



Raoul Opposes Effort That Puts Haitian-born Residents At Deportation Risk

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Chicago – Attorney General Kwame Raoul today joined a group of 20 attorneys general to challenge the federal government’s effort to revoke Temporary Protected Status (TPS) for Haitian nationals. If the government is allowed to move forward, Haitian TPS holders would lose their legal status, leaving them vulnerable to deportation.

[In an amicus brief](#) filed in *Saget v. Trump*, Raoul and the coalition argue that the federal administration was unjustified in revoking TPS status for Haitian nationals and the effort was done in bad faith, violating the Administrative Procedure Act (APA). The brief urges the Court of Appeals to affirm the lower court’s ruling and uphold a nationwide injunction against the termination to prevent widespread harm.

“Forcing Haitian immigrants who have fled trauma and extreme hardship after a natural disaster to leave their new homes and communities in the United States simply for political reasons is unethical and goes against our American values,” Raoul said. “My office is committed to keeping families together and protecting the rights of those seeking refuge in the United States by working to prevent unlawful and unnecessary deportations.”

Haitians first received TPS designation after the 2010 earthquake that caused devastation and significant loss of life in the country. By 2017, the federal government set out to reverse the designation. Political appointees in the administration pressured Department of Homeland Security (DHS) staffers to manufacture a rationale for the change, pushing them to depart from established agency procedure by gathering criminality and welfare data on Haitian TPS beneficiaries. In November 2017, Acting DHS Secretary Elaine Duke announced that the agency would terminate TPS for Haiti. Her own notes from earlier in the month, however, revealed that she still had not established a reason for the decision.

In April 2019, the United States District Court for the Eastern District of New York held that DHS's decision was unlawful and ordered a nationwide preliminary injunction. DHS is now appealing the ruling in the U.S. Court of Appeals for the 2nd Circuit.

In this amicus brief, the states collectively argue that the district court's rejection of the administration's decision should be upheld because:

The administration failed to justify its decision to revoke TPS for Haiti: The agency ignored Haiti's vulnerability to external shocks and internal instability, and disregarded warnings from the U.S. Embassy in Haiti that the country would not be able to reabsorb current TPS holders for "several years."

- Ending TPS for Haiti would cause tremendous harm for tens of thousands of American families: Nine percent of Haitian TPS holders are married to U.S. citizens, and 27,000 American children have been born to these families. Without TPS, parents in these mixed-status households would have to choose between returning to Haiti either with or without their children or staying in the United States under the constant fear of deportation.
- Separating families creates a significant economic burden for states: For many of these mixed-status households, losing a family member means losing a source of income. This would contribute to economic hardship and loss of health insurance, homelessness and higher demand for social services.
- State economies and critical industries would suffer if Haitian residents lose TPS: Haitian nationals make significant contributions to the economy and American society. Over a 10-year period, revoking their TPS protections would cost a projected \$2.7 billion in the gross domestic product, more than \$428 million in lost Social Security and Medicare contributions, and \$60 million in employer turnover costs.
- Public safety would be harmed if these residents are worried about deportation: If Haitian TPS holders lose TPS protections, they will be less likely to report a crime, even if they are victims.

Joining Raoul in filing the brief are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, and Washington.