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**Subject:** Greg Brown's Weekend Reading and Other Things.... 3/22/2015

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**Attachments:** America\_is\_one\_big\_prison,\_Why\_mass\_incarceration\_is\_coming\_home\_\u2014literally\_Salon\_JAN\_24,\_2015.docx;  
The\_12\_threats\_to\_human\_civilization,\_ranked\_Matt\_MacFarland\_TWP\_Feb.\_20,\_2015.docx;  
Oscar\_Peterson\_bio.docx;  
I\_Was\_Alabama's\_Top\_Judge...Sue\_Bell\_Cobb\_Politico\_March.April\_2015.docx;  
Your\_Waitress,\_Your\_Professor\_Brittany\_Bronson\_NYT\_Dec.\_18,\_2015.docx;  
The\_income\_gap\_between\_bosses\_and\_workers\_is\_getting\_even\_bigger\_worldwide\_Jena\_McGregor\_TWP\_March\_13,\_2015.docx;  
Netanyahu's\_Hard-Right\_Shift\_To\_Win\_Election\_Presents\_Troubles\_Ahead\_Luke\_Baker\_Reuters\_Mar.\_18,\_2015.docx;  
Nasdaq\_Changed\_in\_Its\_Climb\_to\_5,000\_James\_B.\_Stewart\_NYT\_Mar.\_5,\_2015.docx;  
Israel\_chooses\_the\_path\_to\_apartheid\_James\_Besser\_Haaretz\_Mar.\_22,\_2015.docx

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**DEAR FRIEND.....**

## Justice For Sale



I recently read an interesting article in **Politico** by **Sue Bell Cobb** who was the top judge in the State of Alabama confessing that although she was committed to her career in the legal arena, she was

ashamed by what she had to do to get there. Rising to the position of chief justice of Alabama and the first woman to head the state Supreme Court, it was the pinnacle of achievement. But to get to there, she had to win the nation's most expensive judicial race that year. But at what cost?

She needed \$2.6 million to win — and that money had to come from somewhere, because her opponent raised even more, nearly \$5 million in all. Needless to say it has to be a terribly awkward and uncomfortable position for a judge to have to ask for campaign money. Except that you can win without raising money and today its lots of money. And as we all know, most big donors are not giving you their money and not expecting anything in return. Consequently how can one convince people that their courts are not for sale in the most expensive judicial race in the United States this year? And did I mention this was in 2006 so let's accept that the latest judicial race for Chief Justice in Alabama was even more expensive than it was nine years ago... Today in America.... **justice is for sale**, not only in Alabama but in 38 other states as well....

Justice Cobb explained that like everyone from school board candidates to congressmen, mayors and governors she had to spend an insane amount of time on the phone dialing for dollars. The phone calls always started with chitchat: How's the family? How's your law practice going? It was fun catching up with old friends and acquaintances until the point when I had to steer them toward the real reason I was calling. "I'd very much appreciate your support for my campaign," I'd say, religiously avoiding the "ask" and handing the phone to my finance director when it came time to talk real money.

The money was important. In Alabama, you don't get to mete out justice without spending millions of dollars. She had her money; her opponent had his. The race for dollars reached new heights when a poll showed that she had a real chance of winning despite being a Democrat and the underdog, leading my opponent and his supporters to significantly increase their fundraising. And she had to answer in the best way she could — by trying to raise more money — or risk falling woefully behind. The amounts are utterly obscene. In Alabama, would-be judges are allowed to ask for money directly. They can make calls not just to the usual friends and family but to lawyers who have appeared before them, lawyers who are likely to appear before them, officials with companies who may very well have interests before the court. So where do you draw the line?

The simple fact is: Judicial elections have become just as overwhelmed by money as all the other contests in American politics, even if we tend to forget that in Alabama and 38 other states, judges have to stand for election. And if you're running for office, it means you have to raise money. Lots of money. And that meant phone calls. Lots of phone calls.

Justice Cobb described running for judge, "means pitching yourself to the public just as if you were running for dogcatcher." Many ads for judicial candidates are downright terrifying, with would-be judges bashing opponents as if they were evil incarnate. These candidates were portrayed as judges who, if given the chance, would release child molesters and murderers and order them to move in next door. Even when nothing could be further from the truth, dignity and fairness are too often the first casualties in these kinds of endeavors. How else to explain a campaign ad from the late 1990s in which one candidate for the Alabama Supreme Court, who was revered by many in the bench and bar, nevertheless gave in to pressure from his campaign consultants and ran an ad comparing his opponent to a skunk? The ad opens with the image of the animal and is replaced by a photograph of the opponent as the narrator explains, "Some things you can smell a mile away. ... You can smell how bad this man's ideas are no matter where you live in Alabama."

But here's the thing: Donors want clarity, certainty even, that the judicial candidates they support view the world as they do and will rule accordingly. To them, the idea of impartial and fair judges is an abstraction. They want to know that the investments they make by donating money to a candidate will yield favorable results. For businesses, this means judges who are skeptical of, or hostile to, malpractice suits and product liability claims. For unions, it translates to backing those who see business, especially Big Business, as the enemy.

Opposing sides frequently give lip service to seeking justice, but that's not what they mean. They're not thinking about the fact that our rulings bind not just those who appear before us but every resident of the state, whether it's a matter involving an allegedly faulty product or an unpaid worker's comp claim or a property owner's fight against a government entity trying to seize his building. No, what these special interests want is simply to win. This helps to explain why judicial elections have become awash in money, with some \$275 million spent on such campaigns since 2000, as each side tries to stack the bench with judges it trusts are on their team.

But public trust is eroded when judicial candidates are forced to court big donors and spenders. And outright corruption can occur too, as we saw in Arkansas recently when a former state circuit judge pleaded guilty to having reduced a jury's negligence award against a health care business in exchange for a campaign bribe. It was no coincidence, it turns out, that the owner of the business had funneled thousands of dollars to the judge's campaign fund just as the judge had an epiphany: He slashed to \$1 million the jury's \$5.2 million award because the original amount "*shocked the conscience.*" That's not the only thing shocking about this case.

When a judge asks a lawyer who appears in his or her court for a campaign check, it's about as close as you can get to legalized extortion. Lawyers who appear in your court, whose cases are in your hands, are the ones most interested in giving. Its human nature: Who would want to risk offending the judge presiding over your case by refusing to donate to her campaign? They almost never say no—even when they can't afford it. Imagine how much worse it gets when a judge or candidate has no qualms about applying pressure. And there are a number of examples in Texas where judges can solicit money directly. And although these overtures are shameful and embarrassing, in Texas they are perfectly legal.

The money and politics that engulf judicial campaigns have other deleterious effects. The American Constitution Society worked with Joanna Shepherd, an Emory University law professor, on a recent study that suggested that attack ads accusing judicial candidates of being soft on crime can affect an elected judge's votes. "*The more TV ads aired during state Supreme Court judicial elections in a state, the less likely justices are to vote in favor of criminal defendants,*" the study concluded.

There isn't a perfect system for selecting judges, but there certainly is a better one. Let's start with nonpartisan elections, the public financing of judicial campaigns — which was successful in North Carolina until the legislature killed it in 2013 — and merit-based selection of judges, a system that can include nonpartisan screening commissions, gubernatorial appointment and retention elections. Judges are not, and should never be, like ordinary politicians. We cannot and should not promise the promise of anything to those who we elect as judges. And if this judicial money trend does not change, justice in America will continue to erode.

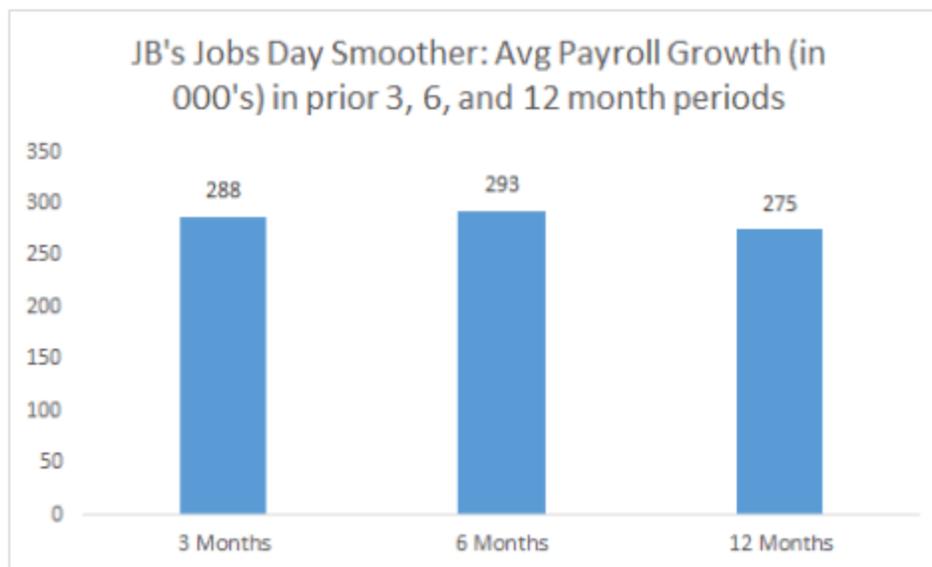
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## February Employment Number..... *Pretty good!!!*



The U.S. economy added 295,000 jobs in February, as the unemployment rate fell from 5.7 to 5.5 percent, the Bureau of Labor Statistics reported Friday and the lowest since 2008. February is the 12th straight monthly job gain above 200,000, as the country has added more than 3.3 million new jobs. More jobs and lower gas prices have led many consumers to step up spending. That's boosting the economy, offsetting sluggish economies overseas and giving employers the confidence to hire. The U.S. job market and economy are easily outpacing those of other major nations. Though Europe and Japan are showing signs of growing more than last year, their economies remain feeble. The euro currency union's unemployment rate has started to fall, but at 11.2 percent it remains nearly twice the U.S. level.

The U.S. economy expanded at a breakneck annual pace of 4.8 percent in last year's spring and summer, only to slow to a tepid 2.2 percent rate in the final three months of 2014. Many economists estimate that growth is picking up slightly in the current quarter to an annual rate of 2.5 percent to nearly 3 percent. Still, economists remain bullish about hiring despite the slowdown in growth. The fourth quarter's slowdown occurred largely because companies reduced their stockpiles of goods, which translated into lower factory output. Still over the past three and six month periods, payrolls are up about 290,000 on average; that's 3.5 million jobs per year if it sticks, an acceleration over the 12-month average.



But companies focus more on consumer demand in making hiring decisions, and demand was strong in the October-December quarter. Americans stepped up their spending by the most in four years. And though consumers are saving much of the cash they have from cheaper gas, spending in January still rose at a decent pace after adjusting for lower prices. Mark Zandi, chief economist at Moody's Analytics, expects the economy to grow 3 percent this year, which would be first time it's reached that level in a decade. That's fast enough to support hiring of about 250,000 a month, he said.

The jobs report also showed average hourly earnings up 2% once again, in lockstep with the long-term trend and down slightly from the 2.2% pace in January. The fact of more people working more hours per week, along with about zero inflation, means real weekly paychecks are up significantly, so living standards should be improving. But such low-inflation will not last -- and can itself be a sign of underlying weakness (though it's still largely an energy story) -- and families can add only so many hours before facing real stressors trying to balance work and family.

Labor force participation: The unemployment rate fell in part because more people got jobs but also because the labor force contracted. These monthly numbers are particularly noisy, so the trend is key, and it shows the share of the population in the labor force bouncing around 63% (it was 62.8% last month) for over a year. That's down from a pre-recession peak of around 66%, a large drop in a key indicator. Extensive research has shown the part of the decline in labor force participation is due to aging boomers leaving the job market, but that's not the whole story. The punchline here is that we very much need to hit and stay at full employment to pull working-age people back into the labor force. Stabilization of the labor force participation rate is a good sign; but there's room for it to tick up some as well. With everything said, February's job numbers are pretty good as the economy U.S. economy continues to improve outpacing both Europe and Japan...

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## Does Anyone Believe That Congress Can Negotiate Any Treaty With Iran?



Pope Francis said, echoing Pope John Paul II's words before the 2003 U.S. invasion of Iraq, "*War always marks the failure of peace. It is always a defeat for humanity.*" I start with these words because when I read that a group of 47 Republican senators wrote an open letter to Iran's leaders warning them that any nuclear deal they sign with President Barack Obama's administration won't last after Obama leaves office. Why would they want to sabotage the Obama's negotiations with Iran that

would halt their developing a nuclear weapon for at least ten years? And what is their solution if negotiations fail? And isn't the 114 U.S. Congress another "*do nothing congress?*" Other than reauthorizing funding for Homeland Security and passing the Keystone XL Pipeline Approval Act which was vetoed by President Obama the 114 Congress has done nothing. So how then does anyone think that they could lead negotiations with anyone, especially weapon negotiations with Iran? And by the way isn't undermining the President a slippery slope on the way to treason?

Organized by freshman Senator Tom Cotton and signed by the chamber's entire party leadership as well as potential 2016 presidential contenders Marco Rubio, Ted Cruz and Rand Paul, the letter is meant not just to discourage the Iranian regime from signing a deal but also to pressure the White House into giving Congress some authority over the process. *"It has come to our attention while observing your nuclear negotiations with our government that you may not fully understand our constitutional system ... Anything not approved by Congress is a mere executive agreement,"* the senators wrote. *"The next president could revoke such an executive agreement with the stroke of a pen and future Congresses could modify the terms of the agreement at any time."*

Arms-control advocates and supporters of the negotiations argue that the next president and the next Congress will have a hard time changing or canceling any Iran deal -- -- which is reportedly near done - - especially if it is working reasonably well. Many inside the Republican caucus, however, hope that by pointing out the long-term fragility of a deal without congressional approval -- something Supreme Leader Ayatollah Ali Khamenei understands -- the Iranian regime might be convinced to think twice. *"Iran's ayatollahs need to know before agreeing to any nuclear deal that ... any unilateral executive agreement is one they accept at their own peril,"* Cotton said.

The issue has already become part of the 2016 GOP campaign. Former Florida Governor Jeb Bush came out against the negotiations in a speech at the Chicago Council last month. Former Texas Governor Rick Perry released a video criticizing the negotiations and calling for Congressional oversight. *"An arms control agreement that excludes our Congress, damages our security and endangers our allies has to be reconsidered by any future president,"* Perry said. Republicans also have a new argument to make in asserting their role in the diplomatic process: Vice President Joe Biden similarly insisted -- in a letter to then-Secretary of State Colin Powell -- on congressional approval for the Moscow Treaty on strategic nuclear weapons with Russia in 2002, when he was head of the Senate Foreign Relations Committee.

The letter is the latest piece of an effort by Senators in both parties to ensure that Congress will have some say if and when a deal is signed. Senators Bob Corker, Lindsey Graham, Tim Kaine and the embattled Bob Menendez have a bill pending that would mandate a Congressional review of the Iran deal, but Republicans and Democrats have been bickering over how to proceed in the face of a threatened presidential veto. Still, Senators from both parties are united in an insistence that, at some point, the administration will need their buy-in for any nuclear deal with Iran to succeed. There's no sign yet that Obama believes this -- or, if he does, that he plans to engage Congress in any meaningful way and especially now that they have showed their cards -- to stop not only any agreement with Iran but negotiations as well.

Although Senator Cotton and other hawks claim that their opposition to the treaty that the Obama is currently negotiating with Iran is because of its weaknesses, except that the truth is that the open letter to Iran is designed to kill any potential deal. Let's remember that Cotton previously told a conservative audience that the goal of congressional action should be to scuttle talks with Iran. The U.S. should,

instead, engage in a policy of "regime change," he argued. As David Ignatius wrote in an op-ed in The Washington Post – GOP senators' letter to Iran is dangerous and irresponsible. And Vice President Biden blasted the letter as "*beneath the dignity of an institution I revere.*" "*In 36 years in the United States Senate, I cannot recall another instance in which Senators wrote directly to advise another country – much less a longtime foreign adversary – that the President does not have the constitutional authority to reach a meaningful understanding with them,*" Biden said in a statement.

Liberal bloggers argue that the GOP letter violated the Logan Act, named for a Pennsylvania politician's attempt to meddle in President John Adams's delicate negotiations with France in 1798. The language of that 216-year-old statute does sound eerily pertinent: "*Any citizen...who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government...to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both.*"

As usual Cotton and the Republican opposition played the Constitution card. The letter stated that the senators believe Tehran "may not fully understand our constitutional system." So the lawmakers say they have taken it upon themselves, apparently for the sake of "*mutual understanding and clarity*" and that after President Obama leaves office "*the next President can revoke such an executive agreement with the stroke of a pen and future Congresses could modify the terms of the agreement at any time.*"

Jack Goldsmith, a Harvard University law professor and former top legal official in the George W. Bush administration, offered the lawmakers their own lesson. Writing for the blog **Lawfare**, Goldsmith noted that the senators mistakenly say in their message that the Senate "*must ratify*" any treaty. In fact, he points out, the Senate's role is to give the president its consent for a treaty -- and to recognize that ratifying it is the president's choice. "*This is a technical point that does not detract from the letter's message that any administration deal with Iran might not last beyond this presidency,*" Goldsmith wrote. "*But in a letter purporting to teach a constitutional lesson, the error is embarrassing.*"

This stunt by Republicans telling the leadership in Iran that America's President cannot be trusted is both embarrassing and a totem of diplomatic self-sabotage. The consequences of sabotaging a nuclear deal could be catastrophic. It could isolate America from its closest allies and other world powers. It could free Iran from nuclear constraints and unravel the sanctions without any Iranian concessions. Worst of all, it could lock the US onto a path towards a disastrous war. As Senator Bill Nelson who was "*appalled and saddened*" by the open letter said, "*What it sends is a message to the rest of the world that we are not united.*" More importantly due to the absurdity of this stunt, what is lost is that halting the proliferation of nuclear weapons is too important to divide us among partisan lines, especially when the main priority of the stunt is to delegitimize the Presidency of Barack Obama.

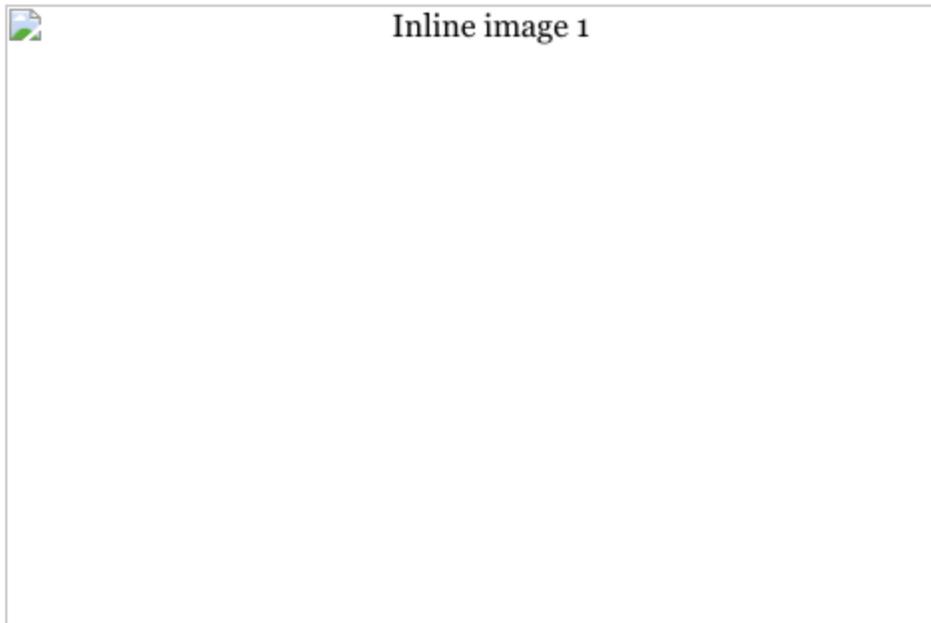
What is also lost in Congress' zeal to rein in President Obama's power is that a signed deal not only benefits both Iran and the United States, it will benefit all of the other countries in the Middle East and our partners in NATO, while not leaves us exactly where we were before: with sanctions in place but Iran on a path to a nuclear weapon. So why not pursue negotiations? And as we all know any successful negotiations require give and take with none of the parties getting everything that they want. And as we also know that the Congressional Republicans especially in the House of Representatives don't believe in compromise. How then can they seriously be part of any diplomatic

negotiations? Especially with a country that they often characterize as evil? More importantly a country needs to speak with a single voice in any negotiations. And that voice in the United States has to be the President. What we can't allow is for anyone to sabotage, including Congress, diplomatic negotiations with foreign countries, especially with Iran, where people are beating the drums of war on both sides. A wiser course for Republicans is to demonstrate that they love America more than they hate the president, by working together for a multilateral effort to stop Iran and others from gaining nuclear weapons and to advance peace in the Middle East.

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## Nasdaq Changed in Its Climb to 5,000

Because these aren't the same stocks



U.S. stocks rallied on Friday, with the Nasdaq Composite Index closing at its highest level in 15 years. The Nasdaq Composite climbed 34.04 points, or 0.7%, to end at 5026.42, placing the index within striking distance of its record close of 5048.62, reached in March 2000. On Friday, the index hit 5042.14, its highest point since the index reached its intraday record of 5132.52 on March 10, 2000. It has been nearly three weeks since the Nasdaq broke through and closed above 5000 for the first time since 2000. "Clearly this year growth is getting rewarded," said Bob Turner, chief investment officer for Turner Investments, which manages roughly \$1 billion.

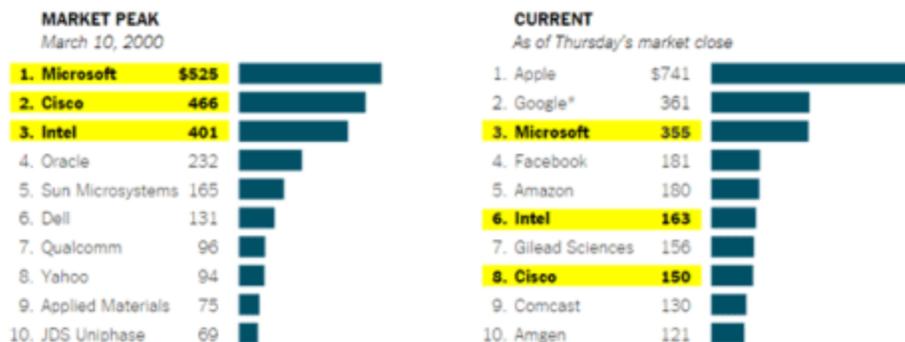
He added that the rise in many technology stocks in the past year has been driven by rapid revenue and profit growth. "This is such a better high level than it was in 2000, because that was all speculation," he said. "Now it's really sustainable." While Nasdaq still remains below its record closing level, and investors and traders warned it may take time before it reaches that milestone. The Dow Jones Industrial Average advanced 168.62 points, or 0.9%, to 18127.65 and the S&P 500 rose 18.79 points, or 0.9%, to 2108.06. And The Russell 2000 also reached a record Friday, climbing 11.51 points, or 0.9%, to 1266.37.

We should remember that when the Nasdaq composite that peaked at 5,048.62 on March 10, 2000, in what turned out to be the height of the technology bubble, bears little resemblance to today's Nasdaq index. Of the top 20 Nasdaq companies by market capitalization in 2000, only four — Microsoft, Cisco Systems, Intel and Qualcomm — remain in the top 20 today. Eight no longer exist as independent companies, most as a result of bankruptcy or acquisition, and several are shadows of their former selves. The current Nasdaq composite index has only about half as many companies as it did in 2000.

### Nasdaq's Top Companies, Then and Now

Only three companies that were among the top 10 when the market peaked in 2000 remain there.

Top companies in the Nasdaq composite by market capitalization in billions of dollars



In the intervening 15 years, a new generation of entrepreneurs, newly public companies and entire industries have emerged and seized the dominant positions in the Nasdaq index even as their predecessors faltered. Apple, now the world's largest company by market capitalization, barely registered in 2000, and the first iPhone was not announced until 2007. Over a billion smartphones were shipped in 2014. Google, which now ranks third and dominates the market for Internet search advertising, went public in 2004 at \$85 a share, giving the company a market value then of \$23 billion. Today, its market capitalization is over \$360 billion, and its shares were trading this week above \$570. Facebook, now No. 5 in Nasdaq's ranking, dominates social networking, another industry that did not exist in 2000. It went public less than three years ago, and is already valued at over \$180 billion.

Had the Nasdaq index itself not been transformed by innovation and competition, it would be nowhere near its previous peak. The stocks of many of the surviving companies, like Microsoft and Intel, have not come close to the levels they reached before 2000. That means investors who bought and held the stocks of individual companies in 2000, as opposed to broad mutual funds tied to the Nasdaq or index funds like the QQQs, are still underwater — a cautionary note for investors who try to pick individual stocks.

Many investors have forgotten that the plunge in the Nasdaq that began in 2000 was no steeper than its rise in the late 1990s — a classic formation and bursting of an investment bubble, as a glance at a chart of the Nasdaq over the past 20 years makes clear. The plunge was so severe in large part because the index's steep rise resulted from not one, but two simultaneous bubbles — one in dot-com stocks and the companies that supplied them, the other in telecommunications.

Some of the flashier companies that attracted the most absurd valuations were consumer Internet companies like Pets.com, WebVan and Urbanfetch. But investors were also whipped into a frenzy by the promise of wireless communications. Larger telecommunications companies like JDS Uniphase,

Juniper Networks, Sycamore Networks and PMC-Sierra had far more impact on the rise and subsequent plunge in the index. All four were among the top 20 by market capitalization in 2000, ranging in size from JDS Uniphase (\$44 billion) to PMC-Sierra (\$33 billion). Sycamore, once a leader in routing Internet traffic, dissolved in 2013. The other three have market capitalizations today that are tiny fractions of their peak values.

“I never expected to see the Nasdaq at 5,000 again in my lifetime,” said Jeffrey W. Smith, a Nasdaq managing director in economic research, and co-author of a paper called “The Nasdaq Composite Index, a 14-Year Retrospective.” Mr. Smith you are right because it is not the same group of companies.....

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The pope deplored it. U.S. Federal Reserve Chair Janet Yellen said she’s “*greatly concerned*” about it. The World Economic Forum holds panels about its threat to the global economy at its annual Davos conclave of the wealthy and powerful. U.S. President Barack Obama wants to raise taxes to combat it. And a 700-page book about it by a French economist was a surprise best seller. It is inequality, a gap between rich and poor that has been widening in the U.S. and many other countries for a generation. The term is often used as a catch-all description of various related ills including poverty, job stagnation, class division and social disorder. Yet there’s much debate among economists about the impact of inequality itself and its relationship to prosperity.

## The Situation

The income gap narrowed in the U.S. between the Great Depression and the 1970s. Since then, it has widened. From 1979 to 2007, after-tax income for the top 1 percent of households grew 275 percent; for the bottom fifth it rose 18 percent. The top 1 percent of earners took home 95 percent of the gains in the first three years of the recovery from the 2008 recession. By 2013, the Fed found that the lower half of U.S. households by wealth held 1 percent of the total while the wealthiest 5 percent held 63 percent. And one family in the United States (the Waltons) has more money than the bottom 150 million Americans. The CIA World Fact Book ranks the U.S. 41st of 136 countries listed in order of unequal family income distribution, with Sweden the most equal and Lesotho the least. Equality and prosperity can also diverge. While U.S. incomes were spreading out, poverty rates were falling. New York City has the biggest rich-poor gap in the country, but its poverty rate is roughly half of Detroit’s. China’s income gap has grown wider than America’s even as hundreds of millions of people were lifted out of poverty. The top 1 percent’s share of income has fallen since 2005 in Spain and Norway as one struggled and the other prospered.

## The Background

Many factors are thought to contribute to the growing rich-poor gap. The export of manufacturing jobs from rich countries to poorer ones has often been accompanied by widening inequality at both ends. In the U.S., the rise of the financial and tech sectors, the growing importance and cost of higher education, falling tax rates for the wealthy and reduced levies on capital gains may also play roles. The French author of the bestselling *“Capital in the 21st Century,”* Thomas Piketty, argued that unchecked capitalism concentrates wealth because the rate of return on capital generally exceeds the growth rate of labor income. The decades in the mid-20th Century in which inequality fell were the exception, not the rule, he concluded.

## The Argument

Critics of inequality point to studies finding that more unequal societies suffer from higher unemployment, social instability and reduced investment. One linked households living in high-inequality areas with more financial distress, reflected by increased bankruptcy filings, higher divorce rates and longer commutes. The Great Gatsby Curve suggests that more inequality is linked to less mobility — the ease with which people move up and down the income ladder. Others contend there is scant proof these trends actually cause inequality to grow. Inequality acts as an incentive for people to produce and create wealth, innovate and take risks, they say. They point out that inequality isn't a zero-sum game; when the recession shrank the stock portfolios of wealthy Americans, briefly reducing inequality, the poor did not get richer. Proposals to narrow inequality include increasing the minimum wage, taxing the affluent to help the middle-class build wealth and raising levies on inheritance and investments. In Switzerland, voters rejected both what would have been the world's highest minimum wage, and a more radical measure to cap the salaries of CEOs. Piketty proposed a global tax on capital to combat social disarray that he considers a byproduct of inequality.

Whatever you believe you have to think that in the wealthiest country in the world the fact that almost 50 million Americans live below the poverty level, which the federal government defined in 2013 was \$11,490 last year for a person and \$23,550 for a family of four – **something is wrong**. Poverty is particularly dire for single mothers: A third of all families headed by single women were in poverty last year -- that's 15.6 million such households. The black poverty rate was 27.2 percent, unchanged from 2012 and higher than 24.3 percent before the recession began. More than 11 million black Americans lived below the poverty level last year. About 42.5 percent of the households headed by single black women were in poverty. The Hispanic poverty rate was 23.5 percent.

## Something Is Wrong

I am deeply disturbed by inequality and other injustices in my country. And it is not just the rich and powerful to be blamed. We are all implicated; we share responsibility for our witness of well-defined evil. We don't protect our most vulnerable children; we value people according to arbitrary standards blind to the image of God on every face; we are too quick to kill and too slow to forgive; we tolerate the desecration of the only earth we will ever know. We give a platform to political leaders who want

to “*take back our country*” — by setting policies that favor the wealthiest over everyone else, selling public schools to the highest bidder, and tearing apart the safety net that sustains the elderly and assists our most vulnerable — as if their words and ideas are worth listening to, or are grounded in principles worthy of our attention or even support.

Our response? Too often it is tantamount to this: “*Whatever.*”

We allow injustices to persist as if solutions are someone else’s responsibility. We watched our Congress over the last six years — as we slid deeper into recession, as our immigration crisis worsened, as tragic deaths from gun violence killed children school by school, people in movie theaters, women and children in the sanctity of their homes — do less and less, making history for inactivity. Even now, behind all of the soaring rhetoric is a shocking lack of action. It’s almost as if Congress said, *whatever*. Today, we are a society that has lost its collective conscience. One only has to listen to the foolishness that passes for debate in any political season — or the witless chatter on our televisions suggesting that there are equal sides of arguments — and somehow the most vulnerable created the situation that they find themselves in. And if this doesn’t sicken you..... I can’t help you ***because you are lost.... And this is my rant of the week....***

## WEEK'S READINGS

### Unmasked



In his successful attempt to stay in power Prime Minister Benjamin Netanyahu stated that he will not move the establishment of a Palestinian state or evacuate territory now occupied by Israeli settlement — otherwise he is oppose to the two-state solution and is adamant to not make any meaningful concessions to reach peace with the Palestinians. Netanyahu's strategy to win this last election is based on race baiting, fear tactics and fear mongering. A number of his critics say it encourages outright incitement against Palestinians, Israel’s Arab neighbors and even the White House as on the eve of the election he warned Israeli voters that Arab voters were coming out in droves and the Obama Administration was secretly supporting his opposition. And although this has caused shock among some of his moderate supporters, his critics say that it really isn't anything new.

## Israel chooses the path to apartheid

It was once possible to argue that Israel's policies were not the same as apartheid because their stated goal, however imperfectly pursued, was to end the occupation. After Netanyahu's reelection, this is no longer the case.

**James Besser – Haaretz – Mar. 22, 2015**

Mainstream Jewish groups go ballistic when they hear the term apartheid because of what it implies: an official policy of unfairness so profound that a fractious world unites against it with sanctions, boycotts and a pariah label for the perpetrators. Once, it was possible to argue that Israel's policies were not the same as apartheid because their stated goal, however imperfectly pursued, was to end the occupation. No more: Bibi's reelection makes it clear that Israeli voters, more clearly aware of Netanyahu's intent than ever, have chosen the apartheid path, and will now have to live with the consequences.

American Jewish groups, key players in the coalition against South African apartheid, will resort to verbal gymnastics to argue that it's not the same. Or they will simply use the convenient ploy of pointing out all the bad decisions made by Palestinian leaders over the years. When the inevitable violence erupts and when the Palestinians, left with no other options, renew their push to condemn Israel in international bodies, they will circle the wagons to defend a Jewish state they claim is unfairly treated by a hostile world. They will ratchet up efforts to stifle even moderate dissent in the Jewish world. They'll blame the deepening divisions in the Jewish community on J Street.

Or they will say the no-statehood pledge was just politics as usual in Israel's fractious democracy, as meaningless as most other campaign promises. And nobody outside an increasingly narrow pro-Israel tent will buy it because apartheid is apartheid. Except that's exactly what Israeli voters chose this week as a course for their nation.

Although voters will may say before elections that their major concerns are the economy or the cost of living or social and domestic issues but in the end of the day Israelis vote at what they perceive as security concerns and Netanyahu knows how to ring that bell like very few. Because the candidates that don't address those concerns are often punished at the ballot box.

Obviously there is a growing international movement calling for the boycotts, divestments and sanctions against the nation of Israel until it complies with international law first and foremost ending the occupation of the territories that it took over after the 1967 War, that being occupied East Jerusalem, the West Bank and the Gaza Strip. While at the same time neither the European Union or the United States have meaningfully changed their relationship with Israel although there have been a lot of public feuds and spats that have caused an uproar in the media and so forth nothing really has actually changed in either's support for Israel.

Netanyahu has drawn a “red line” in the sand sort of speak, when he publicly broke with the White House and European Nations seeking a two-state solution. *“Despite campaign rhetoric, Israel must pursue a negotiated two-state solution with the Palestinians.”* Senator Diane Feinstein on March 18, 2015. But as American journalist Patrick Strickland reported this week from Israel, *“This is nothing new again. Since the 1994 Oslo Accords we have been hearing that there is going to be a two-state solution. During that time settlements have expanded. These are Jewish settlement colonies throughout the West Bank that includes East Jerusalem. That is territory that is occupied under International Law. And Israel has also violated International Law by transferring civilian infrastructure to that territory. But again there has been no meaningful pressure and the aid packages keep coming. But to be honest, the two-state solution has long been since dead. We are beating a dead horse here. And in fact negotiations are used as a smoke screen to continue colonization of the West Bank and in Netanyahu’s case, it is just at an expedited pace.”* Since Netanyahu came back to office settlements grew at 23% -- an accomplishment that he campaigned on.

The essential precursor to any solution – has to be the will to recognize the equal rights of non-Jews in any of the five states that Israel controls. Hours after the Israeli election results were finalized, the White House quickly reaffirmed its support for the idea of two independent nations living side by side, a central tenet of peace negotiations led by presidents from both U.S. political parties. And the White House sharply chastised Netanyahu's party for using anti-Arab rhetoric in the lead-up to the election. *“Rhetoric that seeks to marginalize one segment of their population is deeply concerning and it is divisive,”* Obama spokesman Josh Earnest said. While senior American officials said the administration was still evaluating options, they suggested the U.S. could ease its staunch opposition to Palestinians turning to the UN Security Council to create a state. *“There are policy ramifications for what he said,”* one official said of Netanyahu's campaign rhetoric rejecting the creation of a Palestinian state. *“This is a position of record.”*

Frustrated by both Israel and the U.S., Palestinian Authority President Mahmoud Abbas has become increasingly aggressive in efforts to secure a Palestinian state through other means, including the UN Security Council. The U.S. has veto power on the council and has repeatedly warned Abbas it would block his efforts to use that avenue. If Netanyahu holds firm to his opposition to a two-state resolution to the Mideast conflict, it could force whoever sits in the Oval Office – now and in the next administration – to choose between the prime minister and a longstanding U.S. policy with bipartisan support.

Most Republican presidential hopefuls welcomed Netanyahu's victory, but they were notably silent about whether they backed Palestinian statehood. Only Wisconsin Gov. Scott Walker weighed in, saying the U.S. goal *“must remain a two-state solution.”* But we should remember that former Republican President George W. Bush made a two-state solution a cornerstone of his efforts to secure peace between Israelis and Palestinians. President Obama also has pursued Palestinian statehood, most aggressively in a months-long push for peace that ultimately collapsed last year. And Hillary Rodham Clinton, the Democratic front-runner if she enters the 2016 campaign, worked closely with Netanyahu and championed an independent Palestinian state.

Netanyahu's reelection could end up being a horrifying development that might cause irreparable damage to Israel in every which way imaginable. In particular, if he scuttles once and for all any prospect of peace with the Palestinians. This most likely will cause them to seek an independent state

though the UN and open up the possibility that the Obama administration will no longer provide Israel with blanket political immunity.

“In the lead up to Israel's March 17th election, Prime Minister Benjamin (Bibi) Netanyahu, fearful that he might lose his reelection bid, threw caution to the wind making blatant appeals to scare voters into returning him to office. He did so not caring who he alienated or what might be the consequences of his behavior. I have always argued that in the animal kingdom there is no creature more dangerous than a panicking politician and, in the last few days, Bibi was one such creature.”

James Zogby – March 21, 2015

Parliaments in historically pro-Israel countries including France and Britain have held non-binding votes favoring recognizing Palestinian independence. Western countries have generally held back from this step, arguing that a Palestinian state must emerge from negotiations, but with Netanyahu having apparently abandoned the *"two state"* principle of such talks, the argument is harder to make. His victory also raises questions about what happens on Iran, with Obama determined to pursue negotiations towards a deal on Tehran's nuclear program and Netanyahu determined to scupper it, including by mobilizing domestic U.S. opinion. The Palestinians may quickly create problems for Netanyahu as they will formally become members of the International Criminal Court on April 1 and have said they will pursue war crimes charges against Israel over its 48-year occupation of the West Bank and last year's war in Gaza.

If history is a guide to the future, Netanyahu will continue to expand the Jewish settlements, expropriate more Palestinian land and impose ever-harsher measures that will be needed to maintain the occupation. Then it will be only a question of time when the Palestinians rise against Israel and plunge both sides into a major conflagration that will exact blood and treasure beyond anything that we have seen thus far. In the interim, Israel will lose what is left of its legitimacy and will be treated as an apartheid state subject to international condemnation, sanctions and divestment. To be sure, the stakes for Israel have never been higher. And if Netanyahu wants his legacy as Prime Minister to be that of preventing the establishment of a Palestinian state, he has succeeded. In his wake, however, he did it at an enormous cost leaving a troubled nation -- a nation filled with anxiety and fear for the future.... and need I say.... a country on the verge on apartheid.

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**America Is Becoming One Big Prison**



Inline image 1

As Maya Schenwar recently wrote in **Salon** — ***America is one big prison: Why mass incarceration is coming home — literally.*** To counter the nation's overcrowding of its jails and prisons, house arrests are on the rise, transforming communities of color across the country into open-air jail cells. Enabling this new trend is the growth of electronic monitoring devices.

**Case in point:** On January 27th, domestic violence survivor Marissa Alexander walked out of Florida's Duval County jail — but she isn't free. Alexander, whose case has gained some notoriety, endured three years of jail time and a year of house arrest while fighting off a prison sentence that would have seen her incarcerated for the rest of her life — all for firing a warning shot that injured no one to fend off her abusive husband. Like many black women before her, Alexander was framed as a perpetrator in a clear case of self-defense. In November, as her trial date drew close, Alexander accepted a plea deal that will likely give her credit for time served, requiring her to spend “just” 65 more days in jail. Media coverage of the development suggested that Alexander would soon have her “freedom,” that she would be “coming home.”

Many accounts of the plea deal, however, missed what Alexander will be coming home to: she'll return to “*home detention*” — house arrest — for two years. In other words, an electronic monitor, secured around her ankle at all times, will track her every movement. Alexander will also be paying \$105 per week to the state in monitoring fees, as is the custom in Florida and more than a dozen other states. Such a situation is certainly preferable to being caged in a prison cell. However, does Alexander's release — and that of others in her shoes — mean freedom? In reality, an ever-growing number of cages are proliferating around us, even if they assume forms that look nothing like our standard idea of a cage.

As mass incarceration is falling out of fashion — it's been denounced by figures across the political spectrum from Eric Holder to Newt Gingrich — a whole slate of “*alternatives to incarceration*” has arisen. From electronic monitoring and debilitating forms of probation to mandatory drug testing and the sort of “*predictive policing*” that turns communities of color into open-air prisons, these alternatives are regularly presented as necessary “*reforms*” for a broken system. It's worth remembering, however, that when the modern prison emerged in the late eighteenth century, it, too, was promoted as a “*reform*,” a positive replacement for corporal or capital punishment. Early prison reformers — many of them Quakers bent on repentance and redemption — suggested that cutting

people off from the rest of the world would bring them closer to God. (The word “*penitentiary*” comes, of course, from “*penitence*.”)

An oppressive version of surveillance played a central role in this vision, as in British reformer Jeremy Bentham’s famed Panopticon, a model prison in which inspectors would be able to view prisoners at any moment, day or night, while themselves remaining invisible. If the ultimate Panopticon never quite came into existence, Bentham’s idea profoundly influenced the development of the prison as a place in which, for the prisoner, no time or space was inviolable and privacy was a fiction. As an idea, the Panopticon remains embedded in our notion of state discipline. Now, it is spreading out of the prison and into the neighborhood and the home, which is hardly surprising in a society in which surveillance and monitoring are becoming the accepted norms of everyday life. Like the plans of the early reformers, many current prison “*reforms*” share a common element: they perpetuate the fantasy that new forms of confinement, isolation, and surveillance will somehow set us all free.

At first glance, these alternatives may seem like a “*win-win*.” Instead of taking place in a hellish institution, prison happens “*in the comfort of your own home*” (the ultimate American ad for anything). However, this change threatens to transform the very definition of “*home*” into one in which privacy, and possibly “*comfort*” as well, are subtracted from the equation. Perhaps the best example is the electronic monitor, an imprisonment device that is attached to the body at all times.

## Electronic Monitoring

House arrest has long been used to quell political resistance. By confining people to their homes, repressive governments are able to weaken an oppositional figure’s ties to the world, while allowing the authorities to know where the confined person is at every moment. From St. Paul to the deposed pro-democracy Iranian president Mohammad Mosaddegh, Galileo to Burma’s Aung San Suu Kyi, dissidents and nonconformists have long watched their homes become their prisons. However, the rise of new technologies — in particular, electronic monitoring — has allowed the practice of home confinement to become widespread. Nowadays, if you’re under house arrest, there are no longer armed guards circling the premises. Instead, the “*guards*” are satellites, their gaze always present, and they don’t even blink.

Appropriately enough, electronic monitoring was introduced in 1984. Since then, it has been used for an ever-expanding range of purposes, including pretrial confinement, parole, and probation, or simply as a punishment in and of itself. Monitoring has put new populations under state control, expanding the range of people who are confined in this country. According to an analysis in the *Journal of Law and Policy*, most of those placed on electronic monitors haven’t committed serious or violent offenses and, were it not for monitoring, “*at least some of these populations would not in fact be incarcerated or otherwise under physical control.*” In prison, the loss of one’s civil liberties is glaringly apparent. The strip search, the cell sweep, and the surveillance of letters, phone calls, and visits are givens. For those whose homes have been “*prisonized*,” however, basic constitutional rights also crumble. Probationers and monitorees are subject to warrantless searches and drug tests; probation officers have ready access to their homes. In fact, though seldom thought of this way, the ankle monitor is essentially a constant, warrantless search.

As research scholar James Kilgore notes, for those being monitored, “the default position in most instances is house arrest” and therefore they’re often more restricted than their counterparts in jails and prisons. Incarcerated people have daily quotas for calories and are usually granted a certain amount of outdoor exercise time (however miserable the food or outdoor facilities may be). Under house arrest, neither of those protections apply. Similarly, prisoners are usually granted the right to access legal materials; this guarantee is not a given for monitored people.

Even probation officers have acknowledged how monitoring — both the actual physical confinement and the constant knowledge of being watched — seeps into each moment of a confined person’s daily life. A Department of Justice study, for example, found that, with the visible ankle monitor acting as a “scarlet letter,” those permitted to go to work had a difficult time finding or holding jobs. That’s a problem in itself, since it’s well known that gaining employment is a crucial step in avoiding future offenses. Full-scale house arrest, however, locks people into a life of stasis and boredom, inhibiting their ability to connect with loved ones or form new bonds — crucial factors in building a sustainable life.

Eighty-nine percent of probation officers surveyed by the Justice Department felt that “*offenders’ relationships with their significant others changed because of being monitored.*” Both officers and those monitored observed that the ankle band had a distinct impact on children. As one parent testified, “*When it beeps, the kids worry about whether the probation officer is coming to take me to jail. The kids run for it when it beeps.*” Another noted that his child repeatedly strapped a watch around his ankle “*to be like Daddy.*”

Beyond the physical and emotional burdens, those under monitoring often pay for their confinement in the most literal possible fashion. As Marissa Alexander discovered in Florida, private companies often exact fees from the people they’re imprisoning. They average around \$10-\$15 per day – in addition to installation costs and fees imposed for drug tests or other “*services.*” Those unable to pay may be re-incarcerated in a cycle that harkens back to debtor’s prison. By the end of her sentence, Alexander will have spent \$16,420 on her own imprisonment and constant surveillance.

## Probation and Drug Testing

You don’t, however, have to be hooked up to a fancy monitoring device to find yourself paying for your confinement. As probation is increasingly contracted out to private companies — in Georgia, for example, 40% of probation services are privatized — many non-monitored probationers are subject to steep fees and failure to pay such probation costs might also result in jail time. This phenomenon, dubbed “*offender-funded probation*” has recently become ever more popular. A 2014 report by Human Rights Watch revealed that 1,000 courts in at least 12 states now employ it in a twisted mix of budget-tightening, privatization, and corporatization. As author and organizer Kay Whitlock writes, “*This industry is built upon disdain for poor and low-income people, and a determination that their wretchedly limited resources should not only support the illusion of administration of justice but simultaneously provide private business owners and courts with new revenue.*”

With nearly four million people on probation in this country, what an increasingly “*offender-funded*” system would look like is coming into focus: state coffers would be filled with dollars from those with the most meager resources, while the threat of debtor’s prison would hang over the heads of those who

don't or simply can't comply. In addition, despite their rhetoric about "*correction*" and "*rehabilitation*," for-profit enterprises are actually driven by the distinctly for-profit urge to keep people in the system, while bringing in ever more of them.

In addition to monitoring and probation, mandated drug tests are another standard item that can be turned into a cash cow. Most people ensnared in the criminal justice system (whether incarcerated or on supervised release) are required to undergo regular drug testing, regardless of whether their offense is drug-related. Companies now charge about \$25 per test, meaning that a person serving a year-long probation sentence is likely to be saddled with a \$1,250 drug-testing bill. Moreover, drug testing is helping to expand the criminal system into new areas of society. Thanks to decades of drug-war policies, the tests have entered schools, hospitals, workplaces, and the welfare system — and testing positive can result in serious punishment, including surveillance and confinement. One in five high schools now use drug tests and many punish a "*dirty drop*" with loss of extracurricular activities or even expulsion from school.

As the Fifth Circuit Court of Appeals noted decades ago, "*there are few activities in our society more personal or private than the passing of urine.*" Yet in many circumstances, from workplaces to law enforcement probation visits, people being tested are not only listened to, but also watched as they urinate. The Minnesota Department of Corrections, for instance, gives these instructions to its probation and parole staff: "*Staff must... position himself/herself in such a manner as to verify the specimen passes directly from the offender's body into the specimen collection container.*" Such drug tests are also used by child protective services agencies during home visits to surveil parents, overwhelmingly mothers of color and particularly black mothers. A failed drug test may result in the removal of children from the home — regardless of whether the drug use is affecting the parenting abilities of the user.

During the drug-war years, unlike the other ways in which we relate to our bodies and our health, drug use has become fair game for policing and state surveillance. No state intervention can mandate that you stop eating gluten or quit smoking cigarettes or undergo chemotherapy, but we have come to accept the idea that outside authorities may monitor, control, and punish your choice to use certain drugs — and rampant drug testing is a graphic manifestation of that. Like any health-related blood or urine test, drug testing is not inherently bad, but its widespread, mandatory, and invasive deployment by the state is unique among health procedures. It is the only routine medical test that can land you in jail. As public approval of drug-war-fueled mass incarceration ebbs, however, it's important to remember that the drug "*battlefield*" now extends well beyond the prison and that privacy violations once reserved for jails and drug treatment centers are now common in places where privacy was once a given.

## Predictive Policing

Perhaps the most prevalent prison-outside-of-prison version of incarceration happens before, not after, arrest. It's what anti-police-violence activist Joseph "*Jazz*" Hayden calls "*open-air prisons*" — that is, the intensification of policing and surveillance in poor neighborhoods of color. As a growing national movement has made clear recently, in many black and brown communities police are a feared source of violence, not an answer to it. A recent Pew survey showed that black Americans are much less likely than whites to believe that police protect them from crime. Only 31% of black respondents

believed that the police were “good” or “excellent” at protecting their safety and for just 6% were they “good” at “using the right amount of force for each situation.”

Yet when right-wing advocates against mass incarceration opt for a new approach, they tend to support approaches that lead to identifying certain areas (homes, blocks, schools, neighborhoods) as “crime hotspots,” and cramming them with law enforcement and surveillance. Right on Crime, a Texas-based “prison reform” group which Newt Gingrich, Jeb Bush, and many other conservative luminaries promote, calls for using money saved from reducing prison populations to expand “data-driven policing” and, in the process, increase the use of electronic monitoring and private security firms. Case in point: a method called “predictive policing” is increasingly gaining favor with right-wing “reformers.”

Appropriately enough, as reporter Aaron Cantú documents, the very concept was birthed by a private company called PredPol. As the ACLU of Massachusetts notes, this *technique* “essentially applies the Total Information Awareness approach to policing.” That means drawing upon large pools of surveillance, arrest, and other data to develop “algorithms” to determine when and where a crime might happen in the future. The use of historical arrest data ensures, of course, that police presences will intensify in places that are already most heavily patrolled and where the most arrests occur: poor neighborhoods of color.

As that ACLU report observes:

“If police arrested lots of bankers and lawyers for cocaine use and for hiring expensive sex workers, we might see predictive policing algorithms sending cops to patrol rich suburbs or fancy hotels in downtown areas. Instead, the algorithms simply reproduce the unjust policing system we’ve got.”

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In recent years, as the barriers between local law enforcement and the country’s intelligence agencies have broken down, opportunities for race-based targeting within communities have multiplied. For example, under the banner of counterterrorism, national and local outfits have colluded in intensifying the surveillance of Arabs and Muslims. The Electronic Frontier Foundation notes the dissemination of “suspicious activity reports” through national police and intelligence networks with titles like “Suspicious ME [Middle Eastern] Males Buy Several Large Pallets of Water.” In this way, “predicting” crime falls in line with racial and religious profiling.

Current applications of the “predictive policing” strategy usually involve expanding surveillance and data collection and increasing the number of police clustered in certain locations. However, the predictive software may be used in more aggressive ways in the future. In Albuquerque, for example, police have begun using the software to flag “bait” items, such as copper wire and cars, placing them in

targeted neighborhoods. If the items are taken, arrests can be made on the spot or police can continue to track them (and the people who've taken them), enlarging the area that is directly surveilled.

Even some of the “*reforms*” being proposed in response to racist police violence carry the potential to be used against the public in ways that expand the bounds of who is watched and when. The body cameras that President Obama proposes all police wear face outward. As constitutional lawyer Shahid Buttar notes, they monitor anyone who crosses their path, including people suspected of no crime, “*without the individual basis for suspicion constitutionally required to justify a police search.*”

Buttar warns that this uptick in public surveillance could actually fuel incarceration. Constant video footage means more opportunities to convict people of the small “*crimes*” occurring all the time, from jaywalking to selling loose cigarettes to causing a public disturbance. The more convictions, the more potential for punishment — and the more opportunities for confinement.

## Sex Offender Registries

Although the left-leaning among us may respond to secret data collection and hidden cameras with a visceral aversion, some other strategies that cage people are not so firmly installed on the list of liberal no-nos. Electronic monitoring, house arrest, and targeted policing number among these. Another such mechanism generally condoned or even championed by liberals is the sex offender registry. Yet placement on a registry is a sure ticket to imprisonment-outside-of-prison, sometimes for life. In most states, the minimum duration before you can get off a sex offender registry is at least a decade; in some states, it's forever.

In 2013, Sable, an incarcerated Pennsylvania woman and mother of three young children, was gearing up for release. Three years earlier, when she was 24, she had been convicted of “*statutory sexual assault*” — carrying on a sexual relationship with a 15-year-old boy. In some ways, she was looking forward to leaving prison. In others, she was dreading it.

Release, she wrote me, would look nothing like freedom. She would, she explained, be required to avoid cell phones and the Internet. She'd be banned from contact with minors — including her own children. Beyond these tangible restrictions, she was terrified of a more amorphous kind of imprisonment, what she referred to as “*the stigma I will live with for the next 22 years.*” In Pennsylvania, anyone convicted of a sex offense spends the next quarter-century on a sex offender registry. She anticipated the fear, rejection, or even violence she might face from neighbors, prospective employers, and possible friends.

Sex offender registries are a relatively recent phenomenon. They became widespread in the 1990s in the wake of several high-profile abductions, rapes, and murders of children. Though there's no evidence that the registries actually prevent sexual assault, they now exist in every state and have been codified into federal law.

To question their use is not to diminish the gravity of sexual violence. Rather, their lack of effectiveness in assault prevention, their grounding premise that ongoing punishment is appropriate long after imprisonment has ended, and their gathering up of those convicted of a wide range of offenses — from sex work (as outlined by scholar Erica Meiners) to the receipt of pornography — should give us pause, no matter how distasteful many of the registrants' crimes may be.

In numerous states, the whole registry is available for search on the Internet, complete with mug shots and addresses. In some states, that includes juveniles. Josh Gravens, a prison reform activist and Soros Justice Advocacy Fellow, was arrested at age 12 for having had sexual contact with his eight-year-old sister. He recently wrote in the Juvenile Justice Information Exchange that, despite three and a half years in juvenile prison and four years on parole, *"by far the worst penalty I experienced was being placed on the Texas Sex Offender Registry."* As an adult, Gravens faced evictions, a near-impossible quest for employment, and a giant, pervasive stigma against him and his family. *"As it stands today,"* he writes, *"the registry harms far more children than it protects."*

As monitoring and intrusion become more prevalent, they are normalized and become expectable, built into the fabric of how we relate to other human beings. If allowed to expand, sooner or later they also are likely to add categories of people who are not as easily dismissed by mainstream culture. In a world of electronic monitors, predictive policing, interagency data sharing, hidden cameras, and registries, imprisonment extends not only beyond the walls of the jail or penitentiary, but beyond any contained space. In the new world of incarceration, your house is your prison. Your block is your prison. Your school is your prison. Your neighborhood... your city... your state... your country is your prison.

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## Bailout Recipients

**Pro Publica** recently tracked where taxpayer money has gone in the ongoing bailout of the financial system. Their database accounts for both the broader \$700 billion bill and the separate bailout of Fannie Mae and Freddie Mac. For each entity, they provided a *"Net Outstanding"* amount, which shows how deep taxpayers are in the hole after accounting for any revenue the government has received (*usually through interest or dividends*).

Companies that failed to repay the government and resulted in a loss are shaded red. You can see a list of those investments below. All other investments either returned a profit to the government or might still be repaid. Recipients of aid through TARP's housing programs (such as mortgage servicers and state housing orgs) received subsidies that were never intended to be repaid, so we don't mark those as losses.. Note: Subsidies are listed separately from the investment programs. So, for instance, Bank of America is listed twice — both as a mortgage servicer and as a bank. See the detailed view of top 35 below or click on the attached web link also below.

**950**

Recipients

**\$614B**

Total disbursement

**\$390B**

Total returned

**\$278B**

Total revenues from dividends, interest, and other fees

**\$53.1B**

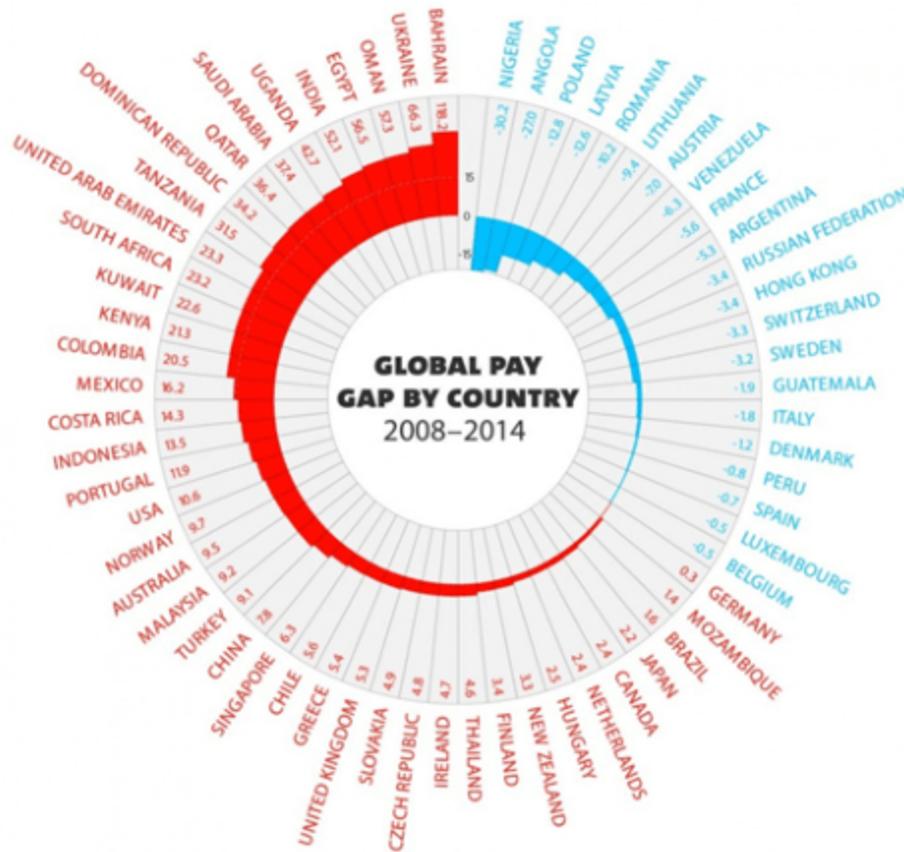
Total net to date

Name	Type	State	Total Disbursed	Profit / Net Outstanding
Fannie Mae	Government-Sponsored Enterprise	■	\$116,149,000,000	\$18,286,000,000
Freddie Mac	Government-Sponsored Enterprise	Va.	\$71,336,000,000	\$19,633,000,000
AIG <i>Received other federal aid. Click to see details.</i>	Insurance Company	■	\$67,835,000,000	\$5,025,967,492
General Motors	Auto Company	Mich.	\$50,744,648,329	-\$11,410,472,582
Bank of America <i>Received other federal aid. Click to see details.</i>	Bank	■	\$45,000,000,000	\$4,566,857,694
Citigroup <i>Received other federal aid. Click to see details.</i>	Bank	■	\$45,000,000,000	\$13,448,572,616
JPMorgan Chase	Bank	■	\$25,000,000,000	\$1,731,202,357
Wells Fargo	Bank	Calif.	\$25,000,000,000	\$2,281,347,113
GMAC (now Ally Financial)	Financial Services Company	Mich.	\$16,290,000,000	\$3,057,502,589
Chrysler	Auto Company	Mich.	\$10,748,284,222	-\$1,315,061,737
Goldman Sachs	Bank	N.Y.	\$10,000,000,000	\$1,418,055,555
Morgan Stanley	Bank	N.Y.	\$10,000,000,000	\$1,268,055,555
PNC Financial Services	Bank	Pa.	\$7,579,200,000	\$741,344,650
U.S. Bancorp	Bank	Minn.	\$6,599,000,000	\$334,220,416
SunTrust	Bank	Ga.	\$4,850,000,000	\$527,323,605
Capital One Financial Corp.	Bank	Va.	\$3,555,199,000	\$251,674,702
Regions Financial Corp.	Bank	Ala.	\$3,500,000,000	\$638,055,555
Wellington Management Legacy Securities PPIF Master Fund, LP	Investment Fund	Del.	\$3,448,461,000	\$702,530,334
Fifth Third Bancorp	Bank	Ohio	\$3,408,000,000	\$593,372,603
Hartford Financial Services	Insurance Company	Conn.	\$3,400,000,000	\$814,403,447
American Express	Financial Services Company	■	\$3,388,890,000	\$414,367,308
AG GECC PPIF Master Fund, ■	Investment Fund	Del.	\$3,352,197,510	\$925,947,685
AllianceBernstein Legacy Securities Master Fund, L.P.	Investment Fund	Del.	\$3,192,141,738	\$562,685,420
BB&T	Bank	■	\$3,133,640,000	\$159,713,918
Bank of New York Mellon	Bank	N.Y.	\$3,000,000,000	\$231,416,666
KeyCorp	Bank	Ohio	\$2,500,000,000	\$367,222,222
CIT Group	Bank	N.Y.	\$2,330,000,000	-\$2,286,312,500
Comerica Incorporated	Bank	Texas	\$2,250,000,000	\$322,039,543
State Street	Bank	Mass.	\$2,000,000,000	\$123,611,111
JPMorgan Chase subsidiaries	Mortgage Servicer	N.J.	\$1,882,360,584	-\$1,882,360,584
RLJ Western Asset Public/Private Master Fund, L.P.	Investment Fund	Del.	\$1,861,578,258	\$471,406,351
Invesco Legacy Securities Master Fund, L.P.	Investment Fund	Del.	\$1,742,880,000	\$576,938,945
Marshall & Ilsley	Bank	Wis.	\$1,715,000,000	\$229,772,916
Oaktree PPIP Fund, L.P.	Investment Fund	Del.	\$1,666,904,633	\$291,426,775
Wells Fargo Bank, NA	Mortgage Servicer	Iowa	\$1,618,888,345	-\$1,618,888,345

Web Link for larger link: <http://projects.propublica.org/bailout/list>

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## The Income Gap Between Bosses And Workers is Getting Even Bigger Worldwide



Data: Hay Group. Changes in pay disparity between 2008 and 2014. The data was drawn from Hay Group PayNet

Income inequality has become a hot-button political issue in the United States. The size of Wall Street bonuses has been compared against the median household income. More and more companies are upping the pay of minimum-wage workers amid growing protests. And someday soon, companies are expected to be required to disclose the ratio of pay between CEOs and their median employees.

But the widening income gap between top managers and the people who work for them isn't just an issue here in America. Globally, according to a recent study from the consulting firm Hay Group, the pay disparity between what senior managers and lower-level workers make is getting wider in two-thirds of the 63 countries that the firm examined. The size of the gap was also lopsided: The average increase in pay disparities was about 20 percent, while the average decrease was just 5 percent.

The data were pulled from the consulting firm's pay database, which it says includes data for more than 16 million job holders in 24,000 organizations in more than 110 countries. The country with the largest increase in its gap was Bahrain, where seniors managers now make 7.9 times what lower-level workers make, compared to the 3.6 times more they made in 2008.

The highest current gap, meanwhile, was in China, where senior managers make 12.7 times the pay of lower-level employees, according to Hay Group's data. In the United States, senior managers make four times more than entry-level workers, a multiple that has grown 10.6 percent since 2008.

Interestingly, the report did not focus on measuring the pay gap at the extremes — by comparing, say, CEO pay against that of the absolute lowest paid unskilled worker at the same company. Rather, it looked at the median base salary of a skilled worker, factory production supervisor or new graduate and compared that with a senior manager, someone who is “a few steps down from the CEO” and is “often at the level where people first start to be called ‘head of’ something,” the report stated.

As a result, the multiples offer a more reasonable measure of the disparity between average workers and the firm’s bosses.

Not all the countries Hay Group looked at, however, showed a rise in the pay gap. Some countries, particularly those in Europe, showed a tightening in the pay disparity between what senior managers and average workers make. That’s due to stronger labor unions, tax rates that offer little incentive to raise the pay of senior managers, and the way companies responded to the recession in different regions, it reported.

As a Hay Group consultant explained in the release about the report, many European countries made communal pay cuts to avoid job losses. In the United States, meanwhile, many companies cut jobs and increased the work of senior managers.

By Jena McGregor – The Washington Post – March 13, 2015

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## The 12 threats to human civilization, ranked

Earlier this month researchers at the Global Challenges Foundation released a thorough and unsettling look at what threatens human civilization. They define a civilization collapse as a “drastic decrease in human population size and political/economic/social complexity, globally and for an extended time.”

The bad news is this is a long list. I’ve broken down what the researchers see as the doomsday scenario for each risk, and the odds that it will happen in the next 100 years. On the bright side, the odds are generally very low, but the risks should still be taken seriously.

Once machines start teaching themselves, and develop intelligence that far exceeds our own, we could be in trouble.



Inline image 6

## 1. Artificial intelligence

Why it's bad: Machines with an extreme amount of technology could be difficult to control. They may hoard resources to boost their own intelligence, leaving little or nothing for humankind. That would be very bad for us.

**Odds of wiping out civilization:** 0-10 percent



Inline image 7

Who really knows what's out there? (Reuters/NASA)

## 2. Unknown consequences

What to be afraid of: That's unclear. Lots of things could go wrong that we aren't even considering. Remember the Fermi paradox — alien life likely exists but we've had no known contact. Perhaps intelligent life always destroys itself — or something else does — before it can explore the galaxy. This leaves us to guess at the causes that may have destroyed any other intelligent life.

**Evaluating the risk:** 0.1 percent

## 3. Synthetic biology

The issue: A pathogen could be engineered to target humans or a critical part of the ecosystem. If synthetic biology products became a part of our economy, that adds a vulnerability, as they could become an entry point for biowarfare or bioterrorism.

**Judging the risks:** 0.01 percent



The effects of climate change are already being felt, including here in Sundarbans, India. (Bikas Das/AP)

#### 4. Extreme climate change

Nightmare scenario: Famines, mass deaths, social collapse and mass migration ignite global conflict. Civilization crumbles.

**Now for perspective:** 0.01 percent chance of happening in next 200 years (all other estimates are for 100 years)

#### 5. Nanotechnology

How this goes badly: Self-replicating nanomachines could be engineered to consume our environment, destroying humanity. Another concern is whether nanotechnology can be used to build nuclear bombs.

**Odds of destroying civilization in next 100 years:** 0.01 percent.

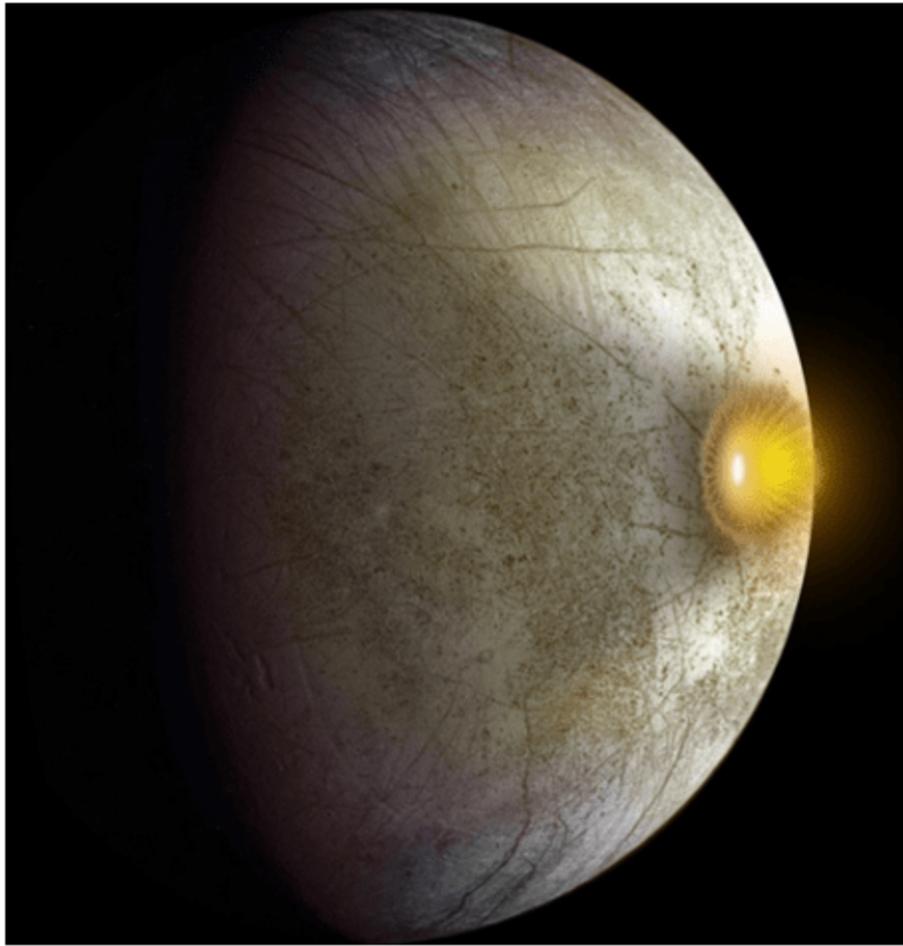


The first hydrogen bomb was tested in the Pacific Ocean in 1952. (DSWA/DASIAC/Reuters)

## 6. Nuclear war

What to worry about: An all-out nuclear war could trigger a nuclear winter, in which temperatures plunge and the ozone layer may be destroyed. The world's food supply would be at risk, likely triggering mass starvation.

**The chances:** 0.005 percent.



Here's an artist concept of a space rock hitting Jupiter's moon, Europa. (NASA/JPL-Caltech)

## 7. Major asteroid impact

Uh-oh: A large asteroid collision — something about 3 miles in size — would destroy an area the size of Holland. The impact would trigger massive dust clouds, which would affect the climate and our food supply, causing political instability. The good news is an asteroid this size hits about once every 20 million years.

**The risk:** 0.00013 percent



We shouldn't take pandemics lightly. (Louis Leeson/AP)

## 8. Global pandemic

The concern: Infectious diseases can spread easily given our advanced global transportation systems and the dense nature of human populations. A new pandemic combining the incurability of Ebola, the infectious nature of the common cold and the long incubation period of HIV would have an extreme death toll.

**The odds:** 0.0001 percent.



We recommend standing far away from volcanoes. (AP Photo/Fabrice Wislez/AP)

## 9. Super-volcano

Why this would be very bad: Aerosols and dust would be shot into the upper atmosphere, cooling global temperatures. The effects would be similar to a nuclear winter.

**The worry index:** Only a 0.00003 percent chance.

## 10. Ecological collapse

The bad news: Species are going extinct at a faster than historic rate. If the ecosystem collapses some human lifestyles may be impossible.

**The odds:** not available

## 11. Global system collapse

The concern: The world's economic and political systems face systematic risks because of their intricate and interconnected natures. The researchers say more work needs done to clarify what parts of the system could collapse and destroy civilization. But they felt enough research is out there to include it on the list.

**The odds:** not available



We're counting on you, United Nations. (Frank Franklin II/AP)

## 12. Bad global governance

The concern: Leaders don't eliminate poverty, or they build a totalitarian state. Current technology can make it easier to create a totalitarian state.

**The odds:** not available

**Matt McFarland: February 20, 2015**

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Inline image 1

## THIS WEEK'S QUOTE

**Karma....** The guy who pushed past me on the subway and then suggested that I go "*F myself*" ..... just arrived for his interview..... with me....

**Matt Buckland**

## BEST VIDEO OF THE WEEK

**John Oliver Explains Outdated, Racist Logic Behind Restricting Puerto Rican Voting Rights**



Web Link: <http://youtu.be/CesHr99ezWE>

As crowds marked the 50th anniversary of "Bloody Sunday" in Selma, Ala., comedian John Oliver pointed out on Sunday that millions of Americans still go without basic voting rights. Those born in several U.S. territories, including Puerto Rico and Guam, are U.S. citizens. But residents of those territories aren't able to vote for president or have a representative in Congress that can vote. The British star noted that this is partly because of the racist thinking that prevailed among U.S. political leaders in the late 19th and early 20th centuries. *"More than 4 million people live in the U.S. territories. More than 98 percent of them are racial or ethnic minorities,"* Oliver said, citing U.S. Census figures. *"And the more you look into the history of why their voting rights are restricted, the harder it is to justify. Because it goes all the way back to when America first acquired them."* *"Puerto Rico has more American citizens than 21 U.S. states, but less voting rights than any of them,"* Oliver said. The U.S. territories of Guam and American Samoa face similar tensions as Puerto Rico.

## THIS WEEK'S MUSIC

Oscar Peterson



Although I (*sort of*) played the trombone, flute, clarinet and trumpet my favorite instrument is the piano and one of my favorite pianist is Canadian jazz pianist and composer **Oscar Peterson** (August 15, 1925 – December 23, 2007). He was called the "*Maharaja of the keyboard*" by Duke Ellington, but simply "*O.P.*" by his friends. He released over 200 recordings, won eight Grammy Awards, and received numerous other awards and honors. He is considered to have been one of the greatest jazz pianists and played thousands of concerts worldwide in a career lasting more than 60 years. Some of the artists who influenced Peterson's music during the earlier type of years were Teddy Wilson, Nat "King" Cole, James P. Johnson and Art Tatum, to whom many tried to compare Peterson in later years. He was voted Jazz Pianist of the Year in 1950 by the Downbeat Readers' Poll, a title he garnered for an additional twelve years. He toured the globe extensively with Jazz at the Philharmonic as well as with his own trio.

As a child, Peterson also studied with Hungarian-born pianist Paul de Marky, a student of István Thomán, who was himself a pupil of Franz Liszt, so his training was predominantly based on classical piano. Meanwhile he was captivated by traditional jazz and learned several ragtime pieces and especially the boogie-woogie. At that time Peterson was called "*the Brown Bomber of the Boogie-Woogie*". At the age of nine Peterson played piano with control that impressed professional musicians. For many years his piano studies included four to six hours of practice daily. Only in his later years did he decrease his daily practice to just one or two hours. In 1940, at fourteen years of age, Peterson won the national music competition organized by the Canadian Broadcasting Corporation. After that victory, he dropped out of school and became a professional pianist working for a weekly radio show, and playing at hotels and music halls.

Oscar Peterson began composing while still a member of the Johnny Holmes Orchestra, and as time progressed he devoted more and more time to composition, while still maintaining a vigorous performance schedule. His "Hymn To Freedom" became one of the crusade songs of the Civil Rights Movement led by Dr. Martin Luther King, Jr. in the United States. It is still performed frequently by choirs worldwide. He also composed a salute to his beloved Canada, "The Canadiana Suite," in the early 1960s. He has composed music for motion pictures, including the Canadian film "Big North," made for Ontario Place in Toronto, and the feature film "The Silent Partner," for which he won the Genie Award (*Canadian Oscar award*) for best original film score in 1978. He composed work for the National Film Board of Canada. His collaboration with filmmaker Norman McLaren on the film

*"Begone Dull Care"* won awards all over the world. He composed the soundtrack for the film *"Fields of Endless Day,"* about U.S. slaves using the Underground Railroad to escape to Canada.

Other compositional projects include a jazz ballet, a suite called *"Africa,"* and the Easter Suite, commissioned by the BBC in London and broadcast live on Good Friday in 1984, with annual broadcasts after that. *"A Salute to Bach"* for the composer's 300th birthday, premiered with trio and orchestra at Toronto's Roy Thomson Hall in 1985. He composed a suite for the Olympic Arts Festival of the Calgary Winter Olympics in 1988, and music for the opening ceremony of the Skydome in Toronto. In addition, Oscar Peterson composed more than 400 other pieces, many of which he performed and others continue to perform. Some of these compositions remain unpublished, but hopefully they will be published for future generations to hear.

Peterson taught piano and improvisation in Canada, mainly in Toronto. With associates, he started and headed the Advanced School of Contemporary Music in Toronto for five years during the 1960s, but it closed because concert touring called him and his associates away, and it did not have government funding. Later, he mentored the York University jazz program and was the Chancellor of the entire university for several years in the early 1990s. He also published his original jazz piano etudes for practice.

During his life and career Mr. Peterson received many awards and honors. These include the Praemium Imperiale (*the Arts equivalent of the Nobel Prize, presented by the Japan Art Association*), the UNESCO International Music Prize, 8 Grammy Awards (including a Lifetime Achievement Grammy), the 1993 Glenn Gould Prize, of which he was the third recipient, the first chosen by unanimous decision and the first ever non-classical musician, and many honorary degrees.

Despite a stroke in 1993 that debilitated his left hand, Oscar Peterson was determined to continue performing, recording and composing. Within a year he had recovered and resumed his worldwide concert appearance schedule. Oscar Peterson lived in the quiet city of Mississauga, Ontario, Canada. His hobbies included fishing, photography and astronomy. He was an avid audiophile and synthesist, as music was not only his profession but also his hobby. His home contained his own private recording studio, allowing him to work and still enjoy his family life. His passion for life, love and music remained strong for his entire life, and he continued to perform until shortly before his death. Oscar Peterson passed away at his home on the morning of December 23, 2007. His legacy lives on through his music. ***With this I invite you to enjoy the music of Mr. Oscar Peterson who technically was probably the greatest Jazz pianist ever....***

Oscar Peterson Quartet Live – ***You Look Good To Me*** -- <http://youtu.be/SDDgynEC7pQ>

Oscar Peterson – ***C Jam Blues*** -- <http://youtu.be/NTJhHn-TuDY>

Oscar Peterson – ***Hymn To Freedom*** -- <http://youtu.be/tCrrZ1NnCuM>

Oscar Peterson – ***Round Midnight*** -- <http://youtu.be/N7yazIH4rAI>

Oscar Peterson – ***When I fall in Love*** -- <http://youtu.be/xPflWyyfDdo>

Oscar Peterson – ***Georgia on My Mind*** -- [http://youtu.be/6tY\\_RE7tWzM](http://youtu.be/6tY_RE7tWzM)

Oscar Peterson – **Body and Soul** -- <http://youtu.be/Vf0LOc49fX0>

Oscar Peterson – **There Will Never Be Another You** -- [http://youtu.be/kh\\_NnsbIqNQ](http://youtu.be/kh_NnsbIqNQ)

Oscar Peterson Trio – **Satin Doll** -- [http://youtu.be/oYjB\\_j8EjKA](http://youtu.be/oYjB_j8EjKA)

Oscar Peterson Trio – **Wave** -- <http://youtu.be/vUuB4UYe8nM>

Oscar Peterson – **Summertime** -- <http://youtu.be/1Vlrh8V2J6Y>

Oscar Peterson – **Nighttime** -- <http://youtu.be/2gxGF4B3XxU>

Oscar Peterson & Itzhak Perlman – **Misty** -- <http://youtu.be/WNORzxMIoK8>

Oscar Peterson & Stephane Grappelli ft. Joe Pass – **Nuages** -- <http://youtu.be/f9bC2iWIFOA>

John Coltrane, Stan Getz, Oscar Peterson – **Hackensack** -- <http://youtu.be/beCGdmrP8Xc>

Oscar Peterson gives a Piano Lesson to Dick Cavett -- <http://youtu.be/ec-FrnaU0rs>

Ray Charles & Oscar Peterson Play A Blues Duet -- <http://youtu.be/8PhQv1Um-9M>

One of the Greatest Piano Solo Ever -- <http://youtu.be/vxB-LbcZITU>

*I hope that you enjoyed this week's offerings and wish you and yours a great week....*

Sincerely,

Greg Brown

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Gregory Brown  
Chairman & CEO  
GlobalCast Partners, LLC

