hit hardest by vio-



lence about individuals not being held accountable for carrying firearms,” he says. “When you talk to crime victims and you talk to neighborhood groups, they really want police and prosecutors not to be heavy handed, but to enforce the law and make their neighborhood safe.”

Conley says the various gun charges McManus originally faced, including carrying a gun with a defaced serial number, could have totaled 12½ years in prison if prosecutors sought and won the maximum sentences. “We exercised an awful lot of discretion beneficial to him,” says Conley.

Pasciucco, the chief gun court prosecutor originally assigned to the case, says McManus’s case was one of a very small number where the district attorney’s office considered lowering gun charges to something not requiring a mandatory minimum jail sentence. “That was a close call as to whether it was going to be broken down or not,” he says. He says he agreed in the end with his supervisors’ call not to do so because of concerns about who McManus was spending time with.

“I would absolutely characterize it as a dilemma that I faced as a prosecutor,” says Pasciucco, who is now in private practice. “If you don’t enforce the 18-month sentence, you send the wrong message to the neighborhood that illegal gun possession and gun violence aren’t being taken seriously. But you also have to weigh each case. Is this person going to be better off if they’re given straight probation and certain conditions are attached to it?”

NO DENYING

Young people carrying guns, even if it’s for protection and they’re not intent on using them, represent one of the

biggest threats to safety in city neighborhoods. “There is no one who doesn’t understand how dangerous a loaded handgun is,” says Wark, the DA’s spokesman. “It’s one insult away from a shooting.”

Diane McManus understands that as well as anyone. She says a young woman she used to babysit for was shot to death only blocks from their house, just one of the many victims of gun violence she can tick off in her neighborhood. Sitting at her dining table on a Saturday afternoon, she says she hates guns and nearly fainted in court when the weapon her son was charged with carrying was presented as evidence. She takes a deep breath and then adds something that it clearly pains her say.

“I’m kind of one part glad that it happened the way it did because who’s to say if Officer Brooks wouldn’t have stopped him that night he wouldn’t have went out the next night and shot somebody?” she says. “Oh, believe me, I’m not in denial. I’ve had to face all this.”

As her comment underscores, the issue isn’t whether to take a hard line against illegal guns, but whether more discretion should be exercised in deciding what to do with someone caught with one in a case like this.

“At the end of the day, what do you want him to do? Turn his life around, right? Get off the streets. He did that. And then you still send him to jail,” says DuBois, the social worker from Tim McManus’s high school who now

the Legislature to decide whether changes to the system are in order, he says. The state is currently carrying out a comprehensive review of criminal justice policies, with reform proposals expected early next year. “There is no mandatory on the books that I would exclude from scrutiny,” says Brownsberger, though it’s a position that would face considerable opposition.

Rev. Jeffrey Brown was a cofounder of Boston’s nationally-recognized Ten Point Coalition, formed in the early 1990s to combat rising youth violence. Community-based efforts, together with a focused anti-violence strategy employed by police, helped drive a dramatic decrease in the city’s homicide rate and gun violence. The key, Brown says, has been to reserve the system’s harshest response for those responsible for the violence, while doing as much as possible to redirect others on the edge of trouble down more productive paths.

“I have lived that tension for the better part of a couple of decades,” says Brown. “We all want to see less guns and less guns in the hands of young people in our community.” At the same time, he says, incarceration can also “increase the chances for someone to come out of the criminal justice system a hardened criminal when, if given a chance, he might have gone the other way.”

“It’s a conundrum,” says Emmett Folgert, longtime director of the Dorchester Youth Collaborative, which works to divert high-risk teens from gangs and the criminal justice system. “Pulling guns off the street is keeping our murder rate down,” he says. Folgert also thinks gang members are aware of the mandatory 18-month sentence and are carrying guns less frequently because of it.

Tim McManus’s case finally came to trial in July 2015, but there was not a lot of suspense. McManus waived his right to a jury trial.

Brooks, the Boston police sergeant who seized the gun from him, was the only witness from the 1 a.m. street corner encounter who took the stand. As soon as the brief closing arguments were done, Boston Municipal Court Judge Catherine Byrne pronounced McManus guilty.

“As you know, my options as the judge are very limited in terms of the sentencing,” Byrne said to the courtroom, a reference to the mandatory minimum sentencing statute. She said she “take[s] very seriously” all of the letters submitted that attested to how well McManus had done on pretrial probation, “which are the sort of things I would consider at sentencing. Unfortunately, I can’t do anything less than what the law requires.”

She imposed the mandatory minimum 18-month jail sentence plus one year of probation following his release. McManus was taken from the courtroom to begin his sentence at the South Bay House of Correction in Boston.

‘Communities hit hardest by violence want people held accountable for carrying guns.’

works with Welsh at the state public defender’s office in Roxbury. “It doesn’t make any sense.”

Sen. Will Brownsberger, cochairman of the Legislature’s Judiciary Committee, says the questions the criminal justice system should be asking are, “What does it take to send a message? What does it take to change behavior?” Jail “doesn’t have a good influence on people and we’re doing harm when we keep people there any longer than we need to,” he says. “You have a lot of people coming out who have lost their sense of how to function in a community, how to accommodate themselves to a job environment, how to maintain relationships.”

Brownsberger says he doesn’t necessarily fault prosecutors, however, for using the mandatory minimum sentencing system that lawmakers have put in place. “If they deviate from those policies and things go wrong, they’re going to bear a heavy burden,” he says. It’s up to

"It's a really crucial period in a kid's life," Welsh says of the time his client has been in jail, an age at which other young people are off finding themselves at college. "They are developing a lot. There are a lot of patterns that are going to be permanent. And he's learning them in a place that is really violent. He's surrounded by people who are genuinely antisocial. And he's having to navigate that and adjust himself to how to be tough and learn how to sort of at least fit in here."

BEHIND BARS

It did not take long for the often harsh realities of prison life to reach McManus. A month after he arrived at South Bay, he was jumped and beaten by several other inmates. He was taken to Boston Medical Center for stitches, and then transferred as a safety measure to the Essex County House of Correction in Middleton to serve the remainder of his sentence.

It's a late August afternoon and Tim McManus is sitting with Welsh in a small bare room in the Middleton jail. He's wearing a brown prison jumpsuit and sneakers. Now 21, he is reserved and sparing in his answers to most questions, not the voluble teenager described by staff at his high school or the Y.O.U. job training program.

McManus says he adjusted without a lot of difficulty to jail. "Everything is mental," he says. He says he's been lifting weights, filling out his 6-2 frame, and reading, with a focus on self-improvement books. He mentions one particularly appropriate title, *Letters to an Incarcerated Brother*, written by actor Hill Harper. He took a class in critical thinking skills, though unlike other inmates he's not eligible to earn "good time" credits that take time off his sentence because he's serving a mandatory minimum. "It's a class set up for good time, but I did it just to get off the unit," he says.

He says he grew weary of the long period under strict curfew before going to jail. "I was kind of fed up with it," he says. "It was hard. But I didn't really think I had a choice at the time." He credits the network of support he had pushing him to stick with it and get through high school. "A lot of encouragement there," he says.

Though questions about the gun police seized are off limits, McManus says he doesn't consider himself "a troublemaker." "I don't gang bang. Neighborhood and gang banging is two different things," he says. "I chilled in the neighborhood. I know everybody in the neighborhood. I'll say that much."

McManus says he wants to get back into construction when he's released in December. "Drywalling was smooth," he says. "I love doing construction work. Hands on. I got

a short attention span. I need something to grab my attention. If I'm thinking about the outside world, it's really just money. Money and females," he says, the one time he offers a small grin.

McManus says he's well aware of the cycle of those who end up in jail and keep returning after getting released. "Some do a bid and say, yeah, it's my last time coming," he says, using a slang term for a jail stay. "Others are not so sure. For me, I know jail ain't for me. I'm going to try my best to avoid it."

After the jail visit, Welsh says he is troubled by McManus's demeanor. "He seems kind of shut down," says Welsh. "I think he's just less willing to show his vulnerability. That's probably a skill he learned in there." Welsh says McManus called him regularly and was understandably frightened when he was first jailed. "He doesn't want to say he was scared. He was saying, 'oh no, I was cool.' I worry about what this has done to him."

BATTLING THE ODDS

If the jail environment is creating new hurdles that McManus will have to get over, the neighborhood he'll return to presents its own problems.

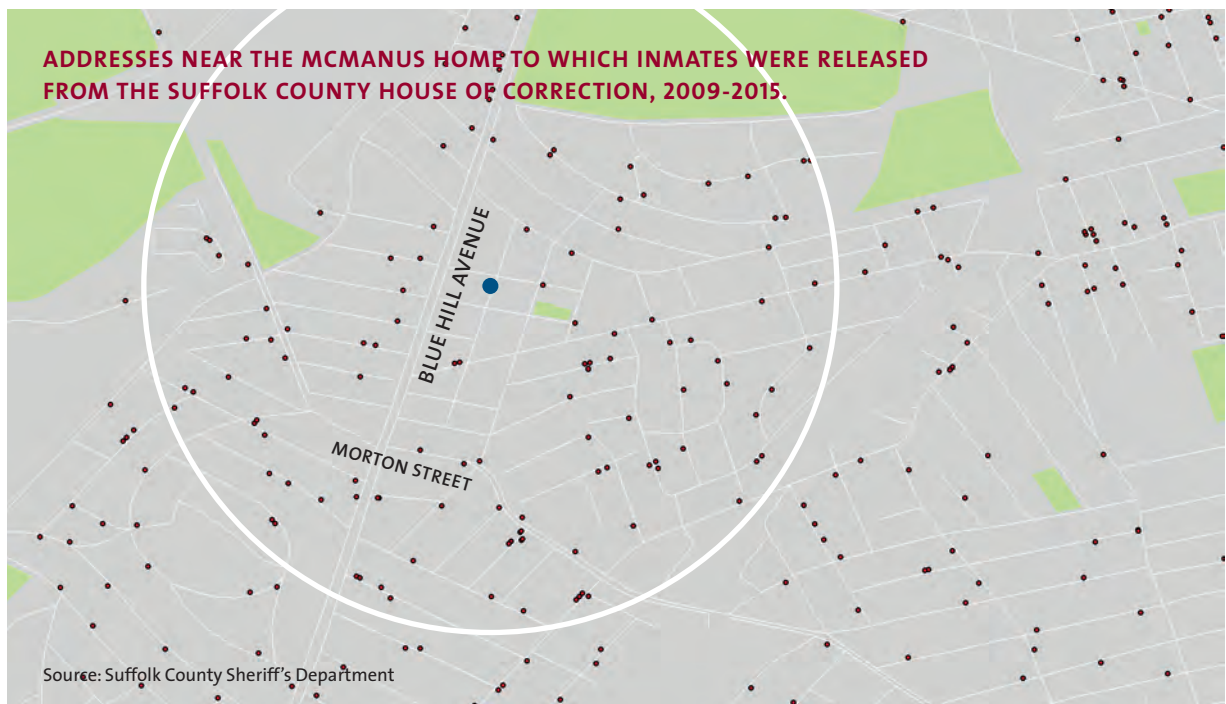
"I don't really plan on indulging with anybody I used to mess with," McManus says of his post-release plans. But that may prove easier said than done.

He'll be encountering lots of other young men who have done time and who are also struggling with the pull between getting their lives on track and the negative influences that can easily lure ex-offenders back to trouble. The neighborhoods along Blue Hill Avenue near his home form a corridor with an astonishing concentration

**'I always say to him,
don't let your environment
dictate who you are. As a
man thinketh, so he is.'**

of former offenders. From 2009 to 2015, 120 inmates were released from the Suffolk County House of Correction to addresses within a half-mile radius of McManus's house, according to data from the Suffolk County Sheriff's Department.

Of those getting released, younger offenders like McManus run a particularly high risk of ending up back in trouble and back behind bars. Recidivism rates in Massachusetts, as elsewhere, are highest among the youngest offenders, according to a report this summer



by the Council of State Governments, which is helping Massachusetts with its review of criminal justice policies. Among 18-24 year-olds released from Massachusetts houses of correction in fiscal year 2011, 76 percent were rearraigned on a new charge within three years, 55 percent were convicted, and 52 percent were reincarcerated. By contrast, the reincarceration rate was nearly half that level for those 45 and older, with 29 percent reincarcerated within three years.

Working in McManus's favor is the fact those with fewer prior convictions have lower recidivism rates, and the job training program he worked with is ready to take him back. DeAngelo, the case worker from Youth Options Unlimited, visited McManus in jail in March and plans another trip this fall to talk about plans for him to reenter the program when he's released. "We told him we would be there for him while he was in there, we would stay in touch, and we'd be there on the other end," says DeAngelo.

Those who do well with the program can find a path into the building trades unions, something that would be life-altering, says Welsh. "It really could be a stepping stone to him having a really stable life," he says.

"The reality is the odds are stacked against him," says Olivia DuBois, the social worker who has worked with McManus since high school and still calls and visits him. "My hope is he can beat those odds. I'm hopeful because of the support he has, because of the person he is. I hope he's the exception to the statistics."

DuBois says she has talked with McManus and his mother about moving out of the neighborhood, an idea also raised by Welsh and DeAngelo. "We've talked at

length about them moving," says DuBois. "I think environment plays a big role in a lot of things."

Diane McManus has been ready for months for Tim to come home. She painted the first floor bedroom for him in the townhouse she bought 27 years ago through the Habitat for Humanity program. "He told me, 'I want my room green. That's life. Money green, neon green, any green,'" she says. "I keep him optimistic," she says of their conversations about his room, where two chess sets await his return, along with an aquarium ready to be filled with water and fish. "Everyone needs to know they are needed and wanted."

Despite her work to get his room ready, Diane McManus agrees with those who say the best thing would be to leave the neighborhood behind.

"The same neighborhood where all this violence is. The same neighborhood where a young lady got shot in the head twice," she says. "The same neighborhood where he got into trouble. I want to sell the house and just go."

She worries about her son's future, but says she thinks he will make it when he gets out.

"I know he will," she says wistfully, her tone as much one of fervent hope as unwavering conviction. "I know he's in jail, but everything that people are saying don't necessarily have to be true about how people come out."

"When I speak to him, it's not based on him being locked up," she says. "I always say to him, don't let your environment dictate who you are. The word of God is so true: As a man thinketh, so he is. So what I try to teach him is, change your thinking. You got your high school diploma. You were learning a trade. You made one bad choice." **CW**



The Head of the Charles
attracts large crowds.

State trying to be smarter landlord

The underfunded, understaffed Department of Conservation and Recreation is struggling to raise the rent

BY COLMAN M. HERMAN AND BRUCE MOHL | PHOTOGRAPHS BY MICHAEL MANNING

The Head of the Charles Regatta is a major draw for Massachusetts. Attracting more than 11,000 athletes and tens of thousands of spectators from all over the world, the October regatta is to rowing what the Boston Marathon is to long-distance running.

For the Department of Conservation and Recreation, the state agency that owns the Charles River and its shores, the regatta also presents a

dilemma. Should the agency offer access to the river and its shoreline as a public service, or should it share in the profits from the event and

use the money to bolster the agency's tattered finances?

DCR faces these types of questions on a daily basis. The agency is the largest landowner in the state. It owns the Esplanade, the Walden Pond State Reservation, Nickerson State Park, and many other parks and beaches. It also owns 2,000 buildings, four working piers, three ski areas, two golf courses, two summer theaters, six bocce courts, and assorted ice rinks and pools. In all, the agency owns 450,000 acres of land.

Despite its massive responsibilities, DCR has the image of a sad-sack state agency. Over the years, governors have used the agency as a patronage haven, commissioners have come and gone at lightning speed, and the agency's budget and workforce have never kept pace with its responsibilities. The parks, pools, and rinks that DCR oversees generally keep operating, but day-to-day financial management of many of the agency's properties, particularly those leased to third parties, has been neglected.

Four years ago, *CommonWealth* reported that some DCR tenants had been operating for long periods of time without leases and other tenants were paying rents that were either well-below market rate or not paying anything at all ("Freeloading," *CW*, Winter '12). State Auditor Suzanne Bump was called in and in 2013 she recommended a number of initiatives to put the agency on solid footing. The Legislature also passed a law in 2010 authorizing DCR to negotiate long-term leases with yacht and boat clubs that for years had been paying cut-rate rents.

Progress has been slow, painfully slow. DCR has yet to implement many of the recommendations in the audit report. Some DCR tenants continue to pay no rent, while the yacht and boat clubs are just now being required to increase their payments. An outside consulting firm brought in more than two years ago to help the agency get a handle on all its leases is still on the job, running up a tab that will reach \$777,000 next year.

In August, a report commissioned by the administration of Gov. Charlie Baker documented in stark terms how DCR is poorly managing state piers in New Bedford, Fall River, Plymouth, and Gloucester. In New Bedford, for example, the consultant says accurate revenue and expense reports for the pier did not exist, but guessed that DCR suffered a \$28,000 loss operating the pier in 2015.

Against this backdrop of mismanagement, DCR's permit arrangement with the Head of the Charles Regatta might seem like small potatoes. Yet the lease with the nonprofit that runs the regatta is symptomatic of the agency's



Leo Roy, commissioner of the Department of Conservation and Recreation.

mindset, a mindset that DCR commissioner Leo Roy hopes to change.

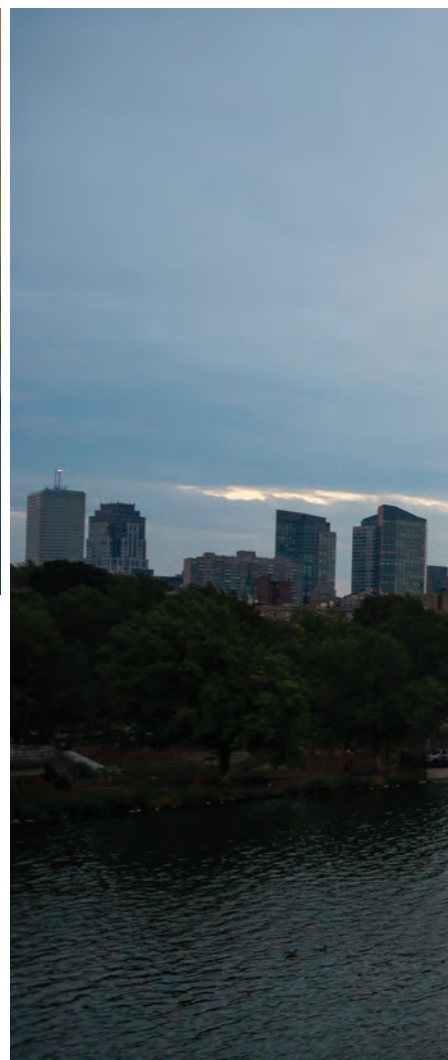
DCR offers the regatta access to the Charles River and eight designated areas along the shore for 13 days for a base fee of \$45,000, plus reimbursement of any agency expenses in excess of that amount. In 2015, DCR collected a total of \$97,650 from the regatta organization.

By contrast, the nonprofit brought in \$3.1 million last year from the event, and a third of that amount was pure profit. While DCR struggles to maintain services with a

Progress has been slow, painfully slow, in putting DCR's dealings with lease holders in order.

declining budget, the nonprofit's tax return indicates it has built up a \$5.1 million endowment. The regatta's executive director, Frederick Schoch, is paid \$306,489 a year, more than twice the salary of the DCR commissioner.

Roy, a little over nine months on the job, says it is





Community Boating operates a sailing program from DCR land under a lease that expired six years ago and requires the nonprofit to pay no rent.

time for DCR to start collecting fair-market rents on the properties it leases. He says many of the agency's permits and leases go back decades, and reflect the attitude that below-market rents are acceptable if the tenant is providing a public service in line with DCR's mission.

"I approach this on a fairness basis," Roy says in a telephone interview. "If I let one group use a piece of riverbank on the Charles River at a below-market rate, that's revenue that I'm starving from the system as a whole. So maybe there is a park in the central part of the state that's not getting the resources it needs because I've got a below-market situation here. What I'm trying to do over time is really systematically get all of the rents across the system up to a market rate, or up to a near-market rate. It's a multiyear effort."

MATCH MADE IN HELL

DCR was created in 2003 by the merger of the Metropolitan District Commission and the Department of Environmental Management. Some say it was a match

made in hell. The two agencies had very different responsibilities and cultures. As supervisors pared back duplicative positions, they were left with a staff that had big gaps in its institutional memory.

The situation wasn't helped by funding that yo-yoed up and down over the years and management ranks that were always in a state of turmoil. Over the past 13 years, the agency has been headed by at least 11 different commissioners, four of them on an interim basis.

Roy, the current commissioner, replaced Carol Sanchez, the head of an accounting firm who left the post after just seven months on the job. Roy served as undersecretary of environmental affairs in the administration of former governor William Weld and spent the last 15 years working in the private sector. He was six weeks into retirement when Matthew Beaton, the state secretary of energy and environmental affairs, asked him to take the helm at DCR.

Roy made headlines in August for using DCR staff and resources to host a private party on July 3 for Baker administration officials and Republican operatives. Roy and his top DCR aide, who cohosted the party, each served one-week

suspensions without pay once their actions came to light.

When he was running for office, Baker pledged over the course of his first term to allocate 1 percent of the state budget to environmental programs, which would include the operations of DCR. Roy says the governor was sincere in his pledge, but circumstances haven't allowed him to follow through.

The DCR budget hit a peak of \$96.4 million in fiscal year 2008 before falling back to a low of \$70.6 million in 2011, when former governor Deval Patrick was in office. The budget has recovered somewhat in recent years, but the current funding level of \$86.8 million is only \$200,000 more than what it was 12 years ago.

Roy says the budget numbers don't include trust funds and federal aid that bring the total to about \$100 million, of which approximately 22 percent must be raised by DCR itself through fees collected from concessions, leases, and parking.

The agency currently has 875 full-time-equivalent employees, its lowest level since the agency was created in 2003. A handful of the workers have political ties to the Baker administration, including Norman Orrall, a GOP state committeeman and the husband of state Rep. Keiko Orrall; Andrea Farretta, a Republican who ran unsuccessfully for a state rep seat; Republican state committee member Lisa Barstow; and William Cooksey, a former producer at conservative talk radio station WRKO. Matthew Sisk, a GOP state committeeman, resigned recently as Leo's top aide after getting caught using the siren on his state vehicle to bypass traffic.

DCR lost 99 employees late last year when the Baker administration offered buyouts to state workers. Roy says he was allowed to replace a portion of them, but by the time he and his staff completed an analysis of which positions should be filled the administration had announced a hiring freeze. "So we haven't been able to backfill as many as we would like," he says.

Those who took buyouts included four regional planners, six program managers, three environmental analysts, and 10 civil engineers. "There was a lot of important institutional knowledge that walked out of the door," says Whitney Hatch, the chairman of DCR's Stewardship Council, a 13-member advisory group appointed by the governor.

"Things are much worse now than they've ever been," says Hatch. "You've got people doing two and three jobs at a time and covering for each other. If there are any more reductions, they're going to have to figure out what to stop doing immediately."

In July, Erica Mattison, the legislative director of the Environmental League of Massachusetts, wrote a letter to House Speaker Robert DeLeo in which she said it was nearly impossible for the remaining staff at DCR to carry out the agency's responsibilities.

DCR's financial problems are reflected in unstaffed campgrounds, shorter seasons for pools and rinks, poorly maintained parks, and fewer children's programs. The lack of funding is a major reason why Daley Field along the Charles River in Brighton sat fallow for years, and why DCR ultimately decided last year to lease the seven-acre piece of property to Simmons College.

Simmons paid DCR \$500,000 to lease the waterfront property and agreed to invest millions of dollars in Daley Field installing tennis courts and turf fields. The fields are now open and being used by Simmons, the Brighton High School football team, and the Allston-Brighton

After a buyout, 99 employees left DCR, taking with them a vast amount of agency knowledge.

Little League. Others can sign up to use the facilities when they are not in use by those groups.

DCR officials defend the deal as a way to bring a neglected piece of state property back to life. But George Bachrach, the president of the Environmental League, says Daley Field illustrates how DCR is squandering the state's resources.

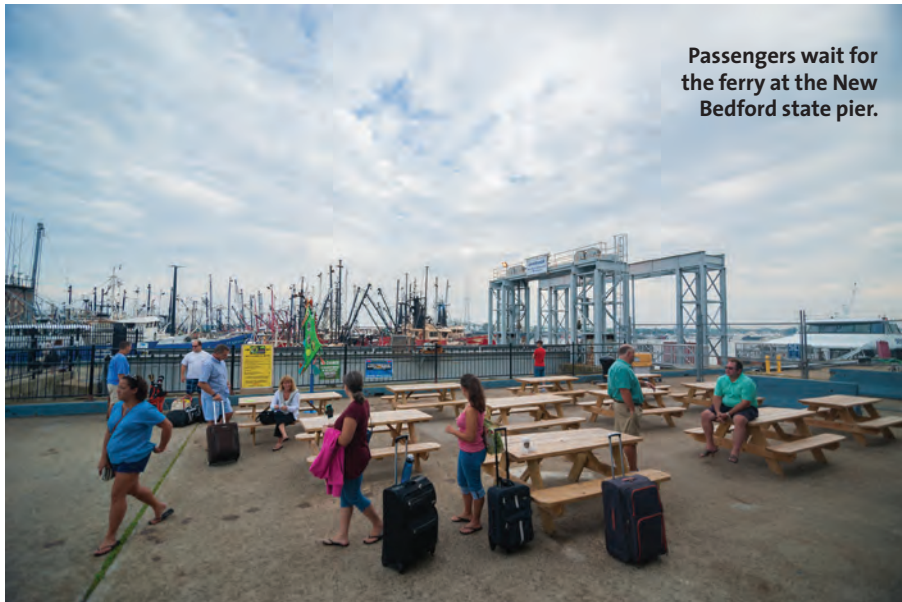
"The Commonwealth is shortchanged twice, first by DCR's failure to adequately maintain parks and second by its failure to achieve just compensation for what the agency gives away," he says.

90 PERCENT THERE

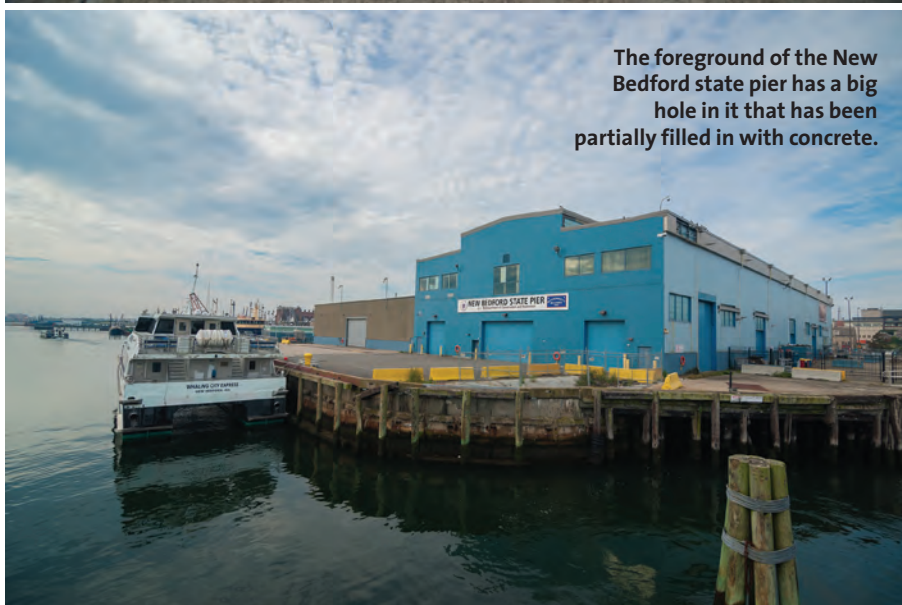
More than a year ago, DCR officials were talking excitedly about the development of a new electronic system to track the agency's 1,000 leases and permits. The system, being developed by the consulting firm TR Advisors, was going to alert state employees when a lease was about to expire and provide all the information necessary to negotiate a new agreement. It was going to be a big step up from the haphazard paper filing system DCR used in the past.

"I'd say we're about 90 percent there with that," says Roy. "A lot of these arrangements for use of DCR property happened informally over a long number of years. It is taking quite a lot of time to get our arms around it and make sense of it. Again, things pop up all the time that maybe somebody in the organization knew about but not the right people. So it's been quite a process."

Passengers wait for the ferry at the New Bedford state pier.



The foreground of the New Bedford state pier has a big hole in it that has been partially filled in with concrete.



DCR has hired a new pier manager and is installing refrigeration to allow imports of produce year-round.



One example of something that popped up was DCR's arrangement with Community Boating, the nonprofit that operates a sailing program from DCR-owned land along the Charles River near the Hatch Shell in Boston. A public records request for the agency's lease with Community Boating yielded nothing. A DCR spokesman subsequently confirmed that the lease with Community Boating expired six years ago. The lease required Community Boating, which reported revenue of \$1.62 million on its 2015 tax return, to pay no rent on the property.

"We're going to look at that," says Roy. "We are systematically moving people up to more realistic rents. We're not trying to bankrupt anyone or put them out of business. But it's not really fair to the system as a whole to have some free riders. We need everyone to contribute to the level of their abilities."

All but one of the 30 yacht and boat clubs located on DCR land have been operating for years under one-year permits that require the clubs to pay rents ranging from \$5,000 to \$15,000 a year. The permits often stir outrage because many of the clubs are operated by institutions that could easily pay more, including Harvard University, MIT, and Boston University. Even some of the clubs don't like the system because banks won't lend them money for improvements when their tenancy is year-to-year.

In 2010, the Legislature passed a law drafted by Rep. Paul Donato of Medford authorizing DCR to negotiate long-term leases with the boat and yacht clubs. DCR followed through by creating a new leasing system that gradually steps up rental rates over 30 years to a peak of up to \$102,000 a year. If implemented shortly after the Legislature gave the go-ahead, the leases would have brought in \$1.9 million in additional revenue by now. But only one lease—with Northeastern University—was ever negotiated; the other clubs remained on one-year permits at their old rates.

DCR officials decided late in the

DCR BUDGET BLUES

	BUDGET (\$)	EMPLOYEES*
2005	86,651,000	1,086
2006	82,677,000	1,094
2007	88,752,000	1,102
2008	96,404,000	1,145
2009	93,041,000	1,045
2010	77,249,000	999
2011	70,618,000	995
2012	71,508,000	964
2013	76,741,000	936
2014	79,830,000	957
2015	80,352,000	881
2016	85,422,000	875
2017	86,856,000	

* Full-time equivalents at end of year.

SOURCE: Department of Conservation and Recreation; Office of Comptroller.

summer to issue five-year permits to all of the yacht and boat clubs at the higher rates. Roy says the agency will negotiate 30-year leases with those clubs that want them.

Donato, who is frustrated at DCR's slow response time, says the agency only issued the permits because it was under pressure to do something. Roy, however, says the five-year permits address the immediate problem and buy the agency time to finish the leasing process.

"We can't do everything all at once," he says. "It's embarrassing it's taken so long, but we've made pretty dramatic progress."

DCR owns four piers in New Bedford, Fall River, Plymouth, and Gloucester that are used for cargo shipping and storage, ferry service, commercial fishing and processing, dockage for fishing vessels and cruise ships, tourism, and social events.

A report commissioned by the Baker administration found that three of the four piers are poorly managed and poorly maintained. All of them operate at a loss. The pier in Gloucester, which is managed by MassDevelopment under a contract with DCR, was singled out as the best run.

The August report, prepared by Karl F. Seidman Consulting Services and UrbanFocus LLC, reveals a "hodgepodge of leasing arrangements and a lack of good real estate leasing practices" by DCR. At the New Bedford pier, the report documents leases with seven different categories of tenants. In four of the categories, the tenants were operating under expired leases. "Several agreements provide for automatic one-year renewals without any rent increases and have been renewed in this manner for five years or longer," the report says. The report also notes that "large portions of the pier are in terrible condition and in critical need of major repairs."

The report calls for the piers to be transferred to another state agency or authority with more expertise in economic development and the resources to fully support the state piers.

New Bedford Mayor Jon Mitchell says DCR has got to go. "DCR's management [of the New Bedford pier] has been woefully inadequate," he says. "It's a facility that has been ignored for an awfully long time and it ought not to be managed by an agency whose primary business is parks and beaches."

Roy says he is well aware of the DCR deficiencies cited in the report, but no decision will be made on what to do with the management of the piers until the release of a second report examining their economic potential. In the meantime, DCR has hired a new pier manager in New Bedford and is investing in refrigeration equipment there that will allow imports of produce year-round.

"So long as the DCR is responsible for those piers, we're going to do our best to manage them well," he says.

RENT RENEGOTIATIONS MOVING SLOWLY

Soon after he was appointed DCR commissioner, Roy says he sat down with Robert Zimmerman Jr., the executive director of the Charles River Watershed Association. The association was paying DCR \$100 a month to rent an entire building at the Leo J. Martin golf course in Weston. The association was also responsible for capital improvements, and Zimmerman says he has spent about \$250,000 over the last 11 years on a new roof, septic system, and other repairs.

State report called for DCR state piers to be transferred to another state agency or authority.

Roy says he told Zimmerman he wanted to make the association the agency's poster child for its efforts to raise rents to market rates. "If your rent goes up dramatically, then it's going to help me with everyone else whose rent I need to raise dramatically," says Roy, recounting the conversation. "So now they're up to \$2,000 a month, which is still pretty cheap but a big increase over what they were paying. That's money that Bob now has to go out and raise, but he's up for it because he realizes DCR needs money for its mission, too."

Zimmerman says Roy's portrayal of their conversation is accurate. He says Roy negotiated fairly and honestly and both sides come out ahead. DCR collects more rent money and the association is no longer on the hook if the roof leaks or something else goes wrong with the building.

Roy cautions that future rent renegotiations may not go as smoothly. Some leases, in fact, are off-limits. For example, DCR's lease with the Museum of Science won't be changing any time soon. The museum pays \$1 a year for its lease of a large swath of land along the Charles River. The initial lease has several decades left to run and the museum has an option for another 99 years at the same price. "That's not the type of agreement I would care to enter into today," Roy says.

The rental renegotiations at DCR are likely to take a long time. Roy says the agency issues more than 1,000 annual and multi-year permits and there are only two employees working on them, aided by three to four others on a part-time basis.

"We haven't made our lives easy by the way this was set up. It happened in a very *ad hoc* fashion," he says. "What we're trying to do is get our arms around it and know what we've got, get it so the invoices are sent out on a regular basis, and then, when the payments come in, make sure

they're attributed to the right accounts."

Roy hasn't set any targets for boosting the agency's own-source revenue from concessions, parking, and leases, in part because staffing is limited. "Our staffing levels are lower than they've been in the past," he says. "It takes staff effort to do revenue collection, so at our current staffing levels I don't know how much more revenue we can actually collect."

Hatch, the chairman of DCR's Stewardship Council, advocates for the establishment of a fiscal advisory group to conduct a "basic budget analysis" of the agency. He says the analysis could be used as a basis for developing a range of performance standards for DCR—what Hatch calls "gold, silver, or bronze" service levels—and an estimate of how much money the agency needs to perform at those levels.

The council was able to persuade the Legislature to allocate \$200,000 for the task. Although the money was vetoed by Baker, the veto was overridden by the Legislature. It's unclear whether Baker will cut the funding anyway to help bring this year's budget into balance.

Hatch says it is urgent that something be done to turn things around at DCR. "Right now, I think the agency is pretty close to going broke," he says. **CW**



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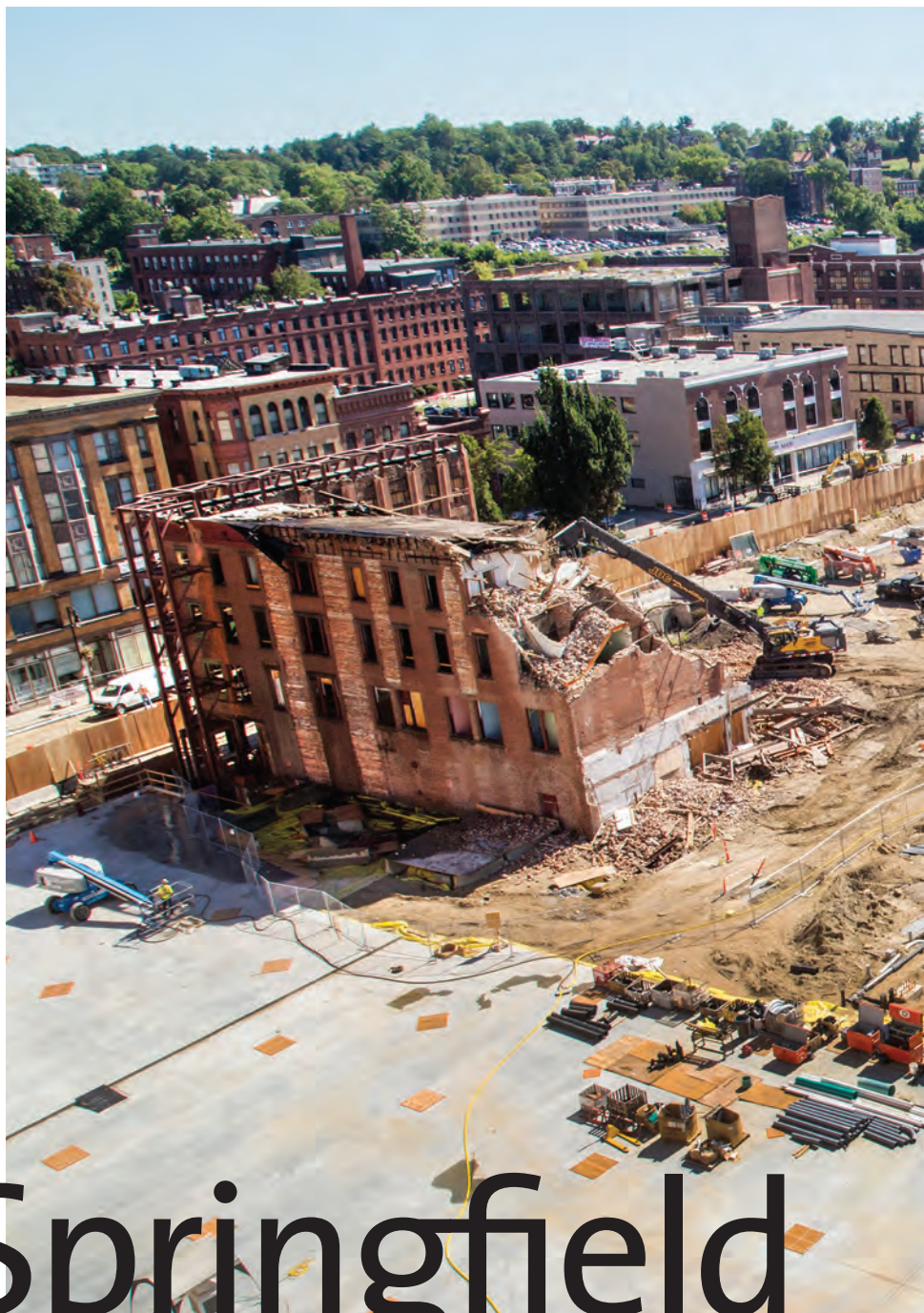
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A Springfield revival?

Railcar manufacturing, a casino, and other changes are creating some optimism.

BY TED SIEFER | PHOTOGRAPHS BY MARK MORELLI



SPRINGFIELD MAYOR DOMINIC Sarno remembers the day after Thanksgiving in 2012. The sky was clear and the temperature unseasonably warm. The mayor was at the city's downtown museum complex for an event kicking off the start of the holiday season, and earlier he had attended the annual Parade of the Big Balloons, Springfield's version of the Macy's Thanksgiving Day floats.

It was just the kind of day the city needed after the previous year's cataclysm: the tornado that tore through

the city, killing three, wreaking havoc on scores of buildings, and leaving hundreds homeless. A freak October snowstorm would compound the misery, downing hundreds of trees and power lines. And all of this destruction was visited on a city that had already suffered from a range of ailments, among them high unemployment and fiscal insolvency.

So it was that Sarno was savoring that warm cheerful day in November. Then a loud boom convulsed the ground and shook the windows. The crowd ran

for cover while Sarno ran in the direction of the blast a few blocks away; a gas explosion had leveled a strip club.

"You start to shake your head and wonder what more could happen. Are locusts coming now?" Sarno remembers thinking.

Today, Sarno can look back on those days and almost chuckle. How Springfield's luck has changed in a few short years—and no, that's not just a nod to the billion-dollar MGM casino going up downtown, where blocks of buildings had been torn asunder by the tornado.

Across town, the China Railway Rolling Stock Corporation (CRRC)—the largest railcar manufacturer in the world—is building a plant that will employ more than 100 local workers to assemble the new fleet of MBTA Orange and Red Line cars. By the end of this year, the city is expected to reopen Union Station, after a long-awaited nearly \$100 million overhaul of the historic transportation terminal. Vacant for decades, the station will soon serve as an "intermodal" transit hub, a depot for Amtrak trains, local and intercity buses, and possibly commuter rail. The opening corresponds with track and station upgrades in Holyoke, Northampton, and Greenfield. If Connecticut completes upgrades on its end of the line, in a few years time there could be 25 daily round trips running between Springfield and Hartford—what public officials have taken to calling "the Knowledge Corridor."

There's a growing technology cluster in and around Springfield, fueled in part by the regional hospital and the area's dozen-plus colleges and universities, and old-line manufacturing businesses are expanding. All told, public and private investment in ongoing or recently completed projects totals \$5.2 billion, according to the Economic Development Council of Western Massachusetts.

So are we witnessing a miraculous recovery in Springfield—a "renaissance," as some of its boosters put it these days?

If so, it's not being reflected in some of Springfield's dismal statistics: The city's poverty rate remains among the highest in Massachusetts, and the school district's test scores are among the lowest. And this wouldn't be the first time a comeback was heralded for Springfield, the state's third-largest city, with a population of about 153,000.

Sarno, who was elected in 2007 and is poised to become the longest-serving mayor in the city's history, insists this time things are different, that the changes taking place in the city are real. "You can see the brick and mortar now," he says. "It's not smoke and mirrors."

RAILCAR PLANT GOING UP

The usual assemblage of public officials, executives, and ironworkers are gathered in East Springfield on a warm



A bus shelter near Union Station is under construction.

humid day in late August for the "topping off" ceremony, when a beam is symbolically installed at the top of the sprawling skeleton of girders that will soon house the CRRC railcar plant. Sarno, Gov. Charlie Baker, and state Transportation Secretary Stephanie Pollack are all there on the dais, but it is CRRC vice president Yu Weiping who may best express the import of the moment.

"We will return manufacturing to Springfield, stimulate the local economy, and deliver the most technologically-advanced Red and Orange Line vehicles to the MBTA," he says in a speech translated into English by a young woman. "No more sleepless nights of 40-year-old railcars rattling through Boston and beyond."

The subway car facility is the product of what may prove to be one of the wiser decisions associated with the T in recent memory. The state-owned Chinese railcar company agreed to build the plant as a condition of the \$566 million contract to replace the Red and Orange Line trains. The T is getting 284 shiny new cars, and Western Massachusetts—where residents have long grumbled about having to pay for a transit system they scarcely use—will get much needed jobs, about 150 of them with salaries starting at \$65,000 year.

It's safe to say a Chinese executive heralding the return of manufacturing to an American city would have been an unimaginable sight for the millions of US workers who saw their jobs outsourced overseas, to China and elsewhere, over the past several decades.

The irony is especially rich in Springfield, which occupies a seminal place in the industrial history of America. The City of Firsts, as Springfield is aptly known, was home



Springfield's MBTA connection: The plant where CRCC will build new Red and Orange Line railcars for the T.

to the first National Armory, supplying firearms to the US Army from the Revolutionary War through the Vietnam conflict. The city is credited with producing the first gas-powered vehicles, and it was home to the first American motorcycle manufacturer, the legendary Indian.

No one believes that the CRRC plant portends a return to the glory days of manufacturing in Springfield. But the facility will be CRRC's North American headquarters,

One venerable company has never left Springfield: Smith & Wesson, the gun manufacturer.

and it is likely to have ripple effects up and down the regional supply chain. (The company is seeking contracts with other US transit systems, but there are no guarantees of expansion in Springfield. CRRC won a contract with the Chicago Transit Authority earlier this year, and is building a new factory there as well.)

CRRC's Springfield factory could help propel a new wave of highly-automated and computer-driven manufacturing—what's referred to as precision manufacturing—that's taken root in the region.

And there's one venerable product line that never left

Springfield: guns. Smith & Wesson's main headquarters and production facility have been in Springfield for more than a century, and the company very much remains a prominent fixture. Revenues at the company rose 40 percent from last year, with demand for firearms rising amid the continuing debate over gun control and mass-shootings.

Economic development types, however, don't seem to have much nostalgia for Springfield's industrial past. They tend to focus on its potential as a hub for technology and innovation, drawing on its mix of "eds and meds"—the 14 colleges in the area and a regional medical center.

"There's absolutely a growing creative economy," says Richard Sullivan, the CEO of the Economic Development Council of Western Massachusetts. "You have a film industry, game development, app development, medical data."

In Holyoke, which shares many of the economic challenges of neighboring Springfield, a high-speed data research facility—the Massachusetts Green High Performance Computing Center—was opened in 2012 with backing from the Commonwealth and several of the state's major universities.

At Baystate Medical Center in Springfield, the largest hospital in the region, officials have launched TechSpring, an incubator that gives entrepreneurs and researchers access to a live medical setting to come up with innovations in health care.

And then there's the casino. Long before Massachusetts enacted its gaming law in 2011, a casino was seen as the



Laura Masulis works for MassDevelopment and is embedded in the city's transformative development district.

last, best hope for Springfield, which was already known for its less-than-savory entertainment options, in particular the strip clubs that line the edge of downtown.

While the casino isn't the first thing that business leaders seem to want to talk about, no single factory or tech startup compares to the anticipated economic impact of the MGM Springfield, which is expected to offer 3,000 permanent jobs and generate millions of dollars in tax revenue when it is slated to open in 2018.

City officials tend to play up MGM's status as a purveyor of classy entertainment—it's known for hosting the Cirque du Soleil in Las Vegas—rather than gambling. In addition to the casino, the facility is expected to house a movie theater, bowling alley, 250-room hotel, and numerous restaurants.

Kevin Kennedy, Springfield's economic development chief, stresses the facility will be integrated into the downtown streetscape, with close to 20 separate entryways along historic facades. "It's not designed like a fortress where you suck everybody in and keep everyone inside," he says.

The casino is expected to generate more than \$17 million annually in tax revenue for the city, in addition to a \$15 million host community agreement. And that money could go a long way toward avoiding the fiscal problems that have plagued Springfield in the past.

READING ECONOMIC SIGNALS

For a long time, finances were a touchy subject in Springfield. Twelve years ago, the city appeared to be heading the way of Detroit. The city was on the brink of bankruptcy, with a \$41 million deficit; its bond rating was approaching junk status; city workers were laid off in droves; and a cloud of corruption lingered from the federal probe of former Mayor Michael Albano in the early 2000s.

In 2004, the state convened a special panel of local leaders, state revenue officials, and business executives to overhaul the city's finances. The Finance Control Board succeeded in beefing up revenue collection and hammering out new agreements with the city's labor unions, and in 2009 the board was dissolved by Sarno, who was one of its founding members when he was on the city council.

"Everyone thought after they left, we'd fall off the face of the earth, but we're stronger than ever," Sarno says of the control board. "We have the highest bond rating in the city's history."

Springfield's bond rating is now double-A, and its rainy-day fund tops \$40 million.

For all the promising developments in Springfield, the boarded-up windows and empty lots one can find across the city dispel the notion that any kind of dramatic transformation is afoot. Springfield's economic vitals consist-

tently rank near the bottom of the list of Gateway Cities, the Commonwealth's immigrant-heavy post-industrial urban centers. Nearly 30 percent of Springfield's population lives below the poverty level, second only to neighboring Holyoke. While the unemployment rate has fallen below double-digits in recent months to around 8 percent, it remains well above the state average of 5 percent. Its labor participation rate is 65 percent, the lowest of any Gateway City; in other words, more than a third of the city's working-age population isn't even in the labor pool.

"You have huge numbers of people who are not even engaged in looking" for a job, says Elizabeth Wills-O'Gilvie, an African-American community activist who grew up in Springfield, worked in community development in New York City and Chicago, and returned to the city about eight years ago. "You've got second generations of people where their parents never had a job. So why would they even believe there are opportunities out there for them?"

Wills-O'Gilvie says vast parts of the city continue to suffer from a lack of basic necessities, including a decent supermarket. To get high quality, healthy food, Wills-O'Gilvie says one has to cross the "tofu curtain," as locals refer to the invisible barrier that divides Springfield from wealthier, liberal-minded burgs to the north such as Northampton.

Springfield's deficiencies manifest themselves most starkly in the school system. Fewer than half of the district's students test at proficient levels in English, math and science, and dropout rates far exceed the state average.

Springfield has been among the handful of districts

reform effort, building on some of the lessons learned in Lawrence, which has been in state receivership since 2011. Individual leaders at most of Springfield's middle schools, where problems are especially acute, have been given considerable autonomy over staffing and other matters.

The thinking, sometimes referred to as a "third way" between charter and traditional public schools, is that leaders at the school level are in the best position to identify and drive the changes needed to improve student performance. The so-called Springfield Empowerment Zone is working with Empower Schools, the Boston non-profit started by Chris Gabrieli, the venture capitalist and one-time gubernatorial candidate and former MassINC chairman, and it is overseen by an independent board.

One year into the program, there aren't many hard metrics. But Empowerment Zone board member John Davis, a businessman and trustee of the Irene E. & George A. Davis Foundation, says early indications are promising.

"In reports we've started to get back, I can say there definitely has been some progress in the outcomes," he says. "But these things are going to take a number of years."

Davis, whose family foundation has been supporting education initiatives in the Springfield area for more than five decades, says improving district schools is key to the city's wider revival.

"We're leaving the industrial age and going into what we would call the knowledge age," Davis says. "People used to work with their hands and backs; today they're working with their minds. It's a different world than existed 60 years ago. We need people who can solve problems to do that."

Springfield is embarked on an ambitious third way in reforming the city's schools.

eyed for state takeover since 2010, when the law authorizing the Board of Elementary and Secondary Education to place troubled school systems into receivership went into effect. Districts taken over include Lawrence and Holyoke, which, like Springfield, have large majorities of students who are minority and poor. More than 64 percent of Springfield public school students are Hispanic. Nearly 78 percent of students are considered "high needs"—low-income, non-native English speakers, and/or special needs.

Last year, under mounting pressure from state education officials, Springfield embarked on an ambitious school

TRANSFORMATIVE DEVELOPMENT

The question of what to do about Springfield has long occupied local, state, and federal officials. A 2009 report by the Federal Reserve Bank of Boston concluded that the city had not recovered the way other smaller former manufacturing cities had, such as Providence and New Haven.

"The riverfront redevelopment projects of the 1980s—including the creation of the Basketball Hall of Fame and the renovation of the downtown civic center—proved unsuccessful in bringing the city back to its feet," notes the report, "Reinvigorating Springfield's Economy: Lessons from Resurgent Cities."

The Commonwealth has spent vast sums over the years on various projects in Springfield. Over just the last five years, MassDevelopment, the state's economic development agency, has funded nearly \$384 million in projects in the city, including the Union Station redevelopment and college and hospital expansions.

MassDevelopment is now taking a different tack in its approach to Gateway City redevelopment. Derived in part

from research by the Boston Fed and MassINC, the agency in 2014 launched the Transformative Development Initiative, which seeks to concentrate resources in specific geographic areas of Gateway Cities—TDI districts—which are typically in distressed areas within or close to downtowns. The premise, outlined in a 2013 report by MassINC, the publisher of *CommonWealth*, is that targeted improvements in gritty but prominent sections of these cities will catalyze private investment and lead to a wider transformation.

“The idea is flipping the way you would normally look at economic development. Instead of saying, ‘Let’s do a couple buildings here and there,’ it’s saying, ‘Let’s look at these concentrated areas and take a concentrated approach,’” says Laura Masulis, the TDI fellow in Springfield. She’s one of three fellows—professionals with a range of backgrounds—that MassDevelopment hired in 2014 to essentially embed in the troubled districts.

Masulis works out of “Make-it Springfield,” a “maker-space” in the TDI district that stands out next to empty storefronts, a convenience store, and a greasy spoon. The center offers a host of hands-on and creative workshops—on a recent day students were learning how to fly drones—and the colorful products of various art classes decorate the walls. Among other things, Masulis has helped bring about a downtown holiday craft market, the installation of way-finder signs, and a weekly beer garden, with offerings from White Lion, which bills itself as Springfield’s first craft brewery. For a state-funded program, the activities may seem whimsical, but Masulis says they help tap one of the city’s latent economic engines: the thousands of employees who work for companies downtown, including MassMutual, the insurance giant that has kept its headquarters in Springfield since the 1800s.

“Many people come to work, park in a garage, walk through a sky walk, go into an office, go to a food court in the building, go back to the office, and drive home without ever setting foot in the street,” says Masulis. “That’s a big missed opportunity.”

ATTITUDES CHANGING

Springfield has also sought to lure more people downtown, with music and arts programming. And several area colleges—at the urging of Mayor Sarno—have opened cam-



Next year, the Dr. Seuss Museum is slated to open in Springfield.

pus downtown, including UMass Amherst.

Downtown Springfield bears the distinct scars of past urban renewal efforts—forbidding multi-lane, one-way streets and monolithic concrete apartment towers that have not aged well—but a stroll with Masulis helps one appreciate the city’s potential. There’s a shuttered Art Deco-style movie theater, and floors of vacant space sit behind immaculate old facades.

And then there’s one of the city’s most impressive and easily overlooked quarters: its stately complex of four museums, known as the quadrangle. Next year, “The Amazing World of Dr. Seuss Museum” is slated to open, the long-

Springfield is a test case for how best to promote development in an urban area.

awaited homage to Theodor Seuss Geisel, arguably the city’s most quirky and internationally renowned native son.

SilverBrick, a Manhattan-based real estate development firm, is wagering that others will recognize downtown’s subtle charms. The loft phenomenon has largely eluded downtown Springfield, where low-income subsidized units make up the bulk of housing and where, unlike other Gateway Cities, there are few extant mill buildings. But SilverBrick has managed to convert a complex of old buildings into some 265 market-rate, loft-style apartments; the

company says demand has been strong. (SilverBrick also purchased a mill in neighboring Chicopee with plans to build another 300 units.)

Springfield perhaps offers an even more compelling housing option for pioneering professionals, especially if they've been paying rents in the Boston or New York areas: massive old houses can be had for less than \$200,000.

After she got the MassDevelopment gig, Masulis, who had been living in Somerville, decided to buy a place in the city. One of the main challenges she and her partner faced was finding a house that was a manageable size. "We basically wanted to know where is the smallest house on the market," she says.

It's too early to say if the recent surge in economic activity will allow Springfield to shake off some of the woes that have long weighed the city down. But in the view of some observers, one thing is already changing: people's attitudes.

Jay Minkarah, who heads the nonprofit DevelopSpringfield, which aims to boost commercial real estate development in the city, recalls encountering a downbeat "fatalist" attitude when he came to Springfield close to four years ago. This began to change with the groundbreakings for the casino and the subway car facility.

"When people start to see changes on the ground, their whole view changes, and it's tremendous to see," says Minkarah.

Wilfredo Lopez, who was born in Puerto Rico and moved to Springfield with his family when he was a small child, has experienced firsthand the changing fortunes of the city. He had worked in the nightclub business, but now is a real estate broker. He recently participated in discussions around a long-range economic plan for the city, FutureCity 2026.

"I think things are getting better," Lopez says as an after-work crowd begins gathering at Theodore's, a local institution known for its barbecue and live blues.

Among those to greet Lopez is a Hispanic woman who he says worked in community relations for MassMutual and an African-American man who was a construction supervisor on the MGM casino.

Springfield has long been known for having a clanish, tough style of politics, but Lopez says that is changing; the corridors of power are becoming more accessible.

"Everybody wants to be king of the mountain, but I'd rather have a city of hills," he says. "I truly believe there are enough good people and good energy right now. It's just a matter of time when the lightbulb is going to hit." **CW**



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Turning around New Bedford

Mayor Jon Mitchell's game plan for his Gateway City

PHOTOGRAPHS BY FRANK CURRAN

JON MITCHELL WALKS a fine line as the mayor of New Bedford. On the one hand, he is the self-professed squeaky wheel, constantly pressing state and federal officials for more money, whether it's for dredging the harbor, building a rail link to Boston, or replacing the ancient bridge that connects New Bedford to Fairhaven across the Acushnet River. At the same time, however, he tells New Bedford residents that the city's fate is in their hands, that they shouldn't just wait for outside help in turning things around.

Mitchell sees no inconsistency in his actions. He says the goal of any Gateway City mayor is to maximize the municipality's positives and minimize its negatives. He says he will go anywhere for help in that effort, but he doesn't want the city's residents to think that they don't have a role to play.

"What I'm really trying to get at is the leadership

challenge in cities that have experienced decades of decline," he says. "In those kinds of places, a mindset takes hold that decline is an inevitable state of affairs. There's sometimes an attitude toward state government that asks: What have you done for us lately? What I'm trying to do is convince people that you have your own destiny in your hands. As trite as it might sound, if you believe things will get better and are willing to work to make it happen, it will."

Things are getting better in New Bedford, as they are in many of the state's Gateway Cities. With the state unemployment rate at its lowest level since 2001, a rising tide is lifting communities that are often left behind. New Bedford's unemployment rate is 5.6 percent, well above the statewide rate of 3.9 percent, but down sharply from the 9.9 percent rate when Mitchell first took office in 2012.

State and federal investments in New Bedford have played a key role in the city's turnaround and are critical to its future. A prime example is the \$113 million New Bedford Marine Commerce Terminal, completed in early 2015 as a staging area for Cape Wind, which never got off the ground. Now, with an ambitious new state law breathing life into offshore wind, the terminal could become the centerpiece of New Bedford's bid to become the headquarters of an emerging industry.

Mitchell says New Bedford is not holding its breath waiting for the future to arrive. He says the city lacks the crime and congestion that plague bigger cities, while offering natural beauty, history, and museums. The port, including the fishing industry, is thriving. The cobblestoned downtown is attracting restaurateurs who see promise. And the harbor walk along the city's massive breakwater is breathtaking.

Mitchell, 47, was born in New Bedford and grew up there and in North Dartmouth. His parents are public school teachers and his family has roots in the New Bedford fishing industry. He studied economics at Harvard and law at George Washington University before going on to work as a state and federal prosecutor. Intense, smart, and ambitious, he is not your typical back-slapping pol. Voters in New Bedford have come to trust him. He ran for mayor as a relative unknown in 2011 and came in second in the preliminary election to Rep. Antonio Cabral. He topped Cabral by 867 votes in the final and has never looked back.

When KG Urban of New York pulled the plug on its efforts to build a \$650 million casino on New Bedford's waterfront last year, Mitchell felt betrayed. But he quickly moved on, and didn't even mention the casino effort during our interview. His message to residents after the KG Urban departure was in keeping with his view that New Bedford's future is not dependent on outsiders. "This community will not be a victim," he said at the time. "We will not wallow in self-pity."

Mitchell is not afraid to take risks. When he came into office, the city's schools were in danger of slipping into receivership. He brought in Pia Durkin from Attleboro as superintendent and she set about remaking the system from top to bottom. Now the two of them are considering taking more radical action, trying to convince the school committee, the teachers union, and parents that giving Durkin a lot more autonomy to run the city's middle schools will lead to quicker improvement.

Springfield went the same route, creating an empowerment zone for nine of its schools. But Springfield had a gun to its head with the state preparing to place some of its schools in receivership. New Bedford has stepped back from that brink under Durkin, yet she and Mitchell want to create their own empowerment zone because they think it's the right thing to do.

Mitchell is in his third, two-year term and says he doesn't know if he will seek reelection next year. He says he is open to running for higher office, but hasn't made any decisions yet. I interviewed Mitchell in his office at City Hall. What follows is an edited transcript of our conversation.

— BRUCE MOHL

COMMONWEALTH: Has New Bedford turned the corner?

JON MITCHELL: Things are clearly different now if you look at some of the objective measures in terms of job growth, the city's bond rating, activity in the port, crime, and the schools are on the right track. We're trending in the right direction. So if you look at all the sort of objective measures, we're doing pretty well. Median income hasn't grown much in cities outside Boston, that's true. But in terms of just the sheer level of economic activity, things are going very well here.

CW: All the Gateway Cities seem to be doing better right now.

MITCHELL: Clearly the growth in the American economy in the last seven or eight years has helped New Bedford, especially in the last three or four years. There are many more jobs here than there were then and certainly in the last few years. But what cities do on their own matters. The course that we've taken, chosen, on our own, really matters, too. We're clearly seeing growth in manufacturing. That is a function of the markets that our manufacturers operate in. But we're also seeing growth in the restaurant business, especially in the downtown. That probably has less to do with the national economy than the well-being of the city itself. We're balancing our books. We've committed to

The growth in the
American economy
has helped, but
what cities do on
their own matters.

reforming our school system. We're elevating in general the city's quality of life. People want to see this place as safe, as a place where your kid can get a good education, be launched on a career path, and a place that offers a richness of daily living that sets it apart from other places.

CW: What's the most important economic indicator you track?



MITCHELL: They're all important and I certainly make a lot of hay out of them. But I wouldn't point to the quantitative measures. I'd point to the physical changes in the city. That's more of a qualitative thing. The city has to look clean, and I think we've made great strides there. I also think that cities that succeed cultivate a design ethic that makes people feel comfortable in the built environment. By that I mean little things matter. I'll give you a tangible example: Custom House Square. When I got into office, that was an asphalt parking lot and I felt New Bedford needed a downtown green space that would be attractive in the same way that places like Bryant Park in New York or Post Office Square Park in Boston are in those cities. But it had to be done at a high level of design and executed well. We reached out to an old friend, a guy named Chris Reed, who is one of the premier landscape architects in America. He's from here. I said to him, would you do this park, and he said yeah. I said would you do it for free for your hometown, and he said yes. Of course, people were complaining about the loss of parking near restaurants and the loss of parking revenue and so forth. And I said, we need something in the middle of downtown that people can be proud of. So we cut the ribbon in September 2013, and within two weeks people began taking wedding photos there. If there are people willing to capture one of the most important moments

of their life in a particular space that you've created, you know you've done something really important.

CW: The city does look nice, particularly the harbor walk.

MITCHELL: To my knowledge, there isn't another city with a boardwalk on top of a levee like that. That's what I'm proud of. We had this wall around the city which, in an age of rising sea levels, is extraordinarily valuable to protect the physical plant and people in the city. But it also cut people off from the water, so we figured out how to cobble together enough funds to build a walkway on top of the breakwater. New Bedford will ultimately have this recreational pathway up and down the water. I think people tend to associate those kinds of things with wealthier communities. They shouldn't. People with limited resources should be able to enjoy those spectacular water views and take in the sites that others might take for granted.

CW: What's your strategy with the southern part of the city that reaches into Buzzards Bay?

MITCHELL: Every part of the city is important, but in an effort to leverage our assets we want to make the most of what's happening there. [He spreads a map out across his conference table.] So we have the two elevated bikeways, and



On Water Street in New Bedford, Mayor Jon Mitchell chats with Jessica Coelho, owner of Tia Maria's European Café, and Chuck Rooney of Centerline Carpentry in Mattapoisett.

they'll connect up to South Dartmouth and to Fairhaven. If you haven't been to Fort Taber [at the city's southern tip], you should take a look at it. This may arguably be one of the most spectacular public spaces in the Commonwealth. You have all of Buzzards Bay that you look out on. This is where we were going to stage Olympic sailing at one point, and we're now actively promoting amateur sailing out there. We have certain advantages over Newport, the primary one being just the proximity of the land and the sailors. The race is right there in full view of spectators. There is nothing like that in Newport, nothing like that anywhere.

CW: The beaches seem nice.

MITCHELL: We've put a lot of money into the beaches, and we'll continue to do that. There's a lot of public investment in that area, probably a quarter of a billion dollars, especially if you add in the commerce terminal, which is right here at the base of the peninsula. With all that public investment, this is some of the most affordable near-beach real estate in the Northeast. You can buy a ranch home for under \$200,000 and walk to the beach.

CW: What are the biggest challenges you face?

MITCHELL: One of the benefits of looking at the map is to see just how big New Bedford isn't. The city is 23 square miles, which is very small. When you look at what's there to develop, where the property tax revenue can grow, you see the city is pretty built out. It's a big problem because cities rely so heavily on property tax revenue. That's a big constraint. The other thing that cities have a tough time dealing with are what are loosely referred to as state mandates, things

like charter schools and retiree obligations. The cost of pensions and retiree health care severely constrain our ability to pay for other things. Our fire department and our police department have been shrunk down in the last few years because we don't have the ability to continue to fund them at the levels that existed before 2008. The same thing with our school system. We had a fairly decent-sized layoff three years ago of school employees. That, to me, is one of the biggest obstacles for us to get over.

CW: How about the city's schools?

MITCHELL: When I took office, our schools had been in a state of decline for several years, and the state was considering a takeover of the entire system. At the time, many suggested that we simply let the state come

in, and wash our hands of it all. In my view, that would have left a huge black eye on New Bedford's reputation. I also felt that we had to own the problem. A state takeover might work the right technical fixes in the short run, but it could never substitute for a sustained local commitment to improvement.

CW: What did you do?

MITCHELL: The effort began with replacing the incumbent superintendent—a politically perilous undertaking. She was supported strongly by the teacher's union, the former mayor, and others. After an exhaustive search, we hired Pia Durkin, who had an impressive record of raising performance as superintendent in Attleboro. In the last three years, the entire enterprise that is the New Bedford School Department has undergone a dramatic overhaul. You name it, it has been revamped.

CW: I interviewed Durkin. She says a lot of progress has been made.

MITCHELL: The progress thus far has been undeniable. Test scores, especially at our elementary schools, are sharply up. The dropout rate is dramatically down. And our high school graduates continue to matriculate to elite colleges. These improvements are taking place in the face of a stiff headwind of demographic and financial pressures on the city.

CW: But even with these gains, you're exploring an empowerment zone. How would that work?

MITCHELL: Increasing learning time and expanding school-

based autonomy could certainly help, and it's no wonder that they are often touted as two key attributes of charter schools by their proponents. We've been intrigued by the approach taken by the likes of Chris Gabrieli and Tripp Jones to promote these measures through what they have dubbed as a "third way," an attempt to offer the benefits of the charter school model without the significant financial consequences charters impose on their host communities. [Jones was a co-founder and Gabrieli is a former board chairman of *CommonWealth's* parent organization, MassINC.]

CW: And you want teachers to give you more autonomy voluntarily? Sounds like a tall ask.

MITCHELL: Regardless of the outcome of the current state referendum on the charter cap, the Legislature ought to explore ways to make it easier for districts to adopt certain charter-like features in district schools. One fairly simple measure would be to expand the authority districts have to turn around so-called Level 4 schools to apply to Level 3 schools. This was an idea embraced several years ago by former Boston mayor Thomas Menino and others, and it essentially would enable districts to impose immediate reforms to schools that are heading in the wrong direction, but have yet to hit bottom. This would remove the impediment faced by reform-minded mayors and superintendents that, under current law, you have to wait until things get really bad before you can implement the most serious measures.

CW: You want your harbor dredged, you want a new bridge connecting New Bedford and Fairhaven, and you want South Coast Rail. What's your top priority?

MITCHELL: They're hard to compare. South Coast Rail is a massive project that will take a long time. These other projects are big, but they're pretty small in comparison. As it pertains to South Coast Rail, my position is it would be a really useful project for the region. Clearly, Boston is living through a golden age right now and the more that we can connect with Greater Boston by public transit the better. But I also know that there are many other capital needs here that need to be addressed and that over the course of time the discussion of South Coast Rail has tended to crowd out the discussion of these other things. The harbor hasn't been dredged in over 50 years. That bridge was built during the whaling era. It's an antique and it predates the growth of the fishing industry and now the onset of the offshore wind industry.

CW: Let's talk about New Bedford's port. A recent report estimated 6,000 people work directly at port businesses.

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MITCHELL: The city will be viable in the long run because of the port. The uniqueness of ports as economic assets has everything to do with their permanence. The port is not going anywhere. It's not being outsourced to Asia. As long as it's dredged and maintained it will be here for the foreseeable future. And for the foreseeable future people will continue to get food, electricity, and energy from the ocean. They will continue to travel by ocean and recreate on the ocean and trade by ocean. Therein lies the value of this place.

CW: You want the dredging and the new bridge to keep the port growing, right?

MITCHELL: It's useful to know the background of this. Two years ago, both Boston and we were seeking dredging funds from the state. Massport approached the state with a study of the port of Boston by Martin Associates that spelled out the economic impact of the port of Boston. Based on that report, the Baker administration agreed to pony up matching funds for the dredging of Boston Harbor. We were directed to go out and do our own economic study. We hired the same firm and they came back and said there was tremendous potential from

dredging the harbor. But, more importantly, they said this port accounts for 2 percent of the state's GDP. We talk about Gateway Cities as if they're almost interchangeable. There's nothing like this port anywhere else in the state, except in Boston. And by looking at side-by-side comparisons to the port of Boston, there's at least an argument to be made that this is a larger port in terms of certain measures of economic output.

CW: What's the tab for dredging and the new bridge?

MITCHELL: The bridge is a \$100 million investment. The no-build alternative for the bridge, according to MassDOT, is \$46 million. So doing nothing would be very expensive. On the harbor dredging, we think the total cost is less than \$100 million, with the state's share in the ballpark of, say, \$30 million, but it could be lower than that. It's mostly federal funding.

CW: What would the city's share of the dredging be?

MITCHELL: Probably close to zero. There would be in-kind services, but our bonding capacity doesn't allow for that kind of spending.

REBUILDING RENEWAL

An Analysis of State Investment in Gateway Cities and a Work Plan for Delivering Transformative Development



GATEWAY CITIES INNOVATION INSTITUTE

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CW: What's the big business in the port?

MITCHELL: The folks in Massachusetts tend to hear about the fishing industry and the adjectives that come to mind are beleaguered or distressed. But people need to know this port, despite the lack of infrastructure investment, is doing very, very well. The price of scallops is in the ballpark of \$16 to \$17 a pound. The guys who are out on scallop boats are effectively piloting ATM machines. They're doing very, very well. And the clam boats are doing very, very well. The ground fish, not so much. That story has been told a number of times and it's true, the ground fish sector is not doing well. The recreational sector is going gangbusters; the marina is full and it's a big marina with 200 slips. The fish processors are also doing very well. This is the biggest fishing port in America. The processors here import about 90 percent of what they process. New Bedford in that way is to the seafood industry what Omaha is to the beef industry.

CW: Let's get back to my original question. What would you do first, the dredging, the bridge, or South Coast Rail?

MITCHELL: With an unlimited budget, South Coast Rail would be at the top of the list.

CW: An unlimited budget? Why are you hedging on South Coast Rail, a project that is likely to cost billions of dollars that the state doesn't have. I thought your whole pitch was that New Bedford doesn't need a rail lifeline to Boston to do well.

MITCHELL: I think the city needs to build up its transportation infrastructure in general. So I include that as one other thing that would enhance the competitiveness of this place. If your question is, why do you need this to remain a viable city, I'd say, no, we don't need it to remain a viable city. What I'm saying is, I would advocate for that in the same way I would advocate for the expansion of the airport, which is another hugely underutilized asset if you think about where it's situated geographically.

CW: Is the state a good partner?

MITCHELL: Let me make a general observation that doesn't relate specifically to the current administration. For communities outside of Greater Boston, it is hard to break into the conversation. Despite the sometimes heated rhetoric about the haves and have nots in the state and how they are geographically separated, I don't think that folks in Boston get up in the morning and say how can we screw places like New Bedford and Springfield. That said, we live in a state where the circles of political power, business, and media center around Boston.

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CW: How do you make your voice heard?

MITCHELL: I tend to be a more squeaky wheel than most. I think it's absolutely necessary for me to be so. What I try to do is point out just what a huge driver of economic activity the port is and make the case that it's in the Commonwealth's interest to maintain it. Therein lies the rationale for all these infrastructure investments.

CW: The state owns a pier in the heart of your waterfront that handles and stores cargo and services ferries to Martha's Vineyard and Nantucket. You've made no secret of the fact you think the pier should be taken away from the state agency that currently manages it, the Department of Conservation and Recreation.

MITCHELL: DCR's management has been woefully inadequate. A report that Karl Seidman just did validates what I've been saying about it all along, which is that it's a facility that has been ignored for an awfully long time and that it ought not to be managed by an agency whose primary business is parks and beaches. The hope is that it will get put in the hands of someone like MassDevelopment, which has successfully managed the state pier in Gloucester.

CW: Does the Baker administration agree with you?

MITCHELL: The report speaks for itself. I don't think anyone can responsibly keep this facility in the hands of that agency in the long run and expect this asset to produce the intended benefits to the city and to the port. The mess that's here reflects on New Bedford, not on some obscure state agency.

CW: You also want DCR to open up the shore-half of the pier area to other uses, such as restaurants and shops. Where are you on that?

MITCHELL: This whole area near Route 18 [which runs along the waterfront] was narrowed in the last few years to make it easier for folks to cross over to the waterfront. It was about a \$50 million project that was largely funded by a federal earmark. The whole purpose was to make this urban renewal road pedestrian-friendly so people could connect with the water. The idea that I have championed is to utilize the [street-side part of the] state pier as an area that could support public accommodation shops and restaurants. The area is underutilized. The guys who run the terminal say we

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can't use this for industrial purposes because people are walking there to go to the ferry.

CW: How excited are you about offshore wind?

MITCHELL: Geography still counts. Early on in my administration, I, like a lot of other people, just associated the offshore wind industry with Cape Wind. That was the thing that was in the news, and I didn't know much about the growth of the industry in northern Europe. But as I started to dig into it, it made all the sense in the world to put eggs into that basket because of the geographic advantages we have. I distinctly remember reading a Department of Energy report that said 25 percent of the nation's wind reserves lie in the area south of Martha's Vineyard going down the Eastern Seaboard. We're the closest industrial seaport. We've got the deep water harbor. Now we have the marine terminal that is perfect for the wind industry because of its load capacity. And we have this seafaring workforce that is second to none in America. Offshore wind is a way to diversify our industry mix on the waterfront.

CW: Won't other ports be trying to land that business?

MITCHELL: Since I've become mayor, I've tried to get people here to think differently about themselves. We're not an ailing patient that needs help. We are prepared to compete. All these other ports that want to jump into this effort, New Bedford is going to beat them. We're going to outsmart them. We're going to out hustle them. Beleaguered cities don't usually talk like that. We need to understand that offshore wind may be important for us economically but also as a way of boosting the region's confidence.

CW: How big will offshore wind be?

MITCHELL: We would like for there to be enough of a pipeline of these projects so that manufacturers can start to set up shop here. We've seen that in Northern Europe with the major component manufacturers setting up by the quayside because the components are too large to be shipped over land by rail or by truck. The Siemens folks have told us that we're probably talking 10 years out before companies actually start to think about building a factory in the United States. What we need to do is to be on the lips of everybody in the industry. When they think about the American offshore industry, they need to be thinking about New Bedford.

CW: Does New Bedford have enough space for factories?

MITCHELL: There may be an opportunity to do manufac-

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CW: What about an offshore wind workforce?

MITCHELL: We're talking to the US Department of Energy about establishing a training center here with Bristol Community College. In the Midwest, there are a number of community colleges that have programs to train technicians on land-based windmills. We think that can be replicated here.

CW: Let's turn to politics. Your term is two years and you think that's too short, right?

MITCHELL: The two-year term has been a huge structural barrier to long-term progress. Two years is not nearly enough time to plan and implement plans for an enterprise of this size. There are 3,000 city employees. We have a \$350

million budget. We're far bigger than a lemonade stand.

CW: How do you change the term to four years?

MITCHELL: There are a variety of ways. This will get done before I leave office, and I don't want it to be done in a way that anybody thinks is self-serving.

CW: That answer sounds like you may be leaving soon. Are you?

MITCHELL: I haven't decided if I'm going to run again. There have been a number of mayors over the years that have only been in for six years. There is certainly a lot of unfinished business. The work is never done.

CW: What is it that you might move on to?

MITCHELL: I'm open to running for higher office. I am. But what I have learned over the years is that I have a tough time finding satisfaction in my work unless I'm passionate about it, and I'm passionate about my job as mayor. And I'm not going to run for any office where I can't say the same. **CW**

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The missing piece of education reform

Leadership by superintendents and principals is key.

BY EDWARD MOSCOVITCH

TWENTY-FIVE YEARS ago a broad coalition of legislators, business people, education experts, and state officials put together and passed a wide-reaching education reform law. That law reflects a set of shared beliefs—basically, that a combination of increased funding, state testing tied to graduation requirements, new state curriculum frameworks, charter schools, and increased authority for superintendents and principals would lead to better schools. I was part of that coalition, but later came to believe that the law omitted a critical element—working with principals and teachers to help them improve their craft – and helped start a non-profit (the Bay State Reading Institute) to work with elementary and middle schools in this way. My experience at the Bay State Reading Institute over the past 11 years with several dozen schools convinces me that current state policies—based on that unchanged policy consensus—are unlikely to lead to further improvement in our schools.

Results from the National Assessment of Education Progress (the so-called “nation’s report card”) show that in the years immediately after 1993 there was a measurable gain in Massachusetts students’ performance. But the results also show that scores have leveled off in the last few years and that there is still a sizable gap between the achievement of low-income students and their wealthier counterparts. Looking at international test comparisons, the Massachusetts Business Alliance for Education’s 2014 Brightlines report concludes that while our scores are higher than other states, Massachusetts students are falling behind the international leaders. The highest performing Massachusetts students are well behind those in the highest performing countries.

The Bay State Reading Institute worked last year with 50 Massachusetts elementary and middle schools (almost entirely in low-income communities) to improve student achievement. Of the 33 schools with us for more than a year or two, 25 have made impressive gains while the results at eight others are disappointing. Comparing the gainers with the disappointments leads me to four major conclusions:



The key factor limiting school improvement is not teachers, but leadership from the principal and the superintendent. Of course, improved schools require improved teaching. But in a school where the principal is committed to change, knows the pedagogy she (or he) is looking for, is willing to hold difficult conversations with teachers when needed, and has the backing of her superintendent, our experience is that the principal can always move her teachers. In each of the eight disappointing schools the problem was a lack of principal commitment, an inability or unwillingness by the principal to make specific pedagogical requests of teachers, or central office officials undermining the principal’s authority.

This finding about superintendents and principals has enormous implications for state policy. In its effort to improve schools, the Department of Elementary and Secondary Education should focus on superintendents (and school committees), since they hire principals and give them their marching orders. The department should not be looking at programs that directly influence teachers, since good principals can handle that far better than a state agency that is necessarily

focused on enforcement. This is not a criticism of the Department of Elementary and Secondary Education staff, but instead reflects the agency's institutional enforcement role; it's hard to change human behavior if the person being helped is not at ease with the potential helper.

Given the right kind of help, the great majority of principals and teachers are capable of running great schools. This begins with dramatically higher expectations for student performance; after a year or two, many teachers tell us that their students are now performing at levels the teachers never before thought possible. It also means major changes in how teachers teach and principals lead, starting with having the class spend most of the day in small-group instruction—the teacher working with a small group of students (at just their instructional level) while other students collaborate on high-level center activities, such as group discussion of text (including making predictions, asking questions, looking for evidence, and picking out the main ideas), separating fact from opinion (1st grade!); and debating topics like genetically modified food (starting in grade 3!).

Contrary to popular perception, great teachers are made, not born. Investing in teachers pays! People choose teaching because they care about kids; teachers will try out new approaches if they feel listened to and have evidence that these approaches work. Principals who understand and respect these truths can move their teachers. The Bay State Reading Institute asks principals in its partner schools to discuss individual student data with teachers, including what they plan to do help students who fall behind and what help they might need. In the most successful schools, the principal knows the pedagogy she's looking for, spends an hour or two in classes most days, and makes very specific requests to teachers as to improvements she'd like to see. As part of this process, teachers begin discussing with each other all of the students in their grade level and begin working together to make sure every child (not just strugglers but also gifted students) reaches his or her potential. Once they see that the focus is on helping students (and not punishing teachers), teachers are comfortable with these discussions, and we have not had union resistance.

School districts need additional funding to make the necessary investment. When budgets are tight, investment in better teaching—be it purchasing new textbooks, hiring instructional coaches, making time for teachers to plan together, or bringing in outside partners—is the first area cut. Few districts—particularly high-poverty districts—have the funds they need to make these investments. Sadly, though, additional state funds that districts could use only for investment (preferably, only for investment and not operations) are not on anyone's priority list.

Current state education policies do not reflect these lessons and are unlikely to succeed. As any successful high-tech entrepreneur understands, you motivate an edu-

cated workforce by setting high goals and then delegating authority, listening to your employees, making it safe to take risks, being generous with praise, encouraging collaboration, and using data in a constructive way to know what works and what doesn't. State policies applying these principles to superintendents would mean avoiding micro-management and one-size-fits-all regulations from the state. Except in a handful of particularly badly managed districts where the state should and does appoint receivers, the relatively small staff at the Department of Elementary and Secondary Education is unlikely to make better decisions for each particular district than the principals and superintendents currently running those schools.

State policy would be far more effective if it took the

State should avoid one-size-fits-all regs.

advice of the authors of the Brightlines report—"You can't mandate excellence; you can only inspire it!" The state could inspire excellence by creating a competitive state grant program for districts that offered significant, long-term funding to superintendents who have exciting ideas for investing in their teachers and their schools. My suggestion would be \$250,000 per school, with a modest local contribution. This would be one-time money that the superintendent would have four years to spend and, once awarded, could not be taken away by the state or diverted by the school committee. Over the course of a decade, \$50 million a year of state funding (just 1 percent of the \$5 billion in state funds spent annually on K-12 education) would be sufficient to offer this one-time transformational opportunity to every school in the Commonwealth.

Another way to motivate superintendents would be to waive state mandates for districts that offer compelling plans of their own. Mandates typically link state funding to specific policies; for example, a state literacy program last year required that, as a condition of receiving funds, districts use specific literacy materials, regardless of whether the materials are consistent with the literacy program the district has adopted or whether it was achieving good results.

I'd offer to waive just about any state mandate, as long as the superintendent has a compelling idea for change, has indicated specific educational goals such a waiver would advance, and is willing to submit data to measure progress. This would put the emphasis on the district's success in improving student performance (and the superintendent's leadership in this area), rather than on micro-managing how a superintendent runs her district.

The combination of long-term funding dedicated to investment in better teaching and the opportunity to replace rigid state mandates with locally designed pro-

grams to improve teaching will be a powerful motivator to the state's best superintendents.

For this to be successful, we'd need a rigorous but open-minded assessment of the improvement plans superintendents put forward. It could be modeled on the high-quality evaluation process the Department of Elementary and Secondary Education built for its Priority Partner program, which includes well-respected outside reviewers.

Keeping in mind the critical role of district leadership, let's take a look at the major education improvement policies currently in place:

- State education officials have an excellent program to mentor new superintendents. The program has engaged some of the most respected retired superintendents in the state, who serve as coaches for new superintendents. The program should continue and be supported.

- Massachusetts should retain a modest amount of statewide testing to make sure we catch those schools that fall hopelessly behind, but the amount of testing we do now is way out of proportion to the benefit. I'd test as little as possible in grades 3,5,6, and 7, and keep no more than four hours of testing in grades 4, 8, and 10. Through 2015, schools spread testing over two whole months; during those months, when tests were being conducted, teachers who normally were assigned to provide extra help to struggling students stopped those services so they could be test monitors. Test results also aren't available until the following fall—too late to help teachers improve instruction for the students in front of them.

As currently constructed, the state reports on standardized test results tell us very little about the quality of teaching in any school. They tell us that students in, for example, Wellesley and Lexington have higher scores than students in Boston or Springfield. That's not surprising given that, on average, students entering kindergarten in high-poverty districts start school well behind. Unless we know where students started (in the fall of kindergarten, not, as is now the case, in third grade), we have no idea how effective teaching actually is. When you compare scores of low-income students in urban communities with scores of the relatively few low-income students in the suburbs, the scores are very similar, but the state reports don't make that clear. Indeed, we have had visitors to Bay State Reading Institute schools whose own children are in suburban systems tell us that the teaching they see in our urban districts is better than what their own kids get—even though test scores in their own district may be higher.

The current system unfairly demonizes thousands of urban district teachers who are working their hearts out to help the neediest kids and whose results are just as good as, if not better than, suburban schools when you adjust for where their students started. The so-called growth scores published by the state would appear to reflect

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these adjustments, but they don't because the starting point is third grade and not kindergarten. The current system assumes that what happens between kindergarten and third grade doesn't matter when in fact the opposite is true. When schools succeed, the improvement starts in kindergarten and then moves like a wave through succeeding grades.

Of course, good schools need testing to help teachers and the principal know which kids are falling behind and which interventions are working. A well-run district will have quick, formative assessments administered regularly during the year. The much shorter state assessment I'd like to see should be used to narrow the state's attention to the relatively few districts where it needs to intervene. There's little evidence that standardized tests have improved pedagogy, and plenty of evidence that they've reduced substantially the time available for instruction.

Many people who, like me, think we do too much testing link this to Common Core, which they oppose. But Common Core is a very good set of standards for what students should be learning; it is not the same as the tests. In English language arts, the emphasis is on having students read text for meaning, ask critical questions, look for evidence, pick out main ideas, and use material to articulate their own ideas. Having this new, well-thought-out, national standard has gotten teachers' attention in a positive way. Having Massachusetts on the same page as other states means we now have access to curriculum materials designed specifically for the standards we're teaching to.

I applaud the state for its support of Common Core; I doubt that people who've actually visited a Common Core classroom object to the teaching they saw there.

For me, the charter schools debate misses the most important question. The state currently has 4.2 percent of students in charters and that number would rise to 14 percent in a decade if the referendum passes. What matters more is what we do for the 86 percent of our students

who will remain in regular district schools. But the charter debate sucks up all of the legislative and journalistic energy available to discuss school change, so no serious attention is given to investing in teachers and principals—even though there is strong evidence that doing so pays.

Massachusetts officials currently mandate that all districts use the same state-designed teacher evaluation system. While well-intentioned, the system has become time-consuming and bureaucratic. In a school where all students take regular formative assessments, where the principal meets regularly with teachers to discuss individual student data, and where the principal visits classrooms on a daily basis, the principal already knows which one or two teachers should be considered for dismissal, and which other teachers have plenty of potential but need a bit of help. Principals in schools like this tell me that the paperwork in the state system takes away from the time they have available to work with their teachers.

For the great majority of districts, the one-size-fits all, paper-heavy state mandates and the overuse of testing are unlikely to improve the quality of instruction. This does not mean that what districts are now doing is good enough—far from it. If we want to use state policy as an engine for school improvement, we need a smarter strategy. We need a strategy designed to bring out the best in teachers and principals. Such a system would build on an understanding of the critical importance of strong educational leadership by superintendents and principals and would work to strengthen and inspire that leadership by carefully designed financial incentives and waivers from state mandates.

Edward Moscovitch is the executive director and cofounder of the Bay State Reading Institute. As a consultant to the Business Alliance for Education, he formerly helped draft and pass the 1993 Education Reform Law.

Baker's big health care move

Revamping MassHealth offers great potential — and great risks.

BY JOHN E. MCDONOUGH

FOR THE THIRD time since 1996, the Massachusetts Medicaid program, called MassHealth, is preparing for transformation. After submitting a final proposal in July, state officials are anxiously awaiting a decision on the plan from the US Centers for Medicaid & Medicare Services. The goals are to: first, transform how medical services are delivered to many of MassHealth's 1.86 million enrollees (including

40 percent of Massachusetts children); second, guarantee a five-year flow of nearly \$8 billion in extra federal dollars into the state's health care system; and third, better integrate substance abuse, mental health, and long-term services and supports into traditional medical care.

Chances are you have heard nothing about this plan that contains many worthy and some controversial chang-

es. For state leaders, the stakes are high. Between 1997 and 2015, MassHealth's share of the overall state budget doubled from 18 percent to 36 percent—with federal dollars accounting for more than half of the total share. At \$16.4 billion in fiscal year 2017, MassHealth is the state's biggest budget buster and most important lifeline for the state's neediest populations. The new federal proposal represents Gov. Charlie Baker's attempt to slow the growth rate while improving medical care and the health of enrollees.

For those who have been awaiting the Baker administration's big health policy move, this may be it.

WHY IS THIS HAPPENING?

Since 1965, Medicaid has been a federal-state partnership that provides health coverage for low-income Americans. Originally just for poor mothers and kids on public assistance, today it is America's largest health insurance program, covering more than 70 million people. The federal government provides most of the money, and sets tight rules governing how states run their programs. States can get flexibility from those rules by obtaining waivers from the federal government, the most pliable being the "Section 1115 research & demonstration waiver," generally granted for 3-5 year terms. Even though federal rules require waiv-

ers to be "budget neutral," states use creative medical and insurance redesigns to obtain substantial and desirable financial flexibility. Massachusetts Medicaid entered the 1115 game in 1997 with a major coverage expansion that transformed it into today's MassHealth. Baker, then secretary of administration and finance under Gov. Bill Weld, was a key architect.



Since that time, Massachusetts's 1115 waiver, now in its sixth iteration, has brought flexibility and extra dollars to support the state's medical infrastructure for disadvantaged populations, chiefly through Boston Medical Center, Cambridge Health

Alliance, and the state's community health centers. It was the threatened loss of those extra federal dollars (\$385 million in 2004) that jolted then-Gov. Mitt Romney and Sen. Ted Kennedy to formulate the plan leading to passage of the landmark 2006 Massachusetts Universal Health Care law, which in turn helped spark passage of the 2010 federal Affordable Care Act.

The state's current 1115 funding ends in June 2017, and Baker administration officials, especially Secretary of Health and Human Services Marylou Sudders and

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MassHealth chief Daniel Tsai, are eager to lock in the next waiver—and the nearly \$8 billion over five years—before Team Obama departs in January. Since arriving on Beacon Hill in January 2015, Team Baker has engaged in intensive planning with stakeholders, including consumer advocates, hospitals, physicians, insurers, and more. State leaders want federal approval by early fall. If federal officials like their plan—and Team Baker is hitting notes Team Obama wants to hear—they may get their wish.

WHAT'S THE PLAN?

The state's application outlines five goals for the new five-year waiver that would begin in 2017:

- Enact payment and delivery system reforms that promote integrated, coordinated care and hold providers accountable for the quality and total cost of care.
- Improve integration of physical health, behavioral health, long-term services and supports, and health-related social services.
- Maintain near-universal coverage.
- Sustainably support safety net providers to ensure continued access to care for Medicaid and low-income uninsured individuals.
- Address the opioid addiction crisis by expanding access to a broad spectrum of recovery-focused substance abuse disorder services.

The most controversial goal is the first: inducing MassHealth medical providers (hospitals, physician groups, home health agencies, community providers, and post-acute providers such as rehabilitation hospitals and nursing homes) to form or expand “accountable care organizations” (ACOs) to assume responsibility for the total cost of care for their MassHealth members.

ACOs were invented in the Affordable Care Act to push providers away from fee-for-service payments that tend to reward volume over quality and efficiency. Since 2010, more than 800 ACOs have formed across the nation in Medicare, private coverage, and, increasingly, Medicaid, with 17 states now using ACOs or looking to do so. In 2012, in that year's health care cost control law signed by then-Gov. Deval Patrick, the Legislature directed MassHealth to move quickly to adopt “alternative payment models” such as ACOs. So the new waiver will enable MassHealth to meet both federal objectives as well as its legislative mandate.

Currently, about 840,000 of MassHealth's 1.86 million enrollees obtain care through one of the state's Medicaid managed care organizations such as Neighborhood Health Plan or Boston Medical Center's Health Net. About 383,000 others participate in the loosely managed Primary Care Clinician (PCC) program. The rest, especially seniors and persons with disabilities, are in fee-for-service. MassHealth officials want to push as many PCC enrollees as possible into

managed care organizations or ACOs by curbing benefits such as eyeglasses, hearing aids, and chiropractic or orthotic care and imposing new out-of-pocket costs on unwilling enrollees who choose to stay with the PCC program.

This aspect concerns patients, advocates, and medical groups. Though ACOs have grown rapidly since 2010, their track record in reducing costs and in improving quality has been modest, and their future is a topic of urgent debate among health policy experts. Some data suggest that PCC enrollees are no more expensive than managed care enrollees. Many PCC enrollees have serious, complex medical needs that can be poorly served by Medicaid managed care organizations with exclusive provider networks.

On the other side, encouraging states to jump into ACO-style “value-based payment”—and away from uncoordinated and unmanaged fee-for-service care—is among the highest priorities of federal officials such as US Health and Human Services Secretary Sylvia Burwell. If Massachusetts wants any hope of keeping the \$8 billion in extra federal dollars flowing, they need to excite federal officials with ambitious designs of this variety.

The second goal—integrating physical health, behavioral health (the combined term for mental health and substance abuse treatment), long-term services and supports (the new term of art for long-term care), and health-related social services—is a major health system improvement goal advocated nationally and in Massachusetts by many, especially Sudders, a former clinical social worker and state mental health commissioner who has long fought to demolish medical care siloes.

Under the new waiver, new MassHealth ACOs will be required to build partnerships with certified “community partner” organizations that provide behavioral health plus long-term services and supports while managing the total cost of care of their enrollees. Providers will operate with per-person capitated payments that require improving the health and well-being of enrollee populations rather than just treating sick patients, a paradigm-shift for providers trained to care—and bill—for one patient at a time.

In response to health care providers worried about adapting to this new system, state officials emphasize the five-year transition to an ACO-centered MassHealth set to launch October 1, 2017. They also note that the \$8 billion in federal waiver money will include \$1.8 billion in additional federal payments (called Delivery System Reform Incentive Payments) specifically to help providers undertake the transition.

LET THE GAMES BEGIN—OR NOT

Opaque is a word often applied to 1115 waivers, one the Obama administration has attempted to replace with “transparent.” States must now conduct open public hear-

ings on new waiver applications and make public all sorts of information relating to 1115 applications. MassHealth's information, including the application, is here: mass.gov/eohhs/gov/departments/masshealth/masshealth-and-health-care-reform.html

Noteworthy are 94 stakeholder letters submitted in July, 400 pages of praise and criticism from organizations large (Massachusetts Hospital Association, Massachusetts Medical Society) and small (Home Care Aide Council, Autism Housing Pathways). One letter from Leann DiDomenico, the mother of a 12-year-old adopted foster child, caught my eye:

"My son...spent the first three years of his life in an abusive birth home followed by 18 months in three different foster homes leaving him with a number of behavioral health issues, including PTSD and reactive attachment disorder (RAD). Over the past seven years my husband and I have worked hard alongside [his] primary care provider and various therapists to help [him] to heal and develop the tools he needs to live a full, productive life in spite of his mental health issues. If/when [he] is transitioned to an ACO, I have no confidence that we will be able to keep the professionals we currently have in place that are working well for [him]."

Leann's letter gives voice to the concerns advocates have raised about the waiver plan. In 2013, MassHealth launched another ambitious demonstration to move their disabled enrollees into a new managed care program called One Care. Though One Care has made substantial improvements in quality, only about 13,000 of 115,000 MassHealth eligible enrollees have signed up after a rocky implementation (see "No time to go wobbly on One Care," *CW*, Fall 2015). The new 1115 waiver is even more ambitious and dicey. Many PCC enrollees and their families have painstakingly built personal provider networks to address their serious and unique needs. ACO implementation risks serious disruption for them. MassHealth should offer these individuals and families a no-penalty "opt-out" until this experiment proves itself.

Baker's 1115 waiver plan includes major steps forward for Massachusetts health care that may pay important dividends well into the future. Until they have demonstrated the capacity to implement this without harming any of their enrollees, they should proceed with more caution. **CW**

John E McDonough teaches at the Harvard TH Chan School of Public Health and blogs at healthstew.com.

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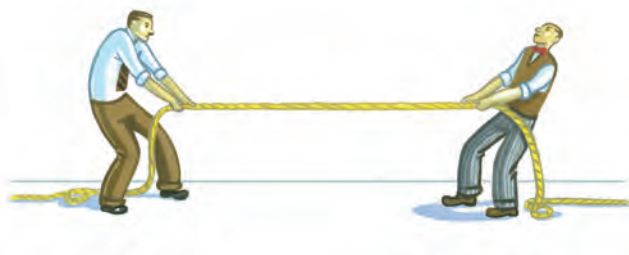
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Charter showdown

A charter school leader and teachers union president debate the ballot question

IN NOVEMBER, MASSACHUSETTS voters will have their say on a ballot question that would allow up to 12 new or expanded charter schools each year above of the existing state cap on the independently-run, but publicly-funded, schools. The issue has inflamed passions on both sides. We asked two prominent Boston education leaders, Jon Clark, co-director of Brooke Charter Schools, who supports Question 2, and Richard Stutman, president of the Boston Teachers Union, who opposes it, to weigh in. Over the course of several days they exchanged views by email.

JON CLARK WRITES:

Throughout our nation's history, our schools have failed to adequately educate our students of color and our low-income students. That remains true today.



In Boston and in other large cities across our country, our schools face obstacles that suburban schools do not, due to poverty and our nation's enduring legacy of racism. But we, as a society, must accept responsibility for the fact that we have not adequately risen to those challenges. In Boston, on the 2015 PARCC, white students scored proficient at three times the rate of black students in math and at twice the rate of black students in reading. We continue to routinely fail our low-income students and our students of color. Too many of us have become far too complacent about that reality.

In Boston and in other cities across the Commonwealth, charter public schools are helping to answer that challenge. Numerous independent studies have shown that students in these schools are effectively closing racial and income-based achievement gaps. That is why tens of thousands of families are on charter public school waiting lists in Massachusetts. Those families desperately want nothing more than to provide their children with a great education.

We can have more of these game-changing public schools. Each one will provide opportunity to families of low-income students and students of color. And each one will contribute to the effort in our urban districts to address this crisis with the sense of urgency and resolve that it demands of us.

RICHARD STUTMAN RESPONDS:

Our public school system is our most important resource—on that we probably agree. Our task is to improve and support our public school system while maintaining its basic premise to offer a free and equal education to all who walk through its doors.

Our schools face many challenges, not the least of which is working with those most in need—those most vulnerable—to gain the skills and knowledge they need to become productive, thoughtful members of society. We welcome those challenges and deserve no special credit. It's our responsibility to educate all. Many charter schools avoid that responsibility by cherry-picking their students by a variety of not-so-subtle methods. Our public schools do not discriminate.



Parents recognize that we have a system of excellent and improving schools. The waiting list for Boston parents seeking a spot in the Boston

Public Schools last year exceeded 21,000. It was an accurate list and in fact it exceeded the number of people awaiting Massachusetts charter seats that are housed in Boston.

We need to support our schools and keep public dollars in the Boston Public Schools working to serve all. This year the city stands to lose more than \$150 million in funding from the state to Boston-based charters, most of whom practice discriminatory admission policies. We need to keep public resources in our public schools. Our students, a majority of whom are low-income and students of color, and one-third of whom are English language learners, deserve no less.

JON CLARK RESPONDS:

We agree that the premise of public education is to provide a free, high-quality education to all. But our city and our country have never lived up to that premise. We have historically and systematically *not* provided an equal or adequate education to low-income students and students of color. The fact that there are waiting lists for some Boston Public Schools proves that many low-income families and families of color are acutely aware that their kids aren't currently receiving the education they need and deserve.

That is why charter public schools have been a critical addition to our public schooling system. Charter schools are public schools that provide opportunity to children of families who have historically been denied it. Charter school students are not “cherry-picked.” MIT and Harvard studies long ago debunked those allegations, proving conclusively that selection bias cannot explain the high achievement of low-income students and students of color in charter public schools.

The funding that goes to Boston charters educates kids who desperately need and deserve a great public education. It's the same amount per student that goes to educate students in the Boston Public Schools. As one of our parents said the other day, “my child is not a drain on the system.” The opportunity to send her child to a charter public school has allowed her and parents like her to empower themselves and to ensure that their children get the education they wholly deserve, but have historically been denied.

RICHARD STUTMAN RESPONDS:

We agree that our mission is to provide a free, high-quality education to all. But charters fail to live up to that promise; at charters “education to all” has become “education for some.” Charters do show decent results on a single standardized test, as we do—though using any single measure to gauge achievement has limited reliability and use. The more important question is to look beyond the single test and ask ourselves whether charters

have chosen to service a selective subgroup of students.

Brooke's schools educate few students with disabilities and even fewer who are English language learners (ELLs) than a representative enrollment of Boston students would require. Our public schools serve a student demographic, 30 percent of whom are ELLs; Brooke's ELL population is 6 percent. Regarding students with disabilities, our public schools' demographic is 20 percent; Brooke's is 8 percent. How does Brooke rationalize this disparity? Why should we allow schools that discriminate and cherry-pick their students to expand?

All students are important, students with disabilities and English language learners alike. Charters should open their doors to all, work to retain all, and join with us to provide the best we can both offer.

To prove the point: Since July 2016 the Boston Public Schools have accepted more than 150 children with special needs who have transferred in from Boston-based charters. Those aren't numbers—they're children. These children deserve to be educated. Until all children get the education they deserve from charters, every dollar lost from our public schools is a drain on what should be an education for all.

JON CLARK RESPONDS:

Boston charter public schools attract families who have been denied access to educational opportunity—particularly black and Latino families. Do you not believe that the district has an obligation to better educate our black and Latino kids? For each of the last 10 years, Boston English language learner students have outperformed African-American students on the math MCAS/PARCC test.

In Boston charters, 17 percent of students are in special education programs and 14 percent are identified as English language learners. But charters aren't monolithic. For every Brooke Roslindale Charter School (2.5 percent ELL) there is Match charter schools (33 percent ELL). There is wide variation among charters, just as there is in district schools (none of which you accuse of discriminatory enrollment practices—even those that are disproportionately white!).

ELL status (and to some extent special education status) should not be a permanent badge. Brooke opened a new campus in 2012 to serve more English language learners. Over 50 percent of Brooke East Boston students are now or were formerly identified as English language learners. But, for every Brooke child who is currently identified as an English language learner, there are three who have exited ELL status. In the Boston Public Schools, current English language learners outnumber former ELLs by 2:1.

A recent MIT study found that in Boston, special education and ELL students are making substantially more progress in charter public schools than in district public

schools. At Brooke, ELL and special education students are out-performing regular education students in the district. Shouldn't that kind of progress be the goal for *all* of our kids who our city has historically never served well?

RICHARD STUTMAN RESPONDS:

I don't buy the argument that it's acceptable to discriminate and cherry-pick students in order to obtain a higher MCAS test score. The goals of equal access and high achievement are not mutually exclusive. The BPS strives for both.

The Boston Public Schools take a back seat to no one in urban America, according to NAEP test results in math and reading across the same subgroups you mention. See www.bostonpublicschools.org/Page/714. We also practice equal access. Our schools don't counsel out poor-performing students. We welcome them.

We're not arguing that charters don't achieve some success on the MCAS—but it comes at a cost of denying equal access to all. And that's a price our public schools are not willing to pay.

It's great that charters have finally begun to look at increasing enrollments of English language learners and students with disabilities. It's unfortunate, however, that it took 20 years and the 2010 Achievement Gap legislation

to bring this about. And even though charters corrected course a bit, they still avoid and counsel out children who are more challenging and expensive to teach. At the East Boston Brooke and Excel charter schools, for example, there are 130 English language learners enrolled. Only one student of 130 (0.8 percent) is enrolled at either Level 1 or 2 (of 5), which are the most challenging levels. In the Boston public schools, it's 14 percent.

Charters' progress has been too little, too late. That's why we need to keep our public dollars in public schools, and avoid promoting the expansion of schools that discriminate.

JON CLARK RESPONDS:

Data simply don't support your recycled assertions. Department of Elementary and Secondary Education data show that attrition is significantly lower in charters than in district schools; charters don't counsel kids out. State analysis shows that charter English language learner enrollment "has steadily increased and is now approaching the enrollment at Boston district schools"; charters don't discriminate. A recent MIT study finds: "Those with the most severe needs...perform significantly better in charters"; charter schools don't "avoid" kids.



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Despite the evidence, you insist that enrollment at charter schools is inequitable. Why then don't you join us in advocating for a common enrollment system in Boston? Let's have charter schools and district schools enroll kids using the same rules under the same system.

You have yet to answer my question about our responsibility to our black and Latino kids, but insist that all is well in Boston: BPS "takes a backseat to no one." I'm sure the thousands of Boston charter school parents (and those wait-listed) will disagree. The families I know are all too aware of the ragingly disparate educational achievement of our city's students by race. You and I couldn't disagree more on that point.

But when it comes down to it, our disagreement is irrelevant. My job is to help operate great schools. Your job is to serve the members of your union. Neither of us should get to decide which schools are good enough for other people's children. Let's empower those families to vote with their feet and settle the disagreement for us.

RICHARD STUTMAN RESPONDS

My data and assertions may be recycled, but that doesn't make them any less true. Charters do discriminate and cherry-pick their students. How else to explain that in 20

years of random enrollment by lottery, allegedly a guarantee of "equal and open" access to charters, more than 95 percent of city students with high and severe needs remain in the Boston Public Schools rather than charters.

Not even the 2010 Achievement Act has motivated charters to recruit and retain students who need additional services. Please tell us how these discriminatory policies support your claim that charters help black and Latino children. And please tell us how suspending 5-year-old children for failing to walk in a straight line improves learning. Or how "encouraging" students to leave prior to MCAS season provides "equal access." Admit it: In their quest to boost MCAS score results, charters will stop at no tactic, regardless of how it hurts children.

And enough of your claims to a huge wait list already! The wait list to get a seat of preference in the BPS is twice as long as the much-discredited charter wait list. By the way, our wait list is real: no ghosts, no double dipping.

Finally, we do play different roles. Yours is to prop up a selective, dual system and increase the \$450 million currently spent on charters, which practice discrimination. My job is to make sure that our improving public schools, which provide equal access, retain resources to help all students, including those charters refuse to educate. **CW**

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Mending the social fabric

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**The Fractured Republic:
Renewing America's Social Contract in the Age of Individualism**
By Yuval Levin
New York: Basic Books
262 pages

REVIEWED BY JOHN SCHNEIDER

SPEND SOME TIME in West Virginia or Kentucky and you begin to understand why Donald Trump has made it so far as a candidate for president. Making America great again sells well in the communities of those Appalachian states. Jobs in coal mining, never an easy living but work that at least paid a decent wage, are disappearing as mines close down. During a recent visit, a school principal told me with sadness in her voice that once the last coal mine closed in her county, the Walmart superstore became the region's largest employer. There were simply not enough good jobs to go around, and that was having a devastating impact on her school—big increases in behavioral problems, more depression, more students needing a meal and other necessities, and more students afraid to go home for the weekend. Chaos had replaced community, and hope for a better future is all but gone among her neighbors.

Being in Appalachia during the presidential primaries opened my eyes to a country that I did not know. I wanted a deeper explanation beyond the usual knee jerk reaction about Trump supporters—many of them good people caught up in forces beyond their control. This drew me to Yuval Levin's *The Fractured Republic: Renewing America's Social Contract in the Age of Individualism*. Levin's book wrestles in a very serious way with the issues that Trump (and Bernie Sanders as well) has been eager to exploit—inequality, the failure of our institutions, the power of a small elite class, the decline of the middle class. Levin is tough on the politicians anchored to policies no longer relevant for today's challenges and on the civic institutions responsible for social and economic mobility. It's

a book with big, bold themes. But beware: Levin is prone to generalizing about the conditions and circumstances that have led us to today.

Levin is one of the country's leading conservative intellectuals and founder and editor of *National Affairs*, a leading journal of politics and policy that is well worth having on your reading list. *Fractured Republic* attempts to explain the forces that are tearing the nation apart. Can we be great again? Yes, says Levin, but only if we as a nation turn away from a "political life [that] is now exceedingly nostalgic" and work toward a more modern form of governance that he calls "subsidiarity," a place where power and authority are "as close to the level of the interpersonal community as reasonably possible."

America has lost its way because the two major political parties keep offering us policies and politics mired in the past. Nostalgia, he says, "is at the core of the frustration that so overwhelms our politics right now." Our problems are real, but our answers seem "disconnected from reality." Too many Americans have yet to transition to the post-industrial economy, the benefits of which accrue to some but certainly not all.

The response of our political parties to the economic anxieties many Americans face, Levin says, has been woefully inadequate. "Democrats talk about public policy as though it were always 1965 and the model of the Great Society welfare state will answer our every concern," he writes. "And Republicans talk as though it were always 1981 and a repetition of the Reagan Revolution is the cure for what ails us." The result is a public more frustrated and more cynical about politics.

We long for a return to what Levin describes as the golden age of post-World War II America.

Many Americans did indeed prosper during that period. My dad, who at 88 still receives his monthly pension check after a career with General Electric, was one. The system worked for our family. He bought a nice house on one income, sent five kids to college, and bought a small condo in Florida for his retirement. During his working life, both political parties shared a consensus view on how to keep the nation strong, stable, and prosperous.

But for many Americans, the 1950s and 1960s were not so great. Blacks, Hispanics, women, and gays all were excluded from the progress being made and needed to fight for the social and economic opportunities that they felt rightly entitled to. During the 1970s, recessions hit the nation hard as the rest of the world caught up to us economically. Global economic changes brought disillusionment about American exceptionalism and, with it, nostalgia for a better time. As trust in our civic and cultural institutions continued their decline, often exacerbated by the rise in individualism—or narcissism, as Levin categorizes it—the institutions that make up American civil society failed to adequately respond. “The forces underlying the confidence and optimism of the postwar era seemed to be failing all at once,” argues Levin.

Political parties responded by diffusing power and loosening regulatory restrictions on businesses to compete in an increasingly highly competitive global economy (i.e., the Reagan Revolution and declarations that “the era of big government is over”). The economic advantages that provided opportunity to many Americans no longer existed. The economies of other nations had recovered and changes in technology and an increasingly shrinking world meant that we now faced more global competition than we had faced in decades. These changes, global in nature and beyond our control, meant that American institutions began to lose the coherence, cohesion, and public trust that kept us prosperous. Political consensus evaporated and, as Robert Putnam and others have argued, we entered a period of declining “social capital.”

It is the decline of social capital that is at the center of the fragmentation that afflicts us today. “Declines in social capital,” Levin argues, “tend to be self-intensifying: as people come to have less in common with their fellow citizens, they find it more difficult to cooperate and identify with one another, which brings a further weakening of remaining social bonds.” The decline in social capital, a process which took several decades, has resulted in “sharp bifurcations in one area of American life after another—with people at the top moving higher and higher, and those at the bottom moving lower and lower, while the middle hollowed out.”

Levin says that our political institutions are not equipped to deal with these current challenges and “are all in varying states of dysfunction.” The result is a decline in public trust and a growing “detachment from some core sources of social order and meaning,” such as the family, the labor force (especially among men and those without a college education), and community institutions, especially religious institutions. Power is less centralized, but wealth and poverty have become more concentrated in what he says is “bifurcated concentration” (what most of us call inequality). We have become a society of individuals within a national state, a condition that has altered not only our politics but our civic institutions, contributing to the decline of the middle class.

Levin argues that we need to adopt local solutions to the complex problems we face, a time-honored conserva-

For many, the 1950s and 60s were not so great.

tive approach that he has dubbed “subsidiarity.” He states, “Honing an inclination to subsidiarity would offer us a way of thinking about solving problems together that begins in the neighborhood, in the church, in the school, in the community, and builds up.” Subsidiarity, he would have us believe, combined with power devolved to the states, will revitalize civic culture, strengthen social capital, and help restore the middle class.

No doubt creating more social capital is needed. But how do we balance local initiative with the will, resources, and capacity to reform our institutions? How do we respond when states don’t act in the best interest of their citizens?

Giving states more leeway to solve public problems has been, since the founding of the republic, one of the great sources of conflict in American politics. As we are reminded by the lessons of American history, relying on the states doesn’t always work as planned. It was not that long ago that the federal government had to step forward to assert voting rights for all, a pillar of citizenship that, left to the states, had become a tool of white segregationists in the South to maintain power.

In this fragmented age we are quick to reject national solutions to national problems. But for too many Americans, government and institutions at all levels have failed them. *The Fractured Republic* offers plenty of valuable insights in its analysis of what ails us. In the end, though, despite his scorn for those clinging to outmoded ways, Levin himself seems nostalgic for an approach that will, I’m afraid, still leave many of our fellow citizens behind. **CW**

John Schneider is director of policy and advocacy for a national education reform organization based in Boston.

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