

'Morally, do I feel responsible... Yes.'

Interview with Stephanie Pollack, secretary of transportation in Massachusetts

By [Vernal Coleman](#), [Laura Crimaldi](#) and [Matt Rocheleau](#) Globe Staff, Updated August 18, 2020, 9:02 a.m.



Governor Charlie Baker looks on as Secretary of Transportation Stephanie Pollack speaks in 2019. DAVID L. RYAN/GLOBE STAFF

Globe reporters Vernal Coleman, Laura Crimaldi, and Matt Rocheleau interviewed Massachusetts Department of Transportation Secretary Stephanie Pollack via video conference on June 23, 2020. This is a lightly edited transcript of that conversation.

[Read the Globe investigation “Blind Spot.”](#)

Vernal Coleman: You’ve outlined several issues that the crash in New Hampshire last year revealed and that the agency has worked to rectify the last 12 months. But, ultimately, who’s responsible for those issues?

Secretary Stephanie Pollack: So ultimately the responsibility falls with the registrar, but I have a strong oversight responsibility. And as we said last year, in talking to the governor after the incident occurred, the governor’s desire was for me to work with the new registrar and fix the problems. So, I was not aware of the extent of the problems we have. I wish I had been, and I have taken a much more hands on-approach to management at the Registry in the last year. And we brought in a new registrar (Jamey Tesler) because that registrar (Erin Deveney) neither adequately addressed the problems or adequately elevated them to the secretary so that I can take them on.

VC: Should you have known?

SP: I wish I had, but for me to know. ... I spoke to the registrar and her team frequently. I rely on my direct reports to elevate issues that require attention that they cannot adequately provide. And the issue was never elevated.

VC: Why did it take this for the Registry to do an examination of its own process failures or to even become aware that those failures existed?

SP: Every registry in the country has a responsibility to keep drivers records as up to date as possible as expeditiously as they can. And perhaps it is a culture that says we'll do the best we can whenever we can that contributed to the tragedy that occurred last year. That is no longer the culture at the Massachusetts Registry. We now understand that whether it's prompt entry of in-state incidents, prompt entry of out-of-state incidents, or notifying other states when we take actions against drivers, those are core responsibilities of the Registry. They need to be done according to standard procedures, and they need to be done on timelines that we measure ourselves against. And that wasn't true a year ago, but it's true now. Since October of last year, we have been exchanging information electronically with the state of New Hampshire, both ways, ours to them, there's to ours. And that has been extraordinarily successful. And, you know, eventually in the absence of a national system, we would be very interested in doing that with other states. And in our case, particularly with those states for which we have the largest volume of paper, because that would have the greatest value to both states. And it also indicates that those are the states where there's a lot of drivers that are driving in both states. And those are the places where there's the highest risk that a problem driver would be incurring violations in both states with the risk the other state wouldn't know about them expeditiously in the absence of the electronic exchange. So, we started with New Hampshire because they were ready, willing, and able. And we're now eight or so months into that and it's been working great. We're hoping to expand that.

Laura Crimaldi: Are there any other states you're exchanging information electronically with, aside from New Hampshire?

SP: Not at this time.

LC: What do you think of that? It's 2020, and the states are sending mail to each other about serious driving violations by their own drivers.

SP: It is frustrating but having gone through the multimillion dollar investment and the time it took to give the Registry the technology platform that it requires to be able to be on pixels instead of paper, I do have sympathy for other states that have not been able to find the resources. There is no federally available resource for helping states upgrade their technology. And there is no federal system to help us other than the National Driver Registry and the PDPS (Problem Driver Pointer System), which is not really designed for this purpose. So, as a person who, you know, has an engineering degree and went to MIT and loves technology, it is frustrating that it is 2020 and that the world is not using technology to its fullest extent.

LC: So knowing that, when you're out there driving, what do you think about when you consider that mail is maybe the best way states have found to talk to each other to let them know about problem drivers?

SP: So, paper is a problem and it is not just a problem for out-of-state (notifications) because paper is also how police departments tell people in the state about citations. ... I understand you're focused on state-to-state (notifications), but I do want to make the point that to really feel safe from problem drivers that a driver's record in Massachusetts has to be complete with respect to everything we hear from law enforcement in the state, everything we hear from courts in the state, everything we hear from other states. And in all three cases, there is work to be done on moving from paper to pixels.

We stand prepared to work with other states. But one of the things that I focus on is I have to control what I control. And I can control the citations in the state. And I can control better technology to talk to the courts. And I can control the technology the Registry uses. And I can control how well we process the paper we get. And I can make sure we send out paper until we are in a world where we have replaced paper with pixel. But I can't control what the other states are doing. So my job in making Massachusetts drivers as safe as they can be is to fix the parts of the system we can fix and to basically play the cards we've been dealt, which means there's still a lot of paper.

LC: I think people when they're reading this ... they're going to scratch their heads because they know now more than ever how easy it is, how possible it is to connect.

SP: So, we talked to our fellow states and we talked to AAMVA (American Association of Motor Vehicle Administrators) ... ultimately it is not realistic to expect that individual states and their trade association are going to be able to put together a nationwide system without federal involvement and federal resources.

VC: What you're describing is essentially a hodgepodge system that requires all of these systems in various, different states to work in concert to convey the most accurate information possible. That seems like a very tall order. Does it make you feel safe just knowing that there is no national solution yet?

SP: I would prefer a national solution. I think most of the states would prefer a national solution. But what is really important to helping our drivers feel safe is to know that we have done whatever we can within the existing system to take all the information that we can get about problem drivers and have it be current. So that if a problem driver is pulled over and someone goes to check the driver's record, or if they committed an infraction and someone goes to check their driver's record to see if they should be suspended, all the information is there. And a year ago, that was just not true.

LC: We went back into the Globe archives to read up about the tragic death of Lacey Packer in 1989. She was killed by a motorist who had drunk driving offenses. There was a huge push because there had been missed opportunities to suspend his license in Massachusetts. There was a bill signed into law that allows for the exchange of electronic information at the RMV, the distinction being at the time that the law said you had to do it by paper. This opened up the opportunity for electronic transmission. The registrar at the time was the late Robert Hutchinson. He and the secretary of safety at New Hampshire talked about doing exactly what you're talking about right now. So, now it's 30

years later. There's still very limited electronic transmission. And you sound like you just restarted it with New Hampshire. So what happened?

SP: You're right that the electronic part took longer. Again, I think that for all of us who have smartphones and smart appliances and are surrounded by technology, that seems to make it feel like, how hard can it be to do this? It's hard. Yes, we have to do it faster. But you can also ask why everybody doesn't have a single electronic medical record 30 years after the technology existed, or lots of other things that technology enables that don't exist. You know, why isn't there a single electronic police disciplinary record nationwide that doesn't exist, either? So it's not an excuse. And that's why I want to make it clear, our attitude in Massachusetts is we want to get the tech right. We are ready to be part of either bilateral state-to-state exchanges or a nationwide system. But because this is a matter of safety, to the extent that part of the system works on paper, we have to have the best paper processing there can be so that our records are complete.

VC: This was always a matter of safety. These issues existed 10 years ago. Why did it take this long for the department to become ready to make these changes?

SP: I think that the tragedy that occurred in New Hampshire ... this time was sufficient to really open people's eyes up to the reality that the Registry is fundamentally a safety agency and that one of the most important things we do is maintain drivers' records. At some level you could imagine that the driver's record was a thing. It should be up to date. We should scan citations from law enforcement and we should try to get the stuff from the courts right. But it's one of a zillion things we do with the Registry, right? And so I think part of it was kind of a cultural problem and not really fundamentally understanding that we have a responsibility to have these drivers' records be up to date in real time so that action can be taken against drivers who are not supposed to be on the road. And part of it, quite frankly, this time was we did have the technology. ... But we also needed the culture of the Registry led by Jamey (Tesler) and his team to

make it clear that of the many things we did, the maintenance of drivers' records is fundamental to keeping problem drivers off the road.

VC: Are you familiar with the name Mustafa Lynch? Does that name ring a bell at all?

SP: Not to me.

VC: He was one of the Massachusetts drivers whose license was suspended seemingly as part of the Registry's review. Two years into the period where he should have been suspended, he was driving in Providence and ran over a young man. He's now on trial for a fatal hit-and-run. Can you say with any level of certainty that among the people who were suspended as part of the Registry's review that there aren't others who were convicted or charged with some sort of serious driving infraction up to and including a fatality accident?

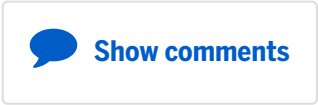
SP: So every accident is tragic and the tragedy is compounded if there was something that we should have done that we did not do. As soon as we understood the magnitude of what had and hadn't been happening, we started gathering information and using the information we had to take the actions that we were legally entitled to take against as many drivers. And I will tell you that we have been criticized for doing that because many drivers were, like, "why are you suspending my license for something that happened, you know, X years ago that you didn't even tell me about." But we erred on the side of safety and we found what we could find that hadn't been properly processed. And we suspended a lot of people right away. And if someone that we should have suspended earlier did not get suspended, caused another tragedy, then my heart goes out to their family. And yes, it is compounded by our inaction. That is the reason for everything we've been doing for the last year.

VC: Does the state bear any responsibility for situations like this? This man's name was Christopher Lucero. Does the state bear any responsibility for his death?

SP: I don't know the answer legally. But yes, morally, do I feel responsible, and responsible for the motorcyclists who were killed in New Hampshire? Yes. Everything we've been doing for the last year is because we are acknowledging that our fundamental responsibility at the Registry of Motor Vehicles is to get the information about any violation that any Massachusetts driver's done anywhere that should trigger taking them off the road. And we need to get them off the road and we need not to have these things happen again. So, sadly, it does not surprise me that there may be more than one case associated with Massachusetts drivers because we've been pretty open and acknowledging that mail went unopened and that they didn't send mail to other states and that we only use the National Driver Registry the way it was intended to be, which is checking when people were re-licensed, which meant that years could go by and we didn't check. And that's why we've made all the changes we've been discussing ... because we don't want those cases to happen again.

But legally, and that is why I started with this sort of core thing, which is, if you were asking, what would it take for me as a driver, as a secretary, to feel safe driving in all 50 states, it would be the knowledge that all 50 states have accurate drivers' records for all of their drivers. We have 5.2 million licensed drivers in Massachusetts. If we don't make sure that every one of those is accurate with respect to everything that they've done anywhere and anytime, we can't exercise our legal authority to take problem drivers off the road. What we're working on now is making sure that we always will be, and as soon as possible after the underlying event occurs anywhere in the country, so that we don't have these gaps that riddle the nationwide system.

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