

## APPENDIX A

### DESCRIPTION OF *AMICI CURIAE*

*Amicus Curiae American Academy of Addiction Psychiatry* (“AAAP”) is an international professional membership organization made up of practicing psychiatrists, university faculty, medical students and other related professionals. Founded in 1985, it currently represents approximately 1,000 members in the United States and around the world. AAAP is devoted to promoting access to continuing education for addiction professionals, dissemination new information in the field of addiction psychiatry, and encouraging research on the etiology, prevention, identification, and treatment of addictions. AAAP opposes the prosecution of pregnant women based on the belief that the disclosure of personal drug use to law enforcement for use in criminal prosecutions will undermine prenatal care, discourage many women from seeking substance abuse treatment, and damage the medical provider-patient relationship that is founded on principles of confidentiality.

*Amicus Curiae American Association for the Treatment of Opioid Dependence* (“AATOD”) was founded in 1984 as the Northeast Regional Methadone Treatment Coalition, Inc. AATOD treatment providers joined together to support the legitimacy of methadone maintenance treatment for opioid dependence and to increase the availability of comprehensive treatment services to people in need of care.

*Amicus Curiae American College of Obstetricians and Gynecologists* (“ACOG”) is a private, voluntary, not-for-profit organization of physicians who specialize in obstetric and gynecologic care. ACOG was founded in 1951 and is the leading group of professionals providing health care to women. ACOG's more than 49,000 members, including 252 in Hawai'i, represent over 90 percent of all obstetricians and gynecologists currently practicing in the United States. ACOG is dedicated to educating health care professionals, law and policy makers and the general public about women's health care. ACOG is further devoted to assuring that all women have access to prenatal care for the benefit of both the fetus and the mother. Accordingly, ACOG opposes practices that deter substance dependent women from seeking prenatal care.

*Amicus Curiae American Psychiatric Association* (“APA”), with roughly 40,000 members, is the nation's leading organization of physicians specializing in psychiatry, a field regularly concerned with substance abuse and dependence. The APA opposes criminal prosecutions based on use of substances during pregnancy. By deterring prenatal care and addiction treatment, such prosecutions impair the health and safety interests that are the central concern of the APA's members.

*Amicus Curiae American Society of Addiction Medicine* (“ASAM”) is devoted to increasing access to and improving the quality of addiction treatment. ASAM members are physicians from all medical specialties and subspecialties and are engaged in private practice, serve as corporate medical directors, work in group practice or other

clinical settings, and are also involved in research and education. Through its conferences, continuing medical education courses, and publications (including the textbook, *Principles of Addiction Medicine (Third edition, 2002)*), ASAM actively educates the medical community and the public about addiction disorders and diseases, treatment guidelines, and practice parameters in the field of addiction medicine. ASAM staunchly opposes policies that create obstacles to or deter persons from receiving substance treatment or counseling.

*Amicus Curiae Association of Women Psychiatrists* (“AWP”) is an independent, non-profit professional organization representing women psychiatrists in the U.S. and abroad. The AWP was founded in 1983 to promote the health and mental health of all persons, particularly women. AWP’s aims include collecting and disseminating information on improving women’s mental health, supporting research in women’s mental health issues, and advocating just legislation for women. AWP strongly encourages and supports efforts to decriminalize substance abuse and addiction in pregnant women.

*Amicus Curiae Association for Medical Education and Research in Substance Abuse* (“AMERSA”) is a national multidisciplinary organization of health care professionals dedicated to improving education and research on the care of individuals and families with substance abuse problems. Through its annual national scientific conference, peer-reviewed journal *Substance Abuse*, faculty development program Project MAINSTREAM, and web-based downloadable curricula and teaching materials, AMERSA is expanding science-based education in substance abuse for all health care professionals. AMERSA members are the teachers of substance abuse at the nation’s major universities and health care institutions. AMERSA educates and mentors future clinicians, researchers, and educators.

*Amicus Curiae Center for Gender and Justice* (“CGJ”) seeks to develop gender-responsive policies and practices for women and girls who are under criminal justice supervision. The Center is committed to research and to the implementation of policies and programs that will encourage positive outcomes for this underserved population.

*Amicus Curiae Citizens for Midwifery* (“CfM”) is a national, non-profit, and consumer-based group that promotes maternal and child health through advocating the Midwives Model of Care and seeks to have these practices recognized as an accepted standard of care for childbearing mothers. In focusing on the normalcy of childbirth and the uniqueness of each childbearing woman and family, this model includes monitoring the physical, psychological, and social well-being of childbearing mothers, providing pregnant women with individualized prenatal care and hands-on assistance during interventions, and identifying women who require obstetrical attention. As an organization CfM also provides information on midwifery and childbirth issues, encourages and provides guidance for midwifery and childbirth issues, and represents consumer interests regarding midwifery and maternity care.

*Amicus Curiae* **Doctors of the World-USA** was founded in 1990 by a group of volunteer physicians and is an international health and human rights organization working where health is diminished or endangered by violations of human rights and civil liberties. Reaching out to the most vulnerable and marginalized populations, in concert with local partners around the globe, Doctors of the World-USA's projects build long-term solutions addressing urgent health issues, with particular focus on women's health and vulnerable children.

*Amicus Curiae* **Drug Policy Alliance** ("The Alliance") is dedicated to broadening the public debate over drug use and regulation and to advancing realistic policies, grounded in science, compassion, public health, and respect for human rights and individual autonomy. The Alliance is a non-profit, non-partisan organization with more than 20,000 members and active supporters nationwide. Through its Office of Legal Affairs, the Alliance has participated, as record counsel or *Amicus Curiae*, in litigation concerning a variety of matters related to drug laws and drug policies.

*Amicus Curiae* **Drug Policy Forum of Hawai'i** is a not for profit educational organization whose mission is to encourage the development of effective drug policies that minimize economic, social, and human costs, and promote the consideration of pragmatic approaches to drug policy based on scientific principles, effective outcomes, public health considerations, concern for human dignity, and enhancing the well being of individuals and communities. Its board of Directors is comprised of individuals working in the fields of social work, medicine, public health, law, and criminal justice who have taken an active role in legislative proceedings and sponsored public forums, educating decision makers and the general public about the medical and scientific realities of perinatal addiction and in utero exposure to alcohol, tobacco, and other drugs, and urging the adoption of policies and legal rules that experience teaches are most likely to promote healthy outcomes.

*Amicus Curiae* **Finding Common Ground** (FCG) is a collaborative effort between researchers at Columbia University's Mailman School of Public Health and Boston Medical Center. The project is dedicated to developing a public health agenda that integrates the health care needs and rights of women and children, and to reframing public discourse so that advocacy for one is seen to benefit both. FCG research focuses on poverty, domestic violence, the impact of welfare reform on reproductive health, and race and ethnicity in regard to the health of women and children.

*Amicus Curiae* **Global Lawyers and Physicians** (GLP) is a non-governmental organization that was formed in 1996 to reinvigorate the collaboration of the legal and medical/public health professions to protect the human rights and dignity of all persons. With lawyer and physician members, GLP collaborates and partners at the local, national, and international levels with individuals, non-governmental organizations, international government organizations and governments on issues that address health and human rights. GLP also provides support and assistance in developing, implementing, and advocating public policies and legal remedies which protect and enhance human rights and health.

*Amicus Curiae* **The Harm Reduction Coalition** (HRC) is committed to reducing drug-related harm among individuals and communities by initiating and promoting local, regional, and national harm reduction education, interventions, and community organizing. HRC fosters alternative models to conventional health and human services and drug treatment; challenges traditional client/provider relationships; and provides resources and educational materials. HRC also supports health professionals and drug users in their communities to address drug-related harm. HRC believes in every individual's right to health and well-being as well as in their competency to protect and help themselves, their loved ones, and their communities.

*Amicus Curiae* **Hawai'i Substance Abuse Free Environment Council** ("Hawai'i SAFE council") is a coalition of private and public organizations that provide health, social services, and drug abuse prevention and treatment to pregnant women and their children. Hawai'i SAFE council rejects the criminalization of pregnant women accused of using drugs during pregnancy and demands that a public health approach be offered to these women. They believe that providing treatment services to pregnant women is the only acceptable policy course.

*Amicus Curiae* **The Hygeia Foundation, Inc.** is concerned with Pregnancy Loss (miscarriage, stillbirth, neonatal death), Maternal and Child Health and narrowing disparities in access to Information Technologies and Women's Health Services. The Hygeia Foundation, Inc. is committed to improving universal access to healthcare services and healthcare information with respect, dignity and advocacy. The foundation also provides solace and bereavement for parents whose children have died before and after birth. The Hygeia Foundation commits its resources and mission to underserved, vulnerable and disadvantaged women, children and families and seeks philanthropic donations to: develop and implement its unique programs, fund in-kind programs in patient care and basic science research related to Perinatal Health and Loss, and support public health initiatives to reduce perinatal and neonatal morbidity and mortality so as to improve the health of medically and economically disadvantaged families.

*Amicus Curiae* **National Advocates for Pregnant Women** ("NAPW") is a non-profit organization dedicated to securing the human and civil rights, health and welfare of pregnant and parenting women, and furthering the interests of their families. NAPW seeks to ensure that women do not lose their constitutional and human rights as a result of pregnancy, that addiction and other health and welfare problems they face during pregnancy are addressed as health issues, not as crimes; that families are not needlessly separated, based on medical misinformation; and that pregnant and parenting women have access to a full range of reproductive health services, as well as non-punitive drug treatment services.

*Amicus Curiae* **National Asian Pacific Women's Health Forum** ("NAPAWF") is dedicated to forging a grassroots progressive movement for social and economic justice and the political empowerment of Asian Pacific American (APA) women and girls. Founded in 1996, NAPAWF's vision includes strengthening communities to reflect the

social, political, and economic concerns and perspectives of APA women and girls; inspiring leadership and promoting the visibility and participation of APA women and girls in the political process and within the broader national and international women's movement; and creating a vehicle for progressive APA women to connect with others across the country to share strategies and form lasting coalitions around policy initiatives and grassroots organizing campaigns. Issues related to domestic violence, reproductive justice, education, civil rights, immigrant and refugee rights, and economic empowerment form the basis of NAPAWF's work.

*Amicus Curiae* **National Association of Alcohol and Drug Abuse Counselors, Inc.** ("NAADAC") is the nation's largest organization of alcohol and drug counselors, with over 14,000 members. NAADAC's members have special expertise in the substance abuse treatment needs of pregnant women. NAADAC joins this brief because it is deeply concerned that the wrong decision will undermine the quality of care that substance abuse professionals can provide pregnant patients, and will deter these women from seeking these essential services.

*Amicus Curiae* **The National Council on Alcoholism and Drug Dependence, Inc.** (NCADD) fights the stigma and the disease of alcoholism and other drug additions. Founded in 1944 by Marty Mann, the first woman to find long-term sobriety in Alcoholics Anonymous, NCADD provides education, information, help and hope to the public. It advocates prevention, intervention and treatment through offices in New York and Washington, and a nationwide network of Affiliates.

*Amicus Curiae* **The National Association of Nurse Practitioners in Women's Health** ("NPWH") is a national membership organization for nurse practitioners who provide care to women. Members of the NPWH practice in a variety of settings including private practice, managed care, hospital and public facilities. NPWH promotes evidenced based practice and clinical decision making.

*Amicus Curiae* **National Association of Social Workers, Inc.** ("NASW") is the world's largest association of professional social workers with 153,000 members in fifty-five chapters throughout the United States and abroad. Founded in 1955 from a merger of seven predecessor social work organizations, NASW is devoted to promoting the quality and effectiveness of social work practice, advancing the knowledge base of the social work profession, and improving the quality of life through utilization of social work knowledge and skills. NASW believes that criminal prosecution of women who use drugs during their pregnancy is inimical to family stability and counter to the best interests of the child. The needs of society are better served by treatment of addiction, not punishment of the addict. NASW's policy statement, *Alcohol, Tobacco, and Other Substance Abuse*, supports "a public health approach to illicit drugs," focusing on prevention and treatment.

*Amicus Curiae* **National Association of Social Workers, Inc. – Hawai'i Chapter** ("Hawai'i NASW") has 1,067 members and is particularly interested in this case due to its significant local impact. Hawai'i NASW stands with the national

organization in opposition to the prosecution of pregnant women who use drugs and demands that these women be offered treatment solutions.

*Amicus Curiae* **National Latina Health Organization** (“NLHO”) works towards the goal of bi-lingual access to quality health care and self-empowerment of Latinas through culturally respectful educational programs, health advocacy, outreach, research and public policy. The economic circumstances of many Latinas also create barriers that must be overcome in order to ensure the usefulness of health promotion and educational programs aimed at them. Currently, there is inadequate access to health care for Latinas; NLHO believes that prosecuting women based on pregnancy and substance abuse problems will only create additional barriers to needed health care.

*Amicus Curiae* **National Latina Institute for Reproductive Health** (“NLIRH”) wants to ensure the fundamental human right to reproductive health care for Latinas, their families and their communities through education, policy advocacy, and community mobilization. Through advocacy, community mobilization, and public education, NLIRH is shaping public policy, cultivating new Latina leadership, and broadening the reproductive health and rights movement to reflect the unique needs of Latinas. NLIRH believes that coercive, discriminatory and/or punitive policies and practices (such as the criminalization of pregnant substance users) are differentially impacting Latinas and other women of color.

*Amicus Curiae* **National Perinatal Association** (“NPA”) promotes the health and well-being of mothers and infants enriching families, communities and our world. NPA seeks to increase access to comprehensive health-care as this has an immeasurable impact on birth outcomes. NPA opposes all policies which endanger the wellbeing of infants or their mothers.

*Amicus Curiae* **Our Bodies Ourselves** (“OBOS”) provides clear, truthful information about health, sexuality and reproduction from a feminist and consumer perspective. OBOS vigorously advocates for women's health by challenging the institutions and systems that block women from full control over our bodies and devalue our lives. OBOS is noted for its long-standing commitment to serve only in the public interest and its bridge-building capacity. OBOS is dedicated to the autonomy and well-being of all women.

*Amicus Curiae* **Elizabeth M. Armstrong** holds a joint appointment in the Department of Sociology and the Woodrow Wilson School at Princeton University and is a faculty associate at both the Office of Population Research and the Center for Health and Wellbeing. She has published articles in the scholarly literature on substance use during pregnancy, family planning, adolescent motherhood, and the sociology of pregnancy and birth. She is the author of *Conceiving Risk, Bearing Responsibility: Fetal Alcohol Syndrome and the Diagnosis of Moral Disorder* (Johns Hopkins University Press, 2003), the first book to challenge conventional wisdom about drinking during pregnancy. Her current research includes a longitudinal study of agenda setting around

disease in the U.S. and a study of fetal personhood and obstetrical ethics. She has an M.P.A. from Princeton University and a Ph.D. from the University of Pennsylvania.

*Amicus Curiae* **Adrienne Asch**, Ph.D., M.S. the Henry R. Luce Professor in Biology, Ethics, and the Politics of Human Reproduction at Wellesley College. She received a B.A. in philosophy from Swarthmore College; an M.S. in social work, community organization, and planning from Columbia University School of Social Work; and a Ph.D. in social psychology from Columbia University. Her work focuses on the ethical, political, psychological, and social implications of human reproduction and the family. Currently, she serves on the boards the American Society of Bioethics and Humanities, the Boston Women's Health Book Collective, and the Council for Responsible Genetics.

*Amicus Curiae* **Marylou Behnke**, M.D. is Professor of Pediatrics at the University of Florida. She is a board certified Neonatologist, Medical Director of the Early Steps program (early intervention program for children ages 0-3 years with disabilities) at her University, and a co-principal investigator of a longitudinal, prospective study of the effects of prenatal cocaine exposure. This study has been continually funded by the National Institute of Health and the National Institute of Drug Abuse since 1991. Dr. Behnke has dedicated her professional life to studying the effects of early prenatal events on child outcome.

*Amicus Curiae* **Michael R. Berman**, M.D. is interested in improving the management of women with gynecologic cancers and those with complex gynecologic surgical conditions. Dr. Berman is widely recognized as a leader in this field, having developed new surgical procedures for a variety of complex gynecologic conditions. With others in the Gynecologic Oncology Program at UCI, Dr. Berman participates in a wide range of multi-institutional protocol studies under the direction and support of the National Cancer Institute (NCI). He has conducted an epidemiologic study of endometrial cancer to elucidate risk factors, including obesity, diet, gynecologic history, exposure to exogenous hormone, tobacco, and alcohol associated with endometrial cancer and gestational trophoblastic diseases.

*Amicus Curiae* **Mona Bomgaars**, M.D. is a physician and chief of the Communicable Disease Division at the Hawai'i Department of Health and the former head of the Hansen's disease branch. Dr. Bomgaars is committed to bridging racial and socioeconomic differences in doctor-patient communication and is highly concerned with the outcome of Ms. Aiwohi's case because of the local impacts specific to Hawai'i.

*Amicus Curiae* **Nancy D. Campbell** is the author of *Using Women: Gender, Drug Policy, and Social Justice* (Routledge 2000), a history of how pregnant women are used to call for drug policies that are unjustifiably harsh and ill considered in terms of their social consequences.

*Amicus Curiae* **Wendy Chavkin**, MD, MPH, is professor of public health and obstetrics-gynecology at Columbia's Mailman School of Public Health and chair of

Physicians for Reproductive Choice and Health. From 1994 to 2002, Dr. Chavkin was Editor-in-Chief of The Journal of the American Medical Women's Association. Dr. Chavkin has been recognized twice by the American Women's Association, receiving the Bertha Van Hoosen Award in 2003 and the President's Award in 2002. She has written extensively about women's reproductive health issues for over two decades, including the consequences of welfare reform for the health of women and children, occupational health, reproductive health in medical education, HIV, and illegal drug use in pregnancy.

*Amicus Curiae* **Maureen Corry** has worked in the field of maternal and infant health for 25 years as an educator, advocate, and executive. She is concerned about the prosecution of Ms. Aiwohi and believes that the problem of drug dependence during pregnancy must be treated and overcome through good medical treatment, which is often not available or limited. Corry wants addiction to be addressed as a health issue through education and treatment, rather than the criminal justice system, which is a deterrent to women who want help in overcoming their dependency.

*Amicus Curiae* **Stephanie S. Covington** has more than twenty-five years of experience in the design, development, and implementation of treatment services for women. She is recognized for her work on gender-responsive services in both the public and private sectors. Her fifteen years of experience in the criminal justice system include training, speaking, and writing, as well as consulting with varied national, state, and local corrections agencies in the United States and Canada. Dr. Covington has published extensively. She co-authored the multi-year National Institute of Corrections project report "Gender-Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders."

*Amicus Curiae* **Nancy Day**, M.P.H. is Professor of Psychiatry and Epidemiology. She has studied the effects of prenatal exposures to alcohol, marijuana, cocaine, and tobacco for over 20 years. She has multiple publications and has received grants from NIH in support of this work. She is currently the Director of the Maternal Health Practices and Child Development Project, a consortium of projects centered on the identification of the long-term effects of prenatal substance abuse.

*Amicus Curiae* **Virginia Delaney-Black**, M.D., M.P.H., is Professor of Pediatrics at Wayne State University and Associate Director of the Children's Research Center of Michigan at Children's Hospital of Michigan. Dr. Delaney-Black is board certified in Pediatrics and Neonatal-Perinatal Medicine. She is the principal investigator for a NIDA-funded study "Prenatal Cocaine Exposure and School Age Outcomes" and a Department of Education grant "Learning and Community Violence Exposure." Under her direction, these two multi-disciplinary research projects have assessed the same cohort of children evaluating behavior and cognition. She is the Chairman of one of the four WSU Institutional Review Boards. Her clinical activities include attending in the Neonatal Intensive Care Units and assessing follow-up of high risk NICU graduates for the NICHD-funded MFM Network Studies.

*Amicus Curiae* **Dr. Ernest Drucker** is a Professor of Epidemiology and Social Medicine and a Professor of Psychiatry at Montefiore Medical Center/Albert Einstein College of Medicine in New York City. His research examines AIDS, drug use, and drug policy in the US and abroad. He is a licensed Clinical Psychologist in New York State and active in drug law reform and human rights. Dr. Drucker was founding Director of a 1000 patient drug treatment program in the Bronx, and has been an NIH funded researcher of AIDS and drug addiction for 15 years. He is author of over 100 scientific articles and book chapters and is Editor in Chief of the international journals *Addiction Research and Theory* and the new on-line *Harm Reduction Journal.com*. Dr. Drucker was a founder of the International Harm Reduction Association and Chairman of Doctors of the World / USA (1993- 1997). Dr. Drucker currently serves as a senior Soros Justice Fellow.

*Amicus Curiae* **Fonda Davis Eyler, Ph.D.** is a Professor in the Department of Pediatrics of the University of Florida College of Medicine and is also a licensed Developmental Psychologist. Dr. Eyler is Developmental Director of Early Steps, an early intervention program for children from birth to three years of age, who live in the surrounding sixteen counties and have developmental delays and disabilities. She is a Principle Investigator on a prospective, longitudinal research study that has been following a cohort of the children born to women who used cocaine during their pregnancy and a matched comparison group of pregnant women who were not addicted to cocaine and their children. Dr. Eyler brings a wealth of knowledge concerning the impact on children of drug abuse during pregnancy.

*Amicus Curiae* **Bruce B. Ettinger, M.D., M.P.H.,** is a board-certified Obstetrician/Gynecologist, and a Fellow of the American College of Obstetricians and Gynecologists (ACOG). He completed residency training at the University of Texas in San Antonio. He is a federally certified health facilities evaluator for the Centers for Medicare and Medicaid Services, and is the full time consultant to the Health Facilities Division of the Los Angeles County Department of Health Services, for the development and improvement of programs and services in patient safety and quality of care. Dr. Ettinger has worked to improve access to and processes of care for women, implementing women's health programs in underserved communities in Los Angeles County, and concurrently developing educational programs in Women's Health at the Charles R. Drew University of Medicine and Science and the UCLA School of Medicine. Dr. Ettinger has served nationally as a member of the ACOG Committee on Health Care for Underserved Women, and is a member of the committees on Limited English Speaking Patients, Legislative Issues, and Business of Medicine for ACOG's District IX (California). Dr. Ettinger has also worked extensively to improve medical services for victims of family and partner violence.

*Amicus Curiae* **Jennifer E. Frank, M.D.** received her medical degree from Queen's University in Canada. She has an appointment as assistant Clinical Professor at the John A. Burns School of Medicine. Dr. Frank was chosen by Honolulu magazine as one of the Best Family Physicians in Hawai'i. Her special interests include women's health and the prevention and treatment of HIV/AIDS.

*Amicus Curiae* **Leslie Hartley Gise**, M.D. is Clinical Professor of Psychiatry at the John A Burns School of Medicine, University of Hawai'i. She has extensive experience teaching at the professional level regarding reproductive depression. She also reviews various medical publications and served on the American Psychiatric Association's Committee on Women Members from 1999-2002.

*Amicus Curiae* **Leonard Glantz**, J.D. is the author of numerous articles on a wide array of health law issues. Professor Glantz has served on numerous national task forces including the Task Force on Public Health Ethics of the Association of Schools of Public Health, and has been a member of the Institutional Review Board of Boston University School of Medicine for more than 20 years. His current research and teaching focuses on the regulation of human subjects of research, constitutional aspects of public health interventions, tobacco control policies, reproductive rights, the rights of children, the rights of people with mental illnesses and the rights of people with disabilities.

*Amicus Curiae* **Michael Grodin**, M.D., F.A.A.P. is Director of the Bioethics and Human Rights Program and Professor of Health Law, Bioethics, Human Rights, Socio-Medical Sciences and Community Medicine and Psychiatry at the Boston University Schools of Public Health and Medicine, where he is the recipient of the Norman A. Scotch Award for Excellence in Teaching. In addition, Dr. Grodin is a Professor of Philosophy in the College of Arts and Sciences. He has been on the faculty of Boston University for the past 26 years. Dr. Grodin is the Medical Ethicist at Boston Medical Center and for thirteen years served as the Human Studies Chairman for the Department of Health and Hospitals of the City of Boston. Professor Grodin serves on the Ethics Committee of the Massachusetts Center for Organ Transplantation, is a consultant to the National Human Subjects Protection Review Panel of the National Institutes of Health AIDS Program Advisory Committee, and is a consultant on Ethics and Research with Human Subjects for the International Organizations of Medical Sciences and the World Health Organization. Dr. Grodin is the Co-Founder of Global Lawyers and Physicians.

*Amicus Curiae* **Martin Guggenheim** is one of the nation's foremost experts on children's rights and family law and has taught at NYU School of Law since 1973. Professor Guggenheim served as Director of Clinical and Advocacy Programs from 1988 to 2002 and also was the Executive Director of Washington Square Legal Services, Inc. from 1987 to 2000. For 15 years, he taught the Juvenile Rights Clinic and then created the Family Defense Clinic, which represents parents and other adult relatives of children in foster care in New York City. Professor Guggenheim has been an active litigator in the area of children and the law and has argued leading cases on juvenile delinquency and termination of parental rights in the Supreme Court of the United States. Guggenheim is also a well-known scholar, having published more than 40 book chapters and articles in leading law reviews in the United States, including Columbia, Harvard, Michigan and NYU Law Reviews.

*Amicus Curiae* **Katherine Irwin** is a professor at the University of Hawai'i at Manoa, teaching courses in: Survey of Criminology, Introduction to Juvenile

Delinquency, Survey of Drugs and Society, Analysis in Field Research Methods, Analysis in Criminology/Juvenile Delinquency, Methods of Research in Criminal Justice, Seminar in Criminology. Dr. Irwin's research areas include juvenile delinquency, deviance, drug use, violence, youth culture, adolescent development, gender and crime, research methods, and delinquency prevention.

*Amicus Curiae* **Stephen Kandall**, M.D. is a pediatrician who has cared for over a thousand babies exposed to drugs. He is also chief of neonatology at Beth Israel Medical Center in New York and has written a book (*Substance and Shadow: Women and Addiction in the United States* Cambridge: Harvard University Press, 1996.) outlining the horrors of prosecuting women who need drug treatment.

*Amicus Curiae* **Dr. David C. Lewis**, M.D. is Professor of Community Health and Medicine and the Donald G. Millar Distinguished Professor of Alcohol and Addiction Studies. He is the founder of both the Center for Alcohol and Addiction Studies and Physician Leadership on National Drug Policy. Dr. Lewis is a nationally recognized expert on the importance of providing appropriate medical care to persons with histories of drug and alcohol use and the need to address substance dependence as a medical, not moral issue.

*Amicus Curiae* **Dr. Ruth Macklin**, Ph.D. is Professor of Bioethics at Albert Einstein College of Medicine. Dr. Macklin's research and writing includes articles on ethics and reproductive health in medical and bioethics journals, as well as book chapters. Since 1989 she has been a member of the Scientific and Ethical Review Group in the Department of Reproductive Health and Research at the World Health Organization. Dr. Macklin has a long-standing interest in women's health and reproductive rights. In her own institution she has served on advisory committees and participated in ethics consultations on the rights of pregnant women.

*Amicus Curiae* **Wendy Mariner** is Professor of Health Law at Boston University School of Public Health, Professor of Law at Boston University School of Law, Professor of Socio-Medical Sciences at Boston University School of Medicine, and Director of the Patient Rights Program in the School of Public Health. At Boston University School of Public Health, she is faculty coordinator for the J.D.-M.P.H. joint degree program. Her research focuses on patient rights, health regulation, managed care, and ERISA. She was an American Foundation for AIDS Research/Michael Bennett Scholar to study AIDS and the future of entitlement to health care.

*Amicus Curiae* **Luz Alvarez Martinez** is co-founder and executive director of the National Latina Health Organization (NLHO) founded on March 8, 1986, International Women's Day. Ms. Martinez works on behalf of the equitable representation of Latinas and other women of color in the national and local reproductive health rights discussion. Her involvements have given her a broader understanding of the connection between the health of indigenous women and women of color and the politics of their countries.

*Amicus Curiae* **Diana Romero** is Project Director for the Finding Common Ground project and Assistant Professor at the Heilbrunn Department of Population and Family Health. In her role with Finding Common Ground, Dr. Romero has helped to design and implement research aimed at investigating the potential impact of welfare reform policies on the health of poor women and children. These activities have involved quantitative and qualitative research methods at the national, state, community, and clinical levels. In addition, she has been working on a related project specifically focusing on the impact of these policies on native and immigrant Hispanic women.

*Amicus Curiae* **Ruth Rose-Jacobs, Sc.D.**, is Professor of Pediatrics and a Research Scientist at the Boston University School of Medicine. Her major research interests include the development of typical and high-risk infant/children and their families—due to biological and social factors including substance abuse, violence, maternal depression, prematurity, and food insufficiency. In 2002, she received a certificate of appreciation in recognition of outstanding work with children and families from the Casey Family Programs and Center for Substance Abuse Prevention. She has also served as Co-investigator on numerous studies regarding the effects of cocaine exposure in fetuses and has traced these individuals for years after birth.

*Amicus Curiae* **Carol Sakala, Ph.D., M.S.P.H.**, has been involved with maternity issues as an educator, researcher, author, and policy analyst for over two decades, with a continuous focus on meeting the needs of childbearing families. For the past six years, she has served as director of programs for the nation's oldest national organization advocating on behalf of mothers and babies, where she directs a long-term national program to promote evidence-based maternity care.

*Amicus Curiae* **F. David Schneider, M.D., M.S.P.H.** is a family physician and an Associate Professor of Family and Community Medicine at the University of Texas Health Science Center and is a recognized expert on issues of health care and domestic violence. Dr. Schneider is the president of the newly established Academy on Violence and Abuse, a member of the AMA Advisory Council on Violence and Abuse, and the Chair of the American Academy of Family Physicians Commission on Public Health.

*Amicus Curiae* **Deborah Spitz, M.D.** is an Associate Professor of Clinical Psychiatry in the Department of Psychiatry, University of Chicago. She was Director of Residency Training at Tufts-New England Medical Center until 2000, and recently returned from 3 years in Britain as a Consultant Psychiatrist in the NHS. Dr. Spitz's research focuses, among other things, on cross-cultural issues in psychiatry, issues of autonomy, and self-definition in patients with serious psychiatric disorders, and other areas of intersection between philosophy and the clinical practice of psychiatry and psychotherapy.

*Amicus Curiae* **Andrea Stolar, MD** is a physician who specializes in psychiatry. She has experience and a particular clinical interest in the mental health care of women and has had subspecialty training and experience in Forensic Psychiatry. Dr. Stolar treats

women of childbearing age who have substance use disorders and women whose psychiatric illness, including substance use disorders, have led to their involvement in the legal system. Her experience with this population has shown that treatment is a far more effective means of managing illness than is punishment.

*Amicus Curiae* **Keerthy Sunder**, M.D., M.S. is an obstetrician and gynecologist with an interest in addiction psychiatry. Dr. Sunder is a member of the faculty at the University of Pittsburg. He believes that the treatment of addictions in pregnancy requires a multidisciplinary approach. He also finds that criminal prosecution endangers both the mother and the fetus.

*Amicus Curiae* **Linda Worley**, MD is an Associate Professor in the College of Medicine at the University of Arkansas for Medical Sciences (UAMS) and directs the campus wide Student Mental Health Service. Dr. Worley is a board certified Psychiatrist with sub-specialization in Addiction Psychiatry. Dr. Worley was recruited to join the UAMS, Department of Psychiatry Faculty in 1992 and was promoted with tenure in 1998 in the clinician educator track. She has strong interests in psychosomatic medicine and in the well-being of health care providers.

*Amicus Curiae* **Susan Wysocki**, RNC, NP, FAANP is the President and CEO of the National Association of Nurse Practitioners in Women's Health (NPWH). She is a woman's health nurse practitioner certified by the National Certification Corporation (NCC) and a nationally recognized speaker and opinion leader in the field of women's health. She has authored numerous articles in nursing publications. In 2000, she was chosen as a charter Fellow of the American Academy of Nurse Practitioners. Ms. Wysocki has testified before Congress, the FDA and CDC regarding women's health issues as well as the role of nurse practitioners. Her testimony at the CDC was largely responsible for the inclusion of nurse practitioners in the Physician Performed Microscopy category in the CLIA regulations.