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spent the entire day, day after day, at the City School's office, with the demonstrators where in fact they should have been at their offices doing their official duties talking to clients. Thirdly, they did represent some of the demonstrators who were arrested, and the two, Lowenstein and Neumark, spent weeks in court defending the demonstrators. Some of the demonstrators I suspect, did not even qualify for the representation under the law. The courts were held in the daytime and not at night. The two lawyers claimed they were doing so on their own time. While I was at the City School's office demonstration scene I had a conversation with Mr. Neumark relative to his counseling of the demonstrators who should have been in school. The issue was what these young children were going to eat. Mr. Neumark remarked, 'Monroe, feed the children something to eat and charge it to CRLA.' After the school demonstrations I talked to David Talamante, Manager of the then Stanislaus County Cooperative Association, 409 Mays Road, Modesto, who had furnished the demonstrators lunches, and he told me that he had billed CRLA \$400 for the food, and that they had paid for it. I think that this was a misdirection of funds ... Apparently they had also printed up bumper stickers advocating free lunches for the children during the Modesto City School Bond elections. I feel that the funds were not properly used as there was a heavy caseload of poor clients who needed representation while the two lawyers were off involved with demonstrations and defending them in court ... I am totally blind, and this statement has been read to me by Marge Werner."

(Exhibit 09-0143-18;
emphasis added.)

(2) The Case of Kathe Fish and the Board of Trustees of Gavilan College.

CRLA Attorneys Don B. Kates, Jr., Brian Paddock, Diane V. Delevett and Peter D. Coppelman, all of the CRLA Gilroy office, filed suit in U. S. District Court for the

Northern District of California on behalf of a student at Gavilan College (Gilroy) named Kathe Fish (Fish v. Ralph Shroeder, et al., No. 50634, January 29, 1969), in what can only be termed a harassing action. The litigation embarked upon sought to prevent authorities from interfering with Miss Fish's distribution of revolutionary and pornographic literature on the Gavilan Campus (Exhibit 08-0068-13).

On January 14, 1969, the Board of Trustees of Gavilan College, Gilroy, California, considered a proposed policy for establishing an uncensored bulletin board and table. Gavilan student, Fish, represented by CRLA attorney Don Kates, Jr., opposed the college rules governing the distribution of materials at the meeting. The president of Gavilan College states in an affidavit:

"Miss Fish and about 30 or 40 students who followed her lead were actively campaigning to have 'four-letter words' authorized for printing in the college newspaper."

(Exhibit 08-0068-04;
emphasis added.)

On or about January 22, 1969, the president of the college was served with temporary restraining orders filed by CRLA on behalf of Miss Fish. The complaint alleged:

"Defendants, the President and members of the Board of Trustees of the college, now seek to expel, suspend or otherwise exclude plaintiff because of her aforesaid activities.

Gavilan College President, Ralph Shroeder, continues in his affidavit:

"I do not condone the activities of Miss Fish, but I never harassed her in any way, and I did not attempt to have her expelled from the College. The CRLA suit states that I tried to have Miss Fish excluded from campus, that I tried to intimidate Miss Fish and keep her from exercising her right to obtain counsel of her choice, and that I tried to deter her from receiving benefits conferred by the Economic Opportunity Act. None of the above charges are true. It is my opinion that the CRLA grossly exaggerated the situation involving Miss Fish in order to make an issue where no real issue really existed.

(Exhibit 08-0068-04;
emphasis added.)

No negotiation or communication preceded the filing of the action, but the action did create tension and turmoil on the campus and made discipline and normal stability all the more difficult to maintain. Kathe Fish left the college not long after this time and the suit was dropped. She became involved in "drug prevention work." On November 13, 1970, a newspaper article revealed:

"Picked up in Sun Valley on a warrant from the Santa Clara County Sheriff's office was Kathe Fish, 20, who is accused of selling marijuana to an undercover agent in Morgan Hill."

(Exhibit 08-0069-57.)

(3) The Case of Hernandez v. the Principal of Hollister High School.

The case of Hernandez, et al., v. Nichols, filed in the U. S. District Court for Northern California, is typical

of CRLA's school agitation methodology. Mr. Nichols, superintendent of North County unified schools in San Benito County was charged with allegedly beating a Mexican-American youth. The case is still pending against Mr. Nichols. There was also a request for \$34,950 damages on the part of Hernandez. Prior to filing of the case, CRLA had appeared at a County School Board meeting and confronted Mr. Nichols with their charges and had attempted to make quite an issue of the case (Exhibit 08-0067-01):

"I am the District Superintendent for the North County Joint Union School District of San Benito County, with offices at the Pacheco School, 6530 Lovers Lane, and at 71 Orchard Road, Hollister, California. In the early spring of 1970, the children of the Max Hernandez family, then residing at 4481 San Felipe Road, Hollister, registered for school. Among those registering was a seventh grader named Fernando Hernandez. Fernando became a disruptive influence in each class he was in and I received class room teacher complaints for his misbehavior. He would walk around the class room, tell the teachers to shut up, that he did not have to obey them and would do as he pleased. I asked all teachers in school to advise their pupils that anyone who disrupted the teachers authority and disrupted the classes would be sent out of class for discipline. These students are customarily sent to the lunch tables in the school yard and wait there until I have the time to administer the necessary discipline. On or about April 3, 1970, another child was sent out for discipline, and I suspended him for one day, after I took him home and advised his parents of his misbehavior. He was suspended until the following Monday, this was in the morning. In the afternoon I saw Fernando

Hernandez sitting at the tables and asked him why he was there. He told me that another boy had tried to beat him up in class. I asked his teacher and was told that Fernando had refused to do any work, and was disturbing the class, and was holding another boy against the wall and hitting him. I took Fernando by the back of his collar, and swatted him two or three times on his rear end when he held back enroute to the office. I sat him in the office until the schoolbus was ready to go. I had given him a note to take to his parents indicating he was suspended for one day, until the following Monday for the following reasons: 1-misbehavior, 2-fighting, 3-lack of respect, and 4-disobeying school safety rules. The next morning, when I arrived at school, Dale Brown, Hollister Sheriff's Office was there to obtain a deposition about the Hernandez boy. The parents alleged I had beaten and bruised the boy. A civil suit has been filed and is currently pending. A news article in the April 17, 1970 issue of the San Jose News carried a story of a restraining order issued by Judge Robert Peckham restraining the San Benito County school officials from physically punishing Mexican-American pupils. Mr. Panelli, my attorney, examined a California Rural Legal Assistance attorney named Cates, and determined that the alleged facts contained in the news story was what he had assumed to be true. I have had no direct contacts with any attorney from California Rural Legal Assistance at any time, however a Mr. Del Buono of that office visited with me about the Fernando Hernandez incident."

(Emphasis added.)

In line with CRLA's activity in this case, Mr. Chester E. Ross, an attorney in Hollister and President of the San Benito County Bar Association, stated, in part:

I recently had personal observations of a situation at the Ausymas School, where I am satisfied that the CRLA brought in a Mexican family for the sole purpose of disrupting the whole administration of this school. The children deliberately would not behave and

when Mr. Nichols, the principal of the school, attempted normal disciplinary proceedings, the family went to CRLA and swore that the child had been beaten, and CRLA promptly filed a suit in Federal Court."

'I feel that as a result of their class actions, in connection with agricultural workers, they have disrupted the economy of our local community and have polarized the community, so that we have race problems which were never experienced prior to the advent of CRLA on the scene."

(Exhibit 08-0149-01;
emphasis added.)

(4) A Mexican-American College Club Gets Very Special Service.

In Modesto, CRLA paid staff attorneys, Kelley, Livingston, Zavala, Neumark, Lowenstein and Madison, brought a complaint in the "Inferior Court of the Associated Students of Modesto Junior College" on behalf of a Mexican-American club protesting a college requirement that its members (like all other students) pay student body fees of \$8 per semester so that the club would be recognized by the school administration. It should be noted that this is not even a case in a normal court of law and six CRLA paid staff attorneys are named as "attorneys of record" in this non-suit. There is, of course, the implication that Modesto Junior College is discriminating against Mexican-Americans by requiring that they fulfill the same rules and regulations that apply to all other students at Modesto Junior College (Exhibit 08-0111-03).

(5) CRLA Counsels a Juvenile Girl in Agitation.

There was a second incident in San Benito County in which CRLA personnel from the Salinas office became involved in counseling a juvenile girl student and enticed her into acts of agitation at San Benito Joint Union High School.

In an affidavit, Mr. Orville E. Nichols, District Superintendent of the North County Joint Union School District, San Benito, concludes by saying:

(We have deleted names of the many people involved to avoid any possibility of embarrassment to them.)

"I am informed and believe that a _____ (minor female), 16 years, was trained by someone from California Rural Legal Assistance to organize a walkout at the Hollister High School, and a walkout did occur. Minor Female was picked up at the High School and was out late at night, and she has presented forged notes to school authorities, which was not known to her father. Full reports on the Hernandez and Minor Female incidents are with the San Benito County Sheriff's Office, Hollister."

(Exhibit 08-0189-12.)

Following is a report on this matter by a San Benito County Sheriff's Office investigator. The narrative of this case speaks for itself in affidavits and statements to San Benito Sheriff's Office:

"At approximately 0800 hours, the minor girl's father came into the jail to discuss his run-away daughter who had been gone all week-end. He advised that she had returned home Monday afternoon after attending school. She would not give any

other explanation, other than having spent the time with a friend.

"The minor girl's father had her waiting outside and asked if I would talk to her. The girl's father stated he had lost all control of his daughter after she became active in the Chicano movement. He also showed me a note that had been left at his house by Mr. Del Buono. The note asked that the girl 'call the office as soon as possible - it is very important that both Peters (sic) speak with you. Call collect 842-8271.' (Gilroy office of CRLA.)

"The girl's father asked that I get his daughter away from this group.

'Also attached to the original missing person's report (the girl had been out of town with a CRLA member) was found a note to school authorities giving the girl permission to wear pants to school on 1/21/70 signed by the girl's father. The girl's father denied writing the note and said it had been forged. Also attached to the report was a note left at his house by a young girl (name unknown) which states that 'Peter Schilla goes to the high school and harassing students to try to get a district attorney look up what CRLA is doing.' (sic)

"The girl came into the office and I questioned her about her whereabouts concerning the past weekend. She stated she had been in town and after a great deal of discussion admitted being with (Woman A). This writer called that number and verified her statement. I asked the girl if she is involved with CRLA? She said yes. I asked if her father approved. She became very angry and stated no - he wouldn't even sign the papers. I asked if she had gone to San Jose to hear the court case on _____? She replied yes she had gone with a young man who works for CRLA. I asked if he was an attorney. She stated no but, he's going to be one pretty soon. I asked if she had her father's permission to go? She said no. I asked her if she knew this man could get in trouble by taking her without her father's permission or without the school knowing she had

left to go to San Jose? She asked what kind of trouble? I advised her she was still a juvenile and needed her parent's permission. I also read her Section 601 of the Juvenile Code and advised her that her running away would only cause further trouble. At this point she very angrily stomped out and her father stated he would take her to school.

"Approximately 15 minutes later this writer went to Hollister High School and talked to student advisor in regards to the girl. We then went to the principal's office and the three of us along with another party discussed the girl's participation in the Mexican-American activities on campus. The principal stated she is the president of the organization and she has organized the students on the recent dress code. When I returned to the office the minor's father was waiting and told me his daughter had already returned home from school and was going to leave home. I asked him if he had any trouble with his daughter before she became involved in CRLA and he said no. I then took a formal statement in reference to his daughter's activities with this group. He advised that his daughter has attended several meetings in which Mr. Peter Schilla, Peter Coppelman and other students were in attendance. He also stated that two female high school teachers were present and that they lived in _____. He also stated that he does not approve of his daughter's connection with the CRLA and that he has refused to sign papers they have presented him. He even said that on one occasion his daughter took some sleeping pills and aspirin to force him into taking her to one of the CRLA meetings.

"I asked the girl's father if his daughter had gone to school on January 21, 1970. I used Mr. Del Buono's note as a reference. I asked the secretary if there was a young man working for CRLA named Peter who wasn't an attorney, but would become one very shortly. She said yes, that would be Peter Schilla. I asked if there was a Peter Coppelman, and she said yes, but that he was with a client. I also asked if there were any other men working in the office, which she replied Paddock and

Kates, which ended the conversation.

Judging by the girl's description of the man as well as the secretary it would appear that Peter Schilla was the man who took the girl to San Jose.

"I returned to the high school and talked to the principal. He stated that the two teachers, Miss A and Miss B, had been members of a liaison group between the school and Mexican-Americans; but it had been disbanded when the board gave him the ax (the principal obviously had been fired and was merely serving out his term). He stated that the two women had not attended any meetings after that. I asked him how well he knew these two teachers? He stated very well, 'they rent my house in _____'."

"He was told they had been seen at DelBuono's house recently and were taking part in the recent dress code issue. I then went to the counseling office and obtained photostatic copies of the girl's school records. They show that in 1968 she had 18 notes asking for excused absences, but that in 1969 in January of 1970 there have been 44 excused absences. These were shown to the girl's father. He was shocked at the number and denied signing most of them. The school records also show a note dated 1/21/70, stating the girl has an appointment today with the doctor at 9:30 signed the father's name. The father denies signing this note and said it was a forgery. Classroom attendance records also show that the girl was not there on 1/21/70. It should also be noted that the girl's grades during 1967-68, 1968-69 are what is generally considered as being an average student. But during this current 1969-70 she has received grades of above average and superior. Out of seven of these classes, three are taught by teacher A and one by teacher B. Teacher A giving her two A's and a B-plus and teacher B an A for the second quarter. Refer to the statements of fellow students on political

activities taking place in teacher A's classes. The facts in this case would indicate that CRLA has been behind the recent Mexican-American activities within the high school and they are using the girl as their agent as well as teacher A.

The demands they have made on the girl have alienated her from her father and family. This has all been done against the father's wishes. It would also indicate that teacher A has used her classroom as a political forum in support of the principal (who was fired because of his active Left involvement) and that the taking of the minor from this community to attend a CRLA hearing in San Jose was a flagrant and inexcusable violation on the part of their organization."

(Exhibit 08-0189-03;
emphasis added.)

"At approximately 0900 I arrived at the residence of Mrs. _____. She was asked about the girl's activities during the past week-end. She advised they did not do much of anything, but that she had taken her to _____ school to meet with the attorneys. She also stated that on the night of January 27 the girl had been in contact with CRLA attorneys and that when she finished talking with them she asked Mrs. _____ to call the cops and tell them where she was so she could be picked up. After the girl was picked up by the deputies she called CRLA from Mrs. _____ house advising them that she was now being arrested.

At approximately 10:30 hours this writer talked to the brother of the girl. He stated that he had been to one of the meetings at Del Buono's house and that his sister became very angry when her father refused to sign the papers, but that she went with the lawyer anyway to San Jose. The minor's brother advised that he would have done the same thing. He also advised that one of the CRLA attorneys had attended a school meeting of the Mexican-Americans and that on one occasion the attorneys told him

that 'if they walk out of the school, they couldn't do anything about it and that they would back them all the way.'"

(Exhibits 08-0189-02 through 04; emphasis added.)

The following statement was made to San Benito County Sheriff's Department by the father of the minor female:

"Q: Have you had any dealings with the California Rural Legal Assistance?

A: Yes, because of my daughter.

Q: What has your daughter had to do with CRLA?

A: I have taken her to meetings, and on Thursday or Friday night the 15th or 16th I took her to a meeting at Del Buono's house on the corner of _____.

Q: Did you go inside the house with your daughter?

A: Yes.

Q: Who was there at the time?

A: Del Buono, there was a student from Gavilan college and a student here from the high school, and another student from the high school and he had a moustache and long side-burns, and an attorney with a beard. Del Buono said he was a lawyer (a lie, he is a CRLA investigator). There were two female teachers from the high school there also.

Q: Did you want your daughter to attend any of these meetings?

A: Well, I say no, not in this Chicano deal. I didn't mind her attending meetings for school activities.

Q: Did you stay at that meeting?

A: I stayed a while and they talked about the proposal they wanted to put through the board.

Q: Have you returned to Del Buono's house for a meeting with your daughter?

A: Yes, I think it was on January 17.

Q: What did they talk about that night?

A: They wanted my daughter to talk to kids about the dress code. In other words, what they talked about was legal advice on what she should do.

Q: You stated at one of the meetings there were two female teachers from the high school. Would you identify these women for me?

A: Yes, I think they were both from _____.

Q: Have you attended any other meetings?

A: Yes, Sunday, the 18th.

Q: Where was the meeting held?

A: At Del Buono's house.

Q: Who was there?

A: Del Buono, the boy with the side-burns, and a lawyer, my daughter and myself.

Q: What went on at the meeting?

A: The purpose of the meeting was to have me sign a complaint that they want to file suit against the school, and I wouldn't sign it. In other words, they wanted to take this matter to court and they wanted my signature. I told this young lawyer I didn't want my daughter to get involved.

Q: Did your daughter attend school Tuesday, January 20?

A: I don't know, she told me she went to San Jose with a lawyer and they won the case on the boy with the side-burns and moustache.

Q: Did she have your permission to leave school?

A: No.

Q: Have you written any notes to the school in regards to your daughter?

A: No.

Q: Do you approve of the CRLA taking your daughter from Hollister to another community?

A: No.

Q: Do you approve of your daughter acting as an agent for this organization, handing out the leaflets and doing work for them on the campus?

A: No.

Q: And is your statement that you have told them you don't approve?

A: Yes.

Q: You have filed a missing person's report with our office concerning the weekend of January 24th and 25th on your daughter. Why did she leave?

A: She left because I was going to send her to Los Angeles because she was getting out of hand and I couldn't control her.

Q: Why do you think she was getting out of hand?

A: Her activities with the Chicano deal.

Q: Did your daughter return home?

A: Monday, the 26th after school.

Q: Did you find out where she had been?

A: She told me she was at a friend's house.

Q: Since then have you learned where she was at?

A: Yes, Mrs. _____'s house.

Q: Did you take your daughter to school on the morning of the 27th after talking to me?

A: Yes.

Q: Has she returned home since then?

A: Yes, she was home about five minutes after only being in school for about an hour.

Q: What did she tell you?

A: That she was going to leave home and that lawyer shouldn't get in trouble because she signed the paper.

(Exhibit 08-0189-07;
emphasis added.)

The next statement in this case was given by a twelfth grade male student at San Benito Joint Union High School:

"Q: Are you a student at San Benito Joint Union High School?

A: Yes.

Q: Have you ever attended a class given by female teacher A or female teacher B?

A: Yes, by female teacher A.

Q: Are you still in her class?

A: No, because I was kicked out for calling it an agitating class.

Q: Do you recall when you were kicked out?

A: Around the week before Christmas.

Q: You called it an agitating class, can you tell me why?

A: Because (the girl) was making signs for the Chicanos and she was writing speeches in female teacher 1's class.

Q: Have you ever seen (the girl) bring in material to make these signs?

A: Yes, poster paper, felt pens, and stuff like that.

Q: Do you know if teacher 1 helped the girl?

A: Yes, she went in the other side of the room with the girl and spent the rest of the period there.

Q: Have you ever seen any of these signs after class?

A: Yes, I have seen them stacked in the corner during class and _____ and I saw them through the window of the classroom that they were in.

Q: _____ who?

A: (The name was given.)

Q: You refer to speeches being written by the girl during class, were they ever used?

A: Yes, I think so, because teacher 1 complimented her the next day after the meeting they had.

Q: Were you asked to attend the meeting?

A: Yes, because the girl passed around a petition to keep (the fired principal) and teacher 1 asked as much of the class to be there as possible and bring your parents and everybody.

Q: Has teacher 1 ever asked you to support (the fired principal)?

A: Yes, she asked everybody to come to the meeting tonight and support (the fired principal).

Q: Did the girl do exceptionally good class work?

A: Heck, no. When she wasn't making signs, she was up front with teacher 1 and I don't think she ever turned in a book report.

Q: Does teacher 1 grade hard?

A: Yes.

Q: Did you know that the girl is getting straight A's in teacher 1's class?

A: No, but I had a feeling that she was.

Q: Is there anything else that you would like to add?

A: No."

(Exhibit 08-0189-09.)

The next statement was given by another twelfth grade student at the San Benito Joint Union High School:

"Q: Are you a student at San Benito Joint Union High School?

A: Yes.

Q: Have you ever attended a class given by teacher 1 or teacher 2?

A: Yes, teacher 1 for _____ and _____.

Q: Are you still in both her classes?

A: Yes.

Q: Approximately a week before Christmas, was there anything other than regular class work going on?

A: Yes, they were making signs the same time class was going on.

Q: Who was making signs?

A: The girl.

Q: What kind of signs?

A: We want (the fired principal).

Q: Did anyone help the girl?

A: Teacher 1 alone with her.

Q: Have you ever seen the girl bring any of this sign material into class?

A: Yes, paper, flow pen and a ruler.

Q: Has she done anything else in class to support (the fired principal) or Mexican-Americans?

A: Writing the speech for (the fired principal)-- the speech they had in the cafeteria.

Q: Was anything said in class about the speech?

A: Yes, teacher 1 told the girl she did a real good job with the speech.

Q: Is the writing of political speeches and the making of political signs part of the normal class work?

A: No.

Q: Did anyone in the class other than teacher 1 and the girl take part in these political activities?

A: No.

Q: Were you asked to attend the meeting at the High School Cafeteria?

A: Yes. She said to bring your parents or anybody to support (the fired principal).

Q: Does the girl work real hard at her class work?

A: She's bound to be getting behind because everybody is reading books and she does not.

Q: Did you know that the girl is getting straight A's in teacher 1's class?

A: No. I'm surprised she's getting just as good of grades or better than the other kids in the class who were working.

Q: Is there anything else you would like to add at this time?

A: That's all I can think of."
(Exhibit 08-0189-11.)

There is little to add to this case. Del Buono, Peter Schilla and Peter Coppelman, all CRLA staff members of the Gilroy office, used and exploited a minor female, after carefully indoctrinating her (with the help of two female teachers) to attempt to foment a Chicano confrontation at the San Benito Joint Union High School. All this was done against her father's will.

(6) Delano High School - A Study in Turmoil.

On Tuesday, May 5, 1970, a group of Delano High School students walked out of an assembly at the High School Auditorium. Five hours later the students began picketing the school and presented a list of ultimatums to the administration. The picketing continued throughout the week, and in the opinion of many School, Police and City officials, pickets were attempting to provoke a physical confrontation with the Police and/or School officials (Exhibit 09-0119-01).

During this time of school agitation, John Ortega, who was then a paid staff attorney for CRLA's McFarland office, was actively involved with the pickets. Ortega's son, in fact, was among the picketers. Ortega told officials he was on the scene to "insure both pickets and Police obeyed the law."

According to Assemblyman William Ketcham:

"At the time (Ortega) appeared to be directing the activities of the youngsters."

School officials and parents tried to solve the problem and made arrangements with Ortega to place the item on the School Board agenda on Monday, May 11, 1970. The School Board meeting was held, and after preliminaries Ortega was asked to speak. Ortega's name was called, however, instead of Ortega appearing at the microphone, he stated that the group he represented had decided on its own order and would start with an individual named Greg Aguirre, an individual (not a student) dressed in the uniform of the Brown Berets.

Aguirre took the microphone and started to address the audience. He was instructed by the President of the Board to address his statements to the Board. Aguirre said he was going to speak to the people and not to the School Board. Ortega then stated:

"Go ahead, Greg."

(Exhibit 09-0119, film and tape of the meeting.)

Aguirre then shouted to the crowd as the Board Chairman declared him out of order. The Board then adjourned. Several individuals began to shout and a disruption took place. Ortega was directly involved in the disruption (gave leadership to it) and was warned by the

Chief of Police of Delano that he was in danger of being arrested for attempting to incite a riot.

The real intent of the demonstration at Delano High School is reflected in a leaflet that was circulated, calling young Chicanos to a rally at Heritage Park. The leaflet reads:

"RALLY IN SYMPATHY. DELANO STUDENT WALKOUT. HERITAGE PARK. SPEAKERS: Greg Aguirre - Prime Minister, Brown Berets of Delano, Gary Rangel - Student Leader Delano High School, Inez Flores - Coordinator of Student Walkouts, Jess Alcala - C.S.O., Maria Lopez - Friday, 15th of May, at 2:30 p.m. Attend to show support - Oppression can happen to you. Stop it now. Viva La Causa."
(Exhibit 09-0119-10.)

In this instance, the CRLA office, through paid CRLA attorney Martin Glick, sent out press releases from the CRLA office to rationalize actions within the Park and demonstrations at the School. (Exhibit 09-0119-25.)

During the whole explosive period, CRLA Attorney Ortega was observed conferring with students. During the rally at Heritage Park in Bakersfield, the area was decorated with pictures of Che Guevara. A pamphlet was distributed before the meeting outlining the Brown Beret ten-point program. (Exhibit 09-0119-09.)

On Tuesday, May 19, 1970, Ortega filed an action for injunctive relief on behalf of 18 young people and 16

adults arrested as a result of their activities at Heritage Park. The School Board in Delano wishes to pursue it, because they feel that they have a good case. Several persons represented by Ortega in the suit have criminal records, including arrests for possession of and sale of heroin. Picketing of businesses owned by School Board members continued, at times becoming loud and unruly.

On June 12, 1970, during the Delano High School graduation exercises, an attempt was made to create an incident. Fifteen people, mostly students, were arrested. It is understood that Ortega and paid CRLA Attorney Gerald McManigal, of the McFarland office, were at the Delano Police Station as soon as the arrested students were brought in. At this time crowds blocked exits and entrances of the Police Station and slashed Police vehicle tires. Picketing continued in Delano, and the father of one of the students, who helped Police at the graduation disturbance, was allegedly called by several persons, including Ortega, who threatened the individual with legal action. Fourteen of Fifteen arrested were convicted. (Mexican-American citizens were included on the jury.) (Exhibit 09-0119-30.)

A memorandum dated June 29, 1970, to Assemblymen Leon D. Ralph and John Vasconcellos, from James Smith,

Attorney, CRLA, quotes John Ortega, a CRLA attorney, as the identified spokesman for the striking students, in that he acted as their advisor during the time the students were on strike. (Exhibit 09-0119-05.)

This letter, along with many documents enclosed, indicates the heavy involvement of John Ortega and other CRLA attorneys in this incident at Delano. (Documents on the Delano School case are Exhibits 09-0119-01 through 108.)

(7) CRLA Attorney and Four-Letter Words.

CRLA paid staff attorney Philip Neumark, of the Modesto office, in a class panel discussion at the Grace M. Davis High School in Modesto, used the words "shit" and derivatives of that word and proceeded to write the phrase "F*ck Viet Nam" on the blackboard before the class.

According to the investigation report of a Mr. P. Doane, investigator for the Stanislaus County District Attorney's office:

"Three 50-minute presentations were made. Each was made to approximately 90 Junior class members both male and female, 16 and 17 years of age. Mr. Ralph (the Director of the History Department and moderator of the panel) stated that during the first session, while comparing the Viet Nam war to an obscenity, Neumark said some form of the word 'shit.' Ralph stated that he was unsure of the exact word used. Ralph said

that he had discussed the event with other members of the History Department who were present at the time, a Mr. Nichols and Mr. Gonsalves. They concurred only in that it was some form of this word.

"Immediately following the first session Nichols informed Neumark that 'he should not use that word again.' Ralph stated that this had been done in his presence.

"In the second presentation, while making the same comparison as before, Neumark wrote the following words on the blackboard: 'F*CK VIET NAM.' Ralph stated that he immediately made a comment that Neumark's conduct was uncalled for and had no place in the presentation.

"Ralph said that there were no problems during the third session ..."

(Exhibit 17-0136-04;
emphasis added.)

(8) Sonoma Schools - Drug Abuse Letter Controversy.

In December, 1968, in Sonoma, California, Robert Bell (who was at that time a paid CRLA attorney) became involved in a local high school matter following the mailing of the "drug use rumor" letter to some 150 parents of Sonoma Valley High School students. The School principal, Mr. Max Murray, had agreed to meet with representatives of students protesting the letter. On the morning prior to this meeting, Bell appeared at the high school with a number of students requesting an audience with Murray. Murray spoke briefly with Bell, emphasizing that he would meet with the students alone, as agreed, the following day, and not before.

The meeting held the following day between Principal Murray and the student representatives was delayed for a time when Bell joined them and attempted to inject himself into the meeting as a "representative" of the students. Two of the students claimed that Bell did not even represent them at all. Murray subsequently made it plain that there would be no meeting at all if Bell insisted on participating, and so Bell departed.

At a subsequent School Board meeting on the same issue, Bell once again attempted to speak, saying that some parents of students had asked him to attend. He was technically ruled out of order because he is not a parent of a child in the Sonoma Valley School System. (Exhibits 08-070-01.)

(9) El Centro "Free Chavez" Demonstration

On December 11, 1970 (during the time of our evaluation study), UFWOC and CRLA fomented a demonstration in front of the Imperial County administration building in El Centro to free Cesar Chavez.

On that date, ninety-two pupils were transported by private auto and truck from the Brawley Union High School, Brawley, and the Barbara Worth Junior High School, Brawley, with neither parental nor school consent to take part in the demonstration.

Fifty-four students were taken from Barbara Worth Junior High School and thirty-eight students from Brawley Union High. (Exhibits 09-0201-01 and -02.)

Parents were immediately contacted by both schools to inform the parents of their childrens' truancy. Only one parent knew where her child was; she said, "He has gone to El Centro, with Casa de Amistad, to riot," as repeated in a letter from Mr. James C. Thompson, Supervising Principal of Barbara Worth School. (Exhibit 09-0201-01.)

Prior to the mass movement of students and the demonstration, meetings to plan and coordinate the demonstration were held at the Casa de Amistad--a community center of the Rural Development Corporation which is funded by OEO.

On the day of the demonstration, Casa de Amistad was the assembly point and the place of embarkation for the young people on their trip to Imperial Valley College (Imperial, California) where they arrived at 10:20 a.m.

The arrivals were conducted to the college amphitheater where CRLA Community Worker Hesiquio Banaga (who also transported children to the post-demonstration

rally) led the young people in chants of "Huelga"...
"Viva la raza"... "We want Chavez freed"... "Chicano
power"...etc. In attendance at the post-demonstration
rally was CRLA staff attorney Robert Johnstone who also
works out of the El Centro office and who is usually on
hand at UFWOC disturbances in Imperial County area.
Johnstone is also the legal advisor for Casa de Amistad
and has stated publicly that he is a legal advisor to
UFWOC at strike locations.

Present as an observer during the post-demonstra-
tion rally was Mr. A. Septich, Dean of Student Personnel,
Imperial Valley College, who, in a letter to Sheriff
Raymond Rowe (Imperial County) dated January 4, 1971,
stated:

"I was four or five hundred feet away (from
the rally) and was not able to understand
the conversation; however, for almost the
entire meeting, the group was led by Zeke
(Hesiquio) Banaga."

Dean Septich also writes:

"Other off-campus people observed included
Mr. Robert Johnstone, CRLA attorney."

Dean Septich further writes:

"Following the approximate fifteen-minute
meeting, they (the children) marched, two
abreast, across campus to the parking lot
and in turn headed down Ira Aten Road to
the west." (Exhibit 09-0201-03--Emphasis
added.)

This was approximately 11:00 a.m. and the demonstration at the Imperial County administration building (approximately seven miles from the College) did not begin until 3:00 p.m., thus the children must have been marching about four hours.

Dean Septich took down license numbers of the cars and trucks that transported the children from Brawley to Valley College. One license number recorded was UTR-853, registered to Hesiquio Banaga, the CRLA Community Worker from the El Centro office. (Exhibits 09-0201-09 and -10.)

10) Summation

Within the limited time frame of our evaluation, it has become crystal clear that the political and emotional bent of far too many CRLA attorneys traverses the far left extremity of the socio-political spectrum.

Professional actions of CRLA are, in too many instances, governed by this zealous compulsion. Their record in school agitation actions substantiates this point with clarity.

What legal service to the poor is rendered when a young extremist attorney writes the word "f*ck" on a school blackboard before a class of young people?

How are the rural poor helped when a school district's class schedule is brought to an abrupt standstill?

How can any right-thinking person allow public subsidy of a program that seeks to cause racial confrontations and fan the flames of racial discontent?

Is this to be done in the name of legal assistance? We think not. The image of law displayed by too many CRLA attorneys is a vision of dissent--on the streets if it is expedient--not a basic concern for justice.

It is our firm opinion that a great many CRLA attorneys are "true believers", hitchhiking a ride at the expense of the rural poor to achieve a dislocation of our social, political and economic order.

C. CRLA AND THE FARM.

(1) Introduction.

CRLA operates in rural and, therefore, largely farming areas. The relationship of CRLA to farmers, farm workers and the farm industry is intimate. The State Government of California is equally deeply enmeshed in agriculture (California is the number one agricultural state in the union), functioning in areas of farm worker housing, health and safety standards enforcement, farm labor services and so on. The Farm Labor Services Division of the Department of Human Resources Development, State of California has 42 offices throughout the State which act, among other things, as a rallying point or marketplace for farm workers so that they may be readily linked up with available farm work.

(2) CRLA's Relationship With Farm Labor Services.

One might have expected development of a close working relationship between CRLA and the Farm Labor Services of California, so that the interests of rural poor farm workers could be advanced most effectively. Unfortunately, we find the relationship with Farm Labor Services to be extremely poor. The reason for this is that CRLA makes it clear from its actions (and even its words) that it is seeking to put Farm Labor Services of the State of California out of business.

The record is replete with substantiation of this thrust on the part of CRLA:

(1) On March 5, 1970, CRLA filed an action commonly known as 250 Farm Workers v. Schultz, in the United States District Court for the Northern District of California, seeking, among other things, to close down the Farm Labor Service of the State of California; (Exhibit 09-0116)

(2) As noted previously in another section of this report, CRLA sought and obtained its plaintiffs for the 250 Farm Workers suit by a variety of subterfuge and misrepresentation. One man, who was approached to sign a petition while attending a remedial class in English, for Spanish-speaking farm workers held at night in a local high school, stated as follows:

"A Mr. Del Buono of California Rural Legal Aid spoke to the class. He asked the whole group to sign a petition to get the State Farm Labor offices closed. He said that these offices were not of any benefit to the worker and that the offices should be closed, because if they were closed then the workers would get higher wages. He recommended that if the offices were closed then the farmers could come to a union run by the workers or an agency run by the workers. Mr. Del Buono tried to get all of us to sign the petition. Everyone else signed it but I did not." (Exhibit 09-0116)

(3) A former employee of one of CRLA's offices, stated in her affidavit the following:

"...Many cases were established as a result of manufactured situations. I mean by this that clients or potential clients were instructed in certain actions and dialogue with agencies and private firms that would lead to litigation ... Another case I can recall involved a man at the Day Hall Center, California Farm Labor Service. The persons who were sent to the Day Hall Center were instructed as to actions to take and what to say. These instructions came from Dennis Powell, who was the directing attorney. As I recall, this case involved people handing out leaflets and literature at the Day Hall Center. I do not recall the exact instructions given or to whom they were given. Mr. Powell did coach the persons who went to the Day Hall Center on exact actions to take and instructions as to what they were to say. I know he wanted the Farm Labor Service to have to remove people from the premises and thereby provide a cause of action against the Farm Labor Service to the end of abolishing it." (Exhibit 09-0174 - emphasis added.)

In a vacuum, the termination of Farm Labor Services would appear at best folly and at worst disastrous. Without conveniently located centers through which they could find available farm work, it would appear that farm workers would be severely harmed and would have to return to their own devices for work opportunities, possibly going from farm to farm or other inefficient methods. But, of course, we are not operating in a vacuum. As noted in the above statement, Mr. Del Buono suggested that in the absence of Farm Labor Service offices, "the farmers could come to a union run by

the workers or an agency run by the workers." It is just possible that Mr. Del Buono had an already extant union in mind.

(3) CRLA and the Farm Labor Contractor.

In many areas of California, individuals known as farm labor contractors perform a vital function in the agricultural economy. These men are independent contractors who organize groups of farm workers in crews to service the farmers' labor needs.

Ordinarily, the farm labor contractor operates as an independent contractor, arranging with the farmer on a fixed-fee contract or a percentage in excess of the actual farm labor dollars involved. For this the farm labor contractors often provide living facilities, transportation and other services for the farm workers.

On behalf of certain farm workers, CRLA filed a class action in Santa Maria in October, 1969, against a farm labor contractor. (Gates and Avila, and all farm workers similarly situated, v. Tony Cedillos, Santa Maria No. 7145) The defendant, Cedillos, had made a practice of advancing wages to the farm workers on his crews so that they would have money to live on between paydays. He would then deduct the advances on payday. Obviously, this was a service to the farm worker and served to create the kind of relationship with the workers that assured Cedillos of having proper work crews readily available.

CRLA claims that the deduction from the workers' wages of the wage advances was equivalent to a garnishment and, therefore, Cedillos could withhold only 50% of the amount advanced. Cedillos responded that this argument made no legal sense, for garnishment occurs only in a circumstance when a third party creditor seeks to reach wages of an employee currently in the hands of an employer. Although the suit is still pending, a demurrer has been sustained in favor of the defendant regarding the class action status of the suit, and it has been transferred from Superior to Municipal Court, because the dollar amounts are inconsequential.

In the case of *Hernandez v. Paramount Growers, Inc.* (Kern County Municipal Court No. 54182), plaintiffs sought to hold the grower liable for wages after the labor contractor who employed them had been paid by the grower and refused to pay the plaintiffs. The Division of Labor Law Enforcement made an investigation of the matter and determined that the labor contractor was the employer, not Paramount Growers, Inc., and proceeded to collect the money from him.

Although the needs of the plaintiffs for their wages have been satisfied, CRLA apparently intends to bring the action to trial and to appeal the courts action sustaining defendants demurrer. Why? Probably because

this constitutes a direct thrust at the legal status of farm labor contractors. UFWOC refuses to recognize farm labor contractors as employers under its closed shop contracts. If the court should decide that farm labor contractors are merely agents of the growers, not employers of farm labor in their own right, UFWOC could claim that it is legally entitled to ignore the farm labor contractors for union bargaining purposes and bind the workers through any labor contract negotiated directly with individual growers. They could then achieve dues checkoff directly within the growers.

CRLA and UFWOC have combined to seek administrative hearings against farm labor contractors, for a variety of alleged causes. Many of the farm labor contractors are very poor themselves. The poor or marginal farm labor contractor, when confronted with a lawsuit or an administrative hearing, may well find it financially impossible to continue on in this business. Even the larger operators, such as those who do provide housing, transportation, etc., find a time-consuming and expensive lawsuit too much to handle.

If the institution of farm labor contractors (they are licensed and are subject to rules of operation and conduct) were severely constricted by legal harassment,

and if the Farm Labor Services Division of the State of California were terminated, what would be left for the farm worker in the way of assistance in locating employment? Who would he turn to?

(4) CRLA Relationship with UFWOC.

Both the Economic Opportunity Act (Section 603 and attendant regulations) and the special conditions to CRLA's 1970 grant prohibit CRLA from representing a labor union (see grant conditions set forth at the end of this section).

Nevertheless, CRLA's relationship with the United Farm Workers' Organizing Committee (UFWOC) has been a subject of controversy since CRLA began in 1966. In September, 1967, Congressman Robert B. Mathias wrote to the Comptroller General of the United States and requested that the General Accounting Office (GAO) conduct an investigation of CRLA's activities, with particular attention to its relationship with UFWOC.

GAO conducted a two-month investigation at the end of 1967 and published its findings in a report dated May 29, 1968, entitled "Report on Investigation of Certain Activities of the California Rural Legal Assistance, Inc., Under Grants by Office of Economic Opportunity." (Exhibit 03-0150) In his cover letter to Congressman Mathias, Acting Comptroller General Frank H. Weitzel concluded:

"We found no evidence that the grantee was working directly for the union or that the activities we reviewed violated special grant conditions relating to union activities."
(Page 1, of the Report.)

In the face of the GAO's Report, no one has had the temerity to reopen the issue. Judging from its refunding proposal for 1971, CRLA itself regards the issue as closed:

"Given the credentials of the Government Accounting Office as an investigating agency, and given the thoroughness of their investigation in this particular case, accusations regarding CRLA's illicit connection with labor unions have become less frequent." (Refunding proposal, page 33.)

Our investigation of the relationship between CRLA and UFWOC demands that the case be reopened. Far from disposing of the issue, the GAO Report has served as a launching pad for a relationship that has grown steadily since 1968, when the Report was released. This growth has taken place despite efforts to strengthen the special conditions to CRLA's grant in each of the funding years 1968, 1969, and 1970. If the GAO had conducted its study under the stricter conditions applied since 1968, we are confident they would have reached different conclusions.

The GAO Report has served as a mystic shield that until now has defied penetration. We are confident that if the team investigating CRLA - UFWOC relationships at the end of 1967 had known what we know now about the

relationship, they would have regarded the evidence in an entirely different light. The issue has been closed since mid-1968. The importance of effective legal services for the rural poor demands that we reopen it.

The close association of CRLA with UFWOC is suggested by the following examples:

--UFWOC's first major target area was the grape strike in Delano. In 1968 CRLA's McFarland office, which services Delano, was among the largest of its regional offices. In 1969 and 1970 the union shifted its attention toward Imperial County and Salinas. During those two years, the CRLA McFarland office shrunk to approximately one-half its former size, as it built up its offices in El Centro and Salinas.

--CRLA's original Board of Trustees included four members who were either directly connected with UFWOC or closely associated with its work. They were: Cesar Chavez, President of UFWOC; Oscar Gonzales, President of the United Farmworkers of San Jose; Larry Itliong, of the Agricultural Workers Organizing Committee; and Miss Kathryn Peake, Vice Chairman, Emergency Committee to Aid Farmworkers.

--Jerry Cohen, now General Counsel of UFWOC, was formerly employed in CRLA's McFarland office. Charles Farnsworth, one of Cohen's partners and active in UFWOC matters, worked in CRLA's El Centro office. Another partner, David Averbuck, came from CRLA's Marysville office. Gilbert Flores (alias Baby Huey) is both a community worker for CRLA's McFarland office and a personal bodyguard for UFWOC's Cesar Chavez.

--In Longoria, et al., v. Martin Produce, Inc., et al., CRLA filed a suit on behalf of nine plaintiffs against a former employer who allegedly fired them because of their union affiliation. The GAO Report concluded:

"Although some aspects of this case are union related, on the basis of information available to us, we are unable to conclude that CRLA, in representing the farm workers, was acting directly for UFWOC." (At page 12)

In its report, the GAO did not consider the information that became available subsequently, that the plaintiffs were brought to CRLA by one Jose Luna, a member of UFWOC's Organizing Committee. (Exhibit 16-0073-53)

Furthermore, in her statement, a former employee of the CRLA Salinas office stated, "This same situation (wherein the men were instructed as to how to go about organizing a union and then when they were discharged an action was filed against the employer) occurred in the Martin Produce Inc. Case." (Exhibit 09-0174)

The Report disposed of the question of eligibility by the finding, supported by the Regional Director of OEO's Western Region, that CRLA had referred the case to a referral panel of private attorneys, which rejected the case.

On eligibility, the Report concludes:

"The directing attorney also informed us that the case had been accepted only after it had been rejected by the 11 members of the Salinas Lawyers Reference Service panel, because they believed that the case would be too time consuming and that the plaintiffs would be unable to pay an appropriate retainer."

The facts appear to be otherwise. Mr. John Martin, President of the defendant company, wrote Congressman Mathias on this point:

"Since the GAO investigators were in my office, it has been admitted to me by attorney Jim Leach that CRLA didn't check with anyone other than himself. In my conversation with Mr. Leach he stated "what was he to do" when Mr. Gnaizda lied to him regarding the fact that no attorneys had been referred to in Monterey County." (Draft of letter from Martin, President of Martin Produce Company, to Mathias.) (Exhibit 16-0073-55)

In the negotiations, CRLA acted exactly like a labor union. They negotiated for wages, hours, and working conditions. (Exhibit 16-0073-53) The collective bargaining atmosphere is supported by the fact that in settlement, the plaintiffs actually got more than they asked for in their complaint. The threat of suit was too much for the

defendant to bear, and so he yielded to superior economic power, as he might have to a labor union.

In early June 1970, during UFWOC's melon strike in Imperial County, at least one CRLA attorney and one CRLA community organizer were filmed participating in the union picketing. The film shows the community organizer with a bullhorn, suggesting a supervisory role for the CRLA employees in the union's activities on that day. (Exhibit 09-0119)

The full extent of CRLA's activities in melon strike during May and June 1970 are described in a letter to our office from James E. Hamilton, District Attorney of Imperial County, and Oren Fox, a lieutenant in the Imperial County Sheriff's Office. These two gentlemen describe the following involvement, which they witnessed personally:

"(1) Hector Reyes (a community worker with CRLA's El Centro Office) was observed on a daily basis acting as one of the principle leaders of the striker's group. He directed their activities with a bull horn and was obviously in a position of leadership during the entire strike.

"(2) Ezequiel Banaga (a community worker with CRLA's El Centro Office) was observed frequently on the picket lines and in a vehicle in the vicinity of the picket lines in such a manner that he appeared to be directing the movement of the strike group from one field to another.

"(3) Robert Johnstone was observed on several occasions in the company of the strike group acting in an advisory capacity. He questioned the undersigned Fox on two different occasions

concerning the legality of the actions of the Sheriff's deputies present at the scene. On about three or four occasions, the undersigned Fox observed Johnstone and Banaga conferring in the vicinity of one of the picketed melon fields." (Exhibit 03-0151).

On June 4, 1970, and again on June 11, CRLA purchased first 100 and then 15 sheets of 22 x 28 white poster board. The first purchase was made by attorney Robert Johnstone of CRLA's El Centro office, and the second by Hesiquio Banaga, a community worker also in the El Centro office (Exhibits 03-0152 and 03-0153 show invoices.)

Following CRLA's conspicuous participation in UFWOC's melon strike picketing in Imperial County, a local newspaper columnist revealed what many people in the community suspected: that CRLA had purchased the poster board for UFWOC's picketing in its Imperial County melon strike. The purchase was explained, however, as a "loan", which CRLA could prove had been repaid. Query: Was CRLA repaid for the time spent by its personnel in the purchases (or was that "time off")? Was CRLA suggesting UFWOC is an eligible client and therefore entitled to a loan? (Exhibit 03-0198)

The August evaluation of CRLA stated about the program's relationship with UFWOC in McFarland:

"As opposed to the other legal services offices in CRLA in the State, McFarland, from its inception, has been subject to suspicion and attack by all aspects of the community because of the different social and political contact of the growers and the emerging union. We spoke to a lot of people in the community, both pro and con, to the office. What emerged is, at this point in time, a cautious optimism. This is how several persons expressed it. The people have never really been able to distinguish in McFarland and Delano, the difference between the role of CRLA and the role of the union. They cite several examples such as the initial case that the McFarland office brought against the growers by the workers and immediately those initial cases linked McFarland's office with the union activity. They cite the interchange of attorneys between the CRLA and now the union law firm. Now there are three lawyers who are members of the other CRLA office and they cite the similarity of the legal action brought by the union attorneys and by CRLA. They cite one of the community organizers for the McFarland office is Cesar Chavez' personal bodyguard. All these instances make it difficult for the community to deliberate (sic) the role of CRLA attorneys from union attorneys." (Exhibit 11-0134)

In the August 1970, UFWOC called its lettuce strike in Salinas and listed with the Monterey County Sheriff's Office the local CRLA office as its local contact point in Salinas. See the affidavit of Captain Scott, Exhibit 03-0186.

On September 23, 1970, a teamster organizer was "riddled with bullets" beside a Guadalupe Highway, and sheriff's deputies caught three men minutes later from a description of the get-away car and jailed them on suspicion of attempted murder. All three are members of

the UFWOC Organizing Committee. A local news story indicated that CRLA Attorney Burton Fretz of the CRLA Santa Maria office was one of two attorneys who inquired about the accused at the Sheriff's Sub-station.

(Exhibit 03-0154) In addition, the Deputy District Attorney of Santa Barbara County states in affidavit:

"...after the arrest of Raul Santiago, UFWOC Union Labor Organizer, and two others for attempted murder, Mr. Fretz was the first attorney to appear for the UFWOC to interview and advise Mr. Santiago and the other two arrestees at the Sheriff's Station. In fact, he made at least two contacts with the defendants on that particular day." (Affidavit of Deputy District Attorney Houlihan.) (Exhibit 03-0155)

In June 1969, UFWOC sued a number of defendants, including one Angeline F. Mariano for damages for demonstrating against UFWOC's organizing efforts. Mrs. Mariano went to the McFarland office of CRLA for help in defending the suit. Her husband's salary of \$300 per month (for only part of the year) and two additional dependents placed her well within the eligibility limits to qualify for service. She relates the incidence as follows:

"...I had no money with which to hire a lawyer. I went to the CRLA office in McFarland ... I went into the reception room and told the receptionist I had a problem and had to see an attorney. She told me to wait ... she came back in five or ten minutes and told me I would have to wait quite a little while as the attorney was busy. I waited about an hour or hour and one half. While I waited I didn't see anyone else go in to see any attorney or coming out of the office area."

Finally she was permitted to go in:

"I told him I had a big problem and didn't have money to hire an attorney. He asked me what my problem was. I told him I was being sued and handed him the papers. He looked at the first sheet of this complaint at the top part and handed the paper back to me. He then asked me, "What does your husband earn?", and I told him. He said he was sorry, but there was nothing he could do to help me. Then he suggested that I get together with the other people named in the suit and hire an attorney, that it wouldn't cost much money. I told him that even \$100 looked like a million dollars and I just couldn't raise it. He said there was nothing he could do for me, that CRLA could only help migrant farm workers who earned less than \$2500 per year. I told him the only people you take care of is Cesar Chavez and UFWOC. He didn't say anything, but, looked at me with a smirk."

CRLA not only serves UFWOC directly, it refuses service, even if they are poor to those who oppose the union. (Exhibit 04-004F).

On September 4, 1970, during a UFWOC rally in support of the union's lettuce strike in Salinas, a person identified as Neil Levy, who is listed as an attorney with the CRLA Salinas Office, is reported by a newsman to have addressed the rally and offered the support of the CRLA Salinas office, to defend against unlawful detainer actions.

A T.V. film clip in the possession of our office describes the scene as follows:

"California Rural Legal Assistance Attorney Neil Levy asked that all workers return summonses from

growers notifying them to leave the camp, so they can be answered in court, adding that in that way he may be able to prolong the day of eviction."

The unlawful detainer actions grew out of the growers' practice of frequently paying part of their compensation in the form of housing for the workers and their families. When the union called the strike, the employers naturally sought to cut off all compensation, which included free housing. The effect of CRLA's intervention on behalf of the union was to bring additional economic pressure to bear on the employers - an explicit union responsibility - and to force perpetuation of part compensation (the housing) by the employer.

In the case of Ardantz v. Pichardo, CRLA used this tactic in a strike in Santa Maria. The affidavit of the attorney who handled the case for the landlord-employer states:

"During the Summer of 1970 there was a strike, the farm workers no longer performed their work and Ardantz asked the Pichardo family to leave, which they refused to do. Ardantz served the Pichardo family with a 30-day notice to leave. Again they did not leave. A complaint was filed for unlawful detainer ... By law, the individual must answer the complaint within three days. CRLA advised the Pichardo family that they did not have to leave the premises and subsequently filed a motion to quash service of the summons. CRLA was attacking the legality of the three-day unlawful detainer claiming that it was unconstitutional because it did not allow sufficient time for the individual to put in an answer to the complaint. The brief that was submitted supporting this

contention undoubtedly required much longer to compile than an answer would have taken. A hearing on the motion was set, it was denied. The defendants were subsequently given time to answer the complaint; however, no answer was filed because the Pichardo family had moved." (Exhibit 22-1035--Emphasis added.)

CRLA's open and formal commitment to UFWOC strikers is dramatized by the attached affidavit of McFarland's Chief of Police, G. Charles Mayes:

"In the CRLA offices, 332 West Perkins, McFarland, I have personally seen a poster of the "Red Eagle" with the word, in Spanish, "Huelga," which means "strike" in English. Also, bumper stickers of "Strikers" on the wall that show, in Spanish, "La Raza", which means "The Causes" in English. There were also pictures of "Strikers" on the walls ..." (Exhibit 03-015F)

On November 24, 1970 invoices show CRLA's El Centro office purchased from Bailey Office Supply, 626 Main Street, El Centro, 10 "poster board, white, 22 x 28". (Exhibit 03-0156). On December 11 the "Free Chavez March" took place in El Centro, in which 22 x 28 posters were used by the demonstrators.

On December 11, at 9:00 a.m., 34 high school pupils were taken from their classes at the Barbara Worth Junior High School in Brawley to participate in a march to El Centro for a demonstration on the courthouse steps to free Cesar Chavez, who was then in jail. (Exhibit 03-0159). At 9:20 the same morning an additional 16 students left school. Four others never showed up at all but participated directly in the demonstration. The total

number of absences was 54. In addition, school officials feel many parents kept their children at home to prevent their participation, as absences were almost double for the day.

In the previous week, at the "Casa de Armistad" in Brawley, a community center, we are informed that the students were enticed to join the march by two UFWOC workers and Robert Johnstone, an attorney at the CRLA El Centro office.

The students were taken by car and possibly bus from "Casa de Armistad" to Imperial College without parental consent. Many parents in the community were furious with what happened, and at the time of this writing, many parents are considering taking legal action against CRLA and UFWOC. Petitions for signature are being circulated at this time in protest.

Robert Johnstone was present and involved during the entire march. (Exhibit 03-0158).

The parents whose children left school to join the march were contacted by the school's principal, Jim Thompson, and other school staff members. Only one parent knew where the students were - she stated that her child "went to El Centro to riot."

In September, 1970, during UFWOC's lettuce strike in Salinas, a CRLA community organizer identified as one

Manuel Olivas addressed some high school students at a formal outdoor meeting and urged them to participate in UFWOC activities. (We have a photograph of this.)

During a strike in Santa Maria, Charles Farnsworth, a UFWOC attorney formerly with CRLA, came to Santa Maria. Deputy District Attorney for the County of Santa Barbara, James Houlihan stated:

"During his stay in town I saw Mr. Farnsworth in constant company with Mr. Fretz of CRLA. In fact, on one occasion, Mr. Joseph Gallas, an attorney at law, informed me that if I could not find Mr. Farnsworth at the Union Hall, he would probably be at the office of the CRLA as he was using their law library and, by innuendo, possibly their staff to do legal work." (Exhibit 03-0155).

On November 27, 1970, at approximately 6:30 P.M., Robert Johnstone, an attorney at CRLA's El Centro office, and Gilbert Flores (alias "Baby Huey"), a community worker for CRLA's McFarland office, and body guard for Cesar Chavez, were described by a police report as leading a march of militant demonstrators behind the Christmas Parade in Delano. Police Captain Harry D. Gilbert of the Delano Police Department describes the incident as follows:

"The Delano Police Department, while handling traffic control for a parade in the downtown area of Delano, was confronted by a group of 25 to 30 longhaired militants led by Robert B. Johnstone, CRLA attorney, El Centro Office, and Gilbert Flores AKA Baby Huey, CRLA employee, McFarland office.

"This group marched down Main Street with their arms interlocked, blocking traffic in both directions,

shouting "Viva La Raza", Viva Cesar Chavez, etc. Police officers stationed along the parade route confronted the group and ordered them out of the street since they were blocking traffic. Johnstone and Baby Huey then led the group, four abreast, northbound on the west sidewalk of Main Street, forcing pedestrians into the gutter.

"I approached the group in front of the Bank of America building in the 1300 block of Main Street. When they observed me, Johnstone shouted in a loud voice "huddle". The group then surrounded him in a tight congregation and he spoke to them in a low voice. They immediately dispersed and went in all directions. Johnstone and Baby Huey met with John Ortega at the Filipino Hall at Glenwood and Cecil Avenue approximately ten minutes later where they conducted a meeting attended by approximately 200 people, mostly of Mexican descent, many of whom are known to man the picket lines for UFWOC's demonstrations." (Exhibit 03-0160)

Four patrolmen, who witnessed the event, also provided statements. (Exhibit 03-0160)

Mr. John F. Adam, Jr., of Santa Maria, received a letter from UFWOC that was sent in an envelope bearing the return address of the CRLA Santa Maria Office. Mr. Adams recalls the incident in affidavit:

"Another incident that disturbed me was the receipt of a letter from United Farm Workers Organizing Committee (UFWOC) notifying me, as an owner of Adam Farms, that UFWOC was about to file a law suit against Adam Farms for supposed wrong-doing against farm workers. This letter was inside an envelope which bore the return address of CRLA Office in Santa Maria. I inquired at the CRLA Office and was informed that evidently these envelopes had gotten into the wrong hands. (Affidavit of John F. Adam, Jr., Dec. 22, 1970.) Exhibit 03-0161.