



Daily Wrap

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Criminal Justice and Policing Reform

Ilya Shapiro and Randall John Meyer. "**Reading the Tea Leaves of Police Militarization.**" *Cato Institute*.

The Harte family of Kansas experienced firsthand how aggressive prosecution of drug-related search warrants can go awry. Robert Harte and his thirteen-year-old son were observed by police purchasing horticulture equipment that can also be used to cultivate marijuana. After observing the Hartes make their purchase at the gardening store, the local sheriffs' department went through the Harte's trash and found an ounce of wet plant material. Being unable to distinguish the material from used tea leaves, it was field-tested and came back positive for marijuana. The problem with this test is that "[a] partial list of substances that the tests have mistaken for illegal drugs would include sage, chocolate chip cookies, motor oil, spearmint, soap, tortilla dough, deodorant, billiard's chalk, patchouli, flour, eucalyptus, breath mints, Jolly Ranchers and vitamins." Despite this low level of reliability the local deputy sheriffs performed an armed raid on the Harte's residence at 7:30 am. Upon realizing their mistake when they did not find a marijuana growing operation, the sheriffs expanded the scope of their search to any criminal activity, outstripping the authority granted in the search warrant. After three hours without finding any evidence of wrongdoing, the officers justified their

extended search by claiming it was a training exercise for the canines involved. The use of SWAT-style tactics diminishes well-established legal protections for citizens. In situations such as the Harte family's, this level of aggressive enforcement does not make communities safer, and often strains the relationship between the police and the individuals they aim to protect.

Cronyism and Corporate Welfare

Brian Kaberline. “**Brownback Proposes Truce in Development Border War.**” *Kansas City Business Journal*.

Kaberline reports that Kansas Gov. Sam Brownback has offered to limit the economic development incentives handed out to businesses that cross the Kansas-Missouri border. The two states have used tax incentives to attract businesses away from the other state, even if no new jobs were created. Under Gov. Brownback's proposal, the two states would “agree not to actively recruit companies” from each other in select counties. For Kansas, this would mean the Promoting Employment Across Kansas (PEAK) program would not award grants in these counties for existing jobs. According to Kaberline, PEAK is supposed to “allow companies to retain as much as 95 percent of withholding taxes for new jobs” but was also used for existing jobs. PEAK would still be available if businesses invest at least \$10 million in a new building, but would not offer grants for 10 years to businesses that had also received money from Missouri Works, a similar incentive program in Missouri, meaning that business could not hop the border in order to draw subsidies from both states.

U.S. Foreign and Defense Policy

Bonnie Kristen. “**No, a New Surge Isn’t the Solution to ISIS.**” *The National Interest*.

In this opinion piece, Kristen analyzes John McCain’s recent call for more troops to be deployed in the fight against ISIS. In a letter to the Secretary of Defense, McCain characterized the current deployment policy as being too gradual and compared it to Vietnam, saying “I fear this administration’s grudging incrementalism in the war against the Islamic State (ISIL) risks

another slow, grinding failure for our nation.” However, Kristen argues that this approach is not sensible in light of recent history, where billions of dollars were spent and numerous lives lost during the seemingly never-ending war on terror. Kristen argues that not only would deploying even more troops in the fight against ISIS seem to be a continuation of bad policies, but it would be a strategic mistake that would play into the hands of ISIS. According to Kristen “If we follow McCain’s advice and ship off tens of thousands of Americans into harm’s way, we will be giving ISIS what it wants, allowing it to set the terms of engagement and frame the fight as local autonomy against western imperialism.” Any discussion about the deployment of American forces into an armed conflict must seriously consider whether such an action truly serves an American national interest.

U.S. Foreign and Defense Policy

Matt Jensen. “**Is it Time to Crowd-Source Policy Analysis?**” *Tech Policy Daily*.

Jensen explores the potential role of open source technology in producing better models and analysis of public policy. As he describes, the open source approach – which allows anyone to change, add to, and distribute computer code – has become “the de facto backbone of the modern Internet age.” Unfortunately, this model of computing is largely absent from public policy. Policy modeling and decision-making, for example in tax policy, is often done using models and simulations that the public cannot access, even when the impact of tax policy can be substantial. According to Jensen, this “leaves the policy-making process vulnerable to gimmicks and policies vulnerable to unintended outcomes.” For this reason, the American Enterprise Institute has opened a new Open Source Policy Center to promote the use of transparent and collaborative open source methods in policy analysis. One of its first products, TaxBrain, allows any user to examine and understand the impacts of different tax reforms. According to Jensen, TaxBrain has uncovered demand for other open source policy tools, including data visualization, stylized modelling tools, and even other similar “PolicyBrain” applications for other policy areas. He believes that open source technology can greatly improve transparency in the policy process and improve economic modeling through peer review. These improvements, founded on open source coding, data analysis, and cloud computing, demonstrate the potential for private innovation to enable improvements to society, even in the normally bureaucratic realm of policy-making.

Technology and Innovation

Krishnadev Calamur. "**Jokes About Erdogan Aren't Funny in Germany.**" *The Atlantic*.

Calamur reports on a German satirist, Jan Böhmermann, who mocked Turkish President Recep Tayyip Erdogan on television and is now facing potential prosecution. A German law, with roots in the 19th century, allows for the prosecution of individuals who insult a foreign leader. Erdogan has pushed Angela Merkel, the German Chancellor, to authorize the prosecution. Merkel, who is currently working with Turkey on an agreement to reduce the number of refugees coming to Europe, agreed to his request. It remains to be seen whether prosecutors will take up the case. Merkel has stated that her government would move to repeal the law by 2018. Erdogan has a track record of going after critical journalists both in Turkey and abroad. Calamur notes that last month, "Erdogan's security detail assaulted reporters and protesters at an event at which the Turkish president was speaking in Washington, D.C." It is important in a free society that the press be able to both report and criticize those in power without fear of reprisal or prior restraint.

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