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CAROLINA JOURNAL

A MONTHLY JOURNAL OF NEWS, ANALYSIS AND OPINION
FROM THE JOHN LOCKE FOUNDATION

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September 2008 Vol. 17, No. 9

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STATEWIDE EDITION

GANGS IN N.C. SCHOOLS



(Photos courtesy of the N.C. Department of Crime Control and Public Safety's 'Comprehensive Assessment of Gangs in North Carolina')

A hurdle is getting agreement on just what a gang is

BY JANA BENSCOTER
Contributor

GREENSBORO

As the push to track violent and subtle gang-related patterns intensifies statewide, there still appears to be no discussion among N.C. Board of Education members about requiring schools to report gang-related activities.

Evidence shows that gangs have infiltrated schools. Police officers and deputies assigned to schools, known as school resource officers, annually go through training to be on the lookout for gang activity. Although each school system has liberty to draft a policy recording gang activity, referring to, or obtaining facts, about potential cyclical patterns, state education leaders apparently have failed to address the problem.

"We don't even track that through

**There is no place
on uniform crime
report to designate
an incident as
gang activity**

law enforcement," said Lt. Mark Bridgeman of the Fayetteville Police Department, president of the North Carolina Gang Investigators Association. "There is nowhere on the crime incident report, no box, to report gangs. Some agencies may elect to do that, but there is no box under the uniform crime report."

Bridgeman said he is aware that

agencies slowly are starting to track gang activity regularly with 62 out of 100 counties recently collecting data. Passed by the General Assembly, a program called NC GangNet encourages law enforcement officials to collect information. Some of the information, however, is based on estimates, not on intelligence data.

"That's a good start," Bridgeman said. "It's one of those things that, until we start using it, and have effective legislation that gives us something to work with, I'm confident that over the years, we will become more effective at combating gangs at the suppression level (when law enforcement steps in)."

Defining a gang is a tedious task in itself, Bridgeman said, trying to get all parties involved to agree on what

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Bowles Has Business Tie To Trustee

President used in promo for real estate project

BY DON CARRINGTON
Executive Editor

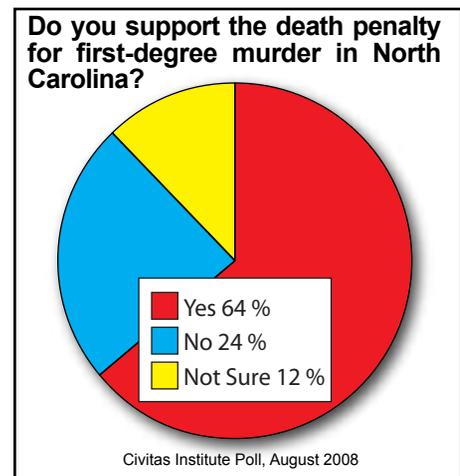
RALEIGH

UNC President Erskine Bowles stumbled into some ethics issues when he joined the N.C. State University Board of Trustees in supporting first lady Mary Easley's pending \$180,000-per-year, five-year employment contract at the university.

Bowles has a business relationship with NCSU Board Chairman D. McQueen Campbell, and Campbell's company has used Bowles' position as UNC president in real estate investment promotional material. State law prohibits a public official from knowingly allowing his public position to be used in advertising activities that might generate financial gain for him or others.

Bowles turned down repeated requests for an interview about Ms. Easley's pay, his relationship with Campbell, and the promotional material. Through a spokesperson, Bowles said he was unaware that Campbell's company used his name and title in promotional material.

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The John Locke Foundation
200 W. Morgan St., #200
Raleigh, NC 27601

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Raleigh, N.C. 27601
(919) 828-3876 • Fax: 821-5117
www.JohnLocke.org

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Carolina Journal is a monthly journal of news, analysis, and commentary on state and local government and public policy issues in North Carolina.

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CJ readers wanting more information between monthly issues can call 919-828-3876 and ask for Carolina Journal Weekly Report, delivered each weekend by e-mail, or visit CarolinaJournal.com for news, links, and exclusive content updated each weekday. Those interested in education, higher education, or local government should also ask to receive weekly e-letters covering these issues.

Schools Wrestle With Gang Problem

Continued from Page 1

is a gang. According to the Governor's Crime Commission study in March, "A Comprehensive Assessment of Gangs in North Carolina: A Report to the General Assembly," the subjectivity of the term "gang" could cause various reactions on how to identify a gang.

The National Youth Gang Center survey asked law enforcement personnel to identify youth gangs as "a group of youths or young adults in a jurisdiction that an officer or other responsible persons in the agency or community are willing to identify as a gang." The study determines, "Such a definition lacks objective criteria and subjects itself severely to personal opinion and an overestimation of numbers. Law enforcement personnel may, or may not, include groups such as prison and motorcycle gangs, hate groups, and any number of unsupervised teen groups."

"We need to train law enforcement to determine if something is a gang-related incident," Bridgeman said. "I would imagine if we started reporting school incidents in the state that it would be up for a lot of scrutiny and debate, probably rightfully so."

The Assembly passed legislation in July that defined gang activity and created felonious charges for those who participate in gangs. Both the House and Senate overwhelmingly approved the legislation that limits penalties toward youth offenders. Youths 16 and younger cannot be charged with gang-related felonies, and first-time offenders of lesser felonies could get convictions erased based on a track record of good behavior.

The legislation allocates \$10 million in the state budget to pay for the measure. Gov. Mike Easley also signed into law a plan directing county and state Juvenile Crime Prevention Councils to assess the needs of juveniles who are at-risk of joining gangs. The councils are required to review gang activity and report their findings to the state.

"We're the last state in the region to pass legislation," Bridgeman said. "Others in the region have done that. (Gang activity) will fester, and before you know it, you really have a problem. We're kind of at a crossroads in North Carolina. Action needs to

Detail from a flier distributed by the Gang Awareness Program of the Governor's Crime Commission.

be up to a community's standards. What works in Fayetteville and Charlotte may not work in Greensboro or Winston. You have to recognize that. The players are different; different personalities are out there."

The N.C. Department of Public Instruction requires every school system in the state to report acts of crime and violence according to 17 reportable categories, which range from students being reported for having drugs or alcohol—two categories that traditionally have higher rates—to assault on

The North Carolina Gang Investigators Association
Presents

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A conference sponsored by the N.C. Gang Investigators Association reveals the urgency placed by law enforcement on getting a handle on the gang problem in the state.

school personnel not resulting in serious injury, and assault involving the use of a weapon. There is no specific category to report gang-related activities or incidents.

The Governor's Crime Commission study estimates that there are 14,500 gang members residing throughout North Carolina, with an average gang consisting of 26 members. It was reported that about "82 percent, or 449 gangs, were reported to have links with larger groups or with gangs outside of the state. Thirty percent, or 134 gangs, were purported to have primary ties with other Blood sets, while 17 percent were reported as being connected to Crip sets."

Gangs are highly mobile, and clever when it comes to marketing themselves. To combat any trends, such as teenagers sneaking away from school to participate in criminal activity, the study asks for schools to develop stronger truancy programs.

"Truancy programs must be developed in cooperation with the school system," according to the 2008 report. "This allows for more accurate reporting of the problem by school officials, a strengthened relationship between schools and police, and increased data available to both."

The crime commission study says DPI "sponsors and encourages programs on the recognition of gang activities and involvement, and prevention of gangs in schools," but does not suggest it has a uniform way to educate those who are completing and sending in the reports. Human error and accuracy might be a hindrance when trying to get a fair depiction on what's going on within schools. School system personnel already struggle with trying to define how to report acts deemed as criminal and violent.

The crime commission report includes a section that says, "There is a general assumption that adolescents have a need to form groups. This can be for various social, emotional or economic reasons. However, sometimes these groups conflict with societal values, and it is no secret that teenage years proliferate the most gang activity for individuals. Schools are one of the best opportunities for gang recruitment, thus also making them one of the best opportunities for gang preven-

Continued as "Schools", Page 4

Bowles' Ties to Real Estate Promotion Raise Ethics Questions

Continued from Page 1

Campbell played a key role in a real estate transaction in 2005 in which Gov. Mike Easley and Ms. Easley bought a Carteret County waterfront lot in the Cannonsgate development for \$549,880.

News stories indicated the lot was worth much more, and one year after the purchase, county tax officials appraised the lot at \$1.2 million. It was also in 2005 when NCSU first employed Ms. Easley and the governor reappointed Campbell to the NCSU Board.

Carolina Journal first reported the real estate deal in April 2006. *The Charlotte Observer* followed with a similar story in June adding that Raleigh real estate broker D. McQueen Campbell, "a longtime friend and campaign contributor," introduced Easley to the investment opportunity.

Mary Easley connection

NCSU Provost Larry Nielsen hired Ms. Easley in 2005 at \$80,000 per year. He eventually raised her pay to \$90,000 and then to \$170,000 July 1. She will continue to have a light teaching load and supervise a speakers program. Nielsen said her position has not been studied by a human resources professional.

Carolina Journal Online published the story about Ms. Easley's pay increase July 2, and other media quickly picked it up. The Board of Trustees conducted a regularly scheduled meeting July 8.

Shortly after the meeting, NCSU posted a message from Nielsen stating, "The N.C. State Board of Trustees has unanimously endorsed Mrs. Easley's new position and compensation level, as has the Chancellor. President Bowles has said, 'I join the Board of Trustees in expressing my delight that Mrs. Easley will consider continuing her public ser-



"UNC President Erskine Bowles, who happens to be a Waterfront investor, has dubbed Gary the 'Rock Star of Real Estate' in part because of his company's average annual growth rate of 36 percent."

From a promotional brochure for Waterfront Land Fund Management

vice through her work at N.C. State.' "

Each school in the UNC system has a board of trustees, but Bowles and his 32-member UNC Board of Governors oversee the entire system.

That board is scheduled to review Ms. Easley's employment situation at a meeting Sept. 12.

In addition to running his Raleigh-based company, Campbell Property Group, Campbell is the director of acquisitions for a group of waterfront development and financing companies headed by William G. (Gary) Allen, an N.C. native who now lives in Florida.

Allen's companies developed Cannonsgate, where the Easleys own a lot. They are also developing two other waterfront communities in North Carolina—the Summerhouse on Everett Bay in Onslow County, and Cutter Bay in Pamlico County.

Promotional brochure

An eight-page document available on the Internet, "The Current — Waterfront Land Fund Management Investors Source for News, 2007 Year End Report," is a promotional piece produced by Waterfront Land Fund Management, one of Allen's companies.

Page 6 is devoted entirely to describing Campbell's role in the organization. "Nothing gets past McQueen Campbell. Particularly if it's waterfront property. As Director of Acquisitions for Waterfront Communities, McQueen is responsible for the company's pipeline of potential properties and serves as the eyes and ears of Waterfront's real estate interests," the document says.

On the following page is an article about Allen's \$2 million gift to UNC-Chapel Hill. "UNC President Erskine Bowles, who happens to be a Waterfront investor, has dubbed Gary the 'Rock Star of Real Estate' in part because of his company's average annual growth rate of 36 percent," the report says. "Gary's organization is in a league of its own when it comes to sales," Bowles says.

The final page, titled "2007 pictures of the Year," contains two more pictures of Bowles and refers to him as "UNC President and WLIF I investor."

Ethics laws

Bowles and Campbell are both specifically covered by the State Ethics Act. As a board chairman, Campbell has an important role in the administration of the State Ethics Act.

The act requires each board to "periodically remind public servants under that person's authority of the public servant's duties to the public under the ethical standards and rules of conduct," including "the duty of each public servant to continually monitor, evaluate, and manage the public servant's personal, financial, and professional affairs to ensure the absence of conflicts of interest or appearances of conflict."

At the beginning of any board meeting, "the chair shall remind all members of their duty to avoid conflicts of interest and appearances of conflict" and to "inquire as to whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the board at that time."

Documents indicate that Campbell participated in a discussion of Ms. Easley's position and salary and her subsequent unanimous endorsement by his board. If Campbell is a close friend of the governor and Ms. Easley, he has a potential conflict of interest.

Bowles appears to have two ethi-

cal issues. He has already endorsed a decision made by Campbell's board before the Board of Governors took independent action.

In addition, Bowles appears to be in violation of a specific provision of the act. The act states that a covered person "shall not mention or permit another person to mention the covered person's public position in nongovernmental advertising that advances the private interest of the covered person or others."

Bowles responds

Bowles delivered the following written explanations through UNC Vice President for Communications Joni Worthington:

"President Bowles has considered your request but does not intend to make any further comment about Mary Easley's position or proposed compensation until it is considered by the Board of Governors at its September meeting.

"With regards to the related concerns you raised with me, he did ask that I reiterate that he had no advance knowledge of or involvement whatsoever in NC State's decision to hire Mrs. Easley or in the setting of her salary. He has had no discussions at all about this matter with any member of the NC State Board of Trustees. He first learned about Mrs. Easley's new contract in the newspaper and asked his chief of staff to look into it to make sure that this particular personnel action had been handled just like any other personnel matter would have been. No exceptions.

"When we subsequently learned that NC State had inadvertently been misinterpreting the Board of Governors' salary policy, President Bowles instructed the chancellor and provost to review all such personnel actions, including Mrs. Easley's. Mrs. Easley was not to be treated any differently than any other employee."

When *CJ* questioned Worthington further about his business relationship with Campbell and the use of Bowles' name and position in promotional material, she provided another written response.

"Some time ago, President Bowles purchased a limited partnership interest in one of many real estate blind pools established by Waterfront Properties to purchase raw land. He has many similar investments with other companies. At the time he made this particular investment, he was not even aware that McQueen Campbell worked for Waterfront Properties; although had he been aware of it, it would not have affected his investment decision."

"President Bowles was never consulted by Waterfront Properties about the use of his name, University title, or photo in company materials and was unaware that they were included in an investor newsletter published late last year. Having now seen it, he has asked that it please not happen again." *CJ*

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Privaris Founder Says Watson Demanded Ownership

By DON CARRINGTON
Executive Editor

RALEIGH

A state-funded economic developer gained ownership in a business that he was recruiting and then secured state grants for the same company, according to the business' founder and documents obtained by *Carolina Journal*.

In 1998, David Russell of Chesapeake, Va., ventured to North Carolina seeking capital, subsidies, and a place to manufacture electronic devices that he invented. His company, named Transforming Technologies, was later renamed Privaris.



David Russell

Russell eventually met Northeast Commission CEO Rick Watson at the commission office in Edenton. The commission is a 16-county regional economic organization funded by the state. The governor, speaker of the House, and leader of the state Senate appoint the commission's 19 board members.

"Early on I felt good about Watson. He had me so assured, so comfortable — a big brother feel. I even stayed at his place," Russell told *Carolina Journal* recently.

Russell said he eventually realized that Watson wanted something in exchange for his assistance. Over several months he and Watson discussed various ownership scenarios, and Watson prepared agreements to reflect each.

Russell provided *CJ* with a copy of one of the agreements. That agreement called for Russell to provide Watson with "at least 25,000 shares, but not more than 50,000 shares," in "exchange for services rendered."

Russell eventually signed an agreement transferring some of his stock shares to Watson. He said that Watson did not provide him with a copy of the final signed document because "at the

time, Watson said his copier was broken."

"I gave Watson what he wanted after a lot of soul searching, thinking it was the cost of doing business," Russell said.

Watson convinced Edenton resident Ernest Knighton to invest in Transforming Technologies, and in January 2001 Knighton provided \$500,000, Russell said. In exchange, Knighton became the company's dominant shareholder. The company headquarters are now located in Charlottesville, Va., and Knighton is on the board of directors.

Russell said that Knighton and Watson forced him off the board of directors in May 2002. Russell said he was retained as a consultant to Privaris, but due to a contract dispute Privaris and he recently severed all ties.

Watson obtained state funds

After securing an ownership position in Transforming Technologies, Watson played a key role in delivering state funds to the company. One product being developed by Transforming Technologies was a security device that relied on fingerprint technology.

Knighton lobbied State Senate President Pro Tem Marc Basnight's chief assistant, Rolf Blizzard, heavily in 2002 to get the N.C. Department of Transportation's Division of Motor Vehicles to implement a pilot security project using the company's technology.

The pilot project was named the North Carolina Hazardous Materials Carrier Authentication Pilot (HAZCAP). Blizzard initiated help for the project at DMV, pressuring former Commissioner Carol Howard and Department of Transportation officials to evaluate the technology and to carry out the pilot.

Listing Watson as the project director, North Carolina's Northeast Partner-

David Russell says he initially saw Rick Watson as a 'big brother' and a friend

ship, a commission subsidiary, submitted a grant application to the state's Tobacco Trust Fund, seeking \$1.5 million of the total \$2.9 million budgeted for the project.

The application claimed the project would

create 50 new jobs, providing opportunities for former tobacco workers "to be employed at higher-skilled, higher-paying jobs." The application said Transforming Technologies might relocate to the northeast region, "resulting in an investment of \$10 million and 200 production jobs."

In October 2002 the Tobacco Trust awarded the Northeast Partnership \$350,000 for HAZCAP. Transforming Technologies leased some office space in Martin County. The following month Watson transferred the Tobacco Trust grant from his oversight to the Martin County Economic Development Corporation. The company leased office space at a publicly funded business incubator facility in Williamston and eventually stationed a few employees there.

The Tobacco Trust issued a \$175,000 check in January 2003 to MCEDC, which then promptly paid the same amount to Privaris.

After Privaris completed the pilot project the company workers vacated the Williamston office space. Despite its failure to create 10 to 15 new jobs as promised in its contract with the Tobacco Trust, Privaris sought the remaining \$175,000. Due to poor documentation of the project's expenses Tobacco Trust officials reduced the final payment to \$132,575 and paid it to MCEDC in April 2004.

Watson's growing troubles

The Northeast Commission terminated Watson in 2006 after the State Auditor released a scathing report on the

commission's operations and Watson's conflicts of interest. Watson's board had permitted him to work for Randy Parton's Roanoke Rapids theater project while simultaneously continuing his work as CEO of the commission.

Earlier this year Watson received a subpoena to appear in front of a federal grand jury. The exact nature of the federal inquiry is not known, but, since Parton has also received a subpoena, the federal probe might involve the theater project.

But Watson's subpoena might also be related to a federal investigation of Agri-Ethanol Products. AEP attempted to build an ethanol production facility in Beaufort County, near Aurora. Former state environmental official Boyce A. Hudson pleaded guilty in May to extortion and money laundering in connection with his efforts to help AEP obtain environmental permits. Last month he was sentenced to 40 months in prison. The project appears to be dead, and federal prosecutors could charge others.

A federal subpoena to the N.C. Department of Environment and Natural Resources sought documents relating to communications with Watson and others. Watson was involved in helping AEP locate the facility in Beaufort County, and his commission applied for state grants on behalf of the company.

In 2003 *CJ* first wrote about corruption allegations involving efforts to launch an ethanol production facility in eastern North Carolina. Raleigh businessman William Horton alleged that Watson and others conspired to keep him from building an ethanol plant in Beaufort County. AEP was formed after Horton made his allegations, and the company ended up controlling the same site where Horton had planned to build his plant.

Watson has hired Raleigh criminal defense attorney Wade Smith. Grand jury hearings are not public, and *CJ* has been unable to determine if either Parton or Watson has testified.

Smith told *CJ* that he could not comment on Russell's allegations. *CJ*

Schools, Law Enforcement Wrestle With Growing Gang Problem

Continued from Page 2

tion and intervention."

"One thing that is helping gangs is the Internet," Bridgeman said. "Web pages have really become prevalent with gangs. That's one of the big things that we're looking at as well. Parents need to look out for those things by reviewing MySpace accounts, and monitor student activities on the net. Parents need to demand from their kids the user name and password for their MySpace accounts. There's an easy fix. You can just take their computer rights and privileges out of the way and pull their power cord out

of the wall. But really, there has to be a dialogue about that, not always just monitoring."

There is an order to things when it comes to combating gangs, Bridgeman said, first starting with prevention, and ending with suppression.

"We need prevention from the beginning, from the onset," Bridgeman said. "Then intervention, when there is already involvement, we need to intervene and get them out of the pattern; even if they don't want to change. Then there is suppression, and that's when law enforcement steps in. We prefer there to

be no law enforcement in the beginning. Ultimately, we want the worst of the worst out of our communities, and the creation of re-entry models throughout the state for those who go off to prison and then return to the community."

Some youths tend not to take gangs seriously, and much of "gang" culture has entered the mainstream over the years. For example, teen-agers who are just joking around, flashing symbols and using certain mannerisms, could offend real gang members who have pride in their gang. Retaliation is not limited to only gang members.

One of the best recruiting places for gangs is schools. In the 2007-08 school year, only 48 public schools were recognized as completely safe. "It's hard for students to focus on learning and academics if they're concerned about their safety," June Atkinson, state superintendent, said in a statement. "Creating a safe learning environment is an important foundation for learning."

Vanessa Jeter, director of communications and information for DPI, said the department has not had any preliminary conversation discussing the possibility of adding another reportable act to the crime and violence reporting. *CJ*

Former DENR Official Sentenced in Ethanol Extortion Scheme

By DON CARRINGTON
Executive Editor

RALEIGH

A former state environmental official was sentenced in U.S. District Court Aug. 6 to 40 months in prison for his role in an extortion scheme to help a company build an ethanol plant in Beaufort County.

Judge Terrence Boyle sentenced Boyce A. Hudson, 67, also to three years of supervised probation, a fine of \$35,000, and restitution of \$15,000 to be paid to the FBI.

Hudson pleaded guilty in May to extortion and money laundering in connection with his efforts to help Agri-Ethanol Products LLC (AEP) obtain environmental permits through the Department of Environment and Natural Resources. AEP planned to build an ethanol production plant in Beaufort County.

Hudson was a senior field officer in DENR's Legislative and Intergovernmental Affairs Office. In that capacity, he acted as a liaison with members of the state legislature and the governor's office. Hudson retired from DENR in 2005.

Court documents show that AEP investors first met with Hudson in 2004 to discuss the project. During a subsequent meeting at a North Raleigh restaurant, the AEP president requested Hudson to use his official position to expedite AEP's permits. In exchange for his assistance, the AEP president agreed that if Hudson could get AEP's Air Quality Permit within 90 days, he would receive a \$100,000 lump-sum payment, plus a

two-year consulting contract for \$4,000 per month after AEP received financing for the project. AEP officials expected to receive full funding in 2005, but the funding was not secured.

During a number of conversations with an undercover federal agent posing as a representative for potential investors, Hudson noted that he was unhappy that he had not been paid. The undercover agent provided Hudson with a \$15,000 payment for his services to AEP.

A federal government motion filed Aug. 6 said that after being confronted by federal agents in December 2006, Hudson offered substantial cooperation with the investigation, which remains open. On at least eight occasions Hudson "assisted investigators by wearing recording devices during conversations with a number of suspects of the investigation," and he "consensually monitored telephone conversations on a number of occasions."

The AEP investors and president have not yet been identified in court documents, but Boyle asked Assistant U. S. Attorney John Bruce to identify the individuals. Bruce identified the two investors as Ricky Wright and Barry Green. He identified the AEP president as David Brady. Thomas "Ricky" Wright is a Wake Forest businessman and has been a fundraiser for Democrats. Green at one time

had an ownership in Thee Dollhouse, a former adult entertainment facility in Raleigh. Brady is a Raleigh businessman and real estate developer.

A federal subpoena to DENR sought documents relating to communications with Brady, Green, Wright, and former Northeast Commission CEO Rick Watson. Watson helped seek public money for the AEP project.

Neither Brady, Wright, Green, nor Watson have not been charged with any crimes, but Watson recently received a subpoena to appear in front of a federal grand jury. He also has hired Raleigh criminal defense lawyer Wade Smith. Smith told *The News & Observer* of Raleigh that he didn't know what the subpoena was about.

The FBI, the IRS-Criminal Investigation Division, the U. S. Postal Inspection Service, the N.C. SBI, and the U.S. Attorney's Office are conducting the investigation.

"This case is part of our offices' continuing effort to prosecute corrupt public officials who abuse their public trust for private gain. This type of offense undermines the citizenry's faith in government at all levels, yet these offenses can be very hard to detect and prosecute," U. S. Attorney George E. B. Holding said in a prepared statement.

Earlier allegations

In 2003 *Carolina Journal* first wrote about corruption allegations involving efforts to launch an ethanol production company in eastern North Carolina. Raleigh businessman William Horton alleged that Watson, Wright, and others conspired to keep him from building an ethanol plant in Beaufort County.

AEP was formed after Horton made his allegations, and the company ended up controlling the same site where Horton had planned to build his plant.

Plea for mercy

Before sentencing, 19 letters were submitted to the judge in support of Hudson. Letters came from several family members as well as Ellis Hankins, executive director of the N.C. League of Municipalities; Fred Baggett, city attorney for High Point; and State Sen. A. B. Swindell (D-Nash).

Hudson's wife, Mo, is Swindell's clerk in the legislature. Swindell's letter indicates he has a personal relationship with Boyle.

"Dear Judge Boyle: I shall never forget the time you and I spent together duck hunting in Hyde County. I miss Daddy so much - he is such a friend to so many. I trust your family is doing well - please tell Tom I said hello and that Mother is doing well at the Methodist retirement home in Greenville," the letter says at the beginning.

Swindell eventually gets into the purpose of the letter. "You have a difficult job, and I know as I follow your career that you are always mindful of all the facts and circumstances. I want you to know that Boyce has always been faithful to his family and friends. He is one of the most dedicated public servants I have ever known." CJ



Boyce A. Hudson



The logo of Agri-Ethanol Products LLC, which had planned to build an ethanol production plant in Beaufort County.



HEADLINER SERIES



ROY SPENCER Ph.D (RALEIGH LUNCHEON EVENT)
NOON, SEPT. 16, 2008, HOLIDAY INN BROWNSTONE
TOPIC: "CLIMATE CHANGE: HOW GLOBAL WARMING HYSTERIA LEADS TO BAD SCIENCE."



FRED BARNES (CHARLOTTE LUNCHEON EVENT)
NOON, SEPT. 18, 2008, THE WESTIN CHARLOTTE
TOPIC: "THE 2008 ELECTIONS."

PHONE 919-828-3876 FOR TICKET INFORMATION



HEADLINER SERIES



MICHAEL BARONE (WINSTON-SALEM EVENT)
NOON, SEPT. 24, 2008, BENTON CONVENTION CENTER
TOPIC: "THE 2008 ELECTIONS."



LT. GEN. THOMAS McINERNEY, USAF RET.
FAYETTEVILLE LUNCHEON EVENT, NOON, SEPT. 25, 2008
HOLIDAY-INN FAYETTEVILLE-BORDEAUX
TOPIC: "WAR ON TERRORISM UPDATE."

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N.C. Briefs

JLF: scrap efficiency regs

The current controversy over Duke Energy's Save-A-Watt program highlights problems linked to all government-mandated energy-efficiency plans, according to a John Locke Foundation analyst whose new Spotlight report recommends scrapping government mandates.

"The Save-A-Watt controversy is just one example of a larger problem," said Daren Bakst, JLF legal and regulatory policy analyst. "Any government-mandated energy-efficiency program creates major concerns. It's time for the General Assembly to eliminate the provisions from a 2007 state law that authorized mandated energy-efficiency programs."

Proponents of energy-efficiency mandates make the arrogant assumption that people make poor energy choices, Bakst said.

"In simple terms, these proponents do not think consumers invest in energy efficiency as much as they should due to their unrealistic expectations regarding the rate of return that can be achieved from energy-efficiency investments," he said. "These proponents want energy-efficiency decisions turned over to a central planner."

Clay tax unnecessary

Clay County tax revenues climbed by more than 40 percent per person over the last five years, a fact that suggests the county does not need a new land-transfer tax. That's the conclusion of John Locke Foundation analysts who have studied Clay County's budget figures.

Commissioners asked voters Aug. 29 to triple the land-transfer tax, also known as the real-estate transfer tax. The tax has failed in every county that has put it on the ballot. The timing of Clay County's referendum was suspect, said Dr. Michael Sanera, JLF Research Director and Local Government Analyst.

"The fact that the commissioners set the election on the Friday before Labor Day shows that they are not only desperate, but they are also banking on an extremely low voter turnout to pass their tax increase," Sanera said.

"This tax increase would affect every home sale in Clay County," he said. "The tax for a \$200,000 home would climb from \$400 to \$1,200. Commissioners say they need to raise taxes for the annual payment on a loan to build a new school. Our analysis suggests that Clay County government could address its needs by setting better priorities with its existing resources." CJ

Officials Overstate Art Exhibit's Impact

By DON CARRINGTON
Executive Editor

RALEIGH
A state official defending first lady Mary Easley's foreign travel implied that a recent art exhibit generated a \$20 million economic impact to the state. The net economic impact to the state calculated by *Carolina Journal* actually totaled less than \$4 million.

Department of Cultural Resources Deputy Secretary Staci Meyer said the N.C. Art Museum's Monet exhibit had an economic impact of \$20 million, according to news reports in early August by WRAL-TV and *The News & Observer* of Raleigh. In justifying the "\$50,000 or \$60,000" in state expenditures for Mrs. Easley's trip, Meyer's implication was that the state derived a \$20 million net impact from the exhibit.

Mrs. Easley's trip occurred more than five months after the exhibit ended. Mrs. Easley's trip to France, and

another to Russia and Estonia in 2008, cost taxpayers \$109,000, according to *The News & Observer*. Both trips were cultural missions arranged by Meyer's department.

"What do you believe was the net economic impact to the State of North Carolina (not Wake County) from the Monet exhibit?" CJ asked Meyer by e-mail.

"I don't have any personal knowledge about the economic impact from the Monet. I relied upon the information that I obtained from the Museum of Art compiled by the Raleigh CVB [Convention and Visitors Bureau]. I'm sorry I can't be more helpful but it's not a determination that I made. I cannot explain how they made the determination," Meyer said.

In January 2007 the Greater Raleigh Convention and Visitors Bureau reported that the Monet exhibition at the museum injected almost \$24.3 million into Wake



French impressionist Claude Monet's self-portrait

County's economy. The exhibit ran from Oct. 15, 2006, to Jan. 14, 2007.

The bureau provided CJ with the assumptions and methodology used to estimate the economic impact of the exhibit.

The assumptions included a \$40-per-person expenditure for Triangle residents visiting the exhibit and from \$95 to \$231 per person for those outside the

Triangle.

When told about Meyer's statement, bureau President Dennis Edwards said that his organization's estimate applied to Wake County only and that it could not be used to estimate the economic impact to the state.

He said that the net economic impact to the state would probably include only expenditures made by those coming from destinations outside North Carolina.

The museum's assistant marketing manager, Alesia DiCosola, said that based on zip codes captured during ticket sales, "we had about 27,000 to 28,000 visitors from outside of N.C."

Using a figure of 27,500, out-of-state visitors accounted for 12.8 percent of the 214,177 total visitors. Using the bureau's expenditure estimates and methodology, CJ calculated that gross expenditures from visitors outside North Carolina would be \$3.8 million. CJ

McCrorry and Perdue

Candidates Avoid Position on Culinary School

By DAVID N. BASS
Associate Editor

RALEIGH
North Carolina's new budget allots another \$1.5 million for Johnson & Wales University, but gubernatorial candidates Bev Perdue, a Democrat, and Pat McCrorry, a Republican, aren't eager to stake out a position on whether the state should keep funding the private culinary school in future budgets.

Phone calls and emails from *Carolina Journal* to the Perdue and McCrorry campaigns seeking comment on the issue were not returned. Neither candidate has publicly stated support or opposition to continuing state incentives for the school.

Johnson & Wales University has now received \$7.5 million in taxpayer dollars since state aid was first promised in 2002. The school decided to consolidate two of its campuses in Virginia and South Carolina into one \$82 million facility in downtown

Charlotte after former House Speaker Jim Black and Senate President Pro Tem Marc Basnight, both Democrats, pledged millions in state money to the project.

In a letter dated May 23, 2002, to Johnson & Wales president Jack Yena, Black laid out the specifics of his pledge.

"You have my personal commitment of support for a \$10 million investment over the next five years by the State of North Carolina for this project," wrote Black, who is now serving a five-year sentence in federal prison on a bribery conviction.

Gov. Mike Easley also offered written support, although he did not promise specific help from the state coffers.

Beginning in 2003, lawmakers earmarked \$1 million in state funds for the school each year through 2006. In 2007 and 2008, legislators increased the amount budgeted to \$2 million and \$1.5 million, respectively. The total

amount allocated is still \$2.5 million short of the pledge made originally by Black and Basnight.

Some lawmakers are upset that the state continues spending taxpayer dollars on the school, which employs 84 full-time faculty members and hosts nearly 2,600 students, including 963 from North Carolina.

"Why we should have any obligation to fulfill the oral agreements of Jim Black six years later just mystifies me," said House Minority Leader Paul Stam, R-Wake.

Other legislators have tried to fast-track the funding process. In May, Sen. Charlie Dannelly and Rep. Drew Saunders, both Democrats from Mecklenburg County, introduced bills in the House and Senate that would have appropriated \$4 million to complete the \$10 million pledge to the school. Neither bill was brought up in committee.

Dr. Andrew Taylor,

a political science professor at North Carolina State University, said Perdue and McCrorry want to avoid commenting on state funding for the school largely because of the project's ties to Black.

"It's not an issue of whether this is a good idea or a bad idea anymore, because the whole thing is tainted by Black's connection," Taylor said. "Anything that has his fingerprints on it is going to be a problem."

Although both candidates have been silent on funding the school, the City of Charlotte Web site says McCrorry "led the effort" to recruit Johnson & Wales, among other companies and organizations, to the area. McCrorry also referenced Charlotte's recruitment of the culinary school at a forum on nonprofits in March, according to *The Charlotte Observer*.

"It took cooperation between the private and public sectors, and a lot of speed to beat out our competition," McCrorry said. CJ

81 percent want to develop new sources

Recent Polls Show Energy Now Top Concern for Americans

BY KAREN MCMAHAN
Contributor

RALEIGH

Energy is the top concern for Americans by a wide margin over any other issue, according to recent polls.

A Rasmussen poll Aug. 6 showed that 64 percent of Americans want offshore drilling for domestic oil and natural gas as a way to lower gas prices. Fifty-five percent think the nation should build more nuclear plants. A similar poll at the end of July by CNN/Opinion Research Corporation also reported strong support, at 64 percent, for offshore drilling.

The Rasmussen poll found that 81 percent of Americans think that developing new sources of energy is an urgent priority, and 65 percent of Americans think that finding new sources of energy is more important than reducing energy consumption. Twenty-eight percent thought conservation was more important.

In a separate Rasmussen poll, 57 percent of voters, opposed to 26 percent, believe that high gas prices do more to reduce U.S. energy consumption than do governmental regulations. This issue is divided along party lines, with a majority of Republicans, 67 percent, and unaffiliated voters, 58 percent, seeing high gas prices as having the biggest effect on reducing energy consumption. Only 33 percent of Democrats agree.

Despite strong citizen support for drilling and finding new sources of energy, congressional leaders adjourned at the end of July without voting on a number of proposed bills that would increase domestically produced energy resources.

Oil prices just hit a three-month low and gasoline prices at the pump have dropped well under \$4 a gallon. Seasonally, oil prices decline at this time of the year, but slowing economies in Europe and in developing nations such as China and India also have contributed to lower demand and lower prices as market forces take effect.

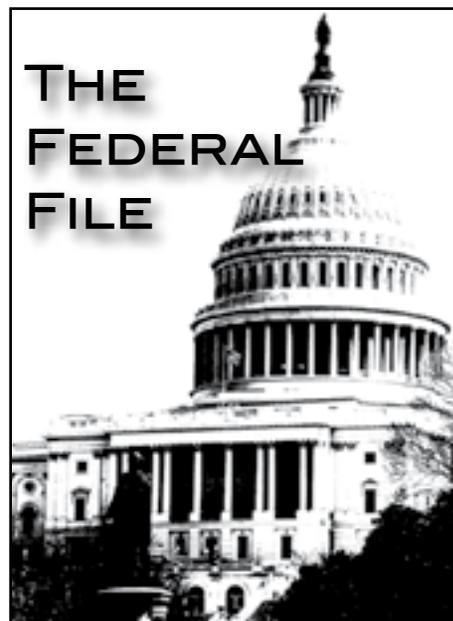
Since the oil embargo in 1973, this cycle of energy spikes and declines has been repeated, including 2005, 2001, 1991, the 1980s, and twice in the 1970s. Three years ago, after Hurricanes Katrina and Rita, Americans were thankful when gas prices dropped to about \$2 a gallon. Analysts are concerned that Congress will once again fail to enact a long-term energy strategy.

Philosophical divide

Many N.C. Republican members of Congress support offshore drilling, whereas most Democrats do not. Rep. Sue Myrick, R-9th; Rep. Virginia Foxx, R-5th; and Sens. Elizabeth Dole, R-N.C., and Richard Burr, R-N.C., for example, voted not to adjourn and joined other Republicans in urging President Bush to call Congress back into session to deal with the energy issue.

Some of the bills co-sponsored or supported by most of the N.C. Republican delegation support drilling off the Outer Continental Shelf and in the Arctic coastal plain, building new refineries, increasing nuclear energy, and developing America's shale oil resources. One bill supports greater use of clean-coal technologies, such as gassification, and hydrogen, wind, solar, and biofuels that do not use food sources.

Reps. Bob Etheridge, D-2nd; Brad Miller, D-13th; David Price, D-4th; and



Walter Jones, R-3rd, support drilling, but not offshore drilling. Rather, they want oil companies to drill on the 68 million acres of public lands and waters already under lease.

The problem, experts say, is these 68 million acres do not contain enough recoverable oil to make it economically feasible to drill. More than 60 percent of the exploratory wells in those areas have produced no oil or natural gas.

In contrast, 94 percent of federal lands — more than 658 million acres — and 97 percent of federal offshore properties — 1.7 billion acres — have known reserves of recoverable oil but remain off-limits to exploration and drilling. The American Petroleum Institute reported that these lands and offshore properties hold enough natural gas to fuel 60 million households for another 160 years and hold at least enough oil to fuel 65 million cars and 3.2 million homes for 60 years.

Democratic proposals would increase governmental regulations to force conservation and curb consumption while providing billions of dollars in additional subsidies to energy research and development. These programs emphasize wind, solar, smart-grid technology, carbon capture and storage, and biomass fuels. One bill would also release oil from the Strategic Petroleum Reserve, a plan many experts agree would not lower gas prices but would leave Americans vulnerable to a major supply interruption.

Energy myths

In 2004, the Royal Academy of Engineering in Britain reported that fossil fuels, even after accounting for costs in mitigating carbon dioxide emissions to comply with the Kyoto Protocol, were the cheapest, most-efficient forms of energy at less than half the cost of renewable energy sources. Taxpayer subsidies and market manipulation for a desired outcome hide the true cost of electrical power generation from renew-

able sources.

The report also found that fluctuations in solar and wind energy sources limit the output of power generation available from these technologies, thus fast response, additional standby power generation, and energy storage are needed to provide secure energy, and that adds to the cost. Even with increased subsidies, extra investment in renewables is unlikely because they are not economically competitive.

Science Daily reported May 10, 2006 that researchers at Sandia National Laboratories who have been studying ways to provide hydrogen as a future fuel source have found that coal remains the most cost-effective way to produce hydrogen.

Not only do many alternative and renewable forms of energy require fossil fuels in their generation or storage, but these technologies create other problems. Analysts say that the ethanol mandate has led to a huge increase in the price of food and other commodities, hurting lower-income families also affected by rising fuel and home energy costs.

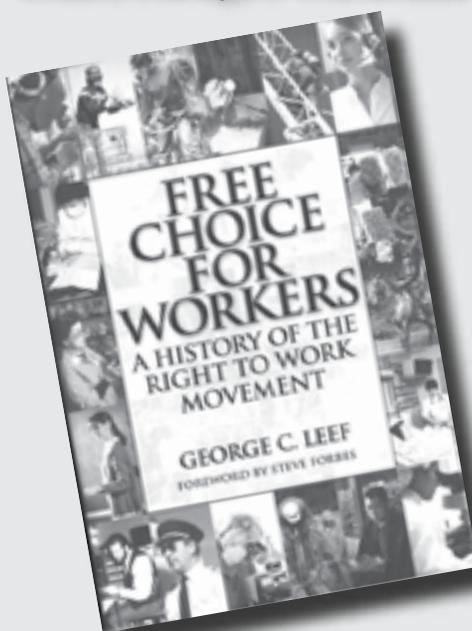
The rhetoric about energy is highly emotional because the issue has become tightly coupled to environmental concerns, according to analysts. Environmentalists think that conventional and some unconventional sources of energy, such as shale oil, pollute the environment and increase global warming. Thus, Americans are led to believe their only choice to save the planet is to accept major lifestyle changes and higher taxes.

In an article in *Dailycamera* on Sept. 28, 2007, Michael Brownlee, the head of Boulder Valley Relocalization in Colorado, advocated "a reduction of energy consumption of about 80 percent" to reduce gridlock on U.S. 36 in Boulder County. Boulder County was the first in the nation to pass a carbon tax.

Brownlee and other sustainability advocates encourage people to live in smaller homes, drive smaller vehicles, use mass transit, and walk or bike to work. They think individuals should grow their own food. The benefits of such changes would be "a richer sense of community, a de-emphasis on globalization, perhaps even a reduction in obesity rates as people walk and bike more."

Ironically, environmentalists have complained and, in some cases, filed lawsuits to mitigate negative environmental impacts caused by the very technologies they promote. Some complain that wind turbines are killing birds and other important wildlife, while others complain about the noise. Even Sen. Edward Kennedy, D-Mass., has objected to wind farms because they detract from the natural beauty of the coastline. Batteries for hybrid vehicles and solar energy cells, for example, might also pollute the environment.

Free Choice for Workers: A History of the Right to Work Movement



By George C. Leef
Vice President for Research at the
John William Pope Center for Higher
Education Policy

"He writes like a buccaneer... recording episodes of bravery, treachery, commitment and vacillation."

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WSJ's Stephen Moore: Bush Tax Cuts in Jeopardy After Election

RALEIGH — Stephen Moore of *The Wall Street Journal* editorial board recently spoke in Raleigh on the topic "Prosperity in Peril." Moore believes the economic benefits tied to the Bush tax cuts could be in jeopardy under the next presidential administration. He discussed the topic with Mitch Kokai for Carolina Journal Radio. (Go to <http://www.carolinajournal.com/cjradio/> to find a station near you or to learn about the weekly CJ Radio podcast.)

Kokai: President Bush has taken heat from conservatives for his spending plans, his immigration policy, and his decision to back a major addition to Medicare, among other things. One area in which conservatives have continued to praise Bush has been his tax policy. But as George W. Bush prepares to leave office, what is the future of that highly praised tax policy? ... Does it look good or bad for this tax policy he's had in place?

Moore: Well, the tax policies are very much in peril. And remember what we are talking about here. In 2003 President Bush reduced the capital gains and dividend tax and then reduced income tax rates. I happen to think those had a very positive effect on the economy. It helped turn us out of that recession we had in the early 2000s when the stock market collapsed. And so we have had very strong growth until very recently in the wake of those tax cuts. I think if we were to repeal them, it would throw the economy into a serious recession. So it is imperative that we make them permanent. The problem we face is that Congress does not have to repeal them. All they have to do is just let them expire, and without any act of Congress they automatically go away. That all would happen at the end of 2010.

Kokai: And you have some concern that you outlined in some presentations here in Raleigh, North Carolina, about what's going to happen with the next administration, whoever the president is.

Moore: Yeah, because, you know, ... Barack Obama [has] said: "Repeal the Bush tax cuts. We can't afford them." By the way, in the four years after we passed the Bush tax cuts, federal tax receipts went up by \$700 billion, so we actually got more receipts in after the Bush tax cuts than we got before the Bush tax cuts. Even John McCain is ... he said he's going to keep them permanent, but he voted against them. So I think that there is some suspicion that he might go along with a deal with the Democrats to get rid of those tax cuts.

I happen to think right now that the U.S. economy needs more tax cuts, not less. If you look at what's happening around the world, all the countries that we are competing with are trying to get more competitive, attract more capital in businesses by cutting their tax rates.

In fact, they are using the American Reagan model to become a more efficient economy. The only country that is really talking about raising tax rates is the United States.

Kokai: One of the more impressive pieces of the presentation you put together is the data that show what has happened to expand the economy since 1980 — basically, since Ronald Reagan was elected and came to office in early '81. What are some of the main things that people should know about this time frame?



The Wall Street Journal's Stephen Moore says benefits of the Bush tax cuts could be jeopardized under the next administration.

Moore: Well, I think three things really happened with the economy in the early '80s that turned things around and created a terrific 25-year boom in prosperity that really began in the early '80s and has lasted through today. One of those would be the reduction in tax rates in the 1970s, when the 70 percent tax rate, now we have a 35 percent tax rate. That has attracted a lot of business formation. No. 2 was the reduction in inflation. Don't forget that in the 1970s we had 10 percent, 11 percent, 12 percent inflation rates, which really had a negative effect on investment. And the third was we really expanded global trade. We reduced trade barriers around the world. And that helped America increase its exports and imports.

And I worry about the direction of each one of those. I'm worried about maybe inflation coming back, as you look at the reduction in the value of the dollar. I am worried about the future of the tax cuts as we just talked about. And I am worried about the future of free trade because in Ohio and Pennsylvania Barack Obama ... said no more free trade. We're going to get rid of the free trade deals we already have. That would put the American economy in great jeopardy.

Kokai: Another piece of your presentation that was quite interesting was the fact that some of these candidates — when pressed — will say that they are not going for these higher taxes, tax rates, because they want more money for the government programs, but just because they think it's fair.

Moore: Right. And this is the point about the capital gains tax. You know, when we cut the capital gains tax we have increased by double the amount of revenues that have come in. So let me say that again: we cut the tax rate, but the amount of money that has come in from that tax has doubled. So it's been a success in all regards. And it's also led to more, a better stock market and so on. And so if you repeal those tax cuts, I think it will hurt the stock market, but it also ... may actually lead to a reduction in the amount of tax receipts that come into the government. So it is a self-defeating policy. And yet ... Barack Obama [has] said, "Well, that doesn't matter because what's really important is that we have a fair tax system." I think he regards a fair tax system as one that produces less

revenues than the one we've got now.

Kokai: You also mention that when the top marginal rate in income tax was cut, the share paid from the richest Americans in each particular year went up.

Moore: Yes. There is, you know, no doubt about this, that over the last 25 years the share of income tax paid by the richest ... the richest 1 percent has doubled from 19 percent to 38 percent. So the rich, in my opinion, are paying their fair share. In fact, they are paying more than their fair share. They are carrying a huge percentage of the load. The top 10 percent of Americans today pay about 80 percent of the income tax. So it's a system that is already pretty heavily skewed on the backs of the richest. And by the way, they are not just rich, those people. A good percentage of those people are small business owners. Now those are the people who create the jobs in the economy. How are you going to get more jobs if you are taxing the people who create the jobs?

Kokai: You mention that this economy probably needs more tax cuts. If you were on the staff of the next president and said, "Okay, here is your economic plan to help us..."

Moore: Oh, I want a flat tax. I really do. I mean, this is happening all over the world. It was such a great idea because it, first of all, brings tax rates down, which is good for economics. So you have less distortion. No. 2, it gets rid of all the loopholes — all the special-interest corporate loopholes for one company or one industry over another, you know, that these lobbyists get for their corporations, which is not fair to the average American. So it creates a fair system. And then it also has the virtue of being simple. So, you know, now with this flat tax, I mean, literally, you would have a postcard tax return. People filled out their taxes on April 15. The average worker took 28 hours to figure out their taxes. Now it would take you 28 minutes to do it. I mean, that's a big saving in aggravation and time and money.

Kokai: And if someone says, "Well, that'll never happen," you can point to other countries.

Moore: That's for sure. Thank you. You're paying good attention today. You're right. There are now, I think, 24 countries that have flat taxes. Just 10 or 15 years ago there was only one country that had it. So this has become something that is spreading around the world. And the good news is those countries that have a flat tax, whether you are talking about Poland or Czechoslovakia or Ukraine or Estonia, all those countries have really booming economies.

Kokai: What should people hearing this say to their congressional representatives or to the candidates for president, if they have a chance to get their input about what they want to see economically?

Moore: Well, I'll go back to what I just said. I do believe that we need to have a flat tax. If we had a flat tax that did not tax capital gains and dividends and investment income and it was a low rate, there is no reason we can't see another 25-year boom in this country like we just had, where America is the global leader in all the most important industries, where we create, you know, another 40 million jobs as we have done over the last 25 years. I mean, it is really simple. If we do a flat tax, we keep our markets open, we keep inflation under control, we can see the 21st century being the American century just as the 20th century was.

Congress doesn't
have to repeal the
tax cuts, they can
just allow them
to expire

New Parent-Friendly Ratings Grade School Districts Low

By CJ STAFF

RALEIGH

N.C. school districts are not very "parent-friendly," according to a new John Locke Foundation Spotlight report. Most districts earn poor grades on a new assessment of public school administration, teachers, safety, and student performance.

"With no threat of losing clientele to competitors, many schools and school districts behave like the monopolies they are," said report author Terry Stoops, JLF education policy analyst. "These school districts focus on strengthening the organization's position and goals, rather than meeting the needs of students and parents."

No school districts earn an A grade, and just 19 of North Carolina's 115 school districts earn B grades in Stoops' assessment. The Polk and Cherokee county school districts earn the only B-plus grades in the state. Most districts earn C's, while 27 districts earn D's and five earn F's.

Among the state's largest school districts, Cumberland, Guilford, and Wake all earn C grades. The report assigns D-plus grades to Charlotte-Mecklenburg and Forsyth public schools.

In a district-by-district comparison, Stoops found differences based on geography and school district size. "School districts in western North Carolina generally fared well in the 'parent-friendly' rankings, with eight of the top 10 districts being located in the west," he said. "In contrast, districts in the Triad, Triangle, Charlotte, and northeastern North Carolina fared poorly."

"In general, smaller school districts proved to be more parent-friendly than large school districts," Stoops added. "Most of the top-performing school dis-

tricts in this assessment enroll between 1,000 and 5,000 students."

The rankings are based on 11 different measures in the four categories of school administration, teachers, safety, and performance. The measures include end-of-grade reading and math scores, four-year graduation rates, and school crime statistics. Also included are statistics linked to teacher turnover and teaching vacancies, the percentage of each school system's staff devoted to jobs outside classroom teaching, and results of a Teacher Working Conditions survey.

Stoops converted the numbers into letter grades. He assigned each school district four individual-category letter grades and an average final grade. "This report develops a system that's designed to show the extent to which North Carolina's school districts provide children a sound, basic education in a stable and safe environment that is responsive to the needs of children and concerns of parents."

Further research could help school leaders learn more about the steps they can take to become more parent-friendly, Stoops said.

"We need to know more before we can pinpoint the combination of factors that contribute to success, but the school districts that fared well in this ranking were generally small districts with stable, high-performing teaching staffs."

A parent-friendly organization is important, Stoops said. "One need not look further than the low regard that many teachers and administrators have toward parents to find evidence of an organization-first mentality," he said. "Genuine accountability to parents begins with school choice." *CJ*

COMMENTARY

Leave This Law Behind

Despite an auspicious beginning, the federal No Child Left Behind Act has become the law everyone loves to hate.

Hailed early on as a powerful way to eradicate troubling achievement gaps, the law's noble goals unified legislators on both sides of the aisle. The day NCLB was signed, White House officials described it as "the most sweeping reform of federal education policy in a generation."

That was in 2002. Six years later, the law is a bipartisan punching bag. Conservatives abhor its massive federal intrusion. Liberals decry its emphasis on high-stakes testing. Public support for NCLB has ebbed as well, because of the law's inflexible mandates and implementation problems.

According to a poll released in August by Education Next and Harvard University's Program on Education Policy and Governance, more than half of Americans want an extreme education makeover: 27 percent say Congress should renew NCLB with "major changes," while 24 percent want the law scrapped entirely.

They might have to wait a bit longer. NCLB is set to expire this month, but 2008 reauthorization is unlikely, given the fall election. Instead, lawmakers are expected to pass another extension. NCLB is, however, "sure to see votes" in 2009, *Time* magazine says.

When it does, debate will be lively. Congressional divisions over how to proceed are sharp. Rep. Mike Castle, an author of NCLB, wants to fix, but preserve, the law. In July, Castle introduced the Improving NCLB for All Students Act, targeting problems such as the law's lack of flexibility.

His bill would allow states to use student academic growth over time to count toward Adequate Yearly Progress, NCLB's key benchmark. Under the original system, schools meet AYP if subgroups of students hit proficiency targets; if students fall short — even if their performance improves from the year before — the school misses AYP.

North Carolina was granted permission by the U.S. Department of Education to pilot such a "growth model" two years ago. Castle also would ease testing requirements for disabled students or those learn-

ing English. His bill, according to *Education Week's* David Hoff, "could be the starting point for discussion in 2009."

Still, such legislative tweaks won't tackle NCLB's fundamental flaw: its heavy-handed federal intrusion. Rep. Pete Hoekstra, an early opponent of NCLB, wants to solve that by allowing states to opt out of the law altogether. Dubbed "Congress' lead champion for local control of schools" by *Education Daily*, Hoekstra introduced the Academic Partnerships Lead Us to Success Act last year. Under Hoekstra's plan,

states aren't absolved from working assiduously to narrow achievement gaps and improve schools. In fact, they must exhibit "transparent" accountability systems and report annually on school performance. But states could do so unfettered by NCLB's burdensome regulations, leaving them free to innovate. According to the latest tally, the bill has 66

House co-sponsors, including N.C. Reps. Walter Jones (R-3rd), Patrick McHenry (R-10th), and Virginia Foxx (R-5th).

Clearly, Hoekstra and his numerous congressional allies understand the perils of top-down, federal education reform. NCLB has spawned far more problems than it has solved, as countless school administrators would attest. As lawmakers consider NCLB, Hoekstra poses this question: "Who will decide the future of our children's education? Faceless bureaucrats in Washington, or parents and local administrators who know our children's names and needs?"

The answer seems straightforward. When it comes to improving schools, those closest to the student know best. That principle explains why parental school choice, the truest embodiment of local control, works so well.

In the end, NCLB has affirmed this: We desperately need genuine education reform, just not from the federal government. Will our multiyear NCLB experiment serve as a powerful object lesson in the limitations of federally mandated reform?

It should. More than ever, it's time to leave this law behind. *CJ*

Kristen Blair is a North Carolina Education Alliance fellow.



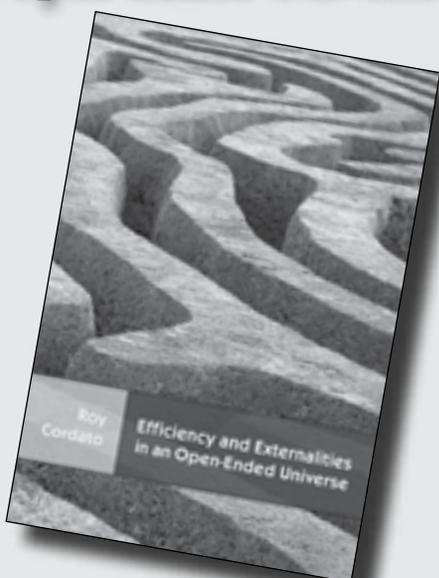
KRISTEN BLAIR

BOOKS AUTHORED BY JLF STAFFERS



By Roy Cordato
Vice President for Research
John Locke Foundation

Efficiency and Externalities in an Open-Ended Universe



"Cordato's book is a solid performance, demonstrating impressive mastery of both the Austrian and neoclassical literature."

Israel Kirzner
Cato Journal

www.mises.org

School Reform Notes

Charters popular in Meck

Lake Norman Charter School recently scraped together money to build a permanent middle school. Next up: a new building next door for high school, *The Charlotte Observer* reports.

"We run a tight ship financially," said board Chairman Tom Ghareeb, who has four children there. "There are no buses. You have to take your child to school. There's no cafeteria. You have to make your child's lunch."

Yet the Huntersville school, which offers an alternative approach to public education, is growing steadily, with waiting lists to get in. Ghareeb said families are drawn by a rigorous college-prep education in a smaller setting than Charlotte-Mecklenburg Schools offers.

Families in the Charlotte region have plenty of choice in education. As both public money and family incomes get tight, everyone is looking for ways to keep an edge.

Almost one in five Mecklenburg students opts out of traditional public schools, enrolling in religious, private, or charter schools, or being taught by family members.

Dropouts prone to crime

More than 3,400 murders and 172,000 violent assaults nationwide could be prevented if high school graduation rates were boosted by just 10 percent, according to a report released Aug. 20.

Law enforcement officials across the country joined the national group Fight Crime: Invest in Kids to unveil the report, which suggests high school dropouts are 3 1/2 times more likely than graduates to be arrested and eight times more likely to be imprisoned, the *Asheville Citizen-Times* reported.

At least one local school district is finding success reducing dropout rates. Asheville City Schools saw a nearly 10 percent decrease in the percentage of dropouts — from 67 students, or 5.02 percent in 2005-06, to 60 students, or 4.63 percent, a year later, the latest available records show.

"It's almost an accepted fact within the education community that dropping out can often lead to someone who ends up incarcerated," Asheville City Schools spokesman Charlie Glazener said. "Students who do not have a high school education are putting themselves in a corner, which is hard to escape from." CJ

Bertie County Schools

Agricultural-Oriented School Project Fills Need

By JOHN CALVIN YOUNG
Contributor

On Aug. 25 about 30 high school freshmen in Bertie County took advantage of a unique opportunity to earn a high school diploma and train for their chosen career in agriculture.

Their training, at the new School of Agri-Science Studies at the Early College High School, was of a depth rarely afforded to high school students

In agriculture-oriented Bertie County, the project fills a real need. "The agriculturalists of the baby boom generation are retiring with no one to replace them," said Bobby Occena, principal of the new school.

"The mission of the school is to provide opportunities for students to excel in early college and agri-science and the school to have a positive and lasting impact, not only on Bertie County but the northeast region of North Carolina," said Jim Guard, the school's agriculture teacher.

The Bertie County School System has taken an unusual step in creating a new type of high school to serve its population. Many school systems have established schools such as the Science, Technology, Engineering & Math school in Bertie County to train students interested in those fields, but few have gone to the lengths Bertie County has to serve the agricultural community.

According to a survey by Dr. Chip Zullinger, superintendent of Bertie County Schools, 74 percent of Bertie's income is agriculturally based. He saw a need and built support for an unusual proposition: take the empty Southwestern Bertie High School and refit it as a new Early College high school with a specific focus on agricultural science.

A wide coalition of universities and agencies, including North Carolina State University, North Carolina A&T University, Shaw University, North Carolina Cooperative Extension, and the New Schools Project, among others, contributed funding or other resources to bring the opportunity to Bertie County's students.

Even private businesses are finding ways to be involved. "The agribusinesses, they've signed on and said that they are willing to do anything they can to make this happen. Some have even offered to donate land ... that the students can [work with]," said Ricky Freeman, chairman of the Bertie Board of Education. "We received a lot of positive feedback from the agricultural community. This program really just came together." Although limited to Bertie County students for the first year, the project is envisioned as one that could eventually come to serve students from throughout



Page from Bertie County Schools' Web site features the Agri-Science curriculum.

this agriculture-heavy region.

While the basic curriculum will be identical to that in a mainstream high school, to give students a solid, comprehensive high school education, the specialized courses available to them will cover a wide range of topics. Students attending the new school will be able to take courses in various agricultural science disciplines and topics, including agri-science, horticulture, biotechnology and agri-science research, animal science, equine science, environmental and natural resources, agricultural engineering, and production agriculture, Guard said.

When the students graduate in four years, they will have completed either an associate's degree in these fields or will have two years of credit they can transfer to a four-year university to earn a bachelor's degree. To complete the ambitious program, the school will

not operate on a typical 180-day schedule, but will continue student projects and special programs with school and university faculty through the summer. Leadership development will be stressed through clubs and organizations such as the FFA, and students will be required to complete hands-on projects that will require problem-solving and research skills that will prepare them for the modern agriculture industry.

Even with the specialization of so many aspects of the school, students will not be isolated from their peers. Like the Science, Technology, Engineering and Math school, many extracurricular activities and other functions will be based out of the mainstream Bertie High School.

The new School of Agri-Science Studies is only one of several pioneering educational prospects opening in Bertie County. NCSU, besides partnering in the agri-science school, will support a continuing education center through the Cooperative Extension Service. The center will provide classes and resources to the agricultural community at large and be based out of the former Southwest Bertie High School.

Shaw University also is working with the Early College project as well as building Bertie County's first college campus.

Shaw will conduct a special program in which selected Bertie County high school graduates will work during the day in the Bertie County Schools system and take classes in the evening toward an education degree from Shaw, allowing them real-world job experience while seeking a degree. CJ

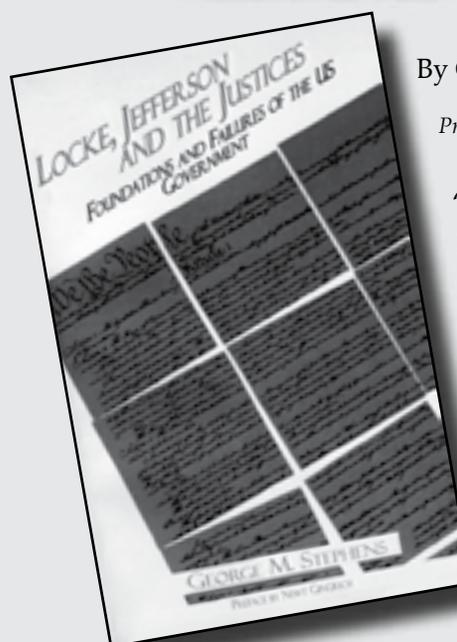
Locke, Jefferson and the Justices: Foundations and Failures of the U.S. Government

By George M. Stephens

Preface by Newt Gingrich

"This book is about American politics and law; it is also about the roots of the Contract with America. A logical place to find the intent of the Founders is in Locke, [and] Stephens makes a contribution to highlighting this."

Newt Gingrich
Former Speaker
U.S. House
of Representatives



Algora Publishing, New York (www.algora.com)

More at Four Gets More Millions Despite No Proof It's Effective

Enrollment increases haven't brought skills improvements

BY JANA BENSCOTER
Contributor

GREENSBORO

Despite having readily available data on the N.C.-funded More At Four pre-kindergarten program that show the program might not be working, the state continues to pour money into the program without testing whether it has long-term learning effects.

The program was created in 2001 under the leadership of Gov. Mike Easley to help begin a child's learning awareness and development, especially aimed at 4-year-olds who fit within the at-risk guidelines. Since then, the only outstanding number that presents itself in the 2006-07 executive summary is the number of children who have enrolled statewide.

After six years, 69,000 children have enrolled. In the years 2003-04 through 2006-07, the enrollment of 4-year-olds has doubled from 10,891 to 20,468. Despite the increase in enrollment, cognitive and retentive evaluations don't necessarily follow, education experts say.

"We have followed More At Four for quite a bit," said Lindalyn Kakadelis, director of the North Carolina Education Alliance. "There have been enough evaluations done on it that show it does not produce long-term academic advances. It's a day care. It's not achieving what it's supposed to be achieving."

In the most recent evaluation of

the program, in the 2006-07 school year, pre-K children performed better in motor skills, art, music, and math in a pre-K setting in both 2003-04 and 2005-06, than they did the next years of 2004-05 and 2006-07 when they entered kindergarten. The 4-year-olds' learning performance decreased also from the 2003-04 year to the 2005-06 year.

According to the More At Four 2006-07 evaluation, "local sites are expected to meet a variety of program guidelines and standards around curriculum, training and education levels for teachers and administrators, class size and student-teacher ratios, North Carolina child care licensing levels, and provision of other program services. Children are eligible for More At Four based on family income (up to 75 percent of state median income or up to 300 percent of federal poverty status) and other risk factors (limited English; identified proficiency disability, chronic health condition and developmental/educational need)."

"I think the curriculum needs to be age-appropriate," Kakadelis said. "Children are like sponges, who can grasp concepts. We don't want to hold them up, we want to move them on."

The 2006-07 key findings show that the percentage of teachers who have obtained pre-K teaching credentials has increased from 39 percent to 55 percent. The overall decrease in the number of teachers who don't have teacher credentials was from 34 percent to 17 percent.

"These programs, while they have great intentions, do not produce achievement," Kakadelis said. "This seems to have turned into a jobs program, and nobody wants to shut them down. If the goal is to have more governmental jobs,

Critics say money would be better spent recruiting teachers for grades K-5

then maybe it's succeeding, but it's not raising academic achievement."

Terry Stoops, education analyst at the John Locke Foundation, wrote in a recent editorial, "Gov. Mike Easley proposed adding 10,000 slots and \$60 million to his More At Four pre-kindergarten program for at-risk children. Given the considerable cost of operating a statewide pre-kindergarten program, there isn't any convincing evidence that it places children on a clear path to success in middle and high schools."

"Rather than increase our investment in early childhood programs, which are costly and may have only short-run benefits, the state should increase its investment in school choice programs, which are cost-efficient and have ongoing benefits," Stoops said. "In a path-blazing recent study, Dr. Caroline Hoxby of Harvard University found proficiency gains for students attending charter schools instead of nearby district-run schools. The longer a charter school was in operation, the greater the demonstrated gains among its students."

While More At Four has not been around for a long time to "show lasting gains in academic performance," Stoops wrote, "a study by UNC-Chapel Hill's

Frank Porter Graham Child Development Institute assessed More at Four children from the beginning of their pre-kindergarten year to the end of their kindergarten year. This report found that most children retained the skills that they learned over this two-year period. While that finding is not surprising, there is little guarantee that these children will maintain these skills into middle and high school, where students are most susceptible to falling behind their peers academically."

Kakadelis believes money for the program needs to be redirected, particularly toward the recruitment of quality kindergarten through fifth-grade teachers.

The early years of children's development are critical. However, if children are not learning and only are being advanced from year to year with the hope they will retain information throughout their childhood and teenage years, the program's only benefit is social promotion, Kakadelis said.

"The achievement gap still exists across the board," Kakadelis said. "We need to revamp the way we're even rewarding our teachers. We've got to come to grips with what is the mission and vision of a school; what is the purpose of a school. If the students are not learning, it doesn't matter how long the teacher has been there, we need to hold educational establishments accountable. If you are not producing academic gains, we need to change what we are doing."

More At Four is not the only program that is supposed to speed the development of pre-K children. Kakadelis cited other programs, such as Head Start and the site-specific Bright Beginnings in the Charlotte-Mecklenburg School System. CJ

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NCLB says no

Is N.C.'s ABCs Program as Good as DPI Maintains?

By JOHN CALVIN YOUNG
Contributor

RALEIGH

The Department of Public Instruction's ABCs for Public Education was instituted in 1995 to provide greater accountability for schools and to reward schools and teachers that were successful. External measures, however, cast doubt on the program's effectiveness.

For example, North Carolina reported an 85 percent proficiency level in reading for fourth-graders in the 2006-07 school year. Federal data from the National Assessment of Educational Progress, the program predating No Child Left Behind, reported only 64 percent of students performing on the basic level and a mere 29 percent "proficient."

North Carolina's end-of-grade and end-of-course exams were designed to provide an accurate assessment of the academic performance of students in N.C. schools. According to DPI, the number of schools meeting expectations under the ABCs program has risen by 10 percent over the past year to 82 percent of North Carolina's 2,348 schools. Over the past two years, ABCs performance has increased by an encouraging 27.7 percent over 2006 levels.

For eighth-graders during the same period, mathematics proficiency was 65 percent, according to state data. The NAEP proficiency score was only 34 percent. According to the U.S. Department of Education, "if there is a large discrepancy between children's proficiency on a state's tests and their performance on NAEP, that would suggest that the state needs to take a closer look at its standards and assessments and consider making improvements."

DPI uses custom state end-of-grade exams to test students. The tests are written specifically for North Carolina—no other state uses them, and even private schools in North Carolina are not allowed to test using the exams, leaving N.C. schools with no way to compare students' scores with any others'.

The passing grade is determined arbitrarily—there are no checks to ensure that the exam is a valid measurement of the educational progress of the students. The tests are also revised internally, resulting in a system in which DPI is called to account based on performance on measures DPI creates.

Enter No Child Left Behind. This program was instituted in 2001 to require all school districts nationwide to bring



student performance up to grade level by 2014. The process involved raising the bar every year or two to close the performance gap progressively. Schools not making adequate yearly progress were required to make certain mandatory adjustments, ranging up to, in extreme cases, mandated restructuring of the school district. The percentage of schools in the state making adequate yearly progress was typically regarded to be a good indicator of the health of that state's educational system.

Even while DPI heralded higher performance on its end-of-grade tests, its performance as measured by No Child Left Behind has been failing. In 2008, 82 percent of schools "met expectations" by the ABCs program. As of August 2008, however, 61.2 percent of N.C. schools were failing to make sufficient

adequate yearly progress for the No Child Left Behind standard. For comparison, in 2006, only 30 percent of schools nationwide failed to make adequate yearly progress. The number of failing schools might be higher, but DPI petitioned the U.S. Department of Education to disregard the results of the latest revision of reading proficiency exams for grades three through eight.

The Department of Education's final decision is expected by Nov. 6.

Several N.C. legislators have tried to remedy the declining standards. Rep. George Cleveland, R-Onslow, sponsored a bill in the 2007-08 session that would have required DPI to use nationally standardized tests—tests that are written and controlled by an external authority and which determine performance based on a national cross-section of students taking the test.

Private schools in North Carolina have been required to use nationally standardized tests since 1978 and home-schoolers since 1988, yet DPI has still to espouse a comparable measurement. The bill also mandated that N.C. schools could not spend more than two days a year on practice exams—thereby forcing classes to teach a subject, not a test.

"I knew when I introduced it that it wouldn't be heard, but I hoped it would bring some attention to the testing program," Cleveland said.

In 1995, the ABCs of Public Education accountability program was instituted to ensure continued improvement in North Carolina. "There's supposedly improvement. When they started this program, the tests were supposed to get more rigorous over the years," Cleveland said. "And then last year, we discovered that the tests were no more rigorous than [at] the first. The whole program was a lie."

When asked why the bill died in committee, Cleveland said, "It died because the leadership did not want it to be heard."

This year, N.C. schools requested \$134.2 million for ABCs bonuses for teachers, although the General Assembly limited the payouts to \$94.3 million. Under these standards, teachers are being rewarded for improved performance even when the number of schools making adequate yearly progress by No Child Left Behind declined from 45 percent to 38.8 percent over the past year.

Cleveland and others believe that it is imperative that the parents of students and the public have an accurate standard to assess their students', and through them, their schools', performance. *CJ*

DPI uses custom end-of-grade exams that are not used by any other state

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Publishers and Students Vie To Decide Textbook Prices

BY DAVID J. KOON
Contributor

RALEIGH

Textbook publishers have come under intense scrutiny because the prices of textbooks keep going up. Students must pay hundreds of dollars for books from which only small portions are assigned. Yet innovations, from faculty use of online resources to students' exchange of books through Facebook and online retailers, might soon change this industry.

There is little doubt that prices are high. In 2005, the U.S. Government Accountability Office reported that textbook prices had increased at an average annual rate of 6.14 percent from the 1980s through 2004, and recent updates to the Consumer Price Index indicate this trend is holding steady. A report from the College Board, *Trends in College Pricing*, states that an undergraduate in the South can expect to spend \$852 annually on books and supplies at college, slightly lower than the \$988 national average.

One response has been the expansion of the used-book market. Internet retailers Amazon.com and eBay.com and private used bookstores are selling used books at a fraction of the cost of new ones. Social networks are now in the distribution chain, as students consult others to find the cheapest texts, whether sold at local bookstores, online, or on Facebook.com and other networking sites.

Students often wonder why their school doesn't just rent textbooks, especially those for which the content doesn't change much from year to year. But textbook rental programs have been implemented at only about 25 colleges nationally, according to the Illinois Board of Higher Education. One of these is Appalachian State, where students pay a rental fee of only \$87.50 per semester in exchange for most of their books. Though the program is non-subsidized and popular with students, few schools have copied it.

High overhead and startup expenditures would cost "well into the millions," said Cathy Marks, textbook rental manager at Appalachian State, whose program started in 1938. Also,

faculty tend to dislike it because it requires everyone to teach from the same textbook.

Aware of the high prices, some professors have begun to post articles, chapters and other texts, formerly assigned in books, on Web sites operated by companies such as blackboard.com, aipla.com, and others. These university-endorsed sites permit students to view copyright-protected readings without having to buy them. UNC-Chapel Hill history professor Louise McReynolds is a proponent of the system. It saves students money because they don't have to buy so many books and it saves faculty money by not "Xeroxing articles, syllabi, review questions, and exams for distribution to the class," she said.

Unfortunately for students, publishers appear to be responding with tactics that force students to buy more than is necessary. One, called "bundling,"

caused enough furor that Congress banned it in the recent Higher Education Act reauthorization. Bundling is the practice of combining a textbook and supplementary materials such as workbooks, CDs, and DVDs and selling them as one unit. Although ancillaries may make a textbook "user-friendly," they are easily misplaced through the course of a semester. A student who doesn't keep them will not be able to resell the book to the bookstore, at least not at a normal resale price.

Publishers have also increased the frequency of new editions, according to the GAO report, and they have started "customizing" books for particular universities, making them difficult to resell. Some departments receive "royalties" for these books.

All in all, textbook publishers have implemented measures that may improve students' educational experience, but they also raise prices and impede book resale. CJ

David J. Koon, a senior at UNC-Chapel Hill, was a 2008 summer intern with the John W. Pope Center for Higher Education Policy in Raleigh.



Publishers respond with tactics that appear to force students to buy more than needed

COMMENTARY

Chancellors Respond To UNC Tomorrow

When the UNC Tomorrow Commission began a massive strategic planning process for the University of North Carolina in March 2007, President Erskine Bowles promised that the results would not "sit on a shelf." Indeed, the commission's report, completed in January 2008, had hardly landed on the desks of the chancellors when they were expected to develop formal responses explaining how their campuses will address the policy issues in the report.

In May 2008, the 16 university campuses did just that, submitting 941 pages of commentary, ranging from six pages (North Carolina Central's) to 135 (Appalachian State's). Campus officials are working on answers to another questionnaire, more focused on academic programs, that is due in December.

It's not clear what the pile of responses adds up to for the university system. But the 941 pages do reveal a giant collection of centers and programs already in existence designed to carry out the university's public service mission.

Furthermore, the responses reveal a dazzling array of new proposals. The introduction to UNC-Chapel Hill's submission says that "this is not a wish list for pet projects." Yet, taken together, the 941 pages do resemble a wish list of major proportions.

Chancellors were asked to identify current and potential programs to address the state's major needs. (They were also asked to identify programs that could be eliminated, but there was less response on that score.)

So UNC-Greensboro proposed not only a new pharmacy school for 350 to 400 students, but also an Institute for Community and Economic Engagement, to be composed of three new centers. N.C. State proposed programs that would require \$1.4 billion in new state money. Appalachian State wants to build a new education building, establish a college of health sciences, and develop a branch campus near Hickory. Its 51 programs were whittled from the 182 originally submitted.

Some projects are already in the planning stages. But many are new, such as UNC-Chapel Hill's plan for the Community-Campus Partnership for Tomorrow, to be headed by Vice Chancellor for Public Service and Engagement Michael Smith. This program would identify a pilot "underserved" community and help it, using existing and additional programs.

The UNC Tomorrow Commission was the invention of Jim Phillips, who authorized the commission while he was chairman of the UNC Board of Governors.

In an interview, Phillips explained his motivation: He was concerned that the Board of Governors, which is responsible for overseeing the entire system, "didn't have much engagement or a real sense" of what the campuses were doing as they planned their futures. Each campus had its own planning process, largely isolated from the rest of the university system.

Phillips also wanted campuses to organize their planning efforts around the needs of the state. To identify those needs, the commission, under the direction of Norma Houston, held "community listening forums" and faculty forums and conducted an online survey of North Carolinians.

Phillips doesn't see the process as opening the door to a "laundry list" of activities and programs, but rather the opposite. He sees it as the beginning of a truly collaborative university system that will start setting priorities, enabling campuses to play to their strengths rather than add weak, duplicative programs.

Phillips anticipates a second phase of campus response in which the initial exuberance settles into recognition that resources are limited, priorities must be set, and choices must be made. But whether such discipline exists in academia today is far from certain. UNC may find itself having to cope with a Pandora's box of costly projects and programs. CJ

Jane S. Shaw is the president of the John W. Pope Center for Higher Education Policy in Raleigh.



JANE SHAW

COMMENTARY

A Sober Reassessment

"They took the bar! The whole [expletive common to universities] bar!"

The quotation is from the 1978 movie "Animal House" and was delivered by the character Bluto (John Belushi), a campus Bacchus in a sweatshirt emblazoned "College" who distilled to perfection the popular view of drunken frat boys.

To say binge drinking is a perennial problem for colleges and universities would be understatement. The fact that it is perennial, however, suggests two realities that might not be mutually exclusive. One is that a segment of a population of young adults will tend to excessive alcoholic consumption as a natural course. The other is that none of the many programs tried at the hundreds upon hundreds of college and university campuses nationwide through the years has worked.

For examples of the latter, the May 1999 issue of *Clarion* magazine (the former journal of the Pope Center for Higher Education Policy) included an article on then-new programs colleges and universities were implementing to fight student binge-drinking. They included parental notification of students who commit alcohol violations; offers of "substance-free" dormitories for students who wish to avoid encounters with consumption of alcohol, tobacco, and other "substances;" advertising (either to give the impression that few students abuse alcohol or to propagandize against alcohol itself); alcohol-specific regulations against fraternities and sororities; curtailing times when alcohol could be consumed; banning alcoholic consumption entirely; or giving homework over the weekends to provide academic incentive against weekend beer-fests.

This August, more than 100 college and university executives joined an effort called the Amethyst Initiative to lower the legal drinking age back to 18. As it is, states have the right to set their own legal drinking age, but Congress via the National Minimum Drinking Age Act of 1984 threatens any state that

sets its drinking age lower than 21 with the loss of 10 percent of its federal highway funding.

The initiative notes that under the current state of the law, "A culture of dangerous, clandestine 'binge-drinking' — often conducted off-campus — has developed."

Indeed, it has often been observed that the problem with problem drinking on campus is that it is most often by students who are below the legal drinking age, leading many to speculate that the taboo factor gives underage drinkers the perverse incentive to "maximize" their consumption while they have the chance.



JON SANDERS

The statement adds that students who use fake IDs "make ethical compromises that erode respect for the law" and then asks, "How many times must we relearn the lessons of prohibition?"

Here is what the signatories seek from lawmakers:

"To support an informed and dispassionate public debate over the effects of the 21-year-old drinking age"; "To consider whether the 10% highway fund 'incentive' encourages or inhibits that debate"; and "To invite new ideas about the best ways to prepare young adults to make responsible decisions about alcohol."

In turn, "We pledge ourselves and our institutions to playing a vigorous, constructive role as these critical discussions unfold."

As of this writing, the only signatory leading a North Carolina university is President Richard Brodhead of Duke University. While it would be unfair to speculate why others haven't signed on, one wonders whether UNC-Chapel Hill Chancellor Holden Thorp would have been inclined were it not for two ill-timed arrests — namely, UNC-CH men's basketball player Ty Lawson's arrest in June for drinking and driving and UNC-CH men's tennis player Chris Kearney's arrest in August for drinking and driving after a crash that put two fellow students in the hospital. Both athletes were under 21 at the time. CJ

Jon Sanders is a policy analyst and research editor for the John Locke Foundation.

Paper Urges Student Activism, But Are 'Millennials' Ready?

By JENNA ASHLEY ROBINSON
Contributor

RALEIGH

A new paper published by the Center for Information and Research on Civic Learning and Engagement recommends that the current generation of students, "the millennials," become more engaged in civic and political activity. Wake Forest University has selected the study, *Millennials Talk Politics: A Study of College Student Political Engagement*, for this year's summer reading assignment.

The study is a refreshing change from the "victimization" trend of much summer reading. However, it encourages civic participation among American college students while ignoring the more important problem — their lack of civic education.

"Millennial" students are already volunteering in record numbers — either to pad their resumes or from a sense of compassion, which the "Gen-X" generation, now mostly over 30 years old, inexplicably lacked. By the early 2000s, volunteering had become commonplace. Students willingly spend free time at the soup kitchen or SPCA. However, according to *Millennials Talk Politics*, political activism has not followed suit.

And for good reason. In my experience teaching political science, I've learned that most college students aren't ready to tackle political issues seriously. *Millennials Talk Politics* acknowledges this: "Today's college students ... don't feel adequately informed or able" to make political decisions. Many students come to campus with only a rudimentary understanding of our political system, and no idea how everyday political decisions affect them personally.

A recent study issued by the Intercollegiate Studies Institute revealed that the average college freshman knows astoundingly little about America's history, government, international relations, and the market economy. Most students earned an F on the institute's American civic literacy exam. According to the institute, "Seniors do not know America's founding documents. Only 45.9% know that the line 'We hold these truths to be self-evident, that all men are created equal' comes from the Declaration of Independence."

In teaching introductory American

Politics, I learned that most students get their nightly news, and any understanding of politics, from late-night parodists Jon Stewart or Stephen Colbert. It's no wonder that they're more likely to know about Paris Hilton's energy plan than a presidential candidate's.

Do we want these students to become politically active? Certainly not yet. They wouldn't have anything on which to base their arguments, their ideologies, or their votes. Yet, *Millennials Talk Politics* recommends, "All students need to have opportunities for civic and political participation."

Before colleges encourage students to participate, they should first teach them to understand. Current proposals to foster student engagement, via community service, political activism, or service learning, leave little room for education. *Millennials Talk Politics* misses the point: Students don't lack opportunities to participate. The presidential campaigns are champing at the bit for student involvement. Students simply lack the knowledge to participate meaningfully.

Without knowledge of our political system, how can students even evaluate the organizations for which they might volunteer? Or the candidates for whom they might campaign?

Universities can start by going back to basics. Instead of allowing students

to choose between film studies, pop-culture trivia, or narrowly specialized topics, general education requirements should include, for a start: American history, American government, and micro- and macro-economics. A class on personal finance would probably also be a good idea; maybe another would cover foreign policy.

Many schools claim to be preparing students to be "global citizens." They should first make sure that today's students know how to be American citizens.

College students are America's future leaders. In time, they will take part in political activism and lead the governments, businesses, and nonprofit institutions of tomorrow. Deepening their understanding of our nation's history and institutions is a responsibility colleges must not shirk. Participation will certainly follow. CJ

Jenna Ashley Robinson is campus outreach coordinator for the John W. Pope Center for Higher Education Policy in Raleigh.

NEWS ANALYSIS

Most college students aren't ready to tackle political issues seriously

Opinion

Giant of Ideas Threatens Small Minds at Univ. of Chicago

The world lost one of its foremost intellectuals with the death of Milton Friedman in 2006. A Nobel Prize winner in economics, prolific author, adviser to several presidents, and spirited advocate for a much freer society, Friedman added immensely to our understanding of how the world works.

Just a few months after his death, the president of the University of Chicago, where Friedman taught for many years, appointed a committee to consider forming a new institute that would bring together scholars who would pursue the many intellectual avenues Friedman had opened. It's not unusual for universities to honor distinguished faculty members, and it would be natural for Chicago to have a Milton Friedman Institute.



GEORGE LEEF

On May 14, university President Robert Zimmer said the MFI would be established with an endowment of \$200 million. Its mission: "investigating research questions related to economic policy through the use of formal economic models with explicit empirical underpinnings."

If you think that the MFI could just quietly get started, you don't know what American universities are like these days. Soon after Zimmer made the announcement, a group of more than 100 professors at the university, led by Divinity School professor Bruce Lincoln, began a protest.

They sent Zimmer a letter detailing their grievances.

"This endeavor could reinforce among the public a perception that the University's faculty lacks intellectual and ideological diversity," the complainers said.

The fact is that the faculty is diverse. If the opponents want to ensure that the public does not misperceive the university, all they need to do is to keep doing what they already do: writing and speaking. Fretting over this imaginary problem of public perception is no reason to pull the plug on the institute.

Another thing that bothers the enemies of the MFI is that it might tarnish the university's image because of the supposed damage that Chicago School Economics has done around the world: "Many colleagues are distressed by the notoriety of the Chicago School of Economics, especially throughout much of the global south, where they have often to defend the university's reputation in the face of its negative image."

OK, assuming for a moment that defending the university's reputation in "the global south" is truly a burden for these professors (a notion that is extremely hard to credit), how much worse would it be if the university goes ahead with the MFI? Will the Marxists who denounce capitalism be any angrier because Chicago is sponsoring a group of scholars who are receptive to the idea that free markets often work better than coercive gov-



ernmental policies?

Incidentally, the "global south" reference is revealing. Back in the early 1970s, after Salvador Allende was ousted from power in Chile and the ruling military junta faced an

economy in crisis, several economists who had studied at the University of Chicago advised the regime on policy questions, especially controlling inflation. Friedman himself gave some lectures in Chile on this point. But for leftists who hated the Pinochet regime for both its human rights abuses and for having stopped Chile from becoming another socialist paradise like Cuba, the Chicago economists became guilty by association. When Friedman went to Stockholm to accept the Nobel Prize in 1976, he had to endure chanting protesters, who said that he was complicit in the regime's record of killing and torture. There wasn't a shred of truth in that, but to such people, truth wasn't important.

There are many other attacks on the MFI that are just as feeble as those, but let's get down to nuts and bolts. The protesters say, "Given the influx of private contributions to the MFI, the University now has the opportunity to provide roughly equivalent resources for critical scholarly work that seeks out alternatives to recent economic, social, and political developments."

In other words, "We want a bunch of the money, too."

James Piereson of the Manhattan Institute makes this devastating ap-

praisal of the contretemps at Chicago: "It was much to its credit that the University of Chicago provided an academic home to Milton Friedman during those decades in which his views were out of favor. It would now disgrace itself if, after those views have won broad assent in the marketplace of ideas, it chose to reject his example under pressure from know-nothings like Professor Lincoln."

Friedman was one of the great thinkers of the 20th century. He was not an orthodox conservative. He often spoke out against the "war on drugs" and did as much as anyone to put an end to military conscription. But to small-minded people, the quality of his thinking did not matter. Friedman was not an ally in their desire for a bigger, more powerful state and therefore was fair game for all sorts of scurrilous attacks.

That is why the MFI is under attack. The sad truth is that many academics who talk about "diversity" can't tolerate it when real diversity of opinion comes to campus. Rather than engage the market-oriented analysis for which Friedman was famous and that would be the hallmark of research at MFI, academics who like the cocoon of their socialistic views prefer to squelch it.

Seekers of truth do not shy away from arguments that challenge their beliefs. All we can conclude is that the University of Chicago, like many other schools, employs some faculty members who are not seekers of truth. *CJ*

George Leef is vice president for research at the John William Pope Center for Higher Education Policy.

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Town and County

Yadkin jail dispute

Yadkin County officials want to build a jail at a site on Hoots Road outside Yadkinville. A group of local residents is challenging the county's plans in court, contending that the county's rezoning of the site was improper. Complicating matters are allegations that one Yadkin County commissioner has been disclosing what's discussed in closed-door county commission sessions.

County Commissioner Brady Wooten denies that he has leaked any information, though he said he might do so. If he does, under N.C. law there would be no penalty for such a leak, the *Winston-Salem Journal* reported.

The situation is not unique. There have been other instances when a public board member has been on the other side of litigation. One method to address this is for the board to create a litigation committee made up of all members except for the one accused of leaking. The county has considered such a move and named its chairwoman, Kim Clark Phillips, to oversee the litigation.

The move comes at a price.

"It inhibits board action and communication among board members," Phillips said.

Durham to allow chickens?

Keeping chickens is currently illegal in Durham. That might change, the *Durham Herald-Sun* reports, as both the city council and county commission have asked staff to devise guidelines that would allow residents to have chickens, subject to certain regulations. The move comes at the urging of a group called DurhamHENS, Healthy Egg Neighborhood Supporters, whose members want to get eggs from chickens they raise.

"Take your time, and let's proceed carefully," Mike Woodard, chairman of the City-County Planning Committee, said to planners who will develop the rules.

Planning officials estimate it will take two to three months to draft regulations. DurhamHENS is in favor of certain regulation, including prohibiting roosters, requiring that chickens be in coops, and limiting the number of chickens an owner can have. A registration requirement and a prohibition on having a coop in front yards are likely as well.

Chicken keeping is gaining popularity and the issue of allowing the birds in urban areas has also arisen recently in Asheville and Sanford.

CJ

Which One is the Real Greensboro P.D.?

By SAM A. HIEB
Contributor

GREENSBORO
Which is the real Greensboro Police Department, the department that has helped lower crime over the last 12 years despite an increase in the city's population, or the department that has been mired in controversy, disorganization, and lawsuits for the past three years?

Greensboro recently spent \$250,000 on a consultant's report to find the answer. While Carroll Buracker & Associates Inc. delivered the encouraging news that Greensboro's crime rate is indeed lower than that of most cities its size, the consultant also uncovered a department that lacks structural organization.

Buracker delivered its report to the City Council during a meeting July 7, and made a big show of publicly unsealing the boxes. That bit of grandstanding was in response to the controversy surrounding another report on the department compiled by Raleigh-based Risk Management & Associates, which ultimately led to the resignation of then-Chief David Wray in January 2006.

The RMA report was made available to City Manager Mitchell Johnson before the council had a chance to review it and still has never been released officially to the public, though the *Greensboro News & Record* obtained a copy and another copy was circulated among Greensboro's blog community. Johnson used the report, which asserted that black police officers were being targeted for secret investigations, as the basis for placing Wray on administrative leave before Wray ultimately resigned.

One of the investigated officers, Lt. James Hinson, has since filed a lawsuit against the city, Wray, and former assistant Chief Randall Brady, claiming, "Wray began creating problems for plaintiff in his work because of plaintiff's race." A motion to dismiss the lawsuit, filed by lawyer Alan Duncan, puts the city in the awkward position of defending Wray after Johnson had spent months defending his decision to place him on administrative leave. Duncan is also chairman of the Guilford County Board of Education.

But the recent controversy surrounding the department apparently has not had an adverse affect on public safety. In his report, Buracker noted that, in reviewing the history of crime in Greensboro from the 1990s through 2007, there were 1,315 fewer serious crimes such as homicides, aggravated assaults, larcenies, and motor-vehicle thefts in 2007 than in 1995. Overall, the crime rate decreased by 24.3 percent.

Most significantly, however, the population in Greensboro increased by more than 45,000 residents, and the number of businesses that have moved to Greensboro has risen.

"That speaks well for the City of Greensboro," Buracker told the council. "If I were in your economic development department, I'd certainly be selling that. Some cities would give their eye teeth for that."

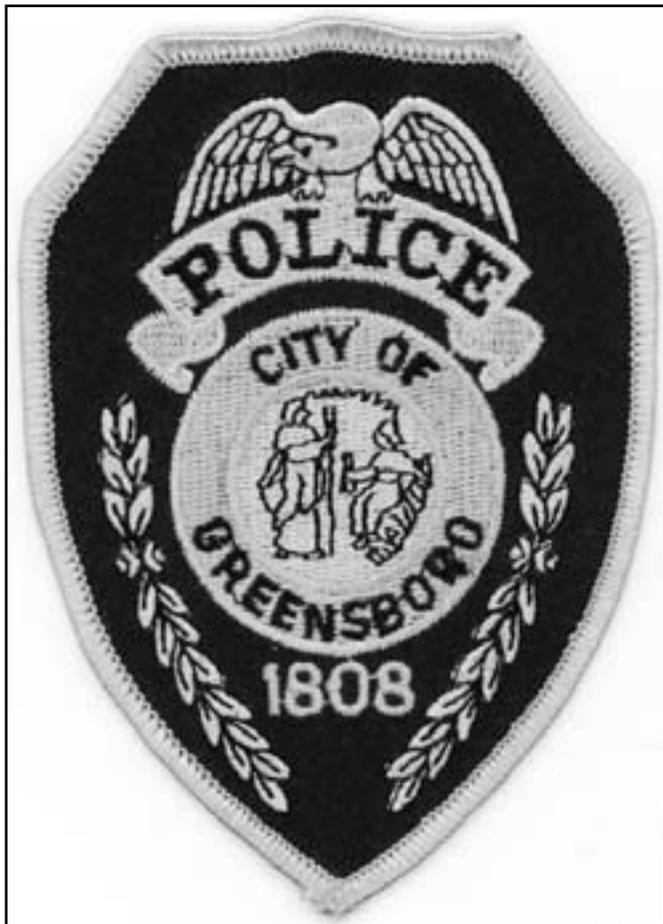
Yet Buracker uncovered other disturbing trends inside the department. For starters, turnover in leadership positions

was noted by employees as a primary reason for the pervasive feeling of instability. Each of Greensboro's five police chiefs in the last 10 years "had a specific policy of policing, which was implemented in the department."

Buracker also said there appeared to be no official policies for promotion, overtime work, and off-duty pay, which totaled \$1.3 million in fiscal 2006-07.

Because of off-duty and overtime pay, Buracker said, some police officers were earning more than top administrators. Two officers earned more than the salary of Police Chief Tim Bellamy.

"In the judgment of the study team, no employee should earn more than a chief of police in any police department," the report said.



Interviews with employees noted that off-duty employment is not audited or monitored by command. Interviews also raised other concerns, including a lack of strategic plan for the department, too much involvement by city management, and annexation without any connection to police personnel needs.

Two red flags noted in the report were "people have done their own thing for years" and "credit card purchases are not monitored."

As for hiring and promotion practices, the report recommended abolishing the rank of corporal, which is the first line of supervision in the department. With that in mind, the report noted as a "serious shortcoming" the fact that there was "no written test or objective process for promotion to corporal," which serves to "feed various perceptions, including cronyism and favoritism."

But it appears there is no standard for promotion, and the report recommended that the department adopt several basic concepts such as specifying "in writing all procedures pertaining to the administration of any promotional process" and assuring "that there is no promotional component that results in staff officers writing names on a board for discussion of candidates for promotion."

Another recommendation was to "eliminate the 70 percent written examination cut-off score and adopt a 'top number' to specify the number of people who will continue the next phase of the promotional process at the ranks of corporal, sergeant and lieutenant, if the rank of corporal is retained."

The chief's office did not escape scrutiny. "There is far too much work for the chief of police, regardless of who is in that position, to coordinate the myriad functions within the chief's office and among the four assistant chiefs," the report said.

Johnson told council members that work was being done on Buracker's recommendations. "We're ahead of schedule in terms of putting this together," Johnson said. "Things are moving along very well."

Johnson's actions drew praise from council members Trudy Wade and Zack Matheny. "The report highlighted some things that we can improve upon," Matheny said. "I look forward to seeing the step-by-step process." CJ

Mental Health Officials 'Turned Off' Key Controls

By MITCH KOKAI
Associate Editor

NC. mental health officials "should have anticipated" the problems that led to more than \$400 million in wasted spending on community support services, the director of the General Assembly's year-old Program Evaluation Division says.

"In this case, I don't think the department was keen enough on estimating what would happen," John Turcotte told the Joint Legislative Program Evaluation Oversight Committee Aug. 20. "When you turn off front-end controls, word gets out. And in this case, it behaved pretty much how it should have been anticipated."

Legislators at the meeting called the waste "absurd" and "almost criminal." They reacted to a story that first came to light in February, when *The News and Observer* of Raleigh reported on an "ill-conceived and poorly executed plan" to move as much government-funded mental health treatment as possible into communities and out of the state's psychiatric hospitals.

Lawmakers adopted their mental health reform plan in 2001. It involved a program called "community support" that relied on new services from private, for-profit providers. That program eventually cost \$50 million a month, a level 10 times higher than the state had expected, according to the newspaper report. Bills included charges of \$61 per hour for providers who took clients to movies and on shopping trips.

"Never underestimate the dynamic of entrepreneurs," Turcotte said. "When you turn loose what had formerly been a government-run, institutionally based program and you tell the world, 'Please come forward with services, and here's some money for that,' that demand will be met. And there will be no delay in meeting that demand."

"I'm not trying to be hypercritical of the department here, but that should have been anticipated," Turcotte said. "If you're going to have a government-operated program where you involve the private sector, you've got to take extraordinary measures on the front end to keep things from getting out of hand."

The N.C. Department of Health and Human Services did not take those types of measures, Turcotte said. "One

of the fundamental things you need to know about economics is that if there's money to be made, people are going to find ways to make that money," he said. "I don't want to use the words 'game the system' because the system exactly allowed this. The rates were not set precisely enough, and the controls on authorization of service ... were turned off. So this surge occurred, and — trying to be polite — the department should have anticipated this."

Detailed evaluation

Turcotte's comments followed a 25-minute presentation to legislators detailing problems linked to the community support programs. The Program

Evaluation Division team made five official findings. First, the "pace and scope of implementation" of community support services contributed to the spending problems. Second, a delay in determining who would provide

authorization for services "led to a lack of front-end controls."

Third, the department did not forecast "costs, capacity, or utilization" of community services while putting the program in place. Fourth, "data-transfer" problems stopped officials from keeping close track of the programs' use. Fifth, the department did not communicate information about the program "clearly and effectively."

State administrators have made changes since the community support problems first hit the headlines, but the Program Evaluation Division offered two recommendations for future changes.

"Our first recommendation suggests that the Division of Mental Health — in collaboration possibly with the Joint Legislative Oversight Committee on Mental Health and other stakeholders — review what information is collected, what information needs to be collected, how that information is put together, so that those responsible for oversight have easy access and a concise and clear understanding of how this system is performing," said Yana Samberg, senior program evaluator. "This also needs to be balanced, however, with an ability to drill down to a finer level of details so that you're not just glossing over the high points."

The second recommendation

Continued as "Mental Health," on Page 19

COMMENTARY

Green Agenda Has Costs As Well as Benefits

Energy is the hot-button issue in the national elections. Both John McCain and Barack Obama have zeroed in on that particular issue, believing it will add votes and carry the day.

I wouldn't be surprised to see moss growing on their sleeves as they drape themselves in green. While I disagree with the zealotry behind much of the green movement, saving taxpayer money is always a good idea if we get away from rhetoric in the process.

Energy bills can be costly, but overall, the price we pay for the energy we use is quite affordable. Solar, wind, and geothermal energy is still pricey, but coal, hydroelectric, and nuclear power allow us to live comfortably. Even so, we still concern ourselves with trying to reduce our electric bills in simple ways. We turn off lights when we walk out of rooms, we have programmable thermostats, Energy Star-compliant metal roofs, and many ideas that keep more money in our pockets.

The largest consumer of electricity in any given market is often the local government. Think about that for a second. At any given point, the total square footage of schools, city-county buildings, courthouses, board of elections, etc., must be heated and cooled. Lights are running — and what are local governments doing to save money?

A typical high school has a utility bill that runs into the thousands of dollars, excluding fuel for school buses. It's simply hard for the average citizen to comprehend the sheer size of utility costs for local government.

When the state legislature passed Senate Bill 3 requiring more of our energy to come from renewable sources, the price tag went up even more.

There are some things to think about. Information technology is improving daily throughout North Carolina. Web sites have improved, and communication has improved. Leaders should also be asking about how technology can be integrated into cost savings.

Programmable light systems to control nighttime or as-needed

lighting should be studied. Calibrating systems for work hours can save money. Cities are also considering LED lighting as they switch out older 100-watt bulbs. Adding up the hundreds or thousands of lights as they are replaced equals money saved. These systems are so sensitive that they pick up on ambient light patterns and adjust accordingly. Such LED lighting supposedly has a 40-year lifespan, which also saves replacement costs.

Such technology is so advanced that, in the abstract, a phone call to 911 at night could turn on lights to illuminate the path for an ambulance to the origin of the call. That's just a glimpse of how advanced such technology is. During new construction, designs can integrate more use of natural light, more-efficient hot-water heating systems, Energy Star-rated roofing and insulation, and many other cost-saving techniques.

Lest we get caught up in a momentary lapse of reason, government leaders should be equally concerned with costs and payback. It's one thing to desire to conserve energy and waste thousands on hybrid vehicles, as Asheville did, without considering how wasteful such a purchase was. It's another matter to determine the break-even point on purchasing spray-in foam insulation over traditional fiberglass rolls. That's where many officials miss the boat.

It's politically expedient to jump on the green bandwagon, but the real concern of local government is providing the highest level of efficiency for the lowest price to taxpayers. There are many cost-saving ideas that are legitimate to debate.

Leaders should have such discussions, but they must do so with their wits about them. Many of these technologies are still costly, but common sense can still prevail and yield lower bills for taxpayers. *CJ*

Chad Adams is vice president for development for the John Locke Foundation, director of the Center for Local Innovation, and former vice chairman of the Lee County Board of Commissioners.



**CHAD
ADAMS**

Oversight panel members termed departmental waste 'absurd' and 'almost criminal'

Local Innovation Bulletin Board

Fewer Traffic Lights Better

The United States should adopt a traffic system more like the one in the United Kingdom, which has fewer stop signs, fewer traffic lights, and fewer fatalities, Dr. John Staddon, the James B. Duke professor of psychology and brain sciences at Duke University, says in *The Atlantic*.

Fatalities per mile traveled were 36 percent greater in the United States than in the United Kingdom. If the U.S. death rate was the same as the U.K.'s, about 6,000 fewer Americans would die each year.

As the United Kingdom has refined and simplified its traffic control system over the past 30 years, total traffic fatalities have fallen by about 50 percent. Over the same period, fatalities in the United States have declined by 20 percent. In the past several years, they have not declined at all.

The U.S. traffic system has an overabundance of stop signs and speed limits, says Staddon, both of which are dangerous to American drivers.

Stop signs are costly to drivers and bad for the environment, because stop-start driving uses more gas, and vehicles pollute most when starting up from rest. The plethora of stop signs also teaches drivers to be less observant of cross traffic and to exercise less judgment when driving. Instead, they follow the signs they see.

Speed limits in the United States are perhaps a more severe safety hazard than stop signs. In many places, speed limits change too frequently — sometimes every few hundred yards — once again training drivers to look for signs, not at the road. Speed limits in the United States are also set in arbitrary and irrational ways. For example, an eight-lane interstate could have a limit anywhere between 50 to 80 mph.

Exiling the Happy Meal

Despite its health-crazy reputation, parts of Los Angeles are plagued by obesity rates that rival any city in America. Now, the city might join a growing roster of local governments aiming to put their residents on diets by cracking down on the fast-food industry, *The Wall Street Journal* reports.

The Los Angeles City Council is considering legislation that would

ban new fast-food restaurants such as McDonald's and Kentucky Fried Chicken from opening in a 32-square-mile area of the city. The targeted area is already home to about 400 fast-food

restaurants, possibly contributing to high obesity rates there — 30 percent of adults, compared with about 21 percent in the rest of the city.

With the ordinance, Los Angeles is tapping into a tougher attitude toward fast food that is emerging around the country. In New York City, a law

kicked in earlier this year requiring fast-food restaurants to post calorie counts on the main menu above the counter. San Francisco plans to implement a similar regulation later this year.

New York City restaurants also have been banned from using coronary-clogging artificial trans fats. Both Boston and Baltimore have passed similar bans.

ER patients

Patients often fail fully to comprehend the treatment they receive during an emergency department visit or recall instructions for their care after they leave, new research suggests. More often than not, the patients aren't aware that they have not understood what transpired or remembered what they were told, the investigators note in their study, published in the *Annals of Emergency Medicine*.

Researchers interviewed 140 adult English-speaking patients or their primary caregivers after discharge from emergency departments at two teaching hospitals. The subjects were asked questions about their diagnosis and the cause of their symptoms, the care they received, discharge recommendations, and return instructions.

Seventy-eight percent of patients or their caregivers had a deficient comprehension in at least one of the areas, and 51 percent had deficits in two or more areas. At 34 percent, the highest rate of mistakes involved after-care, which raises significant concerns about patients' ability to adhere to discharge instructions and recommendations after leaving the hospital.

Subjects were unaware of their comprehension deficits 80 percent of the time. CJ



Double-Taxed Residents To Get Property Tax Refund

BY MICHAEL LOWREY
Associate Editor

RALEIGH

Residents of a Mecklenburg County neighborhood that paid property taxes to two localities for police protection last year will soon be getting a refund, *The Charlotte Observer* reports. The refund was made possible by a change in state law.

"It's a simple issue that's taken a complicated process," said Deborah Goldberg, assistant to the county manager.

The Shannamara neighborhood in south-east Mecklenburg County was annexed by the town of Stallings in January 2007, during the middle of a fiscal year. Residents had already been billed, however, for a year's worth of police protection via a special charge that applies to unincorporated portions of the county. Mecklenburg County, in turn, contracts for the Charlotte-Mecklenburg Police Department to serve the area.

After Stallings, which is primarily situated in Union County, annexed the subcommunity, residents got another tax bill. Stallings assumed responsibility for providing police protection at the time of the annexation.

Some residents contacted the localities about the double taxation. Mecklenburg County officials researched the issue and found that while state law authorized the special police charges, it doesn't include a provision that would allow for refunds. County officials asked the General Assembly to address the issue, and it authorized refunds during its recently completed short session.

Refunds totaled about \$22,400, with individual refunds ranging from a little more than \$1 to \$374.

Refunds totaled about \$22,400, with individual refunds ranging from a little more than \$1 to \$374.

Sheriff sues over allowance

Swain County Sheriff Curtis Cochran is suing the county's Board of Commissioners, contending that the commission cut his compensation in violation of state law. Cochran's case is out of the ordinary in that it centers on how the county pays for feeding prisoners, the *Asheville Citizen-Times* reports.

Before Cochran assumed office, the county paid the sheriff, in addition to his salary, \$10 per inmate per day. The money went for the feeding and care of the inmates, with the county treating the sheriff essentially as a contractor for the food and supplies for inmates. The sheriff was expected to account for his expenses, but he did not have to provide receipts.

All that changed when Cochran assumed office. The sheriff was no longer responsible for the feeding and care of inmates. Instead, Swain County contracted with WestCare Inc. to provide the food at the jail. The company also runs the local hospital. The county saved more than \$100,000 a year under the new arrangement.

Cochran said the county violated a state law that commissioners

can't reduce the "salary, allowances, or other compensation" of an elected official during his or her term without providing notice before the election. The change might be politically motivated,

he said. Democrats constitute the entire commission, and the previous sheriff had been a Democrat while Cochran is a Republican.

Volunteer firefighter shortage

There are fewer volunteer firefighters today than there were a generation ago. Changing job patterns and heightened training requirements are making it increasingly difficult for volunteer fire departments to find enough personnel, the *Greensboro News & Record* reports.

In many rural areas, farmers once made up the bulk of the local volunteer fire departments. That's increasingly not the case, as the number of farmers decrease, and more residents are commuting to jobs in the city.

"There's not as many people working here in the community to become volunteers in Summerfield," said Chief Chris Johnson of the Summerfield Fire Department.

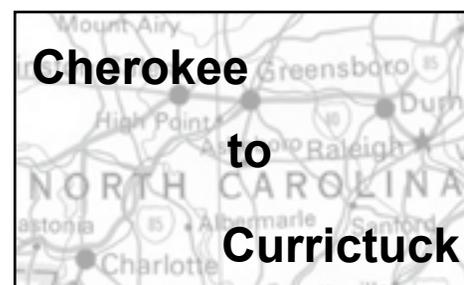
Tougher training standards also made recruitment more difficult. About 400 hours of training were needed to achieve basic certification.

"The requirements to become a volunteer firefighter are more stringent," said Tim Fitts, interim fire chief of the Pinecroft Sedgfield Fire Department.

"It's especially tough on someone who is married and has a family to become a volunteer," Fitts said. "They are looking at a year of classes two times a week and on Saturdays. The good ol' boy system to become a volunteer is gone."

The reduction in volunteers comes despite an increasing demand for their services.

Between 1984 and 2006, the number of calls nationally that volunteer fire departments responded to doubled, while the number of volunteer firefighters fell by 8 percent. CJ



Mental Health Officials 'Turned Off' Key Controls, Panel Says

Continued from Page 17

focuses on a reorganization of duties within the Health and Human Services Department. The department's structure offers a "fragmented approach to data management" in different divisions, Samberg said. "Our second recommendation suggests that analytic efforts and data-collection efforts be focused within one office within the Division of Mental Health."

Lawmakers' reaction

Lawmakers shared their own concerns about the community support overspending. "What has always frustrated me is the inability of us as members of the General Assembly to receive any information about how the program is going," said Rep. Paul Luebke, D-Durham. "Why in the heck was the department not reporting that [overspending] to our oversight committee?"

Luebke pointed to one month in particular, February 2007, when the community support bill topped \$93 million. "It's really absurd that so many millions of dollars were being spent, and the department didn't know about it."

Others shared Luebke's concerns.

"It appears to me that some of these decisions almost rise to the level of being criminal," said Rep. Drew Saunders, D-Mecklenburg. "Looking at this report is almost like looking at crime-scene photos. I mean it's gory."

Officials overseeing state mental health services "really have appreciated working with the Program Evaluation Division," said Leza Wainwright, codirector of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services. Wainwright told lawmakers her colleagues are eager to work with the legislature to improve the process of reporting the program's performance.

The state also has made changes to fix community support problems, Wainwright said. "At this point, our expenditures for community support are more than 30 percent less than they were this same time last year," she said. "So the changes that we and the Gen-

The Program Evaluation Division has several other projects on its radar screen

eral Assembly have made have certainly shown fruit. The expenditures are much reduced."

The report on mental health services represents the most highly publicized effort from the Program Evalu-

ation Division.

Approved unanimously in the Assembly last year, the division already has completed reports on consolidating the state's agricultural research facilities and determining the most effective governance and state-funding structure for seven regional economic development commissions.

More evaluations coming

The group has at least eight other projects on its radar screen before the full Assembly returns to work next year. Topics for review include water infrastructure funding, use of information technology in the state court system, the

vehicle safety and emissions inspection program, and governance of the state's K-12 public education system.

A project called the N.C. Accountability Report initiative will start with a pilot project involving the N.C. Department of Transportation, Turcotte said. "We are going to test out the accountability report system," he said. "It will probably be a Web-based accountability report system where members, the general public — anybody — could go to that and find out how accountable a department and the programs within the departments are. Can you determine what they're doing? How much is it costing? And to what result?"

While lawmakers endorsed each of the subject areas for further study, Sen. Charlie Albertson, D-Duplin, offered a warning about the likely outcomes. "I guess as I think about doing these studies — and it does seem to me like they can be valuable — but the question that I have to ask myself and maybe all of us as members of the legislature is, 'Once we get the study, will we have the political will and courage to follow through based on the recommendations?'" *CJ*

Mitch Kokai is an associate editor of Carolina Journal.

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From the Liberty Library

• Do Americans have a fundamental right to bear arms, or is this power vested solely in the government? In *The Founders' Second Amendment*, Stephen Halbrook returns to the Founders' own statements on gun ownership to show the importance of this right.

Recent years have seen a massive disagreement among scholars on the meaning of the Second Amendment, but Halbrook uses original sources — newspapers, correspondence, debates, and resolutions — to show how the men who berthed the American experiment really viewed the right to bear arms.

Halbrook investigates the period from 1768 to 1826, from the last years of British rule and the American Revolution to the passing of the Founders' generation, to offer a compelling analysis of the arguments behind the drafting and adoption of the Second Amendment and the intentions of the men who created it. More at www.ivanrdee.com.

• Americans spend years saving for a home. But when they finally purchase one, they shouldn't get too comfortable. If government officials decide they want the property, they can take it — for a wide variety of shady reasons that go far beyond the usual definition of "public purposes."

Government Pirates: The Assault on Private Property Rights and How We Can Fight It, written by Don Corace, gives the first in-depth look at eminent domain abuse and other government regulations that are strangling the rights of property owners across America.

The book is filled with shocking stories of corrupt politicians, activist judges, entrenched bureaucrats, greedy developers, and environmental extremists who conspire to seize property and extort money and land in return for permits. Find out more at www.harpercollins.com.

• The alternative-media revolution of the last 20 years has smashed the liberal monopoly over news outlets and created a true marketplace of ideas. But rather than fight back with their own beliefs, today's liberals work to smother this new universe of political discourse under a tangle of campaign-finance reform and media regulations.

In *A Manifesto for Media Freedom*, Brian Anderson and Adam Thierer debunk the principal arguments made in support of this counter-revolutionary effort and expose the efforts to muzzle free speech. Learn more at www.encounterbooks.com. CJ

Book review

How Pirates Helped Win the Revolutionary War

• Robert H. Patton: *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution*; Pantheon Books; 2008; 291 pp.

BY HAL YOUNG
Contributor

RALEIGH
Benjamin Franklin spoke of "doing well by doing good," pointing out that it is often profitable to work for the public benefit. Occasionally the converse is true.

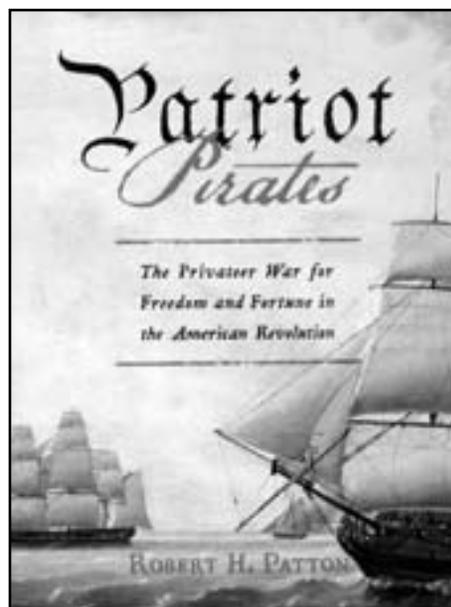
In *Patriot Pirates*, Robert Patton unfolds a fascinating story of how private enterprise — some would read "greed" — played a critical role in the American effort against British sea power. It was a literal swarm of profit-seeking privateers, harassing British shipping and occasionally taking on the Royal Navy itself, that outperformed the negligible Continental Navy of eight frigates and assorted smaller vessels and made a significant dent in Britain's ability to project its military force.

The story is full of modern application. It's part of a long-running tale about the mistrust of the military professional for armed civilians, exacerbated by the success of the "amateurs" and the humiliating need for their contribution. It also raises interesting points about human nature and the motivating power of reward, and displays a stark comparison of the ineffectiveness of governmental efforts when private enterprise can be engaged in the same field.

A matter of perspective

The practice of licensing privately funded warships to capture enemy merchants and disrupt naval operations was common long before the Revolution, and it didn't end afterward. English privateers met the Spanish Armada in 1588, and the Prussians recruited a private navy as late as 1870. The difference here lay in the legitimacy of the commissioning agency. To the Continental Congress, it was an act permitted to even a newly sovereign nation. To Parliament, Congress was only a den of rebels engaging in piracy, aided and abetted by the duplicitous French, whose Caribbean ports welcomed privateers with prize ships in tow.

There were some qualms at the time. John Adams supported commissioning privateers in 1775, but said, "It is prudent not to put virtue to too serious a test. I would use American virtue as sparingly as possible lest we wear it out." The mores of the gentleman-patriot class clashed with the commercialism of the privateers, and respectable members of society tried to keep their privateering investments at arm's length. Still, names like Lowell, Cabot, and Hancock in Massachusetts and Brown in Rhode Island built embarrassingly handsome



The use of profit-seeking pirates bothered many during the Revolutionary War period, but their contribution was necessary, if embarrassing

simple risk vs. reward calculations, leaving Continental captains fuming at their lack of "patriotism" and the loss of the privateers' firepower.

In so many ways, it was an exercise of basic economics. Privateering was simply a more attractive service for a volunteer seaman. While the Continental Navy enforced British-style discipline and sailed to engage enemy warships, privateers offered a relaxed regimen and the promise they'd be "clothed with gold" raiding English merchants. Lacking coercive recruiting power and slow to pay on prizes, the Continental Navy suffered a continual loss of volunteers and vessels to privateering. What's more, the crew of a privateer knew their pay depended on one thing — results. Successful capture of a well-laden merchantman could make fortunes for everyone on board, and those intrepid enough to best a warship got bigger shares. There was no reward for the man who lay on his oars.

Not so much in the South

The book focuses much on the activity of coastal towns in Massachusetts, Connecticut, and Rhode Island. I asked Patton why, given North Carolina's long history of piratical activity, there wasn't more privateering from the southern colonies.

"Part of that is that Savannah and Charleston" — as well as Norfolk and the Virginia Tidewater — "were beleaguered by the British throughout the war," he said. While Boston was evacuated early in the conflict, allowing privateering to proliferate along the New England coast and southward, the British controlled southern seaports to the very end. There were a few southern privateers, he said, but the continued occupation "dampened the major thrust of privateering there."

"What did flourish in the Carolinas was the militia," he said, "perhaps as a reflection of the frustration they felt along the coast."

One southern connection was the involvement of Gen. Nathanael Greene. While Greene successfully drew Cornwallis out of the Carolinas and set up his defeat at Yorktown, he was constantly distracted by disastrous results of his family's privateering ventures, carrying on a worried correspondence in code with his inept partners.

While he helped win the war in the south, Greene was losing his shirt in New England.

Greene's failure was an ironic reverse of the larger, historical situation. By Patton's estimation, the privateers of New England were the truly offensive weapon in the Continental arsenal, and they were effective for their country in large measure as they pursued their own self-interest. CJ

fortunes from them. Even John Paul Jones dabbled in privateer financing, while expecting his own sailors to be motivated by patriotism rather than by profit.

Jones' disdain for the very practice he invested in was common among professional naval officers, just as the West Point graduates of later years distrusted local militia. Patton says their assumption of moral high ground still leads naval historians to ignore or underestimate the value of privateers' actions. In fact, while the Continental Navy was never a serious threat to the British, there were more than 2,000 private warships launched from Massachusetts alone, and more from other colonies. An unidentified British officer wrote home, "They are bold enough to dare and do anything. Whatever other vices they may have, cowardice is not one of them." Some were audacious enough to raid along the British coast.

Unlike militia, though, the "unruly" privateers were almost totally unreliable as part of a combined force. Attempts to integrate them into formal naval operations were spectacularly unsuccessful. Patton shows they were likely to break off engagements for

William Linkhaw: Fined One Penny for Hollering a Joyful Noise

In an unusual case in 1873, the N.C. Supreme Court applied the principle of the separation of church and state. It ruled that the courts had no place implementing church discipline and overturned a lower court's ruling that fined William Linkhaw of Lumberton one penny for disturbing the peace.



TROY KICKLER

"Make a joyful noise unto God, all ye lands." — **Psalm 66:1**

"Sing aloud unto God our strength: make a joyful noise unto the God of Jacob." — **Psalm 81:1**

"O come, let us sing unto the LORD: let us make a joyful noise unto him with psalms." — **Psalm 95:1**

"With trumpets and with sound of cornet make a joyful noise before the Lord, the King." — **Psalms 98:6**

"Make a joyful noise unto the LORD, all ye lands." — **Psalm 100:1**

Ever been told that you sing flat? I have, and then recited one of those verses as a lighthearted defense. (Yes, the criticism occurred in church, and I thought my reply might resonate.) Admittedly, I am not the next Andrea Bocelli. But something tells me that my lack of tonal perfection sounds far more pleasant than did William Linkhaw's singing.

On any given Sunday in Reconstruction North Carolina, Linkhaw, more than likely, could be found in the local Methodist church in Lumberton. There, he belted out hymn tunes with commendable and genuine fervor. But there was one problem: the good Methodist sang poorly — or rather egregiously.

The problem had three components. One, Linkhaw's singing, to many, sounded like a deafening holler. Two, his voice apparently wavered across notes (and no doubt, key changes), to where a definitive tune was indiscernible. Three, his voice could be heard long, long after the music leader had stopped counting the beats of the final measure.

Even so, Linkhaw enjoyed singing and considered volume a gift. He

also believed it a duty to maximize his talent and seemed disappointed that others avoided such vigorous worship. Other church members should sing wholeheartedly like him.

To silence Linkhaw yet still incorporate hymnody into worship, the preacher, Neill Ray, canceled singing and started reciting hymns from the pulpit. But such a practice couldn't last very long. Eventually a schism occurred in the congregation. Some laughed at Linkhaw's dreadful singing; it exasperated others. Without charity, the latter took him to court for disturbing the peace.

Daniel I. Russell presided over the district case in 1872 (He later became the last governor of North Carolina during the 19th century.) Witnesses for the defense included Linkhaw, and witnesses for the prosecution included the minister.

After he heard both sides, the judge needed more evidence to determine how to rule, so he asked Linkhaw to sing. Linkhaw obliged, and for his performance, he heard guffaws in the jury box, from the judge's bench, and, well, across the entire courtroom.

After hearing Linkhaw's fervent yet awful hymn singing, Russell fined him a penny for disturbing the peace.

Linkhaw rightfully appealed the decision. The next year, the state Supreme Court, as historian H.G. Jones writes, determined that "Linkhaw's singing caused a disturbance of considerable proportion" and concurred with Russell regarding the Robeson countian's lack of musical talent.

Yet the court concluded that Linkhaw participated in religious services that were not exclusive and his singing was not meant to offend.

Therefore, the court over-ruled Russell and upheld the principle of the separation of church and state. Matters of church discipline, said the justices, should not be a concern of the courts.

Source: H.G. Jones's *Scoundrels, Rogues and Heroes of the Old North State* (reprint, 2007). Dr. Jones's book is an overall enjoyable read with some amusing stories. CJ

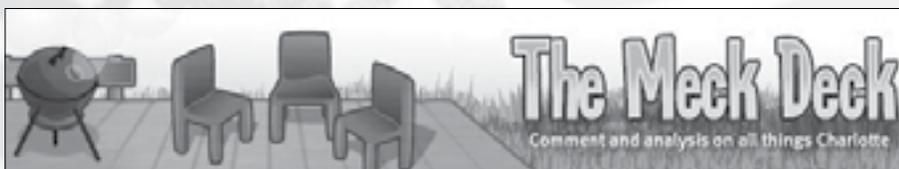
Dr. Troy Kickler is director of the North Carolina History Project (www.northcarolinahistory.org).

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Short Takes on Culture

'Mamma Mia!' Irresistible

• "Mamma Mia!"
Universal Pictures
Directed by Phyllida Lloyd

I'll begin with a disclaimer before I start lavishing praise on "Mamma Mia!": I'm an ABBA fan. I saw the musical a few years ago and loved it. I can sing along to all the songs. I have a very high capacity willingly to suspend sanity, disbelief, and skepticism that anyone ever really bursts spontaneously into song. So, I'm not exactly an unbiased observer.

That said, "Mamma Mia!" (the exclamation point is part of the title) met my high expectations almost without exception.

I already knew that Meryl Streep, in the title role of Mom (or Donna), could act. In "Mamma Mia!" she proves that she can sing, too.

She does so throughout the film: first about the impending marriage of her daughter, Sophie (Amanda Seyfried), then again, and with obvious relish, about all of Sophie's possible fathers — Sam (Pierce Brosnan), Bill (Stellan Skarsgard), or Harry (Colin Firth), whom Sophie has secretly invited to her wedding.

The only possible outcome of such a plot is mayhem. And there is lots of singing.

Donna's old pals from the crazy days of her rock 'n' roll youth — Tanya (Christine Baranski) and Rosie (Julie Walters) — show up to add to the fun. Baranski was a fantastic Tonya — sarcastic, tipsy, and completely over the top. Walters' Rosie was such a far cry from Molly Weasley that I could barely believe it was the same actress.

It's impossible to take "Mamma Mia!" seriously. Anyone who tries will be disappointed.

If, however, you're looking for a frivolous, zany, pop-inspired good time, "Mamma Mia!" is the movie for you.

— JENNA ASHLEY
ROBINSON

• *The Concise Encyclopedia of Economics*
Edited by David R. Henderson
Liberty Fund

What a *fantastic* resource this book is.

David Henderson, a research fellow at the Hoover Institution and associate professor of economics at the Naval Postgraduate School, has brought together 168 articles on a wide array of key economic topics and 99 biographic notes on famous economists.

In his introduction, Henderson writes that the main purpose of the book is "to show how economic analysis can illuminate large parts of our world that are otherwise a mystery." In that objective, the book is a resounding success.

The average American understands little about economics and is baffled by inflation, the "housing bubble," trade deficits, and similar phenomena and would do well to consult Henderson's *Concise Encyclopedia of Economics* for clear explanations.

If readers are looking for gifts for friends and relatives who aren't well-versed in economics, this book would be ideal.

— GEORGE LEEF

• "Another Country"
Tift Merritt
Concord Music Group

Tift Merritt, a singer and songwriter originally from Raleigh known for her emerging Americana music, performed at the North Carolina Museum of Art in late August. Hundreds of people gathered to hear Merritt's hometown performance. Her voice is delicate and harmonic. The lyrics from her best songs are poetic and playful, similar to the lyrics of Joni Mitchell.

Tift's third and latest album, "Another Country," was released in February. All of her albums have a country twang to them, but this one proves to be her best album yet.

Written by Tift during a year-long stay in Paris, the songs have themes of self-discovery and internal change. Soft drums, acoustic guitars, and the keyboard carry the melody throughout the album.

Her music is a soothing form of folk, mixed with percussion and enthusiasm.

When performing live, Tift shows excitement on stage as she dances to her own songs and plays the keyboard. She is more than a performer — she is an entertainer whose passion for music shines.

Each concert I attend of hers, the more fans she accumulates and the better she sounds each time. Tift is a talented vocalist and I'm sure her music will continue to improve as her career begins to take off.

The Raleigh native who now resides in New York will return to North Carolina in early September, this time to perform at the Grey Eagle in Asheville. Tickets are available on her Web site: www.tiftmerritt.com.

— JANA DUNKLEY CJ

Book review

Libertarian Classic Reprinted

• Edited by Charles T. Sprading: *Liberty and the Great Libertarians*; Ludwig von Mises Institute; 2007; 540 pp; \$36.

BY GEORGE LEEF
Contributor

RALEIGH

This book was originally published nearly a century ago — in 1913, to be precise — and the Ludwig von Mises Institute has done the world a service by reprinting it. The book is a welcome reminder of the great historical lineage of libertarian thought, and a treasure trove of sterling insights and pithy quotations that are every bit as applicable now as they were one, two, or three centuries ago.

Sprading was a libertarian writer and activist. The book tells the reader nothing about him, but a bit of Internet searching reveals that he was interested in many libertarian causes and lived until 1960. Among other things, he opposed "blue laws" and American participation in the United Nations.

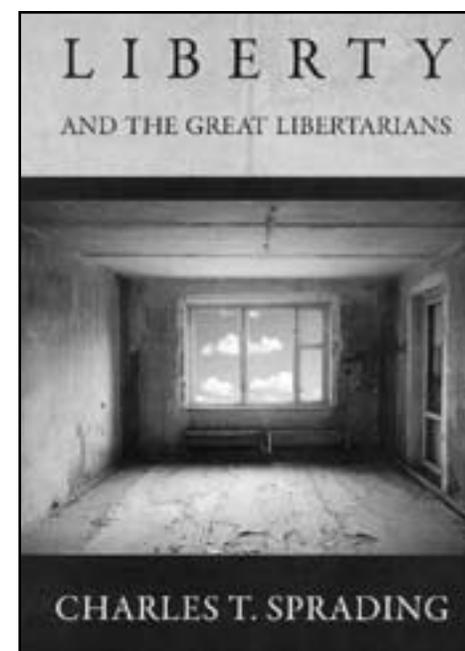
The book begins with an essay by Sprading on the essence of libertarianism. He equates human progress with the gradual acceptance of liberty. The first victory was for freedom of thought. Libertarians advocated freedom for all people to think, but, Sprading writes, "Authoritarians protested that freedom of thought would be dangerous; that people would think wrong; that a few were divinely appointed to think for the people ... " The battle for freedom of thought was followed by battles for freedom to speak, for freedom of the press, freedom of assembly, and freedom of religion.

Among Sprading's many insights is that government officials usually stand to gain personally from its expansion. "The more laws, the more ignorance of them; the more ignorance of the law, the more the laws are broken; the more the laws are broken, the more criminals there are; and the more criminals, the more policemen, detectives, lawyers, judges, and other officials that go to make up a strong and expensive government. All of this is good for government officials, but bad for the citizens who carry the load." One sees an early grasp of Public Choice theory there.

He also anticipated Murray Rothbard's analysis that the true class division in society is between the producers who are compelled to pay taxes and the militant class of parasites who consume taxes and dominate over the producers.

The bulk of the volume consists of readings from libertarian writers going to the 18th century — Edmund Burke, Thomas Paine, Thomas Jefferson — and continuing up until the early 20th century. There is a lot of great material, as well as some that is a little dubious.

Here, as an example of the former, is Burke's trenchant view of the state:



"Let us take a review of the dungeons, whips, chains, racks, gibbets, with which every society is abundantly stored, by which hundreds of victims are annually offered to support a dozen or two in pride and madness, and millions in an abject servitude and dependence."

Paine was an early advocate of free trade and opponent of the destructive policies of trade wars: "War can never be in the interest of a trading nation any more than quarreling can be profitable to a man in business."

Ralph Waldo Emerson on the waste of taxes: "Of all debts, men are least willing to pay the taxes. What a satire is this on Government! Everywhere they think they get their money's worth, except for these."

Henry David Thoreau understood the preposterous folly of government "economic stimulus" in 1854: "Yet this government never of itself furthered any enterprise, but by the alacrity with which it got out of its way."

Benjamin Tucker foresaw that there would be no stopping point once government starts to give in to egalitarianism: "The moment we invade liberty to secure equality we enter upon a road which knows no stopping-place short of the annihilation of all that is best in the human race."

As I mentioned earlier, some of the people Sprading chose to include seem to fit the "libertarian" description poorly. For example, there is a selection from one Wendell Phillips, who demands "the overthrow of the whole profit-making system." He and a few others didn't understand that profits result from voluntary commercial interactions. Get rid of the profit system and you get rid of a lot of freedom. Overall, though, this is an excellent volume. CJ

George Leef (georgeleef@aol.com) is the book review editor of *The Freeman* and vice president for research of the Pope Center for Higher Education Policy.

Kaku: Pursuing the Impossible Can Lead to Surprising Insights

• Michio Kaku: *Physics of the Impossible: A Scientific Exploration into the World of Phasers, Force Fields, Teleportation, and Time Travel*; Doubleday; 2008; pp. xxi+329; \$26.95 (hardback).

BY JOHN HUBISZ
Contributor

RALEIGH

It really bothers me when the TV show defense lawyer asks the expert witness, "But, is it possible?" and the expert witness responds, "Anything's possible." Or we have the teacher tell the students, "As long as you work hard and really want it, you can be anything you want to be."

Wrong! Some things are simply impossible. Of course, we have to be careful with the use of a word fraught with ambiguity. Are there restrictions that, with the restrictions altered, make something now possible?

It is impossible to square the circle i.e., given a circle, construct a square with the same area. What most forget is that you must accomplish this with a ruler and compass. Two thousand years of effort led to some very sophisticated mathematics that did away with the ruler and compass and ultimately proved that it, indeed, was impossible.

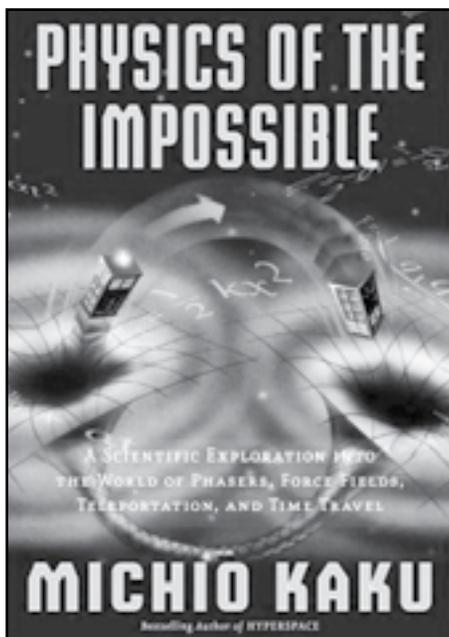
To claim that something is impossible often serves as an incentive to further research. Impossibilities abound in all disciplines. For example, *No Way: The Nature of the Impossible*, edited by Phillip J. Davis and David Park, looks at the impossible in 16 different areas of knowledge including biology, chemistry, computer science, technology, physics, mathematics, law, politics, economics, psychology, education, and philosophy.

Here, Kaku looks at the "impossibilities" according to physicists.

The author, cognizant of the fact that many physicists made impossibility statements, which were ultimately shown to be false, invites us to look at a number of seeming "impossibilities" to weigh their "possibilities." Besides the topics mentioned in the subtitle, he also looks at invisibility, Death Stars, telepathy, psychokinesis, precognition, robots, extraterrestrials, UFOs, starships, antimatter, faster-than-light travel, parallel universes, and perpetual-motion machines.

Physics is driven by impossibility statements in a couple of different ways. First, an impossibility statement encourages research into ways of getting around that which is forbidden, and second, physicists use impossibility statements to answer questions about the limits of a particular line of research. Often in pursuing the "impossible," physicists are led to surprising insights, as the author shows.

The quotations at the beginning of each chapter are interesting and relevant to the content of the chapter. The background physics is well-done. Even when the physics is beyond what the reader might be familiar with from his or her last course in science, the author provides what is needed. He also is familiar with a wide range of hard science fiction writ-



ing, which makes for a fun reminder of old classics, some very old and some not so old. He then improves on the writer's "impossible" feature, which made the story, and with enhanced physics understanding suggests that maybe someday we might just be able to do it or something just as good.

His pattern is straightforward: introduce the physics necessary to understand the

topic, follow up with the science fiction writer's extrapolation, look at how the science fiction writer's predictions might come to pass, and classify the "impossibility" as: first, not violating the known laws of physics and could be available by the end of the century (Class I); second, not violating what we know today, but recognizing that we are at the limits of our understanding so we have to think in terms of thousands of years (Class II); and, last, violating the laws of physics and thus requiring a dramatic shift in our understanding of the laws of physics (millions of years?) (Class III).

I will present an example from each of the classes as illustrations.

In Chapter 4: Teleportation (Class I) the author starts with Philip being teleported from Gaza to Azotus, followed up with how to make an elephant disappear, and then into several science fiction stories in which a cat is sent over telegraph wires, the inventor of "The Disintegration Machine" is sent by Sir Arthur Conan Doyle's Professor Challenger into cyberspace never to be reassembled, and a hapless scientist becomes part fly ("The Fly," 1958 and 1986). "Star Trek" solves the problems of expensive sets and critics' complaints with their "Heisenberg Compensators" and then beams crews anywhere and everywhere.

I was always worried about some essential element, e.g., calcium, not being available at their destination! An introduction to some interesting physics is followed by details of the actual teleportation of atoms, which suggests that organic molecules are on the horizon and perhaps a virus or cell within 100 years. Although humans are not disallowed by the laws of physics, their teleportation would have to be placed in Class II.

Although the historical notes are not meant to be history and are usually accurate, there is a problem with his Giordano Bruno story. Bruno was not condemned for his astronomical views or his ideas on the plurality of inhabited worlds, but for his teachings such as

that Christ was not God, but a magician, that the Devil will be saved, and other pantheistic beliefs. After upsetting secular authorities in Venice in 1591, he was denounced to the Inquisition, which after a long time condemned him for heresy and turned him over to secular authorities who had him burned at the stake in 1600.

Stephen Hawking asks, "If time travel is possible, then where are the tourists from the future?" An introductory paragraph to the chapter on time travel summarizes a novel involving time travel and asks, "... is it possible to be your own mother and father and son and daughter?"

Probably the most common question has to deal with the handling of paradoxes — time travelers could and probably would change the future. Therein lay moral, legal, and ethical problems. There are books and movies such as "A Christmas Carol," "A Connecticut Yankee in King Arthur's Court," "The Time Machine," "Star Trek IV," "Back to the Future," "Superman I," and so on. Physicists have imagined a number of possibilities. Traveling to the far future is allowed by the laws of physics, but coming back presents a problem. Current physics research suggests some answers, but as moving back and forth through wormholes is not too likely too soon, time travel has to be described as a Class II.

The material of Chapter 14: Perpetual Motion Machines (Class III) is particularly relevant today and illustrates clearly the author's plan. He begins with Asimov's *The Gods Themselves*, wherein the world is presented with "free energy" until a lone physicist discovers why it is not "free" and why it will eventually destroy civilization.

Perpetual-motion machines violate either the first or second law of thermodynamics. In the first instance they "produce" more energy than they consume, and in the second instance they are 100 percent efficient, i.e., they produce no waste, no pollution.

Physics assures us that all physical (biological and chemical) processes produce waste. TV shows and computer games highlight the public's desire for more energy, preferably cheap, through their plots. Con artists abound making millions of dollars selling stocks in worthless devices to individuals with more money than their knowledge of physics. The author follows up with a history of how we have harnessed energy to make life easier. Concomitant with that he provides a history of attempts at building perpetual-motion machines that eventually led to our Laws of Thermodynamics.

I strongly recommend this book for anyone wishing to stretch his imagination. CJ

John Hubisz holds a doctorate in physics and space science and is an adjunct professor of physics at North Carolina State University.

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By John Hood
President of the
John Locke Foundation

Selling the Dream Why Advertising is Good Business



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Choice
April 2006

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COMMENTARY

Carolina On His Mind

The sins of John Edwards aren't the only headlines boosting North Carolina into the national spotlight: Barack Obama is angling to win this perennially red state, along with a number of others once thought securely Republican.

Why's that significant? Because a victory here would break the GOP's monopoly on the Southeast, causing a rift in the Electoral College that John McCain would be hard-pressed to overcome.

That possibility is too tempting for Obama to resist. He's setting up shop in North Carolina — nearly two dozen shops, to be precise, in the form of regional field offices. Compare that to McCain's nine "victory offices," and you get a sense of how committed the Illinois senator is to putting the state in play.

And in play it is. The Cook Political Report puts North Carolina, and its 15 electoral votes, in the "toss up" category. Obama is spending time and money here. He's dropped \$2 million on ads. He devoted part of the week leading up to the Democratic National Convention to campaigning in Raleigh and Greensboro when he could have been in a number of other battleground regions.

Skeptics will say Obama is bluffing. He's not serious about winning, but he's got money to burn, so why not put McCain on the defensive in a consistently Republican state? That's part of his rationale, no doubt. But only part. To judge by his campaign strategy, Obama really thinks he can win here, and he's betting on the changed electoral landscape to get him there.

True, North Carolina hasn't gone for a Democrat for president since Jimmy Carter won the state in 1976. The margins were closer when Bill Clinton was on the ticket, but still enough to edge the state into the GOP win column. President Bush won comfortably in 2000 and 2004.

But this is a different election year. The scene has changed during Bush's two terms, and high gas prices, an unpopular war, the (unfounded) perception of economic

recession, and Obama's (supposed) charisma haven't helped the equation for Republicans.

The result: poll numbers that put McCain and Obama in a virtual dead heat, with the Arizona senator holding a slight lead.

There's another factor, too: the black vote. Dr. Andrew Taylor, a political science professor at North Carolina State University in Raleigh, says that Obama's play for Tar Heel votes is based fundamentally on African-Americans.

"A significant proportion of the voting-age population is black," Taylor said.

"Obama is a turnout machine, and blacks will be motivated to register and get to the polls."

That's one angle that must have GOP strategists worried. Voter registration among blacks is up 9.8 percent from 2004, compared to 4.6 percent among whites. Obama's big

win in North Carolina's primary in May was bolstered by a record turnout in the black community.

Of course, there are factors working against Obama, too. North Carolina is a core member of the Bible Belt and has many evangelicals. The state is viewed as one of the most military-friendly in the nation, and with good reason: It has more than a half dozen active military installations and 750,000 former military personnel now living in civilian life.

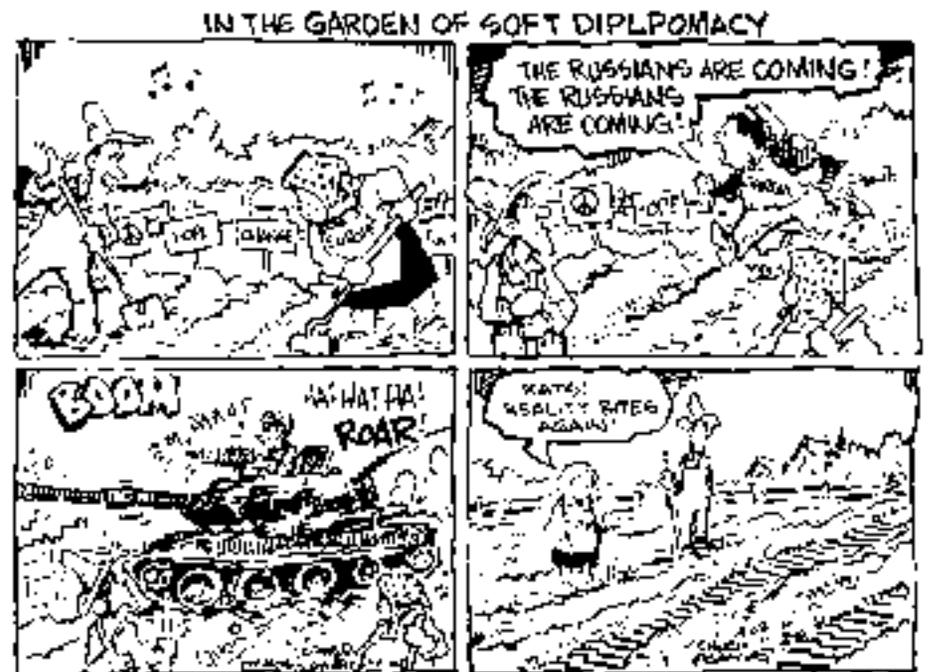
But the close poll numbers have to give McCain pause. The tight race here shows that McCain can't take the state for granted, which he appears to be doing. He's run no ads specific to the state, and his campaign presence is half that of Obama's. He's visited only once since the close of the primary season: a private meeting with Billy and Franklin Graham. That won't cut it.

Obama, for one, doesn't mince words on the importance of the state. "I'm going to need to win North Carolina," he said Aug. 19 during a speech in Raleigh. *CJ*



DAVID N. BASS

David N. Bass is an associate editor of Carolina Journal.



EDITORIAL

'User-Pay' Is Best Transit Approach

When you hear the words "unmet needs," it's always a good idea to grab your wallet — especially when those unmet needs carry a price tag in the billions.

State officials project unmet needs of \$64 billion by 2030 for transportation projects. The General Assembly will consider new ways to pluck dollars from your wallet to meet those needs. Whether that plucking is justified depends on the methods lawmakers choose.

Here's the basic problem: North Carolina gets more than 80 percent of its \$3.9 billion annual transportation budget from gasoline taxes and vehicle sales taxes. Both taxes have flat growth rates. That means the state is collecting about the same amount of money each year from those sources, even as the costs of building and repairing roads increase.

Those funding sources will become even less reliable as high gasoline prices encourage people to drive more fuel-efficient cars that require less gasoline and generate lower gasoline tax revenue. "This formula is a formula for disaster for this state going forward," said Brad Wilson, chairman of the General Assembly's 21st Century Transportation Committee. "Those revenue streams are not going to sustain us. They're not sustaining us now, so continued dependence thereon doesn't make any sense."

Wilson's committee has recommended ending transfers of money out of the state's Highway Trust Fund and improving efficiency at the N.C. Department of Transportation. Both ideas would help, but neither would solve the state's transportation funding problem, Wilson said.

As the committee explores other options, it should keep in mind another suggestion Wilson made last month in Raleigh. "At least discuss and evaluate a vehicle-miles-traveled approach," he said. "The technology to cause that to happen may not be present today, but it is going to be present at some time in the future. North Carolina needs to have already had a conversation about what that means and what we think about it and how it might work."

Given the fact that the "user-pay" model has worked well for so long, there's no reason for North Carolina to abandon the model. Tolls for use of limited-access highways and odometer-based charges for other driving make sense as future sources of transportation funding. Those charges would comply with the "benefit principle," the idea that — to the extent practicable — taxpayers ought to pay into government in rough proportion to the benefits they derive from that government.

What makes little sense is another idea Wilson mentioned: a local-option sales tax for transportation needs. That tax would have no direct connection to the benefit.

And it should go without saying that no new revenue source should contribute to public transit subsidies. To the extent that public transit has any benefits, they take the form of public assistance. Transit funds should come from North Carolina's general revenues.

So as the state considers how you should pay for future transportation needs, you should hope that lawmakers choose a "user-pay" model to do their plucking. *CJ*

EDITORIALS

Realism in Transit

Roads still will be needed for a long time

In North Carolina and across the country, politicians and activists are pointing to recent increases in bus, van, and train traffic as evidence for two propositions.

First, they argue that higher transit ridership reflects a permanent change in consumer behavior (based on \$100-plus a barrel oil in perpetuity) that makes some planned highway and tollway projects superfluous.

Second, they argue that higher transit ridership offers cities an opportunity to alleviate congestion, air pollution, and other environmental concerns associated with vehicular traffic.

Neither argument holds up where the, uh, rubber hits the road.

The fundamental problem is simply one of magnitude. You can post 10 percent, 20 percent, even 30 percent growth rates for years and not really make much of a noticeable dent if you're starting from a low base. So how low is the base when it comes to mass transit's share of North Carolina commuting trips? As part of a massive study David Hartgen and some UNC-Charlotte colleagues did for JLF last year, his research team reported these percentages:

- Durham-3 percent
- Charlotte-2.6 percent
- Winston-Salem-1.5 percent
- Greensboro-1.3 percent
- Raleigh-1.2 percent
- Wilmington-0.9 percent
- Asheville-0.8 percent
- Fayetteville-0.8 percent

As is immediately evident, if the goal is to shift commuting patterns enough to obviate the need for major highway expansions or tollway projects in and around North Carolina's congested major metros, transit would have to post permanent triple-digit increases in ridership.

We're nowhere close to this point. Before the oil-price spikes, the vast majority of North Carolinians traveled by personal automobile. After the oil-price spikes, the vast majority still travel by personal automobile, though in some cases not quite as far.

Realism is called for here. A couple of years of 10 percent jumps in bus riders only represent a few thousand people statewide. That doesn't come close to eliminating the need for new road projects that will each carry many tens of thousands of commuting trips a day. *CJ*

A Judicial Spanking

Governors can't ignore the constitution

It's fair to say that Mike Easley inherited a fiscal mess from outgoing Gov. Jim Hunt when he took office in early 2001. Hunt had stuffed the state budget full of new programs and obligations that could not be sustained at current tax rates. But it wasn't fair or proper for Easley to intercept \$225 million in funds intended for state employee pension funds to help clean up Hunt's mess.

Last month, a three-judge panel of the state Court of Appeals upheld a lower-court ruling that Easley and other state officials had violated the state and federal constitutions by using the money for reasons other than the state's contractual obligation to fund pension benefits.

The governor had made a constitutional claim of his own: that his duty to keep the state budget in balance gave him the authority to declare a fiscal emergency and divert the funds.

He also argued that the pension funds were later made whole, so the transfer had been a loan rather than a permanent reduction in required tax-

payer funding for the pension system. There was also an attempt to redefine the term "diversion" so that it would not apply here, because the tax money had been intercepted before it ever reached the pension accounts.

The court didn't buy these arguments, nor should they have. Easley wasn't compelled by the fiscal hole to breach the inviolability of the pension contribution. "Instead of seeking a tax increase or cuts in other state programs that did not enjoy special constitutional protection," its opinion properly observed, "defendants diverted the employer contributions to the retirement system. Our court cannot say that this diversion ... was reasonable."

Sure, the other options would have been unpleasant. But the state constitution doesn't give the governor a constitutional excuse not to make unpleasant decisions. It gives him the constitutional duty to make them.

Easley's judicial spanking just might set a precedent that keeps state officials from blithely ignoring the constitution in the future. *CJ*

COMMENTARY

Anybody Interested in Auto Insurance Reform?

I know that if I asked most *Carolina Journal* readers to list the top 10 issues facing North Carolina, few would think to include "auto-insurance reform." There are many other things to worry about, needless to say, and I admit that insurance reform doesn't exactly sound like a scintillating topic. But perhaps I can arrest your attention with this one statistic from a recent JLF report:

North Carolinians make up 3 percent of American motorists. But they account for 60 percent of all U.S. motorists who can't buy auto insurance on the open market.



JOHN HOOD

"That's insane," says Eli Lehrer, a senior fellow at the Competitive Enterprise Institute and the author of this new study of North Carolina's auto insurance system. That might be putting it mildly. The state has constructed a wacky regulatory structure that overcharges low-risk drivers and undercharges high-risk drivers such as young men in sports cars. In essence, the system imposes a tax on most of us to subsidize the accident risks of a few.

"That hidden tax penalizes the state's safest drivers, including women and older drivers," he said. "The tax is linked to the fact that nearly one out of every four North Carolina drivers cannot find insurance coverage in the private market." In most states, the share of drivers who can't get market policies and must buy from a state-run reinsurance pool can be measured in the low single digits. In South Carolina, the grand total of drivers in the reinsurance pool last year was two – not 2 percent, but two individuals. North Carolina's total in the same year was 1.5 million individuals.

Defenders of the state's current policies, starting with long-time Insurance Commissioner Jim Long, argue that we must be doing something right because North Carolina's auto insurance prices rank low by national standards. It's a spurious argument. Many factors determine the price of insurance, including demographics, income, driving patterns, even the weather. Other Southeastern states with far more sensible insurance regulations also have relatively low rates.

By socializing risk and creat-

ing a needlessly convoluted, round-about process for approving rates, North Carolina doesn't really save consumers money in total. Instead, our system redistributes insurance costs in ways that are unfair to low-risk drivers and that protect incumbent insurance companies from robust competition.

In his paper, Lehrer recommends that the state begin with several commonsensical reforms. One is to allow insurers to charge actuarially justified rates, which would result in lower prices for most drivers. Second, he suggests that private insurers

be allowed to sell policies to higher-risk drivers rather than dumping so many of them into the state's reinsurance pool. In the long run, the entire system for submitting and ruling on rate adjustments needs to be rethought. It's archaic.

Insurance regulation is yet another area where North Carolina's traditional blarney, our unfounded belief in our progressive superiority, ends up hurting us. Convinced that the private insurance market doesn't work — even though auto insurance is one of the most competitive industries in the United States — Long and the General Assembly have concocted a system that no other state would think of emulating, for good reason. Then they congratulate themselves with the notion that North Carolinians reap big benefits, ignoring the fact that Tennesseans, Virginians, and others spend no more of their incomes on insurance but live under vastly different, and fairer, insurance regulations.

As it happens, Long is retiring this year, leaving the first open-seat race for insurance commissioner in a generation. The candidates to replace Long, Democrat Wayne Goodwin and Republican John Odom, are both smart and engaged leaders with years of experience in government.

Now is the time to press them for their opinions about North Carolina's odd auto insurance market and how it might best be brought into line with our neighbors and with the realities of the 21st century insurance industry. *CJ*

John Hood is president of the John Locke Foundation.

EDITORIAL BRIEFS

No Country for Young Men

An increase in violence has been linked to China's one-child policy, in effect since 1979, *The New Republic* reports.

The country's three decades of iron-fisted population planning coincided with a binge in sex-selective abortions. Chinese traditionally favor sons, who carry on the family line, and a rise, even as the country developed, in female infant mortality.

After almost 30 years of the policy, China has the largest gender imbalance in the world, with 37 million more men than women. There are almost 20 percent more newborn boys than girls nationwide.

In Lianyungang, a city in the Jiangsu province, there are 163 boys for every 100 girls, says the China Family Planning Association.

By 2020, researchers estimate that 10 percent of Chinese men will be unable to find wives.

The coming boom in restless young men promises to overhaul Chinese society as these unwanted men look for ways to fill up their time.

A long-term study of Vietnam veterans in 1998 revealed the subjects' testosterone levels, which are linked to aggression and violence, dropped when they married and increased when they divorced. Eternally single men, by extension, maintain high levels of testosterone — a recipe for violent civil unrest.

Over the past decade, as Chinese boys hit adolescence, the country's youth crime rate more than doubled.

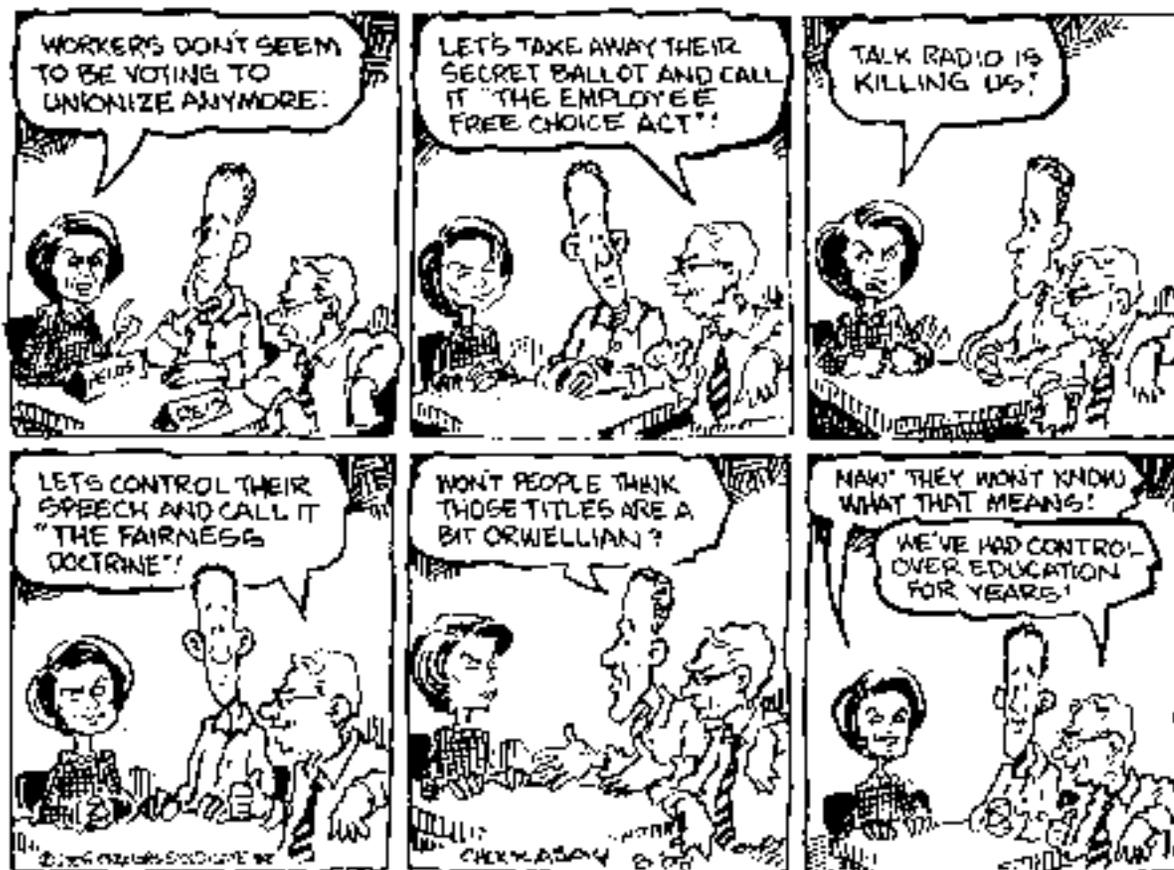
Striking Distance

In the tough-on-crime wave of the 1990s, more than 20 states passed "three strikes" legislation, which subjects repeat offenders to increasingly harsher penalties. Few states enforced the law with as much zeal as California, which has slapped more than 40,000 residents with a strike or two. But thanks to perverse incentives built into the legislation, the law might encourage some of the offenders to commit more violent crimes, *Reason* magazine says.

Under California's three-strikes legislation, a criminal receives his first strike by committing an "aggravating offense," which covers a broad range of crimes, including burglary and rape. After the first strike, any felonies count as second and third strikes, and the third strike carries three times the normal sentence.

To determine how the law affects criminal behavior, Harvard economist Radha Iyengar compared criminals who committed the same crimes, but in a different order. People who commit the aggravating offense first, triggering the law, behave differently than those who commit the aggravating offense after a series of other crimes.

The law had a significant deterrent effect, just as intended — criminals were less likely to reoffend after they triggered the law. Those who did reoffend were motivated to commit more violent crimes. Since the penalty for the third strike is equally severe whether a criminal commits a nonviolent or a violent crime, Iyengar hypothesizes, offenders opt for the more violent crime. CJ



Consumers and Gas Prices

As consumers in the marketplace, most of us think we have little power. The seller makes the product, sets the price, and we take it or leave it. Even bargaining, especially in our society, is shunned.

So it's no surprise that most people think gas prices will continue to rise. In fact, when I do personal presentations around the state, the typical question I get about gas prices is, "How high will they go?" not "will they ever fall?"

This is understandable, because most of us operate on a "straight line" method of predicting the future. This way of forecasting says to expect the future to be like the past. So if gas prices have increased in the past, they will increase in the future.

While straight-line forecasting is appealing, it often isn't correct. Trends do change. The housing market is a great example. From 2003 to 2007 housing prices skyrocketed. Now, in many markets, they're falling.

Indeed, a large part of the training professional economists receive is devoted to more complicated, and hopefully, more accurate, forecasting methods than the straight line theory. The good news, for consumers, when these methods are used is that there is a reason for gas prices to fall soon, perhaps for several years.

Here's why. The twin pillars of economics are demand and supply. Demand tells us how much of a product consumers want to purchase at any price, and supply gives us the corresponding amount of the product sellers will offer. The price of the product is stable when demand and supply are equal.

But when demand is greater than supply, or, in dynamic sense, when demand is increasing faster than supply is increasing, there will be upward pressure on the price. This is exactly what has happened to oil — and by extension, gas — prices this decade. The worldwide demand for oil and gas, has been increasing faster than the worldwide supply. Most of the increased demand has come from devel-

oping economies in China, India, the Middle East, and Eastern Europe.

Now, straight-line forecasting would assume demand would continue to outstrip supply and oil and gas prices would continue to surge. Economic forecasting doesn't. Economic forecasting says that, rather than being pawns in the price game, consumers are active participants. The biggest way consumers can affect the price is by taking their business elsewhere. That is, if in response to higher prices, consumers purchase less of the product, these actions will eventually cause prices to fall.

For something like gasoline, which is so essential to our everyday economy, changing usage is very difficult. In fact, as gas prices climbed higher this decade, most drivers altered their gasoline consumption very little.

But this year's rapid rise in gas prices — up by more than 30 percent — combined with the slow economy and stagnating incomes, have motivated drivers to make big changes. They're driving less, carpooling and using mass transit more, and buying fewer gallons of gas. These actions can turn a situation of "demand greater than supply" into "supply greater than demand" — which, in turn, switches the trend from rising prices to falling prices.

It's the potential for this kind of switch that has caused many energy forecasters to predict a pattern of falling gas prices for several years. While the price pullback won't last forever, it will give consumers a welcome respite.

So we might have an upcoming test of two competing forecasting techniques, between the straight line and the economic. With oil and gas prices down recently, it's looking good for "team economics." CJ

Dr. Michael L. Walden is a William Neal Reynolds distinguished professor at North Carolina State University.



MICHAEL WALDEN

Open Government Means Full Disclosure

The public records and public information compiled by the agencies of North Carolina government or its subdivisions are the property of the people.

NC Gen Statute § 132-1(b)

Such has been the law in North Carolina for years, and yet, for some reason, state legislators continue to struggle with what this means.

Many members of the General Assembly seem to think that open government is about controlling how campaigns are run and managing the flow of money. House budget writers thought hiring three additional staff members at the State Board of Elections to monitor election reporting would open things up.

Others think it is about imposing restrictions on lobbyists to control contact with decision makers. Still others think it is about setting up self-regulating ethics committees to police other lawmakers.

Open government means full disclosure of every transaction relat-

ing to any function of state government. It becomes much harder to hide misuse and abuse of money and power and makes government accountable to the people paying the bill — the taxpayers. Full disclosure means that information is easily accessible and readily available to any member of the public who wants it.

Efforts toward open government and transparency have been directed at monitoring and holding elected officials accountable for their actions.

Although elected officials decide how state government functions, it is left to state employees actually to implement the laws enacted by the legislature. Unless every aspect of government is transparent, there is no open government and the opportunity remains for corruption, payoffs, and misuse and abuse of public funds.

Gov. Mike Easley has not proven to be a proponent of open government with his refusal to make e-mail exchanges available to the public and

reporters who requested them. House and Senate leaders claim to be for open government, but when it comes time to allow the sunshine in, they back off.

We have the same budget process, held behind closed doors with key decisions made by a few and with little debate or input allowed from the majority of members. State agencies don't disclose how they spend their money, the terms or parties involved in contracts, or how much they

pay their employees.

In spite of recent criminal convictions, efforts to make lawmakers behave ethically have not ensured open government. Open government, however, will go a long way in making lawmakers and all state employees behave ethically. If they don't, we'll know. The law is what it says: Public records are the property of the people.

During the 2008 short session, Sen. David Hoyle, D-Gaston, introduced the Open Government Act, S.B.

2064. The bill proposed a new governmental unit within the Department of Justice dedicated to government transparency, and most important, it would have allowed plaintiffs who had to sue to gain access to public records and full recovery of their legal fees. The bill passed unanimously in the Senate in the closing days of the session.

It was sent to the House, where Speaker Joe Hackney, D-Orange, said there wasn't time to consider it in the House, allowing it to die when the legislature adjourned. It makes one wonder whether the attempts for open government were just an election year ruse with failure a certainty before the bill was even heard.

There is an opportunity in 2009 with a new administration and General Assembly.

Whoever is elected to state leadership in November will have the opportunity to open government and greatly improve the public's access to public records.

With new technology, all government transactions can be posted on a user-friendly, easily accessible Web portal. Many states already have created open government Web portals. CJ

Becki Gray is vice president for outreach of the John Locke Foundation.



BECKI GRAY

Gov. Mike Easley has shown himself to be no friend of open government

Reader: JLF Wrong on Annexation Laws

To the editor,

In a recent article in your publication on the subject of annexation, "N.C.'s Annexation Laws Favor Municipalities," your staff stated that N.C. law places few limits on cities seeking to annex property owners by statute; this according to a report by the John Locke Foundation. Your claim that the annexation statute goes out of its way to protect municipalities and imposes few requirements on municipalities and is, in fact, a sham, is unfounded.

You go on to state that annexation proponents' claims that a community cannot be annexed unless it meets certain density requirements are inaccurate. In contrast to your claim on this point, there are several requirements on the area having to meet thresholds of both development and density. Under the law, the area must be 60 percent developed for urban purposes, 60 percent of the lots must be used for residential, commercial, industrial, or

institutional purposes, 60 percent of the total acreage must be lots of three acres or less in size, and at least one-eighth of the aggregate external boundary of the area must coincide with the municipal boundary.

You state that some annexation "apologists" say reasonable notice of annexation proceedings is provided, then you attempt to deny that is the case. Yet you completely disregard in your article the requirement that the municipality provide the citizens and the elected governing body with an annexation report detailing how all these requirements have been met, and that this report is available to the public for at least 30 days prior to the statutorily required public information meeting where people can ask questions about the proposed annexation.

This meeting must take place between 45 and 55 days following the first notice of the annexation effort, that is the adoption of the Resolution of Intent (ROI). That public meeting must be followed by a duly advertised public hearing which cannot take place less than 60 days nor more than 90 days after the ROI.

Yes, a municipality can pass an

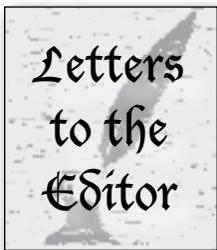
annexation ordinance, after all this, within 70 days of passing an ROI to annex. But, you go on to state that affected property owners have, "at best," 50 days notice before the annexation ordinance is passed. N.C. annexation law has detailed requirements on notice to citizens, both through newspaper annexation and individual letters mailed to each property owner. While the minimum notice a person would get is 55 days, under the statute that outlines the time frame, it is also possible to not hold the public hearing until 90 days after the ROI. Then, if after the public hearing the governing board makes any change in the annexation report as a result of public comments, an additional public hearing is required to be held not less than 30 and not more than 90 days after the date the report is amended.

Since the earliest the report could be amended assumedly would be the next day, adding one more day to the time frame, that means that "at best," a person would have a total of 90 days after the ROI to the first public hearing, second public hearing possibly 91 days later, so that would be 181 days "at best." Perhaps you should read NC General Statutes 160A-47 through 160A-50 on the

process including contract requirements with rural fire departments and solid waste collection firms plus the appeal process that a person has.

You state people have no way of holding municipal leaders accountable; wrong again. At the first election following the effective date of annexation they can vote against those who supported annexation. Then you address what you term the myth of providing water and sewer services within two years by referring to an obscure detail in the law that requires the person to submit a form within five days following the public hearing requesting the service. Had you read the statute more carefully you would have seen that a municipality is required to complete the construction of water and sewer major trunk lines within two years of annexation. The request in writing within five days of the public hearing refers to an individual owner, knowing that trunk lines will be provided, can request a line to his property be constructed under the financial policies in effect in the municipality.

**Gary Parker
Town Administrator
Sunset Beach, N.C.**



Easley Press Aide to Head *National Enquirer* Bureau (a CJ parody)

BY IMA SLEAZEBALL
Gossip Editor

RALEIGH

The *National Enquirer*, a Florida-based supermarket tabloid, plans to open an office in North Carolina, and Gov. Mike Easley's Deputy Press Secretary Seth Effron will take the position as bureau chief.

In a phone interview with *Carolina Journal*, Effron acknowledged that he was taking the job but that he had not worked out the exact date of his departure from the governor's office.

"The governor really needs me now. I have to help him deal with a number of sticky issues including the public outrage over his wife's \$1 million, five-year contract with N.C. State University," Effron said. "But after the UNC Board of Governors rubber stamps Mary Easley's contract, I expect to be out of here."

Before joining the Easley press team in 2006, Effron reported on state government for the *News & Record* of Greensboro, *The Insider* newsletter, and State Government Radio.

"I am excited about getting back into journalism. A reporter's credibility is important, and today *The Enquirer* has as much credibility as any mainstream newspaper," Effron said.

Effron said that after working in the Easley press office, the transition to a news organization with questionable standards would be smooth.

His experience with Democratic Party politics in recent years, he said, has also given him great insights into the nature of corruption and sleazy behavior that should stand him in good stead as an investigative



Easley press aide Seth Effron checking out the latest scoops in the publication of his next employer, *The National Enquirer*. (Another CJ doctored photo)

reporter for a newspaper like *The Enquirer*.

"Look, *The Enquirer's* stock in trade is sleaze, and over the past few years I've had a ringside seat to some major-league sleaze here in North Carolina," said Effron.

The Enquirer was responsible for exposing John Edwards' affair with a campaign worker, leading to the former North Carolina senator's becoming *persona non grata* among his own party's leaders.

Effron said *The Enquirer* is going to stay on the Edwards story and is planning to step up its coverage

of other slimy actions by politicians. According to Effron, *The Enquirer* sought him for his inside knowledge of N.C. politicians.

He expects to hire three reporters and two spy photographers. Effron said he wants his team in place as soon as possible. "There is a lot more to do on the Edwards story, and I want to be part of the action," he said.

He said *The Enquirer* is preparing for another news event that he says "might be bigger than the State Fair."

He said he wants his team in place for the anticipated legal action involving entertainer Randy Parton. Parton was at the center of a failed Roanoke Rapids economic development experiment formerly known as the Randy Parton Theatre.

The less-famous brother of singer Dolly Parton, he left town with a lot of money, and local taxpayers got stuck with a \$21.5 million debt and an empty theater building.

A Roanoke Rapids man has filed a civil lawsuit against Parton, and federal prosecutors are looking into the matter. "If there are charges and an actual trial, it will be a zoo. When Backwoods Barbie's family comes to North Carolina to defend brother Randy, the event will have an economic impact greater than the State Fair," he said.

Unlike most news publications, *The Enquirer* often pays its sources. Effron said writing checks to pay for dirt would not bother him. "Since getting my press office job I have never worried about any code of professional conduct," he said. CJ

E.A. MORRIS

FELLOWSHIP FOR EMERGING LEADERS

The E.A. Morris Fellowship is seeking principled, energetic applicants for the 2009 Fellowship class.

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