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The Really Hard Stuff

Governing does about 40 live events a year, and my favorite has always been our annual Public Officials of the Year dinner, where we honor outstanding contributions to public service. The sparkling interactions that result from bringing together a group of leaders representing diverse professions, geographical regions and political points of view never fail to inspire me. But none, fresh from our annual Summit on Government Performance and Innovation, the dinner has an emerging rival for first place in my affections.

This was our third event in the series, which has grown every year since the first one in Louisville, Ky. This year, in Phoenix, there were 325 local government officials in attendance from 90 cities and nine counties. We even had six international participants, three each from the United Kingdom and Mexico. We had mayors, city council members, chief innovation officers, government performance officers and leaders in practically every area that cities work in, from law enforcement to public works. They came together around a shared passion: to make government work better for all their communities.

I see three factors that have worked to make this such a powerful event. First, from the beginning we conceived it to be held in close partnership with the host city and its mayor. Mayor Greg Fischer set the standard in Louisville, committing both the support of his city government and his personal participation. This year in Phoenix, Mayor Greg Stanton and his team did the same. The mayor and City Manager Ed Zuercher spent practically the entire two days with us, as did dozens of their top staff.

Another powerful factor that contributed to the vibrancy and dynamism of this year’s event was our partnership with the non-profit Living Cities organization. Steven Bosacker, its principal for performance officers and leaders in practically every area that cities work in, from law enforcement to public works. They came together around a shared passion: to make government work better for all their communities.

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Another powerful factor that contributed to the vibrancy and dynamism of this year’s event was our partnership with the non-profit Living Cities organization. Steven Bosacker, its principal for public sector and partnerships, was a vital collaborator in designing the event, and he and Living Cities CEO Ben Hecht were active players in its execution. Finally, the success of last year’s Equipt to Innovate framework and survey, which we also collaborated on partnership with the host city and we conceived it to be held in close

Dealing with the really hard stuff is, of course, what government is all about, nowhere more so than at the local level. And it’s something government can always get better at. I’m already anticipating next year’s summit. I hope we’ll see you there.
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Create the enduring

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LETTERS

Leave It Up to the States?

In our May cover story, “The Missing Middle,” John Buntin looked at why cities struggle to build affordable housing. One of the many reasons he explored is neighborhood opposition to density. Because of this pushback, some are in favor of moving responsibility for development decisions away from neighborhoods and localities and toward state authorities.

Legislation in Massachusetts, known as Chapter 40B, “gives builders who propose developments that include affordable housing units access to a fast-track approval process,” Buntin wrote, adding that “40B has been very successful, facilitating the construction of an estimated 60,000 affordable units.”

I believe you misunderstood the 40B statute—confusing total 40B units with affordable 40B units. According to the Citizens’ Housing and Planning Association, which is a pro-40B group, “Since the early 1970s, Chapter 40B has been used to produce over 60,000 units in almost 1,200 developments (built or in construction), including over 42,000 rental units and about 18,000 ownership units. Over half are reserved for households with incomes below 80 percent of the area median.”

In very rough numbers that is something like 700 per year, or about 6 percent of annual new affordable units—not insignificant but also not enough to move the needle in the overall housing supply.

One indication that the law may not really be doing what it is claimed to do is the enthusiasm of realtors and developers for it. 40B developers look for large sites in inner suburbs that are distant from downtown services and contrary to “smart growth” goals promoted by other state programs. The law allows developers to override local zoning and build as many units as they can squeeze into a site.

A much more productive approach might be to alter state aid formulas for education and transportation based on zoning provisions for by-right development of high density housing. And I think most people would much prefer to live in small single-family homes and town houses than big clusters of tall buildings surrounded by parking lots.

—Roger Wilson, Winchster, Mass.

Residents First

In the May feature “Abroad in America,” Alan Greenblatt wrote about how U.S. universities have been actively recruiting international students, in part, for financial reasons. Greenblatt also addressed the perception that international students are taking away slots from U.S. citizens. “At the University of Illinois, undergraduate enrollment at the engineering school was 90 percent in-state kids a decade ago,” Greenblatt wrote. “Now, they make up just 60 percent. Yet the actual number of Illinois students has increased, even as their share has dropped. The school simply expanded as part of its international outreach effort.”

Several readers did not believe that assertion and further felt the effort was at odds with the role of public universities.

I am a fourth-generation Illiniosan and a graduate of the University of Illinois at Urbana Champaign, married to another graduate of UIUC. Administrators admit that foreign students are preferred over my children at UIUC because they pay cash and mine pay in-state tuition and might get some financial aid.

I welcome international students—I even roomed with one at UIUC. But how about a state institution that caters to the residents of that state? How about my children not be discriminated against because they are lifelong Illiniosans like their parents, grandparents and great-grandparents?

—George Salas, Antioch, Ill.

Maybe offer those [international] spots to the residents that those public colleges were intended to support?

—Cris Horbelt on Facebook

Still Seeking a Job

In May’s Behind the Numbers, Mike Maciag examined the decline in diplomas for public service careers. He found that, according to the data, “several of the top government-related academic fields—including criminal justice, political science and public administration—have seen the number of degrees awarded level off or dip slightly over the past few years.” A few public service graduates argued that perhaps diplomas are declining because there aren’t enough jobs.

My friend and I have a year with a Master of Public Administration and still can’t [find] related public service jobs because we don’t have 10 years’ experience.

—Xavier-Quinn Roman on Facebook

@Xavier-Quinn Roman I know this feeling. No one wants to train. They all want [candidates with] five-plus years.

—Elizabeth King on Facebook

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No other state has a tax collection system like California’s. No other state would want one.

Rather than a single revenue department, California uses three separate agencies to manage different taxes. One of those agencies, the Board of Equalization (BOE), collects sales and property taxes, along with many smaller revenue sources such as levies on jet fuel. Now it’s taking on the new role of collecting marijuana taxes. But even as its mission continues to expand, the BOE appears to be badly mismanaged.

A recent audit from the state Finance Department found that the BOE’s elected board members have been directing civil servants to work on pet political projects. It also found that those board members, who aren’t supposed to receive political contributions exceeding $250, have been known to accept thousands in bundled donations of $249 from companies who have business before them. And although the BOE is supposed to meet in open, quasi-judicial hearings, recent legislative testimony revealed members have met privately with parties who were appealing their tax assessments, never reporting the content of those conversations. “The testimony indicated that board members were inappropriately influencing staff members in the performance of their duties,” says state Sen. Steven Glazer.

The audit prompted Gov. Jerry Brown to temporarily block the board’s ability to hire or make large purchases. He’s also requested a fresh investigation from the state’s Justice Department, and called on legislators to find a way to overhaul the BOE. Meanwhile, members of the board have joined with outsiders in putting forward their own proposals to revamp parts of the agency. “Clearly it needs to be run significantly better,” says state Rep. Phil Ting. “They have trouble answering even the most basic budget and systems questions.”

For all its faults, however, no one in Sacramento is convinced that big changes are about to hit the agency. Many powerful interests in the state like things the way they are. Those with inroads to the board are able to wheedle favorable opinions on behalf of their clients. Board members enjoy pretty good perks, including sizable staffs. The state controller sits on the board, but other members, who are elected directly by voters in four separate districts, include ex-legislators who have chummy relations with their former colleagues. “It’s those relationships, I believe, that have kept reforms from happening,” says state Sen. Jerry Hill.

The Board of Equalization was set up back in the 19th century as a way of dealing with problems caused by county assessors. Back in those days, taxes were proportionately higher in mining counties than grazing counties. Hence the need to “equalize” taxes. That function long ago ceased to be important, but the board kept taking on more work. Collection of income taxes, for example, falls under the Franchise Tax Board, but the BOE still adjudicates disputes about those taxes. “With this elected tax board, you’ve got a group of people with really very little knowledge or expertise about taxes, who don’t create any useful body of precedent for people to understand taxation,” says Daniel Simmons, an emeritus law professor at the University of California, Davis. “There’s really no easy way to fully know how the law will be interpreted and applied.”

Over the years, countless commissions and studies have recommended that state tax collection be consolidated into a single revenue department accountable to the governor—which is how most states do it. But killing off the BOE would require a constitutional revision approved by voters. That isn’t likely. Still, a summoning of political will could create some meaningful changes to the agency. The board, if it were so inclined, could even fix things, says Sen. Glazer. “This could be resolved with better board policies and a CEO who insists on respect for the chain of command of his office,” he says. “But it’s a big question.”
LIKE A LOT OF PLACES, Chicago underfunds its infrastructure needs. But the way the city distributes the money it has doesn’t help either.

Each of the city’s 50 aldermen is given control of $1.32 million in so-called menu money. They’re allowed to direct that money toward the capital improvement projects of their choice. Most of the ones they pick come from a list that’s already been approved by the Chicago Department of Transportation. But it’s a scattershot approach, with aldermen tending to select the projects that have drawn the most constituent pressure.

The allocation system “bears no relationship to the actual infrastructure needs of each ward,” according to a recent audit by the city’s inspector general. Each ward has the same population size, but the square mileage varies considerably, and the less dense but larger and poorer wards on the city’s south and west sides are shortchanged.

The result is a gap, relative to need, of $9.3 million between the best- and worst-funded wards. A long-term strategic plan, prioritized on a citywide basis, would provide for the best use of the taxpayers’ money, the inspector general concluded, as opposed to laddering out sums piecemeal and letting the various squeaky wheels get greased.

The city’s elected leaders received the audit with predictable hostility. Mayor Rahm Emanuel and individual aldermen said taking infrastructure funds and handing them over to “unaccountable city bureaucrats,” in the words of Alderman Joe Moore, would make spending decisions less transparent.

Moore is one of a number of aldermen who allow his residents to cast votes on potential menu money projects. “While the menu program is not the only funding for neighborhood infrastructure investments, it does allow for neighborhood-directed spending,” says Mike Claffey, director of public affairs for the Chicago Department of Transportation.

Menu money, in short, is a classic case where political influence and a technocratic solution are at odds. Newspaper editorial writers say the approach should be scrapped altogether, and they make the point that other ways could be found to give aldermen some input into infrastructure decisions. But given the level of political resistance, no overhaul of the menu program is going to happen.

Still, there are some painful realities that must be dealt with. The city faces a funding gap of $122.9 million per year when it comes to residential infrastructure improvement needs. There simply isn’t enough money to do all the projects that might be worthwhile. Even though the situation may not change soon, the inspector general’s clarification of the true infrastructure needs in each ward could go a long way in helping to inform the next round of budget discussions.
Jailhouse Experiments

LOCKUP HAS GOTTEN a lot less crowded in Charleston, S.C. Over the past two years, the number of admissions at the county jail has dropped 30 percent, in turn bringing the daily prison population down by 10 percent. It’s not that lots of criminals have gotten out of the game or moved elsewhere. It’s that law enforcement and the criminal justice system are handling offenders differently.

When an officer in Charleston picks up someone who is clearly inebriated or stoned, he has the option of calling treatment centers to see if there are any vacancies, rather than booking the offense. When charges do get filed, magistrates are provided with information about each individual, giving them a better sense of whether the alleged offender is a flight risk or poses a danger to the community, or whether he can simply be released on his own recognizance. When people are released, the county sends them every type of reminder imaginable—email, phone call, text, letters—to make sure they know their court dates, cutting down on the number of people in jail simply for failing to appear.

These changes seem to be responsible for the drop in bookings and jail days. “All of it has been ingenious,” says Dot Scott, president of the NAACP’s Charleston branch. Law enforcement in Charleston has had issues with racial profiling in the past. But what really drove these changes was the prospect of grant money. The MacArthur Foundation offered localities the chance to compete for millions of dollars to pursue criminal justice reform. Nearly 200 applied, and Charleston was one of the winners. Merely coming together to apply for the grant created a collaborative culture across agencies, which was exactly what MacArthur was trying to promote. “Pрагmatically, there’s nothing like money to get adversarial parties talking to each other about finding solutions,” says Vic Rawl, who chairs the Charleston County Council.

The Charleston effort has involved the sheriff, local police, social workers, probation officers, prosecutors and court officials. They’re all parts of an inherently antagonistic system, but they were able to sit down and find some areas where they could reach agreement about new approaches, without worrying too much about turf. The effort in Charleston stands out, but lots of law enforcement systems are experimenting with new ways to keep low-risk offenders out of jail. Lucas County, Ohio, which includes Toledo, has pulled together teams of prosecutors and public defenders to weigh in on which offenders can be safely released. Harris County, Texas, Houston’s home county, is trying to speed up the amount of time it takes prosecutors to review charges, while also reducing court processing times.

Brian Mueller, the chief deputy sheriff in Pennington County, S.D., which includes Rapid City, cites a whole array of experiments, among them youth diversion and pre-trial electronic monitoring of offenders. As seems to be the case everywhere, the hope is to keep nonviolent offenders out of custody if they pose little danger to themselves or others. “Our jail [is] not overcrowded,” Mueller says, “but it’s nearing capacity and has been for the last couple of years.” He’s banking on the new ideas out of places like Charleston to help with that problem.

FOOTNOTES

1. The number of bills expected to be introduced this year in the New York Legislature—more than five times as many as in California, which has nearly twice as many residents.

2. Suicides in New Mexico per 100,000 white men, ages 45-54, in 2015, more than in any of the other 41 states for which information is available.

3. The longest it takes anyone in San Francisco to walk to a park from home. San Francisco is the first city in the country to achieve this level of proximity.
Behaving Badly

**THE LIEUTENANT GOVERNOR** of Pennsylvania doesn’t have many official duties. Maybe that’s one reason Mike Stack, the current holder of that office, has gotten himself into trouble.

Stack and his wife Tonya are alleged to have screamed at and otherwise verbally abused members of his state police security detail, as well as other state employees who cook and clean at their official residence. There have been complaints that troopers were asked to turn on flashers and sirens to speed up trips in nonemergency situations. State Rep. Kevin Boyle claims that Tonya Stack flipped him off at a public event and threw a cup of soda at him. Stack’s office announced in May that she has entered a residential treatment facility to deal with a “difficult mental health issue.”

Before the extent of Tonya Stack’s difficulties became known, Gov. Tom Wolf had pulled Mike Stack’s security detail and placed restrictions on staff working at his official household. “I do not delight in this decision,” Wolf wrote to his lieutenant governor. He also called for the state inspector general to look into the allegations against Stack. But there may not be much more Wolf can do. Stack has spurned any talk that he might step down, and there are no hints that he has engaged in illegal behavior.

As lieutenant governor, the 53-year-old Stack is provided with an official residence near the state Capitol. Despite that, he has billed the state for overnight stays at hotels in Philadelphia, even though he has a home in that city. In response to media reports about this, Stack has returned some of the money. Still, all that negative attention hasn’t stopped Stack from vowing to run for re-election next year. In Pennsylvania, the governor and lieutenant governor run together in the fall, but are nominated separately in primaries. Stack, who served 14 years in the Pennsylvania Senate, was not close to Wolf before their political fates were bound together. And they aren’t any closer now.

Some previous lieutenant governors have been given jobs of real substance, such as taking a lead role on energy policy or running emergency management. “Guess how many assignments Stack got?” says Terry Madonna, a political scientist at Franklin & Marshall College. “Zero. For me, that’s always a telltale sign.”

It’s hard to see Wolf running alongside Stack in 2018. If he decides not to, the governor will have to find a political ally of his own to stand against Stack in the primary next year. If he goes that route, he runs the risk of angering Philadelphia’s Democratic machine, which Stack is part of and Wolf, a former businessman, is decidedly not.

That’s why, for both men, the question of what the inspector general finds will be crucial.
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Among the many pieces of wisdom in Jane Jacobs’ 1961 masterpiece, The Death and Life of Great American Cities, one stands out a half-century later as a near-universal urban planning truth. It’s the idea that healthy communities are built on the face-to-face contact of their residents. Routine daily meetings of neighbors on the sidewalk foster public safety and social cohesion. “Lowly, unpurposeful and random as they may appear,” Jacobs wrote, “sidewalk contacts are the small change from which a city’s wealth of public life may grow.”

Twenty years after the publication of Jacobs’ book, the sociologist Mark Granovetter added some academic rigor to her anecdotal evidence. Granovetter studied a wide range of urban neighborhoods and found that the most successful ones were built on what he called “weak ties,” informal contacts among casual acquaintances who stop on the street to share news, gossip or simple good wishes. A robust array of weak ties gives city dwellers access to jobs, child care and practical advice, and it enhances their overall sense of well-being.

Sidewalk contacts require, at a minimum, the presence of sidewalks. But more than that, they require sidewalks to be places where people feel comfortable spending time—gathering spots, not just thoroughfares. The best ones are visually attractive, inhabited by storefront commerce that’s fun to look at, and blessed with a diverse array of people to watch. Starting with these fundamentals, the concept of walkability has evolved.

It’s rare these days to find a city planning office that doesn’t include a commitment to walkability in its promotional literature. For the past decade, cities and neighborhoods have been able to access a website called Walk Score that tells them (and potential homebuyers) just how walkable they are in comparison to competing places nearby.

Still, walkability remains a bit of a slippery concept. Some neighborhoods seem to have most of the right physical attributes and yet lack any real vibrancy. Others don’t look like much and still manage to draw on an ample supply of local residents polishing their weak ties at all hours of the day and evening. Walkability brings to mind Justice Potter Stewart’s famous definition of pornography, “I know it when I see it.” But coming up with a precise definition of walkability is harder than you might expect. And on a more practical level, it raises a key question: How much can local governments and neighborhood activists do to create walkability through deliberative decisions?

All of this is especially intriguing because Brattleboro doesn’t have any of Langdon visited half a dozen American communities that seem to have achieved walkability, asking what their recipe was and whether other aspirants to walkability might be able to copy it. The chapter that captured my attention right away was the one on Brattleboro, VT. I happened to be there a few weeks ago, and saw most of the things that Langdon describes. It was a rainy Sunday morning, but the small downtown was full of walkers, many of them greeting each other casually in just the way Granovetter would approve. Every storefront I encountered was occupied, and passersby were darting in and out. The basement coffee shop I ducked into was crowded with customers. I checked Brattleboro out on Walk Score and found that one neighborhood that had been surveyed recorded a 90—basically off the charts, given that the average city gets a 44.

All of this is especially intriguing because Brattleboro doesn’t have any of...
the obvious features that tend to be proxies for walkability. It isn’t an affluence place; it ranks well below the national average in household income. It isn’t home to a major college or university. In fact, there aren’t any high-paying private employers of any kind. So what is Brattleboro’s secret? Reading Langdon helps us unravel the mystery. A lot of the answer is geography. Brattleboro, population about 12,000, is an unusually narrow piece of territory nestled between the Connecticut River and a series of steep hills. There was never much room for it to spread out. Something like 80 percent of the residents live within two miles of downtown. The whole town is essentially within walking distance.

What’s more, as Langdon explains, the distinctive geography made the small downtown not only a magnet for walkers but also an engine of civic pride. When the Brattleboro Food Co-op threatened to move its headquarters to a suburban shopping center, a citizens’ group pressured it into constructing a new building on Main Street. When Home Depot opened up outside of town, it didn’t drive the downtown hardware store out of business; the opposite happened. So many locals refused to shop at Home Depot that it closed after four years.

The local government has done its share to tilt the balance in favor of pedestrians and against automobiles. There’s a public downtown garage that parks 300 cars, but it’s the only garage the downtown not only a magnet for walkers but also an engine of civic pride. When the Brattleboro Food Co-op threatened to move its headquarters to a suburban shopping center, a citizens’ group pressured it into constructing a new building on Main Street. When Home Depot opened up outside of town, it didn’t drive the downtown hardware store out of business; the opposite happened. So many locals refused to shop at Home Depot that it closed after four years.

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Let’s Give the Stimulus Its Due
It saved the economy, but that isn’t always acknowledged.

If the chaos surrounding the first few months of President Trump leaves you confused and perhaps depressed, it may be worthwhile recalling the first-year adventures of his predecessor—who, like Trump, entered office leading a one-party government.

Barack Obama was inaugurated eight years ago amidst the worst economic crisis since the Great Depression. The economy was in free-fall, financial markets were tanking, unemployment was skyrocketing and banks were going bankrupt.

The start of the Obama administration was stunning and very different from Trump’s early days. Even before Obama had had time to choose a cabinet, much less form a complete government, his White House managed to push through Congress the massive and complex stimulus program called the American Recovery and Reinvestment Act, appropriating almost $800 billion—more than 5 percent of the nation's GDP—to fund more than 200 grant programs and 50 tax expenditure subsidies. Almost overnight, the federal government had mobilized an unprecedented combination of resources and enhanced authority to confront the economic crisis.

Congress was polarized. Not one Republican voted for the stimulus measure in the House, and only three did so in the Senate. What’s more, there was no bureaucracy in place to administer it.

How Washington, in partnership with states, cities, counties, nonprofits and the private sector, was able to craft an effective program and make it work within two years is a story that needs to be recalled, not just in academic journals or in that sliver of the media that covers government in detail, but by the educated public. Still, to tell it well, academia must lead the way, because it has the interest, the knowledge and, more than any other public source these days, the credibility.

The academics have already begun taking the measure of Obama’s first presidential days. Most impressively, there is a new book called Governing Under Stress: The Implementation of Obama’s Economic Stimulus Program. Its authors, Paul Posner, Tim Conlan and Priscilla Regan, are all on the faculty at George Mason University and are all experienced in the executive and legislative branches of government.

The authors conclude that because Obama didn’t yet have his cabinet in place, the Recovery Act had to be administered using a new and different model, and that this may have been a blessing. “In lieu of traditional political and bureaucratic leadership” Posner, Conlan and Regan assert, “the Obama team resorted to nontraditional leadership strategies.”

Federal inspectors general were appointed to the Recovery and Transition Board to provide oversight of resources across the diverse range of recipients. Decentralized governing tools and strategies such as tax expenditures and block grants were used to give businesses and state and local governments a sense that they were partners in the undertaking.

The involvement of the states and localities was critical, but it was difficult to organize because, as the authors point out, “Washington has stripped away its institutions of intergovernmental expertise and collaboration” such as intergovernmental management in the Office of Management and Budget, the intergovernmental relations subcommittees in Congress and forums like the Advisory Commission on Intergovernmental Relations. So the
administration was “forced to improvise by creating ad hoc consultation strategies, featuring weekly calls among top staff members to federal and state leaders and periodic meetings among intergovernmental principals.”

It was made even more complicated by the fact that the political paralysis infecting Washington had spread into many of the states. “Taking the states as they found them,” the authors assert, “the administration was forced to design workarounds to compensate for those states that opted out of such Recovery Act initiatives as high-speed rail, extended unemployment insurance and Race to the Top education grants.”

In the end, though, states and localities were spared a lot of pain. They received nearly half the program’s funding, and by some estimates the Recovery Act saved the states from cutting their budgets by 40 percent to cope with massive deficits. Most of the state and local funding was flexible, which is what is needed to be successful.

Ironically, the decentralized structure that helped the stimulus succeed economically caused it to be more or less a failure politically. No single leader or agency could take credit, since the effort was spread so widely. “Such a decentralized program was vulnerable to fragmented loyalties across levels of government and public ambiguity,” the authors write. “How could the public tate up credits and debits for accomplishments?”

Indeed, they could not, which is sad, because the accomplishment was unquestionable. The U.S. emerged from the Great Recession ahead of other developed countries in large part because of the Recovery Act and the way it was administered.

Warren Buffett, the billionaire capitalist, delivered a pungent assessment: “Well, Uncle Sam, you delivered.” Buffett wrote in a 2010 New York Times op-ed. “People will always second-guess your specific decisions, you can always count on that. But just as there is fog of war, there is fog of panic—and, overall, your actions were remarkably effective.”

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POLITICS WATCH

By Alan Greenblatt

Dangerous Liaisons

In the current climate, violence is seeping into politics.

You can get used to anything, even death threats. After Kansas state Rep. Stephanie Clayton introduced a bill this year to exempt colleges from having to allow concealed weapons on campus, she received threats, including a social media suggestion that she should be hanged. “It’s just something that I accept as part of public life,” Clayton says. “It’s not right. It’s not normal. But that kind of talk, that kind of intimidation, none of that has shocked me.”

Violence appears to be creeping closer to the center of American politics. On the eve of winning a special congressional election in Montana, Greg Gianforte plummeted a reporter. Not long after, a congressional candidate in Iowa announced she was dropping her bid, in part due to death threats. In Texas, a group of legislators got into a heated argument over a bill to ban sanctuary city policies. They’ve been arguing ever since about which of them threatened another with death, including an alleged suggestion that one lawmaker deserved a bullet in his head.

In these deeply polarized times, it’s not that great a leap from flinging an insult at your opponent, such as Eric Trump recently did when he described critics of his father as “not even people,” to launching threats or engaging in actual violence. Anyone who’s been in an argument knows how quickly things can escalate. “We see ourselves less as colleagues and more as ‘you and them,’” says Kansas state Sen. Laura Kelly. “It’s more adversarial than collegial.”

Kelly notes that the media is drawn to conflict and tends to highlight the least civil people. Social media does this even more. Politicians such as Gianforte who engage in overt confrontation are celebrated in memes—in his case, for “literally standing up to the mainstream media—and often see a fundraising bump. Civility is like broccoli, while social media screeds are gobbled up happily like “electronic M&M’s,” says Liz Joiner, head of Village Square, a Florida-based group that promotes interpartisan discussions. “It validates us. It makes us feel like we’re the ones on the right side of everything.”

Today’s conflicts are still a far cry from the days leading up to the Civil War, when an abolitionist U.S. senator was beaten with a cane by a Southern congressman. At least, so far. And although someone like Joiner advocates that people police their own sides when lines are crossed, the reality is that partisans tend to defend their own while denigrating accusers.

Not long ago, Clayton received a tweet from a colleague warning her before a big vote that 25 legislators were likely armed in the chamber. She tweeted that this amounted to a kind of workplace harassment. Rather than receiving support, she received angry complaints about being “a huge baby.”

“What this is about, and what violence has been about for a long time, especially in the political realm, is not wanting to harm someone but to silence them,” Clayton says. “It’s designed to do the least American thing of all, which is to limit speech.”

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Right at Home
Seniors want doctors to come to them. States are still working out how to pay for it.

Today about 15 percent of Americans are 65 or older, a percentage that will grow steadily in the coming decades as more and more baby boomers reach retirement age. Even some boomers’ oldest children aren’t that far away from hitting that milestone. Those demographic realities will put intensifying pressure on our systems of long-term health care. How they will evolve to handle the growing demand can’t be predicted, but one aspect is already becoming clear: The boomers aren’t going quietly into nursing homes.

They want care on their terms, and a big part of that means being able to stay in their homes and communities as they age. “The trend is shifting at every level to care at home and in community-based settings,” says Kevin Prindiville, executive director of the advocacy group Justice in Aging. “People are increasingly asking for and expecting this.”

As those expectations shift, figuring out how to pay for more home-based care is mostly left up to the states. Medicaid is the primary payer for home-based care, although states can decide whether or not they’ll offer the coverage. All 50 states and the District of Columbia do have home- and community-based programs of some type, but most states have waiting lists for their programs. Meanwhile, 59 percent of Medicaid funding goes to nursing homes, where about half of those in long-term care receive their services. “Nursing home institutions are a powerful player in the health-care setting, so there’s long been political pressure to not pay for more home health care,” says Prindiville.

Bucking that pressure has left California scrambling to find the money. The state is in a dispute with its county governments on how to pay for its county-administered In-Home Supportive Services, the country’s largest home-health-care program. Gov. Jerry Brown has proposed shifting $600 million of the tab to counties for home- and community-based care, but county health officials say that would hurt other publicly funded health services.

Illinois, mired for years in budget disputes, is also in a face-off on home care. The budget passed by the Democratic-led state House earlier this year would expand the state’s offerings, but Republican Gov. Bruce Rauner disapproves of the spending plan.

At the other end of the spectrum is Washington state, where fully 85 percent of residents with long-term care needs receive services at home or in a community-based setting. “We’ve done our best to make community-based care an entitlement,” says Bea Rector, the acting assistant secretary for the state’s Aging and Long-Term Support Administration.

States that want to expand their home care offerings have options that go beyond simply appropriating more money. Washington state, for example, received a federal waiver last year to offer unpaid caregivers training and respite services, and it has enacted legislation allowing nurses to delegate nonmedical tasks to aides. “Even we don’t have enough nurses,” Rector says, “so we would never be able to serve all the people we do if we didn’t have statutes that allowed for flexibility there.”

Long-term care experts acknowledge that national data on home care is spotty at best, but Rector thinks progress should be measured not only by the length of wait lists or numbers of home aides, but also by that hard-to-define “happiness factor.” Policymakers should be thinking of the data “in terms of quality of life,” she says. “What difference does this service make for our residents?”

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Two Buzzwords, Same Meaning?

‘Zero waste’ and ‘circular economy’ are often used together.

A typical big-city landfill can receive up to 300 old mattresses each day. Laid out end-to-end, those mattresses will stretch more than a third of a mile. So imagine, then, a full week’s worth of old mattresses.

Phoenix did, and it realized it needed to do something about them. It partnered last year with Goodwill of Central Arizona to start diverting the old, bulky mattresses from the city’s transfer stations to facilities where Goodwill workers strip them down to their basic components—fiber, wood and metals—and repurpose those materials to create new products.

The city’s partnership with Goodwill is just one of many such collaborations under its waste diversion and sustainability initiative, Reimagine Phoenix. The city launched the initiative more than three years ago, proudly proclaiming at the time that it intended to turn trash into a resource. That’s actually the tagline of the program, which aims to reduce the amount of trash sent to city landfills by 40 percent by 2020 and to achieve zero waste by 2050.

It’ll do this by focusing on the “5 Rs”: reduce, reuse, recycle, reconsider and reimagine. “With our population projected to double by 2050, it’s not sustainable for us to keep burying trash,” John Trujillo, then the director of the city’s public works department, told Governing back in 2015. “With this program, we are trying to create a circular economy. We want to create a system where the material gets used over and over again here in Phoenix.”

The two phrases that define Reimagine Phoenix are “circular economy” and “zero waste.” They are getting thrown around a lot these days—and often together. But it’s not entirely clear at first blush how they’re different. According to the Ellen MacArthur Foundation, a circular economy is “restorative and regenerative by design, and aims to keep products, components, and materials at their highest utility and value at all times. … It is a continuous positive development cycle that preserves and enhances natural capital, optimizes resource yields, and minimizes system risks by managing finite stocks and renewable flows.”

Meanwhile, zero waste involves “designing and managing products and processes to systematically avoid and eliminate the volume and toxicity of waste and materials, conserve and recover all resources, and not burn or bury them,” according to the Zero Waste International Alliance. “Implementing zero waste will eliminate all discharges to land, water or air that are a threat to planetary, human, animal or plant health.”

To many, the two buzzwords are interchangeable. “Zero waste is consciously treating all materials as something that have value,” says Darby Hoover, senior resource specialist at the Natural Resources Defense Council. “So once we introduce materials into our economy, we should try to keep them there as long as possible.

Keeping them in the economy—this idea of a circular economy or zero waste—is really grabbing people’s attention.”

Indeed, while there’s no official count of how many communities have adopted circular economies or zero waste goals, a simple search shows it includes states—California, Connecticut, Hawaii and Maryland—big cities and counties—Austin, New York City and San Francisco—and even smaller cities, such as Asheville, N.C.; Fort Collins, Colo.; Fresno, Calif.; and Middletown, Conn.

One explanation of the difference is that zero waste is something policymakers use to communicate waste diversion goals and the tools needed to achieve those goals to the public. And the circular economy is a mechanism for manufacturers and businesses.

In Phoenix’s case, it shakes out like this: The desert city currently sends 1 million tons of trash to the landfill every year. It’ll reduce that number to zero by 2050. And it will achieve its zero waste goal through a circular economy, or one in which, according to Phoenix, products are purposely designed and manufactured to be repurposed or recycled.

But whether it’s zero waste or the circular economy, one thing is certain: “It’s aspirational,” says Hoover. “It’s a philosophy to help set benchmarks to reduce waste and reimagine how we even think about waste.”

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IF YOUR CITY USES THESE

YOU’RE REQUIRED TO KEEP RECORDS FOR UP TO 10 YEARS.

BUT DON’T WORRY. WE GOT YOUR BACK.
Profiles in Culture
Cultural fit helps people and communities succeed.

Shortly after I started working at Andersen Consulting in 1992, The New Y ork Times ran an article that dubbed our company “a culture of clones.” I chose to take that as a compliment. One of the biggest competitive advantages our firm had was a strong, unified global culture that enabled people from countries all over the world to come together seamlessly into teams to get a job done.

The importance of culture to corporate success is an article of faith in the business world, as is the criticality of recruiting talent that is compatible with a company’s particular culture. It’s always high up on the CEO’s agenda. But communities have cultures too, and cultural fit is a big deal—one that’s often overlooked—in attracting the talented people a place needs to grow and thrive.

I travel around to cities across the country and always come into contact with highly talented and motivated people. But there is often a huge divide between those who get traction and find success in a particular place and those who do not. I’ve been puzzled as to why some people who seem to be skilled and sharp are frustrated in those places while others seem to be thriving. Many of the frustrated people leave and find great success elsewhere. This is then cited as evidence of “brain drain.”

The truth is, sometimes there just isn’t a cultural fit between a person and a city. That doesn’t mean there’s anything wrong with either of them, just that they have incompatible styles. It’s the same as with companies, where a great person might not succeed at a great company simply because there’s not a cultural fit.

The challenge for people and for places is thus to find a cultural match. This is hard to do because culture is something that’s difficult to identify and articulate. There are some things I could tell you about the old Andersen Consulting culture, but I’m sure that there would be a huge number of things I’d miss. Like the air we breathe, the culture we live in is often invisible to us.

Economic development consultant Rod Stevens has suggested that communities could start unearthing and articulating their culture by creating “Dewar’s Profiles” of the kinds of people who are flourishing there. He took this idea from an old advertising campaign for Dewar’s scotch, in which the company ran full-page print ads featuring the creative, stylish, interesting people who enjoyed its product—fashion designers, wildlife conservationists and even lion tamers.

In repurposing a whisky ad as an economic development tool, the idea is to build profiles of the kinds of people who are succeeding in a community—high-impact entrepreneurs, for example, or community development people or civic leaders—and try to figure out what the common traits and experiences are that made them such successes there.

This isn’t just about collecting a matrix of data points, though it could include that. It’s also to tell the story of those people.
Urban Notebook

By Scott Beyer

The Right Mix

Portland's Eastside neighborhoods offer easy living and shopping.

Portland, Ore., has a well-deserved reputation among urbanists for its sound design sensibilities, from pedestrian-friendly sidewalks to tasteful public squares to a downtown waterfront park that was once an overpass. One less-reported aspect of this aesthetic is its charming retail hubs.

Rather than concentrating all of its retail into a few corridors, as most cities do via strip malls, Portland has allowed it throughout its residential areas, particularly in its Eastside neighborhoods across the Willamette River from downtown. Some hubs are just a few blocks long and offer niche retail, while others are longer and include more practical features like grocery stores.

Take Sellwood-Moreland, where I lived recently. The neighborhood, at under two square miles, has about 12,000 residents and a half-dozen of those retail hubs, most just a few blocks apart from each other. The strip that I lived near, at the corner of 13th Avenue and Bidwell Street, was so diverse that I forewent countless car trips. It had a library, a bar, a convenience store, a coffee shop, various restaurants and even several food carts, which are common citywide.

These hubs reflect Portland's history, says Tom Armstrong, a staffer for the city's Bureau of Planning and Sustainability. Sellwood-Moreland and other Eastside neighborhoods, such as Irvington and Mt. Tabor, began as streetcar suburbs, later to be annexed by the city. This meant they each developed their own Main Street-style, preautomobile retail centers, featuring narrow streets and apartments above storefronts.

The hubs remain thanks to what the city did—and did not. While Portland has its own ugly urban renewal history, many of these historic areas were spared in the post-World War II decades. Portland also did not insist as much as other cities did on separating its uses into residential and commercial. Starting in the 1980s, there were conscious efforts to protect and bolster these hubs in the city's comprehensive plan. There are 23 of these so-called neighborhood centers mentioned in the current plan, along with a formal strategy to allow housing and amenities around them. Meanwhile, the zoning map also allows for dozens of additional autonomous retail spots that are either within or near these centers.

The result is that Portland, despite still being largely single-family residential in nature, has a much stronger retail presence than most U.S. cities with similar designs and histories. Walkability scores for its Eastside neighborhoods are generally in the 80s and 90s. At street level, this gives the city a spontaneous quality. One can meander through a quiet residential area and suddenly stumble upon a bakery or a micropub.

Perhaps more important, it has paid off for the city, showing the value of mixed uses. In other places, this kind of retail-residential mix has been hard to implement—often because it's a target of NIMBY resistance. But these urban-style amenities have helped them to succeed?

As I discovered, they're convenient, placing Portlandians near charming, historic retail streets that provide whatever they could want. 

Email aren@urbanophile.com

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By Scott Beyer

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For the past four years, Officer Heather Farrell has lived in city-owned housing as part of the resident officer policing program in Elgin, IL.
THE COP NEXT DOOR

Can police rebuild trust by moving into the neighborhood?

By John Buntin Photographs by David Kidd

By John Buntin Photographs by David Kidd
orth Winnebago Street doesn’t look like a high-crime area. The tidy homes in this Rockford, Ill., neighborhood are well cared for. Kids walk to and from nearby Welsh Elementary School. In May, the neighborhood turned out to welcome two new residents, Patrice Turner and her 17-year-old daughter, Paris. It was a beautiful spring day, with neighbors grilling hot dogs and a woman serving frozen treats to enthusiastic kids out of her ice cream truck. A group of girls were dancing to a hip-hop remix. It was like a scene out of Andy Griffith’s Mayberry—if Griffith had better dance moves.

This may have looked like an ordinary housewarming party, but it wasn’t. Turner is a police officer. The house she is moving into on North Winnebago is, unlike neighboring homes, owned by the Rockford Housing Authority. The plan is for Turner and her daughter to live there—rent free—for two to five years. During that time, Turner will take the lead in coordinating the police department’s response to violent crime in the neighborhood. She’ll also attempt, as a friend and neighbor, to address the problems that give rise to crime.

It’s a daunting challenge. Rockford, the state’s third-largest city, is one of the nation’s most violent. “We have low education attainment levels and we have high poverty,” says newly elected Mayor Tom McNamara. “It’s a horrible combination.” He’s planning to respond with initiatives targeting education and jobs. But Priority No. 1 is addressing violent crime.

A year ago, Rockford hired a new police chief, Daniel O’Shea, to lead that effort. He has moved quickly. He made peace with the police union and improved morale in the department. He also reached out to the county sheriff’s department and to federal law enforcement agencies. Together, the Rockford police are hoping to disrupt violent street gangs and drug traffickers with traditional investigations and prosecutions. However, he’s also focused on building trust and encouraging problem-solving. Having officers like Patrice Turner live in troubled neighborhoods is a first step toward building that trust.

Some of Turner’s neighbors are skeptical. Dennis Carr and Tammy Berrios, who live around the corner, have seen violent crime firsthand. Earlier this year, Berrios witnessed a shooting in her front yard, and isn’t ready to turn to her new neighbor for help. “We all mind our own business,” she says.

But whether it’s Rockford or another city struggling with violent crime, policing has a trust problem. According to the FBI, homocide clearance rates—that is, the rate at which murders are solved—have fallen from 90 percent in the 1950s to just 60 percent today. In high-crime cities such as Chicago, the rate is only 30 percent. The perception that the police act arbitrarily and unfairly hinders cooperation on both sides. According to the Urban Institute survey, only 42 percent of respondents agreed that the police “tried to do what was best for the people they were dealing with.” Fewer than a third agreed that police “always or almost always” followed the law.

Such beliefs have consequences. According to the FBI, homicide clearance rates—that is, the rate at which murders are solved—have fallen from 90 percent in the 1950s to just 60 percent today. In high-crime cities such as Chicago, the rate is only 30 percent. The perception that the police act arbitrarily and unfairly hinders cooperation on both sides. According to the Urban Institute survey, only 42 percent of respondents agreed that the police “were legitimate authorities.”

Yet despite these worrisome findings, the survey also contained some welcome news, says Nancy La Vigne, who directs the Urban Institute’s Justice Policy Center and was the lead author on the report. Residents expressed a strong belief in enforcing the law, and 60 percent said they were willing to provide information to
police. A solid 40 percent said they were willing to participate in neighborhood patrols.

How to explain this apparent dichotomy between residents’ critical view of police practices and their openness to cooperation? Another survey question suggests one possible answer. Only 28 percent of surveyed people in the six cities agreed that their police department “prioritizes problems most important to community members and is responsive to community concerns.” What’s missing, in short, is one of the key ingredients of community policing: a willingness to partner with neighborhoods and act on their priorities. “You can have individual officers who engage with community members, but that’s not enough,” says La Vigne. Police departments “need to transform their culture to view residents in high-crime communities as crucial partners in problem-solving and crime control. That’s the key to both reducing crime and enhancing the legitimacy of police in the eyes of residents.”

Thirty years ago, community policing was an idea that many police chiefs and academics expected would transform law enforcement. The movement, which included deploying police officers to walk neighborhood streets rather than ride in police cars, enjoyed some notable successes in crime reduction in the 1990s. But in the aughts, many departments shifted to other approaches. The financial crisis of 2007-2008, with its widespread cutbacks in police officer levels, further diminished community policing, which was dependent on having more cops on the beat. Now violent crime is rising again in many cities. At the same time, videos of police shootings have re-invoked suspicions of law enforcement. Techniques such as flooding crime “hot spots” with police officers no longer seem feasible. In response, police departments are returning to the past, in particular to variations on community policing.

That’s just what is happening in Rockford, as well as in a handful of other Illinois cities, including Peoria. It’s community policing taken to its logical extreme. Police officers don’t just walk the beat or go to meetings in troubled neighborhoods. They move in. Officers get free housing and flexible schedules. In exchange, they commit to living in the neighborhood for up to five years.

These cities’ programs are all modeled on an approach first developed in Elgin, a city of 100,000 residents an hour west of Chicago. The Resident Officer Program of Elgin (ROPE), implemented in 1991, is an example of old-fashioned community policing with newfound relevance. Police in Elgin believe they have learned some important truths. One is that the problems neighborhoods want to solve are sometimes different from the problems police focus on. Another is that helping a neighborhood address what it sees as its most pressing problems may be the best way to reduce serious crime and restore confidence in policing.

Jonathan Rustay is currently a ROPE officer in one of Elgin’s mixed neighborhoods—a place with an ethnically diverse group of lifelong residents, newer homeowners and renters. It’s hard at first glance to see why this neighborhood needs a ROPE officer. The lawns are green, the hedges trimmed and the houses well maintained.

Two years into his stint as a ROPE officer, Rustay, who previously had been assigned to Elgin’s gang unit, is still adjusting to the ROPE pace. “The challenge here is not like what it is with the gang unit, where there is always something to do,” he says. “Here officers to walk neighborhood streets rather than ride in police cars, enjoyed some notable successes in crime reduction in the 1990s. But in the aughts, many departments shifted to other approaches. The financial crisis of 2007-2008, with its widespread cutbacks in police officer levels, further diminished community policing, which was dependent on having more cops on the beat. Now violent crime is rising again in many cities. At the same time, videos of police shootings have re-invoked suspicions of law enforcement. Techniques such as flooding crime “hot spots” with police officers no longer seem feasible. In response, police departments are returning to the past, in particular to variations on community policing.

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you could be doing so many things—talking to landlords, visiting the school—and then there is nothing to do.”

For an officer accustomed to high-stakes action, the change can be disconcerting. It’s also fueled suspicions among some police officers that community policing is not “real” policing. That’s been a recurrent problem for these types of programs, says criminologist George Kelling. Many front-line officers see it as social work and resist it, he says.

Today, Kelling is best known as one of the originators of the “broken windows” theory of policing, which holds that addressing seemingly minor signs of disorder could reduce fears of crime and improve public safety. But in the late 1980s, Kelling was part of a working group of criminologists, policy analysts and police chiefs who developed the idea of community policing. It had three components. The first was that police needed to refocus on minor offenses, a belief that reflected the influence of broken windows. The second was that police needed to spend less time responding to crime and more time engaged in proactive problem-solving. The third idea was that police needed to develop closer, more effective partnerships with local communities.

Elgin’s decision to launch ROPE came straight out of the community policing playbook. For the century following the Civil War, the city had thrived manufacturing watches. That period of prosperity provided the town with a scenic downtown and picturesque Victorian neighborhoods. By the 1970s, however, manufacturing was moving elsewhere and many of the grand houses became low-income apartment buildings. Then, in the mid-1980s, crack cocaine arrived. The violent crime rate spiked and just a decade later neighborhoods across the city were threatening to slip into lawlessness.

Charles Gruber, who was chief of police at the time, wanted to stabilize these areas by sending police officers in—as residents. The city would buy and restore houses in pivotal neighborhoods and then offer them to officers rent free. Officers would have unusual freedom to set their schedules and focus on problem-solving. At first, many officers were skeptical of the program and dismissive of the work. But that skepticism has diminished. Not only has the crime rate stabilized, but, for the officers themselves, there grew a conviction that the work they were doing was essential to combating violent crime.

Adam Schuessler, a lieutenant with responsibility for Elgin’s specialized units, was one of the early ROPE officers. For five years, he lived in the 300 block of Ann Street, in a predominantly black and Latino neighborhood. Much of his time was spent...
focusing on quality-of-life issues—loitering on a street corner, public drinking. The wins were small but satisfying. Over time, as he built relationships, bigger wins came into focus: the valuable informant, say, or the kid who steered away from the neighborhood gang and stayed in school. There were also some harrowing moments. One evening, someone opened fire on the bedroom of Schuessler’s house. The house of another ROPE officer was firebombed with a Molotov cocktail. Being shot at and firebombed undermined the idea that ROPE officers were not doing “real” policing. “We learned to start to look at those things as almost badges of honor,” says Schuessler. “You are doing your job if some people are upset.”

ROPE’s success is also bolstered by the success of the officers who took part in the program. Today, Jeffrey Swoboda, who was one of the first ROPE officers, is Elgin’s chief of police. His No. 2 and several other members of the command staff are ROPE alumni too. Not only have many in the command staff served as ROPE officers, but they have also come to see it as a great way to identify and develop talent. “It’s a position that really builds great police officers,” says Schuessler. Officers who went through the ROPE program see the program’s longer-term benefits. The informants they developed during their ROPE service continue to be valuable. They also learned the types of things about neighborhoods that only residents know.

Rustay uses the occasional downtime to patrol the neighborhood and get to know the kids at the nearby school. One recent afternoon, that paid off when he spotted a young boy riding his scooter around the neighborhood when he should have been in class. Rustay stopped him to talk. “His grandfather passed away last week,” Rustay says. “It’s just something that—you know—if he needs anything, if he needs to talk to anyone, I’m here.” Rustay adds that the boy doesn’t normally live in this neighborhood, but he knows him because he’s here during the summer visiting his grandparents and has been involved in some of Rustay’s summer programs. That’s exactly the kind of familiarity police chiefs and analysts who push problem-solving have in mind.

During the 1990s, the number of ROPE officers in Elgin rose to nine. Other cities expanded other forms of community policing programs and achieved impressive results. One was Chicago.

The Chicago Police Department made a significant effort to reorient the department toward community policing. Districts reemphasized beat patrols. Officers were trained in problem-solving techniques. District advisory councils were created. An early evaluation showed that districts that instituted community policing experienced more significant crime reductions than those that did not. In 2002, a team led by criminologist Wesley Skogan published an evaluation of Chicago’s program and found that it was moderately effective at increasing community involvement with police. Black residents responded particularly well, registering more approval of the police and the direction of crime trends in their neighborhoods. In contrast, Latinos seemed largely untouched by the city’s community policing program. Nevertheless, the tone of Skogan’s report was upbeat: “Into the 2000s,” he wrote, “Chicagoans were optimistic about crime, which was down, and policing, which they saw improving on a steady basis.” But community relations with the police didn’t continue to improve. Instead, they withered in Chicago and elsewhere. One
of the reasons for this was a diffusion of focus. Other approaches captured criminologists’ and cities’ attention. New York City’s dramatic crime decline in the early 1990s inspired many cities to emulate its tactics of aggressive hot-spot policing and its focus on arrests and crime numbers rather than community relations. The 9/11 terrorist attacks also played a role, leading police departments to divert resources to antiterrorism. Then came the Great Recession. Cities across the country responded by slashing police budgets, typically by 5 to 8 percent. As a result, police departments across the country lost capacity. Because it is labor-intensive, community policing paid the price. “If you are really going to do community policing, you need to free up 40 to 50 percent of a cop’s day,” says former Nashville and New Orleans Police Chief Ronal Serpas, who now teaches at Loyola University. Before the recession, that was difficult. After the recession and the budget cuts that followed, it became impossible.

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America’s opioid epidemic is leaving an entire generation of children behind. By J.B. Wogan
Police in East Liverpool, Ohio, last fall wanted to show the graphic toll of opioid overdoses, so they made the decision to post some photos to Facebook. The shocking images, which an officer had taken during a traffic stop, were graphic and heart-wrenchingly poignant. A man and a woman sit unconscious in the front seat of an SUV, slumped at impossible angles, mouths agape. Meanwhile, a 4-year-old blond child—the woman's grandson—stares from the back seat.

The controversial photos went viral, and have now been seen by millions. Some people praised the police for drawing attention to the problem of opioid abuse; others lambasted the city for sensationalizing the crisis and attempting to publicly shame drug addicts. “We feel we need to be a voice for the children caught up in this horrible mess,” the city wrote in the post accompanying the images. “This child can’t speak for himself, but we are hopeful his story can convince another user to think twice about injecting this poison while having a child in their custody.”

What happened in East Liverpool was only one of the latest in a string of incidents where parents and guardians overdosed while their children watched. As a growing number of people have become addicted to prescription opioids and heroin, many child protection agencies are seeing a surge in abuse and neglect cases. After a six-year decline in the number of children being removed from their parents’ care, the annual figures climbed back up from 2012 to 2015. The most consistent reason given for a child’s removal is parental alcohol abuse or other drug use, and the percentage of cases where that’s the reason has increased nationally from 18.5 percent in 2000 to 34.4 percent in 2015.

While the problem is more pronounced in the Northeast and Midwest, Western states like Oregon and Southern states like North Carolina and Tennessee have all documented the same alarming connection between opioid abuse and child welfare caseloads. “I move all around the country,” says Susan Dreyfus, the president and CEO of the Alliance for Strong Families and Communities, a national association of nonprofit providers in social services, “and I cannot think of a single state where this is not becoming a growing issue in their child welfare system.”

Opioids pose special challenges for child welfare agencies. Compared with addiction to cocaine or methamphetamine, the recovery period is longer and the chance of relapse is higher. Sobriety is often a requisite for placing children back with parents. But federal law mandates a short window—less than two years—for parents to undergo treatment and demonstrate that they’re sober enough to regain custody of their child. In many parts of the country, though, opioid treatment isn’t readily available, and waiting lists for treatment can stretch for months or years. The end result is an almost inevitable termination of parental rights.

Loss of custody isn’t even the worst possible outcome. Addiction to opioids is killing parents. In 2015, the most recent year where data are available, more than 33,000 people died of opioid overdoses, representing a 200 percent increase over 15 years, according to the Centers for Disease Control and Prevention. That’s unprecedented, says Tina Willauer, who has spent her 27-year career working with addicted parents in child welfare programs, first in Ohio and now in Kentucky. “I’ve never seen anything like this.”

Opioid addiction creates a variety of stresses on the child welfare system. Last year in Ohio, parental drug use was a factor in the removal of more than half of children taken into custody. In a recent report, the Public Human Services Association of Ohio detailed the ripple effects of those removals. The annual number of children taken into custody has climbed 11 percent in five years. Because parents are in treatment for more time, children stay with foster families for longer, reducing the supply of caregivers for other children who need a temporary home. If children can’t be reunited with their parents, they’re often placed with grandparents or other relatives, and since 2010, the number of Ohio children in “kinship care” has increased 62 percent. The association also credits the opioid crisis, at least in part, for an estimated 1 in 7 caseworkers in Ohio leaving their positions because of burnout. “Caseworkers become frustrated with the lack of progress on cases, the long hours and the secondary trauma of telling children that their parents have overdosed,” the report says.

The opioid crisis took child welfare systems by surprise, but there are signs that leaders at the state and national level now at least understand the severity of the problem. Last year, a committee on aging in the United States congress proposed establishing a federal task force to investigate the opioid crisis. Others urge a closer look at loss of custody as a result of opioid overdoses.
Officials in the state's Department for Children and Families conduct an assessment and determine whether the child should receive treatment. An investigator then visits the home, completes an assessment, and recruit someone from there to run the program. That’s how the Sobriety Treatment and Recovery Team (START) program and its director, Tina Willauer, came to Kentucky. At the time, parents with a substance abuse disorder faced a system that almost guaranteed permanent loss of custody. Because Kentucky didn’t use Medicaid to pay for substance abuse treatment, and other state funding hadn’t kept up with inflation, those services were unavailable in most of the state. When child protection workers encountered parents who were abusing alcohol or drugs, they still referred them to treatment even though they knew the parents probably couldn’t access it. When Willauer joined the team, about 450 mothers were on waitlists for months or more to receive treatment.

A fast response is critical for helping families struggling with addiction, Willauer says. In parts of the state where START doesn’t operate, child protection receives hotline calls about potential cases of child abuse and neglect. An investigator then visits the home, conducts an assessment and determines whether the child should be removed from the home. That process can take up to 45 days to complete. “What we found is with families that have substance abuse disorders, that’s a long time to wait,” Willauer says. Under START, parents get assessed for and can begin treatment within five days of an initial incident report to Child Protective Services. “We want to maximize that window of opportunity where the crisis is happening,” Willauer says. “We think the parents might be more likely at that point in time to be agreeable to go to treatment if they think that there might be a chance that they could keep their child.”

START may have begun as a response to crack cocaine addiction, but the program has proved to be an effective approach for addressing the opioid epidemic as well. While the model didn’t originate in Kentucky; it has expanded and gained credibility there because that’s where it has undergone regular independent evaluation. Studies published in peer-reviewed academic journals have found that mothers in the program have double the sobriety rates of mothers with similar profiles who didn’t participate in START (66 percent versus 37 percent). Children in START are half as likely to be removed from their home and placed in foster care (21 percent versus 42 percent). The state also looked at re- currence rates for child abuse and neglect within six months of an intervention: Compared to a similar group, children in START were nearly three times less likely to have another incident within six months of intervention.

Beyond quick access to treatment, Willauer and her team attribute the relative success of START to its use of medication-assisted treatment. That’s the combination of traditional counseling with prescriptions of certain drugs, such as methadone, that can reduce opioid use disorders could benefit from the treatment, but don’t receive it. A survey of drug courts across the country found that nearly half had policies in place that prohibit the use of medication-assisted treatment. Studies published in peer-reviewed academic journals have shown the relative success of START to its use of medication-assisted treatment as the most effective treatment for opioid disorders, it remains an unpopular approach in many parts of the country. One national study found that roughly 1.3 million Americans with opioid use disorders could benefit from the treatment, but don’t receive it. A survey of drug courts across the country found that nearly half had policies in place that prohibit the use of medication-assisted treatment.

In a recent presentation to human services officials, a California researcher on opioids and child welfare, Nancy Young, explained that part of the reason courts are reluctant to condone the mediation-assisted treatment is that they don’t want to harm unborn children. A disproportionate share of the child welfare cases involv- ing opioid abuse are pregnant moms who give birth while the epidemic continues to overwhelm the child welfare system, says Joel Potts, the executive director of the Ohio Job and Family Services Directors’ Association. “We’ve been ringing the alarm bell for years. Now people at least are listening.”
drugs are still in their bloodstream. That can result in neonatal abstinence syndrome, which can mean that infants experience withdrawal symptoms. “That is sometimes controversial,” Young said in her presentation.

Still, medication-assisted treatment prevents the mother from relapsing. If a mother abruptly halts her use of opioids or safer substitutes, “she’s likely to overdose,” Young said. “We know that from all the people who have some period of abstinence. They get out, they return to use and then they overdose.” Also, infants’ withdrawal symptoms are temporary and treatable; unlike alcohol, prenatal exposure to opioids does not permanently change the child’s brain chemistry.

As START has rolled out to five of nine regions in Kentucky, program administrators have encountered resistance, from both treatment providers and judges, to the idea of a state-sponsored recovery plan that includes prescribing more drugs. “Sometimes there’s a bias against the medication,” says Lynn Posze, who works in Kentucky’s Division of Mental Health and Substance Abuse and helps run START. Treatment providers and judges are more familiar with addictions to other substances, such as cocaine, where medication-assisted treatment isn’t considered a best practice. “We’ve really had to work on training our child welfare staff and addiction professionals and our courts,” Posze says.

Part of that training involves educating people about the improved outcomes associated with medication-assisted treatment. An evaluation of Kentucky START published last year found that medication-assisted treatment increased the odds that parents would retain custody of their children. Comparing families where parents received the treatment versus parents who didn’t, the families that did had a 71 percent retention rate; the parents that did not had a 52 percent retention rate.

There’s another component of START that Willauer and Posze believe is critical to the program’s success, despite the fact that it hasn’t undergone the same rigorous testing as other elements of the model: the use of family mentors. These are parents who have been in sustained recovery for at least three years and whose past experiences are related to child welfare, including the loss of child custody at some point. They are full-time employees who get paired with social services workers. Mentors take clients to treatment and community recovery support group meetings. “The mentor,” Willauer says, “is there to say, ‘I’ve been there, I’m in recovery and I’m going to help you navigate this.’”

Since Kentucky adopted the model, municipalities in Indiana, Georgia, New York and North Carolina have piloted their own versions of START. In Ohio, Attorney General Mike DeWine has set aside $3.5 million to expand his state’s START program to an additional 14 counties on a trial basis for two-and-a-half years. But even with the improvements under START, Kentucky continues to see an alarming number of overdoses, which affects caseworker morale. “This is a hard time to be a caseworker,” Willauer says. “Our teams are having parent fatalities. Once you go through that, it’s hard to have the same spirit and drive.”

Other potential solutions around opioids and child welfare are emerging across the country. Ohio, for example, has expanded family drug courts to connect parents with treatment in less time. Connecticut is using private pay-for-success financing to support the upfront costs of expanding its Family-Based Recovery program, which sends a team of clinicians and a family support specialist on weekly home visits for up to five months. The team follows a “two-generation” approach to human services, treating parental addiction while promoting healthy child development. The program’s decade of administrative data already suggests that parents see a dramatic improvement in their sobriety over the treatment period, but the new $11.2 million pay-for-success project includes a randomized control trial to further evaluate its impacts.

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### Generation O

**Parental Alcohol or Other Drug Use as a Contributing Factor for Reason for Removal in the United States**

![Graph showing national average of parental alcohol or other drug use as a contributing factor for reason for removal in the United States from 2000 to 2015. The graph shows a trend of increasing percentages over time, with the highest percentage of 34.4% in 2015.](image)

**Source:** Adoption and Foster Care Analysis and Reporting System

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These and other efforts are promising, but they are still being outpaced by the opioid epidemic. Even the officials running successful initiatives on parental substance abuse say their programs are the exception to the rule. “We have a lot of the right ingredients,” says Kristina Stevens, an administrator who helps run the Family-Based Recovery program in Connecticut. But, she says, “I don’t think we’re at a place where we have enough of what we need.” Effective interventions haven’t been scaled up across the state, and she doesn’t expect large new investments for expansion anytime soon.

A program like START requires a dramatic shift in how the behavioral health, child welfare and court systems interact. It requires greater upfront investment that will result in cost savings down the road. That kind of radical departure is easier to launch as a limited pilot that could be replicated and scaled up over time. “It’s a great program for families,” says Willauer, “but it’s not a curriculum that you train and implement tomorrow.”

As good as some programs have become at responding to a family crisis involving opioid abuse, they’re still part of a national child welfare system that is too reactive, waiting for child abuse and neglect to occur, says Dreyfus of the Alliance for Strong Families and Communities. “Our system is funded for the deep end, for the removal of children. It’s not funded for prevention and earlier intervention,” she says.

Last year, Dreyfus sat on a federal commission that recommended Congress allocate $1 billion a year in child welfare for prevention services, which might identify families at risk of a crisis and connect them with services ahead of time. “We’ve got to get underneath the true causes of opioid addiction, which are really steeped in people’s lack of coping skills, their own health, well-being and sense of hopefulness in their lives,” Dreyfus says. “I think people are self-medicating with opioids and we’ve got to understand why. If we think we’re going to solve the opioid epidemic by simply increasing access to treatment, we will be forever perplexed by the dilemma.”

Email jwogan@governing.com

“WE HAVE A LOT OF THE RIGHT INGREDIENTS [TO COMBAT ADDICTION]. I DON’T THINK WE’RE AT A PLACE WHERE WE HAVE ENOUGH OF WHAT WE NEED.”

—Kristina Stevens at the Family-Based Recovery program in Connecticut
ARE WE TALKING ABOUT OPIOIDS THE WRONG WAY?  

Officials say they’re doing everything they can to stop the epidemic. But a real solution may be a lot more complicated. 

By Mattie Quinn
The crowd was overflowing at a nondescript convention center in suburban Maryland, a few miles from the Baltimore airport. The event had originally been capped at 150, but organizers had to make plans for an overflow room, seating an additional 150 people. Despite that, registration still maxed out days before the conference took place. Any event that brings together three regional leaders in the same room—in this case, Maryland Gov. Larry Hogan, Virginia Gov. Terry McAuliffe and Washington, D.C., Mayor Muriel Bowser—is noteworthy. But it’s not why the overcapacity crowd had shown up on an unseasonably chilly day in May. It’s because they were all there to discuss the opioid epidemic.

Hogan, who issued a state of emergency for Maryland’s opioid overdose problem in March, told attendees at the conference that his state had been doing everything within its power to address the epidemic, without much success. He seemed almost to be pleading with the crowd when he said, “We’re throwing everything we have at this.”

But are we? Cities and states have tried all sorts of solutions as America’s opioid crisis has worsened. But many public health officials say there are many options—in some cases, approaches that have been proven effective in other countries—that are still being left on the table. To really fight this epidemic, these experts say, governments must fully embrace every solution out there. And they may need to change the entire way they think about opioids.

Over the past few years, cities have equipped police officers with naloxone to reverse overdoses in emergency situations. Some health officials, including those in Baltimore and Houston, have written a blanket, jurisdiction-wide prescription for naloxone, making the antidote available to any resident who needs it. Many states have tried to limit the supply of addictive opioids by restricting the number of pain-relief pills a physician can prescribe.

Every state (except Missouri) now has a prescription drug database intended to stop potential users from doctor-shopping to obtain more drugs. And last summer, 46 governors signed a compact to double down on policies that could curb the epidemic. Led by Massachusetts Gov. Charlie Baker, the compact outlines specific steps that governors pledge to follow. This includes changing prescription guidelines, establishing more public awareness campaigns and pushing for reimbursement of naloxone, even if that costs someone from arrest if they help at an overdose scene.

The deepening crisis has even caused some leaders to embrace more controversial approaches, such as needle exchange programs. In 2015, for example, when an HIV outbreak caused by injecting opioids decimated one south Indiana county, then-Gov. Mike Pence was reluctant to act on what public health advisers were telling him was necessary to curb the outbreak: allowing clean needles to be distributed and dirty needles to be safely disposed of.

It took enormous political pressure from both parties, in Indiana and nationally, before Pence agreed to allow a needle exchange program. Even then, the governor said he was still “opposed to needle exchange as an anti-drug policy. But this is a public health emergency.” Two years later, those programs are already far less controversial. Today, the American Civil Liberties Union estimates there are 185 needle exchange programs across the country.

Other leaders are also exploring approaches that seemed politically unthinkable just a short time ago, including safe injection sites, where addicts can shoot up heroin under the supervision of a health-care professional and without fear of being arrested. The idea is to prevent people from overdosing while also offering them information about treatment. Vancouver, British Columbia, established a site in 2003 and has prevented nearly 5,000 overdoses since then, according to the clinic’s website. For years, the notion of setting up a sanctioned safe injection facility in the U.S. was a nonstarter. But now, Seattle last year showed up with a site that they hope to start building on soon. The idea is also being considered by leaders in Boston and San Francisco, where Mayor Ed Lee only recently dropped his opposition to them. “I had to kind of force myself to be open to the idea,” he told a reporter in January, “because it doesn’t come as a natural thing.”

The future of such facilities, however, could be shaped by the federal government. Attorney General Jeff Sessions hasn’t commented on safe injection clinics specifically, but he has signaled a tough-on-drugs approach that would presumably not include such facilities. Leana Wen, Baltimore’s health commissioner, recently said that Sessions’ stance has given her pause on whether a safe injection site is even worth pursuing. She’s asked the federal government how it would respond if the city were to establish safe injection sites, but she said she hasn’t heard back. “I’m not one to shy away from a fight,” she said, “but we need further guidance from the feds if we’re going to proceed with this.”

Still, there are other solutions that public officials in the U.S. have been less willing to embrace. One of those is medication-assisted treatment, in which a physician prescribes a controlled substance, most commonly methadone and buprenorphine, to help an addict transition safely from opioid dependence. The idea is still controversial. Health and Human Services Secretary Tom Price criticized the practice, warning that it could just be replacing one opioid for another. But it’s an approach that has already proven effective elsewhere. After France allowed all doctors to prescribe buprenorphine, for example, opioid overdose deaths dropped by 69 percent. Here in the U.S., Melinda Campopiano, medical officer with the Substance Abuse and Mental Health Services Administration, says that medication-assisted treatment cuts the mortality rate for drug users in half. But she acknowledges that it can seem counterintuitive. “Giving an opioid to an opiate user doesn’t click really well, but it’s the truth: If you want someone to not overdose, this is the definitive overdose strategy,” she says. “Detox is not treatment.”

It’s hard to get comprehensive information on medication-assisted treatment, but it’s estimated that there are now around 1,000 programs in the U.S. For example, Tennessee, which lost more than 1,400 residents in 2015 to drug overdoses, now counts nearly 6,000 active patients in its methadone treatment program.

Those kinds of numbers may sound like a lot, but health experts say they’re actually low. One reason for that may be a nationwide lack of doctors, since physicians must complete a specialized course before they become eligible for medication-assisted treatment.

Other countries have used wastewater testing to find hot spots of drug abuse. It can take months or years to get community-level...
Even if officials in the U.S. were to pursue every available solution to the opioid crisis, however, the approaches can seem frustratingly piecemeal, like plugging a hole in a dike only to see two leaks spring up elsewhere. Naloxone can reverse overdoses in an emergency, but it doesn’t reduce addiction rates. Prescription databases prevent people from doctor-shopping for more pills, but those users often just start buying their drugs illegally.

Limiting the supply of prescription opioids like Oxycontin has only led to a surge in fentanyl, an opioid that’s 50 times stronger than heroin and 100 times more potent than morphine. Fentanyl is so powerful that an Ohio police officer accidentally overdosed on the substance while searching the car of a suspected drug dealer. He passed out after brushing some of the powder off his shirt; other officers had passed out after brushing some of the powder off their gloves.

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Part of the challenge for public officials is that “the opioid epidemic” is really a fight on two very separate fronts: the increased use of heroin in young adults in urban and suburban areas, and older adults abusing prescription drugs like Oxycontin in more rural areas. “You can cut the state of Virginia in half,” Gov. McAuliffe said at the Maryland conference. “On the East Coast, around Virginia Beach, it’s all heroin and now the more potent fentanyl. Then I can drive eight hours to Abingdon in the southwest corner of the state, and I can tell you there are no heroin problems there. It’s all prescription drugs.”

That makes the current crisis different from previous drug epidemics involving methamphetamine or crack cocaine. And it’s why some health experts say that cities and states need to reframe the whole way they think about the opioid outbreak. It’s not simply about the rise of a new class of addictive drugs that now take the lives of some 91 Americans every day. The opioid crisis is a jobs crisis; it’s an affordable housing crisis. The same forces that have reshaped the economy over the past decade have left a void that’s been filled, in many places, by opioids. A University of Pennsylvania study after last November’s election found that President Trump had outperformed in counties with the highest rates of “deaths of despair,” which include suicide, drug overdose and alcohol poisoning. It supports the fact that there are many Americans who feel left behind by the changing economy, and who fundamentally don’t believe the current political and policy framework is helping them. “Those [people] are hit hard by unemployment, uncertain futures,” says Baltimore’s Wen. “They look out the window and they don’t think that tomorrow will be any different than today. That’s something we have to address—the demand for drugs to treat something other than physical pain.”

The opioid crisis is also a mental health crisis. In America’s patchy behavioral health system, stigma and a siloed care model prevent many people from seeking and receiving mental health care, which can exacerbate an opioid dependence. The Affordable Care Act attempted to address this with a parity law that required insurance plans to cover mental health on par with primary care services. But that measure has been weakly enforced.

Addressing those broader issues is, of course, vastly more difficult and would require a much more cohesive, coordinated approach. Public health officials can’t bring back middle-class jobs or make housing more affordable, but what they can do is push for safe housing, equitable access to care, and comprehensive addiction education in primary schools. And when the next drug epidemic does occur, public health officials have the responsibility to push for scientifically proven harm reduction tactics that might be politically controversial in the moment, says Wen. “Unlike many other diseases where we have very little information, we actually know what works [with addiction]. We just need the resources.”

Many local officials are optimistic that such a shift is finally happening, that there’s a genuine realization that addressing the opioid crisis requires leadership from all sectors of government. “I’ve had a lot of people complaining to me that when it was crack cocaine we didn’t have all of this kumbaya, come-together stuff,” says Phyllis Randall, the chair of the Board of Supervisors for Loudoun County, Va. “That’s true, but it is what it is. So let’s take what we’ve learned and apply it to every other drug.”

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Based on his long list of accomplishments, New York’s governor ought to be held up by progressives as a national leader. So why don’t they like him?

By Alan Greenblatt
IN JANUARY, when Gov. Andrew Cuomo announced his intention to offer New Yorkers free college tuition, Bernie Sanders was by his side. In April, when Cuomo held a ceremonial signing for the bill's passage, Hillary Clinton was there with him. He became the first governor able to deliver on an idea dear to the hearts of Democrats, offering a free ride not just for two years but four years of higher education at a public institution.

“College is what high school was 70 years ago,” Cuomo said on the day of the signing. “It’s not a luxury, it’s a necessity.”

Cuomo had pulled off a political and policy triumph. Does that mean progressives were happy with him? Hardly. They find fault with much of his tuition plan. It does nothing to help part-time students and offers no help for room and board or books. It requires students to stay in the state for years after college, meaning that what looks like a scholarship could end up more like a loan. It doesn’t pump enough money into the state university system to make up for years of budget cuts. In short, Cuomo’s critics argue, it was more about achieving a headline and claiming credit on an issue than really resolving it. “Yeah, it’s a nice small step, but he doesn’t say it’s a first step,” says Bill Samuels, head of EffectiveNY, a good-government group. “It’s an example where even when he does good things, he’s not candid.”

Samuels and other progressives lodge similar critiques about nearly every liberal victory that Cuomo has racked up. And it’s quite a list. Cuomo pushed through a same-sex marriage law long before marriage equality was a given everywhere, or even in New York. After the shootings in Sandy Hook, Cuomo strengthened New York’s already strict gun control laws. Last year’s budget included a $15 minimum wage, which is being phased in over a five-year period, as well as paid family leave. This year’s budget, which was the vehicle for the tuition plan, also re-instituted a tax on the income of millionaires, raised the age at which juvenile offenders can be tried as adults, created a $10 million legal defense fund for immigrants and provided a tax break for workers who pay union dues.

Despite all these successes, Cuomo gets little credit on the left. On nearly every issue they care about, activists complain, Cuomo has had to be dragged kicking and screaming, coming around only when he realized it might be politically advantageous to do so. The governor can seem to them more like an opponent than a friend. “There’s definitely this feeling that he’s temperamentally opposed to the left wing,” says Sean McElwee, a policy analyst at Demos, a progressive think tank in New York. “When he does pursue a left policy, it very much seems like he’s doing it as his last option.”

Lots of liberals are complaining that long-established politicians just aren’t progressive enough. In Cuomo’s case, it’s not just that he has been a tax-cutter and a frequent social spending skeptic. It’s also that he seems to go out of his way to pick fights with liberals who could be his allies, such as teachers unions and New York City Mayor Bill de Blasio. By contrast, he often finds common cause with Republicans, whom New York Democrats now invariably refer to as “Trump Republicans.”

Democrats have a nominal majority in the state Senate, yet Republicans maintain control thanks to support from a renegade group known as the Independent Democratic Caucus—a band of outliers that progressives believe Cuomo encourages, rather than squashes. It’s not forgotten on the left that Cuomo has accepted campaign contributions in the past from President Trump, as well as other liberal bêtes noires such as the industrialist David Koch.

“The governor still seems to feel that the best way to strengthen New York’s economy is the failed trickle-down policies that offer tax breaks to corporations and the wealthiest New Yorkers,” says Karen Scharff, executive director of Citizen Action of New York, a liberal advocacy group.
The political difficulties caused by liberal disdain for Cuomo shouldn't be overstated. Polls this year have put his approval rating as high as 60 percent, his highwater mark over the past two years. But even voters who give Cuomo due credit for being effective have questions about his personality and character. No one accuses him of being warm and fuzzy. Cuomo, who will turn 60 in December, is often the smartest person in the room and does nothing to conceal that. He's not about putting people at ease. When it comes to politics, he plays hardball and, sometimes, throws at people's heads. He's not just an aggressive negotiator with a long memory, willing to put the full institutional power of his office behind his threats. He's also been accused many times of double-crossing nominal allies. Lots of people in Albany have stories about Cuomo agreeing to change a policy in order to achieve an end, but then failing to deliver on his side of the bargain once he's gotten what he wanted.

No one doubts Cuomo's ability to get deals done. He has a better sense than any lobbyist of how individual legislators can be stroked to the bargain once he's gotten what he wanted.

Blair Horner, director of the New York Public Interest Research Group (NYPIRG), “He can see issues coming. He can plan ahead. He’s often steps ahead of his legislative colleagues.”

But he also operates in the dark, pushing his agenda in back rooms. That’s another reason Cuomo is feared but not liked, and certainly not loved. “Progressives here are simply not in love with Gov. Cuomo, in terms of seeing him as an authentic person they want to represent them,” says Joanne Zaino, a political scientist at Iona College. “When politicians seem like they are not authentically committed to whatever is the cause, they’re going to take a hit on that.”

In 2014, Zephyr Teachout, a little-known and underfunded law professor, ran against Cuomo from the left in the Democratic primary. In the end it wasn’t close, but Teachout performed better than any challenger had against a sitting governor since New York first instituted gubernatorial primaries. Cuomo could well face a fresh challenge when he runs again next year. He has increasingly alienated the Working Families Party, whose endorsement he had to push hard to get last time around.

But Cuomo knows his job involves more than appealing to activists on the left. He’s well aware that New York state gets less liberal as you head north and west out of New York City. Clinton beat Trump easily in the city in 2016, but her margin in the rest of the state was less than 1,000 votes, out of more than 4 million cast. “The governor has the dubious task of trying to manage the entire state of New York,” says Kevin Parker, the Democratic whip in the state Senate. “In that context, he’s considering everybody’s concerns, not just what the liberals want. You can run [as a purist], but you can’t govern that way.”

Cuomo’s calculated pragmatism and his zigs and zags from left to right, depending on the issue, have been enough to put a lot of policy points on the board. They will almost certainly be enough to win him a third term in 2018. This past April, Cuomo reported $22 million in his 2018 campaign account.

On paper, he also has a plausible resume to run for president in 2020, and that seems to be his desire. He has given up and down the national Democratic checklist and scored wins on many of the major issues. He has also attended to the economic woes of upstate New York, which in many ways resembles the beleaguered industrial areas of the upper Midwest that shifted their allegiance to Trump last November, costing Democrats the White House.

To swing voters in the Midwest and other parts of the country, however, Cuomo is still likely to come across as a liberal Democrat with a Queens accent. And to progressive true believers, whose support he would need to prevail in a presidential primary, he is likely to seem less pure than senators who can spend the bulk of their time on cable TV shows bad-mouthing the president. “There’s a lot of idealism on the left, particularly when we feel like we’ve lost an election because we weren’t true to our principles and didn’t have the energy to take on Donald Trump,” says Evan Thies, a Democratic consultant who worked for Teachout. “If you feel that way, and many Democrats do, you’re probably going to demand a more liberal version of Andrew Cuomo.”

Cuomo has won far more battles than he’s lost as governor. But on a national stage in a polarized era, governing effectively doesn’t
Cuomo's ambitions have never been modest. Early in his administration, he gathered officials from various agencies and asked them what he might do to have a big impact. They hemmed and hawed until finally one said, “You can say you're going to replace the Tappan Zee Bridge.” Cuomo immediately seized on that phrase: “Why would I say it,” he replied, “if I don’t intend to do it?”

Replacing the outsized bridge had been a white whale in New York government for years. Cuomo's three predecessors spent a combined $88 million dollars on studies, coming up with 150 different proposals. Cuomo took one off the shelf, tempered its scope and cost, and made sure the work got started. He didn't have anything like the full financing needed for the project in hand, but he knew that once work was underway, the money would be found. The bridge will start carrying vehicles across the Hudson River later this year. Cuomo is the first governor to get bridges built in the New York metro area in half a century. "No one thought we could get the Tappan Zee Bridge replaced," says Gerald Benjamin, a longtime Albany watcher at the State University of New York at New Paltz. "He's been able to do things no one has been able to accomplish in some cases since Robert Moses," the powerful city planner whose career extended from the 1920s into the 1960s.

Cuomo has somewhere in the neighborhood of $100 billion worth of infrastructure projects underway or approved around the state, including major overhauls of Penn Station in Manhattan and JFK and LaGuardia airports. He has also devoted some $26 billion to various projects and proposals designed to boost the upstate economy. But those efforts have met with mixed success. Despite the state's heavy investment, job growth outside booming New York City has been anemic on his watch. “Upstate New York is a basket case,” says Daniel DiSalvo, a political scientist at City College of New York. “You can sort of prop it up through all the state subsidies, but population decline and economic decline persist, and that doesn't look good.”

Cuomo struggled in upstate counties in the 2014 general election, largely due to his liberal positions on guns and gay rights. But he's been determined not to let the centers of Republican power in the suburbs and upstate unseat him, the way they deprived his father, Mario Cuomo, of a fourth term as governor in 1994. Thanks to his father, Andrew Cuomo has been around politics his entire adult life. He worked on campaigns as a kid, and managed his father's first run for governor in 1982 while he was still a law student. Andrew Cuomo served his father in Albany as a dollar-a-year adviser, then worked briefly as a prosecutor before becoming a housing advocate. He held top jobs in the federal Department of Housing and Urban Development under President Bill Clinton, serving as secretary during Clinton's second term.

Cuomo returned to New York and launched an ill-advised run for governor in 2002. In his first campaign for office, he was seen as an upstart, interfering with Comptroller Carl McCall's hopes of becoming the state's first African-American governor. Cuomo botched his chances with a gaffe designating GOP Gov. George Pataki's role in response to the terrorist attacks of 2001, suggesting Pataki had done little more than hold New York City Mayor Rudy Giuliani's coat. Cuomo dropped out of the race before the primary.

He rebuilt his career by winning the more modest office of state attorney general in 2006. In that role, he went after bonuses paid at Wall Street firms and conflicts of interest in student lending. He also collected some $170 million in fines and clawbacks from pay-to-play investigations into pension funds. When Cuomo decided he was ready to run for governor again, he elbowed aside Democrat David Paterson, who had become governor after Eliot Spitzer resigned in the midst of a prostitution scandal. Cuomo won the governorship easily in 2010.

He inherited a $30 billion deficit, which he closed without raising taxes. In fact, Cuomo has consistently cut taxes and placed a cap on property tax increases at the local level. The complaints that Cuomo might be a Republican in Democratic clothing began with the austerity budgets of his first term. His primary concern during those years was to bring the state back into fiscal balance while giving progressives things that don't cost much money, like marriage equality and gun control. But he withheld funds from left-of-center priorities in education, housing and health care, and fought with teachers unions not only over spending levels, but expansions of charter schools and methods for evaluating public school teachers.
Cuomo also seemed to turn on Bill de Blasio, a former aide, after de Blasio was elected mayor in 2013. The governor has shown the mayor who’s boss in fights over charter schools, funding for pre-kindergarten education and levels of municipal aid. But Cuomo needed de Blasio’s help in securing support from the Working Families Party in 2014. He had to agree to a list of demands to receive the party’s line on the ballot—some of which he has not delivered on, including decriminalization of marijuana and public financing of elections.

Having survived a scare from the left and having more robust budgets to play with, Cuomo now pursues more policies that progressives like, such as the free tuition plan and banning fracking. But in both those instances, Cuomo seemed to oppose the idea for quite a while before embracing it. He punted on the issue of fracking for most of his first term, for example, announcing he would ban it only after winning reelection.

Cuomo’s biggest betrayal, in the eyes of the political left, is his failure to secure a true majority for his party in the state Senate. No one doubts Cuomo’s skill and chutzpah in getting Republican votes when he needs them. But many Democrats believe he shouldn’t need Republican support in the first place. The governor has not campaigned as vigorously as he promised for Democratic state Senate candidates. At the same time, he’s offered tacit or overt support to renegade members of the renegade Independent Democratic Caucus, who have maintained an alliance with Republicans for half a dozen years now.

The oldest cliché about Albany is that all the major decisions are made by “three men in a room”—the governor, the Assembly speaker and the Senate majority leader. Nowadays, it’s often four men in a room, including state Sen. Jeff Klein, the head of the Independent Democratic Caucus. But it’s no less a secretive process. Cuomo once said, “Just because something is done behind closed doors doesn’t mean the process isn’t transparent.”

The fact that Cuomo has fallen short on promises to overhaul ethics and campaign finance rules also leaves a bitter taste on the left. There’s been an unending parade of legislative indictments and convictions on his watch, including successful prosecutions of the former top leaders in both the state Senate and Assembly. Those cases were filed after Cuomo had pulled the plug on an ethics commission. “He’s empowered the Trump Republicans in the state so he can’t get ethics reform, which he has no interest in,” says Samuel of Effectiv NY.

Cuomo himself has raised millions through the “LLC loophole,” which allows wealthy individuals to set up as many limited liability corporations as they like to give essentially unlimited political donations. Early in his term, a “dark money” organization supporting his agenda was the freest-spending interest group in the state. Although Cuomo has not been tarred directly by scandal, Joseph Percoco, a former top aide who was so close that the governor called him “my father’s third son,” was charged last fall in a bribery and fraud case. “If the Percoco case goes to trial,” says Horner, the NYPIRG director, “even if the governor doesn’t come up, it will paint an unsavory picture about how Albany operates.”

For Cuomo, results have always been what matters. He’s from the school that believes delivering on a deal, however it’s arrived at, is far more important than pursuing noble causes or making lofty speeches. Which points to what may be the biggest paradox of Cuomo’s career. No one measures the achievements of California Gov. Jerry Brown against those of his father. Perhaps not many people even remember that Edmund G. “Pat” Brown Sr. served as governor of California before his son, back in the 1950s and 1960s. But Andrew Cuomo is constantly compared to his father. Mario Cuomo became a hero on the left with his stirring speech at the 1984 Democratic convention, which was delivered as if aimed directly at President Ronald Reagan. But the fact is that Mario Cuomo’s accomplishments over 12 years as governor were limited. He was diligent and competent, but it’s hard to name a signature achievement with which he can be associated.

He worked at the budget but never got one done on time, as his son does routinely. He vetoed bills to restore the death penalty every year, but his opposition to the ultimate punishment helped drive a prison building boom—hardly a favored cause these days among Democrats.

Andrew Cuomo, by contrast, has closed more than a dozen prisons and delivered on many other favorite ideas of progressives. Yet he’s not seen as anything like the progressive champion his father was, whether due to the secretive sausage-making he’s been willing to engage in, the enemies he’s chosen or simply his less inspiring oratorical skills.

Mario Cuomo was a warrior-philosopher, but Andrew Cuomo is just a warrior. “Mario used to say, you campaign in poetry and govern in prose,” says Doug Muzzio, a political scientist at Baruch College. “Andrew does both in prose. But in terms of delivery, Andrew’s delivered a hell of a lot more.”

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Navajos in Utah are used to having to fight for basic government services. But they’d at least like to see some roads that don’t turn every trip into an endurance test. By Daniel C. Vock
Photographs by David Kidd
But the county is in a unique position to find a solution on the road throes of several disputes that have heightened racial tensions. San Juan, which is split between the counties of two different states and the Navajo Nation, or the state of Utah, to pay for roads,” McCool adds. “The Navajo Nation, or the federal Bureau of Indian Affairs (BIA), while the state of Utah owns several highways and other paved roads.

The county does take care of many dirt roads that the BIA owns. In the past, San Juan County crews took a fairly expansive approach toward maintaining the roads, including leveling lanes, adding gravel and chip seal, and setting up county warning signs and road markers. The crews also upgraded roads when and where they could. The result was that the county was spending far more on the roads than it was receiving in reimbursements from the federal government for the use of the Navajo people. So the vast majority of reservation roads are owned by the Navajo Nation or the federal Bureau of Indian Affairs (BIA), while the state of Utah owns several highways and other paved roads.
The BIA—sometimes $1 million a year. Until 2012, though, the federal government reimbursed the county $500,000 a year for its work on reservation bus routes. But that amount dropped to $90,000 a year when Congress let the Indian School Bus Route Maintenance Program expire.

Federal highway money does flow to the Navajo Nation, which decides where to spend it. But Benally says the Utah portion of the reservation sees almost nothing of that money. The Navajo Nation Reservation, which sprawls across three states—Utah, Arizona and New Mexico—is by far the biggest Indian reservation in the United States. More than 173,000 Navajos call it home, but only about 7,000 of them live in San Juan County. For the last five years, the Arizona-based tribal transportation department

 hasn't approved a single major road improvement project in Utah, and its current five-year plan doesn't include one either. “There is funding,” Benally says. “It just doesn't reach Utah, especially on the reservation.”

So Benally and other state and local leaders turned to Congress for help. First, they tried to reinstate the bus route maintenance program in a 2015 transportation law, but the change didn't make the final cut. Then they enlisted U.S. Rep. Jason Chaffetz, who represented the area in Congress, to find another way. He included $1.5 million of funding to improve dirt roads on reservations in an appropriations bill for the U.S. Department of the Interior. It passed the U.S. House, but that effort faltered when the Interior Department said that, if the money was appropriated, it would have to be split among all of the tribes in the country, which would leave the Utah Navajo with only a minuscule portion of it. With few other options left, the Utah congressional delegation pushed for the federal Government Accountability Office to study the link between poor reservation roads and Native American school attendance.

In the meantime, the situation on the Utah strip of the reservation keeps getting worse. The BIA has made clear that it doesn't want the county crews doing much more than smoothing out the dirt roads four times a year. That means, for example, that if the crews can find nearby rocks to fill holes in a road, but they can't add gravel or change the elevation of a road by more than a few inches. The BIA has little choice but to rely on San Juan County for road maintenance since it doesn't have enough manpower or equipment on the Navajo reservation to take care of the roads itself. The most recent agreement between the agency and the county increases the federal reimbursement for local work on those roads, but it doesn't come close to covering the full cost. So the roads continue to deteriorate.

Utah Navajos haven't fared much better when they've turned to their tribal government for help. On roads and many other issues, they often feel overlooked by the Navajo leadership.

A few numbers show why. The Navajo Nation's legislative body has 24 delegates. Only two of them represent people living in Utah. The reservation is also divided into 100 units of local government, called chapters. Utah has seven of these.

When San Juan residents complain that the Navajo Nation Division of Transportation and the feds are neglecting their portion of the reservation, as they did at a recent meeting in Monument Valley, tribal and agency officials respond that they need consensus on what projects to fund first. But agreement is hard to reach. The far western section of the Utah strip, Navajo Mountain, is only accessible via a long detour through Arizona, so its residents want shorter routes to the rest of the county. In the east, people in the Aneth chapter worry about the damage that heavy trucks servicing oil wells are having on their roads. Other residents want the school buses to come down their lanes, so they or their relatives don't have to drive to a major thoroughfare every afternoon to wait for their children to be dropped off. With scarce resources, it's hard to satisfy them all.

Building and repairing roads on the reservation is also made more difficult by taxes and regulations imposed by the tribal government. Something seemingly as simple as opening a gravel pit on reservation land—which would reduce the cost of road repairs—has been nearly impossible, despite years of talks about the need for one. So contractors on some parts of the reservation had gravel from 100 miles away to avoid the complexities of using
the reservation to do business. Herman Daniels, a delegate to the Navajo Nation Council, the tribe’s legislative body, acknowledges that the Navajo laws can stymie progress. “We have a lot of laws that we have to abide by,” he says. “We have those barriers, and it’s prolonging a lot of the projects with the nation. But slowly we’re progressing.”

The mix of paved, gravel and dirt roads on the Utah side of the reservation is roughly the same as it is for the county as a whole, but the everyday experiences of whites and Native Americans can be very different. Whites in the county tend to live in small cities where the roads are paved. The Navajo tend to live much farther apart from one another, sometimes miles from their closest neigh-

bors. They pay taxes that go to San Juan County, especially if they buy goods or work in parts of the county off the reservation. So the Navajo are frustrated when the county doesn’t provide services to the places where they live. On the other side of the issue, reservation land is exempt from property taxes, one of the county’s major revenue sources. So there is a near-constant tension about the balance of services San Juan County provides for white residents and Native Americans.

This tension started here a very long time ago—before the Navajo reservation extended into what would later become Utah. A monument in Bluff, the first major white settlement in San Juan County, recounts the arrival of Mormon settlers to the area in 1880. To get there, the party of 250 people, 83 wagons and more than 1,000 head of livestock coming from the Salt Lake area had to navigate terrain carved with cliffs, canyons and mesas. The Mormons came hoping to find new grounds for farming and new souls for conversion among the Navajo. Instead, they found a river that was prone to floods and droughts and, as the inscription at the Bluff memorial notes, they endured 40 years of attacks from “hostile Indians.” The groups clashed repeatedly over land use, with both sides trying to maintain control of grazing lands near the San Juan River.

San Juan County and Utah have been home to racial clashes ever since. Long after the battle of Wounded Knee, San Juan was the location of the last armed conflict in 1923 between American Indians and whites, although it involved Utes and not Navajos. Utah was the last state in the country to grant Native Americans the right to vote in 1957. Despite its large Native American population, San Juan County didn’t elect a single Native American to public office until 1986, and that happened only after the U.S. Department of Justice threatened to sue the county for violating the Voting Rights Act. Tensions quickly flared when Mark Maryboy became the first Native American on the county commission, reaching a point in the 1990s when the county considered splitting into two along racial lines.

Navajo residents have sued the county numerous times, starting in 1974 and concluding 25 years later, to open public schools on reservation land and provide bilingual instruction in English and Navajo. They also sued in the 1990s to make sure Native Americans were better represented on jury rolls.

Another flashpoint has been Utah’s management of royalties generated by oil fields on reservation land. Because of a quirk in federal law, the state managed 37.5 percent of those royalties for the benefit of the local Navajo (the other portion is managed by the Navajo Nation). In 2008, the state agreed to a $33 million settlement for mishandling the money, and tried in vain to have Congress designate another trustee for the royalties. There were competing claims among the Navajo over who should control the distribution, leading to a standoff until the Utah Legislature assumed control again in 2015.

Today, the deepest divisions are again over land use and, in particular, the designation of 1.3 million acres in the county as the Bears Ears National Monument. The tensions in that controversy don’t fall nearly along racial lines, but much of the dispute is about how to preserve the 100,000 sites in the monument that contain Native American artifacts, and how to allow Navajo and other Native Americans to follow their traditions of gathering herbs and firewood there. President Barack Obama created the monument, which is located in the heart of San Juan County, during his final months in office. The Navajo Nation and several other tribes endorsed the move, but San Juan County commissioners and some Utah Navajos, including Rebecca Benally, objected.
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The Trump administration is considering whether to rescind or narrow Obama’s designation, but any effort to reverse it will likely be contested in court.

The Navajos are also in court fighting San Juan County in two cases that could altogether change the area’s political dynamics. The Navajo Human Rights Commission has sued the county for moving to a mail-in vote system for county, state and federal elections. The tribe contends that the system discriminates against Navajo voters because postal service is spotty on the reservation, the Navajo language assistance provided by the county is insufficient and even the three polling places on the reservation are hard to reach for many voters because of poor roads. The county says it has gone out of its way to accommodate Navajo voters. It has a full-time Navajo liaison who visits chapter houses, explains the vote-by-mail procedures and registers people to vote. The county provides language assistance, says Jesse Trentadue, the lawyer representing county government. It created a toll-free number for information in Navajo and advertised on Navajo-language radio stations and newspapers.

The second lawsuit aims to force the county to redraw its county commission districts, which have remained virtually untouched since the county entered a consent agreement with the U.S. Justice Department in 1984, even though virtually all U.S. governments redistrict once a decade to comply with equal population standards. By packing nearly all of the Native American voters into a single district, the Navajo Nation Human Rights Commission says the county has deprived the Navajo of political power. (The Navajo commission is also contesting the county’s districts for its school board.)

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Implications of the Baby Bust

Lower birth rates in America will have a wide range of policy consequences.

When unemployment spikes during severe economic downturns, birth rates usually drop. That’s been true for the past decade, thanks to the Great Recession and its aftermath. But there’s a stark difference this time around. The economy is improving, but birth rates aren’t.

The latest federal estimates indicate the national fertility rate for women ages 15 to 44 remains near historic lows, and actually declined further last year. In fact, 4 million fewer babies were born between 2008 and 2016 than would have been born had the rate continued at pre-recession levels, according to University of New Hampshire demographer Kenneth Johnson.

Over the long term, the baby bust could carry profound consequences for public policy if fertility rates don’t rebound. Classrooms could see more empty seats. Smaller workforces would likely reduce tax revenues. And demands for social services could shift.

Multiple factors have contributed to these low fertility rates. The first is the recession. Research has linked recession-era spikes in unemployment to corresponding decreases in a state’s fertility rate. Arizona—whose economy suffered immensely with the bursting of the housing bubble—has incurred the largest fertility rate decline of any state, a drop of 22 percent since 2007. Fewer births could compound matters in parts of the Northeast and Rust Belt where economies are struggling and populations have been declining for years. In contrast, North Dakota benefited from an oil boom and was the only state with a 2015 fertility rate above pre-recession levels.

Second, it’s well established that younger workers were hit particularly hard during the recession. Many of those who found jobs have been burdened with low wages or weighty student loan debts that make supporting children difficult. What’s more, many young adults who are more financially secure have chosen to delay marriage.

Another factor is immigration. Recent immigrants have among the highest fertility rates. If it were not for immigrant women, total annual U.S. births—meaning the actual overall number of births, not the rate per capita—would now be below levels reached in the late 1980s. But immigration gains from Mexico have halted, and states that have seen large numbers of immigrants in the past are now experiencing particularly sharp fertility declines.

The effects of reduced fertility won’t be clear for decades. But it’s possible to make a few educated guesses about them.

For starters, fewer workers in future years would likely cause tax bases to shrink. That poses serious problems, especially given the country’s aging demographics and the large segment of baby boomers already retiring. Consider Medicare: There were 3.1 taxpaying workers per Medicare recipient in 2015, a number projected to drop to 2.3 by 2030, according to the Medicare Board of Trustees.

Some speculate that a smaller workforce with less competition could benefit workers who wouldn’t otherwise secure better-paying jobs. But Chris Christopher, of the financial information firm IHS Markit, warns that such a scenario would be problematic. “It may be good for some individuals, but it would not be a good situation for the economy as a whole,” he says.

Just how much today’s low fertility rates actually reshape the future workforce will also depend on other factors. Economists believe immigrants could potentially offset the fewer births, and more women participating in the workforce would also help fill labor shortages.

Additionally, fewer babies would likely yield a more mobile workforce, since families with kids tend to buy homes and stay in place. Average household sizes have slowly shrunk over several decades, and a continuation would increase demand for housing units with fewer bedrooms.

One of the first effects of the fertility decline will be a drop in elementary school enrollment. The Maryland Department of Planning projects the state’s public elementary school population will decline each year until 2021, based on the lower number of births recorded in the past few years. Jurisdictions that aren’t adding residents via migration will need to rethink plans to build new or larger schools.
But lower birth rates do bring some good news. Falling rates of unintended pregnancy and far fewer births to teenage women are an important component of the declines. According to the National Center for Health Statistics, the teen birth rate has dropped 46 percent since 2007. Rates have also dipped for women in their 20s, although not nearly as sharply. Meanwhile, birth rates for women in their 30s and early 40s have continued to climb, and are now at their highest levels since the 1960s.

Some population scholars say these trends hold a lot of promise. “Discouraging early childbearing and unintended child-bearing has positive implications from everything to education to the workforce and parenting,” says Kristin Moore of Child Trends, a think tank studying children and families. Women in their late 20s and 30s are more economically stable than those in their teenage years, which should lessen the demand for social services. They’ll also likely maintain better health insurance, Moore says.

At this point, the biggest unknown is how many women are merely delaying childbirth and how many are forgoing it altogether. It’s reasonable to expect many who married in their late 20s and early 30s to have kids over the next few years, as recent gains in fertility for those in their 30s show. Although younger Americans have delayed marriage longer than prior generations, surveys suggest they’re still intent on having children. A Gallup poll found that views on the ideal number of children have changed little since the late 1970s.

Homeownership for young adults is also slowly rebounding, another sign that more young couples could be preparing to raise families. But the gains in births for older women haven’t been nearly enough to offset the declines among younger age brackets.

One we will tell whether low fertility—and all the policy implications that accompany it—represents a temporary phenomenon or a more permanent feature of American society.
Does Business Know Best?

You can’t run a public agency like a private company, but you can borrow ideas.

As part of his 30-year career in the private sector, Chris Liu had the opportunity to learn some important lessons from Sam Walton, the founder of Walmart. “He taught me that executives had to be accessible; you had to be a visible manager all the time to be successful,” says Liu. Walton and his team were famous for visiting and working in a lot of stores. Customers would often discover Walton himself, Liu says, “just walking down the aisle.”

Today, Liu is director of the Washington Department of Enterprise Services, which oversees, among other things, the state-owned liquor stores. Liu has brought with him the lessons he learned from Walton, including visiting stores, making sure that the CEO has a very visible presence and learning the issues that concern everyday front-line employees.

There's been a great deal written about contrasts between the private sector and the public sector. Over time, we've written repeatedly in this space about a variety of reasons you can't really run a state or local agency like you would a business. While we stand by that, it's equally clear that the lessons men and women learn in the private sector can be applied—successfully—to their work in government.

One such lesson is the idea that asking questions and challenging the status quo can be a valuable attribute in state and local governments. Classically, such questions and challenges bring the response: “It’s done this way because that’s how it has always been done.” “One of the things that is good about bringing someone in from the private sector is that there isn’t anything they are afraid to question,” says Teri Takai, who worked at the Ford Motor Company for 30 years before becoming the chief information officer in Michigan, California and at the U.S. Department of Defense. “You may not be able to change the service system or the budgeting process,” she says. “But at least you are pushing the organizations to ask questions about why do things need to be the way they are.”

That sentiment is echoed by Mike Raymond, who became Connecticut’s CIO in 2011 after more than 20 years as a consultant with Accenture, a management firm. “In the public sector, you have experts who know how things have been done in the last 15 years, but they often don’t know why they were done that way.

Like the consulting world, people want to know what’s going to happen in the future. The primary element is to have the kind of intellectual curiosity that leads you to ask the ‘whys.’”

Another lesson that public organizations can—and should—learn from their corporate counterparts is the importance of customer service. Doug McCoy, who is director of administrative services in
Yuba County, Calif., spent a number of years working in facilities and services for companies like Dow, Sears and IBM. “In the private sector,” he says, “there’s very little tolerance for crappy service. But I think people have lower expectations in the public sector.”

McCoy explains that this attitude is, in part, a function of the monopolistic nature of cities, counties and states, as opposed to most companies that have competition driving them to treat customers well.

A small excursion into reality is appropriate right about now. In the previous examples, we seem to be building the case that all private-sector companies are excellent at things like accessibility, questioning and customer service. This is not universally the case. Just last weekend, we stormed out of an eyeglass store when we were told that a pair of glasses, which the representative from the store admitted had been sold in defective condition, couldn’t be fixed or replaced. Take it from us, you’d go far to find a city or state that provides customer service that’s more inferior than that.

Similarly, the learning curve for émigrés from the private sector can be steep. Consider the newly hired, high-level public-sector official who recently indicated that he was shocked when he couldn’t preselect employees, but had to go through a rigorous process.

We’ll end with a point made by Doug Robinson, executive director of the National Association of State CIOs. “There’s a lot more negotiation in the private sector,” he says. “Often, when it comes to governmental relationships, there is no capacity to negotiate deals.”

One reason for this can be procurement practices that require highly rigorous competitive bidding processes that diminish the capacity to negotiate. Having held management jobs in both sectors, Liu has this observation about the core of the eternal difference: “Investors in business take a risk. But government is more cautious. We’re stewards of the taxpayers’ money.”

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**Where Good Jobs Come From**

Better policies could accomplish a lot.

In his 2011 book The Coming Jobs War, Gallup Chairman Jim Clifton writes that after years of research, his firm had concluded that “what the whole world wants is a good job.” That may not seem like much of a revelation, but Clifton’s emphasis is on the word “good”—not the gig economy, the unstable, poorly paid employment. The fact that the demand for good jobs far exceeds the supply is a real threat to political stability, Clifton writes, because “whether or not you have a good job defines your relationship with your city, your country and the whole world around you.”

Indeed, there aren’t enough good jobs—even though we see plenty of work that needs to be done: infrastructure to be repaired or replaced, affordable housing to be built, and children, the sick and the elderly to be cared for. We frequently hear that jobs are disappearing due to globalization and automation. But their impact on jobs is probably minimal. Trade and technology could create as many good jobs as they destroy if we had the right policies in place, particularly those that impact women, immigrants and small businesses.

A report by McKinsey Global International last year estimated that by realizing the full potential of women in the workforce, every state and local government could add at least 5 percent to its economic output and half of the states could increase their GDPs by 10 percent. Policies that result in the increased availability of paid maternity leave, affordable child care and flexible work schedules would lead to significant increases in women’s workforce participation.

We also need to make it easier for people to immigrate to the United States and provide a swift, rational path for them to become citizens. Clifton notes that a great deal of the internet technology boom can be traced back to just a thousand people, of whom more than half were immigrants. “America can’t win the coming jobs war,” Clifton writes, “without attracting the best talent and helping the talented become American citizens fast.”

And we need to make it easier for small businesses to compete by returning to the regulatory policies that, until the early 1980s, limited corporations’ market concentration through mergers and acquisitions. Mergers drive declining rates of entrepreneurship. From 1977 to 2013, the number of startups as a share of all firms fell from 16.5 percent to 8 percent, and their share of jobs declined from 5.7 percent to 2 percent.

“Sustainable job creation,” Clifton writes, “can’t be bought.” Yet, despite an ever-growing pile of evidence that chasing jobs with tax incentives and relaxed regulations doesn’t work, that’s still the default strategy for many state and local government leaders. It might create a few jobs, but rarely good ones. The communities whose leaders figure this out first are going to be the ones that win the jobs war.

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**Trade and technology could create as many good jobs as they destroy if we had the right policies in place, particularly those that impact women, immigrants and small businesses.**
Government has an IT gap. Large cities and counties, able to afford the digital infrastructure, platforms and software applications that the public sector increasingly relies on to deliver services, are pulling ahead of smaller cities and towns that get by with servers in closets, out-of-date software and virtually no cybersecurity protection. The problem is widespread and can be found in every state where the urban-rural divide is acute.

Take Michigan, which has nearly 1,300 municipalities. The smaller jurisdictions are struggling to keep up with the latest technological advances. Most are lucky if they have a single employee designated to handle IT, and almost all lack the money.

In Michigan, local governments are limited constitutionally on how much they can raise property taxes, restricting one of the few sources of revenue for cities and towns. Making matters worse, the state is returning less money to local governments through revenue-sharing payments—$1.2 billion in 2016, down from nearly $1.6 billion in 2001. It adds up overall to fewer dollars to cover government operations, which means skimping on quality IT.

A 2015 survey of 200 small local governments in Washington state by the nonprofit Municipal Research and Services Center found that a majority of respondents didn’t have any staff members dedicated to IT, let alone IT security. While it pertains to just one state, the numbers reflect what is happening more broadly.

To Phil Bertolini, CIO of Oakland County, Mich., these are big problems. “When you are managing IT with such limited resources,” he says, “to have a breach to a critical system, such as local tax collection, could really cost you.”

Oakland County, with a population of 1.2 million people and an annual IT budget of more than $16 million, has the IT resources that most local governments in Michigan lack. And Bertolini wants to share them. “The small towns in Michigan don’t have the resources or the money, but we are large and have the capabilities,” he says. “I look at assisting the smaller governments as part of our mission.”

That philosophy has been turned into a unique service known as the G2G Marketplace—part expert advice, part technology transfer and part helping hand—that is aiding more than 100 government entities both in Oakland County and in the rest of the state. Starting modestly in 2011 to provide small governments transactional e-commerce assistance, the county has expanded its offerings to include cloud computing, online workforce management services and security tools.

The G2G Marketplace is appealing to small municipalities because they’re dealing with another government that understands their business and their needs. “They know we aren’t trying to sell them something they don’t need,” says Bertolini, “and we are not trying to make a profit out of this.”

A handful of counties in Florida, Maryland and Virginia are also providing IT support and services to the smaller cities and towns in their jurisdictions. But Bertolini says the idea has been slow to spread. He explains that some vendors aren’t happy with the competition, with the fact that a government is offering IT services at a lower cost. “This is unique,” he adds. “Some large governments are too consumed with their own problems to venture out and help smaller governments. You have to really want to do this. You have to be passionate about this idea of helping smaller governments.”

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Since 1978, the National Association of State Technology Directors (NASTD) has provided a forum for public and private sector technology professionals to share ideas, concepts and practices pertaining to the efficient provisioning and effective management of technology facilities and services for state government.

Rapid technological change has been the dominant theme during this 40-year period and the opportunities and challenges presented by this momentous transformation are boundless.

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When the Great Recession created a wave of bankruptcies, the federal government responded by bailing out large for-profits and quasi-federal corporations, such as Fannie Mae. But there was no such help for insolvent cities or counties. Nevertheless, from the nation’s smallest troubled cities, such as Central Falls, R.I., to large, iconic ones, such as Detroit, there have been remarkable fiscal recoveries. Today, for the first time in a generation, no U.S. city or county is in bankruptcy. This is a testament to the tenacity of state and local leadership.

Look at what’s happening in Detroit. Four years ago, it was the nation’s largest-ever Chapter 9 municipal bankruptcy. Now Jamie Dimon, J.P. Morgan chairman and chief executive, says the giant financial institution will expand its initial investment in the city to a total of $150 million by 2019—some two years ahead of schedule. Dimon credited the bank’s decision—and the city’s economic progress—to strong collaboration between civic, business and nonprofit leadership.

What Dimon is talking about is that city leaders, the governor and state legislators had worked with foundations and the private sector to cobble together a “grand bargain” to stabilize the city pension plans, to negotiate repayment plans with city creditors and to work with three counties to set up a new regional water and sewer authority. The state also provided continuing fiscal advice and oversight via a financial review commission.

In New Jersey, Atlantic City has experienced a reprise. It had teetered on the edge of bankruptcy after a 50 percent drop in the city’s casino revenues. In 2014, nearly half of the casinos closed, with a loss of 10,000 jobs, which in turn triggered a massive spike in home foreclosures that imperiled the city’s fiscal outlook. But the state came to the city’s aid. Working together, city and state officials took steps to “make the changes which have long been discussed: reducing costs and modifying service levels and workforce size in order to meet the city’s needs today given its new and evolving economy,” says Marc Pfeiffer, the assistant director of the Bloustein Local Government Research Center in New Jersey. While solutions to many long-term problems are still a challenge, the city has started to recover: casinos are turning profits; the city’s credit rating has been upgraded; and plans have been announced to renovate and reopen defunct properties, such as the Trump Taj Mahal hotel and casino. In addition, Stockton University broke ground on a satellite campus, and a luxury apartment complex, the first to be constructed in Atlantic City in decades, is underway.

From a governance perspective, Pfeiffer notes, the steps toward recovery were effective in part because the state managed to keep negotiations far from the public spotlight—perhaps depriving the public of critical information, but ultimately facilitating fiscal progress by avoiding what was once deemed certain municipal bankruptcy.

From Central Falls to California’s San Bernardino to Alabama’s Jefferson County, troubled localities are back in the black. This emergence is doubly remarkable in that these cities and counties had to recover without the help of a federal governance scheme—namely general revenue sharing and oversight by an advisory commission of federal and state leaders that was initiated by President Richard Nixon and passed by Congress in 1972. Congress has long since disposed of those initiatives—they petered out in 1987. Today local governments are left to sink or swim on their own. The whole idea of federalism no longer appears to be a topic of interest in Washington. The task of recovery from fiscal catastrophe has fallen on those who serve at the local level. They have taken responsibility and moved their cities or counties forward.

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Two hundred years ago this month, work began on one of the most ambitious public works projects America has ever seen. Three hundred sixty-three miles long, 40 feet wide and four feet deep, the Erie Canal would bring great changes to New York state by making it possible to cheaply and quickly move raw materials, goods and people between the East Coast and the Midwest. Gov. DeWitt Clinton was an early supporter of the canal, which skeptics dubbed “Clinton’s Ditch.” It would take eight years to construct, but once completed, the waterway was an instant success: The cost of moving freight on the canal fell to 10 percent of what it cost over land, and toll collections made quick work of paying off the state’s construction debt. New York will begin celebrating the canal’s “bicentennial period” this month. The kickoff celebration in Rome, N.Y., will mark the waterway’s groundbreaking in 1817. Festivities will last until 2025, commemorating the completion of the canal when DeWitt poured water from Lake Erie into New York Harbor.

—David Kidd

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