

"Federation Corner" column
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The time for Ike Leggett to start CountiStat is now

by Wayne Goldstein

It's been more than two months since I wrote the column "CountiStat and 311 should be first order of business for Ike Leggett." As is often the case in times of reform, events are rapidly overtaking the best intentions to reform such that action is needed now before the best reforms are put in place. There is a growing risk that the high expectations of many residents will swing so far the other way that by the time the most carefully planned reforms are finally implemented, the executive branch may find that such efforts will be greeted with skepticism or worse by former supporters inside and outside of government.

I was able to participate in County Executive Leggett's transition team, which included 135 county residents, and was part of the group that looked at one of seven priority policy objectives described as "Greater Responsiveness & Accountability..." The December report of this transition team, titled "Taking Charge, Making Change, The Transition of County Executive-Elect Ike Leggett," has six "Criteria for Selecting Strategic Policy Recommendations." The sixth recommendation is: "Best Practices. Each strategic policy recommendation must be professionally sound and reflect the best practices in the region and the nation. Montgomery County seeks to set a national standard for accountability and responsiveness in governance and the delivery of services to its people and businesses."

The group's recommendations included "1. A County government that listens and understands... A County government that listens must have a single one-stop shopping phone number (311) for complaints and requests, a user-friendly web page, and community outreach to hear from those who are not able to use these improved systems... 2. A County government that responds and tracks and evaluates performance. The Chief Administrative Officer (CAO) must establish lines of accountability that ensure that the County Executive's policies and priorities are implemented. A County government that responds must establish a tracking system to ensure prompt and appropriate follow-up to complaints and requests received from residents, community organizations, and businesses! A County government that responds must provide the tools and training that County employees need to perform at their highest abilities."

Surprisingly, the only place in this report where the specific word "CitiStat" is used is under "Results-Driven Community Policing... Implement a CitiStat/Comstat data tracking and accountability system in Montgomery County." The reason this is surprising is that the word CitiStat has become shorthand for what is nationally recognized as the number one "Best Practice... a national standard for accountability and responsiveness in governance and the delivery of services to its people and businesses." It is a formal process which, to be at its best, requires the creation of technologically sophisticated ways to gather and respond to information.

But more importantly, CitiStat really is a state of mind. Thus, when a government official learns of a problem, rather than just trying to solve the specific problem, the official looks to solve it in a way that is both transparent and accountable and helps to change the negative dynamics that may have created the problem in the first place. In recent weeks, there have been two specific developments that call for a CitiStat approach at this time, even if institutional and technological changes for a unique Montgomery County CountiStat program have not yet been put in place.

County Executive Leggett has inherited two specific problems from his predecessor. One he knew about in advance and one surprised him and everyone else. The first concerned where to locate a day laborer center for those seeking such work in the Gaithersburg area. After Gaithersburg officials spent years identifying, evaluating, and rejecting dozens of sites in that city, they punted the issue to the county. A potential temporary site has been identified for Mr. Leggett in the County's Shady Grove Service Park. The problem is

that work began on this site before the community was notified and before the County went through what is known as the Mandatory Referral process. In this process, a governmental body must go to the Planning Board to present its plans and receive the recommendations from the Planning Board. The body does not have to follow ANY of these recommendations. However it must listen to the Board as well as to community members who testify. Given the reality that no one in this part of the county seems to want a day laborer center in or near their community, the County Executive might well have to decide, after listening to both the Planning Board and the community, that the only solution is to decide to proceed with the recommended temporary location.

While people have been critical of this all-too-common approach of the previous administration to use this cart-before-the-horse approach of making a decision and then receiving advice about the decision, this is an opportunity for this County Executive to take a CitiStat-type approach to determining why legally incorrect actions were taken in this instance and how such an occurrence can be prevented in the future. While I am sure that this has already happened within the County Executive's office, it is the act of doing this in a very public way that is the essence of the CitiStat approach of transparency that creates a greater sense of accountability in officials while increasing trust from the public. There is a reasonable expectation that some people may not like government decisions. However, there is no reason why they cannot still like the process of reaching decisions if they feel they are fully informed, are able to fully participate, and fully understand why a particular decision was made. When Mr. Leggett proposes a permanent site for this facility, he will still have the opportunity to create a very transparent process, a process that can also be used in choosing sites for other county facilities.

The second problem concerns the decision of the County Attorney not to support the County Board of Appeals when a couple appealed the Board's decision to Circuit Court. When no one representing the agency showed up in court, the judge ruled in favor of the couple. While the County Attorney informed Board staff of this decision not to represent the Board, neither the Board nor the neighbors opposed to the appeal learned about the decision until after the judge had made the ruling. Although the County Attorney's most important job is to represent the county government in many different ways, no one knew that it reserved the right to determine the circumstances under which it would represent the government. Mr. Leggett moved quickly to remove that discretion. However, it turns out that this has happened a number of times before. The CitiStat approach would be to make very public inquiries of the County Attorney to discover all of the times this decision not to represent the county has occurred and what problems these decisions may have caused, as well as to look at the attitude of this office that led to the creation of this unofficial, unpublicized, and presumably unwritten policy. Mr. Leggett might also want to publicly learn if there are other unwritten policies that impact the performance of this office.

The CitiStat approach would be for Mr. Leggett or his Chief Administrative Officer, Tim Firestine, to immediately convene regular, public, administrative meetings to question officials involved in these and other problematic decisions and to implement policy changes and perhaps personnel changes as needed. Should Mr. Leggett create a full-scale CountiStat program for the county, using this public process will be essential to its success. If an initial, ad hoc process is started today, it will send the message that the County Executive is serious about reform. This is the time to work out the bugs in this approach so that when a 311 system is put in place in the coming year or so to support CountiStat, the entire program will be able to hit the ground running. Governor O'Malley, the creator of CitiStat while Baltimore's mayor, announced last week that he will be creating a StateStat program to "require state agencies to report directly to the Governor and his Cabinet." It's time for Mr. Leggett to require county agencies to report directly to his office as well.