

THE BROOKINGS INSTITUTION

**LEARNING FROM FARMINGVILLE:
PROMISING PRACTICES FOR IMMIGRANT WORKERS**

WELCOME:
AUDREY SINGER, BROOKINGS INSTITUTION

PRESENTATION:
ABEL VALENZUELA, UNIVERSITY OF CALIFORNIA-LOS ANGELES

REMARKS:
CARLOS SANDOVAL AND CATHERINE TAMBINI,
FILMMAKERS

SCREENING:
SELECTED CUT FROM "FARMINGVILLE"

MODERATOR:
MARIA ECHAVESTE, NUEVA VISTA GROUP

PANEL:
PABLO ALVARADO, NATIONAL DAY LABOR ORGANIZING NETWORK
TOM PEREZ, MONTGOMERY COUNTY COUNCIL
TIM FREILICH, VIRGINIA JUSTICE CENTER FOR FARM AND IMMIGRANT
WORKERS

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AUDREY SINGER: Hi, everybody. I'd like to get started now, so anybody who is outside, could you please come in and we can get going. We're a little bit late but I think we have plenty of time.

I'm Audrey Singer and I want to welcome you to Brookings. I'm a visiting fellow here at the Center on Urban and Metropolitan Policy. It's my pleasure to welcome you to our forum, "Learning from Farmingville: Promising Practices for Immigrant Workers."

Today we have a program that crosses a lot of borders in terms of the involvement of organizations, perspectives, and media that do not usually meet up in the same place. We are motivated to be here today by a documentary film, *Farmingville*, that captures so clearly the difficult realities of what happens when a community is overwhelmed by an influx of immigrant workers. The film focuses on the town of Farmingville in Suffolk County on Long Island, but it easily could be any number of communities across the United States that have recently experienced immigration for the first time. It could easily be Cicero in suburban Chicago, or Duluth, Georgia, in the suburbs of Atlanta. Or South Salt Lake in suburban Salt Lake City, Utah. Or it could be Herndon, Virginia, right here in the Washington metropolitan area.

These are places that have been transformed, seemingly overnight to many locals, from places that had very few foreign-born residents to places with a significant number of new immigrants. In the 1990's the immigrant population in the United States grew by about 57 percent, and of course the growth rate is much higher in many localities. Estimates for the past several years have immigrant workers accounting for 50 percent of new entrants into the labor force. Many areas across the country are scrambling to understand the changes that have happened in their neighborhoods, schools and communities, and it has not been without conflict and strain in some places.

For local areas that are now struggling to deal with day labor issues, the day laborers themselves have become the public face of immigration in these towns, even though there may be plenty of other immigrants – Latino, non-Latino, documented and undocumented, skilled and unskilled.

This event is being co-sponsored by three organizations – the Brookings Institution, Active Voice, and P.O.V., and so even though I'm the one that gets to be up here welcoming you, I'd like to thank P.O.V. staff and Active Voice's staff, especially Ellen Schneider, who's the executive director of Active Voice, for all the help and the support that they have provided along the way for this event. And special thanks also to the Carnegie Corporation of New York for their support.

Active Voice is currently spearheading the Farmingville campaign, which is helping demographically changing suburbs build bridges between long-term residents

and newly arrived immigrants, and for their part P.O.V. will launch its seventeenth season on PBS on June 22nd at Farmingville. So check your local listings for the time. You'll see a good part of it today but you'll see the rest of it in about two weeks from today.

I also want to recognize nine organizations that we formed a partnership with for the purposes of organizing this forum: the Community Foundation for the National Capital Region, the National Conference of State Legislatures, Georgetown University's Institute for the Study of International Migration, Grantmakers Concerned with Immigrants and Refugees, the National Immigration Forum, the National Immigration Law Center, the Migration Policy Institute, the Urban Institute, and the Catholic Legal Immigration Network, Inc.

It is our hope that today's conversation, which stems from the local story as portrayed in *Farmingville* adds to the ongoing national dialogue and contributes to a greater awareness of how communities are changing, as well as some of the promising practices that can be implemented to help things go a bit smoother.

So we have a very full schedule for this afternoon, with a screening of about 45 minutes of the film, followed by an incredibly distinguished panel of speakers who will guide us through our discussion. They will talk to us about immigrant day laborers, the workers who convene on street corners daily in search of work. Day laborers often take on work that is physically challenging or unpleasant. They will talk to us about how immigrant workers have begun to organize, and the challenges of community building in these newest destination areas.

Part of the discussion will also be about how communities and political leaders have responded, how successful solutions have been found, and how local dynamics can be utilized to move things forward. So we will start our discussion today – and again, I want to thank all of you for coming. I know it's like 98 percent humidity out there, it's hot, Ronald Reagan is back in town closing off streets, so I really appreciate everybody being here. We're going to start today with a presentation by Abel Valenzuela, Associate Professor of Urban Planning and Chicana/Chicano studies at the University of California-Los Angeles, who will dig deeply into the many years of research he has been conducting on day labor and immigrant workers. He is the primary researcher in the United States working on this topic, and so we're very fortunate to have him here today.

He's conducted in-depth field studies of Los Angeles and New York, and he's embarking on a national study that involves 65 metropolitan areas, which includes about 130 different cities. He is *the* person that knows just about everything there is to know about day labor, and if that isn't enough, today's his birthday. So join me in welcoming Professor Valenzuela.

(Applause)

DR. ABEL VALENZUELA: Well, I'm not sure if spending my birthday in D.C. with Reagan in town is what I would have done otherwise. But a good friend, Audrey, invited me to this event and I think it's a very important one. It's also the Brookings Institution, and they have a huge impact on policy issues. So I want to thank Brookings and Audrey and Active Voice, P.O.V. for the invitation. I also want to thank all of you for coming, sharing some of your time for what I think will be a really, really interesting dialogue.

What I want to briefly do is give you some comments, give you a broad quick overview of what we know about day labor, mostly through a research lens. And you'd be surprised. When I began as a student of day labor in 1995, I was a recently minted Ph.D., and I did what I was supposed to do – I undertook a literature review to make sure that whatever I did, I would contextualize it within existing studies. Nothing came up. Everything was blank. The closest in terms of studies were by journalists who had embarked on their own field work on day laborers. They, at most would spend two or three days, and much of their portrayal of day laborers was in a negative light, so I quickly reviewed the articles that had been written on day laborers by the press.

I was surprised that it was national in context. In other words, that there were newspapers all over the country talking about day laborers. Not a whole lot, but enough that I was convinced that this was a national issue, but perhaps the concentration being mostly in California. There are other indicators that indeed California is perhaps the place where day labor organizing and day laborers are most concentrated in the United States. When I say maybe, it's because we really don't know because the market is so fluid. Day laborers come in and out, and so it's difficult to gain an accurate count but we have devised some estimation techniques. Part of the objectives for the national study will be to estimate the number of day laborers that exist in the United States.

So to my surprise, when I did this literature review and I discovered that nothing was there, two quick emotions surfaced. One was, wow, I've stumbled across a topic that I could dig my hands into and establish a niche. The other is, well, how am I going to do this if no one else has done it? How am I going to contextualize and think about this? The second concern is less of a concern because it allowed me the opportunity to start thinking about this topic within other labor studies, legal studies, context. I'm going to share some of my findings in the past nine or so years as a student of day laborers.

But first, let me comment or give you a couple of comments on the film and how – what I believe – what surfaced when I viewed the film. I'm not going to give anything away. I'll certainly not try to give anything away. I think the film displays a lot of the sentiment that's involved with day laborers. It's oftentimes a microcosm of larger issues revolving around unauthorized immigrants.

The data suggest that a large number of these men aren't here with documents, but there's a lot of gray area as well. We do find sizeable numbers of men who have documents to be in this country. We find US citizens searching for work on street corners. We find men who have different types of worker statuses, or temporary worker

statuses, different types of visas. And so to portray this as primarily undocumented really is inaccurate, though the majority of workers who search in this manner don't have documents.

The creation of worker centers that the film describes and its failure to obtain city council support is also something that we see occurring throughout the United States. That is currently the largest form of intervention when we think about what to do with regards to day labor.

In my mind are three approaches. The first is, you do nothing, and that is a policy approach. You can even describe it as conservative, right? Let the market fix it. Laissez-faire, if you want to go that far. The other is to try to ban day labor. In California that's been attempted, and throughout different parts of the United States. In California it's been shown to be unconstitutional, an infringement of our First Amendment right to free speech.

Part of our national study will be to survey the 70 or so day worker centers that we've identified across the United States, with more than 25 being located in the state of California. But they are sprouting all over the United States. That really is the national trend to think of how to intervene that has both community and worker support, though to say that worker centers always have community and worker support is also inaccurate. It's very difficult to buy, or to get both community and worker support, but there are plenty of models where this has been successfully obtained, and California is just one example. Today we're going to also hear from Pablo Alvarado, who is in my estimation the national expert on worker centers. He along with his colleagues have created what I think is a very innovative, creative model to open a worker center. They have a very strong record doing this quite successfully. So I think the film brings out some of the difficulties and the tensions revolving around the creation of worker centers.

Nativism is a big topic that comes out with the film, and sometimes you see that. I should also point out that you'll also see some centers that are created with little controversy. Berea is one example, in LA, where the city council came together and actually passed a bill when it was first brought up, and they to this day still yearly support the worker center, with very, very little controversy. That's also the case in other parts of the country. So to some extent, *Farmingville* I think portrays one segment of the American population with regard to worker centers. I think it's important to keep in mind that there are other parts of our broad community that doesn't react in this manner.

Abuses inflicted on day laborers – unfortunately it's all too common, and it ranges from violence to nonpayment of wages, intimidation and harassment, and poor treatment on work sites. Again, to be fair there are many good employers. In fact, I would argue that the vast majority of employers are fair and honest. When you query the workers as to who they prefer to be – who they prefer their employers to be based on race, the four broad categories, white, black, Latino, Asian, who do you think ranks the highest? Anyone want to venture a guess? It's white. And we further queried them, why? And they said, well, they understand our labor law, they tend to be less abusive, they'll feed

us. They also sometimes give us certain things. Obviously this isn't always the case, but it is an indication that there are very good employers out there. So they're not all bad.

Day laborers are predominantly immigrant. This is even in areas where you may not think this is the case, such as the South, but even in the South the work of Audrey, for example, shows new destination areas, and in the South we're finding many, many day laborers. You also have a sprinkling of African-American day laborers, and also Anglo, white day laborers, but they are far and few between. For example, in Malibu we found a group of white day laborers, and these are full-time, year-round surfers who really live the life of surfing. And when they run out of money and they need to feed themselves, they go to the day labor center and hang out with a bunch of Mexican immigrants, Central American immigrants searching for work, and hopefully that pulls them out until the next big swell and they go out and surf and go back and forth.

Is this market simply a function of supply and demand, an issue that was brought up in the film? Yes, I think it is. In my work I've seen many, many sites disappear and reappear, responding mostly in part to local demand. Even at the most volatile worker centers or hiring sites, such as those in Farmingville, day laborers return because work is available and families must be fed, rent must be paid, and life goes on.

I remember specifically when we surveyed in Farmingville in 2002, asking several workers – in fact, I asked all of them that I interviewed along with my team, why do you still come back to Farmingville? And the answer was just really, really simple – this area pays very well. At minimum you go out for \$100 a day, and oftentimes going out for \$150 to \$200 a day is the going rate. It's not the going rate, but it happens frequently. That's an amount that's still below market, but an amount that employers still find extremely attractive and thus they hire day laborers in Farmingville. When I contextualize it within the potential violence, again, they continue to say, look, the work is plentiful and it pays extremely well. So supply and demand, it does work in this instance with regards to day labor.

So who are day laborers? There's a series of tables that are at the back table. You can pick those up on your way out. But this table basically provides some data that compares LA and New York. We don't quite know the composition of day laborers in Washington, D.C., but we will in about six months, due to the generosity of the Community Foundation, Tom Kam, and colleagues we will be undertaking another sample. We're going to be interviewing about 500 men here in July, and so we'll be able to paint a really nice demographic and other profile of day laborers.

Most day laborers are from Mexico, even in New York City, where a third of all respondents came from Mexico. New York is more diverse with regard to day laborers, at least with regard to Latino origin. About a third come from Central America, and 25 percent come from South America. In contrast, Los Angeles is predominantly Mexicano, about 78 percent, with another 20 percent coming from Central America.

Many of them are recent arrivals. About a third have been in this country for less than a year, but surprisingly, anywhere from 15 to 24 percent have been in this country for more than 25 years – excuse me, more than 10 years. Big difference. Place that into context, right? If you've been in this country for more than 10 years, you pretty much have a – I'd like to think you have a pretty decent handle on the labor market and other norms, if you will. So searching for work, after being – on a street corner, after you've been in this country for 10-plus years I think also suggests things about this market that perhaps we haven't thought about, right? It maybe provides some steady work, the pay may not be as bad as we think, and perhaps there's some social networks that have been developed so that the frequency of hire isn't as irregular. And some of the data that I've collected suggest some of what I'm saying.

But to paint the market in a positive manner the way I'm suggesting I think also is really inaccurate. I think the market works decently for about 20 percent of these men, so that for the vast majority of day laborers it's highly unstable. The market in terms of pay really ranges. We computed a mean reservation wage for Los Angeles, which came out to about \$7 an hour. We basically asked day laborers what's the least amount that they're willing to work for at this site. Then we averaged that figure. In New York the mean reservation wage was higher, coming in at about \$10 an hour. So obviously with the national study we'll be able to make some really nice comparison.

About half of the men are single. Another half are either separated, married, widowed, divorced, or living with a partner. So clearly many of these men are supporting not only themselves but others in their household.

Educational attainment: mostly uneducated, at least a good portion of the workers are uneducated. But also you do have a pretty significant number of workers who have received a decent level of education, 10 or 12 years, for example. A third of all day laborers have received 10 to 12 years of education. That's a pretty significant number. The mean level of education is seven years.

So let's look at a few quick characteristics of day laborers nationally. Is day labor a new phenomenon in the United States? Its current makeup and, if you will, geography or topography might be attributed as something new – i.e., within the past 30 years. However, to make the case that searching for work in public on street corners is new, that's wrong. That has been going on for a long, long time in the United States. In my work on day labor I traced the origins of day labor in the United States to a couple of industries we would predict. For example, agriculture in the Southwest and the Midwest. Men and women used to wait for employers to come by and pick them up, or they would seek employers. This has been well chronicled in our history books. But the actual process of waiting for work, that part is hardly ever discussed in our history.

In Los Angeles, there is this one particular site on the corner of Sawtelle and Santa Monica Boulevard. The corner actually runs down Sawtelle, Topeka and Olympic. This site has existed for well over 30 years. Its origins can be traced actually to the agricultural industry in the San Fernando Valley. So farm owners would drive on the

405, exit the 405 thruway on Santa Monica Boulevard, and they would visit what was then a housing project right there on the corner, and they would pick up men and women and then they would drive back on the 405 over the Sepulveda Pass into the San Fernando Valley where they would put the workers to work, picking what was then the citrus industry. So even in LA we can trace day labor back to the agricultural industry.

Temporary hiring halls in the South. This was a very typical form of employment, mostly for African-Americans, and you can still see remnants of hiring halls in the rural and more or less urban areas of the South.

In New York, oftentimes in the movie we see the reference to hiring sites as shape-up sites, right. When I was in New York and we were doing the survey, people would oftentimes say, hey, you're doing research on shape-up sites, or, you're going to the shape-up site. That actually stems from stevedore work, dockworkers, right, who are now the largest and most -- one of the most influential unions in the country. They certainly get the best wages. But stevedores would basically line up at the dock. These were mostly immigrant workers, Irish, Italian, and they would line up at the dock and a foreman would come out. He would basically or she would basically say, okay, men, let's shape up, shape up. The men would then form a half circle and that foreman would pick what was called a gang of workers, say six to eight, and they would be instructed to unload the ship. That's day labor, obviously in a different context but not all that different from what many of these men do now in the streets of our urban cities.

You can also look at research done on the wandering poor, hoboes and tramps. They would wander from city to city. They were oftentimes concentrated in what was then called a city's stem. These are areas where you would have a concentration of hostels, daily rental rooms, saloons, what often then became skid or wino rows in many cities. Well, employers would drive into this part of the city and likewise pick up men and women, drive them off to a work site. At the end of the day they would be driven back to this place and dropped off and be paid a daily wage. This was done about 100 years ago, actually more like 70 years ago.

So we have a long, long history of men and women searching for work in this manner. Farmingville is not new. It's perhaps new to Farmingville, but searching for this work – for work in this manner is not a new issue.

We also have day labor all over the world. It's quite common. In Japan there's a journal, an academic journal that's devoted just to this issue. So you have scholars in Japan who have created a mass of research that's published in the journal. To be fair, this journal has a focus on homelessness in day labor. Most day laborers in Japan, about 95 percent of them, are homeless, so there's that connection.

Let me conclude because I've been given my two minutes, actually two minutes ago. Day labor in my mind is not about to disappear. It is intricately tied to our economy and its shift to a higher reliance on contingent workers. It's well chronicled. Folks here at the Department of Labor, say is one of the fastest growing segments of our national

economy is that of contingent workers. We're talking about part-time workers, we're talking about workers who don't have standard relations with employers. This is well documented. I think day labor is a part of this growing labor force. I'm not convinced that it's simply an informal economy issue. This market, while unregulated and seemingly chaotic, is highly visible and increasingly moving toward regulation. Witness the creation of worker centers.

Day labor has a long and, as I mentioned, storied history in the United States, with participants coming from other previous immigrant groups who were also chastised and blamed for their difference and social ills that occur in the United States.

And then finally, solutions are complex, without a doubt, but clearly doable and there is a record of success in establishing worker centers. Is that the only solution? No. Is that the most formidable solution at present? Absolutely. I'm not sure what else exists out there besides regularizing workers, which I think is unlikely to happen, at least within the current context of national security and the present administration.

Organizing at informal hiring sites. It's also a very important strategy. We have sites in Los Angeles that aren't official sites but that are organized. That's another important strategy. Creating a community of workers who become empowered and thus able to better control their destiny and go about their daily lives in dignity and peace, I think is the overall objective of the work that we're going to highlight by some of my colleagues, who have taught me a whole lot about day labor.

Finally, there is some talk about passing national legislation, a worker protection act that focuses exclusively on day labor, the ideas that states will likewise mimic and produce a similar bill of rights act. So I'll close at that.

MS. SINGER: Thank you very much. And there was some bartering for minutes here, so Pablo, I hope you realize Abel went over the time – (laughter) – so you're going to have to work something else out, another deal with someone else.

Before we show the film I want to introduce the filmmakers. Carlos Sandoval and Catharine Tambini are independent filmmakers who have received much acclaim, including a special jury prize at the 2004 Sundance Film Festival for the film "Farmingville." Carlos, a southern California born and raised attorney, was living in eastern Long Island when he first started sensing antagonism towards the new and growing Latino population there. When he learned of a hate crime against some of them, he decided that this was a story that needed to be told to help increase our understanding of what may be happening in similar fashion in rapidly changing areas around the country.

Veteran filmmaker Catharine Tambini has an illustrious track record with less controversial documentaries, including co-producing the Academy Award-nominated "Suzanne Farrell: Elusive Muse," about the celebrated ballet dancer. But soon after meeting Sandoval and having observed the tension mounting at other nearby community

settings, she too realized that the public needed to witness and ideally talk about what was happening in our neighborhoods as they became ever more globalized.

Together they pursued many different players in the Farmingville drama. They got to know them personally. They spent a year recording public and private meetings. They put themselves in harm's way when things got tense. They meant it when they said that they wanted to let the long-term residents, the day laborers, the anti-immigrant organizers, and the pro-immigrant advocates speak for themselves.

So we have the privilege of having them both here today to personally introduce us to their work and show us their film. Let me mention to you that you'll also have the opportunity to meet them, so we're going to hold off on any questions about the film for the filmmakers until afterwards. Immediately at the close of our discussion after we have our panel, you're all invited to join us for a reception in their honor.

So let me introduce Carlos Sandoval and Catharine Tambini.

(Applause)

CARLOS SANDOVAL: Thank you all very much for coming, first of all, particularly on, as has been pointed out, a hot day with Reagan in town. I'm a native Californian and Reagan seems to have followed me along the way so it's only fitting that he be here today. (Laughter)

This in many ways is—being here in this setting—a dream come true for me as a former policy wonk and lawyer, to be able to make a film that is shown here at Brookings, in this institution, and can, I hope, affect and engage policymakers, is really a goal far beyond expectation. I have Ellen Schneider to thank for that.

I've been asked to talk a bit about the making of "Farmingville" and the why and the how, but I want to skip that just for a moment here and say the making of the Farmingville campaign in some ways started with – all of this started at Sundance, ironically enough, in 2001 or 2002 where Ellen was on a panel and we talked about the power of film, the power of film in policymaking. When I heard Ellen speak, I thought, this is someone I have to talk to. And here we are a few years later, and so this is really, really the culmination of an awful lot of work and a lot of effort.

The "why" of the film for me is really – was out of fear, out of fear for myself personally, out of fear for my family, out of fear for the Latinos. The point was made that day laborers have become the face of immigrants, particularly Latino immigrants. In many ways day laborers have become the face of Latinos generally today. The sad reality is that what begins as – in the context of a conversation or a debate around the legality or illegality of someone's presence quickly expands to something larger than that, which goes to one's background, one's color, one's skin, one's heritage. And I've seen it happening was – what I feared would happen I've seen happening on Long Island

already and I'm afraid it's happening elsewhere as we have grown to be the largest minority, our presence has been more noticed, and there's a visceral reaction to that.

My hope was that the film would begin to engage people in dialogue that might short-circuit that a bit. I may be behind the curve with the film, unfortunately, given some of the conversations I've heard, some of the language that I've heard coming along the way. But that was really the why of the film for me at the outset, was to try to get people to understand who these people are, to get a conversation going by trying to get people to get beyond the labels, trying to get people to step into the shoes for at least the moments of the film, so that they might begin to understand one another. That's a very high-fallutin' goal. It's not a goal that a policy person would normally have, but it's something that film allowed me to do.

So I've been overwhelmed by the response to the film. I think I'll let Catharine speak more to that, but I want to thank you all for being here today. We will be available for questions after. And I want to thank Audrey, so much for doing this, and everyone who's brought us this far.

Thank you.

CATHARINE TAMBINI: We spent three years in Farmingville and we gathered over 200 hours of footage dealing with the issues in Farmingville, and it took us the three years to really hone it down, find our story, and we decided to focus on Farmingville. There are many issues that we could have addressed through this film, but to us, we wanted to show the macrocosm through the microcosm. So here we are three years later. We're really, as Carlos said, we're really overwhelmed by the response. We've been to many film festivals around the country with tremendous response to the film and to us and to what it's showing people. It's helping to start a dialogue. Our dream is really being fulfilled here today in many ways.

So we thank Audrey, we thank Ellen especially for her tireless work on our campaign. I think without further ado we should look at the film.

MS. SINGER: Thank you very much. We're going to step down and watch the film –

So let's roll it.

(Viewing of "Farmingville")

(Rejoined in progress.)

MARIA ECHAVESTE: -- and policies in Congress, and it would take something like a film or conversation to make us understand that we are dealing with people's lives. And dealing with people's lives like those residents in Farmingville, not just the people who are here illegally or as immigrants, but also people who are – have been here and

who wake up one day and say, what happened to my town? I think it's going to be very well received. I certainly hope so.

Let me start first – we have heard, obviously, from Abel Valenzuela, who gave us a very good framework, especially the historical context. But I'd like to start with Pablo Alvarado, who is, as you can see from the bios, the National Coordinator and co-creator of the National Day Labor Organizing Network. Let me introduce everyone so you'll know who else is up here.

Then we've got Tom Perez, who I worked with in the Clinton administration, who is now a member of the Montgomery County council, indeed one of those people who could be like the supervisors in that movie, having to make tough calls, make tough decisions at the local level. He serves on the transportation and environment committee of the council. Is a Harvard law grad, and his last position in the Clinton administration was director of the Office of Civil Rights at HHS.

And then also joining us is Tim Freilich, who is a managing attorney at the Northern Virginia office of the Virginia Justice Center for Farm and Immigrant Workers, a legal assistance program. His Northern Virginia office has worked in the metro region on the issue of day laborers.

So let me start this with Pablo, and I just want to make sure that you understand that Pablo in 1995 was asked to coordinate the Coalition for Humane Immigrant Rights of Los Angeles day labor project, and since that time has been I think the national leader on this very tough, tough issue, and is also a member of *Jornaleros del Norte*, a grassroots musical group that has two albums. So there's a whole other aspect to Pablo.

So, Pablo, can you share some thoughts with us.

PABLO ALVARADO: Thank you. I migrated to the United States in 1990. And just like every other immigrant I also worked as a day laborer in many places in Los Angeles. And just like many other immigrants I said, well, I'm going to go to the States only for three years. I'm going to come back in three years. Well, I'm still here and now I got married and have a daughter, so – which means that I'm not going back. And a lot of my colleague day laborers are basically in the same situation.

Before September 11th, a lot of the workers would go back during Christmas, and back and forth. After September 11th that has stopped, and people are staying here. We're becoming a fundamental part of many communities throughout the United States. And the future of this country depends on how this country is going to deal with immigrants. And I thank the filmmakers for bringing this issue up to the public because it's very emotional and sometimes people lose perspective about what the real solutions are.

Back in 1997 we began in Los Angeles holding exchanges with – between workers in LA and workers in San Francisco. Then we moved up north to meet with

workers in Portland, in Oregon, and Seattle. We found out that the issues that day laborers face in both municipalities are basically the same issues – exploitation, a lot of police harassment. The only difference that we encountered was that the level of acceptance that people had, that immigrants have in these communities. Some places where immigrants are recent there is that kind of resistance. Los Angeles went through that situation, and now the city of LA invests over \$1 million in running day labor centers. There are 10 day labor centers in the city of Los Angeles.

When we found out that it was the same issue that workers were facing, we contacted our sister organizations in the different municipalities and said, well, it's time for us to come together and basically confront this situation from a different perspective and to have an organized defense. So in 1998 we began to create the linkages between the different day laborer organizations throughout the country. So now the national network is composed of 25 community based organizations that work with day laborers in different capacities, and together we operate about 35 worker centers in the country.

And we've been able, I think, to implement good practices and basically practices that have been able to address some of the real issues. It is more difficult for us to address the perceptions that exist about day laborers than it is creating, let's say, if we're finishers but there are no trash cans in the corner, we'll bring in the trash cans. If the issue is that there's no urinals in the corner, well, let's find alternatives.

So we began addressing some of the real issues that day laborers face throughout the country, and in this work we found three basic negative approaches, or non-constructive approaches. One is the usage of police officers, law enforcement agencies to basically enforce ordinances such as loitering, littering, blocking the sidewalk, jaywalking. And all these types of issues basically– when the cops come and enforce this type of ordinance with the idea of discouraging the men to stand in the streets and leave– have proven to be ineffective. In many municipalities, coming in Farmingville three years after, the day laborers are still there and the issue continues to take place since there is no worker center.

Another way that municipalities have used to address some of the issues is banning laborer solicitation on public property, and that, as I've mentioned before, violates the Amendment rights of day laborers. And my organization has undertaken a lot of legal actions against municipalities that have enacted these type of unfair solicitation ordinances. We have been very successful and we will continue to do the same work.

We have also seen in terms of non-constructive approaches the creation of virtual worker centers. These centers that people – actually local governments expect the day laborers to stay in their houses and get a main phone and the person answering the phone and connecting the workers with the employers. That hasn't worked. It hasn't been effective at all in many places.

But the two most constructive approaches that we've seen and that we encourage municipalities to move forward on are the creation of designated areas. Usually when employers – when workers congregate in streets, they spread themselves perhaps in two or three blocks because of competition, because workers feel that there are more chances of getting jobs if they are arranged that way in the streets. In some municipalities they have not been able to obtain the resources to create worker centers, we've been able to designate areas within a sidewalk or within a park, public park, in which the day laborers would actually congregate away from the activities of residents and business owners.

And at the same time we have undertaken the development of the worker's leadership skills. It is good for the workers to understand what really the residents are going through. It is good for the workers to understand that their practice has an impact on people's lives. And some of those impacts are negative and people have to understand that. That's why the developing of the leadership skills of workers is fundamental in making sure that these designated areas work, and in this effort the workers come out with their own rules, with their own ways of enforcing those rules, their own self-policing mechanisms. And this approach has been very effective in many places across the country.

The second and perhaps the most popular way of addressing the issue is the creation of worker centers. We believe that that's our way to better – to foster more humane and safer relationships between workers and communities, but they are not necessarily the best alternative for workers, depending on how – from what perspective you approach the issue. If you think that day laboring is a crime then you're going to use the law enforcement agents to come and crush it. If you think that it's a matter of aesthetics, then you're going to speak for hiring centers that are going to be hidden in places where the day laborers are not going to be visible and where they're not going to be hired. So there are separate criteria to determine when a center is successful.

Those criteria include, for example, that the centers have to be in close proximity to where workers congregate. Otherwise it will be difficult for the workers to attend, and also the employers. It has to be accessible as well not only for employers but also for day laborers, for their means of transportation, which is usually bicycles in many neighborhoods. Those centers have to be free of cost. We've seen many centers where the day laborers are charged fees for using them. There's one particular center in Glen Oak (ph) that charges a \$30 fee for the day laborers to use it. A day of work is not necessarily guaranteed in those places. So we believe that they should be free of cost. In that place there are 20 men inside and there are still 70 men in the street. And not only does the center charge a fee, but it's also – the city has made it illegal for people to stand in the streets and for employers to come and hire them.

The other criteria that's really fundamental is community support. That means that police officers, elected officials, day laborers and employers if possible, and community organizations need to come together and support not only the creation of those centers but maintaining those centers and making sure that they have the political support that they need so that the funding is consistent. Otherwise, it's going to fail.

Oftentimes what happens is that, yes, people come together when they see the complexity of the issue. But once the center is open, they – everybody takes off, and then the day laborers are in the center and the organization that runs the center is basically in front of 100 men who are unemployed, and it's a difficult position to be in because I've been in it and I'm part of an organization that does it all the time. And everybody takes off and that's it – we've created that center, whatever happens there.

So we believe the support is not only political, it's also in terms of getting resources for the center. It's also in terms of finding the most important thing that day laborers need, and that is jobs. So a successful day labor center would provide at least 50 percent of jobs every day. If 100 men are listed, they have to go out to work in order to be in front of a good worker center. That means that people will be able to – people would be able to perhaps work two or three days a week, and that's really the main need of the day laborers. And the organization, we encourage our organizations to invest most of our resources in finding more employment opportunities, and also in terms of developing the job skills of workers.

So those are some of the criteria that makes a center successful. We also believe that workers should not be pushed to those centers at gunpoint. That's not going to work. It's not constructive. It doesn't improve community relations. It creates more tensions in those communities.

Finally, I'd like to close my statement by sort of outlining some of the goals of our worker centers. Some of those goals include, one, is basically, as I said, the creation of jobs, good jobs with good wages and working conditions. The second is to address some of those public health and safety issues that stakeholders talk about, and that were actually part of the movie tonight – today. Is it night? No.

MS.ECHAVESTE: Still day.

MR. ALVARADO: (Laughter) Yes, we're almost there.

The third goal of our worker centers is –

[TAPE CHANGE.]

MR. ALVADARO: -- to ensure that day laborers develop a sense of community and that they develop a sense of leadership, that they'll develop the leadership skills so they can represent themselves, so they can understand politics, so that they can design their own strategies and implement their own work plans, and that they become part of a solid community. You have workers from El Salvador, from Mexico, Honduras, and yes, there are some national barriers so we need to find strategies to bring people together and break down those barriers.

The other goal of our worker centers includes ensuring that day laborers become part of the community where they solicit employment, of those communities where they live, and of those communities where they work. In order to do that, we do a lot of civic engagement. It's really beautiful to see the day laborers and residents and business owners cleaning the same streets, and the relationship – the human connection between the day laborers and the residents changes when that type of interaction takes place. When negative interactions like the ones that we just witnessed in the movies, those type of interactions don't help at all, so that's where community organizations come in.

So with our worker centers we basically intend to ensure that workers are integrated into our communities. And not as halfway members of our community, but people with full rights and full responsibilities like everybody else.

MS. ECHAVESTE: Thank you, Pablo.

Both Tim and Tom are going to be able to focus our attention to the metro area, and I'll start with Tim, with the Northern Virginia office.

TIM FREILICH: Our Northern Virginia office is located in Farmingville, Virginia – (laughter) – right across the river there. Now it's an area where there is a large day labor site right across the street from the office in the area of Culmore. Our program started as a migrant farm worker program originally down in Charlottesville, and we started receiving a lot of calls from day laborers up here who would go out and do a week or a day of work and then just not get paid at all. They were having trouble finding where they could turn for help. And so we set up the office in Falls Church, actually, in 2001, and since then have been looking for the most constructive way to help workers – well, just to stop the exploitation of workers for the most part, and work to find community solutions for the challenges presented by day laborers across Northern Virginia.

I want to bring sort of the story of Farmingville to the local Northern Virginia area, and tell you about a few of the different sites that exist in Northern Virginia in various stages of development. You have everything from an informal gathering of 30 guys looking for work on the intersection of Glebe and Pershing Road in Arlington, to the formal day labor center that's been set up, the Shirlington Employment and Education Center in the Shirlington area.

And then a few sites that are sort of in between that range of development. Annandale, for example, a community that is 34, 35 percent foreign born, has a gathering of about 75 workers who for the last few years have been gathering at a 7-11, until a couple of years ago Pablo talked about one of the strategies, a police crackdown trying to force workers to move away. There was an announced police crackdown in Annandale a couple of years ago. The workers were prepared for that, and the morning of the crackdown had signs just saying, "We're not criminals. We live here in Annandale, too. We want a safe place to find work." And the morning – I was very proud of the police in that they respected the workers' rights to protest, yet it didn't really solve anything. It

created a lot of tension, and the end result has been now the workers are much more scattered up and down Little River Turnpike there by Hummer Road, but it didn't really solve anything. That was the – I guess you mentioned that police crackdowns tend to be ineffective. I think that was certainly the case there.

In Culmore it's a place where there's been day laborers gathering for the last 18 or 20 years now, also at 7-11's. Day laborers gather at convenience stores a lot of times because they're convenient. The contractors like them, the day laborers like them because they can meet there to get coffee while they're waiting, or the contractors on their way to work picking up the workers can stop in and get some food.

It's interesting, one of the things that you don't hear about a lot is a lot of the day laborers use a meeting site just as a pick-up point for the contractors. We just had a case two weeks ago in Arlington County where the workers were picked up every day at the day labor site for a couple of months. They would just meet their contractor there and be taken to work and not get paid. But anyway, we were able to work on that.

There is one situation, though, that I do want to focus on in the town of Herndon, which I think I see a few folks here who have followed the developments in Herndon over the last year. It certainly has just striking similarities to a lot of the challenges and emotions and tension that is portrayed in the film *Farmingville*, although thankfully in Herndon, even though there's been a lot of tension, there has not been anything approaching the violence in Farmingville, and hopefully it will stay that way as the town continues to try to find a community solution.

There were a series of town meetings, public hearings, and a heroic mayor, I believe, who demonstrated more political courage than is often seen who, I think, looked at his community and saw an issue that was causing a lot of tension and a lot of anger and a lot of frustration, and realized that it was his responsibility to try and find a solution. And at extreme personal and professional sacrifice, he really stuck with it and another heroic, I think, entity, a nonprofit called Reston Interfaith, stepped up and they tried to form a public-private partnership to locate a site and get community support for it.

In many ways you could see the same tearing apart of the community that occurred in Farmingville happening in Herndon. And it's – the film was cut off, so we don't know what happens – or we know a little bit about what happens. Well, Herndon is ongoing as well. There was a recent election for town council, including the mayor position, and day labor was actually one of the main issues. And in the end, the individual who was elected mayor with less than half the vote is – I guess made statements recognizing – actually I have his statement. It's actually interesting. It shows a complete understanding, I think. He says, the issues surrounding the day laborers are some of the most complex and difficult the town has faced. This is in response to a question that was posed to all the candidates for town council and mayor. The issue includes immigration, constitutional rights, including the right to assemble, the basic need to support oneself or family, littering, loitering. The issues involve federal, state and local laws and ordinances. And then he says, the current day labor situation is not

acceptable. And goes on to say that he thinks that working with the county, they should try to set up a worker site. So that struggle continues, and it, I think, will be interesting to see what happens.

In my mind the big lessons that we can learn from the movie *Farmingville* and what's happened in Herndon so far, that the challenges and opportunities that day labor presents to a community are local, and a local solution needs to be found. I think it's clear from the film, and just from our involvement in immigration issues, local communities are not going to be able to fix the broken federal immigration system. And while there is a lot, I think, of well-meaning folks who spoke out against the day labor center in Farmingville, you know, they're trying to protect their communities and what they feel is their way of life, and I think that the efforts that folks who, for example in the movie "Farmingville" are spending opposing a day labor center in the community and trying to frustrate the efforts of local officials finding a community solution, would better direct their energy towards this area, the federal government and federal representatives, who really have the ability to enact comprehensive immigration reform that recognizes the contributions of America's hard-working immigrants. I think that's certainly one of the most important lessons we can learn from the movie.

To wrap up real quick, promising practices, I'm pretty excited about what's going on in Culmore right now. There's a group that's been assembled called the Culmore Community Planning Team. It involves a wide variety of stakeholders, from the faith community, the police department, the local county government, residents' groups, the revitalization committee in the area. Most importantly, it involves day laborers. And not only does it involve day laborers but all of the meetings are interpreted simultaneously with interpretation equipment that really levels the playing field dramatically.

We're very hopeful that in the end in Culmore, where everybody agrees that the current situation is not acceptable, that we'll be able to find a solution that, if it doesn't make everything perfect, will at least round off the edges and find a way that a group of hard-working men who are waiting on the corner looking for work, where that's an asset to the community rather than a challenge. And that's sort of, I think, the goal. Community solutions are needed for this local community problem.

MS. ECHAVESTE: Thank you, Tim.

Tom, going up to Montgomery County, the very diverse county that it is.

TOM PEREZ: Well, thank you, Maria. It's great to see you. I wanted to do three things – tell you a little bit about Montgomery County generally, and Casa of Maryland in particular, for whom I had the privilege of serving on the board for the better part of a decade, which is, I guess reflects the fact they don't have term limits for board members – (laughter) – and also is about one-half of Casa's life. Casa is 20 years old. And secondly I'd like to talk a little bit about the role of government. And then finally a few reflections on the movie and the many remarkably juicy nuggets, as a teaching tool for a class that I teach because it's a great teaching tool.

A lot of people who don't know a lot about Montgomery County understandably think that Montgomery County is the lily white, affluent suburb that is Potomac and Bethesda and all of that. And there are absolute pockets of affluence in Montgomery County, there's no denying that. But by the next census, Montgomery County will be a majority minority county.

The district that I represent is 60 percent minority. The emerging demographic at the high school that my kids will go to, which is the largest high school in Maryland, is French-speaking African immigrants. Casa of Maryland, if you were to go to their day labor site – I think it's the largest day labor site in the DC metropolitan area – because we've been around the longest. We've been doing this since 1991. If you go there on a given day you will see now about one in five are African immigrants. You will see that one in six or so are from the District of Columbia, and you will see that a majority are not from Mexico. So when you do your census, Abel, you will see that it is primarily Central American immigrants. So it's a different demographic mix than Montgomery County.

The question presented in the movie, one of the questions presented was, will lending structure help improve the situation. And in 1991 Casa was exactly where – Montgomery County was exactly where they were in this movie. Again, at 7-11. Those 7-11's, a very consistent player in this process. One of the first things I saw in this movie was someone running across the street, a pedestrian safety nightmare. In fact, the third most dangerous intersection in the state of Maryland is the corner of University Boulevard and New Hampshire Avenue, where we lost a 7-year-old immigrant 10 days ago, and it is – so many of the challenges are challenges in immigrant communities. So I saw so many things in your movie, starting with the pedestrian safety challenges.

1991, similar problems. Immigrants gathering at a very busy intersection. What do you do about it? Neighborhood concerns. Safety concerns. What are we going to do? And the answer, and we're very fortunate in Montgomery County. We are a fundamentally progressive community and I'm very privileged to serve on the council. My colleagues are very progressive. By a nine-to-nothing vote we just implemented the consular identification cards in the county, one of the first counties to do that. And I'm proud to say it wasn't a hard sell, either with the county executive or with my colleagues. We're not Suffolk County, and I thank God for that every day. (Laughter)

And I think the advantages of structure have really been borne out in the subsequent 13 years. I mean, Casa has really grown. We have people who have been here two weeks, people who have been here two months, people who have been here two years, people who have been here 20 years. And we serve them all, and we serve them all with a continuum of services that includes but is not limited to the day laborer services. The holistic approach is absolutely the key, and the emphasis on service as a springboard for advocacy and empowerment is absolutely key.

If you ask me what was Casa when I first got on the board, I would have told you it was a social service agency. If you ask me what is Casa now, Casa is an advocacy

organization that is about empowerment and self-sufficiency. That's what it's about. When you go to Annapolis now, there's a thing called Noche Latina every February, where busloads of primarily day laborers come to Annapolis to rally and then lobby individual legislators. We use the time dollar model, where when we're providing employment and training, they have to pay back. And you can pay back by, for instance, getting involved in advocacy campaigns, or taking an adult ESOL class so that you can learn English, because the English language proficiency is one of, I think, the two biggest barriers to getting to the next level, the other barrier being immigration status. So that's what Casa has grown to.

We have been able now not only to provide day labor for people working a couple of days, a couple of weeks, but we've also been able to provide full time living wage, full benefit jobs through partnerships with local builders. If you go to any building site in Montgomery County, whether it's a residential or a commercial development, it's a sea of immigrants. And one of the largest companies, Clark Construction, a few years back they were ready to get on a plane to hire some H-1B's because they had a labor shortage. And we said, "yo, time out." Come to University Boulevard. And we created with this partnership 400 jobs for our workers, again. They're still working there. These are full-time, living wage, full benefit, self-sufficiency jobs.

In my current capacity on the county council, we have been able to facilitate some conversations with other builders. Pulte Construction, they have a facility in Virginia where they literally build homes and then they take them to the site. They need – they need labor. We're working with them to build a partnership. So we've been able to build these sort of long-term relationships. We're trying – we've identified a few what I call angel capitalists who are helping some of our clients who are remarkably ingenious and soon to be business owners, so that they can be given the tools and the technical assistance so they can own their own business, so they can do the work, so that they're calling the shots.

I really think that structure, to answer that question, was a key. And you have nothing to fear from structure. I think the community wins from structure. I have a lot of empathy for the homeowners. I go to a lot of community meetings where the number one question I get asked is, what are you going to do about code enforcement? And that is not a question from a racist. I think the use of the word racist has to be done with great care and great caution. Those are questions from someone who has seen their life and their community change. They come home at night and they can't park their car in front of their home because their neighbor has four cars instead of two cars. And so these are the day-to-day changes in their life that are affecting their quality of life.

So transitioning to the second issue of what can government do, I think we really need to be a leader. I was waiting for the part about what's the local government going to do, because government has to be a player in this, and particularly local government. I applaud the mayor of Herndon who really – Reston.

MR. FREILICH: Herndon.

MR. PEREZ: Okay. Who really did, I think, step to the plate. And for instance, in our most recent budget cycle, despite the tough times, the employment and training center, which gets \$150,000 from the county, we doubled it to \$300,000 for the upcoming fiscal year. So there is a real understanding, I think, on the council of the need to continue to support the work of Casa, and the recognition that it helps the community.

But there's a corresponding need to be responsive to the community concerns and to recognize that when somebody says, I am angry about the fact that there are nine people living in that house, the response shouldn't be, oh, you're just a racist. Or the response shouldn't be to simply dismiss those comments out of hand. What it really is, the big issue that we're dealing with is an affordable housing crisis, and the need to recognize that none of those 11 people living in that house wants to be doubled and tripled up in a bedroom. They are because there's no other way to live right now, given the money we're making, so we need to expand the availability of affordable housing. We need to address the demand side, which is to say to lift the wages up so that people can afford to get their own place. But government has a real role.

The good news is Montgomery County I think is a very progressive community. The challenge is that we also have the rest of the state of Maryland. We had an interesting conversation recently. It was a full employment act for me for talk radio after the governor made some statements, after an individual had gone into a McDonald's. I'm sorry, the comptroller, William Donald Schaefer, who is a Democrat, went into a McDonald's to get a hamburger. The person didn't speak very good English and Schaefer went on a tirade about multiculturalism. The governor felt duty-bound to support the comptroller and referred to this whole multiculturalism debate as bunk and crap. Those are not my words. Those are his words.

So there's a real challenge. I think we've made progress in the county, but I was asked, what is multiculturalism? My first response was, multiculturalism is what virtually every Fortune 500 company strives for in their executive workforce. Multiculturalism is about competing in the global economy. Multiculturalism is an odd thing for this governor, the business governor to decry in a community.

So we've got a lot of work to do, including in the Democratic Party because the silence was indeed deafening among some on this because there is a fear about losing the Schaefer Democrat or the Reagan Democrat, and there is still a struggle with how to handle the new immigrants. When we come in busloads to Annapolis, there are some, including some on the Democratic side, that don't know how to deal with it, and we're working on that.

So finally, regarding the movie, I really do want to reiterate the need to resist the temptation to use the 'R' word because I really believe that a lot of the folks who are expressing concerns are not racist. They were people who were genuinely concerned about community issues. I think the fundamental error they made was turning it into a national debate and calling on FAIR. I cannot say enough bad things about FAIR. And I

think that was their fundamental mistake because FAIR's agenda is not to try and find a solution in that particular community. It's to use that particular community to carry on a broader debate. So that community in a sense was used. They were used with their own consent, but they were used nonetheless. I think that was the fundamental mistake that they made.

The person that I remember the most from this movie for some reason is the white retired police officer who came in and basically said what Atticus Finch said to Scout when she couldn't understand this guy Boo Radley who lives down the block and acted really weird. He told her, don't pass judgment on someone until you have walked in their shoes. That was a very powerful commentary not only for the substance of what it was, but for the fact that it was coming from a white retired police officer.

I think the key to this debate, like all civil rights issues, is involving diverse coalitions, diverse communities, the faith community, all of the actors, what I call the usual suspects and the unusual suspects. If we can do that, I think we can be a lot more successful in moving this issue and this debate forward.

MS. ECHAVESTE: Thank you. Thank you very much. I'd like to – we've got about 20 minutes. I know I have some questions, but I'd first like to see any questions from the audience. Back there. We've got two microphones.

Q: Hi. I'm Ann Morse of the National Council of State Legislatures and I want to say that we're real happy to be a partner in today's film and working with Active Voice on *Farmingville*.

The panelists spoke very eloquently about local solutions and needing to find local partners in coming to agreement on this, and also recognizing that the long-term solution will be at the federal level in trying to regularize immigrant workers. Would the panel consider for a moment what kinds of things might be helpful to resolving this with state government level, leaving aside the Maryland governor?

MR. PEREZ: I've got real thoughts on that. I think the governor is absolutely right that people need to learn English. What he doesn't understand, in my judgment, is that the people who understand the importance of learning English best are the immigrants themselves. And in fact immigrants are learning English at a faster clip than ever before. It's just that there are more immigrants here than ever before, so we have waiting lists for adult ESOL programs that number in the thousands in the state of Maryland.

As I've said before, I believe the two major issues – there are many barriers, but the immigration barrier at the federal level and the English language fluency barrier at a local and state level are the two major barriers, in my judgment to self-sufficiency, to sustain self-sufficiency. The micro enterprising that we're trying to do, the people that we're working with, the developers and the other business owners, they frequently,

consistently are telling me, Tom, the big issue here is I'm willing to provide you with the angel capital, but they've got to learn English because sooner or later I've got to cut the cord. They're going to have to negotiate these contracts on their own. If you can't – if they can't speak English, they can't do it.

So at a state level – I know the state of Maryland is one of the worst states in the country in terms of supporting adult ESOL programs, and if I were NCSL, that would be a major intervention I would advocate for across the country because I think we're a representative sample across the state.

MS. ECHAVESTE: Just to add to that, in terms of trying to convince state governments and state leaders why it's important, it increases income. It's correlated to higher income if you can speak –

MR. PEREZ: Or for development.

MS. ECHAVESTE: So if you're trying to increase revenue for your state, that's not a bad investment. Anyone else across the panel?

MR. FREILICH: I would love to address this. In Virginia I think there's a definite need for education among the legislators. Lately Virginia has taken a rather aggressive approach on seeing in most other states where a law was recently signed that will permit local law enforcement officers in certain cases to enforce federal immigration law. The negative effect of the passage of this law, and I think once it goes into effect, we're already seeing the negative effects of it. All the immigrant communities in Virginia are being terrified now to communicate with police officers, and the – I guess when witnesses and victims are afraid to cooperate with the police, I think that Virginia's going to see negative effects that far outweigh the perceived benefits of having local law enforcement doing the job of federal immigration agents.

MS. ECHAVESTE: Good point.

DR. VALENZUELA: Real briefly. We ran a statistical model on what increases frequency of hire and increases in wages. English came up positive and significant a coefficient. So it does help, absolutely, even among daily laborers.

MS. ECHAVESTE: Pablo?

MR. ALVARADO: Yes, two things. One is that in terms of educating legislators, what we found has been really, really effective is when – and I say this from the perspective of an advocate, of an organizer, the best practice has been like when day laborers actually go and visit those legislators, or making sure that those legislators come and see, witness how people live and the dreams that they have. Because I think that we immigrants live more the American dream than many people who are born here. That's the first thing.

The second thing is that, yes, immigration status is one of the biggest obstacles that we have. It would address a lot of the issues that day laborers face, but I don't think that it's going to eliminate the presence of day laborers. Let's say we have a legalization program today. Day laborers are going to be still around there the next year and the following year because it goes beyond that. It's an issue of economics. And again, in that struggle I think that – for legalization I think that what the greatest partner in that effort should be immigrants themselves because that's the greatest lesson in terms of citizen participation, in terms of developing the leadership skills of workers.

MS. ECHAVESTE: I'm smiling because there's a real effort to do exactly that, to get immigrants involved in the broad coalitions to get immigration reform. But I'm so glad you pointed out that it alone is not going to solve many of our issues involving income and access to services.

Question? Yes.

Q: Margy Waller with Brookings. Just to follow up on that question. Besides ESOL classes, what other services, or what did you find in the research –what's correlated to employment income, and I guess to the other panels, what's your experience?

DR. VALENZUELA: Sure. Documentation status is another obvious one. Work experience also helps, and recency of arrival. In other words, if you've been in this country longer than shorter time periods also helps in terms of frequency. And one's ability to negotiate a wage.

We broke up LA, and it does matter where you stand for work. Coastal areas tend to pay higher than more inland areas in Los Angeles, so geography is also important in understanding day labor. I'll keep it at that.

MR. ALVARADO: But everything counts in that sense because if you're in the street on a regular corner, it counts how you dress, it counts how dark you are, it counts what kind of clothes you wear, and I've seen employers lining people up to check their hands to see that they're hard-working people. So everything, everything counts out there, including how aggressive and how strong he looks. That's really important.

MR. PEREZ: Drivers licenses. Transportation is a huge issue, and that's an issue that is going on a lot. I know Ann's going to speak to that, across the country. Parenthetically, Governor Bush of Florida has recently come out in support of legislation regarding the drivers license issue. But if you can't get to work, it's really hard to get work.

MR. FREILICH: I'll note parenthetically that in Virginia we've gone the opposite way. But that's a major, major issue that we're confronting across the country.

MS. ECHAVESTE: And we're going to have a great discussion over that at the reception. Let's see, we have a Democratic governor in Virginia who's going the opposite way. We've got a Republican governor, but we won't go further there. Let's stick with the topic at hand.

Another question from the audience? Yes. The microphone's coming to you.

Q: A lot of emphasis was placed on the role of local government in taking leadership on this issue. I'm a little bit curious to hear about the role of mediating institutions in the community, community organizations in terms of handling this issue. You spoke a little bit about advocacy organizations helping, but when you're trying to manage the issue and avoid a lot of the tension and polarization around issues like this, it's often helpful to have an organization that can convene the community in a really credible way and I wonder if there are models of that with this particular issue.

MR. FREILICH: In Culmore – I mentioned the Culmore Community Planning team. We've been very fortunate to have the services of a professional facilitator, Bill Potapchuk. There he is, of the Community Building Institute. It has – I mean, it definitely has helped to have a professional whose job is to deal with communities in conflict. It has certainly helped us document better our progress and sort of provide outside feedback of how things are going and what areas we need to focus on.

MR. PEREZ: And in Maryland there's the Maryland Latino Coalition for Justice. I'm hoping they're going to change the name to the Immigrant Coalition for Justice to reflect the true face of Maryland. But they have done a lot, including a very conscious emphasis on media portrayals of the immigrant struggle so that people understand. I mean, you talked about what is the perception of people about immigrants, and we want to make sure they have the proper perception.

MS. ECHAVESTE: Any other questions? Yes, back over here. Microphone to you.

Q: Hi. Denise Brennan at Georgetown University. A few of you had mentioned exploitation and I'm wondering if you could – I actually work on trafficking or modern-day slavery, and the logic behind that, for example in some of the cases in Florida is, you're held captive. So I wonder if you could speak to how the scales tip to exploitative practices when people are technically leaving on a nightly basis.

MR. PEREZ: Sure. That's an issue near and dear to my heart. When I was at the Justice Department we started the interagency worker exploitation task force under Maria's leadership and actually the trafficking cases that we're finding on a local level now, a number of them have involved embassy workers, and they tend to be – and they are people who have come to this country from another country to work as domestic labor for that individual, and they have been exploited and through a number of means we have been able to assist them in getting out of that situation. The cases that are – and

some of those cases have been prosecuted criminally, either locally or we have referred them to the Justice Department.

The bread and butter case of nonpayment of wages and things of that nature, I don't think it – it's more of a state wage and hour or federal cases that we've been bringing. We have a docket at Casa somewhere in the 300 to 400 case range of those cases. It is a full employment action and I've been able to involve law students at the University of Maryland, where I teach, in those cases. There's a steady diet of those.

The most effective, by the way, to get back to the advocacy point, the most effective intervention by far is not taking them to court. It's when we organize a protest in front of a restaurant and you get 50 people in front of a restaurant at the lunch or the dinner hour, explaining to people what a bastard this owner is, to use the French. And boy, they settle really fast when you do that. That is self-help. And it's really empowering when suddenly that happens and then a check arrives for the employee a week later. They understand the – they understand the power of self-help when that happens.

MS. ECHAVESTE: Anybody else on the question of exploitation?

MR. ALVARADO: Well, the abuses that people face are countless. For example, very often workers are hired and taken to places where there's no public transportation and they are abandoned in those places and they have to walk back. There are a lot of abuses related to wage and hour violations, by not getting breaks, for example, during the day, not having access to water or to – or perhaps 30 minutes to go and buy their lunch. But the most common is actually the unpaid wages. As an advocate, I agree with Tom that's basically the most effective tool, whenever we go and demonstrate in front of those business establishments or houses, the residences of those unscrupulous employers.

DR. VALENZUELA: We've also documented instances where a worker will go back to the same employer for the promise of getting paid previously owed wages, so it amounts – the wages owed accumulate. So you're basically going back and working for the promise of getting paid, and they will be in arrears up to 30 days or more, and we have several of those.

MR. : Frequently the employer at the beginning will start paying regular wages for the first couple, few weeks, and then they'll stop pay at the end of the job and then they work that long month and then at the end of the job they don't get paid. So you get people sort of trapped in that way.

MS. ECHAVESTE: We are fast approaching 5:00 o'clock. Audrey?

MS. SINGER: (off mike) I had hoped to bring somebody in from the public safety point of view. I'm just wondering if the panel would like to take a moment, particularly Tim, to talk about what's happened in Virginia recently. But across the

board, what's the role of public safety in the community and, you know, how do people manage the process?

MR. FREILICH: Sure. I guess from the beginning when I first moved up to start the office in Falls Church, we met a police officer from the Fairfax County police force who was actually working hard to try and help workers get paid. You know, when he found out that somebody hadn't been paid, he would, you know, go and talk to the contractor and say, hey, you need to pay him, work things out that way. He was real excited when we showed up to try and start finding other ways to decrease the exploitation of workers. In the partnership we've been very fortunate to have the captain of the local police district in Fairfax County.

The curious thing is, I mentioned Annandale and Culmore earlier. It's clear that in Fairfax County a lot of people have decided that Culmore might be an acceptable place for a day labor center, whereas Annandale is not. And that's why we had the crackdown there and the interesting thing is we're dealing with the same players. It's the same district, so the same politicians, the same police officers, a lot of the same community stakeholders, yet two very different situations. And it's been – it's actually caused a lot of concern within our program even, how to deal with that as far as we're trying to work really hard over in Culmore with all the partners to get a center set up, sort of at the expense of the Annandale folks, where there is a low level, I think, disregard of the civil rights of the workers.

I know if I were standing on the corner in Annandale, I wouldn't have to worry about a police cruiser driving down the sidewalk, you know, to sort of farm me off into the street, or worry about getting a ticket for obstructing the public sidewalk. I don't know what I'd have to do in order to get a ticket like that. I can't imagine. Yet the day laborers in Annandale are facing that every day and getting banning letters. It's been a really difficult tradeoff for us, working with the same people, trying to be partners in one sense and, you know – it's tough with Annandale, what to do about that when we're working with the same partners. So there's been a little internal tension there.

MS. ECHAVESTE: I think if – I would like to close with that because you bring an image to mind. The public safety issue, I suspect Annandale, I believe it's a slightly higher income than Culmore? Am I wrong?

MR. FREILICH: I don't know actually for sure. It's pretty comparable, I think. Slightly higher.

MS. ECHAVESTE: I think of the big question that people just refuse to deal with is, it's always someone else's problem, right? So whether it's farm work, having to be in the central valley and having 30 people in a house, but the community ends up having to deal with the fact that either employers haven't provided housing, or there isn't affordable housing, or people are looking for jobs and employers are hiring them. And yet somehow the tendency is to put people in silos and say, well, it's the immigrants' problem. They're the ones who are congregating, and we're not dealing with the

employers. And obviously we need more public officials and legal assistance and community organizers and academics to try to elucidate some of the answers for this very tough problem.

Thank you, Audrey.

MS. SINGER: Thank you, Maria. Thanks to our panelists. Thanks to all of you, and especially to our filmmakers for starting this conversation. And I believe our reception is, if you just walk out the door, if you go out one of these side doors, it's in the room right to the side here. So join me in congratulating everybody.

(Applause)

(End of session)