

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Paul A. Isaacson, M.D., on behalf of himself
and his patients, et al.,

Plaintiffs,

v.

Mark Brnovich, Attorney General of
Arizona, in his official capacity; et al.

Defendants.

Case No.

**DECLARATION OF DIANNE POST, STATE COORDINATOR FOR POLITICAL
ACTION, ARIZONA NATIONAL ORGANIZATION FOR WOMEN**

I, Dianne Post, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the State Coordinator for Political Action for Arizona National Organization for Women (“AZ NOW”), a unit of the National Organization for Women (“NOW”). NOW is a nonprofit 501(c)(4) corporation incorporated and headquartered in Washington, D.C. and is the largest organization of feminist grassroots activists in the United States.

2. Since its founding in 1966, NOW’s purpose has been to take action through intersectional grassroots activism to promote feminist ideals, lead societal change, eliminate discrimination, and achieve and protect the equal rights of all women and girls in all aspects of social, political, and economic life. AZ NOW uses a variety of strategies, including public education and legislative advocacy, to advance women’s rights and address NOW’s six core issues important to our members and women in general: (1) reproductive rights and justice; (2) economic justice; (3) ending violence against women; (4) racial justice; (5) LGBTQIA+ rights; and (6) constitutional equality.

3. As part of its mission, AZ NOW fully supports and actively takes action to ensure access to safe and legal abortion, to effective birth control and emergency contraception, and to reproductive health services and education for all. We oppose attempts to restrict these rights through legislation, regulation or Constitutional amendment.

4. As of June 2021, I became the State Coordinator for Political Action. In that position I am in charge of the state Political Action Committee. From 2017-2021, I served as the State Coordinator for Legislative Action. In that position I oversaw AZ NOW's lobbying activities and coordinated AZ NOW's response to Arizona legislation impacting its members. Prior to that time, I held various positions in a local chapter. I have been a member of AZ NOW since the 1970s.

5. I am over the age of 18 and I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I would testify competently and truthfully to these matters.

AZ NOW's Organizational Structure

6. AZ NOW has more than 1,500 members across the state of Arizona. Its membership is made up of four local chapters—East Valley Chapter, Central Phoenix-Inez Casiano Chapter, Tucson Chapter and Sun Cities/West Valley Chapter—as well as all NOW members at large living in Arizona. Approximately 365 of AZ NOW's members are also members of at least one local Arizona chapter. AZ NOW's approximately 1,200 other members live throughout the state.

7. AZ NOW is run by a board of State Coordinators, consisting of: State Coordinator for NOW Policy/Spokesperson; State Coordinator for Chapter Development; State Coordinator for Leadership Training; State Coordinator for Records and Meetings; State Coordinator for Finance; State Coordinator for Legislative Action; State Coordinator for Political Action; State

Coordinator for Membership and Newsletters and State Coordinator for Technology and Electronic Media. At least one of these positions has to be filled by a member-at-large.

8. AZ NOW's budget is comprised mainly of membership fees. AZ NOW may also generate fees from an event such as the State Conference.

AZ NOW's Activities

9. As part of its mission to support access to abortion care in Arizona and in order to educate the people of Arizona about the state of abortion access in Arizona, AZ NOW hosts speakers on the subject of reproductive rights, including what actions they can take to maintain and ensure access throughout the state. For example, in May 2021, the Sun Cities/West Valley Chapter hosted Whitney Walker, Vice President of Public Policy, Advocacy, and Organizing for Planned Parenthood. Ms. Walker spoke on present threats to women's rights in today's society, including threats to reproductive rights, and the services offered by Planned Parenthood.

10. Additionally, in June 2021, as part of AZ NOW's annual state conference, the organization presented Katherine Stewart on the topic of Christian nationalism and the relation to women's reproductive rights. One of the main tenets of Christian nationalism is to control women and their reproductive decisions. The Christian nationalism movement's Project Blitz seeks to introduce and pass many pieces of legislation against reproductive rights across the nation, including in Arizona. Because Ms. Stewart has researched the movement for years and written two books on it, she was asked to speak to AZ NOW and its members in order to educate women in Arizona about steps they can take to address the growing reproductive inequality chasm in the State.

11. AZ NOW also frequently lobbies against legislation seeking to impose restrictions on women's access to reproductive care. For example, in 2017, AZ NOW filed comments on two

executive orders denying people access to birth control through employers or insurance. In 2018, the organization lobbied against S.B. 1394, proposed legislation that mandated that the patient give a reason for the abortion, that doctors report any complications in great detail, that the doctors identify their specialty, that detailed reports be given about “informed consent” and that statistical data be reported annually. The bill passed and was signed into law April 12, 2018. That same year, AZ NOW sent a letter to the state health department against a “crisis pregnancy center” resolution that would legitimize these “centers” that are not licensed, are not regulated, do not have trained medical staff, and whose main purpose is to counsel pregnant people not to have an abortion. AZ NOW also lobbied against the bill at issue in this legislation, S.B. 1457, by providing extensive legal research and education about the impact of the bill to our members, providing statewide grassroots alerts to encourage our members to contact their legislators against the bill, and participating in phone banking.

12. Aside from the organization’s lobbying activities, members of the Central Phoenix-Inez Casiano Chapter of AZ NOW recently participated in a protest at the Arizona State Capitol building to support the right to abortion.

13. Historically, the Tucson Chapter also has a Reproductive Justice Committee that researches and provides education on pregnancy crisis centers and organizes fundraisers to raise funds for the Arizona Abortion Fund.

14. AZ NOW has also partnered with three high school groups to assist them in establishing high school chapters, to connect them with prominent women speakers on topics of their choice, and to work with them on projects such as a letter writing campaign. AZ NOW also provides pregnancy prevention information to the students.

The Threat to AZ NOW's Mission and Members

15. SB 1457 will significantly harm AZ NOW as an organization, seriously frustrate AZ NOW's mission, and divert organizational resources. As a result of the legislation, AZ NOW will have to spend significant resources to educate its members and Arizona people on the impacts of the new law. This would include devoting volunteers' and officers' time and organizational resources to understanding the law, its impact on the communities we serve, and subsequently educating and advising our members and women in Arizona accordingly. Educating the women we serve about the law would take significant resources and take away from our current lobbying and educational efforts, including in areas that are separate from our existing reproductive justice work, such as gun violence, inter-personal violence, sexual assault, immigration and border issues, Equal Rights Amendment, racism, and discrimination against LGBTQIA+ communities, among others.

16. This public education campaign would be necessary in order to fulfill AZ NOW's mission of ensuring abortion access and advancing the goals of reproductive justice throughout Arizona. This is because, in order to continue accessing abortion in Arizona, people must understand the limitations on that right, the circumstances in which they can exercise that right and the conditions they must abide by to obtain an abortion, including the types of information they will be forced to hide from their providers. Accordingly, we would need to educate our members about the risks imposed by the new law, as well as pregnant person's remaining available options under S.B. 1457 and how to access them.

17. In addition, given the potential liability that S.B. 1457 imposes for medical professionals who provide abortion referrals, AZ NOW would need to educate our members about where abortion is available throughout the state and regarding at what point in a patient's pregnancy abortion is an option in the state. Given the chilling effect that S.B. 1457 will have on

physicians' ability to give this information to their patients, including but not limited to in the form of providing abortion referrals, AZ NOW's work to educate the public about the state of access in Arizona would become more important than ever, and thus we would need to substantially expand our work on that front.

18. In order to be effective and to meet the needs of AZ NOW's members and mission, any response to S.B. 1457 would need to be multi-faceted and intersectional. For example, AZ NOW would need to create both hard copy and electronic informational resources about the impact of the legislation. These materials will be distributed via mail to AZ NOW's 1,500 members and on its website and social media pages. Because AZ NOW does not have email addresses for a large percentage of its members, the materials would need to be distributed via hard copy mail. The cost of printing and mailing alone would significantly impact AZ NOW's limited finances. Such materials also must be translated into languages other than English such as Spanish, Russian, Navajo, and Arabic because not only does Arizona have a large percentage of Spanish speakers, but we also have large sections of Native Nations and pockets of refugees. Such translation is very costly.

19. AZ NOW would also need to host informational presentations to churches, clubs, women's groups, civic groups, youth groups and other relevant audiences about the legislation. Further, in order to reach more remote populations in Arizona, AZ NOW would buy radio ads on local stations.

20. AZ NOW will also be forced to divert resources to provide support to people seeking abortions who face hardships in accessing abortion care as a result of the legislation. AZ NOW has previously raised funds for groups, such as the Abortion Fund, that provide these types

of services. Given the widespread impact of the impact of the legislation, AZ NOW will begin providing these services in addition to raising funds.

21. In the wake of this new legislation, which would force more people to travel to access abortion care, AZ NOW is coordinating its members to organize support. Specifically, because the Act bans abortion for patients who have received a fetal diagnosis, more people may need to travel longer distances to obtain an abortion. This would likely require AZ NOW to organize and recruit teams of volunteers from its membership that would provide or assist affected pregnant people with the provision of travel, lodging, child care, and other assistance necessary to obtain abortion care in Arizona, and/or coordinating with NOW chapters in neighboring states to assist such people with locating an abortion provider in, and traveling to, another state.

22. In connection with the logistical support AZ NOW intends to provide, the organization is developing a form for its website that people can use to request assistance in finding an abortion provider or obtaining resources to offset the increased cost of abortion.

23. In order to provide this type of support to people seeking abortions, AZ NOW will need to raise funds. AZ NOW will raise money by sending direct requests to its members, posting fundraising campaigns on its social media and hosting events such as concerts and trivia nights. By soliciting funds to help people obtain an abortion, AZ NOW opens itself up to criminal liability if it knows that the person is seeking an abortion for the banned reason. The Act makes it a class 3 felony to “solicit[] or accept[] monies to finance . . . an abortion because of a genetic abnormality of the child.” A.R.S. § 13-3603.02(B)(2).

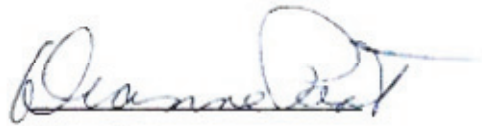
24. These anticipated new activities would result in a diversion of resources from AZ NOW’s current activities. AZ NOW anticipates that it would need to reduce its current lobbying

and educational activities, as detailed above in order to support the new education and member outreach activities caused by the legislation.

25 The new legislation also directly frustrates AZ NOW's mission of seeking safe and legal abortion for all and ensuring reproductive justice.

Pursuant to 28 U.S.C. § 1746, I hereby declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed August 16, 2021

A handwritten signature in blue ink, appearing to read "Dianne Post", with a large loop at the end of the signature.

Dianne Post