

August 28, 2013

Dan Ruben
Executive Director
Equal Justice America
13540 East Boundary Road
Building II, Suite 204
Midlothian, VA 23112

Dear Mr. Ruben:

This summer, I had the great fortune of working with the Illinois Migrant Legal Assistance Project (IMLAP). I arrived in Carbondale, Illinois at the beginning of June. During this internship, I conducted outreach events at 30 farms, farmworker housing sites, nurseries and packing plants. I visited each location a couple of times and further as required; I also participated in and helped organize numerous community events with area partners. Additionally, I worked with roughly 40 clients, and drove 7,500 miles in completing this work.

One of the first clients that I met shortly after I arrived in early June was Maria. She has three young, beautiful children and works at an orchard and packing plant. She is undocumented as is her husband who works at a nearby farm. Their three children were born in the United States. Both Maria and her husband work and work very hard; after a full day's work in the fields, they and their children work in their own garden to grow many of the vegetables they consume. Still, all this effort is not enough to sustain their family's basic nutritional needs. Maria's family, through her children, receives foodstamps. The family foodstamps card had stopped working around the time when I first met Maria, and neither Maria nor her husband knew how to get a new card.

Getting a new card required that Maria either navigate an automated phone system or request a new card online. This case reframed my conceptions of poverty. Maria and her husband are highly resourceful people, but they are not "educated" and while systems have developed intended to support them, the technologies are not easily navigable for them. I had hopes of navigating the automated phone system together, so that if this were to happen again, Maria would know what to do. Unfortunately, this did not work. Instead, we accessed the account online and ordered a new card, which Maria received shortly thereafter.

This was not an intricate or complicated case; it wasn't even a legal case. This case was simply about responding to need. This case sticks with me, however, because of the inherent assumptions that we make about technologies and their accessibility, as well as the assumptions that agencies and service providers of all kinds make about those we serve and the world around us.

Later in the summer, I received a call to talk to a farmworker who had just left a detasseling job in central Illinois. I met Juan and his brothers to talk about their case. Juan had worked for a little less than a week as a detasseler and had worked for both the company and the crew leader in previous years. He had been waking up at 5 am and finishing the day between 4:30 pm and 7:00 pm. Juan would walk seemingly endless rows with his brothers detasseling corn in 100-degree heat. The only water station sat on the back of the crew leader's truck and was stationed at the beginning of the row. This meant that when Juan and his brothers had finished detasseling a row, they would work the next row over all the way back. Then, and only then, could they get a drink of water. The water itself was typically warm and dirty, but this is what they had. As a result of discrepancies with the crew leader and how she was treating them, Juan and his brothers left this job. They were also forced to leave the employer provided housing in which they had been living, since they were no longer working. While they requested payment, and a statement of the acres they had worked, these were not given to them. With no money to live on and nowhere to stay, Juan and his brothers left for their home in southern Illinois; they had no money for gas, so we were able to help connect them with a local aid agency that helped them with their return home.

I spoke to Juan and his brothers numerous times to get the exact details and gather the facts of their employment so that we could pursue their claim against the crew leader and the grower. Through lengthy discussions, we were able to get Juan the roughly \$400.00 the grower owed him. Additionally, we contacted the Office of Health and Safety Administration (OSHA) to discuss this particular case, which they are currently investigating. We were not, however, able to secure lost wages for Juan's brothers who are undocumented. IMLAP is funded through the Legal Services Corporation (LSC) and as such must follow LSC rules. LSC funded organizations are enormously limited in representing undocumented workers. This is extraordinarily frustrating and unjust. What justice is there in systematically denying many of the most vulnerable among us? The best we could do was refer Juan's brothers to other agencies and attorneys for help.

Working with farmworkers in southern Illinois gave me a different insight on, a deeper understanding of, and a more intimate interaction with poverty in America. This dynamic often brought me to think about what is most effective for our clients. How do we really begin and institute lasting change for them and future clients? These questions resurfaced throughout my internship, and I often discussed these issues with my supervisor. One thing kept ringing true for me throughout this internship: fighting claims one by one will not alone create the respectable and dignified working conditions that all farmworkers should and will one day enjoy. These claims help this movement and create justice for our clients, but they are far, far from enough.

I do not pretend to be an expert, but I believe two things would go a long way in changing farmworker conditions. One, better working conditions for farmworkers starts with each of us recognizing the value in our food and the workers who provide it. As Americans, we expect cheap food. A cheap food mentality has many ripple effects seen and unseen, and is directly tied to lower returns for farmers and poor working conditions for farmworkers. Cheap and undervalued apples,

tomatoes, strawberries and corn, mean minimum and below minimum wages for workers; it also means no benefits and no overtime. Recognizing the value of our food and appreciating the work put into it by paying true value would go a long way in initiating changes. We also need to demand that our dollars go to workers and improving their working conditions rather than to growers and their bottom line.

I also believe that much could be done with growers and farmers themselves. I believe there are good and bad growers and farmers; I believe there are those that care for their workers and their product and understand how they are connected and I believe there are others who care less and those who care little but for their bottom line. I also think that a legal adversarial process as the main mechanism to achieve just conditions is neither the best nor the most efficient solution for solving this problem. By turns, it is not punitive enough to get growers and farmers to reassess relations with workers holistically, and workers severely underuse it as they fear losing their livelihood. Workers then do not report violations or seek assistance until conditions are intolerable and growers typically settle these claims, most having probably learned to take these settlements as part of the cost of business.

Talking to model growers and worker leaders and hosting workshops with them for growers and workers on how to provide better conditions for workers and better places of employment, showing what full compliance with OSHA and Department of Labor standards truly looks like, its affordability, the respect it engenders, and how that makes a better product, could go a long way in changing conditions for workers and their relationship with growers. This may be naïve, but such a program may also close distance and bring growers and workers to a greater place of understanding, equality, and respect. If this is not an option, workers unions or some form of organized workers could also be an instrument for change as it has in the past.

I thank you for making this opportunity a reality for me. I enjoyed it immensely and learned a lot in the process, and I truly would not have been able to make it happen without EJA. Please know the stories I shared reflect those of actual clients, however, I changed their names to maintain confidentiality.

Thank you for an incredible summer,

David J. Williams
University of Wisconsin Law School, Class of 2014



Equal justice starts here.

August 29, 2013

Dan Ruben, Executive Director
Equal Justice America
Email: KATIE@EQUALJUSTICEAMERICA.ORG

RE: David Williams – Summer Law Student Evaluation

Dear Mr. Ruben,

My name is Jose Alonso and I am a staff attorney with the Illinois Migrant Legal Assistance Project (IMLAP), a project of L.A.F. David Williams was assigned to our southern Illinois office in Cobden, IL and I had the pleasure of supervising David's work this summer.

This was my fourth time supervising the southern Illinois summer law student and David has set the bar for future interns. IMLAP's mission is to empower migrant and seasonal farmworkers in Illinois through advocacy, education, collaboration, and litigation. We are able to reach our mission with the help of summer law students who are assigned in offices throughout Illinois. Our summer law students conduct outreach at migrant camps, interview and represent farmworker clients, educate farmworkers about their rights, conduct legal research, and help develop litigation. The summer law student assigned to the southern Illinois Office is particularly important because of the lack of resources available to the workers in that region. Many times our law student is the only person that will be available to listen to the workers' struggles and the only person to help the workers find a solution.

David's work this summer was excellent and impactful. He was very responsive, professional, thoughtful, proactive, and creative in addressing the legal issues that came to his attention. In total, he opened up 42 matters for our office this summer. These cases presented issues such as violations of the Migrant and Seasonal Agricultural Workers Protection Act (working arrangement, access to bathrooms and water, housing conditions) and the Fair Labor Standards Act (minimum wage); however, David also worked on "non-traditional" farmworker cases such as a notice of levy with the IRS for an H-2A agricultural worker, social security benefit correction for an elderly farmworker, mobile home/land title issue for a family who were the victims of fraud, and U.S. citizenship applications for elderly farmworkers who were finally ready to become citizens. He was very thorough in his intakes and followed all of our intake guidelines. He helped develop the cases, conducted research, and helped move many cases towards resolution. I worked on all of the cases that David opened and the clients were very happy with David's work.

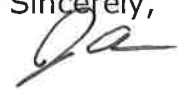
David also conducted outreach at approximately 60 farms/migrant housing locations this summer (visiting most locations twice throughout the summer). David also found several new farms that our project was previously unaware of (a

feat that demonstrates his drive and admirable ability to keep his ear to the ground). He also gave several "Know Your Rights" presentations, including co-presenting to a group of farmworker women on the issue of discrimination/sexual harassment. He also represented IMLAP in the Rescue and Restore Coalition's Human Trafficking Task Force this summer.

Throughout the summer, David drove thousands of miles and met hundreds of farmworkers in southern Illinois. His work was a tremendous asset to IMLAP this summer and we are very grateful for his sacrifice, drive, constant hard work, and commitment to justice.

If you have any questions, please contact me at 312-229-6358. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose J. Alonso", written over the word "Sincerely,".

Jose J. Alonso
Staff Attorney
jalonso@lafchicago.org