

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

PLANNED PARENTHOOD OF TENNESSEE AND NORTH MISSISSIPPI, on behalf of itself, its physicians and staff, and its patients; MEMPHIS CENTER FOR REPRODUCTIVE HEALTH, on behalf of itself, its physicians and staff, and its patients; KNOXVILLE CENTER FOR REPRODUCTIVE HEALTH, on behalf of itself, its physicians and staff, and its patients; FEMHEALTH USA, INC., d/b/a CARAFEM, on behalf of itself, its physicians and staff, and its patients; and AUDREY LANCE, M.D., M.S., on behalf of herself and her patients,

Plaintiffs,

v.

HERBERT H. SLATERY III, Attorney General of Tennessee, in his official capacity; LISA PIERCEY, M.D., Commissioner of the Tennessee Department of Health, in her official capacity; RENE SAUNDERS, M.D., Chair of the Board for Licensing Health Care Facilities, in her official capacity; W. REEVES JOHNSON, JR., M.D., President of the Tennessee Board of Medical Examiners, in his official capacity; AMY P. WEIRICH, District Attorney General of Shelby County, Tennessee, in her official capacity; GLENN FUNK, District Attorney General of Davidson County, Tennessee, in his official capacity; CHARME P. ALLEN, District Attorney General of Knox County, Tennessee, in her official capacity; and TOM P. THOMPSON, JR., District Attorney General for Wilson County, Tennessee, in his official capacity,

Defendants.


CIVIL ACTION
CASE NO. 3:20-cv-00740
JUDGE CAMPBELL

FILED
SEP 23 2020 DB
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN.

DECLARATION OF GLENN FUNK, DISTRICT ATTORNEY GENERAL FOR THE
20th JUDICIAL DISTRICT

1. I, Glenn Funk, am the elected District Attorney General for the 20th Judicial District, consisting of Nashville, Davidson County, Tennessee.
2. I took an oath upon becoming the elected District Attorney General for the 20th Judicial District to uphold the constitutions of the United States and the State of Tennessee, and to enforce the law in conformity with those constitutions. I do not believe T.C.A. §§ 39-15-218(b) and 39-15-218(e) are constitutional, therefore I will not enforce those provisions.
3. With regard to reproductive issues, the criminal law must not be used by the State to exercise control over a woman's body.
4. As long as I am the elected District Attorney for the 20th Judicial District, I will not prosecute any woman who chooses to have a medical procedure to terminate a pregnancy or any medical doctor who performs this procedure at the request of their patient. Further, I will not prosecute or sanction an abortion provider who states, verbally and/or in writing disagreement with the disclosures required by the Legislature which are subject to this lawsuit.
5. I was apprised of this Court's September 15, 2020 order by the Attorney General's office on September 18.
6. The Court's order states "Should Defendants seek to have the Court consider such Declarations in determining whether injunctive relief is warranted, they should file the Declarations on or before September 22, 2020."
7. I sent my Declaration to the Attorney General's office at 2:40 p.m. on September 22, 2020 with directions for that office, as my legal representation to file the Declaration with the court.
8. The Attorney General's office did not file this Declaration on September 22 and emailed at 10:31 p.m. that they would not file my Declaration.
9. Since the Attorney General has refused to file my declaration, I am making this filing today.

I declare under penalty of perjury that the foregoing is true and correct. Executed by me this 23rd day of September, 2020.


Glenn R. Funk
District Attorney General
20th Judicial District

CERTIFICATE OF SERVICE

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