



VIII. Patronage and Personnel Issues

Governor Baker promised during his campaign to end patronage, have the state inspector general audit hiring practices, and make state hiring fully transparent through an on-line website. None of these promises have been fulfilled. His attempts to reduce state payroll costs through early retirement incentives and a hiring freeze appear to have been selectively applied. Some state agencies' personnel costs, notably the State Police's, appear to be out of control. Some agencies have hired new employees and created new patronage positions. Baker has not only failed to live up to his campaign promises, but problems in hiring and oversight of employees represent serious management failures. Despite his claim to be a skilled manager, problems managing personnel have surfaced in multiple agencies time and again.

- A. **Governor Baker promised to root out patronage when he was running for Governor in 2014** and laid out a bold plan to do so. (Phillips, F., 5/25/17, "Candidate Baker proposed bold anti-patronage plan," The Boston Globe). He has failed woefully to fulfill this campaign pledge.
 1. **Multiple personnel scandals have occurred within the Executive Office of Energy and Environmental Affairs (EEA) under Secretary Beaton, a long-time ally of Lt. Governor Polito who faced questions about his qualifications for the job when Baker appointed him in 2014.** (Rocheleau, M., 8/28/18, "Reforms for police don't end pay deals," The Boston Globe)
 - a) **Members of the state's Environmental Police regularly perform overtime assignments and off-duty detail work in the middle of the workday, a practice Governor Baker promised to crack down on two years ago.** They also get paid for time spent traveling between regular and special work sites, and use time off to trigger overtime pay. An independent expert described these arrangements as poor management practices and ripe for abuse, double-dipping, and corruption. He also noted that he doesn't know of any other law enforcement agency that allows officers to split up their workday with overtime and private detail work. About half of the 83 Environmental Police officers earned over \$100,000 last year with overtime and private details that cost the agency over \$1.5 million. The head of the Environmental Police, who retired as a State Police sergeant in 2005, was Baker's personal campaign driver until Baker

appointed him to his current \$132,000 a year job. His overhaul of the management team at the Environmental Police appears to have violated agency policies, including the hiring of a law school classmate as his deputy. (Rocheleau, M., 8/28/18, "Reforms for police don't end pay deals," The Boston Globe)

- b) **Secretary Beaton created a new \$72,000 a year job at EEA and hired the son of a supporter of the Lt. Governor without posting the job or doing a background check.** The hiree's previous experience does not meet the EEA job description. Less than a year earlier, the hiree lost his job as a court officer after he was charged with operating under the influence of drugs, leaving the scene of an accident, refusing to identify himself to police, and resisting arrest. During that year, his parents made \$4,000 in campaign contributions to Polito and \$1,000 to Baker. **The Baker administration has refused to release the hiree's résumé or job application, an apparent violation of public records laws.** (Phillips, F., 5/9/17, "After arrest, son of Polito supporters lands a job in the administration," The Boston Globe)

- c) In October 2016, **two EEA staffers left after misconduct and harassment of a fellow employee over a political issue.** (Merzbach, S., 9/22/16, "Senate candidate's fiancée alleges intimidation at state agency," Daily Hampshire Gazette)

- d) **A series of patronage scandals occurred at the Dept. of Conservation and Recreation (DCR), reflecting that service to the Republican Party is the only hiring criterion that counts. Character and qualifications? Not so much.**
 - (1) In July 2018, the **DCR's \$71,000-a-year Assistant Director of Contracts (also a former Republican State Committee member) was placed on unpaid leave after she was indicted for stealing money from a client of her now-closed law firm.** In a related civil lawsuit, she admitted to stealing more than \$164,000. Her law license was suspended in 2014 and the MA Board of Bar Overseers is weighing disciplinary action against her for the third time in eight years. (Stout, M., 7/27/18, "Indicted DCR official placed on unpaid leave," The Boston Globe). **The Baker administration turned a blind eye to her checkered past.**
 - (2) In the fall of 2017, **a DCR appointee with ties to the Lt. Governor resigned after the educational credentials he claimed on his résumé were subjected to public scrutiny.** (Stout, M., 7/27/18, "Indicted DCR official placed on unpaid leave," The Boston Globe)
 - (3) In 2017, **DCR's Baker-appointed western regional director (also a Republican State Committee member) resigned from his \$91,000 a year job after pornography was found on his state computer.** (Stout, M., 7/27/18, "Indicted DCR official placed on unpaid leave," The Boston Globe)

- (4) In September 2016, **the DCR Deputy Commissioner resigned after he used his state vehicle and its emergency lights to cut through rush hour traffic in Boston.** (Metzger, A., 10/3/19, “Baker appalled by DCR official’s actions,” Commonwealth Magazine; Stout, M., 7/27/18, “Indicted DCR official placed on unpaid leave,” The Boston Globe)
 - (5) In August 2016, **the DCR Commissioner and his deputy were suspended without pay for a week after they engaged in inappropriate political activity using state resources.** (Metzger, A., 10/3/19, “Baker appalled by DCR official’s actions,” Commonwealth Magazine; Stout, M., 7/27/18, “Indicted DCR official placed on unpaid leave,” The Boston Globe)
2. Patronage is also business as usual at **the Dept. of Revenue (DOR). Commissioner Heffernan has hired a half-dozen friends, neighbors, and former co-workers with salaries ranging from \$90,000 to \$140,000.** In at least two cases, he created a new position for a patronage hiree. **Nonetheless, Heffernan has been promoted to Secretary of Administration and Finance.** (Phillips, F., 3/18/18, “State official gave six-figure jobs to friends and neighbors,” The Boston Globe)
- a) **Heffernan hired a friend, neighbor, and donor to his failed campaign for state treasurer for a \$121,000-a-year job despite a hiring freeze. She does not appear to be qualified** to be associate deputy commissioner for administrative affairs and chief risk officer, given her previous experience as a securities trader and financial portfolio manager. The DOR job requires managing data security risks, an area of expertise the hiree does not appear to have. During her tenure, DOR has twice improperly disclosed proprietary or personal data; it has also made serious errors processing child support payments. (Phillips, F., 3/7/18, “Governor defends experience of IT tax official,” The Boston Globe)
 - b) **Heffernan hired four friends, neighbors, or former co-workers as deputy commissioners or chiefs of staff (salary: \$140,000), and a fifth as marketing and chief digital services director (salary: \$90,000).** (Phillips, F., 3/18/18, “State official gave six-figure job to friends and neighbors,” The Boston Globe)
- B. **When Governor Baker took office in 2015, he offered early retirement incentives and imposed a hiring freeze to reduce the state payroll and help balance the state’s budget.** This, too, was a hollow promise. The freeze did not prevent patronage hires. **Some agencies have not only hired new employees despite the hiring freeze, they have even created new patronage positions.** For example, the Dept. of Revenue (DOR) has hired half a dozen employees, friends and neighbors of the DOR Commissioner, at salaries of over \$100,000 (see

details above in item A.2).

1. While **Governor Baker promised to control state payroll costs**, at certain state agencies employee salaries of more than \$100,000 and routine overtime are common. For example, **at least two-thirds of State Police employees were paid over \$100,000 in 2017, including 88% of state troopers. At Massport, in 2017, about 40% of employees were paid over \$100,000** (not including the state troopers who worked at Massport properties). That percentage is up from 27% in 2011. **At the MBTA, about one-third of workers are paid over \$100,000.** For sake of comparison, at most state agencies an average of 12% of employees are paid over \$100,000. (Rocheleau. M., 4/2/18, “Massport staff: 40% earn over \$100,000,” The Boston Globe)

- C. **Multiple personnel scandals have rocked the State Police, despite red flags and warnings earlier in Governor Baker’s term.** Forty-six current and former troopers have been accused of fraud for collecting overtime pay for shifts they did not work. Six have been charged with federal crimes; two have pleaded guilty. State charges are also being brought. The head of the State Police and three of his deputies resigned in a scandal over the alteration of an arrest report. A trooper was hired despite previous involvement in selling drugs and laundering money. She was later suspended and then resigned. (See section III of the full Baker Dossier at the PDM website for more information and details.) **In response to these problems and the failure of the Baker administration to address them adequately, the Democratic Legislature has initiated three independent efforts to oversee the State Police. The Legislature:** 1) created a \$300,000 independent State Police auditing unit within the Inspector General’s Office, 2) funded a \$300,000 study of the overall management structure of the State Police, and 3) created a special commission to recommend improved transparency and accountability in State Police personnel practices. (Rocheleau, M., 8/28/18, “Audit unit established to oversee State Police,” The Boston Globe)