

## **DECLARATION OF ERIN SMITH**

ERIN SMITH, hereby declares under penalty of perjury that the following statements are true and correct:

1. I am the Executive Director of Kentucky Health Justice Network (“KHJN”), a nonprofit organization incorporated in Kentucky and based in Louisville that supports Kentuckians toward achieving autonomy in their lives and justice for the community. This includes providing valuable services to people seeking an abortion, assisting Trans Kentuckian’s access to healthcare, and educating the community about Reproductive Justice.

2. Our mission is to build the power of Kentuckians to achieve reproductive justice to ensure all Kentucky communities and individuals can access resources to be healthy and have agency over their lives.

3. As Executive Director, my primary responsibilities are overseeing the daily operations of the organization, including its programmatic work; helping ensure the financial health of the organization, including fundraising; managing staff; strategic planning; building partnerships with others in the state and nationally; and serving as a liaison to our Board of Directors.

4. I bring to this position experience as an educational outreach coordinator for Louisville Metro Government, where I advocated for homeless, at-risk youth and young adults. I experience conducting grant research projects and leading programming, planning, and development projects for the community.

5. I provide the following testimony based on personal knowledge acquired through my Kentucky Health Justice Network service, including consultation with staff and Board members and reviewing the organization’s business records.

## **Kentucky Health Justice Network Services**

6. Kentucky Health Justice Network currently employs five full-time staff members. We serve people throughout Kentucky and the Southern parts of Indiana. Kentuckians face multiple barriers when trying to access reproductive healthcare across the state. Kentucky Health Justice Network operates four unique programs to support the community through direct and educational services.

7. We have four core programs: Abortion Support Fund, All Access EKY, Trans Health, and Take Root Conference.

8. The Abortion Support Fund is a staff-supported network of volunteers who help people seeking abortion with financial assistance, transportation, interpretation, lodging, childcare, and other social services.

9. We connect with abortion patients through our hotline service, run by 27 volunteers. Our hotline offers case management and support to callers facing barriers to abortion access by examining the caller's immediate needs, gestational age, and setting up their appointment with the clinic.

10. Additionally, we partnered with the National Institute for Reproductive Health to continue our advocacy work to implement a buffer zone in Louisville. We began a relationship with Ibis Reproductive Health to study how the barriers to care impact people's ability to access certain kinds of abortions. We also started a partnership with the National Committee for Responsive Philanthropy to address the need for grant funders who support reproductive rights to direct more resources to abortion funding.

11. Our Trans Health program supports Trans Kentuckian's access to the gender-affirming healthcare they need. We provide financial assistance for gender-affirming care and emergency housing, connecting Trans Kentuckians to resources and navigating health insurance.

12. All Access EKY combines advocacy, community organizing, and storytelling in the Southeastern part of Kentucky. In partnership with Appalshop and Power to Decide, this program builds support for policies, programs, and services that ensure young people have access to the full range of contraceptive and reproductive health care.

13. Our last program is the Take Root Conference, which encompasses housing the red state reproductive justice conference.

### **Kentucky Health Justice Network Clients**

14. In 2020, 1,114 individuals reached out through the KHJN hotline for help accessing abortion. This year alone, we have already received 815 callers through our hotline service for assistance accessing abortion. Although most of our clients are from Kentucky, we continue to receive calls from individuals in surrounding states like Tennessee, Indiana, Ohio, West Virginia, and North Carolina.

15. We provided a range of services to our clients, including financial support to help cover their abortion care, gas cards, transportation, lodging, and interpretation services. We received calls from people at different stages of pregnancy, including after 15 weeks. Those with limited access to sex education resources and OB-GYN care were typically at more advanced gestational ages when they first contacted us.

16. Our clients must overcome multiple obstacles before obtaining abortion care. These obstacles include needing time off from work, needing childcare, lacking financial resources to pay for their care, lacking access to reliable and affordable transportation, difficulty in finding accurate information about abortion clinics, difficulty in making appointments because there are often long wait times, and much more. These obstacles are intensified for minors without parental support.

17. Some of our clients are close to 22 weeks of pregnancy, the gestational age limit for legal abortion in Kentucky, when they call us. Unfortunately, once a client reaches the gestational limit, they are forced to travel out of state for abortion care, adding more obstacles to receiving care. Some clients are not able to travel out of state because of their limited financial means or other life circumstances.

### **Climate of Reproductive Health and Sex Education in Kentucky**

18. Once a person is pregnant in Kentucky, the clock begins to run, even if they are unaware of their pregnancy status. There is entrenched opposition to sexual and reproductive health education in Kentucky, motivated by some people's political and religious beliefs. As a result, people grow up not understanding their bodies, let alone the fundamentals of sex and pregnancy. Many of our clients do not recognize that they are pregnant right away because they do not realize that they are at risk, and they are not familiar with the symptoms.

19. There are disparities in access to health care across ethnic, social-economic, and geographical lines within the state. Access to reproductive health care is minimal in rural areas. Most of these disparities have been heightened during the COVID-19 pandemic.

20. At the beginning of the pandemic, health clinics in Eastern Kentucky were shut down, leaving thousands of people without access to resources like contraception and emergency Plan B's.

21. Other factors also prevent vulnerable community members from accessing OB-GYN care, including traumas from sexual assault and a history of being misgendered.

### **The Climate of Abortion Access in Kentucky**

22. Kentucky continues to be one of the most hostile states to access abortion. Due to restrictive laws in the state, such as waiting period, ultrasound, and state-mandated information

requirements, access to abortion care is more scarce and harder to obtain for many. These laws delay access to abortion care and drive up the cost.

23. Kentucky also continues to be an abortion desert state – with only two abortion clinics this forces many of our clients in rural parts of the state to drive two to four hours to receive abortion care.

24. Additionally, our clients continue to deal with the fear and threat of violence from anti-abortion protesters outside the clinic. The reality is that, over time, anti-abortion protesters have gotten worse, and our clients receive no help from local police when they are trying to enter clinics. Recently, a local police officer responsible for maintaining safety and order outside an abortion clinic was found helping protesters harass and demean patients as they tried to make their way through the sea of protesters blocking the doors to the clinic. We cannot depend on local law enforcement to help protect patients, let alone the clinic.

25. Many people in Kentucky will opt to go out of state for care out of fear of being doxed, grabbed, and screamed at by protesters, who continue not to wear a mask during a global pandemic.

### **Impact of Pre-Viability Abortion Ban on KHJN Services and Clients**

26. I understand that the case before United States Supreme Court will determine whether and to what extent abortion care after 15 weeks remains constitutionally protected.

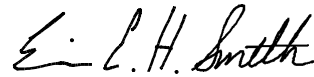
27. A restriction on pregnancies after 15 weeks would be detrimental to our client's health and safety. Reproductive Justice Organizations across the nation fear that this case will reverse years of progress and revert to a time when people were forced to attempt abortion without medical supervision.

28. The long-term effects of a ban on abortion at 15-weeks of pregnancy would be devastating. It would require the last standing independent abortion clinic in Kentucky to turn clients away and force them to seek care out of state.

29. Clinics will be impacted beyond what words can describe, and we cannot take the chance of losing our clinics. We need them to keep going and keep fighting. The alternative of abortion access becoming non-existent in the state is too hard even to fathom.

09/15/2021

Dated: \_\_\_\_\_



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Erin Smith