

DECLARATION OF LOVELY WARREN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; JOHN F.
KELLY, in his official capacity as
Secretary of the Department of
Homeland Security; REX W.
TILLERSON, in his official capacity
as Acting Secretary of State; and the
UNITED STATES OF AMERICA,

Defendants.

**Declaration of
Mayor Lovely A. Warren,
City of Rochester, New York,
Regarding Immediate and
Irreparable Harm**

Pursuant to 28 U.S.C. § 1746(2), I Lovely A. Warren, hereby declare as follows:

1. I am the Mayor of the City of Rochester, New York (the “City”), with offices at City Hall, 30 Church Street, Rochester, New York. I have been the City’s Mayor since January 2014.
2. I make this declaration based in part on personal knowledge and in part on information City staff has collected from community organizations, colleges and universities in the Rochester area, and published reports. The City of Rochester Law Department has reviewed Executive Order 13780, “Protecting the Nation from Foreign Terrorist Entry into the United States,” issued March 6, 2017, and to be implemented March 16, 2017, and the predecessor to that order, Executive Order 13769, entitled “Protecting the Nation from Terrorist Entry into the United States,” issued January 27, 2017.

- 1 3. The City of Rochester, the home of Frederick Douglass and Susan B. Anthony, has a long
2 tradition of support for equal rights for all people, including immigrants and refugees.
- 3 4. In 1986, Rochester City Council Resolution No. 86-29 recognized Rochester as a City of
4 Sanctuaries.
- 5 5. On February 21, 2017, the Rochester City Council passed Resolution No. 2017-5
6 reaffirming the City’s status as a Sanctuary City and adopting Sanctuary City policies. The
7 resolution reiterated that the City is one community that is welcoming and inclusive of all,
8 united and strengthened by its diversity, and committed to upholding and protecting the civil
9 and human rights of all individuals that come within its borders, including immigrants and
10 refugees.
- 11 6. The City of Rochester is the third largest city in New York State with a population of
12 approximately 210,000 people.
- 13 7. Approximately 8.5% of the City’s residents were born outside the United States—more than
14 17,000 Rochesterians, according to 2015 data from the U.S. Census Bureau.
- 15 8. Immigrants in the City of Rochester—members of our community born outside the United
16 States but who have made Rochester their home—contribute significantly to the City
17 economically, socially, and culturally.¹
- 18 9. In the past decade, approximately 6,300 refugees have settled in Rochester, making
19 Rochester one of the top three cities in refugee resettlement in New York State during that
20 period, according to a published report.²

22 ¹ See, e.g., Brief for Association of American Universities as Amicus Curiae in Support of Petitioners’
23 Requested Relief at 28, *Darweesh v. Trump*, No. 17-cv-480 (E.D.N.Y. filed Feb. 16, 2017), ECF No. 139
24 [hereinafter “AAU Amicus Brief”] (discussion of Saudi Arabian hepatologist who was recently hired by
University of Rochester and the University of Rochester’s Division of Solid Organ Transplantation’s Chief, a
Mexican national, who is a world-renowned liver-transplant surgeon and has recruited an international team to
join him in Rochester).

25 ² See Joseph Spector, *Immigration order hits home across NY*, DEMOCRAT & CHRONICLE (Feb. 3, 2017),
26 <http://www.democratandchronicle.com/story/news/politics/albany/2017/02/03/immigration-order-hits-home-across-ny/97303656>

- 1 10. According to the Catholic Family Center, which handles refugee resettlement in the
2 Rochester area, in 2016, a total of 1,180 refugees settled in Rochester, including from
3 countries named in Executive Order 13780: 231 from Somalia and 72 from Syria.
4
5 11. In 2015, 756 refugees resettled in Rochester, according to a published report.³
6
7 12. Refugees are the fastest growing population in the Rochester City School District.
8
9 13. The Rochester International Academy (“RIA”), a school in the Rochester City School
10 District that helps newly arrived students learn English and become part of the community,
11 and which most refugee children attend for some time after arriving in Rochester, has
12 experienced a significant increase in enrollment this school year, with 426 students enrolled,
13 according to a published report.⁴
14
15 14. Rochester City School District School No. 15, the Children’s School of Rochester, has
16 approximately 333 students in Pre-K through grade 6. Some of those students are originally
17 from three countries named in the executive order—Somalia, Sudan, and Yemen. Those
18 students are predominantly Muslim.
19
20 15. If Executive Order 13780 is implemented, it will cause significant harm and upheaval in the
21 City of Rochester, including in immigrant and refugee communities, and for organizations
22 that serve them.
23
24 16. The 120-day suspension of the United States Refugee Assistance Program as set forth in
25 Executive Order 13780 may cause refugees to face delays in entry to the United States. Such
26 Delays in entry may prevent Rochester’s refugee resettlement agency, Catholic Family
Center, from doing its work effectively. When entry is delayed, Catholic Family Center
must refile paper work, reissue checks, and secure housing again for arriving refugees.

³ See Justin Murphy, *Rochester’s refugee population booms*, DEMOCRAT & CHRONICLE (Dec. 27, 2016), <http://www.democratandchronicle.com/story/news/2016/12/27/rochester-international-academy-refugees-enrollment/95713600>

⁴ See *id.*

1 17. Catholic Family Center not only serves refugees, it employs many former refugees. As a
2 result of the executive order, however, its work force may face cuts.

3 18. While Catholic Family Center had been planning for an increase in refugees from Syria and
4 Somalia due to ongoing crisis conditions in those countries, Executive Order 13780's
5 reduction in the number of refugees allowed to resettle may force Catholic Family Center
6 to reduce its resettlement services. That reduction could result in lost jobs in its Resettlement
7 Office.

8 19. International students in New York's 25th Congressional District, which encompasses the
9 City of Rochester, have a major economic impact on the area, according to data from
10 NAFSA, the Association of International Educators. During the 2015–2016 academic year,
11 the presence of 7,138 international students in the district contributed \$253.3 million to the
12 economy and supported 3,613 jobs.⁵

13 20. Rochester Institute of Technology ("RIT") employs approximately 3,900 faculty and
14 staff. Of RIT's more than 18,600 students, approximately 2,700 are international
15 students, from more than 100 countries.⁶

16 21. During the 2015–2016 academic year, RIT's international students were responsible for
17 financial contributions of \$105.4 million in the 25th Congressional District, supporting
18 1,567 jobs, according to NAFSA.⁷

19 22. RIT has 32 students on its main campus who are from the countries named in Executive
20 Order 13780.⁸

21
22 ⁵ NAFSA, New York *Congressional District 25 Benefits from International Students*,
<http://istart.iu.edu/nafsa/reports/district.cfm?state=NY&year=2015&district=25> (last visited Mar. 10, 2017).

23 ⁶ Rochester Institute of *Technology*, RIT in Brief, <https://www.rit.edu/overview/rit-in-brief> (last visited
24 March 10, 2017); Rochester Institute of Technology, A message from RIT President Bill Destler regarding U.S.
25 Presidential executive orders pertaining to immigration (Jan. 29, 2017), <http://www.rit.edu/immigration>.

26 ⁷ NAFSA, *supra* note 5.

⁸ See Rochester Institute of Technology, A message from RIT President Bill Destler regarding U.S.
Presidential executive orders pertaining to immigration (Mar. 8, 2017), <http://www.rit.edu/immigration>.

1 23. RIT has advised its students, faculty, and staff from the countries covered by Executive
2 Order 13780 not to leave the United States due to the risk they may be unable to reenter the
3 country.⁹

4 24. Even before the announcement of Executive Order 13780, RIT faced a 10% decrease in
5 applicants from the Middle East and various predominantly Muslim countries around the
6 world for the 2017–2018 school year, according to a published report. Applicants from
7 the countries affected named in the previous travel ban, Executive Order 13769, have
8 expressed concerns about studying in the United States.¹⁰

9 25. The University of Rochester is Rochester’s largest employer, with more than 28,000
10 employees.¹¹ Of those employees, more than 2,000 serve as faculty and instructional staff
11 to approximately 11,100 students.¹²

12 26. The University of Rochester is critical to Rochester’s economy. Its operations produce an
13 economic impact estimated at \$3.26 billion per year.¹³

14 27. The University of Rochester has 3,432 International Students.¹⁴

18
19 ⁹ *Id.*

20 ¹⁰ See James Goodman, *Fear and economic conditions account for RIT drop*, DEMOCRAT & CHRONICLE
(Feb. 20, 2017), [http://www.democratandchronicle.com/story/news/2017/02/20/rit-finds-drop-applications-
21 middle-east/98147154](http://www.democratandchronicle.com/story/news/2017/02/20/rit-finds-drop-applications-middle-east/98147154)

22 ¹¹ See Brian Sharp, *Study highlights UR’s economic impact*, DEMOCRAT & CHRONICLE (June 16, 2016),
<http://www.democratandchronicle.com/story/news/2016/06/16/study-highlights-urs-economic-impact/85951436/>;
23 see also University of Rochester, About Us, <http://www.rochester.edu/aboutus> (last visited March 10, 2017);
University of Rochester, Working Here <http://www.rochester.edu/working> (last visited March 10, 2017).

24 ¹² See University of Rochester, About Us, *supra* note 11.

25 ¹³ See KENT GARDNER, UNIVERSITY OF ROCHESTER & AFFILIATES 2015 NYS ECONOMIC IMPACT at ii
(Center for Governmental Research 2016), [http://www.rochester.edu/newscenter/wp-
26 content/uploads/2016/06/NYS-economic-impact-report-UR-affiliates-2015.pdf](http://www.rochester.edu/newscenter/wp-content/uploads/2016/06/NYS-economic-impact-report-UR-affiliates-2015.pdf).

¹⁴ See AAU Amicus Brief, *supra* note 1, at Appendix A.

1 28. During the 2015–2016 academic year, the University of Rochester’s international students
2 were responsible for financial contributions of \$132.7 million in the 25th Congressional
3 District, supporting 1,951 jobs, according to NAFSA.¹⁵

4 29. Applicants to the University of Rochester have also expressed concerns to the University
5 about studying in the United States since the release of the original travel ban, Executive
6 Order 13769, according to a published report.¹⁶

7 30. According to the Catholic Family Center, delays in refugee resettlement and reduction in
8 the number of refugees allowed to resettle may also negatively affect employers in the City
9 of Rochester that hire refugees, including Kraft, Wegmans Food Markets, and the
10 University of Rochester.

11 31. Thus, by impeding foreign-born visitors, workers, and students from entering the City or
12 traveling freely, Executive Order 13780 would negatively impact the City of Rochester as
13 well as its residents, its economy, and educational institutions.

14
15 I declare under penalty of perjury that the foregoing is true and correct.

16
17 Executed on this 11th day of March, 2017

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19 

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21 _____
22 Mayor Lovely A. Warren

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25 _____
26 ¹⁵ NAFSA, *supra* note 5.

¹⁶ See Goodman, *supra* note 10.