



## **Massachusetts Municipal Conflict Resolution Study Needs Assessment State-wide Survey**

Local government institutions are at the frontline of solving today's complex social problems. The MA Office of Public Collaboration (MOPC) at the University of Massachusetts Boston has extensive experience helping these institutions and their stakeholders to collaboratively solve municipal and regional conflicts and this work has helped the office identify some of the needs for collaborative problem solving. However, a broader, more systematic and scientific examination of conflict resolution needs is required in order to better understand and document needs and generate appropriate programmatic solutions.

### **Legislative Study**

With the championship of key legislators, MOPC is conducting a comprehensive assessment of municipal collaborative problem-solving, conflict resolution and public engagement needs and working with municipalities and other stakeholders to generate consensus solutions to address those needs. The Senate and House chairs of the Joint Committee on Municipalities and Regional Government, Senator Linda Dorcea Forry and Representative Sarah Peake have secured an unfunded legislative commission for this study in outside section 204 of the FY 2015 state budget. MOPC has secured a UMass Boston Public Service Grant to fund graduate student research assistants from the John W. McCormack Graduate School of Policy & Global Studies. MOPC is a free-standing research institute at UMass Boston and also the state dispute resolution office.

### **Needs Assessment Methodology and Data Collection**

A needs assessment is a systematic study of a problem incorporating data and opinions from varied sources in order to make effective recommendations about what should happen next. In this context, a "need" is a gap in results between "What Is" and "What Should Be", and a needs assessment identifies the gaps in results and prioritizes the identified needs on the basis of the cost of meeting the need as compared to the cost of ignoring it. The attached FAQ describes the assessment methodology in more detail. Through this municipal conflict resolution needs assessment, MOPC aims to ensure that its services achieve positive societal results that are shared by municipalities and stakeholders. These results will be identified in collaboration with municipalities and affected stakeholders, who will also assist MOPC in prioritizing the needs and in delivering the results through appropriate solution strategies. The assessment data collection and analysis is being conducted by MOPC from July through November of 2014 and an Interim Municipal Conflict Resolution Study Report will be submitted to the Legislature and the Governor in January 2015.

### **Online State-wide Survey**

MOPC is conducting a state-wide municipal conflict resolution needs assessment survey in the Fall of 2014 to augment focus group discussions and one-on-one interviews of municipal officials that are also a part of the needs assessment data collection. While the focus groups and interviews will engage a smaller group of municipal officials, the state-wide survey is designed to engage a broader cross section of municipal officials, constituents and stakeholders. The online survey will provide an opportunity for broader input on the characteristics of municipal conflict, current municipal conflict resolution results and desired results for the future as well as preliminary input on solutions strategies. Key results of this survey will be highlighted in the Municipal Conflict Resolution Study. All municipal officials are encouraged to participate in this survey.

## MA Municipal Conflict Resolution Study - Needs Assessment

### Frequently Asked Questions (FAQ)

#### What is this needs assessment trying to achieve?

The Municipal Conflict Resolution Needs Assessment by the Massachusetts Office of Public Collaboration (MOPC) is systematically documenting and studying how destructive public conflicts within municipalities, between municipalities, and between municipalities and their constituencies are currently addressed and how municipalities and their stakeholders think they should be addressed in the future so that critical needs are identified and appropriate solutions are developed to meet those needs. In many instances, destructive conflicts arise from the tension between different approaches to addressing complex social problems.

#### What is a complex social problem?

A complex social problem is one that resists resolution and one that requires a range of expertise to address the issues in question. There are often a number of public institutions with partial authority over the issue and the issue impacts a variety of stakeholder interests. A complex social problem involves the actions of a concerned and frequently skeptical public who distrust decision-makers, be they government or business, and may stem from a perceived mismatch of values and past ineffectiveness.

#### What is destructive conflict?

Conflict is natural in public life. Some conflict is “good” or constructive and some conflict is “bad” or destructive<sup>1</sup>:

*Destructive conflict:* Behaviors that escalate conflict until it seems to have a life of its own and are dysfunctional and harmful. Destructive conflicts may degenerate sufficiently so the conflict parties forget the substantive issues and transform their purposes to getting even, retaliating or hurting the other parties to the conflict. In destructive conflict, no one is satisfied with the outcome, possible gains are not realized and the negative taste left by one conflict episode is carried over to the beginning of the next conflict--creating a degenerating or negative spiral. Destructive conflicts are more likely to occur when behaviors come from rigid, competitive systems.

*Constructive conflict:* Behaviors that are adaptive to the situation, parties and issues of the moment and are functional and productive. Many conflicts are a mixture of competitive and cooperative impulses. Constructive conflicts appropriately balance the interests of all parties to maximize the opportunities for mutual gains. Constructive conflicts contain an element of creative adaptation born from a realization that one must know both one's own and the others' interests and goals to be able to find a road all parties are willing to walk to discover a mutually acceptable outcome.

#### How have some of these destructive public conflicts been resolved?

There are numerous examples of state and local government and their constituencies resolving destructive public conflicts in Massachusetts and elsewhere. The following are a few examples:

- A number of municipalities objected to participating in the regional sewerage district because of the costs involved. Fourteen years of litigation ensued. Representatives of the municipalities and state and federal government worked together to design the sewer system and apportion its costs.
- State agency forest management practices were increasingly criticized by environmental and parks groups as excessively focused on timber production while timber producers and private and municipal landowners condemned the agency for inadequately supporting the production of local wood products. Hostile public meetings and articles in the press were escalating conflict. A visioning process was conducted to create consensus about future forest management and stewardship policies/practices.
- A small coastal town was facing contentious issues related to policing services, dominated by angry and divisive public discourse being played out in the media, negative blogs and hostile public meetings.

Citizens concerned about police interactions were mistrustful of local government and worried about the impact of increased police presence on the community's ability to attract tourists needed for economic viability. With external assistance, the community was able to transform the situation into productive dialogue and take problem-solving steps to get the police department back on track and create a citizens forum for communicating with town government on future public issues.

### **What value will this study add to municipalities and their constituencies?**

This needs assessment will help align MOPC public mission and expertise to better serve municipalities and public agencies dealing with difficult local and regional issues, and add measurable value to communities and the state in transforming destructive public conflict. Through the study, positive societal results will be identified and appropriate solutions developed in collaboration with municipalities and other stakeholders.

### **Who is guiding the needs assessment process?**

MOPC has formed an advisory team comprised of individuals with significant municipal experience:

- Edward Lambert, Vice Chancellor of Government Affairs & Public Relations, UMass Boston (former mayor Fall River, former state legislator, former MA Dept of Conservation & Recreation commissioner)
- Clare Higgins, Executive Director, Community Action of Franklin, Hampshire, North Quabbin Regions, Inc. (former mayor of Northampton, former president of Mass Municipal Association)
- Stephen McGoldrick, Interim Director, Edward J. Collins Center for Public Management, UMass Boston (former deputy director Metropolitan Area Planning Council, former chief of staff to Chelsea receiver)
- Michael Ward, Municipal Services Director, Edward J. Collins Center for Public Management, UMass Boston (former budget analyst for Concord, former manager of mayoral campaign in MA)
- Wendy Foxmyn, Interim Administrator Services - Municipal & Non-profit; FEMA ADR cadre and USPS mediator (former elected/appointed official in numerous Western MA towns, former regional services manager Pioneer Valley Planning Commission and Franklin Regional Councils of Governments)

### **Why is MOPC conducting this study?**

Outside Section 204 of the FY 2015 State Budget commissions MOPC to conduct a comprehensive assessment of municipal conflict resolution needs and work with municipalities and stakeholders to generate consensus solutions to address those needs. The study report is to be submitted to the Joint Committee on Municipalities & Regional Government and the Executive Office for Administration & Finance. This legislative study will build on MOPC's experience proving public dispute resolution for municipalities over the last three decades. This work has exposed the office to the needs of municipalities and their stakeholders in addressing difficult public conflicts. This study enables a broader, more systematic examination of these needs in order to ensure that all needs are identified and appropriate solutions strategies are developed with the participation of relevant stakeholders.

### **What is MOPC's public dispute resolution experience?**

The Massachusetts Office of Public Collaboration (MOPC) is a free-standing research institute at UMass Boston. It is also the state dispute resolution office. MOPC's enabling statute, G.L. Ch. 75, §46, sets forth specific legislative authority for the office to provide dispute resolution and related collaborative services to public entities, including municipalities. For 28 years, MOPC has been designing and administering public dispute resolution programs, convening and facilitating collaborative problem-solving processes on difficult public issues, and training state and local public officials and managers in conflict resolution and consensus-building. MOPC has helped numerous state agencies, municipalities and their constituencies to collaboratively solve destructive public conflicts.

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<sup>i</sup> Deutsch, M. (1985). *The resolution of conflict: Constructive and destructive processes*. New Haven, CT: Yale University Press.