

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EVAN MILLIGAN, *et al.*,

Plaintiffs,

v.

Case No. 2:21-cv-1530-AMM

JOHN H. MERRILL, in his official capacity as Alabama Secretary of State, *et al.*,

THREE-JUDGE COURT

Defendants.

**DECLARATION OF CHIEF MEDICAL OFFICER DR. MARY
MCINTYRE**

My name is Mary McIntyre, M.D., M.P.H. I am the Chief Medical Officer for the Alabama Department of Public Health. I am a resident citizen of Alabama and over the age of majority. The facts I have set out below, which are true and correct to the best of my knowledge, are based upon my personal knowledge, the records of the Alabama Department of Public Health maintained in the ordinary course of business, or documents issued to the public by Alabama governmental agencies.

1. In my role as Chief Medical Officer, I provide clinical expertise for the Alabama Department of Public Health. Among other duties, I oversee the State's Communicable Disease Bureau, which handles disease surveillance and mitigation. In my position, I have played a significant role in the State's COVID-19 testing and vaccination outreach efforts. I have managed the State's efforts to reach vulnerable

populations, which include racial and ethnic minority groups and individuals who live in poorer communities and have less access to healthcare services. We use the Social Vulnerability Index (SVI) as part of our data-driven efforts to respond to COVID-19.

2. We have partnered with various organizations as part of our efforts to reach out to the African American community and to help improve vaccine confidence among Alabamians. Some of these organizations include the Alabama Conference of Black Mayors, Historically Black Colleges and Universities like Tuskegee University and Alabama State University, the Alabama State Missionary Baptist Convention, and the Governor's Office of Minority Affairs.

3. We created yard signs promoting vaccination and distributed them to various leaders in communities of color around Alabama, including Mayors, religious leaders, HBCU college administrators, and the Governor's Office of Minority Affairs.

4. ADPH created video Public Service Announcements with the Alabama Conference of Black Mayors in an attempt to educate Black Alabamians about COVID-19 symptoms and testing.¹

¹ <https://www.youtube.com/watch?v=4XER82uaXWI>; <https://www.youtube.com/watch?v=5O8GWqAJyHI>

5. I personally appeared in other PSAs in an attempt to reach out to communities of color in Alabama.² These PSAs are available on our website that collects resources about Alabama's outreach to vulnerable populations. We have aired PSAs on television and radio in Alabama and placed billboards in high-SVI communities. I also participated in a television program through WSFA, a local news station in Montgomery, in which viewers called in to have their questions answered about COVID-19 testing and vaccination.

6. ADPH provided information to churches, local physicians, and other local leaders in Alabama counties so that those leaders could best reach individuals in high-SVI communities.

7. On behalf of ADPH, I have participated in dozens of presentations, teleconferences, and conference calls targeting Alabama's African American community, including joint presentations with the Alabama NAACP and Congresswoman Terri Sewell. Most of these events occurred in the evenings so that the maximum amount of people possible could participate.

8. The State used the Alabama National Guard vaccination units as part of vaccine outreach efforts. The National Guard units were used predominately in counties with the highest SVI. Some of these units set up in parking lots, churches, or other similar locations to maximize outreach to high-SVI communities.

² <https://www.youtube.com/watch?v=EgNrIqjaiM>; https://www.youtube.com/watch?v=6OE_ZApiXGc

9. The State's initial selection of vaccine locations was based on which facilities, almost all of which were hospitals, volunteered that they would be able to handle the product from a logistics standpoint. When the Federal Pharmacy vaccine program was rolled out, ADPH spent a great deal of time convincing our pharmacy partners to place vaccine in high-SVI areas. They eventually agreed to do so.

10. Today, there are vaccines available in every single county health department in Alabama.

11. A higher percentage of Black Alabamians have received the COVID-19 vaccine than White Alabamians. The county with the highest vaccination rate is Lowndes County, which is a majority-Black county.

12. Alabama has made extensive efforts related to COVID-19 outreach in the African American community. The efforts discussed in this declaration are not an exhaustive list—ADPH has conducted other efforts to reach vulnerable populations in Alabama and continues that work today.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on December 20, 2021.


Mary McIntyre, M.D., M.P.H.
Chief Medical Officer for the State of Alabama