

# Dukakis's secret government

*The real, rotten story behind the governor's Massachusetts administration.  
Part I of a series by an EIR Investigative Team.*

The Democratic Party candidate for President, Massachusetts Gov. Michael Dukakis, attempted to take his campaign on the offensive at the end of August, by criticizing the role of Vice President George Bush in the Iran-Contra affair. In particular, Dukakis has been accusing Bush of covering up his role in the decision-making process that led to the arms-for-hostages deals.

In so doing, Dukakis is attempting to raise the specter that the Reagan-Bush administration ran a "secret government" out of the executive offices, that the administration used its executive powers to circumvent the Congress and the public, in carrying out their policies in Nicaragua and the Gulf. And, when they got caught, they used those same powers in a vain attempt to cover up what they had done.

Ironically, if Governor Dukakis persists in this line of attack, he may find it backfiring, and doing immeasurable damage to his own campaign. An *EIR* investigation of Dukakis's own use of executive powers has concluded that the governor's reputation for running an open government, permitting the public to have access to the policymaking process, is a complete sham.

Just the opposite is the case. Dukakis has consistently utilized the powers of his office to block the public's access to the policymaking process of his government, particularly when the open airing of that process would prove to be damaging to the political ambitions of the governor.

Dukakis has shamelessly utilized the powers of his office, including asserting claims of executive privilege and using his access to friends in high places, to attempt to bury the truth. His problem may turn out to be not only what he knows and is not telling us, but, more importantly, how he is preventing us from finding out.

## **Anatomy of several cover-ups**

On June 8, 1987, Massachusetts Commissioner of Corrections Michael Fair wrote a memo to Philip Johnston, Secretary of the Executive Office of Human Services and a top aide and adviser to Michael Dukakis, outlining a series of "critical issues facing the Department." When examining this memorandum in context, coming just two months after Dukakis's declaration of his candidacy for the presidency, one

is struck by the obvious fact that each of the "critical issues" listed might prove to be a major political embarrassment for the governor.

That such political embarrassment is the unstated main concern of the memo, is further buttressed by concerns about "the allegations and the emotions" which certain incidents have raised, and that certain policies "continue to be misunderstood and misrepresented, especially in the media." Thus, following each issue listed in the memo, Commissioner Fair provides a report on the current status of how the issues are being handled.

While the issues cited, some of which will be listed below, have in fact proven to be politically damaging to Dukakis, they are only half the story. The other side, which may prove to be more damaging than the issues themselves, is how the governor and his staff attempted to use heavy-handed methods to prevent these stories from emerging in the first place.

## **Critical issues**

The first issue listed by Commissioner Fair was that of the "Horton Furlough Incident," in which William Horton, a convicted murderer who escaped while on furlough, was found to have terrorized a Maryland couple for three days, raping the woman and stabbing the man. At issue was not just the one incident, but the Dukakis program for providing furloughs for prisoners sentenced to life in prison for committing first-degree felonies, including murder, the second issue listed in Fair's memorandum.

When the Horton case became public, it evoked strong protests in Massachusetts, with demands that the program be ended. Dukakis refused to back down, obviously hoping the issue would fade away in time.

Two reporters for a suburban newspaper, the *Lawrence Eagle Tribune*, were determined to go beyond just the Horton issue, and to examine the entire prison furlough system. While ultimately succeeding, writing a series of articles exposing the system and forcing Dukakis to reverse his stance, what they found out about the state government was equally important.

According to an article in *Boston* magazine, the reporters'

efforts to find out how Horton got out in the first place, were consistently "stymied by the Department of Corrections." Moreover, one of the reporters, Susan Forrest, was "victimized by tire slashings and death threats," according to the magazine.

To quote Forrest in the *Boston* magazine article: "The Department of Corrections opened my eyes a lot about how the public is lied to. Public servants believe they have the right to withhold information to protect themselves. They didn't give a shit about Horton, they just wanted to protect their asses."

That this was not the exception, but the norm in the Dukakis administration, becomes even clearer in an examination of two other issues mentioned in Fair's memo, the "Bridgewater and Health Services Issues," and the "New Braintree Suit."

### Claims of executive privilege

Both Bridgewater State Hospital and the issue of building a new prison in the small town of New Braintree, were issues with the potential to cause serious political problems for candidate Dukakis. Bridgewater is a state mental health facility at which patients began dying, as a result of years of neglect of serious problems in hospital conditions, due to low pay and overcrowding. To Michael Dukakis, who built a reputation as a leader concerned with health and social welfare issues, revelations about Bridgewater could prove to be problematic.

The New Braintree issue, which concerned serious opposition to the state's selection of that site to build a medium-security prison, contained the seeds of an even worse scandal. At the heart of the matter, were allegations that the selection of New Braintree was a "kickback" to the two owners, who stood to make a several million dollar profit, in return for their political support to the governor.

The allegations were that the two owners, Dr. Gary Jacobsen and real estate magnate Dan Striar, had purchased the land after being provided inside information from the state on the intention to choose that site. Any hint of such "collusion" could be immensely damaging to Dukakis, who built his career around his alleged clean-up of corruption in state government, and his claim to be personally above reproach.

Both issues threatened to explode, as both were the subjects of ongoing legal action, suits which, along with other related suits, could surface further damaging information, since all parties were requesting official policy memoranda from the state. The reaction of the Dukakis administration was immediate: to claim executive privilege, and prevent the public from having access to the policymaking processes of the Dukakis government.

Attorneys for the state went into immediate action, filing legal papers in a related suit against the state, opposing the release of the documents under the claim of executive privilege. When on May 31, 1988 U.S. District Court Judge William C. Young ruled that "no state governmental privi-

lege is recognized in Massachusetts" and Dukakis was ordered to release the documents, the governor refused to comply.

Attorney General James Shannon refused to enforce the order, on the grounds that it could have a "chilling effect" on policy discussions. The administration kept on making that claim, all the way to the state Supreme Court, which in a unanimous decision this August, struck down that claim, and ordered Dukakis to release the documents.

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Although complying with the order, state officials denounced the decision. According to Ken Schwartz, chief of staff with the Executive Office of Human Services, "The disclosure of documents can have a real chilling effect on the openness of discussions among high-level officials. Individuals who work in government are likely to be more hesitant about what they put in writing and a little less willing to express a creative or dissenting viewpoint when they know it might end up in the evening news."

Although these particular issues have become public as a result of well-publicized legal actions, a source at the Massachusetts State House told *EIR*, that in the Dukakis administration, hiding the workings of government is par for the course. According to this source, Dukakis will go to just about any lengths to hide his lack of what he calls "competence."

One example cited by the source emerged as a result of charges that the Dukakis administration was providing patronage jobs and pay raises to selected state employees, while at the same time cutting back monies to necessary state services. When a reporter attempted to get a list of who is on the state payroll from the State Comptroller, he discovered that this information, which according to state law is to be readily available to the public, was being withheld.

In fact, a decree was issued ordering all department heads to refer all such inquiries to Dukakis's press office for further action. There was not even a complete list of state employees available for anyone to scrutinize.

Sometimes the effort to hide information that might prove to be embarrassing to the governor reaches absurd proportions. According to one account, the State House newspaper morgue has been purged of any articles on Dukakis that might prove damaging. All that is there, is good news.