

Ag-Gag Forum Reveals Diverse Concerns Over SB 373

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This article was originally written for and posted on the Indiana Living Green website on April 12, 2013. You may find it [here](#).

Thursday, [Senate Bill 373](#) passed through its second hearing in the Indiana House and will be up for a third hearing on Monday where if passed, will move onto author [Senator Travis Holdman](#) (R-IN 19th District) for approval of the amendments. If he approves, SB 373 will be on its way to becoming law.

SB 373, known informally as the Ag-Gag bill, would make it illegal for anyone to shoot and distribute photographs or film on someone's property without express permission. While the bill has been getting publicity for the possibility of Big Ag abuse cover-ups, it would in general severely curtail any undercover investigative work in any industry.

In the wake of these final hearings the Citizen's Action Coalition Education Fund's Downstream Project organized an [Ag-Gag Community Forum](#) on Thursday night at the Epworth United Methodist Church to educate the community on the dangers of this bill and encourage citizens to reach out to their legislative representatives one last time before Monday.

The forum included a short documentary from the Humane Society about animal abuses in factory farms, a panel of key opponents, and a group discussion. The panel included Steve Key, Executive Director of the [Hoosier State Press Association](#); Erin Huang, Indiana State Director for the [Humane Society](#); Nancy Guyott, President of [Indiana State AFL-CIO](#); and Julia Vaughn, the Project Director for [Citizen Action Coalition's Downstream Project](#).

The diversity of the group represented the broad range of concerns citizens have against SB 373 including suppression of First Amendment rights, worker and animal abuse cover ups, and infringement of the consumer's right to information.

Key, representing 165 daily and weekly paid-circulation newspapers in Indiana, expressed concerns over the bill's ability to infringe upon first Amendment rights. By criminalizing filming or photography on a property without express permission SB 373 would severely hinder the ability of journalists to complete investigative work.

“They’re trying to criminalize something that already has a civil remedy,” Key said, in reference to reforming Big Business practices.

Expressing similar concerns over the ability of Big Business to hinder covert investigative work, Huang maintained that SB 373 wouldn’t just allow for the concealment of animal abuse but also that of food safety issues. Animal abuse issues aren’t the only thing citizens should be worried about—they should be concerned about how their food is being treating and processed, she noted citing [investigative work](#) that looked into a meat packaging facility that bleached old meat or mixed it in with new meat to resell as “fresh.”

Recognizing the importance of distributing materials, Guyott is concerned that SB 373 would allow for cover-ups in all industries, not just Big Ag. Representing over 300,000 workers in Indiana Guyott noted that most reports of worker abuse are documented by whistleblowers and that SB 373’s intimidation factor could prevent abuse cases from being brought to light.

“Photographing and videotaping has been an important part of moving worker protection laws across the nation going back to the turn of the last century,” Guyott said.

Another aspect of the bill’s intimidation factor is the inclusion of a section criminalizing the concealment of material fact. Employees would be obligated to tell the truth and reveal all material facts on applications and an employer may prosecute if they find anything to be left out.

Guyott worries this will encourage employers to terminate or prosecute whistleblowing employees by using [after-acquired-evidence doctrine law](#) to launch full investigative reports on their applications to locate falsified or concealed information. Concealment of material fact could be argued as something as simple as leaving off high school employment at McDonald’s on an application.

Vaughn of the Downstream Project cites similar concerns that SB 373 will give Big Business the ability to conceal information from their consumers and continue unethical and unsafe business practices.

“There’s something un-American about that. That you would just seek to hide from public view rather than clean up,” she said.

With SB 373 heading to the House for it’s third and final reading on Monday the panelists are still hopeful the bill can

be conquered. While previous hearings suggest the bill will pass through the House it can still be tied up in conference if author Sen. Holdman dismisses the amendments to the bill. With the legislative session officially ending Monday this could buy some time.

Each of the panelists stresses the importance of citizens this weekend in reaching out to their legislative representatives to express concerns over the bill. [Representative Christina Hale](#) (D-IN District 87) who stopped by the forum briefly noted that so far she has not received many calls concerning SB 373 but that a more active response from citizens would mobilize both herself and other legislators.

If you're concerned about the implications of SB 373 be sure to reach out to your legislative representatives this weekend. You can find your representatives and their contact information [here](#).