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Two meth bills still need a little work

Committee 'close' to ironing out issues

By Zach Osowski
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INDIANAPOLIS – Lawmakers are "very close" to bridging the gap on two bills dealing with pharmacists and the sale of pseudoephedrine medication.

Sen. Randy Head, R-Logansport, said during a conference committee on Senate Bill 80 that there are a few sticking points left between the version he passed out of the Senate and what Rep. Ben Smaltz, R-Auburn, pushed through the House.

The biggest concern, however, is how much Sudafed a person who is not a patient of record, and who does not have a prescription, can purchase in a given time frame.

The current version of the bill says if a person has an existing relationship with a pharmacist, they can continue to purchase as much Sudafed as is allowed by state law. If a person is not a "patient of record" they will be offered a small amount of either Sudafed or meth-resistant medications. If they refuse either option, they would need to get a prescription.

The bill as written drops the amount of Sudafed a person can buy in a day to about 700 milligrams, five times less than currently allowed.

Other issues include concerns from INSPECT, the prescription monitoring board, and State Pharmacy Board. The definition of "pharmacist discretion" also needs to be finalized, Head said.

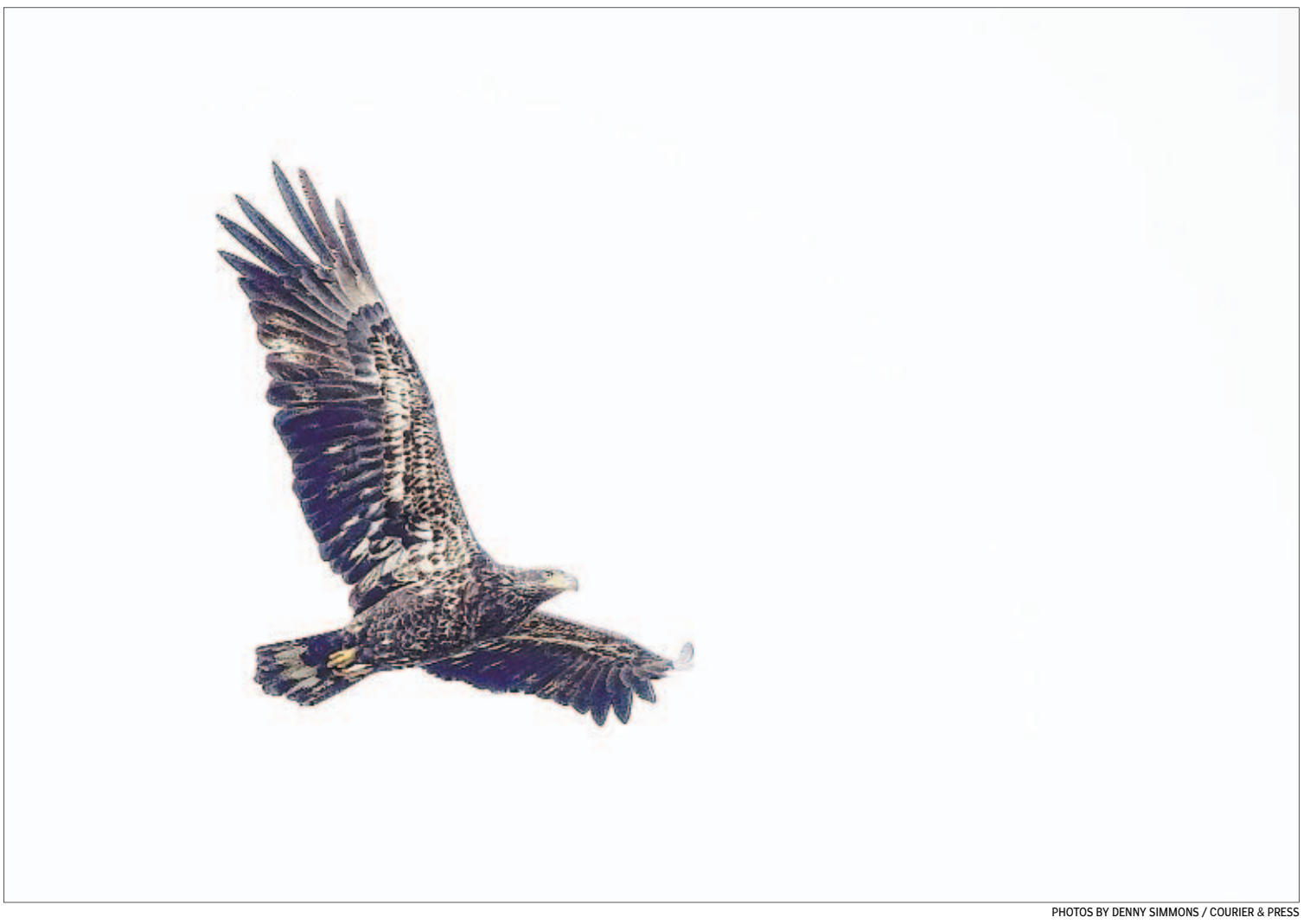
Rep. Ron Bacon, R-Chandler, who is on the committee, said he is optimistic legislators will be able to work through the issues. Bacon said he has been pushing for an overhaul to the current system for about six years, trying to help curb the number of meth labs in Southwestern Indiana.

"I really think after six years of trying, we've got a way to get it done," Bacon said.

Those thoughts were echoed by House Speaker Brian Bosma, who has been advocating for a change in Indiana's laws since the beginning of the session. Bosma said the issues still needing ironed out are workable.

See METH, 13A

Hidden natural wonder



PHOTOS BY DENNY SIMMONS / COURIER & PRESS

An immature bald eagle casually cruises above Old Ben Station at the Patoka River National Wildlife Refuge Tuesday afternoon.

Patoka River refuge just beginning to attract many locals to its beauty

By Mark Wilson
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OAKLAND CITY – Thousands of migrating ducks, geese and swans stop in the Patoka River valley along their way north every February and March.

The birds find temporary lodging in Patoka River National Wildlife Refuge and Management Area and other nearby Southwestern Indiana wetlands as they wait for their northern destinations to warm.

While the refuge is both home and sanctuary to hundreds of wildlife species, appreciation for it has been slow in growing among Southern Indiana residents.

But more and more, people other than hunters and fishers are discovering what the refuge has to offer.

"People are really just starting to find us. We are getting more and more birders and hikers now," said Bill McCoy, refuge manager.

A non-profit volunteer support group — Friends of the Patoka River National Wildlife Refuge — has been instrumental in spreading the word.

"It's becoming a more well-known place to see some interesting birds," said David Howell, president of the group. "It's a place where you can walk and enjoy nature and see some interesting things."

McCoy said the historical aspects within the refuge boundaries also are beginning to draw attention, such as the Wabash & Erie Canal, its connection to the Underground Railroad and the many old cemeteries tucked away from early Indiana settlements.

The refuge's boundaries encompass 30 miles of Patoka River, three miles of the South Fork Patoka River and 19 miles of old oxbows cut from the river's flow.

However, the diversity of habitat within the refuge area is much broader than just wetlands. It includes what is considered one of Indiana's best remaining bottomland hardwood forest habitats as well as upland habitat such as grasslands.

That's not surprising since the boundaries of its acquisition area stretch across

See PATOKA, 13A

Wildlife Refuge Specialist Heath Hamilton refuels his chainsaw at the Patoka River National Wildlife Refuge Tuesday afternoon.

Body cam bill changed again

Automatic release deleted

By Zach Osowski
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INDIANAPOLIS – A large part of the police body camera bill was taken out during conference committee in order to find a balancing point between public interest and the police departments in Indiana.

Rep. Kevin Mahan, R-Hartford City, introduced an amendment to House Bill 1019 taking out the rule mandating that law enforcement release any video pertaining to excessive force or civil right violations. In the version of the bill that passed out of the Senate, those videos would be much easier to obtain than other body camera footage.

Mahan said he was fine with other changes to the bill, including switching the burden of proof from the public to law enforcement, but said he could not support that change. He said releasing every video pertaining to excessive force could cause the public to deem an officer guilty prior to any sort of legal action.

"I think we lose the balance we've tried so desperately to keep when we're dealing with this issue," Mahan said. "I do not think it's the right thing to automatically release those videos."

If the changes are adopted by the full House and Senate next week, all police body camera videos will fall under the same category. A member of the public or media can petition a law enforcement agency to get a copy of a video.

The police chief or sheriff has the right to release the video or deny the release. If the request is denied, the member of the public can appeal to

See CAMERAS, 13A

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FROM THE COVER

> We can sit around and 'what if' things to death. I honestly believe in my heart of hearts that this is going to work."
>
> **Rep. Kevin Mahan,** *(R) Hartford City*

CAMERAS
from 1A

a local judge, who must hear the dispute within 30 days. The burden would then be on the law enforcement agency to prove why the video shouldn't be released.

A provision allowing someone involved in a video to view the video twice with a lawyer is still included in the bill.

Steve Key, with the Hoosier State Press Association, said he is concerned the new amendment could allow law enforcement to get in the habit of denying everything and forcing the public to go through the legal process every time.

Jason Dombkowski, chief of the West Lafayette Police Department, said with the automatic release language in the bill, police departments across Indiana could decide to shelve body cameras rather than embrace the technology.

"We can sit around and 'what if' things to death," Mahan said. "I honestly believe in my heart of hearts that this is going to work."

Mahan said he will be watching this year, if the bill goes into effect, to see how police departments interact with the public and media. He promised if changes need to be made they will be addressed during the 2017 session.

Once the committee report is signed, it will be discussed and voted on in the Senate and House. If both bodies approve the report, it will go to Gov. Mike Pence.

METH
from 1A

A concurrence on House Bill 1157, updating Indiana's NPLEx system to prohibit felons convicted of drug-related offenses from buying Sudafed, was approved by the House on Friday. The bill will now go to the governor for final approval.

PATOKA
from 1A

Gibson and Pike counties, two time zones and encompass a diverse array of wildlife habitats and lands.

Preserving and restoring those habitats is the core of the Patoka refuge's reason for being.

"The goal is to have a forested corridor along the river. We're restoring the natural habitat," McCoy said.

The goal, he said, is to reforest 5,000 acres in the refuge area — mostly bottomland that was once cleared for farming. Already, more than 1,000 acres have been replanted with a mix of trees found in bottomland areas, such as oak, hickory, gum, persimmon, pecan and even some cypress, McCoy said.

The refuge also has been at work restoring grassland habitat on the former Columbia Mine — more than 1,000 acres located in the heart of the refuge between the Patoka River and South Fork.

"Lack of grassland habitat is a serious problem for grasslands nesting birds," McCoy said.

When Peabody Coal stopped mining at the site in 2002 and reclaimed it, the site's lush mix of prairie grasses and oaks was a nesting paradise for Northern Harrier hawks and short-eared owls, McCoy said.

However, by the time the site was acquired as a nature preserve by the Bloomington, Indiana-based Sycamore Land Trust in 2012, there had been 10 years for foreign invasive plants to overtake the property.

Although reclamation of the Columbia Mine land prairie is ongoing, McCoy said he already is seeing some indications of success, gauged by the return of Henslow's sparrows to the area — birds that will not nest in an area if there are not at least 250 acres of grasslands.

After purchasing the Columbia Mine tract, the Sycamore land Trust trust entered into a conservation easement arrangement allowing the Patoka refuge to manage it.

Last month, the trust purchased another 108-acre land tract for the Patoka refuge.

Grants and assistance from non-profits have been essential in piecing together the refuge as lands become available for sale within its acquisition boundaries, which encompass 22,473 acres.

It has taken more than 20 years for the wildlife refuge to reach one-third of the way to that goal.

Since the refuge was approved in 1994, it has slowly acquired 8,803 acres, although many of the tracts are not connected to each other, causing maps of the wildlife refuge to resemble a quilt.

"We're buying land as we get the money. There is no lack of willing sellers," McCoy said.

But the primary source of money for land acquisitions at the refuge is the federal government's Land and Water Conservation Fund.

"We haven't received LWCF funding in six years," McCoy said.

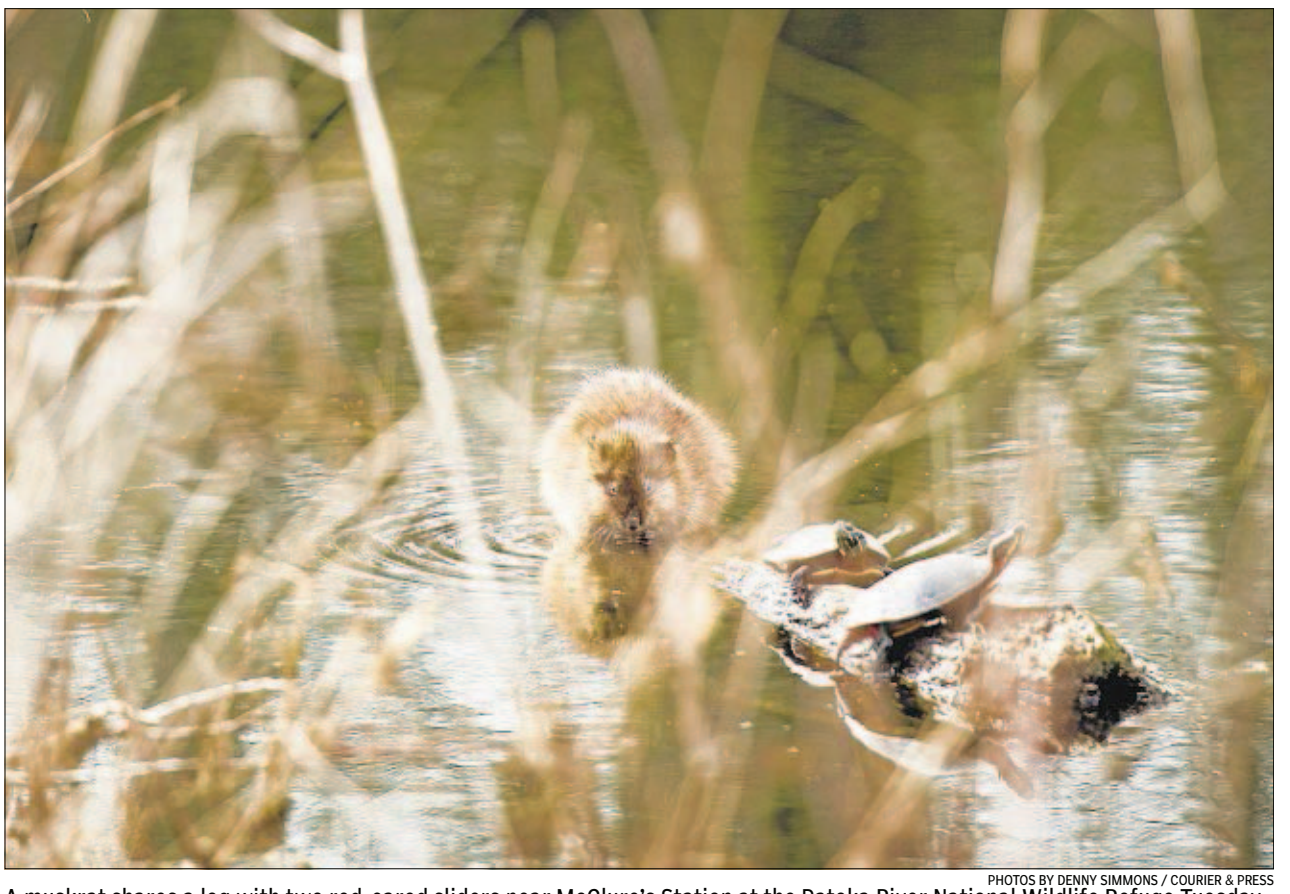
Instead, McCoy has used $3,250,000 in funding received from environmentally related lawsuit settlements to leverage acquisition funding by providing matching funds for other non-profit grants.

"To be successful you have to know how to work all the angles and partners," he said. "We chip away at it."

Christian Freitag, executive director of Sycamore Land Trust, said it makes sense for the trust to help out Patoka National Wildlife Refuge when it can.

"You look at wildlife pictures taken there and you think they are from a magazine like National Geographic or Smithsonian — 'there can't possibly be animals like that here in Southern Indiana.' But there are three national wildlife refuges in Indiana and all of them are in Southern Indiana," Freitag said. "It makes sense for Sycamore Land Trust to help (Patoka) because there are dozens and dozens of rare and sensitive species that call the refuge home. Wetlands and bottomland hardwood forests have exceptional wildlife habitat value.

"They are called refuges for a reason."



PHOTOS BY DENNY SIMMONS / COURIER & PRESS

A muskrat shares a log with two red-eared sliders near McClure's Station at the Patoka River National Wildlife Refuge Tuesday afternoon.

Canada geese will soon be nesting at Gray Wood Swamp at the Patoka River National Wildlife Refuge.

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