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Citizens Challenge Breach of Indiana Constitution

INDIANAPOLIS – The Indiana Lincoln Battalion for the Public Trust, an Indianapolis-based citizens' group, is challenging the state's practice of leasing Military Park, which is expressly prohibited by Article 15, Section 9 the Indiana Constitution.

The group has requested pertinent public records concerning legal justification under the Indiana Access to Public Records Act. In response, the White River State Park Development Commission, which operates Military Park, has indicated that it will compile the records, redact any exempted information it deems appropriate, and provide the documents for inspection.

“It remains to be seen how the Park Commission might be able to justify its leasing of Military Park which essentially privatizes the public park for much of the summer. While we're aware that the Commission schedules many popular events at Military Park, we believe it's essential to obey Indiana's constitutional requirements. Absent legal justification, the Park Commission should offer other venues within the park for leased events. This issue is timely not just because of existing downtown parkland deficiencies, but also because Governor Daniels recently asserted, in a local television report, that the creation of constitutional provisions for the proposed property tax caps would make such caps 'immune to renege' ” said Clarke Kahlo of the Indiana Lincoln Battalion. “The leasing of Military Park shows that even our constitutional protections are not inviolate if agency officials feel they can be ignored or circumvented.”

About the Indiana Lincoln Battalion for the Public Trust

The Indiana Lincoln Battalion for the Public Trust was formed in 2008 because the public realm, communities, and Hoosiers' common natural heritage are being increasingly degraded or destroyed by politicians, overly-aggressive speculators and land developers, complicit media corporations, and compliant bureaucrats whose regulatory agencies have been captured by corporate interests. The Battalion will seek to remedy this imbalance of power and expose the Fool's Paradise that the people of Indiana have been sold by political and commercial interests. The Battalion will seek to achieve an accessible and fair public policy-making process at the state and local levels which adequately considers the voices of the people, and protects existing public lands, financial assets and civic spaces.

Abraham Lincoln was a leading-edge preservationist president. He was instrumental in protecting (via an 1864 land grant) the famous Mariposa Grove of giant redwoods in California. This land was later dedicated as Yosemite National Park. Lincoln was the first U.S president to recognize and seek to preserve natural wonders for the enjoyment of the public. As we honor him in his bicentennial birth year, we should remember his preservation legacy and redouble our efforts to protect our increasingly threatened public spaces.