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The One Fund Boston: Lessons for Leaders

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THE ONE FUND BOSTON: LESSONS FOR LEADERS

Established in the immediate aftermath of the April 2013 Boston Marathon bombing, the One Fund Boston disbursed \$61 million dollars in donations to survivors and victims' families within two months of its launch. The scale and success of the One Fund vastly outpaced victim and survivor funds created in other American cities and towns in the last two decades. **This report provides mayors, as well as business and community leaders, with a blueprint for the design and implementation of the One Fund.** It identifies lessons for leaders in other communities affected by mass trauma who are confronted with a similar desire and need to coalesce empathy into a useful form.

In the immediate aftermath of the Boston Marathon bombing of April 15, 2013, Boston was flooded with an outpouring of support from around the world. Boston Mayor Thomas M. Menino and Massachusetts Governor Deval Patrick needed to swiftly determine the best model for "channeling generosity in a way that it could be truly useful"¹ to the people most directly impacted by the attacks. Within a day, these political leaders agreed on the desire to create a single fund that would direct financial gifts to survivors and victims' families.

This report identifies five key "ingredients" that were critical to the success of the One Fund, including political leadership, public/private relationships, speed, transparency, and the creation of a single fund.² It pays particular attention to the decision to create a single organization to distribute charitable contributions and, more generally, the contrasts between the One Fund approach and previous compensatory efforts at disaster relief; the importance of strong executive leadership and the ability of public officials to call upon existing private sector relationships in a time of crisis to act swiftly; and lessons learned that are transferable to other tragic contexts. It also examines which aspects of the One Fund model may be distinctive to Boston, and thus harder to replicate elsewhere.

Our analysis of best practices is informed by primary source materials, including Kenneth Feinberg's keynote address at the March 2014 "Leading Cities Through Crisis" conference at Boston University, in which he considers ways that a "city can demonstrate its unique resilience." It also benefits from personal interviews with key decision makers such as Mayor Menino, the former Mayor of Boston, members of his staff, founding and current members of the One Fund Board, and local business leaders involved in the formation and operation of the One Fund.

Ingredients Key to the Success of One Fund Boston

- Strong political leadership
- Establishment of a single disbursal engine
- Speed of execution
- Preexisting relationships between public and private sector leaders
- Commitment to transparency and community involvement

STRONG POLITICAL LEADERSHIP

Political leaders were central to the formation of the One Fund Boston. Within a day of the Marathon Monday attack, Boston was inundated with worldwide pledges of financial support, gifts, food, and offers to volunteer. By Tuesday morning, Boston Mayor Tom Menino, with the support of Governor Deval Patrick, sought to create a single fund that would channel these gifts where they were most needed — to victims and their families.

In creating the fund, the Mayor and Governor presented a unified message of resilience. As elected officials with a long-standing healthy relationship who had also earned a high degree of constituent trust after years spent in public service, they were both effective leaders and effective messengers. They signaled to donors in the U.S. and abroad that there was a way to help Boston

recover from the tragedy, they used their roles as public officials to promote this message, and they staked their reputations on the integrity of a new fund. As a member of the One Fund board noted, Boston's experience was noteworthy because of "a complete absence of politics. There was no interest in being the owner of this success story — it was all about doing something for the victims."³

Political leaders had certainly supported the formation of charitable fund programs in response to tragic events in the past, such as the July 2012 movie theater shooting in Aurora, Colorado or the December 2012 school shooting in Newtown, CT. In contrast to these previous occasions, political officials in Boston, led by Mayor Menino, helped to create the model for the collection and distribution of private donations, rather than simply promoting one, or many, preexisting funds. Indeed, Mayor Menino played a key role in orchestrating the public/private partnership central to the functioning of the Fund, which is discussed later in this case.

ESTABLISHMENT OF A SINGLE CENTRALIZED DISBURSAL ENGINE

A single, free-standing fund was swiftly identified as the optimal model for Boston. In considering how to collect and distribute donor funds in the most efficient and least fractious manner, Mayor Menino believed the best approach was a single, free-standing fund. As his Chief of Staff noted, "the Mayor's main thrust was that it all needed to go to one place. He has always worried that people try to capitalize on tragedy."⁴

This new organization would be specially designated as the one institution where people interested in supporting the marathon victims should send their contributions.

Endorsements made by the Mayor, Governor and local business and philanthropic leaders would confer a legitimacy upon the fund and its visible status would prevent (or at least reduce) complications that had afflicted previous victim relief efforts such as confusion among possible donors about how and where to contribute; fragmentation of charitable giving due to competition among non-profit organizations; and fraudulent schemes benefitting from the absence of a central clearinghouse for donations.

The Mayor and early stakeholders received offers to house a victims fund with a preexisting foundation, which they declined. While working with an already operating foundation would have furnished the new undertaking with a paid staff, a

support structure, and a 501(c)(3) tax exempt status, creating a new organization was deemed preferable. The city leadership did not want to seem to be favoring one non-profit organization over any others in Boston. In addition, it was felt that the variety of goals promoted by existing foundations and the need to capture overhead to pay for administrative costs would possibly muddle the sole purpose of the proposed fund. The goal was always to use donations in the way intended by the donors — to support survivors and victims' families rather than pay salaries and overhead.

Demonstrating the power of an effective brand identity, the One Fund Boston instantly galvanized public attention. The One Fund Boston moniker was both a brand and a message, providing a clear avenue to consolidate donor support.⁵ The One Fund label referred to the resilient unity of the city, and helped maintain focus on survivors and community recovery rather than the leaders involved in its creation. Evidence of this collective strength is that there was "no 'big check' presentations or photo opportunities, never a face of the One Fund Boston" — but also spoke to the individual function of the fund: to direct "cash gifts" to those most directly affected by the attacks.⁶

SPEED OF EXECUTION

Observers credit much of the One Fund's success to the speed with which it was created and the swift disbursement of funds. Speed played a factor in three arenas: getting the message out while the world was still watching, getting the fund operational while bureaucrats were willing to be flexible, and disbursing the funds when they were most needed. As one interviewee noted, a "huge lesson is that people are more generous immediately. The world moves on. People are more likely to leap over bureaucratic boundaries and red tape in the

"This accelerated process, which often takes more than a year, transpired in just four weeks from the establishment of the Fund in large part due to the compelling case prepared by the Fund's team of lawyers and accountants, all of whom had provided their professional services on a pro-bono basis."

early days."⁷ Accelerating the process was key because the issue-attention cycle would inevitably close; evidence of this reality may be found when comparing the donor response to the One Fund with its counterpart programs in Colorado and Connecticut. Despite eliciting a similarly emotional public reaction, Aurora (\$5 million) and Newtown (\$7.8 million) received donations by orders of magnitude less than the One Fund Boston (\$61 million).

Because of his personal involvement with the establishment of the One Fund, Mayor Menino was in a better position to expedite the incorporation of the Fund and execution of its goals. Moreover, Menino was able to leverage his influence both with colleagues in Boston who were tasked with determining the suitable structure for the newly-formed charitable organization as well as with IRS officials in Washington who had tax-related concerns which, if not remedied, could have delayed the collection and distribution of donor contributions.

Appreciating the importance of acting promptly, Mayor Menino was primarily motivated by the distribution of funds as soon as possible and preferred a funding approach which prioritized those who were most affected by the bombing.

As one of his closest aides has explained, the “mayor is a ‘right’ guy, not a ‘rules’ guy,”⁸ meaning that Mayor Menino’s focus throughout was on the “big picture” and in exhibiting a spirit of confidence to an ailing public, rather than, for example, concentrating on the nuances of fund design or in meeting the requirements to earn an IRS tax-exempt status. As a strong executive, Menino ably delegated these substantive responsibilities to experts who would be supported yet not micro-managed.

The job of creating a specific protocol to allocate funds was assigned to Kenneth Feinberg, whose extensive experience administering victim compensation funds contributed to a swift process. Feinberg emphasized that it was important to disburse cash gifts as soon as possible because “the longer you hold onto money the more it divides people.”⁹ Feinberg’s prior experience as a fund administrator, including with the World Trade Center Compensation Fund, meant that he knew — and

“...the business and philanthropic communities felt both a responsibility and a desire to contribute their time, money, and organizational resources to the marathon response.”

had essentially created — the procedures for completing such a sensitive task.¹⁰ His unmatched experience administering victim compensation funds brought instant credibility to the process. He was responsible for designing the mechanics of how the One Fund would work (e.g. defining eligibility status, specifying required documentation, reviewing all claims, and recommending specific payment amounts). Given the authority that Feinberg brought to the position, public officials could trust that he was prepared to oversee a possibly contentious process where not all claimants would receive the amount of money that they had initially expected. This potentiality was somewhat ameliorated by the particular kind of organizational framework that was devised to distribute funds.

There would be no needs-based testing, only a small pool of people would be eligible to receive aid, and there would be no conditions on how money could be used by recipients.

Administrators regularly stressed that the One Fund was not set up to be an insurance claims adjuster. These features of the fund design contravened IRS rules which regulate charitable organizations that specialize in relief to victims of disaster. In the process of resolving these questions of compatibility, the One Fund Boston offered an innovative approach to qualifying for 501(c)(3) tax-exemption status that leaders in other cities may find useful in future times of crisis. In seeking approval, lawyers for the One Fund Boston aimed to avoid a fate similar to other charitable organizations created in response to disasters, like the Oklahoma City Disaster Relief Fund, which was forced to means test its beneficiaries and as a result, \$10 million (out of a total of \$14.6 million dollars contributed) remain in the Fund’s account nineteen years after the precipitating event occurred, or the case of the World Trade Center Relief Fund, where survivors of the 2001 attacks (or victims’ families) were financially compensated according to a “reasonable and objective formula” on the condition that recipients would waive their right to “sue potentially responsible entities.”¹¹

The Fund was able to meet IRS requirements for 501(c)(3) approval by demonstrating to federal monitors that its activities “lessened the burdens of government,” an approach that had not been previously attempted by charitable organizations created to assist disaster victims. Because there was a demonstrated and urgent need for its services, the IRS granted an expedited approval and determined that One Fund Boston would not be required to create the infrastructure needed to means test beneficiaries.¹² Abbott and McChesney (2014b:

32-33), two attorneys who represented the Fund in its initial application, explain that the organization met this standard for exemption because, among other reasons, it had been “providing the infrastructure to coordinate the collection,

administration, and distribution of the substantial funds raised,” “providing a single vehicle to receive these funds thereby avoiding the misdirection of donations to fraudulent organizations,” and “acting as a central resource to those affected by the tragic events.”¹³ This accelerated process, which often takes more than a year,¹⁴ transpired in just four weeks from the establishment of the Fund in large part due to the compelling case prepared by the Fund’s team of lawyers and accountants, all of whom had provided their professional services on a pro-bono basis.

RELATIONSHIPS BETWEEN PUBLIC AND PRIVATE SECTOR LEADERS

The business community was critically involved in getting the Fund incorporated and prepared to receive donations.

On Tuesday, April 16 at 5pm, the Mayor and Governor held a press conference to officially announce its creation. Earlier in the day, Jim Gallagher, Executive Vice President at John Hancock, the corporate sponsor of the Marathon, began by consulting with Mike Sheehan (then-CEO) and Jack Connors (founder and former-CEO) of Hill Holliday, a leading Boston-based advertising firm which took on the task of designing the One Fund logo. Concurrently, representatives of John Hancock reached out to Susan Abbott, a partner at the law firm of Goodwin Procter, and Bob Gallery, Massachusetts President of Bank of America, to work on corporate filings and to open a bank account for the One Fund, respectively.¹⁵ In less than one day, the One Fund had been established — Jim Gallagher recently recalled the process as “not a marathon, but a sprint.”¹⁶

While the technical expertise offered by members of the business community was integral to the Fund’s formation, the financial support provided by private sector leaders was essential to the Fund’s growth. John Hancock made an initial commitment of \$1 million dollars on Tuesday, April 16. By doing so, it set the scale and pace for other corporate contributions to follow. (Several of our interviewees suggested that if the Hancock gift had been \$50,000, for example, the One Fund would not have surpassed \$10 million dollars in total donations.) In addition to its early participation, the continued cooperation of the business sector has allowed for all donations to be distributed to victims. Appreciating that their contributions were not being used for “administrative costs” likely led potential donors, who might otherwise be skeptical about the percentage of their contribution that actually reaches the intended recipients, to support the Fund.

The relationships that contributed to the success of the One Fund were formed over decades, not days. Having developed positive relationships with Mayor Menino and his staff well before April 15, 2013, the business and philanthropic communities felt both a responsibility and a desire to contribute their time, money, and organizational resources to the marathon response. Menino had worked throughout his years in service to “operationalize good intentions” with the Boston private sector. These community leaders, when they were called to help, drew upon this preexisting trust to take a leading role in the founding and continued operation of the One Fund.

COMMITMENT TO TRANSPARENCY AND COMMUNITY INVOLVEMENT

By embracing transparency and public engagement as a guiding value, the One Fund Board conveyed the message that the Fund is a community initiative. From posting the draft protocol online, to holding town hall meetings in order to request input on the proposed dispersal engine, to creating a survivor advisory panel, to amending the criteria for eligibility because of feedback received, to undergoing two rigorous self-imposed audits, the One Fund encouraged (and exemplified) a climate of openness and candor, two attributes shared by the public officials and private sector leaders who helped shape the organization. The broader lesson learned is that transparency is good practice and breeds good will; in a different context where Fund administrators had been less forthcoming, people would have been less likely to donate, even if they were inclined to support the cause that the charity represented.

The One Fund office in Boston was focused on developing personal and longer-lasting relationships with survivors and families. From the earliest days when volunteers worked to identify all victims, to the weeks leading up to the June 30th payment deadline when staff helped claimants file their forms to receive payment, to the months (and now year) since the traumatic event that the One Fund has become a central point of contact for survivors and families, many of whom have formed a network of support and camaraderie among each other. Today, it operates in close consultation with the Survivor Community Group, a fifty-member advisory committee comprised of Boston Marathon survivors. Meeting regularly since December 2013, the significant influence and persistent presence of a survivor community group is one of many novel aspects to the Boston case of disaster relief.

The One Fund aimed for minimum divisiveness among survivors and maximum efficiency in the distribution of funds. Premised on an awareness that there is never enough money for all reasonable claimants, Feinberg advocated for a categorical model (with a descending amount of support) that would reserve the collected funds for people who were most physically affected by the marathon bombing:

Category A: Families of the four people who died and the two people who suffered double amputations;

Category B: Persons who suffered single amputations (14 people);

Category C: All others who had been hospitalized for at least one night, with compensation determined by length of required hospitalization (69 people);

Category D: Persons who suffered physical injury, received emergency room treatment, but were not admitted for

hospitalization (146 people). Category D was added to the final protocol due to input offered during public forums.

This system of “rough justice,” in which all lives were treated equally, regardless of financial background, attempted to meet the joint objectives of limiting emotional distress among survivors and prioritizing the speed of distribution. While these aims were largely satisfied, employing this type of disbursement model necessitated certain tradeoffs because there would be no money allocated for lost wages, mental disabilities caused by the mass trauma would not be covered in the first round of distributions, and businesses hoping to recover losses due to their location in the closed zone would have to look elsewhere for financial remuneration.

LESSONS IN HINDSIGHT: WHAT THE FUND ARCHITECTS MIGHT HAVE DONE DIFFERENTLY

There were features of the distribution model that, given the benefit of hindsight, arguably could have been implemented in a somewhat different manner. In the months subsequent to its formation, the chief stakeholders have identified a handful of additional lessons, which may be useful to other communities.

“...the scale of the One Fund may not be easily replicable, but the direct involvement of local leaders and their mutual investment in swiftly creating a single, collaborative, open fund model can be repeated elsewhere.”

1 HIPAA: Because the One Fund did not ask claimants to file a Health Insurance Portability and Accountability Act (HIPAA) release form, which would grant permission to review one’s private health information, administrators could not verify medical injuries. Despite there being only a very small amount of claims that were later identified as being fraudulent, mayoral staff recognize that any hint of impropriety could have eaten away at the credibility of the Fund, and therefore, suggest that requiring HIPAA releases for large payouts might have been helpful in preventing fraud and in avoiding negative media coverage.¹⁷

2 Beneficiary Classifications: Class D, as cited above, was inserted in the final protocol in response to public demands for an additional class of beneficiaries that would assist those who were physically injured yet did not require hospitalization. This crudely-defined category resulted in a lot of variation among Category D cases, and the difference in cash gifts between one night spent in the hospital (\$125,000) and outpatient treatment (\$8,000) seems, in retrospect, too great of a difference given the often arbitrary distinction between the two situations.

Many of the perceived imperfections of the first distribution were subsequently addressed in the protocol to the recently announced second distribution, which has been made possible by an additional \$20 million dollars being donated since the conclusion of the initial round. This unexpected new distribution allows for further cash payments while supporting longer-term care for survivors, as a portion of these funds has been invested in a new medical collaborative. This collaborative will provide support to One Fund recipients and family members, including those who may not have required overnight hospitalization in the immediate aftermath of the marathon bombing, but require ongoing care due to issues triggered by the events (e.g. hearing loss and tinnitus, post-traumatic stress disorder, and mental health issues).

THE UNIQUENESS OF ONE FUND BOSTON AND THE REPLICABILITY OF ITS MODEL

There are several special qualities concerning the nature of the event that may make the scale of the charitable response difficult to replicate. The charitable instincts of a global audience were activated on Marathon Monday by a confluence of unique event-specific dynamics. The Boston Marathon, one of the premier races in the world, is a publicly staged event which occurs on Patriot’s Day, a beloved Massachusetts holiday. In addition to the international awareness garnered due to the prestige of the race and its leading entrants, most registrants are running on behalf of charitable causes, not to set a world record time. Members of the running community, including many accustomed to fundraising, were very active fundraisers for the One Fund. It also bears mentioning that in contrast to an event like the World Trade Center attacks on September 11, 2001, there were many visible survivors of the Boston Marathon bombing. The innocence and the randomness of the victims were palpable to anyone who encountered the images from the event. Because of these contingent factors, the scale of the One Fund may not be easily replicable, but the direct involvement of local leaders and their mutual investment in swiftly creating a single, collaborative, open fund model can be repeated elsewhere.

CONCLUSION

In championing victim compensation funds as “signals of collective empathy, encouragement, and support,” Feinberg (2014) modestly (yet judiciously) states that “occasionally money can be used as a vehicle to bring community together.”

For political and business leadership, survivors of the bombing, and members of the general public, volunteering (time, effort, and money) to the One Fund Boston has in a meaningful sense served a cathartic purpose for a city trying to heal. When deciding whether to establish and how to craft a special fund for victim relief in the immediate aftermath of a crisis, leaders must consider both broad concerns such as the source of the tragedy (e.g. natural disaster, criminal act, or negligent conduct)¹⁸ and the suitable administrative authority (i.e. public, private, or hybrid) as well as specific matters including eligibility criteria and being sensitive to non-uniformity within the survivor community (i.e. some survivors will want to participate while others want to convalesce in private). No mayor wants to be faced with a crisis incident that necessitates the creation of a victim relief fund. If an event of this kind does befall one's community, though, leaders will be better prepared to effectively respond because of the lessons learned from the One Fund Boston. ■

FOOTNOTES

1 Interview with Dorothy (Dot) Joyce, Former Chief Communications Officer for the City of Boston (July 24, 2014).

2 We have identified these elements of effectiveness both through interviews with several principal actors in the creation and operation of the One Fund and through synthesizing the March 2014 keynote address by Fund Administrator Kenneth Feinberg at the Leading Cities Through Crisis conference, hosted by the Initiative on Cities at Boston University.

3 Interview with Jack Connors, founder and former Chief Executive Officer of Hill Holliday Advertising, current chairman of The Connors Family Office (August 13, 2014)

4 Interview with Mitchell Weiss, Former Chief of Staff to Mayor Menino (July 24, 2014).

5 Up until the final moments before the name and logo were publicly introduced, the One Fund was going to be referred to as the "Boston Marathon One Fund." Astutely observing that the bombing's impact was bigger than perhaps suggested by the event-specific title, Tom Grill, Executive Director of the Boston Athletic Association (the lead organizer of the Boston Marathon), recommended that the word "marathon" be removed to reflect the broader community reach of the tragic event. [Interview with Thomas Crohan, Assistant Vice President and Counsel, Corporate Responsibility & Government Relations at John Hancock Life Insurance (August 13, 2014).]

6 Interview with Dorothy (Dot) Joyce, Former Chief Communications Officer for the City of Boston (July 24, 2014).

7 Interview with Mitchell Weiss, Former Chief of Staff to Mayor Menino (July 24, 2014).

8 Interview with Dorothy (Dot) Joyce, Former Chief Communications Officer for the City of Boston (July 24, 2014).

9 Feinberg (2014).

10 See Feinberg (2012), Mullenix (2014), and Schwartz (2013).

11 Abbott and McChesney (2014b: 32)

12 On the requirements for procuring expedited processing, see Abbott and McChesney (2014b: 31).

13 On the "objective manifestations" that charitable organizations may employ in order to document their capacity to "lessen the burdens of government," see Abbott and McChesney (2014b: 31)

14 Abbott and McChesney (2014a).

15 See Connolly (2014) for a detailed timeline of these events, informed by the author's personal experience serving as the first Chief Administrative Officer of One Fund Boston.

16 Interview with Jim Gallagher, Executive Vice President at John Hancock Life Insurance (August 13, 2014).

17 Interview with Mitchell Weiss, Former Chief of Staff to Mayor Menino (July 24, 2014).

18 Mullenix (2014: 18-21).

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