

Tuesday Report, August 11, 2015

“Stopping illegal immigration would mean that wages would have to rise to a level where Americans would want the jobs currently taken by illegal aliens.” ~ Thomas Sowell

As more catastrophic weather engulfs the nation, FEMA’s approach proves woefully outdated and ineffective. Despite increasingly severe storms, the agency insists on building destroyed infrastructure to the same standards. See “First as tragedy, then as farce: FEMA still to adapt to climate change,” page 11.

Fearing another surge in undocumented immigrants, the Justice Department is suing to hold incarcerated families in prison facilities indefinitely. See “Feds: Releasing Families Will Lead to More Illegal Migration,” page 30.

The week’s policy-related news articles are attached below.

Housing and Land Use

Online rental scam affects East Texans, leasing agents

ECISD to hear housing presentation

An Indelible Black-and-White Line

‘Mandatory Inclusionary Zoning’: The Dullest, Most Important Phrase in New York

Wages, Welfare, Health and Education (page 8)

Unemployment rate remains steady at 5.3% as US economy adds 215,000 jobs

Report: Texas among the states with lowest SAT scores

Under siege, for-profit colleges cry foul over new federal rules

Environment and Transportation (page 11)

First as tragedy, then as farce: FEMA still to adapt to climate change

Our old planning rules of thumb are “all thumbs”

‘Frack now, pay later,’ top services companies say amid oil crash

Railroads face big fines for failure to meet federal safety deadline

Tax and Legal issues (page 19)

Judge Strikes Down Idaho ‘Ag-Gag’ Law, Raising Questions For Other States

Ferguson’s legacy: for blacks, empowerment amid sense of injustice

Half of blacks say police have treated them unfairly

Mere sight of a gun makes police – and public – more aggressive, experts say

Residents at Farmersville meeting greet Muslim cemetery plan with distrust

What’s Next For Texas’ Discriminatory Voter ID Law?

Right to Be Forgotten’ Online Could Spread

Rogue drones a growing nuisance across the U.S.

Border Issues (page 30)

Feds: Releasing Families Will Lead to More Illegal Migration

Border leaders want U.S. travel advisory for Juárez lifted

War Watch (page 32)

After A Year Of Bombing ISIS, U.S. Campaign Shows Just Limited Gains

ISIL kidnaps over 200 in Syria’s Homs, activist group says

Attacks on army, police, U.S. special forces kill 50 in Kabul

UN reports rise in women, children casualties in Afghan war

The Battle for Hearts and Minds (page 36)

GOP debate field is set: Christie, Kasich in; Perry, Santorum out
Donald Trump axed from event over Megyn Kelly blood comment
Trump's Republican support holds strong post-debate - Reuters/Ipsos poll
Bernie Sanders sidelined in Seattle as Black Lives Matter activists invade stage

Housing and Land Use

Online rental scam affects East Texans, leasing agents

By Kenneth Dean Tyler Morning Telegraph August 7, 2015

Scotty Rouse remembers the day he had to tell a couple they would not be moving into the home they'd paid hundreds of dollars on and believed to have leased online.

Rouse, of Rouse Properties, managed the home and had not leased out the property, and the couple was duped by a scam.

Rouse said he'd received several calls about the property after photos from a legitimate real estate listing website were stolen and placed on Craigslist under a bogus listing.

"I knew there had been some calls, so I told neighbors if they saw anything to let me know," he said. "I got a call that a car was in the driveway on a Sunday, and I went straight to the house."

The couple he found at the house showed him a contract and paperwork showing they had paid a \$750 deposit.

Rouse said the couple told him the man they had leased the house from told them he was out of the country and could not make it back, so they were to mail him a check.

As they waited for keys to be delivered, the couple went to the home to do yard work before they moved into the 1,850 square-foot residence.

"They were devastated when they learned they had been scammed," Rouse said. "We called Tyler police, and as the officer was there, the man who leased them the house called asking for another \$500 pro-rated rent."

The couple is not alone. The Better Business Bureau Serving Central East Texas is warning renters to be on the lookout for phony ads on Craigslist and other Internet services when looking for a rental property or apartments.

BBB President and CEO Mechele Agbayani Mills said fraudulent ads are cropping up for rental properties across the country.

These ads are aimed at stealing money from unsuspecting renters," she said. "In most cases, the perpetrator of the fraud is out of the country and claims to be unable to show the property or to provide additional photos when requested."

Mrs. Mills said criminals search websites that list properties for sale or rent and hijack the information and post it with their own email address under the rental category.

The properties are almost always listed with below-market rental rates and the explanation that the owner had to leave the U.S. because of a missionary contract or a new job.

"This guy had a sad story, and the price was well below what an 1,850 square-foot (residence) would go for in this area," Rouse said.

Recently a Tyler area apartment complex discovered a rental ad for one of its units on Craigslist for an amount considerably less than the market value.

"The victims are told by the supposed landlord to fill out a credit application prior to viewing the property. This provides the schemer with access to information with which they can commit identity theft in the future," Mrs. Mills said. "Online ads have made finding rental properties much more convenient for consumers, and many prospective renters have successfully found homes through online classified ads. Unfortunately, though, what is convenient for consumers is also convenient for someone trying to take advantage of them."

Rouse said renters should do some homework before they send anyone online money for a rental property.

“Do a little investigative work and check the real estate websites and call some property management companies. The key is to protect yourself,” he said.

++++

RED FLAGS

The Better Business Bureau suggested residents look for the following warning signs when looking to lease property:

- The deal sounds too good to be true. Scammers will often list a rental for a very low price to lure victims. Research the average rental rates in the area, and if the rental comes in suspiciously low, consider walking away.
- The “landlord” is located elsewhere and prefers to communicate via email. Scammers might say they have just been relocated out of the country for a job or missionary work. Only deal with landlords/real estate agents/property management companies if you can meet them face-to-face and tour the property together.
- The landlord requires a credit application before showing the property. Don’t provide personally identifying information before inspecting the home, inside and out. A reputable realtor/property management company will allow potential renters to view and see the property before running a credit check.
- The landlord asks the renter to wire money through services such as Western Union or Money Gram. Money sent via wire transfer service is extremely difficult to retrieve. Once the scammers have picked it up, there is little recourse, if any, for getting any money back.

ECISD to hear housing presentation

Odessa American August 9, 2015

http://www.oaoa.com/news/education/article_f19856cc-3d5b-11e5-ba6d-ef0bee1ffda2.html

The Ector County ISD Board of Trustees will hear a presentation on the Odessa Housing Finance Corporation’s plans to develop a nearly 48-acre neighborhood of affordable housing at their board work study session, set for 6 p.m. Tuesday at the Administration Building, 802 N. Sam Houston Ave.

Plans include a 400-unit apartment complex, a senior center of about 100 units and about 120 units of townhomes and single-family residences. A schematic by Austin-based co-developer Delphi Affordable Housing Group includes green space such as landscaping and a centrally located park.

The idea is to offer affordable housing to an array of workers whose earnings make it difficult to live in Odessa.

The district has had difficulties recruiting personnel due to the scarcity of housing and the cost of living in Odessa. According to a previous *Odessa American* article, ECISD employees, including teachers, would be among the first eligible to move into the development.

An Indelible Black-and-White Line

By John Eligon *New York Times* August 9, 2015

http://www.nytimes.com/2015/08/09/us/an-indelible-black-and-white-line.html?hp&action=click&pgtype=Homepage&module=first-column-region®ion=top-news&WT.nav=top-news&_r=0

ST. LOUIS — When she tore open the manila envelope on a sweltering morning in early June, Crystal Wade thought she had unlocked her ticket to freedom.

“The St. Louis Housing Authority is pleased to inform you,” the letter read, “that you have been determined eligible to participate in our Housing Choice Voucher Program.”

Colloquially referred to as a Section 8 voucher, it would allow her to use a housing subsidy at any suitable rental property she could find anywhere in the city or county of St. Louis. So as she wilted that June morning in her subsidized north side townhome, where the air conditioner was broken again, where a baseboard was black with mold from a leaky window, where she avoided the ground-floor living room for fear of catching a stray bullet, she began to dream of the possibilities.

And her top dream was a single-family rental home in the well-appointed suburbs to the west, where the school districts are among the best in the state and where she would be a quick drive

to her job at a Verizon call center.

“It’s my way out from our messed-up system, our messed-up city,” said Ms. Wade, 25, who lives with her boyfriend and their three daughters.

But she quickly learned that when you’re black and poor, freedom has its limits.

A year after the fatal shooting of Michael Brown, an unarmed black 18-year-old, by Darren Wilson, a white police officer, unleashed a torrent of unrest in Ferguson, the St. Louis region has been embroiled in a difficult discussion about race and class — and not just regarding the police. Questions about whether minorities have access to good jobs, high-performing schools and low-crime neighborhoods have been fiercely debated. And for many, one question informs all those others: Can the barriers that keep blacks out of prosperous, mostly white communities be toppled?

Data suggests that they often cannot. By several measures, the St. Louis region remains among the most segregated places in the country, where most blacks and whites, though sometimes separated by only a short walk, live in different worlds.

Such is the case in Ferguson. The part where Mr. Brown died is a predominantly black east side neighborhood where residents have complained of police harassment and high crime in a cluster of apartments that stretches into the census tract with the most Section 8 renters in Missouri. Life is much different just two miles away in the city’s amenity-filled central business district, surrounded by pockets of predominantly white, affluent neighborhoods with sturdy brick and clapboard homes.

Responding to concerns that the conditions in black, lower-income neighborhoods contributed to the problems that sparked the unrest after Mr. Brown’s death, the Ferguson Commission, convened by Gov. Jay Nixon, recently proposed measures to promote more integrated housing, including vigorously enforcing fair housing laws to reduce discriminatory lending practices.

Interviews with residents, activists and academics suggest that an array of forces perpetuating segregation remain very much a thing of the present. In some ways, they are fueled by the attitudes of people, both black and white, molded over generations. In other ways, they are an economic reality that is fortified by real estate practices and government policies.

Over the years, the federal government has regularly failed to enforce fair housing laws that could reduce segregation. The Obama administration last month introduced new regulations through the Department of Housing and Urban Development that are intended to get localities to work more vigorously toward breaking down racially divided housing patterns.

The Section 8 voucher program, started four decades ago, is one of the tools that federal officials had hoped would provide access to high-opportunity communities for low-income people — and, by extension, minorities, as two out of three voucher recipients nationwide are not white.

In practice, however, the voucher system often falls short of that goal.

When she began her housing search shortly after receiving her letter, Ms. Wade plugged her wish list into the websites on which many landlords who accept Section 8 vouchers advertise — a two-bedroom house with a landlord who did not require two months’ rent upfront, something she could not afford. When the hits came back, not a single property was in one of the more affluent towns where the schools are better and crime lower. The few that were near promising areas had monthslong wait lists. Some landlords told her that they would rent to her and the children, but not to her boyfriend.

And so Ms. Wade, who grew up in all-black projects and went to predominantly black schools, recalibrated her expectations. She began to confine her search to the communities where most of the region’s black people live, where the majority of the region’s Section 8 holders — 95 percent of whom are black — are able to find obliging landlords, on the city’s north side and in north St. Louis County, which includes Ferguson. Segregation was laying its trap.

Limits of Affordability

Katina Combs browsed apartment listings on Craigslist one recent morning, carefully searching for clues of discrimination. The lead tester for the Metropolitan St. Louis Equal Housing and Opportunity Council, her job is to send testers to see if landlords treat everyone equally. When they do not, she files complaints with the government.

Ms. Combs homed in on listings in St. Louis Hills, a south side neighborhood in the city that is 93 percent white. Posing as a woman named Chanequa looking for a unit for herself and a 3-year-old daughter, she asked a few obligatory questions of the woman on the other end of the phone.

Then came the crucial inquiry.

"I have a Section 8 voucher," Ms. Combs said. "Do you accept Section 8?"

"Um," the woman replied. "Not for that property. We have two houses in North County that we have, um, that accept the Section 8 vouchers."

Ms. Combs rolled her eyes.

The city of St. Louis, population 317,000, is almost evenly split racially, with blacks accounting for 48 percent of residents and whites 46 percent. St. Louis County, which, at 524 square miles, is nearly eight times larger by area, surrounds the city and is separately governed. It is far less mixed, with whites accounting for about 70 percent of the approximately one million residents, and blacks about 24 percent.

Blacks are concentrated on the north side of the city and the adjacent northern part of the county. Whites, meanwhile, reside heavily in the city's southern neighborhoods and the county's western and southern towns.

In one measure of the region's segregation, a Brown University study found that either 70 percent of all the black people or 70 percent of the white people would have to move to achieve racially balanced neighborhoods. The analysis named St. Louis the ninth most segregated region in the country, among metropolitan areas with large black populations. Other studies have reached similar conclusions.

The residential differences can have serious consequences.

Clayton, the well-off seat of St. Louis County, for instance, is more than 77 percent white, with a median household income of nearly \$90,000 and a life expectancy of 85. Travel about a mile and a half north to Wellston, which is 95 percent black, and life expectancy drops by 15 years, median household income by about three-fourths.

The roots for the current racial divide are deep. In 1916, St. Louis voters codified segregation with an ordinance that prohibited racially mixed communities. The law was struck down by the courts, but deed covenants and realtor agreements prohibiting home sales to blacks kept segregation intact. The impact of those policies persist.

"Even though the on-the-ground mechanisms of segregation are now frayed, you end up with really a spatially divided housing market in which blacks can afford to live in one band of housing stock and whites in another," said Colin Gordon, a University of Iowa history professor and author of the book "Mapping Decline," which traces St. Louis's urban history.

One major hurdle for blacks searching for housing in whiter communities, fair housing advocates said, was the unwillingness of many landlords to accept Section 8 vouchers. Refusing to accept vouchers is legal in most places and has contributed to the concentration of blacks in poor communities, housing experts said.

The city of St. Louis enacted an ordinance this year essentially prohibiting landlords from discriminating based on Section 8. The county has no such ordinance, and the Ferguson Commission has recommended that the Legislature pass a statewide one.

Blacks today also struggle to get financing, experts say. Even when controlling for income, whites are approved for home loans at higher rates than blacks in St. Louis County, according to 2012 data published in the county's fair housing analysis last year.

And fair housing advocates say they still see racial steering. The woman Ms. Combs called about listings in St. Louis Hills, for example, had pointed her toward properties in predominantly black areas of North County that were poorer and more dangerous than St. Louis Hills, and yet had higher rents.

Ms. Combs has both lived segregation and escaped it. The seventh of eight children raised by a single mother in downtown St. Louis, she spent most of her early life in majority black communities.

Her mother migrated here from Arkansas in the late 1950s, and Ms. Combs spent the first years of her life in a housing project, the Cochran Gardens. The family moved several times, living in predominantly black areas. But when Ms. Combs was about 15, relatives helped the family find a rental home in a majority white neighborhood on the city's South Side.

It was life changing, Ms. Combs said. Suddenly she had white friends. She worked at Pizza Hut and was fascinated that some co-workers read books for fun, something she was not used to seeing in her previous neighborhoods. So she started reading more herself and fell in love with Edgar Allan Poe. She learned how to socialize outside of her race.

That became useful in navigating society. When, for instance, she and her husband, Michael, were searching for an affordable place on their relatively low income years ago, a white friend told her about a beautiful loft building made up entirely of low-income units in a decent part of downtown. They got a spacious one-bedroom for \$450 a month, she said; it seemed the perfect place for poor black families looking to take a step up. But the building was not well advertised, she said, and most of their neighbors were white.

They also landed in their current house in the south St. Louis County suburb of Affton, which is 94 percent white, with a bit of good fortune and connections. Colleagues at the housing council recommended her and Michael, who works in construction, for a reality show, Home Team, which finds a home for a family, remodels it and pays the mortgage for a year.

Ms. Combs, 42, said she loves her home. As a child her only real escape from her tough surroundings was playing the flute in her attic. Today her 7-year-old son, Michael Jr., can play with his train set in his room or dally in the backyard without worrying about gunfire.

Yet in her job and in her life, she says she still sees racial bias. "Discrimination is different today," she said. "It's with a smile. It's with a pleasant voice."

Social Barriers

For Crystal Wade, allowing her children to play on the grassy lot next to their house is hardly ever an option. With violent crime common in her neighborhood, Ms. Wade said she looked over her shoulder when she walked in the house. Her rambunctious and curious 2-year-old daughter, Crystian, once rambled toward the window when gunshots popped outside. Ms. Wade and her boyfriend, Bryant Goston, 26, also have a 7-month-old daughter, Ava. Mr. Goston's 7-year-old daughter from a previous relationship, Tamia, stays with them occasionally.

Five days a week, Ms. Wade takes a 30-minute drive with her best friend to their jobs at a Verizon call center in St. Charles County, where they work eight-hour shifts. She clocks 40 hours a week, but her roughly \$10-an-hour salary has not been enough to afford housing in the area where she works.

Her family moved into a subsidized federal-style townhome in St. Louis after their previous house on the city's west side burned down last year. Their current block has a Church of God in Christ on one end and about 16 standing structures, 11 of which are abandoned. On one side of her home is a vacant townhouse, on the other, a weed-filled empty lot.

She has tried to make this all work. She decorated the living room with a framed drawing of the Rev. Dr. Martin Luther King Jr. accompanied by a poem. "He was a man for our times, like Moses in his day, for God used him mightily, to pave a better way," it starts.

Optimism comes hard in Ms. Wade's St. Louis neighborhood, where only about one in four families earn above the citywide median income of \$35,000 a year, according to census data. For a third of the population, formal education ended at high school.

The voucher program, with a \$19.3 billion budget this year, is structured in a way that makes it difficult for the 2.2 million families that receive assistance nationally to rise into better communities. Housing officials have regularly complained that funding from Congress was inadequate and they are seeking a 9 percent increase this year that would add about 200,000 vouchers, including 67,000 eliminated by the 2013 sequestration cuts. In the city of St. Louis, 25,000 families are on the voucher waiting list.

The voucher pays a certain amount toward a family's rent based on a regional fair market rate calculated by the federal Department of Housing and Urban Development. The family is expected to contribute some money toward the rent, usually about 30 percent of its household income. Like other metropolitan areas, the higher income parts of the St. Louis region tend to have rental rates that are too expensive for the voucher to cover. That often leaves properties in dilapidated neighborhoods as a voucher holder's only viable option.

The disparity in property values between black and white communities also tends to push subsidized housing development toward poorer places, housing experts said. And the federal government actually gives greater financial incentives for building affordable housing in low-income neighborhoods.

But developers and housing advocates say there is also a major social barrier to bringing low-income families to better neighborhoods — resistance from people already living there.

A report prepared for St. Louis County last December analyzing impediments to fair housing found "that some residents of the study area hold strong 'Not In My Back Yard' (NIMBY)

sentiments as well as attitudes prejudiced against people of low-income, those residing in subsidized housing, and racial/ethnic minorities.”

Three out of four Section 8 renters in the St. Louis region live in the northern part of the city or the county, even though it has a smaller overall population than the southern region. In the north, the median household income is less than two-thirds of what it is in the south. And in the county alone, there are nearly 20 times as many Section 8 renters in the northern part than in the southern.

It is no surprise, then, that Ms. Wade’s search funneled her to neighborhoods that were only marginally better, and in some cases worse, than her current residence.

Her goal was to move into the Parkway school district in the western part of the county, where test scores are far higher than the city district where she lives. The Parkway district is also just 10 minutes from her job. And violent crime in Chesterfield, one of the towns she was considering, is a fraction of the rate in her neighborhood.

Searching, and Settling

Ms. Wade searched websites tailored to Section 8 seekers — Socialserve.com and GoSection8. She asked friends on Facebook and at work. She broadened her search criteria on Zillow, but only came up with options in the same neighborhoods she has been hoping to avoid. Some people told her they did not accept Section 8, she said. Others just did not return her calls or emails.

Ultimately, her search for Section 8 housing brought her on a recent overcast Saturday to a street of red brick bungalows in a part of northern St. Louis that was 97 percent black with a median home value of nearly \$53,000.

The violent crime rate in this neighborhood is slightly higher than where she lives now, and it is sandwiched between an industrial area and the county border. But it looked more stable, with few empty lots and most houses seemingly occupied. The two-bedroom home the family toured needed interior work before it would be ready for renters, and Ms. Wade was not happy with that. So the property manager took them to another home on a street that was much more tattered than the one they had just left. They looked at another two-bedroom brick bungalow renting for \$650 that was just about move-in ready. The smell of polish from the hardwood floors suffused the air. The walls were painted in a rich blue. The rooms were square and small. She reluctantly said she would take it.

As she explained the pros and cons to her best friend that night, a theme kept coming up, Ms. Wade said: the safety of the neighborhood.

“Go with what you feel is safe for you,” Ms. Wade recalled her best friend telling her.

So she changed her mind and decided on the first house instead. Unable to find something in the tonier western reaches of the county, she figured this was the best they could do. But she pledged to keep searching.

That same day, the family decided to escape the humid afternoon with a trip to a swimming pool in the mostly white suburb of Richmond Heights west of the city.

As Crystian stepped onto the synthetic turf of a playground outside, she paused and looked at her father wide-eyed, Mr. Goston recalled. “She’s used to dirt, grass and wood chips,” he said.

The child was not the only one who found the surroundings a bit uncomfortable. As Mr. Goston sat in a hot tub near the pool, he struggled to relax. He worried about whether the police would stop him when he left, whether the recreation center’s white staff were looking at him suspiciously, about whether he was behaving in ways that somehow fulfilled their stereotypes of black people.

He found himself wishing, he said, that all the things that he and Ms. Wade had wanted from a more affluent white neighborhood — the better schools, the lower crime, the nicer lawns and the recreation center — could be transplanted to their mostly black neighborhood. But then reality sank in.

“It’s not what I know,” he said, referring to all that surrounded him at that moment. “I can adapt, yeah. Because, to be honest, that’s what all black people have to do.”

‘Mandatory Inclusionary Zoning’: The Dullest, Most Important Phrase in New York

By Justin Davidson *New York Magazine* August 9, 2015

<http://nymag.com/daily/intelligencer/2015/08/dullest-most-important-phrase-in-new-york.html>

Could there be a more soporific or cryptic string of words than mandatory inclusionary zoning, the new rallying cry in the fight to make New York a place where New Yorkers can afford to live? And yet it's an exciting concept, especially if your rent-regulated apartment is going co-op and you can't afford to stay, or if you've fought to make your neighborhood a more pleasant place to live and now your children can no longer afford to live where they grew up. The city is drowning in its own money, and this is a lifejacket for those who can't swim.

Bill de Blasio has been talking about mandatory inclusionary zoning since before he was elected mayor, and now he's laid out a way to make it work. It's not a magic wand, but it is a powerful tool that, properly wielded, could make the city both more desirable and more affordable, an apparently insoluble paradox. The city needs huge quantities of housing of every kind (except for plutocrat penthouses: We're all set with those, thanks). The new proposal should help.

As the city grows, the real-estate market keeps puffing up, and low-income residents feel more and more squeezed by other people's affluence, the city is hunting for urban sponges — neighborhoods like East New York, Jerome Avenue in the Bronx, and a portion of downtown Flushing, that can absorb a lot more people without too much pain. But New York has a bifurcated market: areas so expensive that developers build only for the rich, and areas so depressed that developers don't want to build there at all. Either way, most people have nowhere to go. In this sick ecosystem, creating more supply seems only to whip up greater demand, and the promise of new construction has a tendency to make neighborhoods more expensive. Even in East New York.

As poor but promising areas are rezoned, the new proposal offers a carrot of subsidy and a stick of obligation: Developers can tap into city money, but they must set aside between 25 and 30 percent of all new apartments for low- and middle-income residents. The key word is must. In the existing system, developers trade regulated apartments for tax incentives. Under the de Blasio proposal, whenever a neighborhood is rezoned (or a developer asks for a special rezoning), the builder can no longer opt out. Even more important, those regulated apartments will stay regulated forever.

That's an expensive proposition: \$6.7 billion in housing subsidies over the next decade, plus another billion or so to bring rezoned neighborhoods up to snuff. "This isn't just an issue of equity; it's also an issue of growth," says city planning commissioner Carl Weisbrod. In more affluent areas, developers will have to build the affordable (i.e. money-losing) apartments themselves, which effectively means that well-off residents subsidize their less affluent neighbors. (That, more or less, is what taxes do, too.)

If the de Blasio program becomes law, and if that law works as advertised, it could help keep the poor, the rich, and the middle class from separating in the centrifuge of a dizzying market. It might even cause New York to start emulating cities like Vienna, where new social housing is often beautiful, solid — and cheap.

Wages, Welfare, Health and Education

Unemployment rate remains steady at 5.3% as US economy adds 215,000 jobs

As the US economy continues to add jobs, the Federal Reserve is expected to raise interest rates for the first time in almost a decade come September

By Jana Kasperkevic *The Guardian* August 7, 2015

<http://www.theguardian.com/business/2015/aug/07/unemployment-rate-economy-jobs-federal-reserve>

The US economy added 215,000 jobs in July, while the unemployment rate remained steady at 5.3%, meeting expectations. The numbers released by the Department of Labor on Friday heighten expectations that the Federal Reserve will raise interest rates as soon as September. Economists expected US employment to have grown by 225,000 jobs last month, and for the unemployment rate to hold at a seven-year low of 5.3%. So far this year, job gains have averaged 208,000 a month.

Last week, applications for unemployment benefits increased by 3,000 to about 270,000. The four-week average dropped to 268,250, close to levels last seen in 2000. Such near-historic lows point to a healthy job market, according to economists.

"Initial claims for unemployment insurance have been below 300,000 for 22 straight weeks, the longest such stretch since 1973," said Gus Faucher, senior economist at PNC Financial Services. "Claims are running at a pace consistent with monthly job growth of better than 200,000."

Another increase of more than 200,000 jobs implies a continued downtrend in unemployment, according to Jim O'Sullivan, chief US economist at High Frequency Economics. Such a downtrend would reinforce the Fed's assessment of the jobs market and recent employment gains as "solid" and get the unemployment rate within the 5% to 5.2% range that most Fed officials consider to be consistent with full employment.

The Fed is expected to raise interest rates in September, for the first time in nearly a decade. Testifying in front of Congress in July, Fed chair Janet Yellen said the US central bank had no judgement about "the appropriate date to raise the federal funds rate" but that it might be better to do so sooner than later.

"If we wait longer [to raise rates] it certainly could mean that when we begin to raise rates we might have to do so more rapidly," she warned. "So an advantage to beginning a little bit earlier is that we might have a more gradual path of rate increases."

Jerome Powell, a Federal Reserve governor, said earlier this week that nothing had been decided and that whether the Fed raises interest rates will depend on the data to be released before the September Fed meeting. Yet earlier in June, he indicated that he too would support gradual rate increases.

"My own forecast calls for liftoff in September and for an additional increase in December," he said.

Probably the most assertive and outspoken in his support of raising the interest rates in September has been Dennis Lockhart, president of the Federal Reserve Bank of Atlanta.

"I think there is a high bar right now to not acting, speaking for myself," he told the Wall Street Journal. "It will take a significant deterioration in the economic picture for me to be disinclined to move ahead."

Report: Texas among the states with lowest SAT scores

By Rebecca Salina San Antonio Express-News August 5, 2015

<http://www.mysanantonio.com/news/education/article/Report-Texas-among-the-states-with-lowest-SAT-6417411.php>

Texas students' average scores on the SAT were some of the lowest in the country, according to a recently released report.

Only a third of the nearly 183,000 Texas students in the Class of 2014 that took the SAT met the standard score of 1550, according to data from CollegeBoard.com. The 33.9 percent of students who passed in Texas is nearly 9 percent lower than the national average and landed the Lone Star State on the "lowest average SAT score" list from WalletHub.com.

The business and financial website deemed Texas as the fifth worst state in the nation SAT scores, falling behind Washington D.C., Delaware, Idaho and Maine, which had passing benchmark rates of 28.8, 27.7, 25.7 and 30.5 percent, respectively, according to data from CollegeBoard.com.

Overall, Wallet Hub ranked this state as 27th in the nation with the best school systems, based on its school-system rank of 31 and its safety rank of 19.

About 62 percent of the state's Class of 2014 took the standardized test, according to the data. The latest SAT scores by city and district have not been released, but the Express-News has reported that economically disadvantaged kids in San Antonio school districts tend to have lower SAT scores.

Bexar County school districts, such as Edgewood, San Antonio and South San Antonio districts, have percentages of economically disadvantaged students reaching as high as 95.7 percent, and mean SAT scores as low as 1166 in the 2012-2013 school year.

Under siege, for-profit colleges cry foul over new federal rules

By Emma Baccellieri McClatchy Newspapers August 11, 2015

<http://www.mcclatchydc.com/news/nation-world/national/article30646605.html>

After trying for years to tighten the rules on for-profit colleges, the Department of Education finally enacted regulations on the industry this summer. But the fight's not over.

A month after new rules went into effect, the department faces continuing push-back from the colleges, and Republican lawmakers as well.

The regulations require for-profit colleges, such as prominent names like the University of Phoenix and ITT Tech, to prove that students can find "gainful employment" after finishing school. The intent is to separate credible programs from those that weigh students down with significant debt for degrees that end up being worth little. Colleges are now asked to show that the average student's annual loan payment is not more than 20 percent of the student's discretionary income after graduation.

If the schools don't meet the standard, they risk losing their federal financial aid. Public and private nonprofit colleges are not required to prove that their students meet such a standard. For the Education Department and others that have spent years fighting to implement the regulations, it's an important step toward cracking down on an industry that has been criticized for taking advantage of students.

"It's a big issue," said Rep. Rosa DeLauro, D-Conn. "They wind up in serious economic difficulty. With high debt, they default. They don't come out with a meaningful education or degree or certificate that allows them to be gainfully employed."

The federal government has been cracking down on for-profit schools. In April, the Education Department fined the Corinthian College chain \$30 million for overstating its job placement figures. Corinthian closed in May.

The University of Phoenix, meanwhile, is under investigation by the Federal Trade Commission, for possible deceptive practices related to marketing, costs, recruiting and other aspects of its business. Phoenix, popular among veterans, receives large amounts of tuition and costs through the GI Bill.

A 2012 report from the Senate Health, Education, Labor and Pensions Committee found that for-profit colleges are significant recipients of federal student aid.

"During the 2009-10 academic year, the for-profit sector collected \$32 billion, out of the total \$130 billion in loans and grants disbursed under Title IV of the Higher Education Act," it stated.

Title IV is the major source of federal student aid.

For-profit colleges say the new Department of Education rule is unfair and singles them out, while public and private nonprofit universities continue to increase tuition and leave students in significant debt, an average of \$28,400 per student, according to The Institute for College Access and Success.

"It doesn't apply to all programs and all students at all institutions. It applies to, essentially, us," said Noah Black, vice president of public affairs for the Association of Private Sector Colleges and Universities, a trade group that represents for-profit schools.

Several Republicans have criticized the regulations as expensive and unauthorized. They also contend that regulating for-profit colleges should be the role of Congress, not the Obama administration. Appropriations bills drafted by the House of Representatives and the Senate include provisions to reverse the regulations.

"It's better handled in the higher education reauthorization than it would be in some other way," said Sen. Roy Blunt, R-Mo., chairman of the Senate subcommittee responsible for education appropriations.

The Department of Education began pushing the "gainful employment" regulation in earnest in 2009. But the industry pushed back. When a version of the regulation was drafted in 2011, the for-profit colleges marketing association sued the department, claiming the new rules had been arbitrarily chosen.

A federal judge sided with the colleges, and the administration went back to the drawing board. New regulations came out last year and for-profit colleges sued again. This time the courts ruled for the department and the new regulations went into effect July 1. The for-profit colleges plan to appeal.

Black of the for-profit college marketing group claimed that if the "gainful employment" regulation was applied to all colleges and not just for-profits, some programs at well-known schools would

not currently meet the standards, according to the group's lawsuit against the Department of Education. It cites as examples a law degree from George Washington University or a bachelor's degree in social work from the University of Texas.

But opponents say that for-profit colleges deserve special scrutiny because they saddle more vulnerable students with more debt and do less to improve their futures. According to the Department of Education, more than 80 percent of for-profit students need to take out federal loans to pay for college, while less than half of students at public colleges do.

The degree often costs more, with the average tuition at a for-profit school measuring four times the tuition at a community college and nearly double the in-state tuition at a public four-year university, federal education data shows.

And while costly, education officials say that it typically doesn't yield strong results on the job market. Students with bachelor's degrees from for-profit schools were 22 percent less likely to hear back from employers than job applicants with similar degrees from non-selective public colleges, a study from the National Bureau of Economic Research found.

Though students at for-profit institutions represent only 11 percent of college students, they make up 44 percent of students who default on their loans, according to the data.

For-profit schools are "saying it's not fair, but I actually see this as a counterpoint: If you make your programs so good that students who enroll do well, then that's the biggest selling point," said Michelle Cooper, president of the nonpartisan Institute for Higher Education Policy.

Students who choose for-profit colleges are more likely to be older, work a full-time job or have a family they need to support. They're usually attracted to the schools because of the flexible class schedule, easy registration and specific programs that don't require general education requirements. Often, they're the first in their families to attend college.

The colleges argue that serving these nontraditional students makes it more difficult to judge the schools by traditional measures of success – graduation rates and starting salaries, for example – since their students face different obstacles than the typical 18-year-old who enrolls at a two- or four-year institution.

Joshua Gaskins, 26, of Hanahan, S.C., grew up in a family where no one finished high school. He said his parents told him: "I don't want you working a dead-end job. I want you to do something with your life."

Gaskins tried community college, but struggled with the general education requirements for his program and dropped out. He was earning \$12 an hour at a Walgreens pharmacy when he saw advertisements for ITT Tech.

In 2010, Gaskins enrolled in a computer science program at the school's North Charleston campus. He couldn't afford the tuition – about \$35,000 in total for his degree – and was told he didn't qualify for grants.

A financial aid officer told him loans were his only option, Gaskins said, without any discussion of interest rates or the process of repaying them. And the school promised job placement after graduation.

The paperwork was in front of him "in less than 30 seconds," he said.

Gaskins graduated in 2012. Then the bills began to arrive.

Gaskins said he was not given enough information about the loans, including the fact that one loan was owed directly to the school, not the federal student aid program. Another was taken out in his father's name rather than having his father as a co-signer.

An ITT Tech representative said that all students are made fully aware of the scope of their loans.

Apple hired Gaskins for a part-time, at-home customer service position. It paid slightly more than his work at Walgreens. Three years after graduation, he is more than \$45,000 in debt.

"It's been utter hell," he said.

Environment and Transportation

First as tragedy, then as farce: FEMA still to adapt to climate change

Despite the agency's attempts to account for bigger storms, its outdated rules leave communities unprepared for disaster

By Elizabeth Shogren *Al Jazeera America* August 11, 2015

<http://america.aljazeera.com/articles/2015/8/11/first-as-tragedy-then-as-farce-fema-still-to-adapt-to-climate-change.html>

SHARON, Vt. — During tropical storm Irene in 2011, small streams roared like gigantic fire hoses, washing away or severely damaging hundreds of bridges and culverts across Vermont, including Fay Brook Bridge, which had stood for more than 80 years in a narrow valley outside this tiny village.

"Mother Nature is powerful," says David Indenbaum, an emergency room doctor who lives up a steep slope near the bridge, over what is usually a gentle brook. "It was incredible. I never thought something like that could happen."

With the old bridge out of commission, Indenbaum's 40-minute commute to Central Vermont Medical Center, in the town of Berlin, grew by as much as an hour and sent him over unpaved single-lane roads. School buses and emergency vehicles had to take the same detour, adding as many as 12 slow miles to their trips.

Due to climate change, extreme storms and destructive flooding have increased nationally — especially in the Northeast. And here in Sharon, town officials knew after Irene that they needed to replace the Fay Brook Bridge with a sturdier structure. They had heard members of President Barack Obama's administration tout the need to make communities more resilient to climate change. So they were flabbergasted when the Federal Emergency Management Agency insisted that the government would help fund the project only if Sharon replaced the bridge "in kind," meaning without making it bigger and stronger to withstand a greater quantity and velocity of water.

Replacing in kind creates "sitting ducks for the next big flood event," says one Sharon town official.

Sharon's experience illuminates a failure common to FEMA programs: Places where disasters have never, or rarely, hit in the past now face significant damage from bigger storms, sea level rise and other consequences of global warming. Yet federal programs function as if climate were static.

"All our infrastructure, all our social systems, all our economic systems and financial support systems have not been designed for this new normal [which] is pushing the boundaries of the institutional structure that used to make FEMA responsive," says Michael Simpson, chair of the environmental studies department at New England's Antioch University. "And Sandy and Irene and Katrina are just sort of waves hitting the shore. The tsunami hasn't come yet."

An examination of FEMA programs by the New England Center of Investigative Reporting and Al Jazeera America has found that key agency programs fail to account for the observed and predicted changes of rising seas, more severe weather and other risks brought on by global warming:

- FEMA's Public Assistance Program incentivizes communities to replace damaged culverts, bridges and other infrastructure with similar structures.
- Contradictory federal policies on climate mitigation allow hundreds of millions of federal aid dollars to go unused on the Louisiana coast a decade after Hurricane Katrina ravaged the area.
- Very little FEMA funding is available to protect communities before disasters hit, even if a place is particularly vulnerable. This can have tragic consequence, as in the case of a Colorado town that was left in danger of flooding after a major wildfire but could get no help to upgrade its drainage system. It received millions of dollars from FEMA only after devastating floods destroyed the drainage system and severely damaged homes and businesses.

These shortcomings have yet to be fixed despite efforts by the Obama administration to adapt the agency's programs to climate change over the past couple years. "We've been charged to evaluate how climate change considerations can be incorporated," says Michael Grimm, director of the risk reduction division of the federal insurance and mitigation administration at FEMA. "It is certainly something FEMA has recognized and is working on."

A January executive order, yet to be implemented, called for a new standard to enable federally funded projects to withstand greater flooding predicted with climate change and "ensure that projects funded with taxpayer dollars last as long as intended."

In an earlier action in the aftermath of Hurricane Sandy in 2012, FEMA announced a new policy that allows communities to consider sea level rise when rebuilding with federal dollars after disasters. But experts caution that true reform will require Congress to rewrite the Stafford Act,

the basis for FEMA's rules, which purposely prevents FEMA from upgrading infrastructure. Despite the agency's recognition of the problem and its efforts to help communities use its funds for climate preparedness, Nicholas Pinter, a geology professor at Southern Illinois University, believes that "it is the statutes, which Congress has given them, which limit what [FEMA] can do." Meanwhile, says Jessica Grannis, a lawyer with the Climate Center at Georgetown University Law School, "The problem is that we're going to be putting people and property back in harm's way, and the money could potentially be wasted."

Resisting upgrades in infrastructure puts communities at risk

In Vermont, the widespread devastation caused by Irene woke up state and local government officials to the reality that scientists have long been aware of: Climate change is causing disruptive new weather patterns, dropping huge amounts of rain, ice and snow in short periods, and the trend is predicted to continue. For example, New England saw a 71 percent increase in precipitation between 1958 and 2012.

But FEMA — citing its replacement-in-kind principle — repeatedly balked when Vermont towns sought public assistance funds to upgrade damaged culverts and bridges after Irene, which had slowed down to tropical storm level from hurricane force before it hit the state.

In Sharon's case, because Fay Brook Bridge was important for getting emergency vehicles to residents in a timely manner, town leaders rushed to rebuild. They got a verbal OK from a FEMA contractor to install a sturdier structure — a precast concrete arch — and moved ahead with construction. Then FEMA officials told them they would only pay to replace the old single-lane bridge in kind.

"It does not make sense: You don't put back in something that is going to fail," says Miriam Rubin, who was then the administrative assistant for the town. Sharon was in a panic, she recalls, because it had already spent \$344,000, a third of the town's annual budget, on a replacement bridge.

FEMA eventually promised to reimburse the cost of construction, but it took three years for the agency to reverse its earlier decision. Like Sharon, many other Vermont towns eventually got FEMA funding for bigger culverts and bridges, but only after protracted, case-by-case battles.

"It's not a good way to run a disaster assistance program," says Ben Rose, chief of recovery and mitigation for Vermont's Division of Emergency Management. "It leaves an open question from disaster to disaster and administration to administration and leaves our little towns with an uncomfortable level of uncertainty."

Despite the January executive order from Obama, Vermont officials worry that communities could continue to face similar resistance from FEMA after the next big disaster.

"It's not fixed," says Sue Minter, secretary of Vermont's Transportation Agency and co-chair of a White House task force subcommittee on disaster recovery and resilience.

FEMA rules designed to conserve scarce federal dollars instead waste them, says Deb Markowitz, secretary of Vermont's Agency of Natural Resources. For example in Williamstown, a stretch of Flint Road washed out four times, in 2004, 2007, 2011 and in 2013, because two culverts a quarter-mile apart were too small to contain a stream swollen with rainwater. Each time FEMA refused to pay to upgrade the culverts but spent a total of about \$1 million to repair the road and both culverts four times. In contrast, a much larger concrete culvert installed in 2013 by the town to replace one of the culverts cost \$130,000, according to the town manager, Jackie Higgins. It held during a July deluge that dropped 4.5 inches of rain. (Williamstown recently received approval from the state to upgrade the other culvert as well.)

Despite repeated requests over several months, FEMA refused requests for comment on Vermont's concerns that FEMA's in kind requirement hinders community efforts to prepare for bigger storms.

Green infrastructure projects face big obstacles

When FEMA does allocate money to better protect communities from storms, its rules can make it very difficult for local governments to get approval for projects and actually spend the money.

This leaves people vulnerable for the next storm.

By March 2014 — more than eight years after Hurricane Katrina — FEMA had yet to spend \$812 million in hazard mitigation grants set aside to protect Louisiana from future storms, according to a recent report by the Homeland Security Department inspector general. "This \$812 million represents missed or delayed opportunities to protect lives and property from future disasters,"

the report states.

City officials in New Orleans say one reason they've failed to use the money is that FEMA sets such a high bar for approving green infrastructure projects, which modify landscapes to mimic the protections natural systems provide. This despite the White House's and many scientists' touting such projects as important remedies for the increased flooding that comes with climate change. It has taken several years to get FEMA's OK for one green infrastructure project in New Orleans, according to Brad Case, the city's director of hazard mitigation, and other city officials. The \$15 million Pontilly project, which is still in the planning stage, would turn 50 vacant lots into a network of sunken gardens and ditches planted with grasses and shrubs designed to ease street flooding. "Part of the reason the money is not spent is we proposed things like Pontilly that we spent years getting approved," says Case. Ideally, the city should spend much of its remaining FEMA funds on Pontilly-style projects, Case argues, which would help reduce street flooding. After Katrina, the city ended up owning 2,400 vacant lots. "We could reproduce that project in a lot of other places around town," says Case, "but that will take forever" because of FEMA's bureaucratic hurdles. Instead, the city uses most of its FEMA hazard-mitigation grant money to elevate individual homes. This might help safeguard specific structures but it does nothing to reduce the flooding risk to wider areas. It's nearly 10 years later and, says Case, "we have to get this money gone." The analysis FEMA requires to prove that a project's benefits outweigh its costs is "slanted" against green infrastructure projects, says Jeffrey Thomas, a New Orleans lawyer and FEMA contractor.

FEMA acknowledged that communities may have trouble meeting requirements for green infrastructure projects, particularly the condition on showing cost-effectiveness according to the agency's extremely technical benefit/cost analysis. Since these kinds of projects are still uncommon, there is little precedent for getting them through these bureaucratic hurdles, FEMA official Grimm concedes. But FEMA is ready to guide communities that want grants for green infrastructure projects, he adds.

Obama's executive order was an attempt to encourage such projects: "Where possible, an agency shall use natural systems, ecosystem processes, and nature-based approaches when developing alternatives for consideration."

Fixing the ways FEMA doles out funds to respond to the hazards of climate change is important because such large numbers of federal dollars are at stake, many experts argue. "Outside of defense spending, this is the biggest area where the feds are spending money to build things," Thomas says. "Are they compatible with the high aims we are articulating for our cities to be more resilient to climate change?"

No money for an ounce of prevention

One of the most glaring examples of how FEMA's programs are a mismatch for climate change is how difficult it is for communities to get money before a disaster strikes. The FEMA program that provides such funds has been seriously underfunded, according to academics, FEMA contractors and other experts, at \$25 million in recent years — a drop in the bucket compared with post-disaster funding.

After the 2012 Waldo Canyon fire burned close to 20,000 acres on the mountain slopes above the tourist town of Manitou Springs, Colorado, town leaders knew the parched landscape greatly heightened the risk of flooding.

But despite local government efforts, Manitou Springs could not get FEMA or other federal money to improve the town's storm water system, according to state and local officials. So, town officials installed new emergency warning sirens, drilled residents and waited for the disaster they knew was on the way.

On Aug. 9, 2013, it came.

"I'd been living under this shadow of doom for about a year," Manitou Springs Mayor Marc Snyder recalls. "I remember looking over and seeing that ominous dark cloud over the burn scar and I thought, 'This is it.'"

Manitou Springs sits at the base of several mountains, including the majestic Pikes Peak, which inspired the patriotic song "America the Beautiful." For 100 years, the town's storm water system handled the water running off the slopes. But it was no match for floodwaters carrying rocks, trees, mud and ash off the scorched slopes. Dozens of homes and businesses were destroyed or damaged in the flood. So was the storm water system.

"We had to wait for the disaster, and then the funding doors opened up to us," says Snyder. FEMA paid for most of a new \$6 million drainage system. Upgrading before the flood would have cost far less, and much of the rest of the damage could have been averted, state and local officials agree.

FEMA says it receives requests for several times more funding than it has available each year for preventative projects. "There's a clear need there," says FEMA's Grimm.

In recent years, Obama has asked Congress for more funding for pre-disaster hazard mitigation grants, but Congress has allocated only \$25 million. In his 2016 budget request, Obama is seeking eight times that much, \$200 million.

"Had Manitou Springs had other mitigation projects before Waldo Canyon, it would have been able to handle post-fire flooding," says Kevin Klein, director of the Colorado division of Homeland Security and Emergency Management.

With climate change, many other communities face similar risks as wildfires are predicted to increase in frequency across much of the West.

"The post-fire flooding is predictable: You have a big fire. It scorches the watershed. We know we're going to have flooding," Klein says. "We need to have mitigation dollars for that in a pot someplace, but we don't."

Obama administration grapples with FEMA programs

It's too early to judge the impact of the Obama administration's executive order, which has been attacked by congressional Republicans. Also, FEMA and other agencies have yet to flesh out how they will implement it.

But some states report that FEMA's 2013 sea level rise policy has helped. For instance, New York City used it to justify the expensive decision to elevate by several feet a new 5.5-mile-long boardwalk in Rockaway, Queens, after Hurricane Sandy severely damaged the old boardwalk, according to Heather Roiter Damiano, director of hazard mitigation for the New York City Office of Emergency Management. Another sign of change at FEMA is the agency's support for a major coastal protection project at Breezy Point, also in Queens, where roughly 350 homes were lost during Sandy.

The epic scale of Sandy moved Congress to allocate tens of billions of dollars for disaster relief and rebuilding. However, communities cannot expect that level of generosity when smaller-scale climate events strike. Many towns and cities have yet to seriously assess the new vulnerabilities that come with climate change or take steps to minimize future damage, such as by steering new construction out of floodplains or adopting building codes that keep key electrical equipment and furnaces out of basements. "Local communities and states need to take more ownership," says Pinter.

Still, with billions of federal dollars at stake, it's crucial that FEMA policies adapt to the new climate threats facing communities. "The existing [FEMA] programs don't help communities leap forward," says Minter, secretary of Vermont's Transportation Department. "We have to recognize that change is here. Every chance we have we should be sure to build back for the future."

Our old planning rules of thumb are "all thumbs"

By Joe Cortright *City Observatory* August 5, 2015

<http://cityobservatory.org/our-old-planning-rules-of-thumb-are-all-thumbs/>

We all know and use rules of thumb. They're handy for simplifying otherwise difficult problems and quickly making reasonably prudent decisions. We know that we should measure twice and cut once, that a stitch in time saves nine, and that we should allow a little extra following distance when the roads are slick.

What purport to be "standards" in the worlds of transportation and land use are in many cases just elaborate rules of thumb. And while they might have made sense in some limited or original context, the cumulative effect of these rules is that we have a transportation system which is by regulation, practice, and received wisdom, "all thumbs."

One of the problems with rules of thumb (or the more academic term, "heuristics") is that while they may work well in many cases, they may work very poorly in others – and they may be subject to important cognitive biases that lead us to make bad decisions.

Here are five rules of thumb that have led to a distorted view of our transportation problems and

their appropriate solutions.

Old rule of thumb #1: We should have a high “level of service” on our streets. Around the country, traffic engineers have long assigned one of six letter grades A through F to describe traffic flow on streets. (A is free-flowing traffic, F is highly congested.) Many planning decisions emphasize the need to maintain high levels of service, which means that roads are designed to be much bigger (and more expensive) than they need to be most of the time. And level of service only measures car travel time on a particular road, ignoring non-car travelers, and – importantly – the effect of more roads on sprawl and overall trip lengths. These flaws have led California to eliminate level of service as a factor in environmental analyses of traffic impacts.

Old rule of thumb #2: Wider streets are safer streets. It's long been an engineering axiom that wider roads are safer, because they give cars and others more space to avoid collisions. But the behavioral effects of wider roads overwhelm the supposed safety advantages. Wider lanes encourage vehicles to drive faster, and higher speeds produce deadlier consequences—especially for cyclists and pedestrians. New research shows that the optimal lane width for minimizing crashes and injuries is something like 10 or 11 feet, not the 12-14 feet of many travel lanes in streets around the country.

Old rule of thumb #3: We should require “enough” off-street parking for every use. As Donald Shoup has shown, parking requirements spelled out in zoning codes—often based on formidably inaccurate estimates prepared by the ITE (Institute of Traffic Engineers) lead to a situation where every business's parking lot is sized for the peak hour of the peak day of the year (holiday shopping season at the Mall, example). Not only does this produce more parking than is needed the rest of the year, it turns out that parking “requirements” grossly overstate demand even in peak periods, and especially for urban uses where more people arrive by other means, and park for shorter periods of time. The product of this rule of thumb is that parking is over-supplied, destinations are further apart than they would otherwise be, and walking, transit and cycling are non-functional.

Old rule of thumb #4: We should plan for a certain number of car trips to be generated by every land use, no matter where it is. Another rule of thumb for planning is that every land use “creates” or generates a certain number of trips. But it isn't necessarily so: the studies used to make these estimates are drawn from large-scale suburban development where proportionately more trips are by auto. A careful analysis of the data shows that trip generation estimates for most uses are overstated by a factor of 2, leading local governments to require even more transportation capacity than is needed—driving up development costs, and inducing additional travel.

Old rule of thumb #5: We should have a hierarchy of streets. The street hierarchy makes an explicit analogy to the human circulatory system. Just as we have an increasingly fine array of arteries, veins and capillaries, so too does the transportation system have freeways, arterials, collectors and local streets. And we've abandoned the traditional street grid for a dendritic pattern. It turns out that these hierarchical street systems are less resilient to disruption and have less capacity than the old-fashioned grids they replace, and are especially hostile to non-automotive modes of travel (pedestrians and bikes are forced to take circuitous routes and are hard to accommodate at the intersections of major arterials that have limited “green” time to accommodate cross-traffic and turning movements. The hierarchal system of “arterials, collectors, and local roads that we've adopted in place of the traditional street grid has had the effect of making the average trip between any two points longer. Over the past two decades the “circuitry” of trips has increased by 3.7 percent in the nation's 50 largest metropolitan areas. This increase is on top of the increase in trip distance due to sprawl and decentralization.

Our “all thumbs” approach to transportation planning leads to a specific pattern of development that is as inefficient for cars as it is hostile for persons traveling on foot, via bicycle and on transit. What is needed are a new set of rules of thumb. Like all heuristics, this isn't meant to be taken as a final set of “standards” to fit every situation – but there are some emerging ideas about what we might emphasize.

New rule of thumb #1: Closer is better. Having more different destinations close at hand facilitates a wide range of mode choices, especially walking and cycling. Mixing uses, which is often anathema under traditional zoning codes turns out to be desirable for consumers and expeditious for transportation.

New rule of thumb #2: Slower is safer. When cars and people on foot and on bikes interact, safety comes from slow speeds even more than separation. Local streets that move traffic slowly are friendlier—and safer—for non-auto modes of transportation.

New rule of thumb #3: Sharing is efficient. Rather than require every use to provide parking for the peak hour of the year, arranging uses so people can park once, and walk mostly leads to less traffic, greater safety and more congenial, fine-grained development patterns.

New rule of thumb #4: Our objective should be accessibility, not mobility. Many transportation heuristics emphasize speed: how do we make things move faster. But what we really care about is getting to (or being at) our destinations, not rapidly traveling among them. Speed should be secondary to choice.

Of course, these new “rules of thumb” are just a beginning. There’s a lot of work to be done to un-learn and re-think the unfortunate heuristics we’ve employed in thinking about transportation planning and land use. But as these examples illustrate, re-thinking these issues isn’t a purely technical matter: it depends critically on re-imagining the way we visualize and tell stories about how our transportation system works.

‘Frack now, pay later,’ top services companies say amid oil crash

By Terry Wade and Anna Driver Reuters August 7, 2015

<http://www.reuters.com/article/2015/08/07/us-fracking-halliburton-schlumberger-nv-idUSKCN0QC0F220150807>

Business is so tough for oilfield giants Schlumberger NV and Halliburton Co that they have come up with a new sales pitch for crude producers halting work in the worst downturn in years. It amounts to this: "frack now and pay later."

The moves by the world's No. 1 and No. 2 oil services companies show how they are scrambling to book sales of new technologies to customers short of cash after a 60 percent slide in crude to \$45 a barrel.

In some cases, they are willing to take on the role of traditional lenders, like banks, which have grown reluctant to lend since the price drop that began last summer, or act like producers by taking what are essentially stakes in wells.

At Halliburton, some of the capital to finance the sales will come from \$500 million in backing from asset manager BlackRock, part of a wave of alternative finance pouring into the energy industry that one Houston lawyer said on Thursday allows companies to "keep the engine running."

When its second-quarter net profit tumbled by more than half a billion dollars to just \$54 million, Halliburton's Chief Executive Dave Lesar told analysts the company needed to find new revenue. The BlackRock money, he said, would allow Halliburton to "look at additional ways of doing business with our customers, different business models, push beyond where we have been today."

Halliburton declined to provide additional details, including how many customers it has for its financing program, citing confidential dealings with clients. Schlumberger has said it has eight onshore refracking clients in North America.

Another variant, which Halliburton has considered and Schlumberger has pushed, is one in which the companies cover up-front costs for a producer and then get a piece of a well's performance. The services companies have made these special offers to producers in a bid to roll out the new business line of refracking, in which existing wells are worked over to lift output.

Halliburton and Schlumberger tout refracking as a cheap way of adding barrels because it avoids drilling new wells, which can cost several million dollars each.

TINY BALLS

One way to refrack involves injecting tiny rubber-coated balls and reactive fluids that can later dissolve in a well to seal off existing fissures in rock. This boosts pressure. Then, new cracks in rock that release oil are created with a pressurized frack slurry of sand, water and chemicals. It is not yet clear how much business refracking will generate.

Oilfield services analyst Angie Sedita at the Swiss bank UBS said in a note to clients that refracking will "not be enough of a demand driver" in 2016 and will take time to make inroads.

Two prominent shale producers, EOG Resources Inc and Anadarko Petroleum Corp, have both said refracking technology needs improvement.

Others, including Chesapeake Energy Corp and Devon Energy Corp have said they have been refracking and are happy with the results.

Devon said this week it has refracked 1,000 wells over the years in North Texas and indicated it has no plans to tap unusual financing from a service company.

A few dozen wells have been refracked twice and the company said it is working on newer generation refracking methods for its large inventory of wells.

"We've got a great opportunity there and we're continuing to prosecute that on our own," Tony Vaughn, Devon's executive vice president for exploration and production said on Wednesday. Schlumberger Chief Executive Paul Kibsgaard has acknowledged producers might be unwilling to give up output from a well they think will be lucrative, and instead choose a traditional services contract.

"It's just a reflection of do they want to capture more of the value themselves or would they like to outsource all the risk and potentially much more of the upside to us?," he said on the company's July results call.

Railroads face big fines for failure to meet federal safety deadline

By Curtis Tate McClatchy News August 8, 2015

<http://www.mcclatchydc.com/news/nation-world/national/economy/article30438915.html>

The Federal Railroad Administration plans to impose big penalties on railroads that fail to meet a year-end deadline to install a new collision avoidance system, including more than 70 percent of the nation's commuter railroads.

Congress mandated Positive Train Control in 2008, but most of the nation's commuter and freight railroads won't have the system ready by Dec. 31. The technology is required for about 60,000 miles of track, including those that carry passengers or chemicals that are poisonous or toxic by inhalation.

A push in Congress to extend the deadline by three to five years has stalled, and lawmakers aren't scheduled to return to the Capitol until next month.

In a Friday report to lawmakers, the FRA said it planned to enforce the mandate they set in 2008. As of Jan. 1, 2016, railroads that have failed to install Positive Train Control on the required track segments face fines up to \$25,000 a day for each violation.

"The potential civil penalties that FRA could assess are substantial," the agency wrote.

Only 29 percent of the nation's commuter railroads will meet the Dec. 31 deadline, according to the American Public Transportation Association, and the rest may need one to five more years.

"Despite the commuter rail industry's best efforts," said Michael Melaniphy, the association's president and CEO, "implementing PTC nationwide by the end of this year is not possible."

FRA has requested funding from Congress every year since 2011 to help commuter railroads install Positive Train Control, including \$825 million in President Barack Obama's fiscal year 2016 budget. Lawmakers have only provided \$42 million to date.

"Congress has not provided a guaranteed, reliable revenue stream for implementation on commuter railroads," the agency wrote.

The agency has used other tools to help commuter railroads, including \$650 million in grant funds, \$400 million of which came from the 2009 economic stimulus.

In May, FRA issued a \$967 million loan to the New York Metropolitan Transportation Authority, the nation's largest commuter rail agency, to install Positive Train Control on the Metro-North and Long Island Rail Road.

Melaniphy said that commuter railroads have spent \$950 million to date on the system, but need nearly \$3.5 billion to get the job done.

The National Transportation Safety Board has recommended the system since 1969, but Congress didn't require it until the Rail Safety Improvement Act of 2008.

Twenty-five people were killed in August of that year when a Metrolink commuter train smashed head-on into a freight train near Chatsworth, Calif.

Positive Train Control could have automatically stopped the train before it ran past a red signal.

Metrolink is one of the few commuter railroads that will meet the Dec. 31 deadline. In other more recent fatal crashes, trains approached curves at two or three times the appropriate speed, and the system could automatically have slowed them down. Four people died in December 2013 when a Metro-North commuter train jumped the tracks north of New York City. The train was traveling 82 mph at a curve restricted to 30 mph. In May, an Amtrak Northeast Corridor train barreled into a 50 mph curve north of Philadelphia at 106 mph and derailed. Eight people were killed. Amtrak will meet the Dec. 31 deadline for installing Positive Train Control along the Northeast Corridor, which it owns. On other routes, it will depend on freight railroads, some of which will be ready, while some won't. According to FRA, only freight hauler BNSF and two commuter railroads, Metrolink and the Southeastern Pennsylvania Transportation Authority, have submitted safety plans required under the 2008 federal law.

Tax and Legal issues

Judge Strikes Down Idaho 'Ag-Gag' Law, Raising Questions For Other States

By Luke Runyon NPR August 5, 2015

<http://www.npr.org/sections/thesalt/2015/08/04/429345939/idaho-strikes-down-ag-gag-law-raising-questions-for-other-states>

Idaho's so-called "ag-gag" law, which outlawed undercover investigations of farming operations, is no more. A judge in the federal District Court for Idaho decided Monday that it was unconstitutional, citing First Amendment protections for free speech.

But what about the handful of other states with similar laws on the books?

Laws in Montana, Utah, North Dakota, Missouri, Kansas and Iowa have also made it illegal for activists to smuggle cameras into industrial animal operations. A new North Carolina law goes into effect in January 2016. But now those laws' days could be numbered, according to the lead attorney for the coalition of animal welfare groups that sued the state of Idaho.

"This is a total victory on our two central constitutional claims," says University of Denver law professor Justin Marceau, who represented the plaintiff, the Animal Legal Defense Fund, in the case. "Ag-gag laws violate the First Amendment and Equal Protection Clause. This means that these laws all over the country are in real danger."

"Ag-gag" refers to a variety of laws meant to curb undercover investigations of agricultural operations, often large dairy, poultry and pork farms. The Idaho law criminalized video or audio recording of a farm without the owner's consent and lying to a farm owner to gain employment there to do an undercover investigation.

Other "ag-gag" laws require that animal abuse be reported within a specific time frame, a tactic animal activists say is meant to prevent them from gathering evidence of an abuse pattern rather than just a singular event.

Utah's "ag-gag" law is the subject of another federal lawsuit, filed by the ALDF and PETA. Other states' laws go back to the early 1990s when Kansas passed criminal penalties for anyone found to damage or harm an agricultural research facility. Iowa's statute is considered to be the first in a batch of more recent "ag-gag" laws. Signed into law in 2012, it was the first to criminalize secretly videotaping a farm without the owner's permission.

Animal rights groups cheered the decision on the Idaho law this week from U.S. District Court Judge B. Lynn Winmill. Winmill found the state's "Agricultural Security Act" unconstitutional for criminalizing certain types of speech.

"Although the State may not agree with the message certain groups seek to convey about Idaho's agricultural production facilities, such as releasing secretly recorded videos of animal abuse to the Internet and calling for boycotts, it cannot deny such groups equal protection of the laws in their exercise of their right to free speech," Winmill writes.

In 2012, the animal welfare group Mercy For Animals released graphic videos from an investigation of workers at Bettencourt Dairies' Dry Creek Dairy in Hansen, Idaho, kicking, punching and jumping on cows. In response, the Idaho Dairymen's Association drafted legislation

in 2014 to criminalize future undercover investigations. Though Mercy for Animals released another set of videos showing further abuse, Idaho Gov. Butch Otter signed the bill into law shortly after passage.

"Obviously we're disappointed" with the Monday decision to strike down the law, says Idaho Dairywomen's Association director Bob Naerebout. "The legislation was designed and crafted to try and protect First Amendment rights while also trying to provide some personal property protection."

The Dairywomen's Association will be asking the state to appeal Judge Winmill's decision, Naerebout says.

Meanwhile, animal rights activists will likely take the decision in Idaho as a shot in the arm to file more lawsuits against laws in other states and hope for the same outcome.

"Judge Winmill's decision is the first step toward restoring transparency in U.S. food production, and we hope that dangerous ag-gag laws enacted in other states will be swiftly struck down as a result of today's decision," said Mercy For Animals' Sarah Von Alt in a statement.

Ferguson's legacy: for blacks, empowerment amid sense of injustice

Events in Ferguson, Mo., one year ago engaged black Americans in a movement that is stirring thought on race in the US, polls and experts suggest.

By Patrik Jonsson *Christian Science Monitor* August 7, 2015

ATLANTA — The wrenching and at times violent national conversation about race since Michael Brown was killed in Ferguson, Mo., a year ago has offered a glimmer of hope to some in the black community, kindling a fresh sense of empowerment amid continuing concerns about injustice.

At the time, views of the Aug. 9, 2014, killing of Mr. Brown, a black teen, by white Ferguson police officer Darren Wilson sharply divided white and black Americans. But new polls show a stirring of thought on the issue of race, suggesting that the efforts of the past year – including the rise of the Black Lives Matter movement – have had an effect.

Some 53 percent of white Americans surveyed by the Pew Research Center said that the country needs to continue changing to give blacks equal rights. Last year, the figure was 39 percent. Similarly, a new Gallup poll shows that the percentage of whites who say they are satisfied with the way blacks are treated dropped from 67 percent in 2013 to 53 percent this year. Between 2001 and 2013, the percentage of whites who said they were satisfied with how blacks are treated never dipped below 63 percent.

During the past year, some 40 measures aimed at curbing police abuses have also been introduced in state legislatures. And the tragic killing of nine black churchgoers by a white supremacist in Charleston, S.C., in June resulted in a strong nationwide backlash against the Confederate battle flag, including its removal from the statehouse grounds in Columbia.

This ferment has at least temporarily opened a new sense of possibility among black Americans, some analysts say.

"Social movements don't just change policy, social movements also change the people who participate," says Clarence Lang, chair of African and African-American Studies at the University of Kansas and author of the new book "Black America in the Shadows of the '60s." "Having a sense that you can intervene in the course of events and change the dynamics can be very powerful and, strangely, it can be a very uplifting feeling."

The one-year anniversary of Ferguson comes as Gallup finds that black Americans are reporting their highest levels of personal life satisfaction in 14 years. Last month, 88 percent said they are very or somewhat satisfied with their lives, for the first time topping the corresponding number for white Americans (87 percent). In 2008, black satisfaction hit a low of 80 percent.

The rise may not have anything to do with the Ferguson fallout. A different Gallup poll found that black satisfaction at how they are treated in American society dropped to 33 percent this year from 47 percent in 2013. That's the lowest mark since 2007.

But that contradiction seems to be a part of Ferguson's legacy. One of the Gallup polls found that blacks don't think they're being treated less fairly now than in the past. For his part, former Officer Wilson was not indicted by a grand jury and was cleared by a federal investigation. Yet,

Ferguson, it seems, has brought a keener sense of both injustice and empowerment. "Blacks in Missouri were essentially reduced to staying in our place and understanding that we must never step out of line when dealing with a white person," writes the poet and activist Tef Poe in the River Front Times in St. Louis. But now, he adds, "the sleeping giant has ... risen, and the result is a movement for black lives that has spread across the world. Your system does not have to embrace us; we are simply asking to be released from the confines of your jaded perspectives."

Some black Americans polled by the Associated Press ahead of the Ferguson anniversary said they have seen hints of progress in race relations.

David Thomas of Vienna, Ga., said he remembers being roughed up by police in Savannah, Ga., when he was a young man, but that relations between law enforcement and black residents have since improved, at least in his eyes.

"Everything is not right, but it's better," Mr. Thomas said.

The AP poll pointed to one of the drivers of racial tension: segregation.

It found that white Americans living in diverse communities – where at least 25 percent of the population is not white – saw the issue of police use of force differently from those who lived in more segregated communities. In the diverse communities, 42 percent of whites said police can be too quick to use deadly force on black people; in the less-diverse communities, the number was 29 percent.

In general, sharply segregated cities such as Ferguson stand in contrast to broader demographic shifts, with many American neighborhoods becoming more diverse. Only exurbs on the far urban fringe are becoming noticeably whiter, according to the most recent census.

"The 2010 Census gives strong hints about where we are heading, which in the best of all worlds – and in hopeful contrast to many other parts of the globe – will involve continued growth, youthful vitality, and a reinvention of the melting pot that characterized our country at the beginning of the 20th century," demographer William Frey wrote in 2011.

What effect that has on the lives of black Americans is likely driven by local factors, says Colin Gordon, a labor historian at the University of Iowa and author of "Mapping Decline: St. Louis and the Fate of the American City."

"Segregation indices, even in St. Louis and Baltimore, are coming down and gradually diminishing, but I think what that means on the ground in a particular metro setting varies considerably, and that has to do with all kinds of legacy issues, including the degree and sustainability of economic growth," he says.

The past year, from Ferguson to Charleston, saw communities move to a new level of engagement and action on race.

"If we think about what happened in the aftermath of the George Zimmerman verdict, where a young man is shot under [questionable] circumstances, a great number of African-Americans really found it disturbing and distressing that [Zimmerman] was acquitted. There's this complete sense of impotence," says Professor Lang. "And you contrast that with what happened in the aftermath of Michael Brown and Freddie Gray [in Baltimore], where there is this mass response. We have death in all these cases, but I think what distinguishes what's happened in the past year to what happened in 2013 is that people were resolute in responding."

Half of blacks say police have treated them unfairly

By Jesse J. Holland *Associated Press* August 5, 2015

<http://www.chron.com/news/us/article/Half-of-blacks-say-police-have-treated-them-6425665.php>
WASHINGTON — A majority of blacks in the United States — more than 3 out of 5 — say they or a family member have personal experience with being treated unfairly by the police, and their race is the reason why.

This information, from a survey conducted by the Associated Press-NORC Center for Public Affairs Research, comes as the Michael Brown shooting in Ferguson, Missouri, approaches its first anniversary and the nation continues to grapple with police-related deaths of black Americans.

African-Americans said they felt especially targeted by the police. Half of black respondents, including 6 in 10 black men, said they personally had been treated unfairly by police because of

their race, compared to 3 percent of whites. Another 15 percent said they knew of a family member who had been treated unfairly by the police because of their race.

White Americans who live in more diverse communities — those where census data show at least 25 percent of the population is non-white — were more likely than other whites to say police in their communities sometimes treat minorities more roughly, 58 percent to 42 percent. And they're more likely to see the police as too quick to use deadly force, 42 percent to 29 percent.

Larry Washington, 30, of Merriville, Indiana, described his encounter with a white police officer when he was arrested for theft in Burbank, Illinois, as a teenager. "When I got to the police station, the officer who arrested me told me that I looked like I wanted to do something about it," Washington said, adding, "And he kept calling me 'nigger.'"

"It's been like this for a long time," Washington said. "It's just now that everybody starting to record it and stuff, it's just hitting the spotlight. Most Caucasians, they think it's just starting to go on when it's been like this."

The AP-NORC poll shows stark differences between whites and blacks when it came to attitudes toward law enforcement:

- More than two-thirds of blacks — 71 percent — thought police are treated too leniently by the criminal justice system when they hurt or kill people. A third of whites say police are getting away with it, while nearly half — 46 percent — say the police are treated fairly by the criminal justice system.
- When asked why police violence happens, 62 percent of whites said a major reason is that civilians confront the police, rather than cooperate, when they are stopped. Three out of 4 blacks, or 75 percent, said it is because the consequences of police misconduct are minimal, and few officers are prosecuted for excessive use of force. More than 7 in 10 blacks identified problems with race relations, along with poor relations between police and the public that they serve, as major reasons for police violence.
- Whites and blacks disagreed over whether police are more likely to use deadly force against blacks. Nearly 3 out of 4 whites — 74 percent — thought race had nothing to do with how police in their communities decide to use deadly force. Among blacks, 71 percent thought police were more likely to use deadly force against black people in their communities, and 85 percent said the same thing applied generally across the country. Fifty-eight percent of whites thought race had nothing to do with police decisions in most communities on use of deadly force.

Seventy-two percent of whites said they always or often trust police to do what is right for them and their community, while 66 percent of blacks said they only sometimes, rarely or never trust the police to do what is right.

David A. Clarke Jr, who is sheriff in Milwaukee County, Wisconsin, said African-Americans have more encounters with police than whites because of crime rates in urban areas. "If you have more interaction with the police because of the crime and the disorder in our urban centers — the American ghetto I like to say it — it's going to skew the numbers," Clarke said.

David Thomas, 80, of Vienna, Georgia, recalled being treated roughly when stopped by police as a young man in Savannah, Georgia. He said relations between black communities and law enforcement have improved since then.

"Everything is not right, but it's better," Thomas said. "We have bad cops and we have good cops. I don't know where we're going to from here, but we need police."

The AP-NORC Poll of 1,223 adults, including 311 black adults, was conducted online and by phone July 17-July 19, using a sample drawn from NORC's probability-based AmeriSpeak panel, which is designed to be representative of the U.S. population. The margin of sampling error for all respondents is plus or minus 4.2 percentage points. For results among black respondents, the margin of error is plus or minus 9.1 percentage points.

Respondents were first selected randomly using address-based sampling methods, and later interviewed online. People selected for Amerispeak who didn't otherwise have access to the Internet were interviewed over the phone.

Mere sight of a gun makes police – and public – more aggressive, experts say

A large body of psychological research on the 'weapons effect' may help explain

By Alan Yuhas *The Guardian* August 5, 2015

<http://www.theguardian.com/us-news/2015/aug/05/gun-police-public-more-aggressive-psychology-weapons-effect>

When police officers put on their badges and blues, do they somehow change inside? Surrounded by stories of pepper-sprayed protesters, threats at traffic stops, and sudden bursts of violence sometimes causing deaths, the US has spent a year asking itself about police misconduct, circling the question, “why?”

Psychology may give some clues. For decades psychologists have looked for evidence that weapons affect behavior, and a large body of research has borne out their suspicions: simply seeing a weapon – whether a sword, hand grenade, tank or gun – makes people more aggressive.

Speaking to the Guardian, Ohio State psychology professor Brad Bushman compared the so-called “weapons effect” to humans’ rapid recoil from snakes or spiders, though unlike that impulse the effect must be at some level learned.

“Weapons increase all of those aggressive thoughts, feelings, hostile appraisals and the type of thinking that somebody’s out to get you, or wants to hurt you,” Bushman said.

Aggressive impulses can sometimes be strong enough to override common sense, studies have found. Confronted with a pickup truck driver who had stalled at a green light, drivers in one 2006 study were more likely to honk at the pickup with a rifle than they were at the pickup without a rifle. The study developed a similar 1975 experiment that also included a bumper sticker reading “vengeance”.

“You’d have to be complete idiot to honk your horn,” Bushman said, “but that’s the power about the weapons effect, people don’t think about it much. The effects are very automatic.”

Studies have also shown that carrying a gun tends to make people more likely to deliver electric shocks, increase paranoia about people and objects, and increase testosterone. (The “vast majority” of perpetrators of gun violence are men, according to the APA.)

The toolkit of police in America often includes a handgun, Taser and nightstick, and many departments also have the assault weapons, riot gear and armored vehicles that transformed Ferguson, Missouri, into an illustration of militarized police action. The surfeit of weapons probably makes both officers and people around them more aggressive, the experts said, regardless of the type of weapon.

“Tasers can be as deadly as a gun, and the nightstick is not a peaceful tool, it’s used to exercise coercive force,” said Maria Haberfeld, a professor of police science at the John Jay College of Criminal Justice. “A gun is a gun, handcuffs are handcuffs. When officers are in full gear it definitely has an impact on their jobs as opposed to officers without.”

Haberfeld compared police violence in the US to the much lower levels in Ireland and the UK, where police usually go without guns, but she also argued that some gear, and at least the threat of force, is necessary to effective policing.

“A police officer at any moment is outnumbered by members of the public,” she said, “so if we eliminate this implied notion of coercive force then we eliminate the difference between the public and police”.

“In essence, policing as a profession is about the use of force, not necessarily physically but the notion of it.”

Research supports Haberfeld’s assertion that perception affects policing. A 1984 study on the Menlo Park police force, which adopted civilian “blazer-style” uniforms for eight years, found that the more casual uniform had no positive effect on the department, and that people thought officers with traditional uniforms “more honest, more active, more helpful”, and even “more ‘good’”.

Researchers have studied the effects of clothing for decades, finding it cues both wearer and witnesses on how to think and feel. Some results are common sense – people judge by appearances – and other results are more subtle.

Style, color and even the type of hat all affect policing, according to University of Toledo psychologist Richard Johnson. Johnson wrote in a 2005 paper that “the crisp uniform of the police officer conveys power and authority” and that civilians cooperate more and misbehave less in the presence of a person in uniform.

“The uniform also serves to establish order and conformity within the ranks of those who wear it

by suppressing individuality,” he wrote. “The psychological and physical impact of the police uniform should not be underestimated.”

In 2005 Johnson concluded that civilians prefer traditional “paramilitary” uniforms, but found darker, blue or black uniforms more aggressive. People also thought the traditional “bus driver” garrison cap and the “smoky bear” campaign hat conveyed more authority than a ballcap or no hat.

Just as civilians read aggression into dark uniforms, Johnson notes, so a study has shown that people wearing black uniforms seem to prefer football and rugby to less violent sports. Mixed uniforms of light shirts and dark pants might send the best message, he reasons.

Numerous studies have shown that uniforms influence behavior and self-perception, spawning a field of study called “embodied cognition”. People wearing doctor’s lab coats are more attentive, school uniforms may spur rivalries and better study habits, and people wearing hooded, KKK-like robes are more likely to zap a stranger with an electric shock.

The most famous experiment, the controversial, scientifically dubious Stanford prison experiment, involved college students playing guards (in khaki uniforms with dark glasses) quickly descending to brutality toward students playing inmates.

The likely effects of riot gear, gas masks, shields and goggles are not hard to deduce, the experts said: a feeling of anonymity and power, perhaps increasing feelings of aggression and impunity, protected by the symbolic shield of the state and sometimes literal armor.

In turn, civilians (and protesters) are more likely to see the militarized officers as a more threatening force, priming both sides for increasingly aggressive feelings, thoughts and actions. Even sunglasses, the preferred eyewear of highway patrol everywhere, seem to influence self-perception. A 2010 University of Toronto study found that students who wore sunglasses, perhaps feeling more disguised and thus more powerful, were more likely to cheat on a test or act selfishly than people wearing clear glasses or none at all.

In the absence of an official police killing or abuse database, sheer numbers bear out police and psychologists’ observation that the vast majority of officers do their jobs well and with good intentions.

“The slippery slope of misconduct can begin with nothing more than simple policy violations,” Los Angeles police psychologist Brian Fitch wrote in 2011, noting that small offenses and department cultures primed officers to worse misdeeds.

Most studies note that a variety of factors, including a person’s background and the culture around them, strongly influence actions and perception. Training for instance may mitigate the weapons effect, but it’s not clear how much.

A 2000 study, for instance, put civilians and police in front of a video game in which they had to quickly decide whether to shoot various armed and unarmed men, black and white, as they reached into a bag. Civilians and police were more likely to shoot the black men, but officers showed no racial bias in the case of armed or unarmed killings, a detail the researcher chalked up to training.

Others remain less convinced of training’s efficacy. “My hunch is that it’s not so easy to turn that switch off,” Bushman said.

Haberfeld agreed, adding she believes people who are attracted to policing “have a certain predisposition to aggression”. She suggested a minimum recruitment age for officers of 25 years old, when people are more emotionally and psychologically mature, and more likely to make good leaders.

“I don’t think that everybody who is wearing the uniform should be on the job,” she said, “but here the stakes are a little bit higher. Giving a gun to somebody who’s barely out of their teens is irresponsible.”

Residents at Farmersville meeting greet Muslim cemetery plan with distrust

By Weny Hundley *Dallas Morning News* August 5, 2015

<http://www.dallasnews.com/news/community-news/collin-county/headlines/20150805-residents-at-farmersville-meeting-greet-muslim-cemetery-plan-with-distrust.ece>

FARMERSVILLE — A town hall meeting Tuesday about a proposed Muslim cemetery seemed to

do little to change many residents' fears about the project.

The meeting at Farmersville High School often turned contentious as residents questioned what purpose the cemetery would serve and how it might affect the community.

"People don't trust Muslims," Barbara Ashcraft said after the two-hour meeting, which drew a standing-room-only crowd to the school's cafeteria. "Their goal is to populate the United States and take it over."

But others said the cemetery would adhere to state laws and should be welcomed.

"American Muslims are not your enemies," Khalil Abdur-Rashid, representing the Islamic Association of Collin County, said in his opening statements.

In May, the Islamic association received approval for a concept plan for a cemetery on a 35-acre tract near U.S. Highway 380 west of Farmersville.

Many residents in the rural town of under 4,000 raised concerns about whether Muslim burial practices would harm the environment. Because Muslims don't embalm their dead and state law does not require embalming, some residents have said they worry the cemetery would pollute the water system.

But Abdur-Rashid tried to reassure residents that state burial regulations would be followed.

Bodies would be placed in wooden caskets and concrete vaults before being buried 4 to 6 feet underground, he said.

"That has become local Muslim practice here," he said.

Mayor Joe Helmerger also tried to quell concerns about burial methods.

"They're going to bury their dead like I bury my dead," he told the crowd.

Helmerger said the North Texas Municipal Water District has no concerns that the cemetery would harm the watershed.

But some residents remained unconvinced, with one speaker going so far as to say that the Quran teaches Muslims that they can lie — even under oath.

"I don't know where your information is coming from," Abdur-Rashid said. "The Quran does not condone, permit or sanction lying of any sort."

About 22,000 Muslims live in Collin County, and they just want to have a final resting place for their loved ones, Abdur-Rashid said.

Kathy Snyder, who lives near the proposed cemetery, was one of the few residents who voiced support for the project.

"We're pleased there's a cemetery going in, and we'd be proud to have you," she said.

Some residents also were concerned that the cemetery is the first step to building a mosque or school on the site.

Abdur-Rashid's assurances that there are no plans to expand with a mosque or school on the property were met with laughter.

Plans submitted to the city show that graveyards will comprise more than 17 acres at the site.

Two acres along Highway 380 would be used for commercial or retail development that will support maintenance of the cemetery. The remaining 15.5 acres would contain roadways, two ponds, restrooms, a gazebo and wooded areas.

Preliminary and final platting for the cemetery would require approval by planning commissioners and the City Council in the coming months, giving residents several more chances to comment.

What's Next For Texas' Discriminatory Voter ID Law?

By Mark Reagan *San Antonio Current* August 7, 2015

<http://www.sacurrent.com/Blogs/archives/2015/08/06/whats-next-for-texas-discriminatory-voter-id-law>

Fifty years ago today, President Lyndon B. Johnson signed the Voting Rights Act of 1965, which was a significant step toward equality between whites and everyone else in the states after more than a century of racism, slavery, segregation and host of other wrongs.

While discrimination continued then and now, in different forms, everyone had the right to cast a vote.

Then, in 2011, Texas had an idea.

"The Texas ID law is one of the strictest of its kind in the country. It requires voters to bring a government-issued photo ID to the polls," *The New York Times* reports. "Accepted forms of identification include a driver's license, a United States passport, a concealed-handgun license and an election identification certificate issued by the State Department of Public Safety."

Critics called the law discriminatory and a federal court agreed in 2014, saying the Lone Star State voter legislation was not only discriminatory toward minorities, it constituted a poll tax.

Yesterday, a conservative federal appeals court based in New Orleans, Louisiana, ruled that the law was discriminatory but was not a poll tax.

So far, three elections have been held under the law and it will stay in effect — for the moment.

The Associated Press reports the case now gets kicked to the federal court in Corpus Christi, which is where the poll tax finding was made. That court will now decide whether Texas' legislators intended to discriminate against minority voters when creating the strict law.

Texas Attorney General Ken Paxton — who is indicted on suspicion of securities fraud and might be held in contempt of court for allegedly violating a court order prohibiting the state's same-sex marriage ban — was eager to talk about keeping the state's discriminatory voter law in place, which probably distracts him from his legal woes.

Paxton is really practicing the spin on this one:

"Today's ruling was a victory on the fundamental question of Texas' right to protect the integrity of our elections and the state's common sense Voter ID law remains in effect. I'm particularly pleased the panel saw through and rejected the plaintiffs' claim that our law constituted a 'poll tax.' The intent of this law is to protect the voting process in Texas, and we will continue to defend this important safeguard for all Texas Voters," Paxton says in a statement.

Governor Greg Abbott didn't have much to say about the law he spent time defending, but did release a small statement:

"In light of ongoing voter fraud, it is imperative that Texas has a voter ID law that prevents cheating at the ballot box. Texas will continue to fight for its voter ID requirement to ensure the integrity of elections in the Lone Star State," Abbott says.

One of Texas' mouthiest legislators, Ted Cruz, who is running for president, and recently cooked some shitty-looking bacon on a machine gun, also released a statement. And like Paxton, he's really working on that spin.

"I am pleased the 5th Circuit Court of Appeals invalidated much of the District Court's analysis on the Texas Voter ID Law — including the erroneous conclusion that it somehow constituted a poll tax. However, the Court's decision that SB 14 violates Section 2 of the Voting Rights Act is profoundly disappointing," he says, with sincerely empathetic face that he practices in the mirror before trying to relate with regular people.

Cruz goes on:

"There is nothing 'discriminatory' about a law that protects the legitimate votes of American citizens and promotes the integrity of our elections — which is precisely what Texas' common sense Voter ID Law does."

That's probably a typo, that last part about protecting the integrity of elections because that's what the Voting Rights Act of 1965 that was signed 50 years ago today does. And that's precisely the law the Texas' "common sense" law violates.

Right to Be Forgotten' Online Could Spread

By Farhad Manoo *New York Times* August 7, 2015

http://www.nytimes.com/2015/08/06/technology/personaltech/right-to-be-forgotten-online-is-poised-to-spread.html?hpw&rref&action=click&pgtype=Homepage&module=well-region®ion=bottom-well&WT.nav=bottom-well&_r=0

More than a year ago, in a decision that stunned many American Internet companies, Europe's highest court ruled that search engines were required to grant an unusual right — the "right to be forgotten." Privacy advocates cheered the decision by the European Court of Justice, which seemed to offer citizens some recourse to what had become a growing menace of modern life: The Internet never forgets, and, in its robotic zeal to collect and organize every scrap of data about everyone, it was beginning to wreak havoc on personal privacy.

Under the ruling, Europeans who felt they were being misrepresented by search results that were no longer accurate or relevant — for instance, information about old financial matters, or misdeeds committed as a minor — could ask search engines like Google to delink the material. If the request was approved, the information would remain online at the original site, but would no longer come up under certain search engine queries.

Search engines and free speech advocates, calling the ruling vague and overbroad, warned of dire consequences for free expression and the historical record if the right to be forgotten was widely enacted. Now, they say, their fears are being realized.

Recent developments — including a French regulator's order that all of Google's sites, including American versions, should grant the right to be forgotten — suggest the new right may not end with Europe. Under the banner of privacy, some free-speech watchdogs say, a huge and unwieldy eraser is coming for Google results across the globe — even the ones in the United States.

"When we're talking about a broadly scoped right to be forgotten that's about altering the historical record or making information that was lawfully public no longer accessible to people, I don't see a way to square that with a fundamental right to access to information," said Emma Llansó, a free expression scholar at the Center for Democracy and Technology, a tech-focused think tank that is funded in part by corporations, including Google.

Proponents of the right to be forgotten argue such claims are overblown. They point out that the number of removals so far has been relatively small. Since May 2014, Google, by far Europe's most popular search engine, has received requests to forget about a million web links, and has removed about 41 percent of those from certain search results. That's hardly alarming — considering the billions of pages online, it's difficult to shed many tears for the mere 400,000 or so that will no longer show up.

Some British news organizations, including the BBC and The Telegraph, have criticized the law for allowing the erasure of hundreds of Google links to news articles, including an excerpt from a mass shooter's rambling manifesto and a slide show entry that called a reality TV star "an annoying, unbearable nag." But proponents note that delisted news articles are most likely in the minority of links removed. According to The Guardian, which dug into the source code in a recent Google report to investigate the basis for the removals, more than 99 percent of the links removed were those that showed off private personal details, and were not about public figures or news about serious crimes.

Yet all of this may simply be a prelude to a more expansive, and far more worrisome, adoption of the right to be forgotten. Since Europe's decision last year, several countries in Latin America and Asia have pushed for their own delinking rules, and some of these may elide the protections for free speech outlined in Europe's version of the law. A more troubling prospect for search engines is the potential for the new laws to be applied beyond local jurisdictions.

In response to the original European ruling, search engines began removing links only from European versions of their sites. For instance, if a French citizen requested the removal of links about his bankruptcy proceedings, Google would delete the results from its European sites — like

the French Google.fr and the German Google.de — but not from Google.com, which the company considers its American site.

The overwhelming majority of Google searches in Europe take place on country-specific sites, but because Google.com is still accessible to any European, the French data protection authority, known by its French acronym the CNIL, has ordered Google to remove links from its database entirely, across all locations.

Google has so far refused, and the dispute is likely to end up in European courts. If the French understanding of the law prevails, the regulation could have far-reaching, even chaotic, effects. “France is asking for Google to do something here in the U.S. that if the U.S. government asked for, it would be against the First Amendment,” said Jonathan L. Zittrain, who teaches digital law at Harvard Law School. He pointed out that, if enacted, the French regulator’s order would prevent Americans using an American search engine from seeing content that is legal in the United States. “That is extremely worrisome to me.”

If other countries that have established a right to be forgotten also push for global adoption, Google says it might need to remove links everywhere to satisfy regulators. “We believe that no one country should have the authority to control what content someone in a second country can access,” Peter Fleischer, Google’s global privacy counsel, wrote in a blog post last week. A host of free speech advocates have sided with Google. “If we’re asking Google to comply in every version of Google worldwide, it becomes very hard to say where we want Google to draw the line,” said Jimmy Wales, the founder of the online encyclopedia Wikipedia, which has counted about 100 requests for links to its site to be removed from search engines in Europe. “It’s a race to the bottom. Governments all around the world will immediately say, ‘Great, we’ll ask for things to be deleted worldwide.’”

Representatives for the CNIL, which has two months to answer Google’s refusal to adopt a worldwide takedown, declined to discuss the case until it devised a formal response. But legal experts in France said the French demand was likely to be upheld, because the original 1995 law on which the right to be forgotten is founded has no territorial restrictions.

Proponents of the law also reacted skeptically to the claim that the right to be forgotten would be used by other countries to force content restrictions beyond those involving privacy.

“That’s nonsense,” said Marc Rotenberg, the executive director of the Electronic Privacy Information Center, a privacy advocacy group. He argued there were ways to limit access to private information that would not conflict with free speech, and he noted that Google already had a process for global removal of some identifiable private information, like bank account numbers, social security numbers and sexually explicit images uploaded without the subject’s consent (known as “revenge porn.”).

“A global implementation of the fundamental right to privacy on the Internet would be a spectacular achievement,” said Mr. Rotenberg. “For users, it would be a fantastic development.” Mr. Zittrain, of Harvard, pointed out that Google also removes content globally to abide by copyright law. When Google receives a takedown notice for linking to infringing content, it removes those links from all of its sites across the world. Couldn’t it do the same for private information?

The trouble with comparing copyright law to privacy, though, is that the United States and Europe broadly agree on what constitutes copyrighted content, but private information is far more nebulous.

In an interview last year, Larry Page, Google’s chief executive, told me that he found the right to be forgotten ruling impractical because it forced Google to decide what constituted private information and what did not. “You guys are now in charge of editing what’s out there in the world,” he said, describing the court’s guidance to Google. “In the past that’s not a responsibility we felt we had.”

Is an article about a British reality TV star about a private person, or is it about a public figure that you and I should be able to search for?

That’s hard to answer — but a French regulator may soon decide for you, regardless.

Rogue drones a growing nuisance across the U.S.

By Craig Whitlock *Washington Post* August 11, 2015

https://www.washingtonpost.com/world/national-security/how-rogue-drones-are-rapidly-becoming-a-national-nuisance/2015/08/10/9c05d63c-3f61-11e5-8d45-d815146f81fa_story.html?hpid=z1

Rogue drone operators are rapidly becoming a national nuisance, invading sensitive airspace and private property — with the regulators of the nation's skies largely powerless to stop them. In recent days, drones have smuggled drugs into an Ohio prison, smashed against a Cincinnati skyscraper, impeded efforts to fight wildfires in California and nearly collided with three airliners over New York City.

Earlier this summer, a runaway two-pound drone struck a woman at a gay pride parade in Seattle, knocking her unconscious. In Albuquerque, a drone buzzed into a crowd at an outdoor festival, injuring a bystander. In Tampa, a drone reportedly stalked a woman outside a downtown bar before crashing into her car.

The altercations are the byproduct of the latest consumer craze: cheap, easy-to-fly, remotely piloted aircraft. Even basic models can soar thousands of feet high and come equipped with powerful video cameras — capabilities that would have been hard to foresee just a few years ago.

Reports began surfacing last year of runaway drones interfering with air traffic and crashing into buildings. But the problem has grown worse as drone sales have surged.

"I'm definitely getting much more concerned about it," Michael P. Huerta, the head of the Federal Aviation Administration, said in a phone interview Monday. He said the FAA was particularly worried about a surge in reports of drones flying dangerously close to airports. The latest incident came Sunday, when four airline crews reported a brush with a drone on a flight path into Newark International Airport.

Huerta added that the recent interference by drones with California firefighters was "really a wake-up call for a lot of people. This kind of thing has got to stop."

Most new drone models are aimed at novice fliers who are often "blissfully unaware" of aviation safety practices, said Michael Braasch, an electrical engineering professor and drone expert at Ohio University. "Unfortunately, there's also going to be a small percentage of users who are just going to behave badly."

The Consumer Electronics Association, an industry group, estimates that hobbyists will buy 700,000 of the remote-controlled aircraft in the United States this year, a 63 percent increase from 2014.

Although the vast majority of drone enthusiasts fly solely for recreation, authorities worry about the potential for a new airborne menace.

In a July 31 intelligence bulletin, the Department of Homeland Security said it had recorded more than 500 incidents since 2012 in which rogue drones hovered over "sensitive sites and critical installations," such as military bases and nuclear plants. In one well-publicized case in January, a drone crashed onto the White House grounds.

Another unnerving scenario emerged last month when a Connecticut man posted an Internet video of a drone he had armed with a handgun, firing shots by remote control as it hovered in the air. Local police and the Federal Aviation Administration determined that no laws had been broken.

In general, drone misadventures are happening in a regulatory vacuum. The FAA has banned most commercial drone flights until it can finalize new safety rules — a step that will take at least another year.

But people who fly drones for fun aren't regulated at all. Under a law passed in 2012 that was designed in part to protect model-airplane enthusiasts, the FAA cannot impose new restrictions on recreational drone owners. As a result, they are not required to obtain licenses, register their aircraft or undergo training.

To protect regular air traffic, the FAA has issued guidelines requiring that consumer drones stay at least five miles away from airports and below an altitude of 400 feet.

Those standards are widely flouted, however; in the past month alone, airline pilots have reported close calls with drones near airports in New York, Charlotte, Minneapolis and Phoenix.

In neighborhoods nationwide, the buzz of drones is becoming a common sound, as well as a source of conflict. Police blotters contain an increasing number of reports from residents complaining about uninvited drones hovering over their back yards. For the most part, such flights are legal — a fact that is prompting a backlash from anti-drone vigilantes.

In Hillview, Ky., a shotgun-wielding homeowner blasted a drone out of the sky last month, saying he was trying to protect his daughters from being spied on. He was charged with criminal mischief; police did not take action against the drone owner.

Similarly, in May, a judge ordered a man from Modesto, Calif., to pay a neighbor \$850 for peppering his drone with buckshot. In September, a man from Cape May, N.J., was charged with shooting down a neighbor's drone as it filmed houses along Seashore Road.

In other cases, however, authorities have been more sympathetic toward drone haters. In June, for example, prosecutors did not take action against a crew of firefighters in Orange County, N.Y., who used their water hoses to knock down a drone that had been filming them as they battled a house blaze.

In California, state legislators introduced a bill last month that would grant immunity to emergency responders who damage a drone that gets in their way. The measure was prompted by several incidents in which amateur paparazzi drones swarmed around wildfires, crowding the skies and forcing firefighters to ground their tanker aircraft to avoid a midair collision.

"Cars were torched on the freeways because drones made aerial firefighting efforts impossible," state Sen. Ted Gaines (R-El Dorado), a sponsor of the measure, said in a statement. "This is maddening and I can't believe that hobby drones are risking people's lives to get videos on YouTube."

Although the FAA lacks the authority to license recreational drones, it does have the power to impose civil fines on anyone who recklessly interferes with air traffic or endangers people on the ground. Yet the agency has levied fines in only a handful of cases, saying it does not have the staff to investigate most complaints.

Huerta, the FAA chief, said Monday that the recent spate of risky incidents prompted the agency to revisit its approach and that it will adopt "more stringent enforcement" measures in cooperation with state and local officials.

For months, FAA officials had focused almost exclusively on trying to educate drone operators. The agency has partnered with the drone industry and others on a public awareness campaign aimed at hobbyists called Know Before You Fly. The FAA has also co-sponsored public service announcements to discourage drone use at special events and locations, such as the Super Bowl, the California wildfires and a no-fly zone that covers much of the Washington region. FAA officials said they are encouraging major retailers to provide drone-safety information to holiday shoppers this year. The agency also is testing a software application for Apple devices that would inform drone users whether it is safe or legal to fly at a specified location.

Drone manufacturers have made it easy for consumers to fly the robotic aircraft right out of the box. But companies need to take more responsibility for educating their customers by adding warning labels, devising software fixes to limit where drones can fly and taking other steps, said James H. Williams, a former manager of the FAA's drone integration office.

"In a lot of ways, it's up to the manufacturers to warn people about flying too high, flying too close to airports, flying too close to airplanes," said Williams, now an aviation consultant for Dentons, a major law firm. "It's important that they step up and do more than they are."

Brian Wynne, the president of the Association for Unmanned Vehicle Systems International, an industry group, said that "there's always room" for drone companies to expand education efforts. But he said there is only so much the industry can do to prevent reckless behavior.

"I frankly just don't think there's any excuse for anyone flying a [drone] anywhere near an airport or near a runway," he said. "We have got to enforce our laws."

Border Issues

Feds: Releasing Families Will Lead to More Illegal Migration

By Julián Aguilar *Texas Tribune* August 8, 2015

<http://www.texastribune.org/2015/08/07/dhs-releasing-families-will-lead-more-illegal-migr/>

The immediate release of immigrant families from detention facilities could cause another massive wave of illegal migration like the one Texas witnessed last summer, the Obama administration argued in a court filing late Thursday.

The filing was in response to a July 24 order by U.S. District Judge Dolly Gee that said thousands of undocumented women and children from Central America were being held in “deplorable” conditions and should be set free while their cases played out.

Most of the more than 2,000 immigrant women and children are detained in Karnes City and Dilley, Texas. A smaller facility in Pennsylvania is also being used. The detention centers were built in response to a surge of undocumented immigrants who flooded the Rio Grande Valley last summer.

Federal attorneys believe that if word about an immediate release makes it back to Central America, smugglers “who are known to exploit changes in immigration policy” could misrepresent the facts and lure more people to breach the Texas-Mexico border.

“Therefore, the Court’s proposed remedy — to the extent that it eliminates the Government’s ability to use expedited removal or reinstated orders of removal for families under any circumstances — could cause another notable increase in the numbers of parents choosing to cross the border with their children,” attorneys for the U.S. Justice Department argued.

Gee initially ruled that detaining the families for long periods of time violated the terms of a 1997 legal settlement that requires undocumented juveniles to be detained in the “least restrictive setting appropriate to their age and special needs to ensure their protection and wellbeing,” according to an analysis by the Center for Human Rights and Constitutional Law. The Department of Homeland Security responded to Gee’s ruling by saying that “three to five” days isn’t long enough to place the families in “expedited removal or reinstatement proceedings.” Rachel B. Tiven, executive director of the New York-based Immigrant Justice Corps, which recruits and trains attorneys to handle pro bono immigration cases, called the government’s Thursday filing a bogus argument. About 35 of those attorneys are currently working rotating shifts in Texas.

The response “is not an answer to the question the judge is asking,” she said. “The judge is saying, ‘It is illegal under the terms of this consent decree, which the government knows it is bound by, for you to hold children and their mothers for so long.’”

Tiven said the government is effectively arguing that detaining the families for several weeks or longer is “reasonable.”

“Judge Gee is not saying that the facility can’t process people at all,” Tiven added. “She is saying that they can’t hold them for such an unconscionably long time and they certainly can’t hold them for what turns out, in many cases, to be an almost indefinite period of months.”

It’s unclear what will happen to the families as the case proceeds. The Obama administration has asked for an oral argument later this month. Tiven said Gee could grant that or decide to make a decision based only on the court filings. The administration can also file an appeal to the July 24 order.

According to the government’s response, the number of family units apprehended at the country’s southern border has decreased by about 55 percent since the 2014 fiscal year. But 2015 is still seeing levels that are “substantially higher” than in previous years.

About 25,000 family members have been apprehended or have surrendered this year. That’s compared with the 68,455 in 2014.

Border leaders want U.S. travel advisory for Juárez lifted

State Department warning hurts image of area

By Diana Washington Valdez *El Paso Times* August 7, 2015

http://www.elpasotimes.com/news/ci_28599314/border-leaders-want-u-s-travel-advisory-juarez

The U.S. State Department is unwilling to lift or modify its travel advisory for Juárez, a factor that harms the image of the El Paso-Juárez region, U.S. Rep. Beto O’Rourke said Thursday during the U.S.-Mexico Summit held at the University of Texas at El Paso.

O’Rourke, D-El Paso, said the advisory complicates cross-border travel for universities, outside visitors, and is used to keep Fort Bliss soldiers and their families from visiting Juárez.

"The State Department people said the advisory is based on the facts as they see them. Although there may be some concerns, a lot of progress has been made in Juárez since 2011," O'Rourke said.

"It's affecting visitors from other countries, the University of Texas System and Fort Bliss, which is a city within a city. We will continue to press on this to change, but ultimately it's a decision of the State Department."

The advisory recommends that U.S. travelers "exercise caution in traveling to the business and shopping districts in the northeast section of Ciudad Juárez and its major industrial parks."

"Crime and violence remain serious problems throughout the state of Chihuahua, particularly in the southern portion of the state and in the Sierra Mountains, including Copper Canyon," the advisory states.

The State Department has issued travel advisories for four other Mexican border states as well: Tamaulipas, Coahuila, Nuevo Leon and Baja California.

A spokesperson for the U.S. federal agency was not available Thursday for comment.

O'Rourke spoke about the issue during a panel and news conference at the summit, which brought together high-level officials from both sides of the border, including U.S. Rep. William Hurd, R-Texas, New Mexico Gov. Susana Martinez, U.S. Customs and Border Protection Commissioner R. Gil Kerlikowske, and William Duncan, charge de affaires at the U.S. Embassy in Mexico City.

Although Juárez had extraordinary violence, which was attributed to rival drug cartels, that peaked in 2010, there is consensus in the border city that conditions are dramatically different and safer than they were at the time. As many as 10,000 people were killed because of the drug war.

Hurd said the State Department generally issues travel advisories for countries in their entirety, but in the case of Mexico, it breaks down the advisories by states and localities. Hurd is credited with bringing numerous members of Congress and other U.S. officials to visit the border to witness the safe conditions firsthand.

Thursday's panelists for the summit also included prominent border business leaders Paul Foster, Alejandra De La Vega Foster and Woody Hunt, and Mexican Sens. Gabriela Cuevas Barron and Lilia Merodio Reza.

Organizers said that the summit, which continues today at UTEP and later in the day in Juárez, is truly binational because it brings together key players from both sides of the border to discuss challenges and advances.

Kerlikowske said projects are underway that are intended to reduce the wait times at border crossings. They involve pre-clearing and pre-inspecting commercial cargo in Mexico before it enters the U.S. He said pre-inspection pilot programs are set to take place in Laredo; Mesa de Otay, Baja California; and the Foxconn facility near Santa Teresa.

If the pilots are successful, then such programs represent the future of cross-border commerce, said Kerlikowske, who added that Mexico is doing its part to make trade smoother.

O'Rourke said undue delays at border crossings cost companies millions of dollars in losses.

De La Vega Foster said sports has been an area of successful border collaboration that has added to the region's quality of life. She and her husband, Paul Foster, and Hunt have spearheaded sports ventures in Juárez and El Paso, including the Chihuahuas baseball team in El Paso and the Los Bravos soccer team in Juárez.

Both De La Vega Foster, who urged strengthening binational relations, and Cuevas raised concerns about Republican presidential candidate Donald Trump's negative comments in the media about Mexican immigrants.

"What's amazing to me is that he's gone up in the polls," De La Vega Foster said of Trump.

Other topics that panelists touched on included a need to incorporate the human element into trade policies, such as labor force mobility; enabling nongovernmental organizations to work together with fewer border barriers; and regional collaboration to increase the prospects for prosperity in Juárez, El Paso and Southern New Mexico.

The "2015 United States-Mexico Summit: A View from the Border" is a joint effort of UTEP and O'Rourke's office. It culminates with a 10K race between El Paso and Juárez on Saturday.

Details about the summit and panelists are on UTEP's website at <http://ia.utep.edu/Default.aspx?tabid=73305>.

War Watch

After A Year Of Bombing ISIS, U.S. Campaign Shows Just Limited Gains

By David Welna *NPR* August 7, 2015

<http://www.npr.org/sections/parallels/2015/08/07/430151358/after-a-year-of-bombing-isis-u-s-campaign-shows-just-limited-gains>

When President Obama announced a year ago he was authorizing new military operations in Iraq, he drew sharp limits on that action.

It would only comprise, he said, "targeted airstrikes to protect our American personnel, and a humanitarian effort to help save thousands of Iraqi civilians who are trapped on a mountain without food and water and facing almost certain death."

Air strikes began the next day to rescue the Yazidi people who were trapped on Iraq's Mount Sinjar.

That air campaign has grown much wider over the past year. Pentagon officials say some 6,000 more bombing runs have been flown over both Iraq and Syria against the self-declared Islamic State, also known as ISIS or ISIL.

Late last month at an air base in the oven-hot Jordanian desert, Defense Secretary Ash Carter delivered a pep talk to a group of U.S. airmen and women who fly bombing raids against the Islamic State.

"This enemy has to be defeated," the Pentagon's top civilian told them. "They will be, because you know the barbarians are always defeated by civilization and the few by the many, the evil by the good — so I don't have any doubt that we will win."

Other Pentagon officials say victory is at least two years away.

Still, last week, the top American commander in the war zone said the airstrikes have hurt the Islamic State's ability to mount big attacks and operate in the open.

And those bombing runs have been chosen, Marine Gen. Kevin Killea added, with great caution. "I will emphasize that every target is carefully considered by coalition air forces," said Killea, "to address and minimize the possibility of collateral damage and civilian casualties."

Critics Of A Limited Campaign

Critics say there's been an excess of caution in the bombing campaign.

"The air attacks to date have been what can only be called anemic," says David Deptula, a retired Air Force general.

Deptula, who directed the air campaigns in the first Gulf War and the invasion of Afghanistan, says it is not possible to defeat the Islamic State by flying what's been an average of little more than a dozen air strikes a day.

"The administration's incomplete strategy places U.S. commanders in an untenable situation," he says. "It's not unlike the failed strategy that was employed in Vietnam."

The current air campaign drew fire as well at a hearing last month on Capitol Hill.

"Our means and our current level of effort are not aligned with our ends," said Senate Armed Services Committee chairman John McCain, the Arizona Republican who himself flew combat missions in Vietnam. "That suggests we are not winning. and when you're not winning in war, you are losing."

When Obama first announced the air strikes a year ago, he promised that "as commander in chief, I will not allow the United States to be fighting another war in Iraq."

But just a month later, the president told the nation he was expanding the anti-Islamic State campaign. In a prime-time address on the eve of the 13th anniversary of the 9-11 attacks, Obama said, "I want to speak to you about what the United States will do with our friends and allies to degrade and ultimately destroy the terrorist group known as ISIL."

At the time, there were some 400 U.S. forces on the ground in Iraq. Today there are more than 3,500.

George Washington University's Stephen Biddle, who advised General David Petraeus during the first Iraq war, says the U.S. has adopted "a Goldilocks strategy" by trying not to do too much or

too little against an enemy it sees only as a limited threat.

"They want to try and do something militarily that's limited," says Biddle, "and that's not enough to do the job; failure in doing the job produces these pressures to escalate, but they don't want to escalate a lot because they don't think it's worth it, so they escalate a little. That doesn't do it either, that yields more pressure. This is a recipe for mission creep."

Hints Of Expansion

Indeed, during his swing through the Middle East last month, Defense Secretary Carter told U.S. troops in Iraq that operations there could expand if the effort to retrain Iraqi troops is more successful.

"It's possible that we'll need to do more and have the opportunity in the sense to do more when they get more proficient," Carter said, adding, "and obviously we're hoping that they do."

But Iraqi troops were routed in May when Islamic State forces seized the provincial capital of Ramadi, west of Baghdad.

After that setback, Carter was scathing during an interview on CNN.

"What apparently happened," he declared, "was that the Iraqi forces just showed no will to fight." Getting those Iraqi forces to fight is key to the U.S. strategy, since Obama insists there will be no U.S. forces doing any ground fighting there.

Andrew Bacevich, a retired Army colonel and a military historian, finds the U.S. effort to retrain Iraqis misguided.

"I see no reason to expect that we can motivate that army to actually fight effectively against the enemy," says Bacevich, "and I think that's really the key defect of this entire strategy."

Former military adviser Biddle says it's a problem of "mixed motives."

"We would like to think if we just provide the training or the arms or the money or other resources, then locals will see the threat the same way we do, and will rise up and counter the threat the same way we'd like them to counter the threat," he says. "And the trouble is locals have all sorts of interests here, many of which don't align very well with ours at all."

Nowhere has this been more apparent than in Syria, where the U.S. has tried to recruit and train forces solely to fight the Islamic State.

Last month, Carter admitted to congress that effort has not gone well.

"We are currently training about 60 fighters," Carter told the Senate Armed Services Committee.

"This number is much smaller than we'd hoped for at this point."

Since then, some of those U.S.-trained fighters have been captured or killed; still others have fled the battlefield. But Carter insists that recruiting effort will continue — as will the air war now entering its second year.

ISIL kidnaps over 200 in Syria's Homs, activist group says

The Syrian Observatory for Human Rights says ISIL fighters have kidnapped over 230 people after seizing town of Homs

Al Jazeera August 7, 2015

<http://america.aljazeera.com/articles/2015/8/7/isil-kidnaps-scores-of-christians-in-syrias-homs.html>

Fighters from the Islamic State in Iraq and the Levant (ISIL) have abducted scores of people, including several Christian families, after seizing a strategically located town in the central Syrian province of Homs, an activist group has said.

The U.K.-based Syrian Observatory for Human Rights (SOHR) said Friday that at least 230 people had been kidnapped, including 60 Christians, some of whom were taken from a church in Qaryatain, which was captured overnight after heavy fighting with the Syrian army.

Qaryatain is near a road linking the ancient city of Palmyra to the Qalamoun mountains, along the border with Lebanon.

ISIL started the attack Wednesday morning when three suicide bombers targeted pro-regime checkpoints at entrances to the city, the observatory said. Clashes erupted between the fighters and "pro-regime forces and loyalist fighters," said SOHR head Rami Abdel Rahman said.

A total of 37 regime soldiers and loyalist fighters were killed, while 23 ISIL fighters also died, Abdel Rahman said.

ISIL has killed members of religious minorities and Sunni Muslims who do not swear allegiance to

its self-declared "caliphate." They also consider Christians to be infidels, and have destroyed many churches and Christian shrines in Syria, demanding that Christians living under its rule pay a tax known as the jizya.

Last February, the group abducted at least 250 Assyrian Christians, many of whom were children and women, during raids on villages in northeastern Syria, in a mass abduction coinciding with an offensive in the same region by Kurdish forces. The fate of many of these civilians is unclear, as is that of a number of priests who went missing and are believed to be held by the group, according to Christian groups.

The ongoing clashes between government troops and ISIL in Homs are one of many fronts in Syria's war, which has left more than 240,000 people dead since it began in March 2011, according to the SOHR.

The latest toll compiled by the observatory showed that 11,964 children were among the 71,781 civilians killed in Syria. At least 88,616 regime forces were killed — or about one third of all deaths documented by the SOHR.

Attacks on army, police, U.S. special forces kill 50 in Kabul

By Mirwais Harooni and Jessica Donati Reuters August 8, 2015

<http://www.reuters.com/article/2015/08/08/us-afghanistan-attack-idUSKCN0QC1U920150808>

A wave of attacks on the Afghan army and police and U.S. special forces in Kabul killed at least 50 people and wounded hundreds, dimming hopes that the Taliban might be weakened by a leadership struggle after their longtime leader's death.

The bloodshed began on Friday with a truck bomb that exploded in a heavily populated district of the capital and ended with an hours-long battle at a base used by U.S. special forces. It became the deadliest day in Kabul for years.

The Islamist insurgents claimed responsibility for both the police academy attack and the battle at the U.S. special forces base, though not for the truck bomb.

The scale of the violence heightened obstacles to reviving the stalled peace process and conveyed a no-compromise message from the Taliban at a delicate time following last week's revelation of Mullah Mohammad Omar's death and a dispute over the leadership of the insurgency.

"The question is, who is sending the message?" Thomas Ruttig of the Afghanistan Analysts Network said.

The U.N. mission in Afghanistan said the incident was the worst since it began recording civilian casualties in 2009, with 355 civilians killed or injured. The U.N. Special Representative, Nicholas Haysom, called it "extreme, irreversible and unjustifiable in any terms".

On Saturday, NATO-led coalition forces confirmed that one international service member and eight Afghan contractors were killed in the attack on Camp Integrity, a base used by U.S. special forces near the main airport.

The blast outside the base was powerful enough to flatten offices inside, wounding occupants who were airlifted by helicopter to military hospitals during the night.

"There was a big explosion at the gate ... (The gunfire) sounded like it came from two different sides," said a special forces member who was wounded when his office collapsed.

UN reports rise in women, children casualties in Afghan war

Associated Press August 5, 2015

http://www.themonitor.com/news/apnews/un-reports-rise-in-women-children-casualties-in-afghan-war/article_2b513faa-e75f-5a0a-a14e-298b75307e3d.html

KABUL, Afghanistan (AP) — The United Nations said on Wednesday that an increasing number of women and children were getting hurt or killed in Afghanistan's war against the Taliban and other insurgents.

The total number of casualties in the almost 14-year conflict was up one percent in the first half of this year, compared to the same period last year, a new U.N. report said. However, the number of women casualties rose by 23 percent and children 13 percent.

Danielle Bell, director of the Human Rights Unit at the U.N.'s Assistance Mission in Afghanistan, said the alarming rise in casualties among women and children was due to ground fighting.

UNAMA attributed 70 percent of civilian casualties to insurgent forces.

She said the U.N. was not able to verify whether the Taliban were using civilians as human shields, but that a large number of casualties caused by pro-government troops stemmed from exchange of fire in residential areas.

Afghanistan's security forces have been fighting the Taliban alone since the withdrawal of U.S. and international combat troops last year. The Taliban have sought to take advantage by escalating their attacks, spreading their footprint from the south and east to the north, and joining forces with other insurgent groups.

Afghan officials have said other insurgent groups, as well as the Islamic State group — which controls about one-third of Syria and Iraq and has a small but growing presence in Afghanistan — have joined the anti-government war.

The UNAMA report said 4,921 civilian deaths and injuries were recorded in the first half of this year.

"The vast majority, or 90 percent, of all civilians casualties resulted from ground engagements, improvised explosive devices, complex and suicide attacks and targeted killings," it said.

Heather Barr, a senior researcher on Afghanistan with the New York-based Human Rights Watch, echoed UNAMA's call for all parties in the Afghanistan conflict to avoid harming civilians. The Afghan government "has to take responsibility for civilian casualties — it has to educate its forces about what international law is on the protection of civilians and if there are deaths caused by government forces, they must be investigated," Barr said.

Barr noted that the UNAMA reports says civilian casualties caused by government forces are up 60 percent compared to the same period in 2014.

With no NATO troops on the battlefields following the withdrawal of international combat troops from Afghanistan at the end of last year, she expressed concerns those numbers could rise further.

"There seems to be no willingness by the government to take seriously these problems," Barr said. "As there are fewer and fewer international forces to watch and constrain what the Afghan security forces are doing, there is less constraint than before, and no reason to believe things will improve with the continuing drawdown."

The Battle for Hearts and Minds

GOP debate field is set: Christie, Kasich in; Perry, Santorum out

Associated Press **August 5, 2015**

<http://my.chicagotribune.com/#section/545/article/p2p-84137040/>

Billionaire businessman Donald Trump will be front and center in the Republican Party's leadoff presidential debate, scoring the top spot in Thursday's prime-time faceoff where he'll be joined by former Florida Gov. Jeb Bush, Wisconsin Gov. Scott Walker and seven other White House hopefuls who made the campaign's first cut.

But it's a disappointing situation for seven other Republicans including former technology executive Carly Fiorina and former Texas Gov. Rick Perry, who will be relegated to a pre-debate forum and second-tier status in the party's crowded field.

Fox News on Tuesday announced the 10 GOP candidates who will take part in the debate at 9 p.m. EDT Thursday in the crucial swing state of Ohio.

Beyond Trump, those selected among the top 10 — based on recent national polls — include Bush, Wisconsin Gov. Scott Walker, Texas Sen. Ted Cruz, Kentucky Sen. Rand Paul, Florida Sen. Marco Rubio, retired neurosurgeon Ben Carson, former Arkansas Gov. Mike Huckabee, New Jersey Gov. Chris Christie and Ohio Gov. John Kasich.

Those who didn't qualify for the first debate include Fiorina, the GOP's only female presidential candidate, Perry, Louisiana Gov. Bobby Jindal, South Carolina Sen. Lindsey Graham, former Pennsylvania Sen. Rick Santorum, former New York Gov. George Pataki and former Virginia Gov. Jim Gilmore.

The announcement concludes an anxiety-filled process for a Republican Party that worked aggressively to improve its debates ahead of the election season. Yet with the largest field of contenders in modern memory, organizers say something had to give to ensure the debate in

Cleveland didn't turn into a nationally televised circus.

"We never ever envisioned we'd have 17 major candidates," said Steve Duprey, New Hampshire's representative to the Republican National Committee who helped craft the debate plan. "There's no perfect solution."

Republican officials worked closely with TV executives, although the networks have the final say about which candidates will be allowed on stage for their televised events.

Fox News is the host of Thursday's event, the first of six party-sanctioned debates before primary voting begins in February.

Republican officials were particularly concerned about Fiorina's status, hoping she would help balance Hillary Rodham Clinton's push to rally women to her candidacy. Trump's recent surge in the polls was particularly damaging to Fiorina.

The reality television star's rapid rise has surprised many Republican officials, some of whom fear his rhetoric on immigration and other divisive issues could hurt the party. In a Tuesday interview, Trump said he's been defying expectations all his life.

"I think people are tired, they're sick and tired of incompetent politicians," he said on MSNBC's "Morning Joe" when asked to explain his rise.

While Trump was far and away the front-runner in the five most recent national polls that determined the debate lineup, several candidates were grouped together in the single digits, most separated by a number smaller than the margin of error.

For example, in a Monmouth University survey released Monday, Kasich was the 10th candidate with the support of 3.2 percent of voters.

But after taking the margin of error into account, Monmouth noted that Kasich's support could be as low as 1.5 percent, while almost any of the candidates who polled lower could be that high or higher.

Monmouth found that only five candidates — Trump, Bush, Walker, Cruz and Huckabee — were definitely in the top tier of candidates, while just two — Pataki and Gilmore — would not make it into the top 10 even when margin of error was taken into account.

Some candidates looked at the polls on Tuesday, and then looked past the first debate and aimed for the second.

"This first debate is just one opportunity of many," Amy Frederick, an aide to Fiorina, wrote to supporters. "With many more debates to come, we fully expect that Carly will soon stand on the stage and show America what real leadership looks like."

Jindal spokeswoman Shannon Dirmann issued a challenge of sorts: "The governor will debate anyone anywhere at any time."

Candidates have already begun to turn their attention toward Trump, considered the ultimate wildcard on the debate stage.

Asked about Trump while courting religious conservatives on Tuesday, Bush said the businessman's rhetoric on immigrants is "wrong." "We have a different tone and a different view," he said.

"I respect the fact that he's the front-runner for the Republican nomination," Bush continued. "This is a serious thing. But I think to win and govern the right way — we have to unite rather than divide."

Christie, in a television interview earlier in the day, called Trump his friend but suggested he'd be willing to challenge him if necessary.

"If I believe there is something that needs to be said on that stage Thursday night, I'll say it," Christie said on MSNBC's "Morning Joe."

Donald Trump axed from event over Megyn Kelly blood comment

BBC August 8, 2015

<http://www.bbc.com/news/world-us-canada-33833516>

A major US conservative forum has dropped Donald Trump as a speaker, saying it was unacceptable for him to suggest that a journalist was tough on him because she was menstruating.

Mr Trump said Megyn Kelly of Fox News "had blood coming out of her eyes, blood coming out of

her wherever".

Ms Kelly challenged him on remarks he made about women during a TV debate.

RedState said Mr Trump was implying she was hormonal, though Mr Trump later denied this in a tweet.

"Re Megyn Kelly quote: 'you could see there was blood coming out of her eyes, blood coming out of her wherever' (NOSE)," he wrote.

A later statement from his campaign said "only a deviant" would think Mr Trump meant anything else.

Mr Trump was one of 10 Republican presidential candidates in a TV debate co-hosted by Ms Kelly on Thursday, which was watched by a record 24 million people.

Early on in the debate, Ms Kelly asked him why voters should elect a man who has called women "fat pigs, dogs, slobs and disgusting animals".

Mr Trump joked that he only said that about TV personality Rosie O'Donnell before adding: "I don't have time for total political correctness."

After the debate, he took to Twitter to say Ms Kelly had "really bombed" and that she hadn't been "very good or professional".

He continued his attack on CNN on Friday night, saying Ms Kelly was "a lightweight" and that he "couldn't care less about her", before making the comment about blood.

Trump's Republican support holds strong post-debate - Reuters/Ipsos poll

By Andy Sullivan and Steve Holland *Reuters* August 11, 2015

<http://www.reuters.com/article/2015/08/11/us-usa-election-poll-idUSKCN0QF1WL20150811>

There is no sign that Donald Trump's raucous first presidential debate is hurting his support among party voters, with the latest Reuters/Ipsos poll showing he still has a big lead over his rivals for the Republican presidential nomination.

Trump's staying power is defying predictions of political doom and leading some Republicans to explore ways to persuade him not to pursue a third-party bid should he falter in his quest for the Republican nomination in 2016.

Trump led the party's 17-strong 2016 presidential field with the backing of 24 percent of Republican voters, unchanged from before Thursday's televised debate, the Reuters/Ipsos poll found.

His closest rival, former Florida Governor Jeb Bush, trails at 12 percent, down from 17 percent before the debate. No other candidate earned more than 8 percent in the online poll, conducted between the end of the debate and Sunday.

Rather than chastened, Trump was emboldened by his debate performance, despite strong criticism for boorish comments he made about Fox News debate moderator Megyn Kelly when she asked about his past derogatory comments about women.

Trump, dumped from a keynote speech Saturday night in Atlanta by the influential conservative group RedState, tweeted on Monday he had been assured by Fox News president Roger Ailes that the network would treat him fairly.

"Roger Ailes just called. He is a great guy & assures me that 'Trump' will be treated fairly on @FoxNews. His word is always good!" the New York billionaire said.

With the next debate coming up Sept. 16 in California, hosted by CNN, some Republicans have discussed possible ways to make his participation dependent on forswearing talk of an independent presidential bid. Trump declined to rule out such a run in Thursday's debate.

"Why should we give this guy, any person, 25 million eyeballs to help his candidacy or her candidacy for an independent run?" said a member of the Republican National Committee, referring to the 25 million people who watched the Fox debate.

Other committee members say trying to bump him from the debate could risk serious blowback from Trump, and he could always break any promise not to make a third-party bid.

"The best way to handle it is to let it play out," said Steve Duprey, an RNC committee member from New Hampshire.

FOCUS OF CONTROVERSY

Trump has been a focus of controversy since June, when he entered the race for the Republican nomination in the November 2016 election. Harsh comments about Mexican immigrants drew widespread condemnation and prompted some business partners to sever ties, while his feud with Arizona Senator John McCain, the party's 2008 presidential nominee, has angered many party officials. But the drama has done little so far to dent Trump's appeal among less affluent, conservative-leaning voters who say his brash style is needed to shake up an overly cautious political system and that his vast wealth would help him resist corrupting influences. "They want someone who's an outsider, who can upset the applecart," said Craig Robinson, a former political director of the Iowa Republican Party. "They're willing to deal with a less-than-perfect candidate if they believe it will actually change things in Washington." Former technology executive Carly Fiorina, who drew favorable reviews in a separate debate for lesser-known candidates, also gained ground in the Reuters/Ipsos poll, with her support jumping from 1 percent to 6 percent among Republicans.

The online poll of 278 self-identified Republicans has a credibility interval of 6.7 percentage points. Despite Trump's outsider appeal, he fared no better against Democratic front-runner Hillary Clinton than other Republican candidates. In a head-to-head match-up, Clinton would beat Trump by 43 percent to 29 percent, the poll found. Clinton would beat other Republican candidates such as Bush, Florida Senator Marco Rubio and Texas Senator Ted Cruz by similar margins. The debate did little to change Republican voters' opinions of Trump, the poll found. One-third said they liked him more after the debate, one-third said they liked him less, and the remaining third said their opinions had not changed. Other candidates fared better. Voters were more likely to say the debate had improved their opinions of Rubio, Cruz, Fiorina, retired neurosurgeon Ben Carson, Wisconsin Governor Scott Walker and former Arkansas Governor Mike Huckabee. Only Kentucky Senator Rand Paul appears to have been hurt, as 8 percent said their opinion of him improved while 22 percent said they felt more negative.

Rick Perry's campaign, short on cash, stops paying staff

Dallas Morning News August 11, 2015

<http://www.dallasnews.com/news/politics/headlines/20150810-rick-perrys-campaign-short-on-cash-stops-paying-staff.ece>

Former Gov. Rick Perry's presidential campaign is no longer paying its staff because fundraising has dried up, campaign and super PAC officials and other Republicans familiar with the operation said late Monday.

The report from *The Washington Post* and The Texas Tribune also said Perry's cash-flush allied super PAC is preparing to expand its political operation to compensate for the campaign's shortcomings.

Perry, who has struggled to gain traction in his second presidential run, has stopped paying his staff at the national headquarters in Austin as well as in the early caucus and primary states of Iowa, New Hampshire and South Carolina, according to a Republican familiar with the campaign who demanded anonymity.

Perry campaign manager Jeff Miller told the staff Friday, the day after the first Republican presidential debate, that they would no longer be paid and are free to look for other jobs. So far at least, most aides have stuck with Perry, according to the Republican source.

"As the campaign moves along, tough decisions have to be made in respect to both monetary and time-related resources," Miller said in a statement Monday.

Perry's campaign raised only \$1.1 million in the last quarter, but his affiliated super PAC raised \$16.8 million.

Texas Sen. Ted Cruz trumpeted Monday that his campaign has taken in another \$1 million since the debate Thursday night.

Cruz was in the prime-time debate with the top-polling candidates.

Perry had been relegated to the earlier debate for those polling 2 percent or less nationally.

Perry is expected to keep up his campaign schedule and is traveling to South Carolina on Thursday.

Bernie Sanders sidelined in Seattle as Black Lives Matter activists invade stage

Democrat seeking presidential nomination is pushed away from microphone in Westlake Park but later delivers address at University of Washington campus

Associated Press August 9, 2015

<http://www.theguardian.com/us-news/2015/aug/09/bernie-sanders-sidelined-in-seattle-as-black-lives-matter-activists-invade-stage>

The Democratic presidential hopeful Bernie Sanders was shoved aside by several Black Lives Matter activists and eventually had to leave an event in Seattle without giving his speech.

Sanders was just starting to address several thousand people gathered shoulder to shoulder at Westlake Park when two women took over the microphone. Organizers could not persuade the two to wait and agreed to give them a few minutes.

As Sanders stepped back the women spoke about Ferguson and the killing of Michael Brown and called for four minutes of silence.

When the crowd asked the activists to allow Sanders to speak, one activist called the crowd "white supremacist liberals", according to event participants.

After waiting about 20 minutes Sanders himself was pushed away when he tried to take the microphone back. Instead he waved goodbye, left the stage with a raised fist salute and waded into the crowd. He shook hands and posed for photos with supporters for about 15 minutes and then left.

The rally at Westlake Park had been organized as a birthday celebration for social security, Medicare and Medicaid.

Sanders spoke later on Saturday night to a packed crowd at the University of Washington campus about his commitment to criminal justice reform as well as addressing income equality. "No president will fight harder to end institutional racism and reform criminal justice system," he told the cheering crowd at Hec Edmundson pavilion. "Too many lives have been destroyed by war on drugs, by incarceration; we need to educate people. We need to put people to work." Sanders later issued a statement on his website expressing his disappointment about the interruption.

It's not the first time that Black Lives Matter activists disrupt the Vermont senator's event. At a town hall for Democratic presidential candidates in Phoenix in July, protesters affiliated with the Black Lives Matter movement took over the stage and disrupted an interview with Sanders and the former Maryland governor Martin O'Malley.

The attached articles were collected during the past week from the web sites of 19 Texas newspapers and 21 major national and international newspapers and web sites. The articles are circulated freely by request to individuals who represent a broad political spectrum in hope that they will supplement your regular reading and offer context for assessing current events. If you desire additional information concerning an article, please contact me directly. References and sites tips are welcome.

This document contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We offer this material in an effort to advance understanding of environmental, political, human rights, economic, democracy, scientific, and social justice issues, etc. We believe this constitutes a 'fair use' of any such copyrighted material as provided for in section 107 of the US Copyright Law. In accordance with Title 17 U.S.C. Section 107, the material on this site is distributed without profit to those who have expressed a prior interest in receiving the included information for research and educational purposes. If you wish to use

copyrighted material from this site for purposes of your own that go beyond 'fair use', you must obtain permission from the copyright owner.

If you appreciate the Tuesday Report and have a few bucks to spare, The Blackland Community Development Corporation that I chair is building a new community complex of apartments and a community center and sorely needs funds to match our elbow grease. Our little neighborhood non-profit has accumulated 48 housing units and rents them to families earning less than 60 percent of the average for Austin. We're in a heavily gentrified area and these four lots and ten houses will probably be our last major project -- very little land left to develop. You can find out more about the Blackland CDC at Blacklandcdc.org. Contributions can be sent to Blackland CDC, 22nd Street Project, 2005 Salina Street, Austin, Texas 78722 or on our Pay Pal account on the web site.

Thanx a bunch,

Bo McCarver