Issue No. 6
Fall 1993

University of Pittsburgh

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REPORT
Institute of Politics

THE INSTITUTE OF POLITICS PROVIDES A SETTING FOR ELECTED OFFICIALS FROM ALL LEVELS OF GOVERNMENT TO ACCESS UNIVERSITY RESOURCES OF RESEARCH AND EXPERTISE AND EXAMINE ISSUES IN A COLLEGIAL ENVIRONMENT.

HIGH HOPES FOR A DECENT AND BEAUTIFUL FUTURE

Mayor Robert Pitts On Governing In Difficult Times

BY SUZANNE MCDEVITT

What is the biggest challenge of governing a community like Wilkinsburg?

"Keeping the community focused on the idea that we are all one family," says Mayor Bob Pitts, the first African-American mayor of the borough, and of any Western Pennsylvania municipality.

Pitts was elected mayor in 1990, in a community that has experienced marked demographic and economic changes and has lost many community institutions. He had served the previous nine years as president of the Wilkinsburg NAACP.

Like many municipalities in Western Pennsylvania, Wilkinsburg has declined in recent years with the loss of manufacturing jobs and the aging of the population. It shrunk from 31,418 residents in 1950 to 21,080 in 1990—sustaining a 25 percent population loss. Its minority population increased from 1.6 percent of the total in 1950 to 53.8 percent in 1990. It is now dominated by individuals (about 25 percent of the population, half of whom are over 65) and families on fixed incomes. Only one third of the households are two-parent families.

In the past two years increases in gang activity, drive-by shootings, drug trafficking, and, recently, car jackings have eroded the small-town atmosphere.

Pitts sees similarities between cities like Los Angeles, Detroit, Pittsburgh, and Wilkinsburg. "Although we are a small community, we have all the same problems," he says. "And there are no real answers as to how to deal with them."

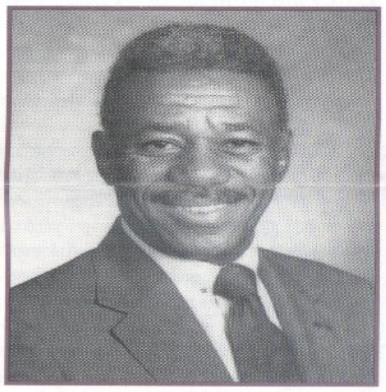
He laughs. "You have to pray that the Good Lord sends you a message," Pitts continues. While Wilkinsburg has the same problems as larger cities, the offices of mayor and council member are still seen as part-time offices, and these officials "work for almost nothing." Pitts says he's concerned about whether the next mayor will be able to "devote enough time to the job."

Pitts sees Wilkinsburg's growing diversity as a strength—and his most significant achievement as bringing together the disparate parts of the community. He sees the community evolving as a result.

"Thirty years ago," he recalls, "Wilkinsburg was the center of the Ku Klux Klan activity in and around Pittsburgh. It was well known in the African-American community that Wilkinsburg was not a town you stopped at as you were driving through. You might be run out of town. You might not be allowed to stop, even, for example, if you had a flat tire."

Racial attitudes have changed. "My election speaks to that," says Pitts. "There is strong support for this administration from both the black and white community." Community leaders have been able to come together and work on common problems.

Like a number of Western Pennsylvania municipalities, Wilkinsburg in 1985 was declared a distressed municipality under Act 47. However, unlike many other communities, it was able to come together under the leadership of a new mayor, a new borough manager, and a new council to develop a recovery plan to stabilize the community fiscally.



Mayor Robert Pitts

"The recovery plan has been fantastic," he says, adding that Wilkinsburg should be out of financial debt within the next year. "Wilkinsburg has good housing stock at reasonable prices," he states, listing the strengths of the community. "It is close to the parkway, and is the terminus of the busway. It's a very good locale for folks."

The borough has been a dry community since the 1920s, Pitts notes. A few years ago there was a movement to bring alcohol back into the borough, but, he says with a laugh, "They couldn't even get enough signatures to get it on the ballot."

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GANGS IN AMERICAN CITIES

Another Result Of Economic Downturns

BY ELIZABETH BECK

"In the 1980s the confluence of social problems involving gangs, violence, and drug trafficking changed both popular and political perceptions of gangs," remarked criminologist Jeffery Fagan, professor, School of Criminal Justice at Rutgers University, in an April 9 Institute of Politics seminar entitled "Gangs: Causes, Consequences, and Action," cosponsored by the Maurice Falk Medical Fund and the University of Pittsburgh School of Social Work.

Helping Dr. Fagan examine the causes, consequences, and actions of gangs were Pittsburgh Police Chief Earl Buford and James Allen, an outreach supervisor for the Homewood-Brushton YMCA. The seminar was moderated by David Epperson, dean of the School of Social Work.

"Gangs are nothing new," Buford noted, adding that prior to the 1980s gang membership was viewed as a transitional phase that some youth went through on their way to adulthood. Now, according to Fagan, "gangs are seen as organized and manifest power."

In an attempt to explain why gang membership has changed from a transitional phase to a more permanent lifestyle—and why gangs have changed from those found in *West Side Story* to the kinds of violence that we are seeing now—Fagan cited original research.

According to Fagan, the major cause of growth of violent gangs is the loss of wealth in American cities and lack of opportunities for inner-city residents. His research showed that people who belonged to gangs in the 1960s left gangs when they had a viable opportunity. In these cases opportunity tended to mean a job, education, or training. "Instead what we are now seeing is a persistent problem of intergenerational poverty," and changes in the economy have "systematically cut gang members off from society." Fagan cited data from a longitudinal study that showed that violent gang activity was correlated to economic downturns in a community rather than to the invasion of crack cocaine.

According to Fagan another major cause of the rise of violent gang activity is "disruption of intergenerational links." Changes in neighborhood makeup, resulting from white flight and subsequent out migration of middle class African Americans, created a void in youths' development. Young people no longer have role models, older people looking after them, and "people who could teach them the ropes."

It is also not true, Fagan said, that gangs migrate from city to city. In fact, studies indicate that when gang members do migrate it is within 100 miles of their home city—which dispels the myth the West Coast gangs are setting up East Coast counterparts.

While drug selling is often an aspect of gang activity, it is not the sole purpose nor the *raison d'etre* of gangs. Data suggest that there are as many drug dealers who are a part of gangs as there are dealers who are not.

Fagan warned that some of the controls that we place on gang activity ultimately can perpetuate it. For example incarceration—"When someone has a prison record it closes them off from the labor market. So that some of the measures that we have taken to secure our neighborhoods have cut off work.

"It is important to put gangs into a wider context. Gang formulation grew out of a depletion of social capital. Traditionally gang participation was a transitory process, and, to the extent that opportunities are cut off, people can not leave gangs," Fagan said. "We need to look at delaying entry and providing alternative structures to gangs, as well as addressing issues in other institutions such as schools and families."

James Allen, outreach supervisor for East Liberty, Garfield, East Hills, Wilkinsburg, and Homewood systematically illuminated the world of many young people. Citing statistics, Allen reminded the audience that there are 7,000 successful teen suicides each year in Pennsylvania and 400,000 attempts. The leading cause of death for teenagers is accidents, homicide, and suicide—all strongly correlated with drug use. One third of all kids in urban areas have no health care and 12 percent live in poverty. According to Allen, these conditions have made young people very angry. "They experience a lack of self esteem, especially at school, and they live in a world where only the strong survive." Conditions such as these encourage gang formation.

Talking about solutions, Police Chief Earl Buford indicated that "we need to control kids." We need to involve parents in children's lives and help parents to break the cycle of their own poverty.

Arguing the need to put things in perspective, Buford claimed that "approximately 5 percent of all kids who are in trouble are constantly in trouble—and we need to address these kids so that they do not rob other youth of resources." According to Buford, these 5 percent are "unsaveable" and it is unfair to the other 95 percent of at-risk youth to devote attention to these kids. "That individual who is a leader and organizer of gangs is a dangerous individual who needs to be put away," said Buford. The solutions he advocates are youth boot camps for offenders, community oriented police, and cooperation among police and social service agencies.

All three panelists talked about the influence of crack on American cities. According to Buford, crack came late to Pittsburgh. Prior to 1988 the drug of choice in Pittsburgh was heroin. Unlike crack, which stimulates its users, heroin makes users passive. Crack users are agitated and can be violent. In addition, according to Fagan, it is easy to get into selling crack because it requires very little up-front investment.

Buford indicated that the accessibility of crack, movies that glorify gangs, and rap songs which send a clear message that trafficking drugs is OK, and quitting school is OK, are some of the factors that have made gangs socially acceptable. These are some of the influences that police, service providers, and elected officials must address. ¶

A YOUTH WITH A GUN IN HIS HANDS IS DANGEROUS

Chief Earl Buford On Gangs

BY ELIZABETH BECK

"In order to reduce gang activity and violent crime we need to address the problem of drugs and guns in our cities," Pittsburgh Police Chief Earl Buford said in an interview following the Institute of Politics seminar on gangs.

According to Buford violent gang activity is spawned by drugs and guns, "and cities need resources to combat the availability of drugs and guns in order to reduce crime and end violent gangs."

To illustrate his point Buford explains: "Prior to 1989 there were gangs in the city, but they were not violent gangs. The old gangs fought with fists or tire irons. The new gangs fight with guns. If all of the guns were taken away, teenagers would still fight–but not with the same outcome.

"Law enforcement is not opposed to individual's constitutional right to bear arms; in fact, law enforcement recognizes that right," he continues. "What we do oppose is the types of arms that

youth use and the easy access youth have to them."

Buford characterizes violent gangs found in Pittsburgh as copy-cat gangs. "They copy off things that they witness and anything that is related to the Cripes and the Bloods is copied by youth in our area. They find out about the Cripes and the Bloods through media, video, movies, and hard rap songs that say it is OK to destroy public property, drop out of school, be a gangster, and sell your mother or sister on the street." Buford warns that there are very few countervailing forces that tell these kids that these things are not OK.

Although local gangs are copy cat gangs and law enforcement has not found any direct link between the Cripes and the Bloods and Pittsburgh gangs, Buford comments that any youth with a gun is dangerous.

According to Buford, fewer than one percent of juvenile delinquents are involved in gang activity, and less then five percent of youth are delinquent. However, "that one percent can hold the adult population hostage," Buford says. "These are youth trying to make a name for themselves and get attention from crime. It is a problem when a violent occurrence is shown by the media as a major event because it gives recognition to both the gang and the individual."

Pittsburgh does not have the same level of violence found in demographically similar cities, and Buford does not believe that the gang problem will get worse in the city. His optimism is based on the development of policies and initiatives "to bring Pittsburgh in to the 21st century with a comprehensive prevention and enforcement strategy." Success is based on targeted initiatives in which "you direct a program and concentrate on that area." To Buford, individuals, neighborhoods, and specific enforcement strategies all require targeting.

Buford outlined major policies that have been adopted to promote public safety:

- The formation of a task force with the city police, the county police, the FBI, and the Masloff administration "to address and nip in the bud all potential organized gang activity in the city." ("One of the first things that the task force did was end the rash of convenience store robberies.")
- The formulation of a gang and drug suppression unit. ("We felt that the 99 percent of youth not involved in violent activity needed to learn more about why they should not become involved.")
- The targeted approach taken under operation Weed and Seed. Since its inception nearly two years ago, this federally backed program has helped to arrest almost 200 drug traffickers. Its success is based upon its mandate to develop comprehensive enforcement and human-service strategies in targeted high-crime areas. Law enforcement works to weed out criminals and human-service agencies then seed the area with programs that address some of the systemic reasons for growth in crime rates. (Buford also advocates strong community-based economic development and sees community development corporations as serving important economic and social functions.)
- The advent of Community Oriented Policing, which holds great promise for Buford. The central idea of Community Oriented Policing is the relationship between the police and residents. Under Community Orienting Policing each officer will be assigned a neighborhood and will be given the resources to address problems in that neighborhood. In July 50 officers were assigned to neighborhoods; in November 33 officers will be assigned to the remaining neighborhoods. (Buford believes that Pittsburgh is ideal for this initiative, because of "the strong sense of community that exists in the city and a history of police working with citizens for crime prevention programs.")

Buford also advocates development of after-school programs that target youth who are not in trouble with the law, and youth boot camps for youth who are.

Governor Robert Casey has indicated that he wants to create at least four such camps. Buford believes that these camps can "capture those youth that have fallen off the track."

In boot camp they will be taught a number of skills. "We know that when they leave they will leave drug free, educated, with a skill such as bricklaying—removed from negative peer pressure and given the opportunity to develop positive friendships and role models. They will be given a chance."

Delinquency And Opportunity

An Interview With Hunter Hurst

By Elizabeth Beck

"We can not look for quick fixes" to solve the problem of kids and gangs, said Hunter Hurst, executive director of the National Center of Juvenile Justice. "Programs that put emphasis on innovation and immediate returns are often antithetical to success. Instead we need to understand that young people who engage in criminal behavior need real and long-term intervention."

Young people need to have alternative opportunities to gangs, Hurst said. "There is a theory of delinquency and opportunity that says *for young people not to be delinquent they need to have legitimate opportunity for success and motivation.* We need to make sure that opportunity and motivation exist."

It is also important, said Hurst, "that youngsters have someone in their lives that will transmit the basic values of this culture to them and assure them that they have the capacity to perform in society. Adults have to perform caregiving roles as well as provide emotional substance and character development."

According to Hurst, an important intervention strategy involves the development of parenting skills. "We need to make sure that young people understand what is involved in having and raising children—and that parents understand that they need to transmit law abiding values to their children as a method of keeping them out of prison or the morgue."

Other intervention strategies include the expansion of early education programs such as Headstart and movement away from mega schools so that closer personal contact can occur between students and adults. In addition, said Hurst, "We need to make sure that schools hire qualified professionals and pay them as such. We also have to look at apprenticeship programs for those students who are not going to be scholars."

Hurst warned that we need "a healthy skepticism about our ability to repair every damaged child." Hurst agrees with Pittsburgh Police Chief Earl Buford, who contends that five percent of the criminals are non-rehabilatatable and ought to be removed from the rest of society. "This is a difficult thing for many people to say," Hurst acknowledged, "because it implies that the system is not working.

"Even if we locked up the most violent five percent of juvenile offenders, we still would not touch all crime—and the only way to do that is through primary prevention."

HATE CRIMES

Problems And Remedies

By Tess Heintze and Suzanne McDevitt

Hate crimes and hate groups are a growing national phenomenon, but Pennsylvania seems to be particularly fertile ground for their development.

Richard Anliot, research director of the Pennsylvania Human Relations Commission, says that there are 39 different hate groups in 55 locations throughout the state. Most of these groups fall into three categories—Ku Klux Klan, Skinheads, and Christian Identity.

According to Anliot, who believes that Pennsylvania has developed a "rich soil of frustration and anger," the presence of hate groups may reflect the financial hardships that accompany a declining economic base.

George Simmons, regional director for the Pennsylvania Human Relations Commission, contends that lack of information about the causes of hate group formation is a primary obstacle to the prevention of hate crimes. "No one is assigned to study and analyze the root causes of this behavior. Most law enforcers must direct their attention towards the law breakers and the victims—we do not have the time to study the causes of these crimes. We, as a society, have been reliant on the media for information. The media sum up situations too quickly, and often too inaccurately, to provide real information. Yet the public will believe them."

In the absence of prevention, many states have enacted laws that enhance the penalties for crimes in which the victim is selected because of race, color, or some other characteristic. Such laws recently received a boost in the Supreme Court ruling *Wisconsin v Mitchell*, upholding the use of statements as evidence in the conviction of an individual in a bias crime.

The distinction between this ruling and previous ones, explained Richard Seeburger, acting dean of the University of Pittsburgh law school, is that a statement that establishes motive can be used as evidence in the prosecution of a hate crime. Previous cases, which were not upheld, would have criminalized speech itself. Yet, cautions Seeburger, the biased statements must clearly relate to the crime. If an individual says something anti-homosexual and five years later murders a homosexual, the statement could not be used to seek an enhanced penalty.

> "ALL CITIZENS DESERVE PROTECTION UNDER THE LAW"

Seeburger advises that legislators drafting a statute need to be aware of the importance of including any possible group that could become the victim of a hate crime. Failure to include a group or category could lead to later problems in prosecuting cases. This happened in a July 1993 Allegheny County case involving a cross burning.

To remedy one such omission in the Pennsylvania Ethnic Intimidation Act, State Senator Michael Dawida is sponsoring a bill in the Senate to incorporate sexual orientation into the current statute. The groups of people currently covered are those distinguished by race, color, religion, and national origin.

"All citizens deserve protection under the law," Dawida comments. "Even those who feel that the lifestyle is inappropriate, don't believe in violence. They are generally not willing to speak out against protection, whatever they may feel privately. Many just wish the issue would go away."

Dawida is not expecting the bill to pass the legislature easily.

"Within the gay and lesbian community there is some dispute as to how protection should be achieved," Dawida points out. "This may prevent passage.

"The sides are drawn along urban center lines. In Philadelphia they [members of the gay community] are intent on a more broad-based change in the law. They want to be recognized as full citizens with all the rights of the mainstream society; they want more than the protection against physical violence that this bill would bring. The Pittsburgh community feels that this extension to the Ethnic Intimidation Act is easier to achieve, easier for the mainstream to support."

A basic question about laws such as the Ethnic Intimidation Act is their influence on behavior. "The law will not prevent gay bashing in and of itself," Dawida acknowledges. "It won't change people's feelings. But it is a tool for lawmakers."

Simmons concurs: "Laws cannot change attitudes, but they can punish perpetrators. They are one tool to eradicate racism and discrimination." Simmons calls laws a key element in a systematic approach to the societal problem of hate crime. "Without this act there would be very little done about hate violence."

Dawida believes that if a policy is not clear-cut it allows people to give vent to their lower impulses. He contends that a clear policy statement will lead the way to better behavior. "People tend to obey the law, so even a weaker law has some effect. This law will at the least slow this behavior, if not eliminate it."

Simmons says more must be done "to raise the level of awareness of all forms of discrimination and the attendant violence that exists." He comments that education and awareness are vitally important in the fight against hate crime. "Law enforcers, such as the police, need to recognize hate incidents when they occur, and they also need to understand when they can enforce the appropriate anti-hate crime laws. They need to react appropriately to these crimes. Proper training can help them do this. It is now mandatory that police receive training about ethnic intimidation."

Police districts are now required to report hate incidents to the state police and the federal government, Simmons points out. Yet reporting by itself is not enough. "People need to have confidence that something will be done. Without education, and without the protection of the Ethnic Intimidation Act, victims may tend to take matters into their own hands. Even worse, both victims and the general public may just feel that this is the way life is, that ethnic violence is acceptable."

Causes, Consequences And Action

BY TESS HEINTZE

On April 16 the Institute offered a seminar on hate crimes—a pervasive but by no means new problem in society. As moderator Philip Hallen declared, "Hate crimes are not a modern problem—there has been repression as long as people have been living together."

Have the number of hate crimes risen across the country? The seminar's first speaker, Joan Weiss, from the Justice Research and Statistics Association, sought to answer this question. Weiss said the problem is extremely difficult to resolve, because, although government has collected statistics since 1981, hate crimes are under-reported by the victims and the police. Although the rate of reporting is increasing, the count is not complete—and this may give a skewed picture of hate incidents and their perpetrators.

Trent Hargrove, chief deputy attorney general of Pennsylvania, the seminar's second speaker, said there are a number of reasons why police and victims do not report hate-related incidents. On occasion, the police simply do not recognize that a crime is motivated by the hate of a group. Often they choose not to recognize this motivation. Authorities may not want the stigma of hate crimes associated with their region, Hargrove speculated. Or the justice system may not want to impose on a very young perpetrator the harsher penalties associated with hate crimes. On the other hand, victims may not report a hate incident because they do not want to be recognized as victims—or because they do not trust the authorities. As a result of the apparent under-reporting, statistics about hate crimes most likely are inaccurate.

Hargrove said that despite the publicity that hate groups receive, most hate crimes are committed by individuals, mostly young men. These individuals most commonly select African Americans or homosexuals as their victims. While it is difficult to determine the number of hate crimes committed against homosexuals (sexual orientation is not a reportable category of hate related incidents under current law), current data do tell us that women and whites are increasingly becoming the targets of hate crime.

In general, Weiss believes that "the rate of incidence of hate crimes depends on the make-up of the community; if the potential victims are not present in the community then the problem will not occur." If a targeted group has either a very small or very large presence in a neighborhood, hate incidents are not likely to occur; incidents occur when the group is of moderate size. This implies that problems are less likely when new groups move into a neighborhood than they are later, when the minority population has risen.

Hargrove believes that Pennsylvania can expect an increased rate of hate crimes because it has been identified as "one of the prime states in the country for recruitment into hate groups." He identifies the five major groups operating in Pennsylvania as the Posse Comitatus (who hold that all politics should be local, with the local sheriff as the top elected official), Skinheads, Neo-Nazis, the Ku Klux Klan, and the Aryan Nation. Most are based in the northeastern part of the state, around Allentown and Bethlehem.

Hargrove advocates a public-policy approach to hate crime. He says information about current laws should be broadly disseminated, challenges to current law should be strongly defended, and the law should be extended to cover sexual orientation and incidents of institutional vandalism motivated by hate. He adds that if current laws cannot prevent the spread of organized hate groups, 'time, place and manner' restrictions should be placed on their marches and leafleting activities.

Why do hate crimes occur in our state and nation, and why do they seem to be increasing? Weiss contends that our society condones discrimination, that it is often violent and intolerant. In addition, the minority population is increasing, and as a result the number of potential victims is growing steadily larger. These factors create an environment where violence against individuals, simply because of their membership in a particular social group, is both ongoing and almost acceptable.

Current social conditions notwithstanding, Weiss believes that methods exist to halt the violence. They fall into three categories: prevention, intervention, and public policy. To prevent hate crimes from occurring Weiss advocates education for police, children, and youth; intervention for youth at risk of committing hate crimes; and public policy based on a clear view of the problem and a societal commitment to solving it.

Richard Seeburger from the University of Pittsburgh's School of Law underlined some constitutional difficulties that surround public-policy solutions to hate crimes. Seeburger contends that there is an inherent conflict between individual liberties and group rights. To gain liberty we restrict the power of our government through our constitution. This means, however, that it is difficult to ensure the rights of social groups through anti-hate-crime laws. These laws, which restrict the liberty of others, may be declared unconstitutional under the First Amendment. Seeburger says that we can regulate the time, place, and manner of hate group's dissemination efforts, but cautions that these regulations cannot restrict the content of the information being spread.

According to Seeburger, only two types of anti-hate-crime laws exist: those that create new penalties against hate crimes and those that enhance existing penalties. Neither readily pass the constitutional test.

Seeburger cited *R.A.V. v St. Paul* as the first case in which new penalties were challenged. In this case the Bias Motivated Crime Ordinance was declared unconstitutional as a restriction of speech under the First Amendment. In *Wisconsin v Mitchell,* an enhancement law (increasing penalties for crimes in which a victim is 'maliciously selected' on the basis of his membership in certain social groups) was struck down by the Wisconsin Supreme Court. Although the Wisconsin high court ruled that the enhancement law punished thought, the U.S. Supreme Court recently overturned its decision.

Any solution to the problem of hate crimes—education, intervention, or public policy—will not be easy to devise or implement. As Weiss concluded, to stop hate crime demands the commitment of all "to perform according to our dreams." ¶

Pennsylvania Growth In The 1990s

Vision or no Vision?

By Elizabeth Beck

"The issue confronting elected officials is not 'Will Pennsylvania grow?' The issue is whether it will grow with a vision or without one," Representative Pat Carone said in her opening remarks at the May 14 Institute of Politics seminar on land-use policy, cosponsored by the University of Pittsburgh Graduate School of Public and International Affairs and funded in part by a donation from Duquesne Light Company.

Few issues affect us as greatly as land-use issues, moderator Robert Freeman stated. Freeman, a state representative who chairs the 1993 House select committee on land use management, said that the way a society uses its land makes an impact on how a society lives, works, and plays. The select committee has released a comprehensive plan that tackles pertinent problems—such as congestion, over taxation, and loss of green space.

Area settlement patterns and associated issues were described by opening speaker Raymond Reaves, director, Allegheny County Planning Department. Reaves indicated that although the population of the county has declined by 10 percent, there has been a 77 percent rise in travel. Explaining that there are hidden costs associated with poor land-use planning, Reaves cited the example of government aid for damage caused by landslides.

State Representative Ellen Harley from Montgomery County, a panelist for the seminar, commented: "Growth management and land-use concerns do not sound like sexy issues until one is caught in a traffic jam or watches a mall go up in their backyard."

Harley, a member of the 1993 House select committee on land use management, added, "The fact of the matter is not whether Pennsylvania has a good plan or a bad plan; the fact of the matter is that Pennsylvania has no plan. PLAN in Pennsylvania has been considered a four letter word. And without planning we will look like the New Jersey Turn-

pike."

Harley described the report issued by the select committee as a visionary document. It attempts to solve some of the problems associated with the current state of land-use planning by enhancing communication among areas, requiring consistency among areas, and ensuring that required upgrades in infrastructure are concurrent with the overall development plan.

"The report attempts to generate a top-down and bottom-up approach to planning," Harley said. While placing the bulk of control with local entities, the plan requires localities to communicate with one another and follow the broad outline of a state plan. The state plan would be adopted as part of the budget process, Harley explained. To help develop broad policy, the state would gather data, monitor trends, and review local development proposals. Harley believes this assignment of responsibility will cut down on the current phenomen of "the tail wagging the dog."

According to Harley, one of the major problems with planning in Pennsylvania is a lack of consistency. "Because municipalities do not have to talk with each other," she says, "there is no consistency of vision." However, issues such as improved air quality, preservation of open space, and equitable taxes cut across municipal boundaries and are regional in nature.

The select committee report calls for the development of a "Regional Authority that will assist counties in drawing up regional plans and moderate disputes between counties." The recommendations contained in the report are designed to give power to local governments, because "they have their pulse on the thumb of the community," while at the same time implementing planning that spans community and county boundaries.

The final issue that Harley addressed was concurrency. She explained that "concurrency is the notion that infrastructure and public services are in place before development occurs. Municipalities have to be able to pay for development."

Developer Murray Rust of Montgomery and Rust, Inc., responded: "As one who contemplates a development and already looks at a daunting list of existing obstacles, it is difficult for me to want to see another layer of management."

To answer the question, "Is another layer of management useful?" Rust turned to the New Jersey experience. "Since the New Jersey State Plan was initiated new housing starts have dropped from 60,000 to 11,000."

We have to be cautious when we look at imposing state control, Rust warned. "Despite the fact that the current recommendations of the report are not overly top down they could open up the flood gates for top-down management and strict controls."

Rust objected to the concept of concurrency delineated in the select committee report. "We already have concurrency in sewage, water, and transportation," he said. "We can't ask municipalities to build facilities based on what they may need. That is unrealistic. In the real world municipalities can't and won't do this."

On the issue of developing more standard zoning ordinances, Rust agreed with the concept as presented in the report. He suggested that model zoning ordinances should emphasize density building and cluster building. "We ought to group housing together to save natural space," suggested Rust. He agreed with the report's recommendation that urban revitalization should be encouraged—and Rust took this a step further and suggested that developers need help in making that a reality. He also supported the development of low-income housing and cooperation among municipalities.

Barbara Lawrence, a leading advocate in the development of the New Jersey State Plan, was the final speaker.

Lawrence, the executive director of New Jersey New Future, the agency responsible for implementing the plan, told the audience that unmanageable traffic, loss of scenic areas, and increased taxes prompted the development of a New Jersey plan.

A coalition that included housing advocates, the Bar Association, planners, civic leaders, and representatives from the League of Municipalities, was formed. According to Lawrence, The League of Municipalities was a crucial element. Municipal leadership realized that because they could not control neighboring development they could no longer control development in their own municipality.

The result was the State Planning Act, which works "to conserve, revitalize, and protect the environment and low-income housing." Although the State Planning Act was passed during a period of high growth, Lawrence believes that it is also relevant during low growth. "The state plan calls for a New Jersey that involves dynamic communities, diverse housing, compact communities with sidewalks, and efficient use of development funds, Lawrence said. "The plan is a policy plan."

Lawrence added that it took more than six years to develop the New Jersey plan. She cautioned that if Pennsylvania decides to develop its own plan it will be taking on a lengthy and controversial agenda. She indicated that it is important for such a plan to have wide acceptance. Public hearings and citizen input are important aspects of the process. And the process does not end with the development of the plan, Lawrence said. It is up to advocates to makes sure the plan is properly implemented.

According to Lawrence, the development of her state's plan has resulted in the creation of important coalitions and has given New Jersey a jump on ISTEA dollars and Clean Air Act requirements. "More importantly, in New Jersey since the enactment of the plan, we are seeing more planning and better planning."

LAND USE AND GROWTH MANAGEMENT IN PENNSYLVANIA

Representative
ELLEN A. HARLEY

was elected to the State House in 1990 to represent the 149th District. This district includes Upper Merion Township, the borough of West Conshohocken, and half of Lower Merion Township in eastern Pennsylvania. Harley serves on the health and welfare, state government, and urban affairs committees as well as the select committee on land use and growth management. She holds a master's degree in city and regional planning from the University of Pennsylvania.

QUESTION

What do you think is the major benefit of implementing the House committee's recommendations?

RUST:

One of the committee's recommendations is to introduce a statewide building code. At the current time each municipality either has its own regulations, or has none at all. Some of the existing codes are designed to limit the growth of new development. Communities with no regulations in this area have unprotected homeowners. Both of these discourage investment. A sensible, uniform statewide code, that was tied to a national code, would protect homeowners and developers alike. Such a code would be consistent with the safety and welfare of residents.

HARLEY:

Pennsylvania has over 2,500 municipalities. Land-use decisions are made by each municipality. Though some more populated counties have planning departments, these serve local municipalities in a strictly advisory capacity. Our recommendations, when implemented, require that municipalities communicate with one another. Clean air, clean water, traffic issues—none of these are solved at municipal borders. Cooperation between municipalities is crucial to solving the tough land-use issues. Solving issues of clean air, clean water, and other regional issues would be the major benefit of implementing the House committee's recommendations—which would be achieved by communication among all levels of government.

QUESTION

What is the chief drawback of the committee's recommendations?

RUST:

I am concerned about the possibility of strengthening the State Planning Board. Although the House committee has the best of intentions, and the results could prove positive, if it becomes just one more layer of bureaucracy it could be disastrous. In itself, this recommendation is not dramatic, but if the board is likely to run off and become a power in and of itself, I would be cautious about the possibility of increasing its authority. In addition, the state is so diverse that it will be very difficult for the board to take actions that are appropriate statewide.

HARLEY:

Developers have expressed the concern that a stronger State Planning Board will create another layer of bureaucracy in the system, yet it is they who are often frustrated by the differences in terminology and codes between municipalities. This state is unique in that it has over 2,500 different municipalities, each of which has its own set of regulations. One of the recommendations of the committee is to create uniform codes and terminology and to ensure consistency between state policy and city and county plans. This can only be helpful to developers. The emphasis of the state board would be on creating uniformity, rather than another layer of bureaucracy. It will ensure that everyone is reading from the same sheet of music and streamlining the regulatory process. It would ensure that all levels of government, as well as departments within the state, are working together rather than at cross purposes.

QUESTION

The House committee recommends (among other things) concurrency, that is, that the infrastructure and public services needed to support development should be available before such development is approved. What is your opinion on this?

RUST:

A policy of concurrency is almost impossible to achieve. There aren't many municipalities that are willing to build facilities in anticipation of future growth. They will build to suit present need. To require them to construct roads, sewer systems, and so forth for the mere possibility of development will impose a serious burden. For certain municipalities, concurrency will be a subterfuge to block growth. Logically, facilities follow people rather than vice versa. It is not practical to drive development beyond its logical steps. Furthermore, in other states, concurrency has been utilized with an expended definition of what constitutes infrastructure. Libraries, police stations, etc. have been added to the mix, making the problem even worse.

HARLEY:

Concurrency is the most controversial recommendation of the report. Concurrency is resulting based on the assumption that local municipalities should be allowed to plan their growth. Local authorities have little opportunity

to plan growth because developers have been able to develop land and then taxpayers are asked to foot the bill for the infrastructure. That's the "tail wagging the dog." This has occurred due to the unique land-use decisions made by state courts, and the curative amendments that were the result of these decisions. However, if a concurrency policy is in effect, local authorities can plan the direction of growth and construct facilities to meet these plans. Growth can only occur where the facilities exist, according to the comprehensive plan. This allows the local residents more control over the direction of growth.

QUESTION

What are the biggest issues facing developers today?

RUST:

The biggest problem today is in spinning the necessary web of approval for development. Many different agencies have to approve a proposal before actual construction can occur. The process is often complex and contradictory, especially in special situations such as, for example, occur when the conservation of wetlands is an issue. If a large development is under consideration, this approval process can be a multi-year affair. There can be huge financial outlays with the possibility of no return.

I have a concern that an enhanced State Planning Board would create an extra layer of bureaucracy that will complicate the process even further. What is needed is a one-stop shop that can grant all of the approvals that are necessary. Granting additional power to the State Planning Board might create a more harmonious system, and this may well be the intention, but good intentions can be perverted by the pressures and characteristics of bureaucracy.

HARLEY:

As I mentioned previously, the biggest issue for developers today is the lack of uniformity in terminology and building codes among municipalities, together with the inconsistency of plans and requirements. The recommendations of the committee attempt to solve this problem. In addition, many of the agencies involved in the development process such as the Department of Community Affairs, PennDoT, the DER, do not communicate with one another and thus developers find dealing with the system frustrating. A stronger State Planning Board can ensure that communication between these entities occurs, that there is uniformity of zoning terminology, and that these agencies of government become more responsive to local affairs, their residents, and developers.

QUESTION

What type of development and land use would you like to see in Pennsylvania?

RUST:

I would like to see planned residential communities created, where houses are located reasonably close together and open spaces are conserved. If these communities were located closer to the urban centers, if density of development was encouraged, we could shorten commuting time for many people. Facilities such as sewer and highway construction should be both efficient and esthetic.

In the Pittsburgh area, I would encourage better use of our rivers, but this will, of course, require substantial public investment. Ideally, given unlimited money, the disused steel mills would be torn down, the sites cleaned up and used for light industry, office complexes, or recreation.

HARLEY:

Pennsylvania needs economic revitalization, economic incentives to attract and retain business, rehabilitation of its housing stock, an affordable housing stock, preservation of its open spaces and farmland, excellent infrastructure, mass transit, clean air, clean water. We need to protect communities, and to create a sense of place for all Pennsylvania residents.

QUESTION

How can we best achieve this?

RUST:

Encouraging the development of planned residential communities is not an easy task. It could be partly achieved by adding specific requirements to zoning codes. It will also require education on the benefits of such construction. At the risk of sounding contradictory, education is something that a stronger State Planning Board could accomplish.

HARLEY:

By implementing the recommendations contained in the select committee report.

S. MURRAY RUST III

is the president of Montgomery & Rust, Inc. In its 21 years of existence, the company has been primarily involved in the design, development, and construction of planned residential development in Allegheny County. Rust has been active in the building industry, having served as president of both the Builders' Association of Metropolitan Pittsburgh and the Pennsylvania Builders' Association. He was also a member of the Development Panel of the Allegheny County 2001 Plan.

Sponsors Evaluate Internship Program

By Elizabeth Beck

Since 1991 The Institute of Politics has operated an internship program. The undergraduate internship experience combines a weekly seminar with nine hours of work in the office of a local elected official, administrator, or policy analyst. The program is directed by Anne Dykstra, Pitt's assistant director of commonwealth relations, and Robin Jones, coordinator of the Urban Studies Program. In a recent evaluation elected officials who have participated in the program commented on it.

"The students really come down here to work and learn, and they benefit the office as well as some of the specific projects that we have been involved with," said Pittsburgh City Councilman Gene Ricciardi.

Jamie Rooney, executive assistant to Congressman Bill Coyne, commented, "We like having interns; it's good for us and it's good for them. In a short time they almost become a part of our staff. Not only do they help us, but as a group they have been great people."

Senator Michael Dawida, a founding member of the Institute who has mentored six interns, said: "Through the internship program some very bright people are learning about the political process in the real world, and how government is run in the real world.

"This program works because of the high level of commitment from the University and field placement supervisors. Together they make sure that interns are given responsible work and are made to feel a part of a team."

As members of a team students perform a variety of functions and are exposed to a variety of situations. "They gain a sophisticated and realistic understanding of the political process and the world around them," Dawida said. "The essence of politics is the apportionment of resources—and by my way of thinking, the resources have to go to people who are in need. Sometime it is an eye opener for students to see real-life people with real-life problems."

If the essence of politics is the apportionment of resources, then a major function of government, according to Dawida, Ricciardi, and Rooney, is its ability to help people. Whether through constituent work or involvement in a special project, all Institute of Politics interns have been involved in helping.

Ricciardi comments: "The interns see what it is like to deal with a problem that means something to people—be it a pothole, a retaining wall, or issues facing the homeless themselves."

Early on this direct experience with people in need can be intimidating to interns, Rooney says. "If a constituent comes to us and they have been confused or intimidated, we are going to try to help. We don't want to aggravate them or make them more angry. The intern may feel pressure because the end result matters."

Dawida's personal experience as an intern in law school helped him gain an appreciation of the role of practical experience in learning. Dawida, a Pitt graduate, was an early advocate of the development of an Institute of Politics internship program "I was one of the people who antagonized Moe [Morton Coleman, director of the Institute] and other University people to start such a program," Dawida says.

Dawida, Ricciardi, and Rooney all are advocates of practical experience. Ricciardi cites one benefit: "The students are able take theory and practice and put them together in a real situation." Bill Fry, executive assistant to Ricciardi and an internship supervisor, adds, "In a University setting the problems that you are given to solve have real solutions. Here you learn that some problems do not have perfect solutions—and that the best you can do is come up with the best solution, not a perfect solution."

Another advantage to practical experience is its applicability. According to Rooney: "When a student drafts a letter to a constituent, that letter has a practical application and a closer deadline. There are consequences to our actions here that are very meaningful."

Students gain insight into the workings of a political office and all of the functions that it performs, and they also have an opportunity to explore and gain insight into political issues.

According to Dawida, one of the biggest issues facing the nation and commonwealth is the gulf between the haves and have nots. "The most disturbing trend in our society is that the haves are so much better off than the have nots—and it is creating friction at every level of government. Every single policy decision that we make is driven by this and it will create some interesting dynamics for the future.

"Society needs people with talent to solve the problems that are out there. Whether a student is interested in science, community organizing, or business, involvement in a program such as this will help them to be more thoughtful and well informed practitioners."

Whatever careers they enter, the interns can apply skills like organizing and leadership, which they learn in political offices. As Rooney says, "The practical experience that they gain in the office will help them ease into the transition to work. All of us can remember making that transition."

Throughout their experiences, Institute of Politics interns participate in the workings of a public office, gain insight into the problems of constituents, and observe the complexities of government and the issues that it will have to address in the future. The interns develop friends, resources, and plethora of memories. And sometimes they make miracles.

"I tell each intern that they are responsible for at least on miracle, and, so far," says Dawida, "each intern has achieved at least one." ¶

C A L E N D A R

Publications

Clarke Thomas is working on a forth publication in his series of occasional papers, ISSUES. The topic will be "Governance and Growth."

The FORUM is a new publication of the Institute. The first FORUM is a roundtable discussion among elected officials and academics on welfare reform.

On September 24

The international business committee will hold a seminar on work- based training.

On November 5

The fiscal committee will hold a seminar on fiscal policy and regional tax

In December

The education committee will hold a seminar on distressed school districts.

The Institute welcomes suggestions, questions, or reactions on programs. Please call Terry Miller 412.624.1837.

Institute Joins WQED In Public Affairs Program

The first of an informal series of public-policy programs produced by WQED, the Institute of Politics, and the Graduate School of Public and International Affairs will air this fall.

The first seminar, which will be produced in conjunction with the Health Policy Institute, will address health care. The discussion will center around the state's reaction to the national plan.

Health care was chosen as the first issue because "it affects everything and everyone, and next to the deficit is the most important issue on the national agenda," explained Mark Smukler, WQED station manager. Because of the statewide character of the issue, WQED has secured commitments from sister stations across Pennsylvania for air time. In an attempt to keep the issues timely, the coproducers have committed themselves to airing the show within 30 days of the unveiling of the plan. Sister stations will air within an additional seven days.

Smukler said that the program will attempt to get away from a technical discussion of the issue and look specifically at the questions that citizens will be asking, such as: "What kind of coverage will I get?" "What will it cost?" "Who is covered?" and "Who will pay?" One segment will outline the key points of the plan.

The new series is informal, Smukler said. "We are going to experiment as we go; we will try new formats, and a range of issues. We will be less directed by maintaining a program schedule and more directed by the subject matter itself."

In participating in this partnership WQED is working to keep an informed citizenry and is drawing on the expertise of the University. "From the station's perspective," said Smukler, "we are looking forward to a fruitful relationship with the Institute of Politics and a mutual partnership."

LETTER TO THE EDITOR

Maximize Riverfront Access

In his recent publication of *ISSUES*, entitled "ISTEA: A Different Kind of Highway Act," Clarke Thomas noted on pages 4 and 31 the efforts of the city of Pittsburgh to find a way of bringing the Mon Valley Expressway into the city which minimizes negative impacts. Fearing increased traffic congestion on the Parkway East and deleterious effects on neighborhoods, city planners have proposed (and apparently favor) a compromise of splitting the expressway in two, running the outbound traffic along the south shore at least as far as Duquesne. Thomas quotes Planning Director Jane Downing as saying, "Of course, we want people to get to town—hospitals, shopping. But we want to achieve it without a negative impact on the city." (page 31)

Apparently, Downing does not recognize that the proposal threatens to create a far greater negative impact on the city by placing a high speed expressway on BOTH riverfronts, rather than on only one. Planners since the early 1970s have realized that major transportation projects should no longer usurp lands that have the greatest potential for development. In the city of Pittsburgh and many of the county's river communities, the riverfronts are the greatest assets for future development. People want to live in cities with cultural and environmental amenities. Pittsburgh's best environmental amenity is its large amount of water and the enormous amount of land abutting the water. We now have the opportunity to reclaim the riverfronts and gain access to the water for commercial, residential, and recreational development.

Cities such as Chicago, Washington, Portland (OR), San Diego, or San Antonio, to name a few, have devised innovative ways to preserve their waterfront lands for maximum public access. Both the number of people using them and the adjacent commercial and residential development testify to the economic wisdom of their efforts. People like to work and live near water. Portland, for example, removed a four-lane highway from its central riverfront and placed it across the river on the opposite bank. The economic benefits accrued from the new riverfront access and park are obvious even to the most casual observer.

Pittsburgh cannot afford to squander this opportunity to nurture and develop the environmental asset that will most help to retain younger families and attract new ones for generations to come. The new highway must be planned to have minimal impact on the riverfronts. Where it must be close to the river, it should be designed to work sensitively with other uses of the riverfront. The proposed expressway would make the former LTV site less desirable for residential development and once again cut off the riverfront above the current river park from the South Side communities. Similarly, the communities of West Homestead, Homestead, Munhall, and Duquesne would lose their opportunity to reclaim access.

Given the region's topography and past development patterns, it is not possible to conserve all riverfront land; however, it is also not wise to spoil both sides of a river. Make the hard but visionary choice to locate infrastructure on one riverfront and conserve the other for the economic future of the region. Make one side for industry and infrastructure; leave the other for residential, commercial, and recreational development that complements access to the region's water amenity.

Edward K. Muller
Professor of History
University of Pittsburgh

LETTER TO THE EDITOR

Comment On ISTEA

I have several comments to make on the latest edition of *ISSUES* entitled, "ISTEA: A Different Kind of Highway Act."

(1) It is indicated on page 2 that, in Pennsylvania, everything must fit within the 12-year planning process mandated by the state. This is an area of contention. Specifically, will PennDoT need to modify its processes to meet the requirements of ISTEA? To date, they appear to believe that, where there is lack of consistency, the state law should prevail.

(2) Referent to page 3, a proposed busway project from downtown to Carnegie through the Wabash tunnel is estimated to cost $200 million. I believe the cost is closer to $300 million.

(3) On pages 4 and 31 it is indicated that various groups are working on a compromise solution of highways flanking the Monongahela River. This is a proposal by the city of Pittsburgh. I do not like this proposal because it will probably create more environmental damage than the original expressway. This is because of the nature of the construction process used by PennDoT. Two lanes on either side of the river will require additional shoulders and right-of-way width, which will cumulatively create greater environmental damage. In addition, their proposal calls for a highway to be located in the Nine Mile Run area of the city. This would create additional environmental damage.

(4) Also on page 4 it is indicated that environmental groups will be alert to ensure that the Mon Valley Expressway is more to their liking. This has not been the case with respect to the section between 70 and Route 51 as it affects Jefferson Township. The environmental and transit groups say that they are opposed but they have not been aggres-

sive.

(5) In reference to page 5, a collaboration effort between PennDoT and Surface Transportation and Policy Project (STPP) is mentioned. We have yet to see any result of such collaboration.

(6) It is mentioned, on page 27, that Bill Millar (executive director, Port Authority Transit) has several concerns. However I have concerns about his concerns. First, *re* his worry that environmentalists may go to court too soon and too often: How else do you stop a juggernaut such as the Mon Valley Expressway, which has no proven reason for existence? Second, with respect to the overelaborateness of planning, I believe that the mass transit system in this region has suffered because of the lack of planning. I don't believe that we have ever had a total mass transit plan which would provide a vision of a comprehensive system necessary to lure people from their automobiles. Such a system would be a comprehensive treatment of all transit modes, the role of transit in transportation demand management, park-n-ride, feeder systems, and dedicated funding. I believe that aspects of such a plan have been discussed over the years and I also believe that the Port Authority has shown itself to be very good advocates of project, and project managers. However, I do not think that we have what could be called a true transit plan for the region.

One impediment to preparing such a comprehensive plan is that we have relied on the Port Authority to tell us what we need with respect to transit. We have forgotten that the Port Authority is an advocate for itself, just as PennDoT is an advocate for building highways. I believe that the county made a mistake when it separated planning for transit, aviation, and roads. Instead, a single focus for such comprehensive transportation planning should be lodged in one place. Of course I propose that place be the County Planning Department. Wherever it is located, it should be able to evaluate, objectively, all modes and their relationships.

Yours truly,

Raymond L. Reaves
Director
Allegheny County
Planning Department

. . . Pitts On Governing

Continued from page 1

Although Wilkinsburg, like other East End bedroom communities, has lost ground to the outlying suburbs, Pitts feels that it compares favorably with many other Western Pennsylvania communities. He cites Clairton in comparison. Clairton has not only been declared fiscally distressed, it has also lost its police force. The school district has also been taken over administratively by the state of Pennsylvania.

Wilkinsburg has retained its police force and school system, and, Pitts points out, it has one of the few paid fire departments in Western Pennsylvania. Wilkinsburg also has one of the best municipal libraries in Allegheny County.

And action is being taken against the wave of drug-related crime the borough has suffered. Pitts reports that a series of recent meetings has brought together the district attorney, the attorney general, the local federal prosecutor, and other law enforcement agencies in the region, including the city of Pittsburgh police department. "Within the next few weeks we hope to take measures to address these issues," Pitts said in a July interview.

On a personal note, Pitts notes that he is presently the only African-American mayor in Western Pennsylvania but that both candidates in the mayoralty race in Braddock are African Americans and there are several in northeastern Pennsylvania.

After three and a half years in office, Mayor Bob Pitts has decided not to seek re-election. At age 66, he feels another four-year term would make it difficult for him to establish a new career following his public service. At the end of his term he will become the executive director of the National Organization of Minority Contractors and join the consulting firm of Pitts, Caldwell, Pitts and Associates.

On a bright spring morning the lobby of the borough building projects a small town atmosphere. Residents park in front to drop off books at the library. Someone stops by to pay a parking ticket. The police dispatcher sends out a car to investigate a complaint about an abandoned house.

The problems of drive-by shootings and gangs seem far removed in the busy Monday morning atmosphere. "I'm very optimistic that things are about to change," comments Pitts, on the steps of the borough building. "I have high hopes for a decent and beautiful future for Wilkinsburg." ¶

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PUBLISHED IN COOPERATION WITH THE UNIVERSITY OF PITTSBURGH DEPARTMENT OF UNIVERSITY RELATIONS. PR9684-993