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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO

20 CRISTA RAMOS, *et al.*,
21 Plaintiffs,

22 vs.

23 KIRSTJEN NIELSEN, *et al.*,
24 Defendants.

Case No. 3:18-cv-1554-EMC

**DECLARATION OF WILNA DESTIN IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Date: September 25, 2018
Time: 10:30 a.m.
Judge: Hon. Edward M. Chen
Dept.: Courtroom 5, 17th Floor

Complaint Filed: March 12, 2018
Trial Date: None set

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** Institution listed for identification purposes only*

DECLARATION OF WILNA DESTIN

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2 1. I have personal knowledge of the facts stated in this declaration. If sworn as a
3 witness, I could and would testify to these facts.

4 2. I have had Temporary Protected Status (TPS) since 2010. On November 20, 2017, the
5 U.S. government announced that TPS for Haiti would be formally terminated in July 2019.

6 3. I am submitting this declaration to describe the harms that I have experienced since
7 the announcement of the termination of TPS for Haiti and the harms I would experience if TPS is
8 terminated.

9 **Background**

10 4. I am 43 years old and from Haiti originally. I am a resident of Orlando, Florida.

11 5. I have two children, who are both U.S. citizens. My eldest, Hnaida, is fifteen years
12 old and is also a plaintiff in this case. My younger child, John, is eleven years old.

13 6. Florida is my home and the home of my children. I have not returned to Haiti since I
14 received TPS. I live in the same neighborhood as my two brothers and their children and we are very
15 close. One of my brothers has TPS and the other is a U.S. citizen. My father has a green card.

16 **Impact of Temporary Protected Status**

17 7. Because TPS for Haiti was renewed regularly over the past eight years, and the
18 conditions in Haiti remain precarious, I came to depend on TPS to provide security and stability for
19 myself and my family.

20 8. The work authorization that I have through TPS has helped me maintain a stable job
21 and provide for my family. Since 2014, I have been working as a labor organizer with the union
22 UNITE HERE. I previously worked in housekeeping at Disney World.

23 9. I own my home and my car. TPS has allowed me to keep my home and pay my
24 mortgage. Having a car allows me to drive my children to school, extracurricular activities, or
25 medical appointments, and drive myself to work.

26 10. After I obtained TPS, I was also able to afford to go to nursing school and got my
27 certified nursing assistant (CNA) license.

1 11. I am also deeply invested in my community, and have tried to ensure my children feel
2 secure.

3 12. I have consistently paid attention to the TPS decisions of the U.S. government every
4 time Haiti has been up for review. Based on what has happened in the past, I came to expect the U.S.
5 government would continue to renew TPS for Haiti if the conditions in Haiti did not get better.
6 Because I know from communicating with people in Haiti that the conditions in Haiti remain very
7 challenging, the government's recent decision terminating TPS for Haiti surprised me.

8 **Impact of Decision to Terminate TPS**

9 13. The decision to terminate TPS for Haiti has caused me a lot of stress and pain. I feel
10 lost and do not know what to do. Haiti is no longer my home. I cannot imagine having to move to
11 Haiti after building a life here. It would also be very hard for my children to live in Haiti, but I
12 cannot imagine continuing to live if I am separated from my children. I do not feel that there is a
13 clear path ahead for me or my family.

14 14. I depend on TPS to have stable employment, which is necessary for me to support my
15 family.

16 15. I am afraid that if I lose TPS, I will lose my home as I will not have the money to pay
17 for my mortgage. I would likely also lose a lot of the value of my home if I have to sell it. There are
18 a lot of TPS holders who have homes nearby and many of them may need to sell their houses too
19 which will make it even more difficult to sell my home for its actual value. My family and I would
20 be devastated if I lost my home. My son is worried that he would have to change schools if we have
21 to sell our home, because our house is right next to his elementary school.

22 16. I had been planning to go to school for hospitality management, beginning in
23 September 2018. I am still not sure whether I will be able to go because of the termination of TPS
24 and related financial burdens and uncertainty.

25 **Impact of TPS Termination on U.S. Citizen Children**

26 17. The announcement that TPS for Haiti will be terminated has been very hard on my
27 children.

1 18. My daughter has only been to Haiti once, when she was a baby. She has no memories
2 of it. My son has never been to Haiti.

3 19. If TPS is terminated, I am worried about taking my children to Haiti. My children
4 barely speak any Haitian Creole. Both of my children have expressed fear of moving to Haiti and
5 leaving behind their friends, family, and home. The schools and hospitals are much worse than what
6 we are used to here. It would be hard for them to go to school there. My daughter goes to a magnet
7 school and would not have the opportunity to continue the education she is getting here if she moved
8 to Haiti.

9 20. My children should be worrying about school and focused on their friendships and
10 childhood. Instead, they are worrying about what will happen to themselves and to our family. They
11 are also worried about what will happen to them if TPS is terminated for me.

12 21. My daughter, Hnaida, asks who will take care of her if I am not here. She has also
13 expressed that she is afraid she will be placed in foster care if TPS is terminated for Haiti and I am
14 forced to return to Haiti. She is a lot quieter these days. In the days after the announcement, she did
15 not want to get out of bed in the mornings to go to school. She has always been a very good student
16 and is on the honor roll, is active in her school and her church, and plans to be an obstetrician. She
17 wants to run for Student Council and try out for the cheerleading team this year. I am worried that
18 the end of TPS will undo everything that she is working towards.

19 22. My son, John, has been having trouble in school since the announcement. His teacher
20 says he is having trouble paying attention in class and is very sad. Like my daughter, my son has
21 been an honor roll student and is active at school and church. He loves animals and wants to be a
22 veterinarian. I want him to be able to focus on his studies, his sports, and his friends. I want him to
23 know that he has the support and unity of his family. But I cannot provide the assurances he so
24 desperately needs, and so he continues to worry about what will happen to me, to him, and to our
25 family if TPS ends.

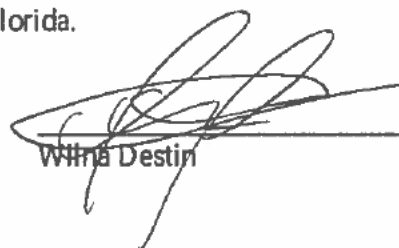
26 23. I have not made any plans for myself or for my family yet as I do not know what to
27 do. However, we will have to figure out our plans—schooling for the children, our house, our car,
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our work, and everything else—in the coming months if the government does not change the decision to terminate TPS.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this __ day of August, 2018 in Orlando, Florida.

 8/22/18
Wilna Destin