

AUSTIN KNUDSEN
 Montana Attorney General
 DAVID M.S. DEWHIRST
 Solicitor General
 KATHLEEN L. SMITHGALL
 Assistant Solicitor General
 PATRICK M. RISKEN
 Assistant Attorneys General
 215 North Sanders
 P.O. Box 201401
 Helena, MT 59620-1401
 Phone: 406-444-2026
 Fax: 406-444-3549
 david.dewhirst@mt.gov
 kathleen.smithgall@mt.gov
 prisken@mt.gov

CLERK OF THE
 DISTRICT COURT
 TERRY HALPIN

2021 SEP -7 P 5: 56

FILED

BY KEVIN H. THERIOT (AZ Bar No. 030446)*
 DENISE M. HARLE (FL Bar No. 81977)*
 ALLIANCE DEFENDING FREEDOM
 15100 N. 90th Street
 Scottsdale, AZ 85260
 (480) 444-0020
 ktheriot@ADFlegal.org
 dharle@ADFlegal.org

Attorneys for Defendants

**Application for Admission Pro Hac Vice
 Forthcoming*

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
 YELLOWSTONE COUNTY

<p>PLANNED PARENTHOOD OF MONTANA and JOEY BANKS, M.D., on behalf of themselves and their patients,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>STATE OF MONTANA, by and through AUSTIN KNUDSEN, in his official capacity as Attorney General,</p> <p style="text-align: center;">Defendants.</p>	<p>DV-21-00999</p> <p>Hon. Gregory R. Todd</p> <p>DECLARATION OF TODD M. KOCH IN OPPOSITION TO THE MOTION FOR PRELIMINARY INJUNCTION</p>
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Fax: 406-444-3549
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kathleen.smithgall@mt.gov
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Kevin H. Theriot (AZ Bar No. 030446)
Denise M. Harle (FL Bar No. 81977)
ALLIANCE DEFENDING FREEDOM
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Scottsdale, AZ 85260
(480) 444-0020
ktheriot@ADFlegal.org

Attorneys for Defendants

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
YELLOWSTONE COUNTY

<p>PLANNED PARENTHOOD OF MONTANA and JOEY BANKS, M.D., on behalf of themselves and their patients,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>STATE OF MONTANA, by and through AUSTIN KNUDSEN, in his official capacity as Attorney General,</p> <p style="text-align: center;">Defendants.</p>	<p>DV-21-00999</p> <p>Hon. _____</p> <p>DECLARATION OF TODD M. KOCH IN OPPOSITION TO THE MOTION FOR PRELIMINARY INJUNCTION</p>
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I, Todd M. Koch, declare:

1. I am over the age of eighteen and competent to testify, and I make this declaration based on my personal knowledge.

Job Duties

2. I am currently the Lead Vital Statistics Epidemiologist at the Department of Public Health and Human Services.

3. In that role, I am responsible for the collection, maintenance, and security of information reported to the Department pursuant to § 50-20-110 by abortion providers.

Abortion Statistics

4. Based upon information reported to the Department, between January 1, 2016 and August 18, 2021, by abortion providers pursuant to § 50-20-110, I certify the following to be true and accurate.

- a. There were 8,402 induced abortions during that time period.
- b. The gestational ages of the fetuses at time of the induced abortion were as follows:

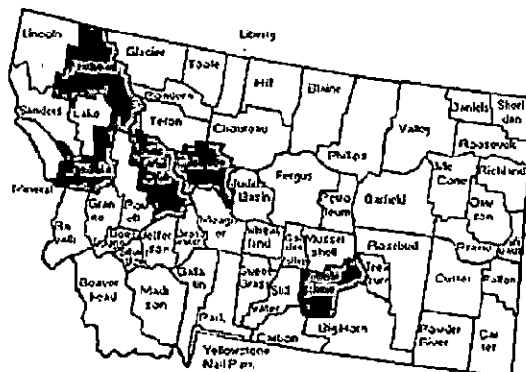
Gestational Age	Total by Gestational Age
8 weeks and fewer	5754
9 to 13 weeks	1966
14 to 15 weeks	276
16 to 17 weeks	177

18 to 20 weeks	166
21 weeks or greater	50
Not Stated	13
Total Procedures	8402

c. The frequency of induced abortions by facility of occurrence was as follows:

FACILITY NAME	Total by Facility
ALL FAMILIES HEALTHCARE	586
BILLINGS CLINIC	1
BLUE MOUNTAIN WOMENS CLINIC	2805
MISSOULA COMMUNITY HOSPITAL	18
PLANNED PARENTHOOD - BILLINGS	3471
PLANNED PARENTHOOD - GREAT FALLS	402
PLANNED PARENTHOOD - HELENA	1027
PLANNED PARENTHOOD - MISSOULA	88
OTHER	4

(counties in red contain at least one facility, excluding "other," from above)



Source: DHS&P, 2011 (1)

- d. The frequency of induced abortions by county of occurrence was as follows:

COUNTY NAME	Total by County
BROADWATER	1
CASCADE	402
FLATHEAD	586
LEWIS AND CLARK	1,027
MISSOULA	2,913
YELLOWSTONE	3,472
NOT STATED	1

- e. There were 25 reported complications from induced abortions during the covered time period including 1 uterine perforation, 6 cervical lacerations, 9 retained products, and 11 other complications.
- f. The race and ethnicity of individuals seeking abortions during this time period was as follows:

Non-Hispanic White	Non-Hispanic Black	Non-Hispanic American Indian or Alaskan Native	Non-Hispanic Asian	Hispanic
6955	143	655	133	516

- g. Non-Hispanic Whites accounted for 82.8% of induced abortions.
- h. Non-Hispanic Blacks accounted for 1.7% of induced abortions.
- i. Non-Hispanic American Indian or Alaskan Natives accounted for 7.8% of induced abortions.
- j. Non-Hispanic Asians accounted for 1.6% of induced abortions.

k. Hispanics accounted for 6.1% of induced abortions.

l. The frequency of induced abortions by educational attainment is as follows:

EIGHTH GRADE OR LESS	NINTH THROUGH TWELFTH GRADE - NO DIPLOMA	HIGH SCHOOL GRADUATE OR GED COM- PLETED	SOME COL- LEGE CREDIT, NO GRAD- UATION	ASSOCIATE DEGREE
71	785	3267	2225	596
BACHE- LOR'S DEGREE	MASTER'S DE- GREE	DOCTOR- ATE OR PROFES- SIONAL DEGREE	NOT STATED	
1191	211	46	10	

I submit this declaration pursuant to Mont. Code Ann. §§ 1-6-105 and 27-19-303, which together permit parties to present declarations for the court to consider at a preliminary injunction hearing. I hereby declare under penalty of perjury under the laws of the United States of America and the State of Montana that the foregoing is true and correct.

Dated: 9-7-21


Todd M. Koch

CERTIFICATE OF SERVICE

I certify a true and correct copy of the foregoing was delivered by

email to the following:

Raph Graybill
Graybill Law Firm, PC
300 4th Street North
PO Box 3586
Great Falls, MT 59403
rgraybill@silverstatelaw.net

Kimberly Parker
Nicole Rabner
Wilmer Cutler Pickering Hale & Dorr
LLP
1875 Pennsylvania Avenue NW
Washington, DC 20006
kimberly.parker@wilmerhale.com
nicole.rabner@wilmerhale.com

Hana Bajramovic
Planned Parenthood Federation
of America, Inc.
123 William St., 9th Floor
New York, NY 10038
hana.bajramovic@ppfa.org

Alan Schoenfeld
Michel Nicole Diamond
Wilmer Cutler Pickering Hale & Dorr
LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
alan.schoenfeld@wilmerhale.com
michelle.diamond@wilmerhale.com

Alice Clapman
Planned Parenthood Federation
of America, Inc.
1110 Vermont Ave., NW Ste. 300
Washington, DC 20005
alice.clapman@ppfa.org

Gene R. Jarussi
1631 Zimmerman Tr., Ste. 1
Billings, MT 59102
gene@lawmontana.com

Date: September 7, 2021


ROCHELL STANDISH