

'SUBSTANTIAL SAVINGS' FORESEEN WITH CIVILIAN FLAGGERS

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BOSTON — Transportation Secretary Bernard Cohen says the state will see "substantial savings" from a new plan to replace police details with civilian flaggers on many state public works projects.

He said it was too early to predict what the exact savings would be or how many police details would be replaced under the draft regulations released Wednesday by the Executive Office of Transportation. The change is expected to go into effect in October, once a public hearing is held and the regulations are finalized.

"Let me be clear," Mr. Cohen said. "There will be civilian flaggers on Massachusetts roads this fall. "I think it will be very apparent to people as these projects get under way."

An independent transportation report last year said the state could save \$5 million a year by replacing traffic details.

Law enforcement officials and police unions have argued against the change, saying a police presence provides greater public safety. They have also challenged the state's promise of savings, saying civilian flaggers will have to be paid prevailing wages on public projects.

The draft regulations call for civilian flaggers to be used predominantly on state projects where the speed limit is less than 45 mph, or on faster roads where there is light traffic. Police details would continue to be used primarily on roads with a speed limit of 45 mph or greater.

The decision on whether police details are needed would be up to the state highway department. Contractors would be required to prepare a construction safety zone plan in consultation with state and local police.

"This proposal strikes an appropriate balance between public safety and efficiency," Gov. Deval Patrick said in a statement.

Mr. Cohen said state government has 200 to 300 road projects at any given time. They range from state highways to local roads that are state routes.

The regulations would not supersede widespread local laws and union contracts that require police details on municipal projects. However, Mr. Cohen hopes cities and towns will follow the state's lead.

Michael Widmer, president of the Massachusetts Taxpayers Foundation, said the regulations were stronger than he expected, but still fell short of what was needed.

"I applaud the administration for taking this step," Mr. Widmer said. "It's only the beginning. The regulations will cover only a small fraction of state and local highways. The public is not going to see any immediate, dramatic change at all."

However, Mr. Widmer said, it does crack the police monopoly on details.

"The key will be to make inroads on local roads," he said. "If a handful of municipalities start doing it, then others will follow. I hope over the next few months the administration will work with cities and towns to begin to make changes."

Mr. Cohen said safety was still paramount, and police would still have authority over the construction area should a problem arise. He said safety factors, such as proximity to hospitals or schools, would be taken into account.

The state transportation department currently spends \$25 million a year on police details, about 5 percent of its budget for road and bridge projects.

Massachusetts is the only state in the nation to require police details, either by state or local policy or union contract.

When former Gov. William Weld tried to change the state policy in the early 1990s, hundreds of police officers marched on the Statehouse.

Gov. Patrick, House Speaker Salvatore DiMasi and Senate President Therese Murray, D-Plymouth, proposed a broad outline for changes in a transportation bond bill earlier this year. Police unions fought hard to make sure the final version made it clear local laws and police contracts on municipal details had to be honored.

Critics of the change said it amounts to a pay cut for local police officers that will ultimately have to be made up by the cities and towns that employ them. Police officers can make as much as \$40 an hour on the details, which are separate from their regular shifts.

James Machado, president of the Massachusetts Police Association, which represents 22,000 officers, told The Associated Press it would make the streets more dangerous.

"(Gov. Patrick) came into office pledging to put 1,000 police on the street," he said. "This is going to take 1,000 police off the street. We think that public safety will suffer in the long run."