



T H E W O R L D W I D E L E A D E R I N S P O R T S ™

Eric L. Kemmler

Vice President and Associate General Counsel

March 10, 2006

Testimony of

ERIC L. KEMMLER

ESPN, Inc.

Before the

Judiciary Committee

in support of

H.B. 5212, AN ACT CONCERNING FREEDOM OF THE PRESS

Chairman McDonald, Chairman Lawlor, members of the Committee, thank you for the opportunity to provide you ESPN's comments in support of H.B. 5212. My name is Eric Kemmler and I am Vice President and Associate General Counsel with ESPN, Inc. I have also been authorized to convey American Broadcasting Companies, Inc.'s support of the bill to this committee.

With its endeavors being devoted to sports in all its aspects, ESPN might not be immediately thought of as being involved in investigative reporting, but whether on SportsCenter, in the series "Outside the Lines," on ESPN.com, or in *ESPN the Magazine*, ESPN has reported numerous stories exposing illegal or improper activity in sports and has on occasion had to provide anonymity to sources in order to get the story. Because of these activities and its belief in the value of a vigorous free press, ESPN has actively participated on the legislative task force that helped write H.B. 5212.

ESPN's (and ABC's) view is that passage of this legislation will help preserve the flow of information from sources that would otherwise decline to speak but also help the media avoid the loss of credibility and inappropriate economic burden that would come with being an involuntary investigative arm of law enforcement and private litigants. Despite the arguments of some contrarians, a free press has a special role in the preservation of democracy and law and order that requires it to maintain its independence. That is why the First Amendment prohibits the passage of laws "respecting ... abridging the freedom of speech, or of the press" In other words, in support of this mandate set down by the founders of this nation, it would be good public policy to provide the media protections for carrying out its mission of informing the public.

Thank you for considering our comments.