



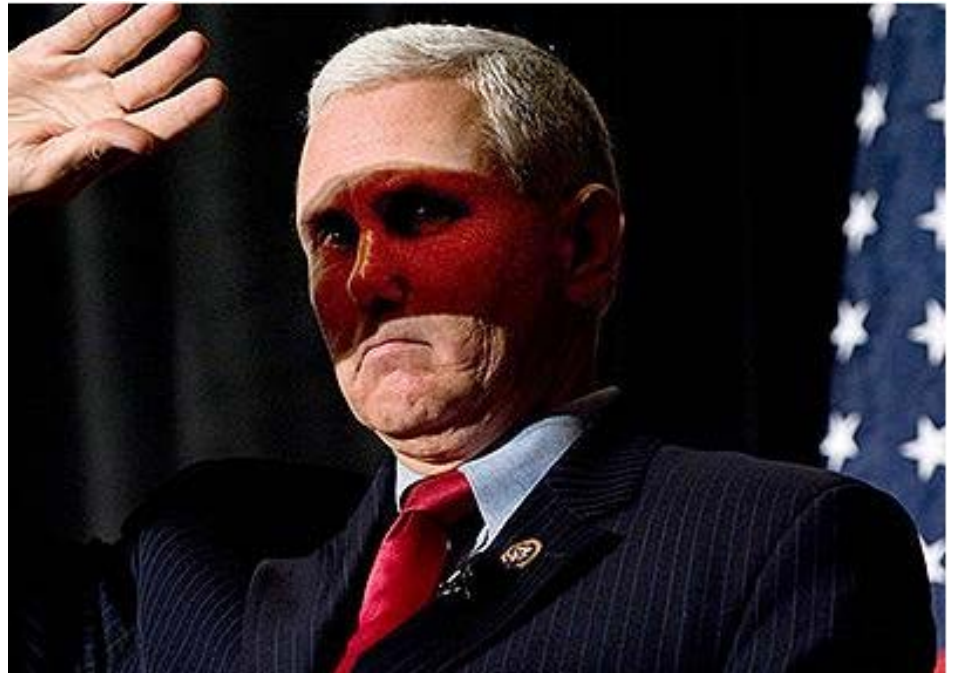
# Picking up the pieces after RFRA fiasco

Watching to see who restores order after Indiana brand damaged

By **BRIAN A. HOWEY**

INDIANAPOLIS – Most of us recall the kids' game "Pick Up Sticks." In a political sense, that's where Indiana is after two weeks of unprecedented fallout from the Religious Freedom Restoration Act. Instead of an orderly process, Hoosier politics finds an array of sticks scattered across the marble floors. We watch to see who restores order.

A week ago, it was Speaker Brian Bosma, Senate President David Long and an array of community and business leaders, including former Indianapolis mayor Bart Peterson, who proposed "the fix" for RFRA that was quickly passed. Missing from the April 2 "fix" presentation in the House chambers was the governor, or anyone from his staff, and legislative leaders didn't mention Gov. Pence until prompted by Howey Politics Indiana. Bosma apolo-



gized for failing to mention the governor, with he and Long stressing that the administration was kept apprised of the developments. The omission, even if accidental, was tell-

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## 10 takeaways from RFRA

By **CHRIS SAUTTER**

WASHINGTON – The fierce backlash against passage of Indiana's so-called Religious Freedom Restoration Act (RFRA) tore through the state and the nation like an early spring tornado. Leaving in its wake was a changed political landscape. Here are 10 takeaways from the RFRA controversy.



**1. The politics of the cultural wars have shifted dramatically.** A decade ago, 60 percent of Americans opposed marriage equality. Now it's reversed, with 60 percent in support. Democrats used to be on the wrong side of cultural issues and now it is Republicans who are. Religious conservatives



**"I want to know where my protected class is for me as white, Anglo-Saxon Protestant."**

*- State Sen. Phil Boots, in response to a question on whether he would vote to expand civil rights protections*



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in Indiana promoted RFRA as a way to strike back at a federal court's recent decision declaring Indiana's ban on gay marriage unconstitutional. It blew up in their faces. One of the main reasons for the sea change is that millennials, people born between 1981 and 1997, are transforming America's politics and culture. Millennials are more diverse, more tolerant, more educated, and more connected than any previous generation. Whether or not gay people should be allowed to marry is not a moral question to them. Gov. Mike Pence and Republican leaders in Indiana ignored or failed to recognize changing views on marriage equality.

**2. Most Americans are not buying the religious exemption argument.** The majority of Americans are rejecting the notion that religious freedom extends to refusing service to someone who is gay, including services for gay weddings. Essentially most of us are concluding that the social contract requires that if you are going to provide a service available to the general public, you have to treat all people the same so long as they behave themselves. The federal RFRA was passed to protect religious minorities whose practices included some activities that are contrary to law, such as Native Americans smoking marijuana. As marriage equality has been gaining support, social conservatives have been pushing to expand the original purpose of RFRA to include the ability of wedding providers to discriminate on the basis of sexual orientation. However, the argument that by baking a cake for a gay wedding you are endorsing something contrary to your religious beliefs is simply not winning over most people.

**3. Progressives were the clear winners.** Even though they fell short of establishing sexual orientation

as a protected class in Indiana and for that reason opposed the "fix" to RFRA, progressives won a major concession from the Republican-controlled General Assembly. The revised RFRA undercuts the law's original intent, which was to provide religious conservatives with a legal basis to oppose gay marriage. The "fixed" law marked the first time Indiana passed legislation giving protection, though limited, to people on the basis of sexual preference. Added to their recent victory in federal court, supporters of marriage equality in Indiana are on a roll.

**4. Mike Pence hurt himself badly.** Gov. Pence completely misread the depth of opposition to RFRA and bungled the aftermath. Not only did he allow himself to get in the middle of a national firestorm, his



claim that Indiana's RFRA law would not allow any discrimination was patently false and everyone knew it. New York Times columnist Gail Collins called his interview with George Stephanopoulos on ABC's "This Week" "possibly one the worst appearances by a governor in television history." Pence has shredded any chance of running for president, at least in 2016. And, his inept handling of the RFRA controversy could turn what should have been an easy reelection campaign into a truly competitive one.

**5. The Republican brand continues to be damaged by extreme views on social issues.** An already poor GOP public image was further damaged by the RFRA contro-

versy. Most of the public has concluded that the religious freedom law was discriminatory and that Republicans who backed it are religious extremists.

**6. Jeb Bush's flip flop on RFRA exposes the divide in the Republican Party.** The Republican base is forcing more Republican presidential candidates like Jeb Bush to the right, just as they pushed Mitt Romney to adopt extreme positions that made him unelectable in 2012. Social conservatives who play an outsized role in the presidential nomination process are angry by how RFRA was characterized in Indiana and they will most likely try to keep the issue alive. The odds that Republicans will once again nominate a flawed candidate increase as long as the GOP base continues to make gay marriage an issue.

**7. Business is not afraid to play politics when their business interests are at stake.** The CEO's of Eli Lilly, Angie's List, and Anthem, among many others who criticized Indiana's RFRA law, did so primarily because the law would have been bad for business. Indiana was facing a nationwide boycott and national outrage. It is unusual for business to lobby so hard on social issues, but the involvement of Indiana businesses was key to changing RFRA.

**8. Indiana's media played a major role in torpedoing RFRA.** Indiana's media is not known for its aggressiveness, but forceful editorials against RFRA came swift and hard. The front-page editorial from the Indianapolis Star went national as did commentary by many Hoosier writers.

**9. Democrats have been handed a political gift.** Unlike Republicans who were split on RFRA, Democrats were united in their opposition to the law. Whether they are able to capitalize on the debacle remains to be seen. Hoosier Democrats now have a realistic chance of defeating Pence in 2016. A credible progressive Democratic candidate could raise millions of dollars from national organizations and off the Internet. But it is not clear how well-positioned they are to take advantage of Pence's stumbles. The state party has been moribund for years. Many Democratic statewide candidates in recent times, including some looking at governor now, are not known for their progressive views. If Democrats don't move quickly and don't remain unified, Pence may have time to repair his image. Nationally, Hillary Clinton is strong on LGBT issues and will likely be able to take advantage of the Republican divide.

**10. Indiana's reputation has been unfairly but seriously damaged.** Though their views on this issue are not representative of most Hoosiers, Gov. Pence and the Republicans who supported the bill embarrassed the state. In the eyes of many across the nation, they came across as bigots and turned Indiana into another Ferguson, Missouri. The state has a lot of work to do to get its reputation back. ❖

**Sautter is an Indiana native and a Washington Democratic media and election consultant. He is a frequent HPI contributor.**

## RFRA fiasco, from page 1

ing as it appears the coalition building, RFRA fix, and new LGBT rights legislative program were the product of Bosma and Long, not the governor.

While there was palpable relief among legislators that the immediate crisis had been mitigated, neither the left nor right were happy. While Peterson noted that LGBT protections were written into statute "for the first time," many in that community felt the "fix" did not go far enough. On the right, Tea Party activist Monica Boyer was livid, saying on her Facebook page, "The fix is a farce."

"We wrongly thought lawmakers are the gatekeepers to protect our freedom, so we gave our hard-earned dollars to elect #republicans," Boyer said in a Facebook post. "That was #foolish. Last week a dam broke

in Indiana, and politicians chose a side. I watched it unfold during the press conference. It wasn't the side of freedom. It wasn't the side of religious freedom. I personally think it's now time to pull our money."

After clearing both chambers, all eyes turned toward Gov. Pence last Friday. His staff placed a podium outside his office for a post-signing statement, before reporters were informed that he had signed the legislation and had left the building. It was the clandestine bookend

to the events that began on March 26 with his signing of the RFRA in the company of monks and nuns and the family advocacy triumvirate of Eric Miller, Micah Clark and Curt Smith. The optics were stunning and it fueled what became a national feeding frenzy on the Indiana brand.

After the "fix" was announced in the House chambers, Pence did show up at the Indiana Republican



Former Indianapolis mayor Bart Peterson along with Senate President David Long and House Speaker Brian Bosma. (HPI Photo by Matthew Butler)

Central Committee meeting to endorse Jeff Cardwell as the new chair. Cardwell was elected, but multiple sources tell HPI that the governor blamed the crisis on a Twitter storm and the liberal national media.

With the NCAA Final Four and a constellation of media, corporations and business people descending on Indianapolis, Gov. Pence made a hasty exit for, apparently, Europe and an Easter vacation with his family. The buzz throughout the Statehouse and in political and economic circles was why wasn't the governor planning to take advantage of all the power coming into his own state capital? His absence was peculiar and conspicuous.

On Tuesday, the day after he returned, one of his top legislative priorities, the constitutional balanced budget amendment, nearly stalled in the House Judiciary Committee with an initial 5-5 vote. Chairman Greg Steuerwald allowed two committee members to vote later in the day allowing it to pass into the full chamber. "I can see there's a real split in the Republican Party as to whether this thing is necessary or wise," State Rep. Ed DeLaney said. Whether it was logistics or an erosion of power in a building where the near universal assessment of Gov. Pence is a chief executive with egg on his face remains to be seen. But Republican legislators are telling Howey Politics that Gov. Pence's standing has significantly eroded.

Pence is beginning to pick up his public schedule today. "The Governor has been meeting with legislators about the bills that are part of the Administration's agenda, meeting with his economic development team, and generally handling the business of the state," spokeswoman Christy Denault told HPI on Wednesday. "Tomorrow he will be making a jobs announcement in Muncie and holding a press event to announce the new Adjutant General of the Indiana National Guard. It's my understanding that Marion County is rescheduling their Lincoln Day dinner, but the Governor will be attending Lincoln Day dinners in both Clark and Clay counties later this month."

### Next policy, political steps

Republican legislators report seeing a sharp decline in emails from constituents on RFRA, believing that for them, the storm has passed. But deeper down, a number of Indiana cities are now preparing to pass civil rights ordinances that include sexual orientation. Some of these are happening in university cities like West Lafayette, but telling are efforts occurring along these lines in places like Martinsville and Richmond.

The conservative Goshen News in rock-rib red Elkhart County, editorialized, "The next step should be adding those people as a protected class in the Indiana Civil Rights Act. Meanwhile, leaders here in Goshen should revisit the effort of amending the city's civil rights ordinance to include LGBT individuals. Don't wait on the state to do the right thing. It's time to make a strong statement and prove that 'Hoosier Hospitality' is a motto meant for everyone and is truly rooted in substance, not reluctance." In the emerging Republican-dominated Clark and Floyd

counties, the New Albany News & Tribune editorialized, "Just because we approve of the new direction being taken does not mean we're satisfied with where Indiana is now on civil rights. More changes are needed. We hope this episode promotes more dialogue toward that end."

On the political side, Gov. Pence has Lincoln Day dinner speeches scheduled for Clay County on April 16 and Marion County on April 30. After skipping a couple of similar events during the height of the crisis, Pence campaign spokesman Robert Vane told HPI on Wednesday that there has been little internal discussion on coming political options and to his knowledge, there were no changes coming on the schedule. Vane said that Pence is focused on repealing the common construction wage, and that he still expects the governor to make decisions on his political future in early May.

"I don't get any sense that there's been any lessening of effort, or any depression," Vane said.

The May political decisions were supposed to be between a continuation of his reelection campaign, or whether to jump into the wide-open Republican presidential race.

### Presidential hopes fade?

Except for a few Iowa Republican activists who praised Pence for taking a stand on RFRA, the overwhelming assessment on a presidential race is one of a door abruptly slammed shut.

The morning, Prof. Larry Sabato's Crystal Ball observed, "We have a more permanent correction for Pence's entry in our list of potential 2016 Republican candidates: Removing him entirely. As we said last week,



a Pence presidential run in the aftermath of the controversy over the new law seems unlikely, and in light of that, we're taking him off. On the one hand, Pence's defense of the law certainly bolstered his support from social conservatives, becoming something of a cause célèbre to national commentators on the right. On the other hand, the entire episode has made

him radioactive to the party establishment, at least in the near term. Summing it up, one smart Republican told us, "He went from dark horse to dead horse about as quickly as anyone I can remember."

"Goodbye, Mike Pence," wrote Washington Post Fix blogger Chris Cillizza. "Ten days ago, the Indiana governor was seen as a possible dark-horse presidential candidate in 2016, the sort of guy who could appeal to social and fiscal conservatives, had ties to Washington, and/ but was now a governor. Today Pence is radioactive, after

botching the signing of Indiana's religious freedom law and its aftermath." The Daily Signal assessed, "Playing sloppy offense and porous defense, the Hoosier governor seemed to alienate both sides of the debate last week."

Red State's Erick Erickson observed, "Stick a fork in Mike Pence's hopes of running for president. He's done. Having done the right thing by protecting the religious freedom of the people of Indiana, he's now negotiating a surrender. What is more troubling is that he seems to be trying to have it both ways."

Tony Perkins, the president of the Family Research Council, said Pence was "unprepared" for the backlash to the state's Religious Freedom Restoration Act but defended the law as a necessary safeguard for religious liberty. "Mike was, I think, unprepared for what came to Indiana as a result of this," said Perkins in an interview for C-SPAN's Newsmakers program (Weekly Standard). "A lot of it comes down to the leadership, quite frankly, as to whether or not they're going to be forceful in standing in defense of religious freedom. Government should not be a party to forcing speech and forcing people to engage in activities that violate their beliefs. And that's simply what RFRA is."

Asked by the Weekly Standard what Pence could have done differently to make the case for the RFRA law, Perkins said, "I think he could have just said what I said."

## Tough gubernatorial race ahead

Instead of a wide-open presidential race, there was talk of a damaged and potentially vulnerable governor seeking reelection. In the immediate aftermath of RFRA and the fix, there was talk of a "business community" Republican possibly challenging Pence in the 2016 primary. There is not a shred of evidence to suggest anything like that is happening. The names of Peterson and retiring Indianapolis Mayor Greg Ballard have surfaced. Ballard was vociferous in his outrage over the RFRA damage on the eve of the Final Four. While Ballard has high name ID in the state's leading media market, he is too moderate for the rest of Indiana. For Exhibit A in an Indianapolis mayor translating to statewide Hoosier politics, see Bill Hudnut's unsuccessful 1990 secretary of state run as a prelude to a 1992 gubernatorial run.

## Can Democrats take advantage?

On the Democratic side, Bart Peterson's appearance at the "fix" press conference ignited some speculation that he might return to politics via a 2016 gubernatorial race. HPI asked Peterson about this speculation and he responded via email, "I appreciate the opportunity you are offering me, but I would prefer not to comment on these

stories." That does not sound like a business executive ready to return to electoral politics.

The potential Democratic gubernatorial field includes 2012 nominee John Gregg, and former congressman Baron Hill, who seemed to shift gears from the open U.S. Senate seat to a potential showdown with Gregg.

Gregg's website last week hinted at an announcement. But on Easter Sunday, he told HPI, "I'm going to Dyngus tomorrow, two other full days in Indy this week in meetings. Patience, my eager friend, patience." Gregg took a shot at Pence via his Facebook page, writing: "So

Gov. Pence went to Europe rather than stay here and work to bring our state back together? The business at hand is running the state. The business at hand is making sure Hoosiers have adequate budget protections. The business at hand is repairing Indiana's damaged image from this charade. The business at hand is being a governor and not a charlatan. It's playing off the phrasing of Pence's press release after signing the RFRA fix. Now that the business at hand has been attended to, the governor will be joining his family for Easter weekend in Europe."

Another potential candidate,

Hammond Mayor Thomas McDermott Jr., told the National Journal, "Now all of the sudden that we have a wounded governor, everybody else wants to be super Dems again and back on the team like nothing ever happened, and I'm not going to forget. I know who's been with us, I know who hasn't been in it with us. We're going to have a great candidate, I promise you, but it's not going to be some Johnny-come-lately who wants to take advantage of the situation. I'm not going to let that happen."

Some Democrats HPI talked to wondered why Gregg or Hill didn't weigh in more publicly as the governor faced his biggest crisis. Another school of thought was, why intervene in any way as someone self-immolates?

But the critical element here is that beyond its congressional districts in Northwest Indiana and Indianapolis, and beyond Supt. Glenda Ritz and U.S. Sen. Joe Donnelly, the Democratic bench is exceptionally thin. This is what happens to a political party that has thinned out as dramatically as Indiana Democrats have since Sen. Evan Bayh's 2010 bombshell. There are few Democratic jobs to nurture a bench. There are few indicators that Bayh will use his \$10 million war chest to replenish and fund someone to take advantage of an unprecedented opportunity.

If there's any good news in this scenario for Mike Pence, it probably comes along the lines of: If I can't beat these guys, then I don't deserve to be governor. ❖



Democrat John Gregg greets voters in South Bend at the West Side Democratic Club on Dyngus Day. (South Bend Tribune Photo)

# Emmert: Pence, leaders missed tipping point

By MAUREEN HAYDEN  
CNHI Statehouse Bureau

INDIANAPOLIS – As national attention turned to the Final Four here in the state’s capital city, NCAA President Mark Emmert blamed the uproar over “religious freedom” law on the inability of Gov. Mike Pence and Republican legislative leaders to recognize the “sea change” in public opinion about gay rights.

“They all grossly underestimated, to be polite, the reaction of the citizens of Indiana,” Emmert said Thursday of the firestorm ignited after Pence signed the Religious Freedom Restoration Act into law on March 26. Critics of the law said it was a license to discriminate against gays and lesbians under the guise of religion.

Emmert said the NCAA would consider pulling its major sporting events, including the Final Four and the \$700 million it generates for the tourism industry in Indiana, if the Legislature didn’t act.

Emmert opened the press conference, attended by scores of national media outlets in town to cover the NCAA men’s basketball championship, by saying the public furor sparked by the law had “overshadowed” the games.

But he elevated the issue by saying that the furor was deserved, a law that would allow business owners to refuse service to individuals based on their sexual orientation was “more important than a basketball tournament.”

Emmert’s comments came as Indiana lawmakers rushed to revise the law, to tamp down growing threats from the NCAA and other organizations to pull their events and business from Indiana if the measure wasn’t fixed. Pence has defended the original law’s language, blaming the fallout on “misperception” generated by irresponsible media coverage.

**But to make sure Pence** and lawmakers got the point Thursday, Emmert also said he would recommend the Indianapolis-based NCAA move its headquarters from any area “that didn’t prohibit discrimination.”

“I hope we don’t find ourselves in that place,” he said. “We hope they can resolve it quickly, not just because of this event but because it’s an important issue to get the law right on and get it right fast.”

The NCAA moved its headquarters to Indianapolis in 1999, after the state and city offered the organization a \$50 million incentive package to re-locate here from Kansas.

Indiana lawmakers added language to the law

Thursday that explicitly states that the measure doesn’t authorize businesses to refuse service to gays and lesbians. But they stopped short of banning discrimination against gays and lesbians as a “protected class” similar to race and gender. Emmert said he personally supported adding sexual orientation and gender identity to the list of classes of people protected by Indiana’s civil rights law and would bring the issue to NCAA governing board next month. “I think it would be appropriate. It’s, again, consistent with the values of our office and staff,” he said.

**Emmert said he’d** spoken privately to Pence and legislative leaders while the measure was being debated in the General Assembly. He said the NCAA governing board decided to join the growing chorus of public criticism because Pence was unable to provide any reassurance that the law would not include any discriminatory aspects. This fact was “completely inconsistent to all the things I know the (NCAA) membership values,” Emmert told reporters. Still, the Legislature’s fast rush to adopt the legislation caught Emmert off guard, he said: “We were all surprised with the speed with which it came about and the speed with which the governor signed it.”

The NCAA decided to press harder on the issue, even as Pence and legislative leaders publicly denied the bill was ever designed to allow businesses to deny services to gays and lesbians.

“The reality that no one could offer any reassurance that this bill would not protect people from discriminatory acts based upon sexual orientation or gender identity was completely inconsistent with all the things that I know the (NCAA) membership values,” Emmert said.

**The NCAA was** among the first major organizations to publicly threaten a boycott of Indianapolis when the law, known as RFRA, was passed in late March. It went public soon after sports analyst Jason Collins, the NBA’s first openly gay player, directed a sharp tweet at Pence, asking: “Is it going to be legal for someone to discriminate against me & others when we come to the #FinalFour?”

More pressure quickly followed. Charley Sullivan, an openly gay coach of the seven-time national champion men’s rowing team at the University of Michigan, called for the NCAA to immediately move the men’s Final Four somewhere else.

University of Notre Dame women’s basketball coach Muffet McGraw chimed in, asking the NCAA to consider pulling the women’s tournament in 2016 from Indianapolis.

Emmert promised the NCAA would keep an eye on the new law’s effects in both the near future and the long term. But he expressed support for actions taken Thursday by the Legislature, as they were working on a fix. “Now they’re taking the actions that they’re taking,” Emmert said. “And we all hope, we all up here hope, that they get there.” ❖



# Bosma and Long end the terrible week

By **CRAIG DUNN**

KOKOMO – Cue the Brenda Lee music:

**“(I’m sorry) I’m sorry**

**“(So sorry) So sorry, Please accept my apology**

**ogy**

**“But love is blind**

**“And I was too blind to see**

**“Oh-oh-oh-oh-oh-oh-yes.”**

Thank goodness that Indiana House Speaker Brian Bosma and Senate Pro Tem David Long finally got the lyrics right and took a terrible, awful and horrible week for Indiana and turned it around with a positive note just before the NCAA Final Four came to town.



I have a tremendous amount of renewed respect for Bosma and Long for not only navigating what must have been some stormy seas in their respective caucuses, but in staging an announcement session with the press that skillfully left no doubt that the Indiana Legislature had come up with a fix that was palatable to the

business community, the LGBT community, mainstream Christians and the majority of the people in our great state.

The optics of the public announcement session in the well of the Indiana House, with the varied interests backing up Bosma and Long, stood in stark contrast to the original private signing ceremony held by Gov. Pence. Make no mistake about it, the optics of this issue were the most important element. Anything less than the final legislative fix and the optics of a united ceremony announcing the fix and Indiana could have been staring into the face of a \$250 million hit to our economy. Thank you Speaker Bosma and Senator Long for getting this one right!

**It was particularly** impressive that Indiana’s legislative leadership not only removed any question about whether SB101 was discriminatory by clearly stating that the legislation could not be used as a defense for discriminating against a long list of protected classes, but it also extended this provision to the LGBT community in services, housing and employment. While it may not have been the entire loaf that the LGBT folks would like to see, it was an extremely important first step and Bosma and Long promised to study the issue of providing permanent protections to this group down the road. It was a sincere message of hope to a group of people who many times feel like second-class citizens in their own state.

Another message that was delivered loud and

clear in the public announcement was that although Bosma and Long were sorry that the original bill was misunderstood and mischaracterized by many people, they weren’t apologizing for the original bill and its intent. I believe that the majority of the legislators voting for SB101 truly believed that it was a religious freedom bill and not a premeditated bit of legislative bigotry as it was portrayed. Speaker Bosma acknowledged the perception problem, took care of defending the legislators who supported the legislation and then did a nice job of turning the perception around.

**While most Hoosiers** are thankful that this potentially costly nightmare is over, there are those who are furious with Gov. Pence, Speaker Bosma and Pro Tem Long. The religious right of the Republican Party are up in arms at their perceived betrayal. Their anger blended naturally with Maundy Thursday metaphors of betrayal and the selling of souls for 30 pieces of silver. My sense is that the religious right feels deeply betrayed and are looking for ways to punish all of the responsible parties. What is presently unknown is whether, over time, cooler heads will prevail and an uneasy alliance with the legislature will resume, or will a political sacrifice need to be made on the public altar in order to make this group satisfied.

In my mind, the biggest question is whether anything has been learned from this teachable moment?

Teachers will tell you that there are many different types of learning. There are spatial learners who can read or watch a demonstration and master a subject. There are auditory learners who require an oral discussion of a topic to get it right. Then there are the kinesthetic learners who must get their hands on something and experience the outcome to truly learn something. These experiential learners are the children drive parents the most crazy.

**There are children** who see a photo of a stove with a hand with a slash mark through it and they can understand that they shouldn’t touch the stove. There are children who need to be told, “Don’t touch the stove or you’ll burn yourself.” Then there are those children who will only learn not to touch a hot stove after they’ve touched it and burned their fingers. The really difficult learners are those who touch a white stove, burn their fingers and then in the future are driven to touch a red stove because they must run through the gamut of hot stove colors to truly learn.

While my gut tells me that a significant number of Republican legislators experienced the blistering burn of touching the stove on SB101 and have permanently learned an important lesson, there will be many that will need to touch a legislative stove of a different color to learn that the people of Indiana are fed up with the promotion of religious agendas when there are so many more important issues facing our state. Let’s hope Bosma and Long keep their caucuses on a tight leash in 2016 when the legislature reconvenes.

When I was a young, as young boys do, I made a lot of mistakes of varying degrees of egregiousness. My

father was an effective disciplinarian and a fair man. He would always tell me that I didn't have to be perfect and that a certain number of mistakes could be expected with every child. He said that the important thing whenever you made a mistake was for you to take ownership of the mistake, apologize and, most importantly, say that you would never make the same mistake again.

**I believe that the** Republican-dominated Indiana Legislature has taken ownership of the mistake, they've apologized for the misperception and they've indicated a sensitivity to the issue that indicates that they won't make the same mistake again. Let's hope that the lessons learned during this session will be retained over the next nine months when the Indiana Legislature meets in the

2016 session. Let's also hope that Gov. Pence expands his circle of trusted advisors to include a few people who aren't afraid to yell, "Iceberg!" when the ship of state is heading for disaster.

Indiana needs time to bind up its wounds, repair a tattered image and restore our reputation as a friendly and welcoming place to work, live, study and pursue our own individually defined brand of Hoosier happiness. Along with religious freedom, it's what our Indiana Constitution guarantees! ❖

**Dunn is chairman of the Howard County Republican Party.**

## Question is how deep will RFRA fallout be?

By **RICH JAMES**

MERRILLVILLE – Is that all there is? The Republican-controlled General Assembly made a change to the "religious freedom" bill and Gov. Mike Pence signed it into law before beating it out of the country for a vacation.

Is that it? It is signed, sealed and delivered and Indiana is all right with the world? Don't bank on it. The fallout from this fiasco will live for a good while. Much of the ongoing reaction may not make headlines, but it will be there lurking under the surface.



The question isn't whether the fallout will come back to haunt those responsible, but rather when and how much. The presumption is that Pence's presidential aspirations, regardless of how flirting they were, are now dead.

So, will the veiled attack on gays and lesbians come back to haunt Pence when he runs for reelection as governor next year? Well, anyone who supported Pence's call for legalized bigotry obviously will vote for his reelection. The opponents wouldn't have voted for Pence anyway.

And that leaves the independents, who could sway an election.

**Everyone seems to** be overlooking the Republican members of the House and Senate. All but five Republican House members voted for the "religious freedom" bill, but, when things got hot, most of them disappeared.

Will the controversy hurt those Republican representatives and senators next year? That could be the case.

Will we see bumper stickers next year proclaiming that Indiana is open to all? Will we see some Republican challengers take up the fight in the primary elections, as well as Democrats, in the fall of 2016?

**Dan Dernulc, a Lake County** councilman and the county's Republican chairman, already is defending Lake County legislators, all of whom voted for the "religious freedom" legislation. Dernulc entered the fray when the Democratic majority on the county council was acting to adopt a resolution condemning the actions of Pence and the Republicans in the General Assembly. During debate on the issue, Councilman Jamal Washington, one of the sponsors, said, "I believe this is a bill that was created to generate hate. Everyone should be in an uproar right now."

Well, Jamal, everyone was in an uproar. The question is whether there will be another uproar at election time next year. Dernulc, however, said there is no reason to be upset with the area's legislative delegation, that none of the local legislators ever intended for the law to be used for discrimination, only for protection of constitutional religious freedoms. Really?

I suspect those local legislators will have to defend that stance when they seek reelection next year. ❖

**Rich James has been writing about state and local government and politics for more than 30 years. He is a columnist for The Times of Northwest Indiana.**



# Hale eyes Senate race, Young 'preparing'

By **BRIAN A. HOWEY**

INDIANAPOLIS – Some 350,000 Hoosier children live in food insecure homes. One in six girls are sexually assaulted by the time they get in high school. Household income has been declining since 2000. For Democratic State Rep. Christina Hale, these are “third world problems”

festering in her home state. And it is that reason she is seriously exploring the open 2016 Indiana U.S. Senate race.

“I am taking a look at it,” Hale told Howey Politics Indiana Wednesday evening. “I was really interested in

the race before Sen. Coats dropped out. Yes, it’s a huge opportunity for Indiana and to have an open seat is really exciting.”

Hale upset Republican State Rep. Cindy Noe in HD87 in 2012 and since entering in the House and despite huge Republican majorities, Hale has earned a reputation as an effective legislator, working with Republicans on issues such as hunger, sexual assault and lagging income. “I have been successful in an unbalanced legislature. I have taken issues and found solutions,” Hale said.

Since Republican Sen. Dan Coats announced he would not seek reelection, the most speculated name had been former congressman Baron Hill. But Hill told Howey Politics earlier this month that since Gov. Mike Pence has experienced a political crisis over the Religious Freedom Restoration Act, he has been reconsidering a gubernatorial candidacy that would pit him against 2012 nominee John Gregg in a potential Democratic primary. The only other Democrat even talking about running is Hammond Mayor Thomas McDermott Jr., saying he would run if no other Democrat stepped up.

Hale, who represents a swing district on the north side of Indianapolis, now appears ready to step into the vacuum. “I am certainly talking to people, all kinds of supporters and party people everywhere,” Hale said. “I am trying to be methodical about my approach, letting the appropriate offices know. I’m talking with key decision makers. I’m exploring what the

opportunity might look like.” That includes a conversation with Hill, though Hale said she has not talked to him since the RFRA issue surfaced on a national level.

Told that in the past 60 years only nine white males have served as Indiana’s U.S. senators, Hale said, “I don’t want to be somebody different. I want to do things differently. I have a background that would bring a lot to that role.” Hale has been an executive with Kiwanis International, working with business people on issues in Asia and the Pacific rim. She has, for instance, worked on neonatal tetanus issues around the world. “We drive development in communities around the world and contribute to localized philanthropy.”

She said her work on iodine deficiency with the Kiwanis has ultimately helped “save the developing world billions of IQ points.” She added, “I have had the privilege of working in some of the many countries around the world on projects that impact people’s daily lives. It gave me great insight to what kind of issues are relevant here in Indiana. It’s just the right time to start talking about some of these issues. I don’t think glass ceiling plays into it at all. I want someone to address these issues and right now and I am willing to be that person.”

## Young ‘preparing’

U.S. Rep. Todd Young is “preparing” for a U.S. Senate race. U.S. Reps. Jackie Walorski, Marlin Stutzman, Todd Rokita and Susan Brooks are weighing runs. And Eric Holcomb is taking a page out of Mitch Daniels’ 2003-04 playbook, crisscrossing the state visiting dozens of cities and towns, while shooting a basketball in as many historic gyms he can find.

While political analyst Andy Downs characterized the U.S. Senate race as “Eric Holcomb’s to lose” in the Fort Wayne Journal Gazette, the reality is that the Republican field is a long way from setting up, and that this race at this point is a wide-open affair. Normally there is an heir apparent such as Dick Lugar, Bill Ruckelshaus or Dan Quayle lined up, but not this time. In Young’s scenario, the only thing missing is a final decision.

The Bloomington Republican’s family is on board and there has been an out-pouring of potential support from friends and constituents. “No decision has been made,” Young finally said Tuesday morning as he sat down with Howey Politics Indiana at Shapiro’s Deli. “I’m preparing for a Senate race and intently assessing



State Rep. Christina Hale has worked on international issues as a Kiwanis executive. (HPI Photo by Mark Curry)

whether or not this is the appropriate course. Others might characterize that as leaning.”

In the hours after U.S. Sen. Dan Coats’ March 24 decision not to seek reelection, Young said, “My email box started to get pretty full, my text messaging increased in volume. These were very encouraging and frankly, humbling phone calls from friends and supporters I’ve met along the way. They were encouraging me to run for the seat or to think about running for the seat.”

Young was in the midst of a quarter-ending FEC campaign report blitz, and in seven days, he posted \$350,000 to push his cash on hand into the neighborhood of \$1.1 million.

Holcomb got out of the gates around noon on March 26, declaring his candidacy just minutes before Gov. Mike Pence had the private signing ceremony for the Religious Freedom Restoration Act. Once the photos of the signing were released and the optics assessed, the ensuing firestorm sucked away any earned media as Holcomb began crisscrossing the state. “We had a successful launch and I haven’t really slowed down since,” Holcomb told HPI on Tuesday as he made stops in Mishawaka, South Bend and Anderson. “I am pleased with the breadth and depth of support. It is becoming layer upon layer. I’m going to every pie auction, Lincoln Day dinner and fish fry I can, with impromptu stops along the way. Our goal was to get to 30 cities and towns in the first 30 days. I’m trying to listen to and incorporate more ideas into our 2016 plan.”

Holcomb set an initial goal of raising six figures in the week before the FEC deadline. “We exceeded that,” the former Indiana Republican chairman said.

## Congressional Members assess

This week, with Congress in recess, Members are now assessing where their core supporters are, evaluating the variables of the race and whether they want to give up safe House seats and plum financial committee assignments. “There is no rush,” a source close to U.S. Rep. Marlin Stutzman told HPI. “We’re trying to see where support is, what it looks like. Everyone runs in their own lanes.”

Rep. Brooks called the open Senate seat “a once-in-a-lifetime opportunity.” She told the Anderson Herald-Bulletin on Tuesday, “I’m really interested in exploring it and hopefully making that decision in the near future.” Walorski is in a similar mode, telling the Elkhart Truth during her Dyngus Day stops that like Brooks she is talking to supporters and family. “Do you have a better opportunity



U.S. Rep. Todd Young chats with HPI at Shapiro’s Deli on Tuesday. (HPI Photo by Brian A. Howey)

to serve being one of 100? Do you have a better opportunity to serve in the U.S. Senate?”

Tarrence Group, presumably on behalf of Brooks, is polling this week, asking questions about whether federal prosecutor experience would be valuable, as well as whether holding elected office was important.

Walorski asked, “Or are the committees I’m on now and the passion I have to fight for Hoosiers...is that the place to be? We said we’d take a couple of weeks, my husband and I, and pray about it and just kind of do our due diligence in looking at the best way that we can serve Hoosiers.”

The only name ruling out a run is Attorney General Greg Zoeller, who told the Angola Herald-Republican he would not seek the Senate seat.

For Young, it comes down to “thinking through how could I best serve the people of my district and perhaps the people of Indiana more generally. I’m still going through that process. There are clear advantages in serving in the Senate. You have the ability, because of the six-year term, to work on longer term projects, spend less time campaigning, more time deliberating, thinking, working, reading, debating, listening and all the things that make for effective legislators. So that’s one thing.”

A Senate seat also portends to a “deeper involvement in issues of foreign policy. I can’t think of a time in my own life where the country needs more intense focus on international affairs, where I could play a larger role.”

“I guess the final thing, the final advantage in being in the Senate is you’re one of 100, as opposed to one of 435. The arithmetic suggests you would have the ability to get more things done. There are cultural differences between the House and Senate as well. One expects their senators to be statesmen. I aspire to statesmanship. I don’t want to seem presumptuous or arrogant to claim that mantle, but I respect statesmen, people who are prepared to put forward responsible, specific solutions to pressing challenges, and be prepared to take hard votes and sometimes unpopular positions for the best interest of the country and then respect constituents enough to explain those votes and positions. I think there’s a real appetite for that type of country-first leadership.”

Young’s political track record is impressive. He defeated former congressman Mike Sodrel in a three-way 2010 Republican primary, then upset U.S. Rep. Baron Hill

that fall. So in one cycle, the Bloomington Republican defeated two former or sitting Members. This past cycle, he had close to 50% of the vote in Monroe County and ran strongly in the more rural, Republican portions of the district, as well as in suburban Johnson and Clark counties. "My views don't change, my biography doesn't change," Young said of his own consistency. "On policy matters, I listen a whole lot, I learn a whole lot. We do a lot of the necessary blocking and tackling."

He sits on the influential House Ways & Means Committee, where he has a key working relationship with Chairman Paul Ryan. His policy goals are to push for comprehensive tax reform starting with the so-called Camp Draft. He is involved with two sprawling trade treaties with the Pacific Rim and European Union nations outside of China and Russia. His "social intervention" legislation has picked up more co-sponsors and he is working with U.S. Sen. Orin Hatch.

Young said that there have been conversations among the various Members of the delegation, Stutzman



**U.S. Rep. Marlin Stutzman meets with Ukraine Prime Minister Arseniy Yatsenyuk this past week.**

and U.S. Reps. Susan Brooks and Todd Rokita, who are weighing bids. "I've had good off-the-record conversations with colleagues," he said, declining to get into specifics. "Many of us take different approaches to our offices, we have different strengths and backgrounds, sometimes different perspectives on specific policy issues. I think we have a very healthy relationship with the delegation. As you might expect, there's a mix with any of these conversations, a mix of mutual compliments and sharing of emotions and thought processes."

Almost to a person, Congressional delegation members believe they have some time to weigh a Senate race. Key to that will be early May when Gov. Pence had been expected to make his political decisions, though the RFRA controversy has dramatically altered his political terrain. The other part of the equation is how many from the Congressional delegation will seek the Senate seat.

That is a number left for the future. But at this point, Young is a serious . . . leaner. Beyond Holcomb, Young has some company in that category. ❖

## GOP cities move to adopt civil rights laws

By **BRIAN A. HOWEY**

INDIANAPOLIS – The Religious Freedom Restoration Act first bounced around the General Assembly, then the Governor's office, and then the national media where it created a firestorm.

Over the past week the issue has entered into around a dozen city council chambers and county board of commissioners.

Ordinances are in the works in New Albany, Muncie, Fishers, Martinsville, Carmel, West Lafayette, as well as in Wayne County. Some of these cities and counties are strong Republican bastions.

In Republican-dominated Fishers, Republican Mayor Scott Fadness says lingering resentment over the law could impede economic growth (Berman, WIBC). Even after legislators clarified the religious-objection law

by explicitly banning discrimination, he says one company reported its plans to move employees to Fishers from California were undone by workers who fought the transfer because of the law.

Carmel Republican Mayor Jim Brainard called the fixed RFRA "ridiculous" and vowed to send the city council an ordinance to add sexual orientation to local civil rights laws.

In Elkhart, Republican candidate Tim Neese said at a forum, "I don't think such an ordinance is necessary because it's already illegal on state and federal levels." His Republican primary opponent, Dan Boecher, answered the question by simply saying "yes." The Elkhart Truth reported that when the crowd realized Boecher was not going to elaborate, there was a burst of applause.

### **Elkhart: RFRA, body cams dominate**

Whether to equip Elkhart police officers with body cameras remains a point of debate among city leaders (Vandenack, Elkhart Truth). Elkhart Mayor Dick Moore put a \$349,000 proposal to the Elkhart City Council to buy 80 of the devices, plus new in-car cameras for the department's squad cars and related technology to link the camera systems. Some council members have questions —



about cost and quality of the video produced, among other things — and the issue remains on the table. Underlying the discussion, for some, is the state of police-community relations... Moore, a solid body camera proponent, understands the questions — about cost, the possibility down the road of government regulations on its use and more. “But the vest cam clarifies. The video doesn’t lie. So when a question does come up, the video tells exactly what happened there,” Moore said. In a lawsuit, the video, perhaps, could save the city millions of dollars, he speculates... In the wake of the Garfield Avenue incident last July, Moore said, city officials hear the members of the community voicing trust concerns “loud and clear.” Boecher, executive director of Downtown Elkhart Inc. wants more information from other departments that have used the devices — worn on the front of police officers’ uniforms — before signing off on the purchase (Vandenack, Elkhart Truth). “I want to see those experiences of other communities that have said this has been a godsend, this has helped to heal the wounds of mistrust that have been present between the community and the police department,” Boecher said. “I want to see some examples where this has helped bridge that communication gap.” At times there has been a sense “we were on the edge of something,” he said, alluding to tension between police and the community. But police cams aren’t necessarily the only means to address relations and promote trust. Things will happen, “but when you have a dialogue that has preceded those bad times, I guarantee you those challenges that we face will be diminished to some degree,” Boecher said. “When we have that trust factor between the community and the police force, that bond is strengthened.” He proposed convening a series of meetings between city hall, police and neighborhood reps in different areas of Elkhart to gauge challenges in each and fixes to any problems. Neese proposes starting slow with, say, 15 body cams. “I just think at this point there’s a little false hope and I think it would be an excessive, unwise purchase to buy the amount of vest cams that would accommodate every Elkhart police officer,” Neese said. **Horse Race Status:** Tossup

### **Hammond: McDermott complaint moves**

Opponents of the Hammond mayor think they have found a problem with his re-election campaign big enough to drive an RV through (Dolan, NWI Times). City Councilman Homero “Chico” Hinojosa Jr. and John A. Nauracy Sr., an East Chicago towing firm owner known to WJOB radio listeners as “Lefty,” are questioning whether Mayor Thomas McDermott Jr. has misrepresented his spending on recreational vehicles. Nauracy said he can refute a McDermott campaign finance report that inaccurately lists a payment to an Albany, Ind., RV dealership that he discovered this week hasn’t done business with the mayor. Nauracy has suggested at least one RV rental might be connected to one of the mayor’s family vacations. “That is absolutely false,” McDermott said Wednesday. Hinojosa provided The Times with a photograph of a recreational

vehicle McDermott’s campaign posted last year that Hinojosa believes casts doubt on the recreational vehicle’s true use. McDermott said the photo in fact helps prove his case the RV was legitimately used for party business.

Two of five charges in a complaint filed with the Lake County Board of Elections against the Campaign to Elect Hammond Mayor Thomas McDermott Jr. merit a hearing, officials say (Napoleon, Post-Tribune). Board attorney Jim Wieser said he and Republican attorney David Wickland and staff reviewed the complaints filed by John Nauracy of East Chicago and found that while three of the charges should be dismissed, the board should also have the opportunity to hear testimony on the others before a decision is made. ne of Nauracy’s complaints that will be heard alleges the CTE did not properly itemize more than \$200,000 in reimbursements for food, lodging and fuel over nine years. He also alleges the committee spent more than \$13,000 for recreational vehicle rentals for conferences but he was unable to find any conferences conducted during the time of the rentals. Nauracy alleges in at least one instance the vehicle rentals were for personal use. “The McDermott campaign has requested an expedited hearing,” Wieser said. Officials dismissed a complaint regarding payments to Kelly Consulting Services, where his Marissa McDermott, Tom McDermott’s wife, is employed. The complaint is identical to a 2013 complaint filed by Eric Krieg that the election board already considered. “We pulled out all the documentation, reviewed the minutes of the meeting and the minutes of the hearing. That complaint was unanimously dismissed,” Wieser said, adding since it was previously heard, it should not be considered again. Wieser said \$1,000 spent in 2007 on Spanish lessons and purchases for photo equipment over the years were found to be legitimate campaign expenses, he said. **Horse Race Status:** Safe McDermott

### **Indianapolis: Mayoral race quiet**

In Indianapolis, the mayoral race has been conspicuously quiet, with neither party’s slated candidate doing much campaigning against a hodgepodge of primary opponents with little name recognition among them (IndyStar). Republican restaurateur Chuck Brewer has been largely focused on fundraising efforts and meet-and-greets, two things his potential general election opponent, former U.S. Attorney Joe Hogsett, had a six-month head start on. Hogsett’s campaign, meanwhile, has been fine-tuning its policy message — and trying to register voters. On the latter front, the “religious freedom” controversy has been a boost. Thomas Cook, Hogsett’s campaign manager, said he’s seen younger voters using RFRA “as a lever” to get their friends registered for the local election. “We had people out doing registration at the RFRA rally at the Statehouse, and even in a politically engaged crowd like that, we had a lot of people updating their registrations because they’d moved apartments, etc.,” Cook wrote in an email to The Star. ❖

# Ober's move to end straight-ticket voting

By **MATTHEW BUTLER**

INDIANAPOLIS – Over a third of Indiana's 2014 general election ballots were cast as straight-ticket for either Democrats or Republicans. In the past two election cycles, 1.5 million Hoosiers chose to vote in that manner. However, if Albion Republican Rep. Dave Ober's HB 1008 becomes law that voting option will be gone by November.



This potential move is perhaps ironic as Indiana pioneered the near-universal ballot that gave rise to the practice. As late-19th century America moved toward the

secret ballot, colloquially known as the "Australian Ballot," more and more states began to adopt a Hoosier innovation in voting mechanics, the party-column ballot. Then known as the "Indiana Ballot," it arranged the offices in rows and the candidates by party in columns. Heading those columns were often party symbols and in some states the ability to vote the entire "straight" slate of candidates with only one mark.

Rep. Ober may have time on his side. Straight-ticket voting has been disappearing nationwide. During the 1990s some 20 states allowed it. Currently Indiana is joined by only nine other states, Alabama, Iowa, Kentucky, Michigan, Oklahoma, Pennsylvania, South Carolina, Texas, and Utah. In the last two years, Rhode Island, North Carolina, and West Virginia abolished straight-ticket voting. During the last congress, there was bipartisan legislation to prevent the practice in federal elections.

Whereas many Indiana voters vote a straight party ticket, a sizable segment has voted a "scratch" ballot for both Democrats and Republicans in the same election albeit for different offices. For example, in 2012 Joe Donnelly ran ahead of President Obama. Or, consider both Glenda Ritz and Mike Pence had high, inevitably overlapping vote totals.

## Apathy and undervotes

Rep. Ober contends eliminating straight-ticket voting will result in at least two desirable outcomes: Increasing voter engagement and knowledge of the offices and candidates up for election; and, encouraging otherwise straight-ticket voters to complete the entire voting cards

such non-partisan down ballot contests as school boards, judgeships, and referendums.

Asked about the personal impetus behind the bill, Rep. Ober told HPI Wednesday, "Where the idea came from was a couple of conversations this last year and it really centers around what all voters want, which is accountability. What we have is a political system that during campaigns you can hide behind a party affiliation. And we have a lot of people who will vote straight-ticket and not necessarily know ideologically where someone might be." Deciding office by office whether to vote for a candidate by name or abstain is, in Ober's words, "the ultimate form of accountability." Speaker Brian Bosma agrees, having told the Associated Press in January, "We think it best that voters are informed and vote for the person and don't just check a box."

Democratic lawmakers are not convinced and have voted accordingly. HB 1008 cleared committee along an 8-4 party-line vote. During second reading, an amendment by Rep. Clyde Kersey, D-Terre Haute, removing the straight-ticket repeal failed 56-38. As evident by its bill

number, the House Republicans prioritized this legislation. Notably, however, Majority Floor Leader Jud McMillin and nine other Republicans voted for Kersey's amendment; McMillin and six other Republicans ultimately voted nay on third reading.

When the Senate Elections Committee heard HB 1008 last week, the panel narrowly advanced the legislation 5-3. Two persons absent and not voting were Sens. Tim Lanane, D-Anderson, and Randy Head, R-Logansport. Earlier in the session, both voted to send Sen. Mike Delph's straight-ticket ban (SB 201) to a summer study committee. (The full senate never took up the altered bill.) It's quite possible a 5-5 split in committee could have stalled HB 1008.

Rep. Ober's bill is scheduled for second reading in the Senate today. Expectations are it will pass despite some Republicans joining Democrats in opposition.

Rep. Phil GiaQuinta, D-Fort Wayne, who sits on the House Elections and Apportionment Committee, told HPI on Wednesday, "There are more questions than we had answers for. I thought it was a great topic for a summer study committee."

## Straight-ticket politics is local

Straight-ticket voting was not mentioned in the



State Rep. David Ober is sponsoring the straight-ticket legislation. (HPI Photo by Mark Curry)

2014 Indiana Republican Party Platform and that might reflect the fact HB 1008 is unpopular among many local party leaders. One can find county chairs lining up against the reform. Allen County Republican Chairman Steve Shine opposes the reforms as do his DeKalb, Monroe, and Noble counterparts. Republican county clerks are also on record in opposition.

Differences among Republicans, Andrew Downs, of the Mike Downs Center for Indiana Politics, told HPI, "might be about the role people play. County chairmen are trying to get everyone on the ballot elected and they know very well that folks that are down ticket will often benefit from a straight-party vote." Contrary to Rep.

Ober, Downs says voters who go office by office, candidate by candidate are far more likely to experience down-ballot "fatigue," skip items, and inevitably lead to under-voting.

In 2012, 17% of Allen County votes were straight-ticket Democratic whereas 22% went to Republicans. For Marion County that year, straight-tickets comprised 57 percent of all ballots cast. It saw 136,000 for Democrats versus 71,000 for Republicans. Immediately to the north, Hamilton County saw the tables turned with 19,000 straight-ticket Republican ballots versus 3,000 for Democrats.

Overall, only 13 of the 92 counties that track such data found Democrats casting the majority of straight-ticket ballots. It's widely accepted that straight party voting behavior is an essential component for Democrats within



Allen County Republican Chairman opposes the proposed law.

the state's larger cities. In the Democratic strongholds of Lake and Porter counties, 50 and 43% of voters, respectively, cast straight-ticket votes in 2012. In their former stronghold of Vanderburgh County, Democrats lost the straight-ticket margin 8,400 to 6,100 in 2014. These totaled 40% of that year's vote. In 2012, they comprised half the votes cast in that county. In north central and northeastern Indiana straight-ticket voting appears less common. In 2014, a little under a third of DeKalb and Steuben County voters and roughly a quarter of LaGrange and Noble County voters cast straight-ticket ballots.

Both Democrats and Republicans at the county level see the absence of straight-ticket

voting as either an advantage or handicap depending on their respective local dynamics and the particular election cycle. For example, both the Noble and Stueben Democratic party chairs believe neither party will gain an advantage, whereas their DeKalb and Marion County colleagues disagree. The latter, Joel Miller, told Indiana Public Media, "They [Republicans] are trying to cut into vote totals that Democrats get in the larger urban counties. That's all it is."

Rep. Ober says recent straight-ticket voting trends represent oscillating waves of dissatisfaction with both parties. He notes 2010, for example, was a very strong year for straight Republican ballots in the state, whereas 2008 was a good election for Democrats. "It's almost a wash," he told HPI. "I don't think you can make the claim this will benefit one party over another."

"If there is any inference that this has some sort of partisan advantage, doesn't that kind of make the point to eliminate it?," Ober added.

### Predicting voter intent

Besides concerns over the potential for partisan advantage, both politicians and political observers believe the rationale for HB 1008 makes assumptions about voter motivations and intentions.

"I found that 40% of the voters in Allen County vote straight-ticket. People use it; they must like the option if it's that high," Rep. GiaQuinta told HPI. "I've never had anyone call me and say, 'Straight-ticket voting is a pain, get rid of it.'"

Trent Deckard, co-director of the Indiana Election Division, testified against HB 1008. He said "culturally" many Hoosiers expect and seek out the straight-ticket option. During his three years in

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office he says he has only heard from one voter opposed to the practice. Moreover, he's dubious as to the supposed positive effects taking away the straight-ticket choice will have on how Hoosiers approach voting. "I think it's bad to jump to the conclusion that voters will or will not do certain things, or, even more so, the straight-ticket vote is not thinking through the process," Deckard told HPI.

Downs agrees it's difficult to interpret voter motivations. "The argument, and it's an interesting argument, that by eliminating straight-ticket voting you actually increase the likelihood people will become informed, there's not a lot of research to support that," Downs told HPI. Conversely, he contends there is nothing empirical to suggest those wishing to abstain from a specific race or ballot question are not informed about it. Instead, their undervote could reflect a variety of conscious as well as informed political decisions. "Voters are unique; it's dangerous to make assumptions about them," Downs said.

### Longer voting lines?

Both Deckard and Downs agree that if HB 1008 is passed, there will be large segments of the voting public caught unaware come November. "Under this bill we have no education about how the ballot now works," Deckard told HPI. Poll workers will need to be prepared and have to devote additional time to instructing voters caught off guard. "In the first election this takes place," Downs explained, "there will be an even greater increase in time." Considering that election would be 2016, that suggests a good amount of voters will hold off participating until the presidential election of 2016 meaning it would likely also experience considerable confusion and thus delays.

"When you look at something like Indiana's mid-term ballot, which has federal offices, state offices, county offices, township offices, school board elections, possible judicial questions, it's the longest ballot Indiana voters see. That ballot takes a long time to complete," Downs told HPI. "I actually go in and vote per office because I'm curious how long it will take me. That midterm ballot is very long; it's a number of pages. Eliminating the straight-party vote will by default increase time in the precincts. There is just no doubt about that whatsoever."

Downs said election administrators appreciate these constraints whereas some lawmakers might not. "Legislators think in terms of good policy, or the policy they like, and don't necessary make a connection that will mean functionally when it comes to administering the elec-

tion," he said.

Some Democrats have alleged the impetus behind the reform is voter suppression by exacerbating polling lines and wait times. "I have yet to see any rationale for wanting to institute this ban in the first place," Rep. Kersey said in a statement. "I have not seen any sort of study that demonstrates that banning straight-ticket voting helps encourage more people to come out and vote. In fact, I would suspect it might discourage some traditional voting groups, particularly seniors, from making the effort to go to the polls."

Citing studies and input from University of Missouri-St. Louis Prof. David C. Kimball, Rep. Ober says these predictions are unfounded. "Dr. Kimball shows there is no empirical data that shows eliminating straight-ticket voting will increase waiting times at polls," he told HPI.

"There are a lot of factors that play into turnout," Ober said. "I don't think straight-ticket is one of them." However, he does note that out of the top 10 states in terms of voter participation, only one (Iowa) has straight-ticket voting. As for those at the bottom of the scale, five (including Indiana) have the straight-ticket option.

If Republicans want Indiana to join the growing trend of straight-ticket voting elimination, Democrats want the state to adopt other election law trends. "The trends are allowing mail-in voting, which Washington state and Oregon have, no-fault absentee where you don't have to give an excuse to vote, which we still don't have," Rep. GiaQuinta told HPI. Some of these were among the other failed amendments offered by Rep. Kersey to HB 1008.

The future of straight-ticket voting could remain fluid both here and nationwide. Earlier this year Kansas' Republican secretary of state endorsed legislation that would return straight-ticket voting to the state. In a strange juxtaposition with Indiana, the Republican argued speeding up the voting process would be the primary benefit whereas Kansas Democrats characterized the proposal as a return to "mindless" voting.

In 2001, the Michigan legislature eliminated straight-ticket voting but the following year voters petitioned and repealed the ban through a referendum. Indiana voters forced a similar about-face when they were utterly shocked by 2010's under 40-years-of-age mandatory alcohol ID carding. With one of the longest traditions of straight-ticket voting, Hoosiers might not be ready for such an abrupt change. ❖



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# Info/data revolution and its potential

By **MICHAEL HICKS**

MUNCIE – Online resources have improved our ability to fact-check and conduct our own research on the topics that interest us.

For anyone really interested in public policy or the economy, the information revolution of the past two decades has been a blessing. The ease of obtaining data, the availability and richness of information and the growing application of data-intensive analysis offers great opportunities to better understand our world.



As an undergraduate student in the 1980s, I was master of something called a card catalog. My school's library displayed large oak cabinets filled with index cards that allowed me to cross reference studies and

data sources housed deep within the library. Within years, electronic databases and finally the internet have wholly replaced this technology. As a researcher it is pretty obvious how this helps my work, but what does it do for folks just interested in public policy?

Let us suppose you saw a study on tax increment financing reported in your local paper. Well then, you could go directly to Google Scholar and find hundreds of studies on the subject. Or, imagine that you read this column's insightful observations about declining enrollment at teachers colleges and were shocked and angered to hear that you were misled about a decline in teachers' salaries in Indiana. Instead of penning a fact-starved obloquy for your local paper, you could go directly to the State Occupational Employment and Wage Estimates data at the Bureau of Labor Statistics and see for yourself in the data that I was correct.

Most federal and state data are easy to download and access; all you need is an internet connection, a computer and the technology skills of a Hoosier middle school student.

**Data have also** become a lot more useful over the past couple of decades. My favorite example is a database that reports the number of new jobs created and destroyed in each county, every three months. In years past we knew the number of net new jobs, but now we can tell exactly how well our economic developers are doing at attracting jobs without having to rely upon dubious self-reported job numbers. Across the country, state governments and think tanks are busily creating publicly available data sources that open a huge window into the previously mysterious operations of government, education

and the economy.

The biggest impact of all of this isn't just that data are easier to obtain or that we have a more transparent view into government and the economy. The real benefit is that we can ask and answer more relevant questions about our world. This explosion of inquiry will prove disquieting to many folks who have been able to hide behind a veil of translucent information about their work. It will also mean that all educated people of the future will have to understand some statistical modeling, if they care to understand the world around them.

**We are already seeing** a revolution in the way we judge how well schools and colleges prepare students, how efficient local governments are and how effective economic development policies are in improving the economy. No wonder the new data scare so many folks. ❖

**Michael J. Hicks, PhD, is the director of the Center for Business and Economic Research and the George and Frances Ball distinguished professor of economics in the Miller College of Business at Ball State University.**

# Good February news

By **MORTON MARCUS**

INDIANAPOLIS – This column is NOT about the Religious Freedom Restoration Act (RFRA). I wrote that column and threw it away. The arrogance of those in the General Assembly who crafted and voted for the original bill and the non-fix, both signed by an irresponsible and unresponsive governor, is too depressing for me.



Not all the March data on employment released last week were available at this writing. Instead, let me share this piece of good economic news from February. Each of our 50 states had more jobs in February this year than in the same month last year. Nationally, the number of jobs grew by 3.3 million, a 2.4-percent growth rate. For Indiana, we had an increase of 59,100 jobs, a 2-percent increase.

**Although this rate** of growth was good enough to rank 19th in the U.S., Indiana still lagged the nation. Only 15 states exceeded the national average, which was boosted because three of the biggest states (California, Texas and Florida) each grew by at least by 3.2 percent. Utah led the nation with a 4.2-percent growth in jobs while West Virginia and Montana trailed with each at .3-percent growth.

Within Indiana, the number of persons with jobs



increased by 62,800 or a 2.1-percent increase from February 2014 to the same month in 2015. At the same time, the number of persons unemployed fell by 20,900 or 9.6 percent. Does this seem like a miracle to you? Indiana added 59,100 jobs, but 62,800 more persons were employed. This difference arises because the number of jobs comes from a survey of firms while the number employed comes from a survey of households. The household survey includes persons who are self-employed and family members working in small businesses, classes of employment not covered by the survey of firms.

**Those numbers sound fine**, until we look at the details. Only 55 of Indiana's 92 counties saw more people employed in February 2015 than a year earlier. Five counties (Hamilton, Elkhart, Lake, Tippecanoe and St. Joseph) accounted for 58 percent of this growth. Perhaps the best news is that 91 of the 92 counties showed decreases in the number unemployed. The exception was Lake County where the number unemployed rose by 30 persons (.1 percent) which was probably not statistically significant.

If our law makers stop pursuing divisive issues and

focus on the economy, they might ask: What constitutes a healthy employment situation?

**Foremost, we want** to see a minimum number of persons unemployed. However, what if those formerly unemployed have left the labor force? In the past year, 43 Indiana counties saw declines in the labor force, that is, fewer people were either employed or looking for work.

Many say these are discouraged workers, a bad economic sign, but that is jumping to conclusions. People leave the labor force for many reasons. Some retire. Some go back to school. Some stay home to care for family members. Contrary to popular belief, those may not be discouraged workers, but persons enabled by optimism.

More detailed data from the Department of Workforce Development and the Bureau of Labor Statistics will help state and local policy makers know what they are talking about. ❖

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## Congress, Obama need to consult on Iran

By LEE HAMILTON

BLOOMINGTON – Congress has developed a fondness for open letters when it comes to Iran. First came the warning shot signed by 47 Republican senators that touched off a storm of criticism. Not to be outdone, the House checked in with its own bipartisan and more diplomatically stated letter to the President, warning that its members must be satisfied with any agreement before they'll vote to reduce sanctions.



What lies behind these moves? I think Congress feels left out of foreign policy-making. I have considerable sympathy

for this impulse. Over the decades, too much power has drifted to the President when it comes to foreign affairs. The Congress has been deferential, even timid, in allowing this to happen.

**Moreover, the administration** has not done an especially good job of consulting with Congress. The President is the chief actor in foreign policy, and it's his obligation to reach out and develop a sustained dialogue with Congress on foreign policy matters. As far as I can tell, he has not done that sufficiently.

Yet much as I want to see Congress speak up on foreign policy, how it does so matters. The Senate's letter to Iran was ill-considered and unhelpful. Its purpose was to defeat the nuclear negotiations, and it undercut the President while he was trying to negotiate a deal with another world leader. It raised questions about America's reliability, invited doubt about the President's ability to negotiate a deal, and created a major distraction at a crucial moment. The letter undermined not only this President's credibility, but undermines future presidents' as well. It suggests that no one in the U.S. government is empowered to strike a deal.

**The letter did focus** appropriately on presidential use of executive orders to conduct foreign policy, but it wrongly implied that presidents are hamstrung in the conduct of policy. The senators suggested that an executive order on Iran is likely to be reversed by a future president, which is not true. Presidential deals with other countries are rarely overturned by their successors.

In part, this is because once an agreement is in place it becomes very difficult to undo — especially if it's working. Also, presidents are reluctant to reverse their predecessors' work because they don't want to undercut the same tool they themselves rely on to pursue their foreign policy goals.

As a nation we've gotten into the bad habit of using executive orders for the most important foreign policy initiatives, including such watershed moments as Richard Nixon's opening toward China and President Obama's accord with Syria banning the use of chemical weapons. In recent decades, 94 percent of pacts between the U.S. and other countries have been under executive orders; just 6 percent are done by treaty. This is because treaties require

a two-thirds vote of the Senate before they can be ratified, and that has become a near-impossible milestone to reach.

Yet the fact that a president can act on his own does not mean that he should do so. The reliance on executive orders means we have no clear mechanism, or even requirement, for the President to consult and work with Congress on foreign policy. So Congress feels left out of the action, and in an effort to deal itself back in it behaves clumsily, as the Senate did with the Iran letter.

**The way past these bitter** battles is meaningful consultation. The President and the Congress need to consult regularly and in depth before problems come to a head. Sustained and respectful consultation would go a long way toward avoiding the acrimonious contention over foreign policy that we've seen of late.

Edward S. Corwin, a professor of jurisprudence at

Princeton in the first half of the 20th century, once called the Constitution an "invitation to struggle for the privilege of directing American foreign policy" — a line that is far better known than Corwin himself. Over the last half-century, the contest has largely been decided in favor of the President.

Congress's bid to reopen the question is not, in and of itself, a bad thing. But if the President and the Congress want to avoid these flare-ups and strengthen the nation's foreign policy, they should exercise in-depth, sustained consultation. ❖

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**Alison Harden Siciliano, The Hill:** My great-grandmother, Cecil Murray Harden, was Indiana's first congresswoman, and the only one until 2013. Once I graduated from Purdue, I headed to Austin, Texas, to work on Governor George W. Bush's presidential campaign in the press office. I was fortunate to work in the White House as my first real job, as a press aide to Mrs. Laura Bush in the East Wing. Later I worked on Capitol Hill as a communications director for a new member of Congress from Indiana's second district, Chris Chocola, before I was recruited back to work with the Bush team for the 2004 re-election campaign. You do not have to work in public relations to spot a crisis. It is clear Indiana has been facing an enormous one all last week, past a boiling point. It has been hard not to follow the Religious Freedom Restoration Act (RFRA), approved recently by Republicans and Gov. Mike Pence. This "religious freedom" act was a huge, horrendous step back for Indiana based on the misguided, faulty leadership of Pence and a few in the state legislature that is now bringing the worst possible kind of attention to the state. The Indiana I know is not unwelcoming or unaccepting of others. Stamping a name like "religious freedom" on a bigoted and backward piece of legislation does not make it acceptable, and the citizens of Indiana know it. The businesses and the sports teams who have made Indiana their home base for decades decried this bill for good reason, as it is crystal clear it stands for discrimination. Unfortunately, this act will have devastating, lasting results for Indiana's reputation, even with the last minute attempt to correct it. Pence has led Indiana in the wrong direction. Indiana voters would be wise to remember this fiasco at election time and choose a new leader. Indiana is a great state and deserves more. ❖



**Michael Reagan, Aurora Sentinel:** March Madness hit Indiana hard this week. It had nothing to do with the NCAA's Final Four championship. And despite what you think, it wasn't about gay rights, either. It was really all about was 2016 presidential politics. The firestorm of media attention and orchestrated liberal outrage started last week after Indiana Gov. Mike Pence signed his state's version of the Religious Freedom Restoration Act. The act was broadly written to protect all citizens of all faiths from being forced by government to do things that violated their religious principles. It was not written to permit Christians or any other religious group to discriminate against gay people or any other minority. And it had nothing to do with the civil rights of gay people.

What Gov. Pence signed into law was hardly different from the federal law that Bill Clinton signed in 1993 and the laws that at least 19 other states already have put on their books. That didn't matter to the national media. The media war of words is over. As usual, Republicans, Pence and conservatives lost. They were whipped in the public relations battle and the political battle, just as liberals hoped. Pence caved. Until the culture war caught Pence and his state legislature off guard and transformed him overnight into the meanest Republican in America, he was seen as a possible dark horse candidate for the GOP in 2016. Some thought the governor could be a worthy compromise for the Republican presidential nomination, or at least a solid VP choice. Not now. He's probably burnt toast. ❖

**John Krull, Evansville Courier & Press:** Just a few weeks ago, running for president seemed like a serious possibility for Indiana Gov. Mike Pence. He had a foot

in both the GOP's business and social conservative camps, a solid but unremarkable record as a governor and, most important, a national profile that emphasized geniality, not the snarling bitterness that dominates the right these days. Pence's supporters touted him as the second coming of Ronald Reagan, a happy warrior, not a hater. That is gone now. In a short time, Pence has done lasting damage to his image, his party and his state. The worst damage has come from Pence's support for the so-called Religious Freedom Restoration Act, or RFRA. That new law, which would allow business owners to refuse service to people, primarily gay and lesbian citizens, if providing service conflicts with the owners' religious beliefs. When RFRA moved from the Legislature to the governor's desk, Pence issued a pugnacious statement of support, and then scheduled a private signing ceremony in his office. That's when the tsunami hit. The governor responded to the furor in ways both peculiar and petulant. The first involved the two smiling men who stood behind Pence in the clumsily staged photograph of the signing. Micah Clark of the American Family Association of Indiana and Eric Miller of Advance America are two of the Hoosier religious right's most strident leaders. At the same time Pence tried to downplay RFRA's impact, Miller and Clark trumpeted it as a victory in a latter-day crusade, a triumph of conservative Christians over infidel gays. Ignoring the fact even business leaders who had contributed to his campaign now number among those upset about RFRA, Pence blamed the media for his troubles. In doing so, he proved he's no Ronald Reagan. Reagan's political genius sprang from his ability to unite social conservatives and economic conservatives into a dominant political coalition. Pence has driven a wedge between the two groups, kind of like a Reagan in reverse. ❖



**Doug Ross, NWI Times:** At a time when Indiana should have been putting its best foot forward, the state's political leaders were wearing clown shoes. The Religious Freedom Restoration Act didn't bring brimstone, but it sure lit a firestorm that has consumed Indiana. Gov. Mike Pence, as the state's chief executive, felt most of that fallout, but the legislation was rammed through the Indiana General Assembly before it even got to him. House Speaker Brian Bosma, of Indianapolis, and Senate President Pro Tem David Long, of Fort Wayne, fed the legislative chute rather than pausing to consider the potential backlash. And oh, what a backlash! When I visited Fort Wayne last weekend, I couldn't escape it. Downtown, where I was photographing the architecture, I saw protestors lining more than two blocks of a main street to voice their opposition to the new law. My own denomination, the Christian Church (Disciples of Christ) decided last week to move its 2017 convention from Indiana, and other groups pulled business in the state. Indiana's reputation was built over decades. In just a week, it has become pitted, not just

tarnished, and it will take a long time to burnish it. ❖

**Frank Bruni, New York Times:** The drama in Indiana last week and the larger debate over so-called "religious freedom" laws in other states portray homosexuality and devout Christianity as forces in fierce collision. They're not, at least not in several prominent denominations, which have come to a new understanding of what the Bible does and doesn't decree, of what people can and cannot divine in regard to God's will. And homosexuality and Christianity don't have to be in conflict in any church anywhere. That many Christians regard them as incompatible is understandable, an example not so much of hatred's pull as of tradition's sway. Beliefs ossified over centuries aren't easily shaken. But in the end, the continued view of gays, lesbians and bisexuals as sinners is a decision. It's a choice. It prioritizes scattered passages of ancient texts over all that has been learned since, as if time had stood still, as if that disregards the degree to which all writings reflect the biases and blind spots of their authors, cultures and eras. It ignores the extent to which interpretation is subjective, debatable. And it elevates unthinking obedience above intelligent observance, above the evidence in front of you, because to look honestly at gay, lesbian and bisexual people is to see that we're the same magnificent riddles as everyone else: no more or less flawed, no more or less dignified. Most parents of gay children realize this. So do most children of gay parents. It's a truth less ambiguous than any Scripture, less complicated than any creed. ❖

**Edwin Meese III and Ryan T. Anderson, Washington Post:** A national firestorm has erupted over an Indiana law that, in all essentials, mirrors the legal standard protecting religious liberty in all federal courts and 31 state courts. Why? The answer, unfortunately, is "the culture war," and, contrary to media portrayals, conservatives aren't the aggressors here. Who favors coercion in this debate? Who opposes tolerance and pluralism? The answer to both questions: Activists on the left. The laws under attack, Religious Freedom Restoration Acts, are designed to shield all faiths from government coercion. These acts have, for example, protected a Sikh woman's freedom to carry religious articles at her workplace. They also might protect those who hold the belief — attested to from the beginning of the Hebrew Bible to the end of the Christian Bible and throughout the Koran — that marriage is the union of man and woman. And that's the belief that the left cannot abide. It is outrageous and irresponsible for activists to compare such dissent to racism and Jim Crow. What does marriage have to do with race? Absolutely nothing. But more or less every society throughout human history, and all the major world religions today, have held that marriage is the union of man and woman. ❖

## State revenue lags in March

INDIANAPOLIS — The revenue forecast used to craft Indiana's current state budget is proving to be too optimistic, even after a downward revision in December (Carden, NWI Times). State revenue last month failed to meet expectations for the seventh time in the nine months of the 2015 budget year, with the \$1.037 billion in March tax collections coming in \$18.1 million, or 1.7 percent, below forecast. Weak sales tax revenue was the primary culprit, falling \$33.7 million, or 6 percent, short of the \$564.3 million estimate. Greater than expected corporate income tax revenue of \$28.8 million made up some of the shortfall. With just one-quarter of the budget year remaining, state revenue is \$109.2 million, or 1.1 percent, off its re-centered target. It also is \$310.7 million, or 3 percent, behind where lawmakers in 2013 thought tax collections would be. The March revenue report is not likely to significantly impact the state budget proposal set to be released Thursday by the Senate Appropriations Committee, which could include continued funding for the Northwest Indiana Regional Development Authority.

## Losing justice center bidders win

INDIANAPOLIS — Private consortiums Indy Justice Partners and Plenary Edgemoor Justice Partners won't build a criminal justice center in Indianapolis this year. But Marion County taxpayers will still pay them \$750,000 each, just for bidding on the project. Some City-County Council members are outraged by the payments, which, combined with mounting consulting costs, will leave the county on the hook for millions even if the council rejects the proposal. The county has spent \$5.5 million on con-

sulting costs to date, with more bills on the way. But administration officials for Mayor Greg Ballard and a government contracting expert contacted by The Indianapolis Star said paying bidders is simply the cost of doing business on a project of this magnitude.

## Budget nears Senate action



INDIANAPOLIS — An Indiana Senate committee is set to advance its version of the new two-year state budget in a step that will set up final negotiations on the spending plan in the legislative session's final weeks (Davies, Associated Press). The Republican-controlled Senate Appropriations Committee is scheduled to debate and vote Thursday on the budget plan. Committee Chairman Luke Kenley has said he wanted to ease House-proposed school funding shifts that would lead to millions of dollars in cuts for many urban and rural districts with shrinking enrollments. Democrats say the funding shifts in the House budget would be devastating for school districts in many of the state's poorest communities, while some affluent suburban districts would see increases of 10 percent or more.

## Education funding issues return

INDIANAPOLIS — Education issues are coming back to the forefront of the Indiana legislature as lawmakers are set to renew debates over funding for local school districts and who will head up the State Board of Education (Associated Press). School leaders across the state will be watching today as the Senate Appropriations Committee is scheduled to release its version of the new two-year state budget with less than three weeks left in this year's legislative session. A House committee also is expected today to advance a bill allowing the replacement of Democratic state schools Superintendent Glenda

Ritz as leader of the education board. Appropriations Committee Chairman Luke Kenley, R-Noblesville, has said he was looking to ease school funding shifts proposed by House Republicans that would lead to cuts for many urban and rural districts with shrinking enrollments. Longtime education lobbyist Dennis Costerison said he expected the funding cuts will be reduced in the Senate spending plan but didn't expect they would be wiped out. "Unless you have huge influx of dollars, there are going to be some districts that will, unfortunately, have less money in the next two years," said Costerison, executive director of the Indiana Association of School Business Officials..

## Stellar community finalists named

INDIANAPOLIS — Five Indiana cities are in the running to receive millions of dollars to help encourage economic development (Associated Press). Lt. Gov. Sue Ellspermann has announced that this year's Stellar Communities finalists are Crawfordsville, Decatur, Marion, Dunkirk and North Liberty. Ellspermann says that more than a dozen cities and towns applied for the designation, and this is the first time finalists were separated into two divisions based on population size.

## Cruz PACs to post \$31 million

WASHINGTON — Bloomberg News first reported Cruz's "shock-and-awe fundraising" yield. "Cruz's haul is eye-popping, one that instantly raises the stakes in the Republican fundraising contest," Bloomberg's Mark Halperin reported. The four Austin based PACs, "Keep the Promise PAC," "Keep the Promise I," "Keep the Promise II," and "Keep the Promise III," were created on Tuesday when Cruz's longtime friend, Austin lawyer Dathan Voelter, filed paperwork with the FEC. Voelter has since said he expects to have \$31 million in the bank by Friday.