

Alternative Spring Break 2022

by Peyton Smith and Cameron Polomski



On March 11, 2022, fourteen Florida State University law students traveled to the Farmworker Association of Florida in Apopka. Alternative Spring Break is without fail a highlight of many students' law school experience. A phrase repeated in all fourteen individual reflections was "life changing." What makes the program so special? Four things set this trip apart: (1) the freedom from ignorance that comes from listening to the hard numbers and legislation in workshops, (2) sharing of intimate and powerful testimony, (3) hands-on work experience, and (4) deep bonding through conversation and reflection on difficult topics.

Workshops

Students had the opportunity to participate in seven workshops over four days. Antonio Tovar gave a detailed history of farmwork in America from slavery to the Bracero Program to the H2A guestworker program. The presentation showed the deep-rooted racism of the system. Sofia Azpurua, a staunch advocate for undocumented immigrants in FSU's Farmworker and Immigrant Rights Clinic, was "compelled...to not forget about the individuals who suffered the injustices of farmwork since its inception in this country." The reality was clear that historically, our nation used to own its slaves—but now it rents them instead. Sam Seiglie reiterated the same idea saying, "most people in this country genuinely believe that farmworkers are mostly undocumented, when in reality they are documented [with



H2A visas,] but solely for use as what I would characterize as modern day slavery". Benoit Vilceus pointed out that "after slavery was officially abolished, the need for cheap agricultural labor did not simply vanish." He continued, even "sixty-two years after 'Harvest of Shame' aired, fourteen Florida State University law students on an Alternative Spring Break, are still being educated on the same prevailing 'filth, despair, and grinding poverty' of the migrant farmworker. The run-down labor camps are still thriving, defying time; the deadly pesticides continue to negatively impact the health of farmworkers." Elliana Mortellaro reflected on the barriers to reporting these poor conditions, noting that "90% of Florida's citrus farmers are H2A

workers and U.S. discrimination laws don't apply to them [because of agricultural exceptionalism]", but the workers are not in a place to "complain because they want [to keep] the job for the next year and need

it to remain open for them.” As the United States has looked to fill labor needs abroad, access to and supply of cheap labor has become endless. Lauren Longley picked up on the fact that “there are several different groups of people competing for the same work and it allows employer[s] to take advantage and employ individual[s] who will work for the cheapest and cause the employers the least amount of legal trouble”. Ben Robinson realized, “some industries, mainly the agricultural sector, cannot survive without immigrants [who] have limited demands since most of them are runaways from dire conditions at home.”

Neza Xiuhtecutli and Jeannie Economos presented on the effects of heat exposure and pesticides on farmworkers. Sam Seiglie, a Miami native, noted that “it gets unimaginably hot in Florida and I cannot fathom how legally we do not require that workers be protected from all of the health risks of working in 90 to 100-degree heat everyday with limited to no breaks. Bundling the lack of legally required breaks and shade with the fact that some farmers get paid by the piece (which disincentivizes stopping to drink water), a dangerous environment where workers’ health is at risk is created.”

Greg Schell, from Southern Migrant Legal Services, talked about his representation of farmworkers on living conditions and wage issues. Sam Seiglie was inspired by opportunities for legal reform, suggesting “a clear path to citizenship for H2A workers after so many years” and wage protection especially because “workers do not have the ability to work for any other employers and often go without work in the non-growing season...”.

Karen Woodall, from Florida Center for Fiscal and Economic Policy, gave an excellent recap of legislation affecting farmworkers in the 2022 session. Sofia Azpurua, a second-year law student, had testified at a legislative committee hearing on one of the bills mentioned in the presentation. Sam Seiglie also attended the committee hearing and noted, “hearing the things that our lawmakers say about immigrants and then to go on this trip and hear about the abuse that immigrants suffer in this country is such an injustice”.

Michael Busby, a Department of Homeland Security agent, gave an engaging presentation on sex trafficking from an investigative perspective. Students reflected on the importance of victim-centered casework and helping a survivor regain control, not just winning cases. Linda Leonard Woods and Deli Bultron, two farmworker advocates in Florida, helped us understand the often forgotten form of trafficking: labor. “The fact that was shared with us, in there being only 3 inspectors in the state of Florida to check on the farms, is gravely concerning,” said Elliana Mortellaro.

As the students learned about different topics several changes happened. Being uninformed on farmworker issues no longer was an option. They became curious to learn more. They experienced a newfound sense of empathy and grace towards victims of injustice. They looked inwardly at personal biases and preconceived beliefs. They looked outwardly toward sharing their newly acquired knowledge, being better advocates, and calling for broad systemic changes.

- Felipe Rosa wrote, “after this weekend, I can share that the truth set me free from ignorance,” and that some of his personal biases were quickly “brought to light”.
- Monique Clayton humbly recognized, “I entered the program with some preconceived foundationless beliefs that were immediately shattered on my first day of being at the Farmworker’s Association. Each story I heard challenged me to see life from different perspectives and to approach each with the much-needed empathy and grace”.
- Elliana Mortellaro reflected on the statement “ignorance is bliss,” concluding that “one could say that they are happier not knowing, but without knowing, nothing can change. We must know because we must strive for better. I was presented with many injustices I knew nothing about, or

things I only knew little of. I was presented with the realities of farmworkers, the effects of pesticides, the gaps of immigration laws, and the realities of human trafficking.”

- Ashley Hoyt aptly pointed out that “the legal system is so conservative, built by and for elite, white, cisgender, heterosexual men to cater to their interests at the expense of others”, but that “[i]t is so important that trips like these keep happening so that, one by one, attorneys of a different sort will be produced.”
- For Beniot Vilceus, freedom from ignorance breeds curiosity: “[m]any of the things that I learned during the trip left me shellshocked, motivating me to dig deeper to understand why, within the borders of the wealthiest nation, there are people whose living conditions mirror that of some of the poorest countries in the world.”
- Sam Seiglie noted, “I’ve spent a lot of my life, like most Americans, relatively ignorant about how our food finds its way to our grocery store[s]”.
- Lauren Longley admitted, “I have a background in economics, and it is very easy to overlook the actual effects of laws, business decisions, and market factors when you are in an office space or classroom.”

Power of Testimony

Looking at health impact studies, reviewing the legal standard for wage theft cases, discussing current legislation, and following a timeline of the demographics of the farmworker population in the U.S. was only the baseline of the trip. True understanding came from the people themselves. We heard four powerful testimonies.

Linda Lee is a retired Black farmworker who still lives in Apopka. Maresa remarked, “What happens to a story after you read it? The stories I had the privilege to hear over the course of four days in Apopka, Florida will unquestionably live on. Ms. Linda Lee grew up on the muck. The youngest in her family, she began working alongside her mother, siblings, and other community members at the age of eight. She suffers [from] Lupus, a disease both her daughter and granddaughter died from. She lives on the property her grandparents settled after fleeing the KKK in Georgia on foot. She told us about how hot it was on the muck. The heat was so severe the farmers used to enjoy the feeling of pesticides being sprayed on them from the crop planes above by pilots they could see sneering down at them – the spray was a cool reprieve from the beat of the sun. Ms. Linda also showed us a picking basket [for oranges]. A child could have fit inside it. She explained how pickers who use those baskets climb up ladders, balanced on tree branches, to pick oranges. They have to come down with extreme caution or they’ll fall from the weight of the basket, the instability of the ladder, or both.”



Luke Kane noted, “[a]lthough several things surprised me over [Alternative Spring Break], one that stuck out to me was the piece-rate wage employed by many farms throughout the state. During our first day, we went through a ‘toxic tour’ that concluded at local Apopka Advocate - Linda Lee’s house. At the end of her talk, she showed us a typical sack that a farmworker picking citrus fruits would carry. When asked what we thought a farmworker would receive for one filled sack, I immediately thought of a typical hourly wage, around \$10-15. To my dismay, the actual number was around 80 cents, a substantial increase from the 12 cents Linda Lee earned during her time as a farmworker. I may have been able to brush that fact aside if I read it in a news article, but seeing the sack in person and realizing the intensity of work required just to earn minimum wage startled me.”

After hearing Linda Lee’s story, Lauren reflected on the state of the care that farmworkers receive later in life, saying “[f]armwork is a very physical job, workers need to be relatively healthy to be productive workers, but once they get old and health declines there seems to be very little resources to assist. There is clearly a need for some sort of support for individuals who were farm workers their whole lives and are no longer able to work. They should not have to work their whole lives and have little or nothing to show for it.”

Savannah Parvu is a sex trafficking survivor who shared her story. Elliana Mortellaro reflected, “[h]earing from Savannah Parvu was chilling. To think of being hurt and betrayed by your own family in the place you were to feel the safest is not fair, yet in sharing her story she was so brave and carried herself with a beautiful grace.” Many thought sex trafficking was not close to home noting “what stood out most to me was that trafficking can occur domestically,” “people who live down the road from us can be victims of trafficking,” and “hearing Savannah’s testimony on how she was trafficked less than a block away from the farmworker’s association [office] building demonstrated that trafficking occurs everywhere.”

Yesica Ramirez is an immigrant and former farmworker who works for the Farmworker Association of Florida. Monique said: “Yesica...highlighted the effects that pesticides can have on unborn children. She detailed her experience of mixing the pesticides and was provided no safety equipment. At the birth of her child, the child’s head was as small as an egg. The child had to go through a series of surgeries to cut her cranium open to allow space for her brain to grow.”



Chepe Ramirez is a Central American migrant. He decided to tell us his story after much hesitation. It was the first time he had ever shared his story to a group. Maresa noted, “[h]earing him speak and looking into his eyes as he told his story, I could see that he was crossing that desert all over again in his mind.” Elliana picked up on Chepe’s body language as well: “[w]atching him work through his story’s little details and emotions made the air stand still.” After reflecting on Chepe’s harrowing journey, Luke thought that “[n]ews articles about our border situation make it easy (at least for me) to aggregate the immigrants awaiting asylum into a single class of people, and they

desensitize me to each individual’s story. However, here, I found myself confronted with the harsh reality many immigrants traveling to this country face. This man went through more than I could ever fathom just to escape a situation he was born into and had no control over.”

The testimonies of Yesica and Chepe brought tears to many eyes in the room. Sam said, “[h]earing from Yesica and Chepe and the details of their journey to the United States will stick with me for the rest of my life. I made sure when I got back to school and work that I told as many people as possible about their stories. My whole life I’ve heard people talk about crossing the border but I had never heard from someone who had made the journey before.”

The testimonies were some of the most impactful moments of the weekend. According to Maresa, “[t]he stories I heard on this trip aren’t just stories – they’re real lives that continue to navigate their journeys through the systems and infrastructure that currently exist but are in need of reimagining.” Ashley commented that “the stories we heard on the trip were not just stories of terrible trauma, but exhibitions of incredible strength and survival in spite of everything these people have gone through. There are victories in every smile. It is a miracle that Linda, Yesica, Chepe, and Savannah are alive and able to tell their stories.” Sofia added, “I believe immigration is a very personal experience and it is very likely that someone will not be aware of immigration policy unless they have a connection to it.”

Hands-on Experience

In addition to outstanding speakers and presentations at the Farmworker Association office, the students were able to engage in hands-on activities in the Apopka community. The students went on a Toxic Tour of Lake Apopka on Friday afternoon with Jeannie serving as the guide, visited GreenMasters Nursery on Saturday morning, and spent time at the FWAF Community Garden on Sunday morning. Students had strong reactions to these experiences. During the visit to Lake Apopka on the Toxic Tour, Bella “[l]earn[ed] about the chemicals in Lake Apopka and how nearly two decades ago the largest bird



death in the country occurred because of a pesticide spill. It was frustrating to learn about the millions of government funding spent on researching the environmental side effects of the pesticides in Lake Apopka. There were research projects about the birds, water, the reproductive organs of alligators but no research was conducted on the farmworkers and how they were impacted by the pesticides. The government was trying to improve Lake Apopka but did nothing to improve the working conditions of farmworkers who handled the pesticides daily.” After hearing about the dangers of pesticides and the horrid conditions that many farmworkers suffer through to make

sure the country has fruits and vegetables, Bella thought “[c]ountless individuals walk into the grocery store with an expectation that the fruits and vegetables they desire will automatically be on the shelves. Few contemplate the agriculture industry and the process it takes for these items to go from the farm to the shelves.” Ashley agreed about the impact of the Toxic Tour, which “brought a deeper appreciation of what I eat and where it comes from.”

When driving through Apopka, Lauren noted, “[t]here were houses that were literally across the street from landfills and area[s] where pesticide drums are kept. Dilapidated houses where people really don’t have anywhere else to go. Theses living conditions are really something that surprised me because it

was just off the main road as you drive through Apopka, and you could easily overlook these problems as you drove through town.” Ben was deeply impacted upon learning that “Black neighborhoods are filled with chemical plants. There was also a higher rate of Lupus in one of the Black farmworker communities than in the general population, at a rate of 48% compared to 8%.” After reflection, Ashley thought “it is hard to imagine that most people would be content with our government and society if they had a ‘Jeannie’ showing them all of the parks and neighborhoods built next to landfills and medical waste incinerators. Is there a clearer way for those in power to say, ‘your lives are worth less to us than literal waste’? Environmental racism is intentional and unconscionable.”



On Saturday morning, the students went to work alongside employees of a local ornamental plant nursery. For many of the students, this visit to the nursery had some unexpected and alarming twists and turns. Sofia, a native Spanish-speaker, was concerned about the “artificial nature of the visit. The first concerning thing I noticed was that the worker’s rights and safety information posters were only in English. I then noticed that only two out of about 20 workers would be working with us. However, while we were having a conversation, a man started screaming in our direction about the fact that we were speaking in Spanish. I asked [one of the two

workers we were with] who that was and he informed me he was the owner. He then told me that he was racist and when I asked him to elaborate on that, he informed me that the workers are not allowed to speak Spanish at work or work in groups.”

On Sunday morning, the students worked with Yesica and Chepe at a community garden, which was proudly pesticide-free. Maresa recalls that Sunday “started out with a biting wind chill, but it warmed up over time. It was fun clearing the overgrown garden beds and planting herbs. The work gave our hands something productive to do while our minds got to decompress from the intensity of the information we’d been absorbing and the experiences we’d had.” Elliana had a circumspect view of our time at the garden: “[g]etting to work in the community garden reminded me of the importance of unity... United over one goal, one mission, one task, and how by the end of our time there, we could physically see the difference we had made. I think this is the solution.

This is the step forward. A group of committed people to seeing change, working together to change unjust laws, and pushing prevention.”



Bonding

Another common theme in the fourteen reflection papers was overwhelming gratitude for the opportunity to bond with each other. The third-year law student who kept to himself for the past three years and focused on classes was forced to eat, slept, and work together for four days. The LLM student who found it challenging to make connections and feeling partially like she did not belong, was welcomed into this funky group with open arms and able to connect through deep conversation. Even though we routinely pass through the same building hallways, at least four students said, “it is very unlikely that we would have met, let alone share[d] so much.” Our group was comprised of different ages, career interests, nationalities, immigration statuses, political viewpoints, economic statuses, cultural upbringings, and likely much more. Yet, we were a group of likeminded justice seekers, who now share concern about the well-being of farmworkers, and will undoubtedly make a difference on this earth.

If you do not want to take it from me—a once participant and once coordinator—take it from Sofia Azpurua: “I could think of no better way of spending the first half of my spring break and will recommend this experience to everyone I can.” Or from Maresa Semper: “Overall, the trip was an eye-opening experience that I’d recommend all law students pursue.” Or from Monique Clayton: “This has been one of the most life changing experiences.” Or from Bella Roman-Secor: “[Alternative Spring Break] was a life changing experience.” Or from Luke Kane: “[Alternative Spring Break] allowed me to not only learn but also experience.” Or from Lauren Longley: “Overall, the experience was very eye opening.” We came. We listened. We learned. We experienced. Our eyes were opened. Our lives were changed. And we are eternally grateful to the farmworkers and advocates that made this possible.

