

Exhibit L

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

WHOLE WOMAN’S HEALTH, et al.,

Plaintiffs,

v.

AUSTIN REEVE JACKSON, et al.,

Defendants.

Civil Action No. _____

**DECLARATION OF ZAENA ZAMORA IN SUPPORT OF PLAINTIFFS’ MOTION
FOR SUMMARY JUDGMENT**

I, Zaena Zamora, hereby declare as follows:

1. I am the Executive Director of Frontera Fund (“Frontera”), a nonprofit corporation incorporated in Texas that arranges and funds transportation and lodging and provides financial assistance for abortion care for people who want to end a pregnancy, but who cannot afford the cost of abortion care, the ancillary costs that may be necessary to access that care, or both.

2. Our mission is to make abortion accessible in the Rio Grande Valley by providing financial and practical support regardless of immigration status, gender identity, ability, sexual orientation, race, class, age, or religious affiliation and to build grassroots organizing power at intersecting issues across our region to shift the culture of shame and stigma.

3. As Executive Director of Frontera, I personally carry out, with assistance from Frontera’s Board of Directors, all of Frontera’s operations, including the fundraising, financial, communications, administrative, and programmatic work.

4. Prior to my service as the Executive Director, I served on the Board of Frontera for about two years. During that time, I managed Frontera’s finances, provided fundraising support,

and interacted directly with community members seeking Frontera's assistance, helping them obtain both funding for their abortion care, and the practical support necessary to access that care.

5. I provide the following testimony based on personal knowledge acquired through my service at Frontera Fund and review of the organization's business records.

Frontera's Services

6. Frontera engages in various forms of advocacy to promote abortion access, including providing direct funding for abortion care. When someone contacts Frontera seeking assistance, we engage them in an intake process through which we obtain information about the caller's circumstances and pledge financial support for their abortion care. We then contact the abortion clinic directly and provide a voucher for the amount pledged, which goes toward the caller's medical costs. After the caller's appointment, the clinic bills us directly for the pledged voucher amount.

7. Each week, we pledge funding for callers until we exhaust our weekly budget. We typically have to turn away a few callers each week. We provide financial support to roughly seventy to eighty callers each quarter. We average about \$200-300 per pledge, although the specific amount for each individual caller may vary based on factors such as the gestational age of their pregnancy and the clinic where they seek care.

8. Certain times of the year are busier than others. For example, following natural disasters or other hardship, such as the February 2021 power crisis caused by the polar vortex. Such events cause people to work reduced hours (and receive reduced pay), incur costs to replace contaminated food or water, or incur additional recovery expenses, leading to increased financial hardship.

9. Some callers additionally need support securing and financing costs associated with travel. For these callers, we book and directly pay vendors for long-distance ground or air travel; public and rideshare services for local transportation near both the caller’s home and destination; and lodging. We also provide reimbursement for gasoline to callers with access to private vehicles.

10. In addition to providing financial and practical support for callers seeking abortion care, Frontera engages in policy advocacy regarding abortion; provides callers with information regarding abortion access and current restrictions on abortion care; and refers callers to other abortion support service organizations, as needed.

Frontera’s Clients

11. Frontera serves callers who either live in south Texas—the area south of the latitude connecting Laredo, TX to Corpus Christi, TX—or who are traveling to Whole Woman’s Health of McAllen (“WWH”) for their abortion care.¹ We do not pledge funding or provide practical support to callers not meeting these criteria. However, Frontera may provide “solidarity funding” for callers not meeting these criteria under certain exceptions: if we receive a request from another abortion fund seeking aid for one of its callers, or if the caller is undocumented. Most of our callers, roughly 84%, reside in the Rio Grande Valley, an area that includes Starr, Hidalgo, Willacy, and Cameron Counties.

12. The majority of our callers are under the age of thirty-five. Some of our callers are minors. Some are undocumented. About one in twenty lack English proficiency. Most of our callers currently have children. The overwhelming majority are beyond six weeks gestational age, measured by the last menstrual period (“LMP”). All of them lack the necessary funds to access abortion care; South Texas is one of the poorest areas in the country.

¹ Frontera is not affiliated with WWH in any way.

13. Some of our callers are facing particularly difficult circumstances. Some are experiencing homelessness. Some are students, have recently experienced a job loss, or are facing other financial struggles. Some are experiencing domestic violence or other unsafe situations. Others have experienced sexual assault. We have seen an increase in all of these circumstances since the beginning of the COVID-19 pandemic. We try to provide these callers with additional financial support, resources, and necessary referrals.

Impact of SB 8 on Frontera and Its Clients

14. I understand that Texas Senate Bill 8 (“SB 8”), which is scheduled to take effect on September 1, 2021, would ban the provision of abortions at approximately six weeks of pregnancy, prohibit aiding or abetting such abortions, and prohibit intending to aid or abet such abortions. I also understand SB 8 to enable private parties to sue individuals and entities who engage in such activities for a minimum of \$10,000 per abortion performed in violation of the ban. With the impending threat of SB 8, I am reluctant to onboard volunteers who could now be subject to legal liability.

15. If SB 8 prevents Texas abortion providers from offering abortion care after six weeks’ gestational age, nearly all our callers would need to travel out of state. As stated above, out-of-state travel is generally more expensive than in-state travel because it involves long-distance air or ground fare, lodging, and local travel expenses in costlier destinations than Texas. Currently, we can afford to provide this support to the callers who need it only because relatively few of them require it. If all our callers required assistance traveling out of state, we would be able to serve only a tiny fraction of them in any meaningful way.

16. Additionally, out-of-state travel would burden our callers in other ways. Traveling longer distances means that they would have to take more time off work. For at least some callers,

this would be impossible. Some cannot take time off work without jeopardizing their employment, others have limited time off, and others may not be able to afford the lost wages during time off. Callers with children would have to arrange and pay for childcare for significantly longer. This is prohibitively expensive for some. Callers would also face a more significant challenge to keep their pregnancy and abortion care confidential, a particularly devastating result of SB 8 for those experiencing domestic violence or other abusive situations.

17. Many of our callers would be forced to carry their pregnancy to term or take matters into their own hands. Those who can travel out of state would still have to overcome substantial obstacles to accessing abortion services, such as the heightened expense; additional time away from home and work; and added stress and anxiety from having to navigate an entirely different environment. These obstacles can be immensely burdensome even when they are not prohibitive.

18. On the other hand, if some people continue to access abortion in Texas with Frontera's help after SB 8 takes effect, I expect individuals or organizations opposed to abortion access to sue Frontera for providing practical and financial support for Texans seeking abortion care after six weeks. Although I believe that SB 8 is unconstitutional and therefore invalid, lawsuits filed pursuant to SB 8 against Frontera would hobble our ability to serve our clients because we lack the resources to defend against the suits. I understand that lawyers typically charge hundreds of dollars per hour for their services, and to date, Frontera has not been able to secure commitments from attorneys to represent us on a pro bono basis if we are sued under SB8. It is my understanding that attorneys who represent us in an SB 8 lawsuit cannot recover their costs or fees from the plaintiffs or the state even if successful, but they could be held liable for the plaintiffs' costs and attorney's fees.

19. Frontera provides an important service in the Rio Grande Valley, an under-resourced community facing many challenges already. We give people access to the life that they want to live. By giving people the resources to make the decisions that are best for them, we commit radical acts of care and community love. When I tell a caller that Frontera will help them, I always hear relief from the caller that they can move on with their lives or make decisions for themselves without worrying about not having the money. The cost of abortion care and related expenses is a lot of money, especially for people of reproductive age in this community. It is not a drop in the bucket. Frontera's assistance means our callers do not have to forego food, rent, diapers, other medical care, or other expenses.

20. In preventing us from helping vulnerable South Texans obtain abortion care in their state, and forcing us to shift our support to out-of-state travel, which is either impracticable or extremely burdensome for our clients, SB 8 would frustrate our mission.

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

Dated: July 6, 2021



Zaena Zamora