

FILED  
SUPREME COURT  
STATE OF OKLAHOMA

MAY - 6 2022

JOHN D. HADDEN  
CLERK

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

OKLAHOMA CALL FOR REPRODUCTIVE JUSTICE,  
on behalf of itself and its members, et al.,

Petitioners,

v.

THE STATE OF OKLAHOMA, et al.,

Respondents.

CASE NO. PR-120376

PETITIONERS' FIRST SUPPLEMENTAL APPENDIX

# INDEX TO FIRST SUPPLEMENTAL APPENDIX

Exhibit 5 .....Gallegos Affidavit

(Exhibits 1-4 are included in Petitioners' Appendix filed April 28, 2022)



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# EXHIBIT 5

**IN THE SUPREME COURT OF THE STATE OF OKLAHOMA**

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on behalf of itself and its members,

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**AFFIDAVIT OF ANDREA GALLEGOS**

Andrea Gallegos, L.M.S.W., declares and states the following:

1. I am the Executive Administrator of Tulsa Women's Reproductive Clinic, LLC, a Petitioner in this case, and Alamo City Surgery Center PLLC d/b/a Alamo Women's Reproductive Services in San Antonio, Texas. I have served in this role for approximately 2 years. I am familiar with all of the operations of the clinics, including patient care.

2. Since we began facing the prospect of S.B. 1503 going into effect in Oklahoma, myself, Dr. Braid, and other members of our staff have talked to hundreds of patients threatened by enforcement of the law. Because S.B. 1503 prohibits our physicians from providing an abortion if there is a "fetal heartbeat" detected—which typically occurs around 6 weeks after the patient's last menstrual period ("LMP")—we have had to cancel appointments for the majority of our patients. When we schedule patients now, we ask them if they know how far along they are, and we estimate gestational age. If we think it is possible that they will not present with cardiac activity, we will move forward with scheduling the appointment, although we caution that if we do an ultrasound and find cardiac activity, we will not be able to provide care due to the law.

3. In Oklahoma, patients also have to receive certain state-mandated information and then wait at least 72 hours before getting an abortion. This has further complicated our ability to see patients before cardiac activity is present.

4. We were seeing patients beyond 6 weeks LMP on Tuesday, May 3, 2022, and had planned to continue on Wednesday, May 4. But, when we learned the Governor had signed the bill on Tuesday evening, we immediately began calling patients scheduled for the next day and beyond to cancel appointments for patients we knew were beyond the time frame at which cardiac activity can be detected. The first day after the law went into effect, we called to cancel 35 appointments. We are continuing to cancel a majority of the patients we had scheduled for this and next week.

5. I cannot express how devastating these calls have been or how distraught patients are when we tell them that due to S.B. 1503 we cannot provide them care.

6. Some patients who are too far along have come to the clinic because we were not able to get in touch with them. On Wednesday, May 4, we had to send 10 patients home who were too far along in pregnancy when we did their ultrasound. These patients were incredibly upset that they could not receive care. Ultimately, we were only able to provide abortions to 10 patients that day.

7. I talked to a patient who called to tell us that she was running 30 minutes late. She was between 7-8 weeks pregnant. We had tried to get in touch with her about the law going into effect but were unable to. She was on her way to the clinic. I told her that due to the law we would be unable to provide her care. She told me that she had been raped and asked me if there was an exception for people who had been raped. I had to tell her that S.B. 1503 has no exception for rape. I said that we would marshal any resources we could to help her, but she did not come to the clinic. We were unable to help her.

8. I spoke with a couple from Texas. They were already halfway on the long drive to see us given that S.B. 8 had prevented them from getting care in their state. They had taken off work, rented a car, and begged us to help them. We thought we had time to see them before the law would take effect, but we did not.

9. I understand from one of our staff, that one of the patients we had to send home from the clinic after her ultrasound was afraid of her spouse who had arrived at the clinic and was combative. She asked the staff to inform her abusive partner of the reason that she could not get the abortion because she was afraid that he would lash out at her. The patient went home with her partner.

10. I talked with a minor patient in Texas who came to our San Antonio clinic with her mother. She was 15 years old and 11 weeks pregnant. If we had been able, we would have sent them to the Tulsa clinic where they could see the same staff and doctor. Instead, we had to tell them that they would have to travel to a third state to try to get care.

11. These examples represent just a handful of the harms being experienced by our patients.

12. After S.B. 8 went into effect in Texas, we saw the horrific effects on patients—they are getting delayed and pushed later in pregnancy—forced to obtain later and more complex abortions. The majority of patients are denied care entirely in their state, and we know given the challenging life circumstances facing many of our patients that many will not be able to travel to other states to get an abortion. But, we had been able to refer patients in San Antonio to our Tulsa clinic. Now we have to attempt to send them even farther.



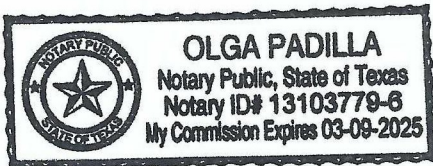
I declare under penalty of perjury that the foregoing is true and correct.

Dated this 6 day of May, 2022.

Andrea Gallegos, LMSW

Andrea Gallegos, L.M.S.W.

NOTARY Olga Padilla



## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 6th day of May, 2022 a true and correct copy of the foregoing was served via hand delivery or U.S. Mail to the following:

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