

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION

MILAN PUSKAR HEALTH RIGHT,  
LAWSON KOEPEL, ALINA LEMIRE,  
and CARRIE WARE,

*Plaintiffs,*

v.

BILL J. CROUCH, in his official capacity as  
Cabinet Secretary of the West Virginia  
Department of Health and Human Resources,  
JOLYNN MARRA, in her official capacity as  
Interim Inspector General and Director of the  
Office of Health Facility Licensure and  
Certification, and STEVE HARRISON, in his  
official capacity as Clerk of the House of  
Delegates and Keeper of the Rolls,

*Defendants.*

Civil Action No.

Hon \_\_\_\_\_

**JOINT DECLARATION OF LAWSON KOEPEL AND ALINA LEMIRE**

We, Lawson Koepel and Alina Lemire, declare under penalty of perjury of the laws of the United States of America that the following is true and correct, and state:

1. We are residents of Virginia who do harm reduction outreach across Appalachia, including various underserved locations in West Virginia.
2. We do both street outreach and community events.
3. We offer services including Hepatitis C testing, naloxone distribution, education about treating infections and ways to avoid them, health supplies, and, prior to the passage of Senate Bill 334, we provided sterile syringes to people who use drugs.
4. The people we serve are people who have been intentionally marginalized, by both society in general but also by the passage of stigmatizing laws and ordinances like Senate

Bill 334. Our clients have almost no resources, are often in poverty, and may live in a southern rural area where there are very few jobs.

5. We do not require identification from participants. That would be a barrier and against best practices. Many of our clients do not have IDs and we will not turn anyone away.
6. When Senate Bill 334 passed, we stopped the provision of sterile syringes immediately. We read the legislation and could not figure out when we would have to comply, or if we even still had any time to provide our services after the bill passed. We have heard that some people may have until 2022, but we are not sure who falls into that group or if we would be included. The fines are too severe to take that risk.
7. If the enforcement of Senate Bill 334 were enjoined, we would immediately begin providing sterile syringes again to West Virginians. There are severe issues with outbreaks of Hepatitis C and HIV in West Virginia, and when people who use drugs use the same syringe over and over again because they do not have access to sterile syringes, it will make the outbreak far worse than it already is. We would like to provide the services that we have offered before to promote good public health for everyone, and certainly for those who have been left behind by society and the government.

Executed on June 25, 2021.

/s/ Lawson Koeppe

/s/ Alina Lemire