

## At the Statehouse, the Ag-Gag bill and a push to shut you up.

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There was a telling and dispiriting moment during a House Agriculture Committee debate over a bill to ban photography on factory farms Thursday morning. Well, actually, there were many of them. But let's start with the most telling and most dispiriting.

It came when Democratic Rep. Pat Bauer of South Bend asked the committee's chairman a simple question, one that followed the presentation of a sweeping amendment to the very contentious and much-criticized bill. It's a bill critics rightly contend would protect entities such as corporate farms and puppy mills from scrutiny.



Turning to Chairman Don Lehe, Bauer said: "This is a substantial amendment. Are you going to allow public comment on it?"

Nope.

And about 20 minutes after the committee began its work, it passed Senate Bill 373 by a vote of 9-3, making it ever-more likely that Big Farm is going to have another big win during the 2013 state legislative session. As I sat at my desk, watching the committee's meeting on my computer screen, several questions swirled around my head.

- Is this the best we can do? Does Indiana really want to be a place where bad actors know they'll be able to get away with more, and face less chance of public embarrassment and ridicule? It seems that an unnecessary bill like this one sends a loud and clear message to the worst of the worst in the agriculture business. And that message is this: Come to Indiana. We don't care what you do.
- Who is this bill protecting? Think about it: Groups and media types have uncovered horrific abuses and mistreatment at some factory farms. They've helped improve public policy by showing the public what is really going on in what most believe is a small number of sites. But some members of the Indiana legislature, and groups such as Indiana Farm Bureau, look at all of this and decide the culprit isn't the abusers but rather those who caught them in the act.
- How dumb do some lawmakers think we are? Rep. Bill Friend, the Republican House sponsor of the bill, noted Thursday that the bill would still allow people with evidence of abuse to turn it

over to law enforcement within 48 hours. So, what, we're going to hope that the sheriff in Farmtown, Indiana, suddenly joins PETA? Or that lax state regulators will suddenly become crusaders against corporate farmers?

"That's your remedy, right there," Friend said of the law-enforcement exception.

It might be a lot of things. But it isn't a remedy. It's a red herring that smells as bad as a hog farm.

Critics note that this bill could prevent workers from exposing abuses not only on farms but in industrial arenas. They note that this isn't only about illegal behavior but also inhumane actions that deserve public debate. They note that those uncovering abuses should be congratulated and not incarcerated. They note that this is about bad players in the factory farm business, not all others and not family farmers.

But they're losing. They're losing to people like Rep. Friend, who owns a farm and lists hog production as one of his businesses. To people like Chairman Lehe, who also owns a farm. To people like Rep. James Baird, who voted for the bill Thursday and in his comments worried about how scrutiny could affect "proprietary information" at farms such as the one he owns.

The public, meanwhile, has flooded the Statehouse with concerns about the bill. Rep. Sheila Klinker said she has received more calls about this bill than any other this session. Political operative Mary Matalin, a veteran of both Bush administrations and a self-described "meat-eating conservative Republican," has urged lawmakers to shelve the bill.

In a statement, Matalin said, "investigations on factory farms have led to convictions of cruelty to animals under state laws —convictions that would be virtually impossible if SB 373 were to become law."

But the legislature doesn't seem to be listening. The House Agriculture Committee certainly wasn't on Thursday.