

*i s s u e s o f*  
**D e m o c r a c y**



STATE AND LOCAL  
GOVERNMENT

*Adapting to Change*

O C T O B E R 2 0 0 3

VOLUME 8 NUMBER 2

# State and Local Government

## Adapting to Change

From the Editors

RAPID POLITICAL, social and technological change has been the hallmark of the early 21st century. From the war on terrorism to the advent of “e-government,” it has become clear that we live in an increasingly complex world. As social institutions struggle to absorb these changes, government at all levels is faced with adapting to new circumstances. Nowhere is this more clearly recognized than at state and local levels of government in the United States.

The U.S. Constitution assigns a number of powers to Congress. Among them are the authority to collect taxes, borrow money on the credit of the United States, regulate commerce with foreign nations and among the states, establish rules of naturalization, coin money, establish a post office, constitute tribunals or federal courts, raise armies, and “make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution.”

But nowhere in the Constitution does it ban the right of the individual states to write their own constitutions, form their own judiciaries, or legislate their own sets of laws. Left to the states, this freedom has produced wide and varied interpretations of what the states can do, not only in the laws passed by their legislatures, but also in the support of individual rights and liberties upheld by state judicial bodies. Carry this freedom one step further to the local level and one can see how governing councils in the smallest towns or mayors in the largest cities believe it is their “constitutional right” to govern their municipalities in the best way they see fit to benefit the people whom they serve.

Although federal government policies directly affect all citizens of the United States, state and local government policies establish a more direct, intimate relationship with their constituents and consequently often have a greater impact on people’s daily lives. Everything from administration of public schools

to garbage collection to parking regulations comes from this special relationship that state and local governments have with their citizens.

This journal examines the vital roles played by U.S. state and local governments and presents several case studies of how both governments and the people they represent are responding to the challenges they now face. The first two articles focus on state efforts at political, social, and technical modernization and the constituencies that are affected by these changes. Ellis Katz, professor emeritus at Temple University, provides an in-depth look at the methods that states have used to modernize, adapt to changes and forge policy on behalf of their local constituencies. Sharon Crouch Steidel, who is director of information technology for the Virginia State House of Delegates, offers a concrete example of this modernization in her article about e-government and its positive effect on the states and their citizens.

In addition to the social and technological changes that state and local governments must address, they have a crucial new role in protecting citizens in the wake of the September 11, 2001, terrorist attacks, as explained by Donald L. Plusquellic, the mayor of Akron, Ohio. Mayor Plusquellic describes the way cities, with help from the U.S. Department of Homeland Security, are developing teams of first responders and educating citizens to cope with possible attacks.

Finally, recognizing the importance of partnership in addressing the problems of the 21st century, staff writers Deborah M.S. Brown and Eric Green have interviewed two civic leaders who are building partnerships domestically and internationally. Brown speaks with Dennis Taylor, a director of the International City/County Management Association, about examples of

partnerships between American and international cities that address problems of mutual interest. Green explores the partnership between federal, state and local enforcement agencies in combating cyber crime in his interview with Utah State Attorney General Mark L. Shurtleff.

For more insight into how state and local governments and their constituencies are responding to the challenges of the 21st century, the journal provides bibliographic references for further reading and a list of useful electronic links.

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# Responses to Change by State and Local Government

## Contemporary Experiments in the Laboratories of Democracy

by Ellis Katz

"GOVERNMENT" in the United States includes not only the federal government in Washington, D.C., but also the governments of the 50 American states and the 30,000 governments in cities and other local communities (to say nothing of the governments of the 3,043 counties and nearly 50,000 school and other special districts). Given this vast number of governments—over 87,000 in total—it is not surprising that they are characterized more by their differences than by their similarities.

The American states vary greatly in size. California has nearly 35 million residents, and a gross domestic product of \$1.33 million-million. In 2001, California surpassed France as the world's fifth largest economy. On the other hand, North Dakota has a population of less than 650,000 and a gross domestic product of under \$20 thousand-million. Some states are growing rapidly. Between 1990 and 2000, the populations of Arizona, Colorado, Georgia, Idaho, Nevada and Utah all grew by more than

25 percent. At the other extreme, the populations of Connecticut, Maine, North Dakota, Ohio, Pennsylvania, Rhode Island and West Virginia increased by less than 5 percent during the same period.

Similarly, there is great variation among America's cities and other local communities. In 2000, there were nine cities with populations of over 1 million, led by New York City with a population of over 8 million. Some cities are growing rapidly, such as Austin, Texas, which grew by 41 percent between 1990 and 2000, while other large cities, such as Baltimore, Maryland, and Detroit, Michigan, actually lost population during the same period.

The one constant among American state and local governments has been their political, governmental and fiscal modernization as they all attempt to respond to the challenges of the 21st century.



Ellis Katz

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## The Modernization of State and Local Government

*Constitutional Modernization.* Under the U.S. Constitution, the states are free to write their own constitutions. In recent years, the states have used this constitutional authority to modernize their legislative, executive and judicial institutions.

During the first half of the 20th century, state legislatures generally met every other year for a limited number of legislative days. Individual legislators were poorly paid and had little or no staff support. Since the 1960s, however, many states have provided for annual legislative sessions, increased legislative pay, added professional staff support, and created more streamlined legislative procedure.

Two changes, both adopted in response to popular pressure, are especially noteworthy. First, many states adopted the “ballot initiative,” a system under which voters, by collecting signatures on a petition, can place an issue directly on a ballot to be voted upon by the citizenry in the next election. At least 21 states

have some system of direct legislation, and many important laws are enacted in this manner. Second, 17 states now have “term limits,” under which the number of years an individual can serve in the legislature is strictly limited, usually to eight years. Sixteen of these 17 systems of term limits were enacted by the ballot initiative process.

States have also used their constitutional authority to modernize and strengthen their chief executives, the governors. The earliest state constitutions were wary of executive authority and created very weak governors. Beginning about 1965, most states strengthened their chief executives to enable them to provide public and legislative leadership. Governors were given four-year terms, their veto powers were strengthened, their powers of appointment were increased and their control over the state budget was strengthened.

Using their new constitutional authority, state governors have become policy leaders, and have taken the initiative in formulating new programs in education, welfare, economic development, criminal justice and even foreign trade. For example, when he was governor of Texas, President George W. Bush made education a high priority, and successfully advocated an increase in teacher salaries to attract more qualified people into teaching, and a new reading program which led to significant increases in reading scores. Former Governors Lamar Alexander of Tennessee, Wallace Wilkinson of Kentucky and James B. Hunt of North Carolina played similar leadership roles in education reform in their states. In Wisconsin, former Governor Tommy Thompson led the fight for major reform of his state’s welfare system. Much of the federal Family Support Act of 1988 borrowed heavily from the Wisconsin experience.

The states have also modernized their judiciaries. Historically, state court systems were a hodge-podge of local courts created and financed by local governments. Many states did not have intermediate appellate courts and state supreme courts were often overwhelmed by thousands of appeals. During the 1970s and 1980s, many states streamlined the structure of their court systems, developed state-wide personnel systems, increased state funding, created administrative offices for the courts under the control of the state supreme court and centralized rule-making authority in that court. State supreme courts were given more control over the cases they heard, enabling them to decide only the most important cases that arose under state constitutions or state law. Many state supreme courts have been very active in protecting individual rights and liberties, often holding that their state constitutions protect rights that go beyond those protected by the U.S. Constitution.

Local governments have also been modernized and reformed. Legally, local governments are created and empowered by the states, and can exercise only those powers clearly given to them by the state legislature. About half the states, however, have adopted “home-rule” provisions for local government. Under home rule, local governments can exercise all powers not prohibited to them. This has given cities a great deal more flexibility in meeting present-day challenges. In addition, many smaller cities have hired professional city managers to run the day-to-day operations of government on a non-partisan basis.

By the end of the 1990s, most state and local governments had at least the institutional capacity to respond to the challenges of the 21st century. How effectively they could respond,

however, would depend on the modernization of their political and fiscal resources in pace with their constitutional modernization.

*Political Modernization.* Before 1962, many state legislatures were dominated by rural interests and a network of white, male citizens. This was because state legislative districts were apportioned in such a way as to favor rural constituencies and under-represent urban and suburban ones. In 1962, the U.S. Supreme Court ruled that this sort of malapportionment violated the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution, and held that state legislative districts had to be equal in population—the principle of “one person, one vote.”

Compliance with the Supreme Court’s decision brought about a fundamental change in state politics. Urban and suburban voters were now better represented in state legislatures, and the states were forced to address the problems of urban and suburban life. Reapportionment also brought a new breed of political activists into state politics. Legislators were younger and better educated, and the proportion of women, African Americans and Hispanics increased significantly. In 2000, of the 7,424 members of the 50 state legislatures, almost 1,500 were women, 520 were African American and 150 were Hispanic.

The second important political change since the 1960s has been the increase in competition between the Democratic and Republican parties in almost all of the states. For the better part of 100 years—from the 1860s to the 1960s—the political parties each had a regional political base: the Democrats in the South, and the Republicans in New England and the Midwest. The states of these regions



were so dominated by their respective parties that they were, in fact, one-party states, and the opposition party had no real chance of winning elections. Reapportionment, however, increased party competition, so that by the year 2000, either party had an almost equal chance of winning any given election. The closeness of the 2000 presidential election in Florida is an example of this increased party competition.

Reapportionment is not the only reason for increased party competition in the states. The federal Voting Rights Act of 1965 brought about increased voter turnout by African American and Hispanic voters, and their increased participation has led to an increase in the number of minority candidates winning elections. By 1992, for example, 4,557 African Americans and 1,908 Hispanics were serving in elected city council and county offices throughout the country. Women also were elected to local offices in increasing number. In 1975, there were only 35 female mayors in America's larger cities; by 1995, that number had increased to 178.

Increased party competition has brought new issues to the forefront, as the two major political parties are forced to compete for the votes of nonpartisan, independent voters. Such issues as environmental protection, and honesty and transparency in government, were rarely raised in the old one-party systems that existed prior to the 1960s.

Big-city politics have also changed. Historically, political bosses and political machines ran local politics by giving out jobs and government contracts in return for political support. Gradually, the political bosses were replaced by reform-minded leaders who successfully battled against political corruption, and replaced the old-style political machines with nonpartisanship and civil service. The last great politi-

cal machines, located in Chicago, Illinois, and Albany, New York, disintegrated after the deaths of their leaders, Chicago Mayor Richard J. Daley in 1976 and Albany Mayor Erastus Corning in 1983.

*Fiscal Modernization.* During the 19th and early 20th centuries, state and local governments relied upon property taxes for most of their revenues. As citizen demand for public services increased, most states adopted broad-based sales and income taxes. By the 1990s, sales taxes and income taxes represented over 70 percent of state tax revenue. Taxes on sales and income have the advantage of automatically increasing with economic growth. As the economy expands, sales and personal income increase, so that state tax revenues expand accordingly. On the other hand, in bad economic times, such as the early 2000s, many states suffer budget deficits. For example, the mega-state of California is facing a \$35 thousand-million deficit for 2003. The problem is widespread: 47 of the 50 states anticipate deficits for fiscal year 2003.

Local government in the United States remains heavily dependent on property taxes, deriving approximately 75 percent of its tax revenue from property taxes. The fiscal capacity of local government has been undermined by property tax limitations, often mandated by constitutional amendments enacted through the ballot initiative process during the 1980s and 1990s. The resulting challenge to local budgets has been met in three ways. First, so long as state tax revenues were increasing, the states were able to increase their aid to local governments. Second, several states allowed local governments to enact new taxes. Pennsylvania, for example, empowered the city of Philadelphia to

enact a one-percent sales tax and a limited wage tax on its citizens. By far, however, the most important response to local budget challenges has been innovation and cost saving in service delivery. In the name of “reinventing government,” many local services were privatized, new labor agreements were negotiated and fees for governmental services were increased to meet the real costs of the service.

The adoption of broad-based state systems of taxation and the fiscal stress of local government have affected how public services are delivered in the United States. For example, in California, when a popularly enacted initiative reduced local property taxes, affecting the capacity of local communities to support public schools, the state increased its contribution to public education. As a consequence, in a matter of only a few years, the funding of public education in California changed from approximately 70 percent local and 30 percent state to about 70 percent state and 30 percent local. Local fiscal stress has forced local governments to become innovative. When Edward Rendell was elected mayor of Philadelphia, Pennsylvania, the city faced a budget deficit of \$250 million. Rendell turned to local private sector executives for cost-cutting ideas, and within two years the budget was back in balance, due in part to the business-orientated recommendations from the private sector. Boston, Massachusetts, has also had similar success in adopting business-like practices from the private sector.

## State and Local Government Innovations in Public Policy

*Education.* Public education is a good case study of how the states are playing an increased role in public policy. On average, U.S. states devote almost 30 percent of their budgets to education, the largest single item in most state budgets. As state spending for education has increased, the states began to play a larger role in education, holding local school districts accountable to state standards. Most states now require periodic testing of students to mark the progress of learning. When students fall below state standards, the states require special remedial programs, and, if all else fails, the state can even take over the actual day-to-day operations of an under-performing school district. Many states also require the testing of teachers. Historically, teachers were certified to teach by completing state-approved programs of study in universities. In response to a public perception that there were too many incompetent teachers, many states now require that prospective teachers demonstrate their competency through testing before they can be certified to teach. Several states go further and require that teachers undertake programs of in-service training and continuing education in order to maintain their certification.

Testing is not the only state innovation to improve education. Many states are experimenting with limited privatization in the provision of education services. Several states, for example, provide tuition vouchers or tax deductions to enable students to study at non-public, private schools. For instance, in Pennsylvania, a limited number of public schools in Philadelphia are now operated by outside, private agencies. Many states have also authorized “charter schools,” schools operated by parents’

groups and others within the framework of the public school system. However, the results of these experiments in privatization have yet to be fully evaluated.

The states have initiated many other innovations in education, such as governance issues. For example, Kentucky has mandated parent-teacher councils attached to every school building. These councils have significant authority over budget and curriculum decisions. Other reforms attempt to improve the quality of education in specific disciplines. North Carolina, for example, in an attempt to improve science education, provides opportunities for the most gifted students to study science at local colleges and universities. To bring practical experience into classrooms, the state of New Jersey permits individuals retired from the military, business and government to teach in the public schools without going through the normal teacher certification process. Several states have adopted systems of “merit pay,” basing teacher salary increases on performance rather than on longevity.

The perceived crisis in education has brought about new “public-private partnerships” in many communities. Most of these partnerships involve local businesses and neighborhood schools. For example, the Birmingham, Alabama, law firm, Bradley Arant, has partnered with the Powell Elementary School and provides tutoring to under-performing students, purchases some school supplies and materials, and makes its copying facilities available to teachers to duplicate school materials. In Erie, Pennsylvania, the Erie Insurance Group works with the Pfeiffer-Burleigh Elementary School, provides one-on-one tutoring and field trips for students, and has purchased

books and computers for the school library. Similar relationships exist between Lippman’s Furniture and Interiors Company and the Woodruff High School in Peoria, Illinois, and the local gas and utility company, Ameren-CILCO, and schools in both Springfield and Peoria.

Large national and even international companies are also involved in “adopt-a-school” programs. Verizon Communications, the large telecommunications company, has adopted over 100 schools in Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia and Washington, D.C. The chemical company, Rohm and Haas, has adopted schools in California, Pennsylvania and Texas. One estimate is that American businesses spend over \$225 million in 140,000 such programs throughout the United States.

*Services.* Local governments have also been major innovators in how services are provided in the United States. Cities and other units of local government deliver most of the services that Americans have come to expect from police and fire protection, to trash collection, to water supply, to health care and welfare. Roughly six out of every 10 public employees in the United States work for local government, and are usually directly involved in the delivery of public services.

Innovations in service delivery by local government were stimulated by the budget shortfalls of the 1980s and later shaped by the influential book by David Osborne and Ted Gaebler, *Reinventing Government*. Local governments throughout the country began to re-examine the way they served “clients” and began to think of those who used public services as “customers.” Governments became

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more enterprising, mission driven, outcome oriented, focused on their customers needs, and generally did “more with less.” Privatization and outsourcing came to replace large public bureaucracies in many cities.

### A Final Word

The governmental, political and fiscal modernization that has come to characterize American state and local government has brought about changes not only in the way in which public services are delivered, but in the very ways that these governments operate. They have become much more representative of the communities they serve, more transparent in their deliberations, more responsive to their constituencies and more accessible to ordinary citizens.

For example, most state and local governments operate under “sunshine laws,” which require that meetings of public officials be open to the press and the public. Many governments also operate under “sunset laws,” which means that once a law or regulation expires, public meetings must be held before the law or regulation is renewed. Most states have enacted laws regulating campaign finance, requiring candidates to report the amount and source of their campaign contributions. In some states, these reports are available on-line and can be accessed by the press and by ordinary citizens.

State and local governments also now relate to their citizenry on-line. In many states, for example, citizens can renew their vehicle registrations and automobile licenses on-line, using credit cards to pay the fees. Generally, citizens can obtain information about all their state and local government agencies and operations on-line. Most agencies make various forms available to download onto computers. Arizona goes so far as to allow its citizens to vote in primary

elections via their computers. “E-government,” as it is called, is just beginning, and the states and their communities are at the forefront in enabling their citizens access to it.

Writing in the 1932 case of *New State Ice Company v. Liebmann*, U.S. Supreme Court Justice Louis D. Brandeis commented, “It is one of the happy accidents of the federal system that a single courageous state may, if its citizens choose, serve as a laboratory, and try novel social and economic experiments without risk to the rest of the society.” Brandeis’s observation was valid in 1932 and remains valid today. American state and local government is proving flexible, innovative and effective in meeting the challenges, and adapting to change.

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*The opinions expressed in this article are those of the author and do not necessarily reflect the views or policies of the U.S. government.*

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# Using E-Government

## Effects of the Digital Revolution

by Sharon Crouch Steidel

THE IMPACT the “digital revolution” has on the U.S. public’s daily lives continues to grow. Citizens now use technology to access countless services and transactions that were only imagined a few years ago. As they become more accustomed to these electronic interactions on a daily basis, citizens’ expectations of government are changing as well. Government agencies recognize this and are beginning to realize the opportunities available to change how people interact with them.

Studies indicate that at least 70 percent of Americans access the Internet several times a week. These on-line users are employing the Internet for more than e-mail and the access of information, however. They are accustomed to receiving more sophisticated services from current websites. It is therefore not surprising that in a poll conducted by the Council for Excellence in Government, the same percentage of Americans feel it is appropriate to invest tax dollars in e-government initiatives.

### Improving Citizen Services and Access to Government

E-government can be defined as the delivery of public information, goods and services through the use of technology. While this technology revolves primarily around the Internet, there are an increasing number of resources available, such as personal digital assistants (PDAs), which are hand-held devices that serve as electronic secretaries, and other mobile systems. Because e-government is open 24 hours a day, services are convenient, cost-effective and available to a larger population. Further, as U.S. states and local governments develop organized e-government resources, the most successful projects have taken into consideration not only convenient, easy-to-use access, but also the objectives of trust and security, efficiency and accountability.

A truly effective e-government resource allows citizens to connect with government in a manner that is customized to their needs and available at their convenience. Agency boundaries should be transparent, and web pages



*Sharon Crouch Steidel*

should be easy to use and possess a consistent design for all services and functions. Finally, it is imperative that privacy and security be ensured.

E-government has presented the opportunity to provide innovative measures. This is most clearly demonstrated in the trend toward state and local government web portals, which provide value-added information from various government sites under one standardized web interface. These sites can be accessed at any time. In order to make portals more convenient and easy to use, they are being organized according to life events, rather than to a government agency's organizational chart. This reorganization is probably one of the greatest challenges for local and state governments, since they must set aside competing organizational identities in support of web pages that are intuitive to users.

In 84 percent of U.S. state web portals, citizen services are now being organized based on the needs Americans most often face in their day-to-day lives. For example, the Commonwealth of Virginia state portal provides a "Find it Fast" page that provides links to over 35 citizen services most often accessed by the public.

From this page, anyone can link directly to services where they can obtain business licenses, search the State Code of Virginia, make reservations at state parks and campgrounds, and get a copy of a birth certificate, without the need to know which state agency handles these requests.

Since these services are being offered to citizens who use and rely upon the Internet, states are presented with the opportunity to provide value-added information directly from their websites. A good example of this would be Virginia's tourism trade. A prospective tourist can view lodging options by region, city or other user-defined criteria. Once lodging information is listed, there is also information available on sites of interest and special events in that area. There are links to standardized mapping software, as well as a link to weather data for the selected region. While browsing lodging and other tourism information, someone can have the option to add items to a customized travel brochure, which is similar to building a shopping cart on retail websites. This virtual brochure encompasses all points of interest selected and is completely customized by the person doing the browsing. And finally, if any activity reviewed requires a special permit, such as a fishing license, the site allows for the ability to purchase licenses on-line. This type of application provides access to information and services supported by several state agencies, as well as private-sector resources. Such "one-stop shopping" is also designed with the citizen's needs in mind and demonstrates a resource that is convenient as well as efficient for both the user and the service provider.

Electronic commerce sites are also a developing arena for e-government. The area of e-commerce, which involves monetary transactions for government services as well as government purchasing, has been slower to

develop due in large part to security concerns. With identity theft rising, these concerns are understandable. In the Council for Excellence in Government's survey, Americans expressed a great concern over security and privacy issues. Most people recognize that in order to conduct e-commerce, they must provide personal and financial information on government sites. States are establishing privacy policies and procedures to protect citizens' personal information, and most states post privacy policies on agency websites. However, there is an equal concern that there are security risks involved with on-line transactions. As a result, 54 percent of those surveyed felt that government should proceed cautiously in the development of e-commerce applications. This cautious sentiment is evident when reviewing the level of usage of e-commerce applications.

Currently, 41 U.S. states allow the payment of taxes on-line. However, while citizens increasingly use on-line tax services to access payment information and even generate their tax bills, they often stop short of actually submitting electronic payments. Additionally, on-line motor vehicle services, such as the renewal of vehicle licenses, are now widely available on state portals. But while the service is available on-line, states such as Arizona report that only 20 percent of all renewals are occurring via the Internet.

Making these systems easy to use and eliminating complexities that exist with paper-based systems also make them more attractive. For example, interstate truck drivers must file International Fuel Tax Agreement (IFTA) tax reports in their home-base states. Due to the complexity of the paper forms, there is a 90-percent error rate on submitted reports. Idaho has taken this system and moved it to an easy-to-use web interface that assists truck drivers in the calculations needed to create their reports,

which now makes the electronic filing method preferable to filling out the paper forms.

There is also a growing trend for state and local governments to develop on-line procurement systems, taking advantage of e-commerce functionality. Virginia's statewide e-procurement application, eVa, is one such example (<http://www.eva.state.va.us/>). This application makes available all state procurement opportunities to interested businesses. In addition, state agencies procure goods from vendors through the same system, which handled \$80 million in sales in its first few months of operation. The eVa application is now working to improve state business practices, providing better integration with individual agency procurement tracking systems.

#### Encouraging Citizen Involvement and Government Accountability

The Council for Excellence in Government's survey indicates that Americans feel e-government services are important, and there is positive response to the services discussed thus far. However, the survey results also suggest that Americans' expectations go beyond paperwork reduction and the time efficiencies offered. They see a potential for giving more information, which gives people the power to hold their government more accountable. Americans regard e-government as a way for them to become better informed and more involved in government. By a considerable margin, they believe that greater accountability is the greatest benefit that e-government could offer, followed by greater access to information. These expectations communicate that the public desires e-government services that allow them to voice opinions and play an active role in government.

E-democracy also offers great potential for engaging citizens and increasing accountability

in government. All 50 state legislatures are making great strides in providing vast amounts of information to the public through websites that contain information on current legislation, biographical data of legislators and contact information. Most states also provide the voting records of elected officials, an excellent means for citizens to hold elected officials more accountable. Further, many states provide methods for the public to send feedback to elected officials. States such as Florida, California, and Arizona are using technology to allow constituents, by clicking on a state map, to determine who represents them in the legislature. Direct links to legislators' e-mail are then provided. This allows the public to communicate directly with the officials elected in their districts.

The rise of e-mail as the preferred method of communicating with legislators has left legislative bodies scrambling to find technology solutions to handle the massive volumes of e-mails. The National Conference of State Legislatures (NCSL) advises legislators that the public expects a legislator to receive e-mail and to post information on a website (<http://www.ncsl.org/>). Further, NCSL indicates that more than 15 million Americans use information on legislators' websites to make voting decisions.

Legislatures, which in the past often operated in a manner that provided for little public scrutiny, are now receiving high marks for making the public aware of what is occurring in the legislature in a real-time manner. All states post information on meeting schedules on their websites. But many states also allow the public to sign up to speak before committees or to receive automatic notifications when meetings are scheduled. Arizona's state legislature allows the public to sign up to speak before a committee using public kiosks. Texas lets the public view

committee information from their PDA or wireless Internet cell phone.

There are a growing number of states that are utilizing "push" technology to convert their static legislation data into a more interactive tool. Push technology allows for the automatic delivery, usually via e-mail, of user-defined information. This eliminates the need for a citizen to regularly visit a website to determine if new information exists. Instead, any updates to the site would generate an e-mail sent to a subscriber. For example, the public can access Virginia's Lobbyist in a Box application, and define events that would generate an e-mail notification. These events include the introduction of legislation containing specified keywords by a specific member of the General Assembly or a change of status on selected legislation. In an effort to promote a more open and accountable government, many states are now providing video streaming of their committee meetings and floor sessions from their websites. Ohio is even archiving these meetings and making them searchable (<http://www.oll.state.oh.us/>). The public can access these archives and review proceedings related to a specific date or person or group.

On-line surveys are growing in popularity as well. Nevada's legislature, for example, posted over 20,000 opinions on their opinion poll page during the 2003 Regular Legislative Session. According to a Pew Internet & American Life Project survey, 23 million Americans have used the Internet to send feedback to elected officials on policies and issues affecting their lives and 65 percent of all Americans expect to be able to communicate electronically with their elected representatives.

Legislatures are also beginning to recognize the importance of educational pages for children on their websites. As young people are future voters and leaders, educating students



on the legislative process and the importance of participating in government is a critical objective in promoting representative democracy. For example, through Virginia's Capitol Classroom, teachers can access lesson plans and download educational materials that can be used in government classes (<http://legis.state.va.us/CapitolClassroom/TeacherResources/GeneralAssemUnit.htm>). Students in Texas can create trading cards that contain information on their state senators (<http://www.senate.state.tx.us/kids/Kids.htm>). And students accessing Florida's On-line Sunshine for Kids can play games related to the legislative process, follow an animated application that explains how a bill becomes law, and learn about the history of their legislature (<http://www.flsenate.gov/kids/home.html>).

### The Results of Improving Government Efficiency

While the digital revolution may have prompted government entities to pursue e-government initiatives, these initiatives have resulted in benefits for government and its citizens that go beyond enhanced services. In order to attain efficient resources that cross agency boundaries, governments have had to closely examine business practices that have been in effect for many years. "Business as usual" processes that utilize bureaucratic paper trails are being seriously re-evaluated. This has resulted in the streamlining of valuable processes, the elimination of redundant ones, and the integration of business solutions. The state of New York, for instance, while re-evaluating the system that processed motor vehicle titles, determined it could cut the 20-step process in half, whether the motor vehicle bureau implemented a technology solution or not.

As technology implementation has taken place, out-of-date business practices are re-engineered into more efficient processes, which result in services that are more efficient, cost effective, and delivered in a timelier manner. E-government initiatives consolidate into easy-to-use, one-stop shopping sites. The quality of information and services are enhanced through technological innovations. Information can be distributed more frequently and to a wider population. E-government sites can handle larger numbers of inquiries and process larger volumes of requests automatically. Citizens gain results faster and have services available around the clock. Due to the reorganization that is required, better management practices are implemented.

Since all of these benefits translate to improved services, citizens' satisfaction in government resources will increase as well. These services can be realized in cost-effective ways. Services that were once provided using printed publications, faxing, and mailing, when converted to electronic services, result in significant cost savings. As states are facing current budget shortfalls, e-government initiatives are the solution for accomplishing more with less. Many states indicate that these initiatives will take priority as budgets are scrutinized.

Whether in the area of e-services, e-commerce or e-democracy, e-government initiatives are promoting greater transparency in government. Citizens can interact with government on a more personal level. They can customize the type of services they wish to receive. They are better informed on how government operates. They see what states are procuring and they can access governing statutes and regulations. They can determine how elected officials are voting and provide feedback directly to their representatives.

## Challenges for the Future

The challenge for state and local governments now rests with promoting services that are available and making citizens aware of them. According to the survey by the Council for Excellence in Government, only 34 percent of the public indicated that they were somewhat aware of the specific e-government services available to them. The only way to improve the effectiveness of e-government resources is to make the public aware of what such services can do.

Some states are finding that as they promote these new assets, the public is visiting their portals, having positive experiences, and returning to the website. Over the past two years, the state of Washington has seen usage on its web portal grow from 1,000 pages viewed per day to 700,000 per day. In the state of Indiana, web portal usage increased each year for the past six years as the General Assembly went into session. What is interesting, however, is that usage did not go back down after the legislative session ended. Indiana's conclusion is that citizens are motivated to participate in e-democracy. However, once they visit the state portal for that purpose, they find other resources that they can take advantage of year-round. Through this type of promotion, followed by consistent delivery of services that the public can trust, government agencies will realize the full benefit of e-government.

Provided those who offer e-government services continue to gain the public's trust through efficient and secure transactions, there is no end in sight to the changes that can occur in the way government conducts its business. The digital revolution has created an ongoing incentive for e-government to develop. The result has been an evolution of government services that is still in progress.

## Top 10-Rated U.S. State Government Websites

Arizona, <http://www.az.gov>

Michigan, <http://www.michigan.gov>

Washington, <http://access.wa.gov>

Illinois, <http://www100.state.il.us>

Wisconsin, <http://www.wisconsin.gov>

Virginia, <http://www.myvirginia.org>

Utah, <http://www.utah.gov>

Indiana, <http://www.in.gov>

South Dakota, <http://www.sd.gov>

Maryland, <http://www.maryland.gov>

*2002 Digital State Survey*

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*Sharon Crouch Steidel oversees information technology (IT) development for the Virginia State House of Delegates, which includes the House's legislative website and intranet. She currently serves on the National Conference of State Legislatures (NCSL) Executive Committee, and has been the chair of NCSL's Technology Task Force for the past three years.*

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*The opinions expressed in this article are those of the author and do not necessarily reflect the views or policies of the U.S. government.*

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Issues of Democracy, IIP Electronic Journals, Vol. 8, No. 2, October 2003

# Public Safety in an Unsafe World

by Mayor Donald L. Plusquellic

WHO CONTINUES to manage the front lines of homeland defense in the war on terrorism? Even two years after the horrifying attacks of September 11, 2001, on American targets, it is the mayor of each city who is first responsible when disaster strikes in a community, together with the firefighters, police, and municipal health officials who serve local residents.

This was made clear at a meeting of the International Mayors Association in June 2003 in Denver, Colorado. Whether it is Boston or Barcelona; Chicago or Quito, Ecuador; Dallas or Dalseo-gu, Korea—the story is the same: each mayor at that conference manages a well-trained, well-prepared force to fight terrorism. In larger cities, there are specially trained forces to perform rescues in skyscrapers and in deep mines; they have the expertise to manage chemical and biological threats and they are the first on the scene to handle a suspicious parcel standing alone in a public building. In the U.S., large cities share this expertise regu-

larly with urban neighbors to create a safety net of preparedness enveloping American cities and states.

As president-elect of the United States Conference of Mayors (USCM) and as a member of the recently formed USCM task force on homeland security, I have worked with U.S. Homeland Security Secretary Tom Ridge. This national web against terrorism on the federal level is only as strong as the cities that make up the network of preparedness. And the financial burden rests mainly on municipalities with their local taxes, not direct financial assistance from the federal government, with the exception of a few, high-profile, high-threat targets which will attract federal support.

In my city of Akron, Ohio, for example, we are spending roughly \$35,000 more each week than we did prior to September 11 to further secure our community. Secretary Ridge has encouraged public officials to act regionally and cooperate with surrounding communities in this mission. In Ohio, for instance, the mayors of the five biggest cities have reached a



*Mayor Donald L. Plusquellic*

cooperative agreement of mutual aid and assistance in the event of a tragedy.

### Preparing Akron

The job of mayor of an American city has changed tremendously over time. It now entails a good deal of planning for situations we all hope will never come to pass. Akron actually began this process years before the events of September 2001. Well before then, the city prepared an evacuation plan and conducted exercises anticipating various scenarios that would involve weapons of mass destruction.

These disaster training drills have taken on an even more serious tone since September 11, 2001. Last October, Akron joined with its county and surrounding suburban cities to conduct a "Full-Scale Chemical Weapons Exercise." It forced firefighters arriving at the scene of a mock-explosion to deal with an unknown agent. It required police officers to think through the possibilities that the perpetrators were still hiding somewhere in the vicinity; and it required everyone to manage the real threat of a secondary explosion aimed pointedly at the very first responders arriving to help the injured. Hospitals had to set-up emergency triage cen-

ters, with an increased degree of awareness that the injured bodies they were tending to might harbor the risk of contaminating them. The emergency forces of the entire city and its suburban area had to be marshaled to re-direct traffic, communicate the threat to the public in a credible manner, and, most importantly, learn where we faltered in order to perform better in case the threat returned. To date, it remains one of the largest disaster training exercises ever conducted in the United States.

We are also aware of the vulnerability we face as a supplier of water to nearly a half-million residents, and we have completed a security audit of our water facilities and taken steps to secure water-treatment and watershed properties, municipal buildings and the municipal airport.

### Preparing on a National Scale

There are limitations, largely related to funding, on what we can do in the future. However, Congress has approved appropriations for the coming year for the U.S. Department of Homeland Security. The House of Representatives bill includes \$4.4 thousand-million for first-responder programs, and the Senate bill includes \$3.8 thousand-million. Also included in the House and Senate bills is funding for fire-fighting, port security, and law enforcement personnel and bomb-detection equipment at airports. Both the House and Senate bills also include significant funding for high-threat areas, but both bills' funding levels are still below the amount provided in 2003. The U.S. Conference of Mayors was able to improve the current legislation in Congress by targeting increased aid to high-threat areas.

With \$46 million set aside for the state of Ohio—\$40 million for first responders and another \$6 million for infrastructure—cities can buy specialized emergency response and

terrorism prevention equipment, and design, develop and conduct anti-terrorism exercises.

The Council on Foreign Relations and other organizations have discussed the need for more substantial funding for homeland security issues. The council's recent report, *Emergency Responders: Drastically Underfunded, Dangerously Unprepared*, suggests that funding will ultimately have to reach \$98.4 thousand-million over five years just to bring first responders to minimum standards of preparedness.

The Council has also advocated establishing a multi-year Department of Homeland Security grant process. This would reward cities for investing in long-term strategic plans and personnel, and the formation of regional partnerships that would make effective use of shared first-responder equipment. The grant process would also implement national standards for first-responder equipment and training.

### Potential Risks

Aside from what would be considered obvious targets in American cities—landmarks, monuments, etc.—U.S. citizens are also concerned with other areas that pose potential risks to security and public safety, such as the contamination of the country's water supply or the threat of smallpox.

In November 2002, as then-chairman of the USCM Advisory Board, I participated in a phone conference with other mayors and Dr. Jerome Hauer, assistant secretary for public health emergency preparedness in the Department of Health and Human Services.

Dr. Hauer told us that the states were asked as a part of their submission to the federal government's plan for homeland security, to break their smallpox vaccine recipient list into two groups—those at greatest occupational risk and first responders. Individuals under greatest occupational risk include health care personnel and public health response team members. The

second group would include other local first responders, such as fire and police personnel.

All mayors manage a unique force of first responders—the people who are the ones running into buildings when everyone else is running out! Those of us who have never been in a position to have to do this have no idea what it must feel like. The reality of terrorism has given us a renewed respect for the people who devote their lives to what we now call homeland security.

In response to a question on the current role of local officials in securing the nation's cities, Secretary Ridge said, "In the post-9/11 world, mayors, county managers, police and fire chiefs have not waited for the federal government to act on homeland security. They have done it with their own initiative and their own money."

As local officials, it is our hope that through our own efforts and resources, along with continued fiscal support from the federal government, we can increase the security we provide our citizenry. This heightened sense we have for the safety and security of our communities is vitally important. But it must be said, that even with the tightest security, it is not possible to deter, impede or halt every possible threat. Citizens must remain aware and vigilant. It is also imperative that all levels of government cooperate in formulating a plan that offers the greatest protection for us all.

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*Donald L. Plusquellic is the current mayor of Akron, Ohio, and was recently elected president of the United States Conference of Mayors (USCM).*

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*The opinions expressed in this article are those of the author and do not necessarily reflect the views or policies of the U.S. government.*

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# In Partnership with the World

## A Profile of the International City/County Management Association

by Deborah M. S. Brown

NEW AMSTERDAM, Guyana, a city in one of the poorest countries in the Western Hemisphere, has become a partner with Huntsville, one of the oldest cities in the state of Texas. The purpose of this partnership is to turn New Amsterdam into a “healthy community,” a designation that is part of an approach to create consensus and engage citizens in improving the community’s quality of life through partnerships with local and national government, NGOs, citizens’ groups, and the private sector.

Gabrovo, Bulgaria, in the foothills of the Balkan Mountains, has joined forces with Portage, Michigan, in the southern part of the state, to develop more citizen participation, economic development, and public-private partnerships in order to increase citizen awareness and understanding of municipal services.

Haiphong, Vietnam, the third largest city in the country and capital of Haiphong Province, and Seattle, Washington, home to the computer software giant Microsoft, work together in promoting Haiphong’s tourism and business

investment strategies. The partnership also encompasses a wider spectrum of organizations in Seattle’s educational community, as well as the U.S.-Asia Environmental Partnership and the World Bank.

In partnership with the U.S. National Forum for Black Public Administrators, the Urban Councils Association of Zimbabwe seeks training, information sharing, and networking opportunities to bring together local governments, so that the next generation can become responsible leaders and prepare citizens to rebuild economic and governmental infrastructures.

All of these cities have one thing in common: they have been brought together under the guidance of the International City/County Management Association (ICMA), a professional and educational organization for local government managers, administrators and assistants in cities, towns, counties and other regional entities throughout the world.

Formed in 1914, ICMA first provided technical and management assistance, training and information resources to its members and local government communities throughout the United States reflecting the ideals of the Progressive Movement, which advocated social and political changes throughout the country. These changes, often enacted in federal legislation—and relating to such issues as wages and employment, safety and health in factories, and employment of women and children—were a reaction to the late 19th and early 20th century forms of American local government. During this era large cities were often controlled by corrupt politicians called “bosses,” who basically ran cities as their own personal fiefdoms.

“Between 1880 and 1920, municipal governments in the U.S. were often decentralized and fragmented, not the unified city government structures we think of today,” says Dennis Taylor, director of international programs at ICMA. “These governments became prime targets for domination by centralized political machines that helped fill the vacuum and ensured service delivery. The goal of the municipal reform movement was ‘good government,’ meaning cities free of graft, corruption, patronage and the spoils associated with the bosses and machines.”

ICMA flourished in the U.S. for seven decades before deciding that cities and other regional areas abroad might benefit from its programs. “The international program was developed with the fall of the Berlin Wall in 1989 and the opening up of Eastern Europe,” Taylor says. ICMA then decided to organize programs that would pair cities, counties, regions, and organizations in the U.S. with their counterparts abroad. “Although we do work in other places around the world, that was

the impetus for getting us into the international arena,” Taylor adds.

## CityLinks

In order to bring people together, ICMA collaborates primarily with the U.S. Agency for International Development (USAID) through a series of programs that use contracts, cooperative agreements or grants to pair cities. One such program is called CityLinks (formerly called Resource Cities), which focuses on enhancing basic public services, including environmental management, financial management, economic development and health. The practical experience of U.S. local government officials provides invaluable assistance to their international counterparts, many of whom have limited experience working in a decentralized government that requires responsibility, initiative, and accountability.

ICMA facilitates these partnerships by providing technical assistance to developing-country cities through a peer-to-peer approach, with the help of USAID missions. “USAID missions around the world request our assistance where they find a particular local government, or maybe two or three, in a country that they think would benefit from a direct relationship with a U.S. city of similar size,” Taylor says. “So they ask us: Do you have managers, public works directors, budget directors and cities of about this size who have done something on this problem area? We’re really trying to match up comparable-sized communities with comparable issues.”

Before ICMA agrees to take on a project, however, it sends an assessment team to a requesting city or country. “We send a team out to first find what the issues on the ground are, what the viability of really working with these

people is,” Taylor notes. “We assume that the USAID mission has done some of that vetting already, but maybe not on the subject matter issues, and so our experts assess the viability and try and figure out who would be a good match.”

After the first visit, the team returns to the U.S. and decides what two cities might work well together. A U.S. city is then contacted and arrangements are made for a visit by local officials to the requesting city. At some point, officials from the city abroad come to the United States and meet with their counterparts in their partnership city. There may be several meetings back and forth to hammer out the details of what will happen, but all in all, Taylor adds, “it’s more matching up the problem with someone who knows something about the solution.” For example, in March and May 2003, officials from Jabalpur, India, met with their counterparts in Sacramento, California. In October, there will be another meeting in India, where the two sides will finalize the working plan that they’ve agreed upon concerning traffic management, solid waste management, and citizen participation.

## BIGG

Another program that ICMA runs is called Building Institutions for Good Governance, or BIGG, which concentrates on association development. “Of course, ICMA itself is an association of city and county managers, and so as an association, one of the emphases that this organization has is on working with local governments in countries around the world to gain greater influence as governments decentralize,” Taylor says.

“Central governments around the world have been hesitant to decentralize from either former Communist regimes or other autocratic regimes,” he continues, “because they perceive, and sometimes rightly, that local governments are not really prepared to take on the responsibility of managing some of the service delivery issues that the central governments are doing. So part of what we are interested in doing is creating associations of those local governments. As issues become ripe for decentralization, the local governments are in a technically strong position to be able to influence the central government.”

Through BIGG, associations can help create sustainability by ensuring that local governments share knowledge with each other, professionally develop their management financial base by increasing fiscal accountability and transparency, and incorporate citizen involvement into local government decision-making.

Jami Sachs, a program assistant for BIGG, says that the program works on two levels. Each country-specific program is broken down into two projects, one of which is a “task order” or contract through USAID. “The task order deals with budget and finance issues, and it basically provides performance-based budgeting training to local governments,” Sachs says. “The other project is a cooperative agreement and that’s the local government-supported partnership program, which also has two components to it as well. One is focused on association-capacity building where it works with local government associations in a particular city who provide services to other local governments throughout a country. Those three associations are on the state level, the city level, and the regional level,” she adds.



Right now, BIGG is working in Indonesia on a program that began in September 2000, and will most likely extend through June 2004. The cooperative agreement, Sachs says, “pairs up a local government in the United States with a local government in Indonesia, and provides technical assistance to the Indonesian local government through exchanges back and forth between the U.S. city and the Indonesian city.”

A typical partnership is about 18 months, and each collaboration chooses a topic. “Some of the topics we’ve worked on are tourism, planning, new-town planning, new-town development, environmental issues—it really sort of crosses the gamut on a number of different scenarios,” Sachs says.

## LOGIN

A third component program that ICMA sponsors internationally is called LOGIN—Local Government Information Network, which has been run largely in Eastern Europe since the mid-1990s. Dennis Taylor says that the program began in Hungary, but branched out to most of Eastern Europe as a means of electronically sharing the benefits of what was going on in each individual country so that the countries of the former Soviet Union could capitalize on each other’s successes.

LOGIN has also been used in the Caribbean and Latin America. In Bolivia, for example, “It’s mostly been an upgrading of the computer infrastructure, electronic capability,” Taylor says. “There’s an Internet portal that we’re working to develop to connect nine associations of local governments in Bolivia, along with a women’s council association that’s also connected as a part of this particular project, and then the overall federation of Bolivian local

governments, which is kind of an umbrella organization for the association of local governments.” The purpose of the project is to create an Internet connection that then would allow such things as e-procurement, which develops standardized procurement forms and other processes for local government.

## Bringing Local Governments Together

During ICMA’s early years, local American government was often comprised of non-professionals who came together to build and maintain a community’s infrastructure using their often-limited abilities and job experience. But in today’s world, those same leaders must have a management savvy in order to build strong communities. Many of today’s city managers hold university degrees in such subjects as public administration, political science and business. Often, they complement education with practical knowledge. And they do not concentrate on fine-tuning a community’s needs, but rather look at a broader picture.

This overall aspect of looking at the community as a whole is why ICMA’s programs are so popular. This is especially true in other countries, where a decentralized national government often places greater responsibility on local municipalities. These local governments must provide services to their citizens, while establishing governing structures that are transparent and accountable. “There’s strength in numbers,” says Taylor, “and if you’re one local government operating out there with maybe 2,000 of your neighbors, but you don’t know each other well, you have a difficult time negotiating these kinds of issues with the central government.”

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That is where the partnerships of CityLinks, BIGG and LOGIN come in. By creating partnerships through city-to-city pairing and local government associations, ICMA brings together American professionals who can pass on key management techniques, practices and concepts to their international counterparts.

“Much of what we’re doing is decentralization,” Taylor says, “so inevitably, the issue of decentralizing power of authority has to be shared in some kind of fashion. Is that going to be at the regional level? Is it going to be inter-governmentally between cities and counties in the same region? How are we going to do that? The short answer is yes, intergovernmental relations is a major issue when you’re devolving authority.”

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*Deborah M.S. Brown, internet/text editor for Issues of Democracy, interviewed Dennis Taylor and Jami Sachs for this article.*

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# Inter-jurisdictional Cooperation

## A Case Study on Cyber Crime

by Eric Green

MARK BEAVER, a 48-year-old resident of Salt Lake City, Utah, concocted what he thought was the perfect scheme to make some easy money: he offered, on the Internet, non-existent tickets to the 2003 U.S. college national championship football game between Ohio State University and the University of Miami in Florida.

As reported by the Salt Lake Tribune, Beaver used the Internet auction site eBay to charge buyers half the ticket price in advance. The buyers were told they could retrieve their tickets in person at a business site outside Phoenix, Arizona, where the game was being played. But when the buyers—some of whom paid more than \$4,000—arrived at the business site to pick up the tickets, no one was there.

Eventually, law enforcement authorities in Utah finally caught up with Beaver. The Salt Lake Tribune reported that he now faces three second-degree felony counts of communications fraud and, if convicted, he could spend up to 15

years in jail on each count. According to the Tribune, the case involved more than 90 victims who paid a total of \$202,300 for the tickets.

Unluckily for Beaver, his scam captured the attention of one of the new units being formed in the United States that specifically target crimes committed on the Internet. Under the direction of State Attorney General Mark Shurtleff, Utah has created a cyber crime task force which works in partnership with federal, state and local law enforcement agencies to crack down on crime in cyberspace, a fast-growing worldwide threat with ramifications that extend to global terrorism.

Attorney General Shurtleff quotes the U.S. General Accounting Office as estimating about 750,000 Internet fraud complaints nationally in 2002, at a loss of over \$1 thousand-million. That number contrasts with 31,000 Internet fraud complaints in 2000. In Utah alone, Shurtleff's cyber crime unit received about 1,000 complaints last year, which amounted to



*Utah Attorney General Mark Shurtleff*

\$3.5 million in losses. From January–May 2003, 617 complaints already had been received. On a global scale, the research firm Gartner, Inc., reports that 7 million people experienced some type of identity fraud in 2002.

Shurtleff acknowledges that even one person with evil intent can cause untold millions of dollars in damages. Such was the case with the British citizen who in 2002 broke into 92 U.S. government computer systems, resulting in a \$900 million loss. One of the most notorious instances of this illegal practice known as “hacking” was the spread of the so-called “Love Bug” virus, which occurred when students in the Philippines broke into computer systems worldwide in 2000 and caused \$8.7 thousand-million in clean-up costs. This case demonstrated the need for international cooperation against cyberspace crime because the Philippines has no laws against such practices, Shurtleff adds.

Three other cases have also proved costly. The recent “Blaster Worm” which is not a virus, but a “worm,” enters computers from the Internet, attacking recent versions of Microsoft Windows operating systems. The worm does not destroy files but reprograms a computer to spread the worm to other users, and shuts down operating systems automatically. According to the *Washington Post*, “Blaster” cost businesses “as much as \$329 million worldwide” in just a single day. It also brought businesses to their knees. The Motor Vehicle Administration in the state of Maryland, which is responsible for issuing drivers’ licenses, had to shut all their offices for almost two days. In 2001, the “Code Red Worm” cost \$1.1 thousand-million, while the “Melissa virus” in 1999 cost \$80 million in clean-up expenses, Shurtleff noted.

#### Fighting Cyberspace Crime in the U.S.

When he assumed his present office several years ago, Shurtleff said one of his top priorities would be to fight cyberspace crime. “We didn’t feel enough was being done on the state level to combat what we knew to be one of the fastest-growing types of crime in the world today,” Shurtleff says. In response, his office created the Utah Cybercrime Task Force (UCTF), which works in partnership at the national level with several U.S. government agencies, including the Department of Defense and the Federal Bureau of Investigation (FBI), the Salt Lake City Police Department, and other state and local agencies.

The FBI has created—in partnership with the National White Collar Crime Center—the Internet Fraud Complaint Center (IFCC), to address fraud committed over the Internet.

Begun in 2000, the IFCC provides a central repository for complaints related to Internet fraud, works to quantify fraud patterns and provides statistical data of current fraud trends.

The IFCC's 2002 Internet Fraud Report announced that its web site received more than 75,000 complaints in that year alone. These complaints included auction fraud, debit/credit card fraud, computer intrusions, unsolicited e-mail known as "spam" and child pornography. The total dollar loss from all these referred cases of fraud was \$54 million in 2002, up from \$17 million in 2001, with a median dollar loss of \$299 per complaint. The IFCC has stated that among all perpetrators, nearly four in five were male and half resided in five U.S. states—California, New York, Florida, Texas and Illinois. While most perpetrators were from the United States, they also came from such countries as Nigeria, Canada, South Africa and Romania.

Another jurisdiction which has launched a cyber crime unit is the attorney general's office in Washington state. That office has formed a partnership with federal and state authorities known as the Computer Law Enforcement of Washington (CLEW).

Washington state Attorney General Christine Gregoire, who was a co-founder of the unit, says that the Internet, "which holds so much promise for e-commerce, entertainment and research, also has a dark side inhabited by child molesters, con men and hate-mongers." Gregoire also says the CLEW partnership seeks to expand law enforcement's ability to investigate and prosecute online crime, since it often cuts across geographic boundaries, making the crimes difficult to track. The Internet "does not recognize state or even national political boundaries, so cooperation between law enforcement

is imperative," she adds. "It is our goal to make this state an unsafe place to commit crime over the Internet."

Michigan is another state with a specialized cyber crime division, established in May 1999 under the state attorney general's office. According to an official from the state's six-person "High-Tech Crime Unit," Michigan investigates any crime involving computers, including fraud and child pornography. He also says that Internet fraud is a "large enough problem in Michigan where it's gotten the attorney general's notice, obviously." The official cited identity theft as a particular problem in his state, which involves the cyber criminal taking over a victim's identification in order to make purchases over the Internet through bogus credit cards or through a credit card number.

In other cases, cyber criminals will trade information about a consumer and take on the "persona" of the victim to purchase items over the Internet. The High-Tech Crime Unit official recalled the especially egregious case of a Michigan college student who sold credit card information to anyone who wanted to buy it.

Meanwhile, Shurtleff, the Utah attorney general, says cyber crime has become a big problem because of the "large number of computers throughout the world, involving 100 million people or more." America Online (AOL), by itself, has more than 60 million subscribers, he adds. The great growth in commerce on the Internet gives criminals a large pool of potential victims, "and there is a big victim-pool out there."

Senior citizens are especially vulnerable to exploitation by cyber criminals, Shurtleff explains. Many seniors are just learning how to use the Internet, which they find convenient for

shopping at auction houses such as eBay. However, their lack of experience on the Internet makes them vulnerable and “criminals know that,” he says. When he visits senior citizen centers where computer labs have been built, Shurtleff says he makes a special effort to teach elderly people how to safely use the Internet.

### Ensuring International Cyberspace Security

Recently, Shurtleff was appointed by the National Association of Attorneys General to be its representative to the International Association of Prosecutors. His goal in working with the international group is to establish contacts with prosecutors worldwide on cyber crime.

The international group of prosecutors held an August 10–14 conference on terrorism in Washington, D.C., which included a special session on investigating and prosecuting cases of terrorism involving use of the Internet.

That meeting followed on the heels of a July 28–29 conference in Buenos Aires, Argentina, where the United States joined its fellow members of the Organization of American States (OAS) to begin developing a unified Western Hemisphere strategy for ensuring security on the Internet.

The Buenos Aires conference featured discussion of a resolution introduced by the United States and approved by the OAS for building an inter-American strategy against threats to computer information systems and networks. The U.S. resolution called cyber security an “emerging terrorist threat.” OAS Secretary General Cesar Gaviria said that given the international scope of the problem, “mutual judicial cooperation and assistance are vital to prevent, pursue and punish” Internet-based crime.

“A computer keyboard can be a very useful tool for the progress of humanity,” Gaviria said. But he added that the Internet can also become a dangerous weapon capable of producing enormous economic damages” to governments and businesses, “and even against the integrity and the life of human beings.”

Shurtleff recently visited his counterpart in Israel, where the issue of cyber crime is of particular concern. In addition, Shurtleff has hosted a number of law enforcement officials from Brazil who said they intend to make combatting cyber crime a national priority. Through U.S. State Department auspices, he has participated in a digital video conference to Brazil, advising that country’s law authorities on how to address cyber crime and on measures the United States is taking to stop it. He says he anticipates traveling to Brazil in the near future under the State Department’s U.S. Speakers/Specialist program, so he can consult with his Brazilian counterparts on cyber crime. At this early stage in fighting cyber crime, law enforcement officials can only hope to keep “their head above water” against Internet criminals, Shurtleff adds.

### International Cooperation

“The way—the only way—we can succeed in making a dent” in fighting the cyber crime problem is through cooperation between federal, state and local authorities, and working with other nations around the world, Shurtleff says. He adds that the Love Bug case emanating from the Philippines demonstrates convincingly the need for international cooperation. Shurtleff emphasizes that countries need to adopt cyber crime laws and extradition agreements that would allow Internet criminals to be prosecuted

wherever their actions have led to damage or destruction of computer systems.

The U.S. State Department, he says, has a unique role to play in assisting and encouraging nations worldwide to pass their own laws to stop computer crime. The Department, he says, also could help countries to adopt laws permitting extradition or to strengthen existing laws on extradition in order to track down Internet outlaws.

Tom Ridge, who as director of the U.S. Department of Homeland Security oversees President Bush's National Strategy to Secure Cyberspace, has said that to disrupt, destroy or shut down America's computer systems would mean shutting down America "as we know it." The task is an enormously difficult technological one, Ridge says, "because we must always remain one step ahead of the hackers."

Richard Clarke, formerly President Bush's special advisor for cyber security, says the U.S. government must work in partnership with private industry, which owns and operates most cyberspace systems. A public-private partnership is required, he says, to guard against possible threats from hackers, criminals, terrorist groups, and hostile foreign nations, "which might use cyber war against us in the future."

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*Eric Green, a writer for the Bureau of International Information Programs of the U.S. Department of State, interviewed Utah Attorney General Mark Shurtleff and others for this article.*

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<http://www.centerdigitalgov.com/center/media/BOB2002pt1.pdf>

### **Census Statistics for Federal, State and Local Governments**

<http://www.census.gov/govs/www/index.html>

### **Center for Digital Government**

<http://www.centerdigitalgov.com>

### **The Council for Excellence in Government**

<http://www.excelgov.org>

### **The Council of State Governments**

<http://www.csg.org/csg/default>

### **Digital Government Institute**

<http://www.digitalgovernment.com>

### **Florida's On-line Sunshine for Kids**

<http://www.flsenate.gov/kids/home.html>

### **GovLeaders.org**

<http://www.govleaders.org>

### **National Conference of State Legislatures**

<http://www.ncsl.org>

### **National Governors Association Online**

<http://www.nga.org>

### **Ohio State Legislature**

<http://www.oll.state.oh.us>

### **The President's E-Government Solutions**

<http://www.whitehouse.gov/omb/egov>

### **State and Local Government on the Net**

<http://www.statelocalgov.net>

### **State Government and Politics:**

#### **Library of Congress Internet Resources**

<http://www.loc.gov/global/state/stategov.html>

**Stateline**

<http://www.stateline.org/index.do?jsessionid=0dk8h05kj2>

**Texas Senate for Kids**

<http://www.senate.state.tx.us/kids/Kids.htm>

**The U.S. Conference of Mayors**

<http://usmayors.org/uscm/home.asp>

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**Virginia's e-Procurement Homepage**

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**Virginia's Capitol Classroom**

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