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Patrick says regulations cutting police details are under construction

By Steve LeBlanc THE ASSOCIATED PRESS

BOSTON— Gov. Deval L. Patrick said he is forging ahead with plans to chip away at one of the most closely defended police perks in Massachusetts: paid details at roadside construction sites.

Patrick said his administration is working on new regulations that would open the door to replacing some of the police details by hiring civilians, equipping them with orange safety vests and flags and training them to direct traffic, especially on secondary roads.

"We've been working on it, and rather than just do a sort of a grandstanding gesture, we've really been trying to get something that we know will work," Patrick said in an interview with The Associated Press.

The call for the new regulations was included in a transportation bond bill signed by Patrick in April. The law required the secretaries of transportation and public safety to draft the regulations within 90 days.

The departments are also supposed to report on the cost of police details during the past five years.

The administration has already missed the 90-day deadline, but Patrick said he wants to make sure they get the regulations right the first time.

"We've consulted with a lot of people, and that's taking some time, but it's been time well-spent, and I think we are close," Patrick said.

The plan has come under fierce criticism from police unions, who said the use of civilian flag bearers could jeopardize public safety. They say police on details are better equipped and trained to respond quickly to emergencies.

Rick Brown, president of the State Police Association, the union representing state troopers, said police officers have the authority to stop traffic, close lanes and issue citations — all of which make for safer construction sites.

"The traffic is flowing so fast, public safety has got to be the main issue here," he said. "You're going to see more accidents out there without seeing the police presence. They're not going to slow down for a flagman."

In March, Patrick teamed with Senate President Therese Murray and House Speaker Salvatore F. DiMasi to roll out the plan. Murray said the plan could save \$100 million over 20 years. It would bring Massachusetts in line with nearly every other state.

No state law mandates that police officers protect workers at road construction sites, but the practice has become commonplace and been fiercely protected by police unions. Some communities have labor contracts requiring that police staff construction sites.

Regulations authorizing the use of civilian flagmen on state-controlled secondary roads would encourage cities and towns to adopt similar measures, according to David Tuerck, executive director of the Beacon Hill Institute at Suffolk University.

"If the governor does it, it's a huge signal that the state is finally going to stand up to the unions," he said. "It will create a practice of using civilian flaggers. When that lesson is learned, I think municipalities will change their laws."