

"Federation Corner" column
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Governor Used-To-Be and the ICC
by Wayne Goldstein

As Mayor of Baltimore from 1999-2006, Martin O'Malley became the most influential mayor of his time due to his creation of the CitiStat program with its integral 311 call system. Hundreds of cities and towns have come to Baltimore to learn about this seemingly-miraculous way to create greater accountability while delivering better government services, often for less money, and many of them have implemented some or all of these programs. Montgomery County, now under the leadership of a county executive who wants to make a real difference in how services are delivered, hopes to start its own CountyStat program by the end of this year and to have a 311 call system in place by the end of next year. Thus, the ripple effect of this revolutionary yet commonsense approach to government continues to spread with undiminished impact.

I first heard of CitiStat in August 2003, and the epiphany I experienced in learning about the program led me to help bring Mayor O'Malley to Montgomery County in June 2004. Here are some of the remarks I made when I introduced him to the 100 people who came to that June MCCF meeting.

"... In the late 1980s a New York City transit cop named Jack Maple began to create more effective ways to fight crime in the Caves, the name for the City's subway system. One effective thing led to another, and in the early 1990s Jack Maple helped New York City develop its CompStat Program, which is credited with helping to drive down crime in that metropolis. He later took his ideas to New Orleans, where the people once feared the police more than the criminals, and helped prove that it was CompStat that made the real difference in both cities.

"Shortly after Martin J. O'Malley won the 1999 Mayoral primary, he invited Jack Maple to come to Baltimore and talk to him about how to turn that city around. As a result of that meeting, Mayor O'Malley began to apply the same principles of CompStat to other government responsibilities, and created Baltimore's CitiStat program... Tonight, the Mayor has come to tell us about CitiStat. We lost Jack Maple in August, 2001 at the terribly young age of 49, but I believe that his creative spirit is in this room with us tonight and we may discover that we will want to create our own, unique, Montgomery CountiStat program..."

It is an evolving tragedy that this man, so overwhelmingly influential as mayor by virtue of his boldness and vision, appears destined to be so mediocre as governor. Calling him Governor Used to Be (effective as a mayor) seems fair, especially under the circumstances of his wanting to build the ICC. He began planning CitiStat two days after he won the 1999 primary election. It has been 330 days since O'Malley won the governor's race, and he has done nothing bold or visionary. He has introduced two versions of CitiStat called StateStat and BayStat. He has followed the lead of big city mayors and other governors with similar environmental legislation.

StateStat is seen as complementing a ten-year old program called Managing For Results. The same journalist who first alerted me to CitiStat in 2003, wrote in May 2007: "... In Annapolis, he found a state government already slimmed down during the early years of the Republican Ehrlich administration when it faced a giant budget deficit. There may not be tons of fat left to cut. Besides, the sheer size of the state bureaucracy - its annual spending is 12 times larger than Baltimore's - also argues against rapid results from StateStat... But StateStat is not the total answer. It can't overcome the natural lethargy of massive bureaucracies. Resistance to change will remain. StateStat wasn't designed to be a big money-saver, either. Its value lies in efficiency and accountability, using computer-driven measurements to judge management performance... O'Malley, though, does not intend to cut the size and scope of state government. He has a

liberal Democrat's view of government as intrinsically good. He wants to refine what's in place, not eviscerate it. StateStat is a useful exercise, a solid performance-driver that improves government operations..."

O'Malley created BayStat in February 2007 to "... tackle the 39 programs identified in the Tributary Strategies designed to meet our nutrient and sediment reduction goals. These include a wide variety of agricultural best management practices, improvements to point sources (such as upgrades to waste water treatment plants), runoff from urban lands, and added protections to our streams and shorelines. The goal is to address all these issues by June 2008. In future years, BayStat will continue to review and refine these critical programs, but will also turn to other Bay related programs such as fish and wildlife management, dredge material disposal, and sea level rise... The intent of BayStat is to assure that each separately is reaching its maximum efficiency and that together they complement each other to assure maximum overall efficiency and effectiveness."

In other words, StateStat will be a far more modest version of CitiStat, and BayStat will tell us the specifics of how the State's many inadequate programs and halfway measures are failing to protect and restore the Bay. What is missing is a governor willing to use the power of his office to make the drastic changes needed to show that the state of Maryland is finally serious about keeping its share of nutrients, sediment and other pollutants out of the Bay, spurring the other states whose rivers drain into the Bay to match our commitment.

Furthermore, since at least 1985, the state has officially known that the Eastern Shore has been subsiding while the sea level has been rising. Sea level rose about 1 foot in the last century and could rise as much as another 2 to 3 feet by 2099. Despite this knowledge, a number of laws passed in the last 35 years to try to counteract the many negative impacts of this inevitable change have been inadequately implemented and enforced. The impact of global warming on sea level rise is international in scope, but Maryland cannot ask the rest of the world to help slow, stop and reverse this effect if it does not first make the most determined commitment to do so itself. After southern Louisiana and northern Florida, Maryland's Eastern Shore is the third most endangered area in the U.S. due to such sea level rise. A Maryland governor intent on fighting this problem would be making every effort today to require all Marylanders to help.

While O'Malley's April 2007 Executive Order creating the Commission on Climate Change would seem to begin this process, claiming that Maryland has shown a "strong commitment to addressing both the drivers and consequences of climate change" through the "Formulation and implementation of a State Sea Level Rise Response Strategy" begun in 2000 is as grandiose and self-deceptive as claiming that real progress has been made in saving the Bay over the last 25 years. If one were trying to decide how committed O'Malley is to saving the Bay and the Eastern Shore, learning of his support for the ICC would likely be the proof that he seems to be as insincere an environmentalist as his predecessor.

The enormous negative impact of the ICC on local water quality will greatly neutralize any planned improvements to the Bay offered by BayStat. The additional air pollution and greenhouse gases released as the result of the extra 20% of additional travel caused by the ICC will greatly neutralize any planned improvements to the air offered by the Commission on Climate Change and environmental legislation. The man who dared to create CitiStat to begin the turnaround of a dying city is unable to dare to shut down the ICC to prove that he has a fearless intent to turn around a dying bay and to protect drowning coastal counties. His growing commitment to build the ICC no matter what, breaking campaign promises he made, may be the strongest proof that the Peter Principle is at work here. This principle, coined by Dr. Laurence J. Peter in 1968, explains why even those who seem to be the best leaders often end up in a job that exceeds their abilities - although never their ambition - where they are at their highest level of incompetence and ineffectiveness.

If O'Malley has somehow discovered since the election that he now believes that the ICC is more indispensable than other road projects and transit projects, despite the unanimous opposition of the Prince

George's County Council which makes all land planning decisions for that county, then this alleged environmentalist would want to do far more than spend a pittance on the environment while building that road. He would direct SHA to stop claiming that spending 2% of the total cost of the ICC on Environmental Stewardship projects is a lot of money and will make up for damage caused by the ICC and other construction activities in the past. Instead, he would ask for far more funds to restore far more damaged streams, to plant far more trees, and to remove far more impervious surfaces in the Upper Paint Branch Special Protection Area.

He would want to do this to keep more pollutants from reaching the Bay. He would demand far greater reductions in air pollution and greenhouse gases throughout the state to counteract the impact of the ICC. He would even demand that the ICC be paved with revolutionary, smog-reducing concrete that instantly breaks down a number of air pollutants that come in contact with it. At least that is what Governor Used To Be would have done back when he was still a leader willing to take real risks to fix big problems.