

IN ENGLISH

El Malcriado



"THE VOICE OF THE FARM WORKER"

February 21, 1968

Vol. 2, #1

Delano, California

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KERN

GIUMARRA BROS. FRUIT CO., a limited partnership; GIUMARRA FARMS, INC., a California corporation; and GIUMARRA VINEYARDS CORPORATION, California corporation,

Plaint

SHOW CAUSE
CONTEMPT

vs.

UNITED FARM WORKERS
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Preliminary Injunction heretofore

order and your disobedience are more fully described in the Declaration

Giumarra's guns and brutal violence have failed to break the Union or halt the six-month old strike of the United Farm Workers Organizing Committee. Now the growers are attempting a monstrous frame-up which, if successful, could land Cesar Chavez, Epifanio Camacho, and the entire picket line in prison.

Picket captain Camacho, charged with contempt of an

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EDITORIAL

We are accused

by Cesar E. Chavez
Director,

United Farm Workers Organizing Committee

With Giumarra and his expensive lawyers now accusing us of violence and crime, they are showing us that after six months of the strike, they still do not understand our aims.

It is with the deepest sorrow that we see how little we are understood. The world already suffers from enough misera and bloodshed, without our adding fuel to the flames. Our only goal is to end the suffering and paid of the farm worker's life.

In the very depths of our beings we understand the futility of violence. Even when we are brutally attacked, we do not reply in kind. We attempt always to remember the words of the great Mexican libertarian Benito Juarez, who said, "Respect for the rights of others is the essence of peace."

We have complete faith in the judicial system for eventually achieving justice. We demand only our right to speak freely, to explain our point of view to the farm workers, that they may decide...

To resort to violence for resolving our difficulties would be to admit that we have no confidence in the inherent justice of our cause.

Now they accuse us of having burned their property, of having insulted them, of having threatened them. We have always said, and we say once again:

If there are members of the Union responsible for acts of violence against Giumarra, they must turn themselves in. The Union will assist them with all of the legal assistance available to us, and with all of the moral support we can produce.

If there are those outside the Union who think they are helping us in this way, they are mistaken. We abhor violence, we do not use it ourselves, and we do not wish it in any form.

But if the recent fires and other acts of violence of which we are accused are a frame-up by the grower, we should like to advise him that we have no fear. If Giumarra thinks he can destroy our spirit and break the Union with a few lawsuits, he is very mistaken.

We will fight in court, on the picket line, in the press, and on the boycott, until the exploitation of farm workers in the United States comes to an end.

We have no fear of prison, nor of the brutality which the scabs have shown against us. We shall not concede the battle; we shall not surrender.

But we have no need to resort to violence. The events of recent weeks have proven to us that the evil intentions are not ours.

Whatever happens, may the Cause live on.

Carranza convicted

Patron Giumarra is trying to send Cesar Chavez and other farm workers to jail because they stand less than 50 feet apart when picketing his vineyards. Yet the grower and his friends stand accused, and in some cases, convicted, of breaking serious federal laws and the state labor code, denying the civil rights of the workers, to say nothing of totally disregarding their human rights as free men.

A recent example is the conviction of Claudio Carranza, a labor contractor who recruited workers for Giumarra. Carranza was convicted in Federal Court in San Diego of illegally transporting and harboring aliens (wetbacks), to work for Giumarra. When the wetbacks were caught, they were hidden in Giumarra's camp on Avenue 72 in Tulare County. Another contractor, Miguel Corona, who was caught transporting and harboring wetbacks for Giumarra claimed he "didn't know" that they were wetbacks.

The wetbacks are guilty of breaking the strike. But their principal "crime" is being hungry and needing a job. We don't really blame them. The contractors are guilty of breaking the strike. But the wetbacks and their recruiters are pawns in the growers' game. The really guilty people in these cases are the growers, who profit from the misery and poverty in Mexico, and use this human suffering, to break the strikes, destroy the Union, and force wages and conditions in the United States down to the levels of poverty and misery in Mexico. It is the growers who should be punished, not the strike breakers.

Your part in La Lucha

The Giumarra Corporations, feeling the effects of the picket line in Delano, and the intensive boycott activity in New York, have renewed their attacks against the United Farm Workers Organizing Committee.

This has taken the form of physical violence and the beating of strike members, the open display of guns by Giumarra foremen and a massive legal attack against the Union. They seem to be planning wholesale arrests of the strikers, including Cesar Chavez and the other officers, not on specific criminal charges, but on "contempt of court" citations for violating the extremely restrictive injunction which Giumarra obtained last summer. The strikers face jail sentences and heavy fines.

Because of these new attacks, we ask once again that you, the members, friends, and supporters of the United Farm Workers, rally to our cause. Non-violence has been and is a basic part of the program of the United Farm Worker movement. But to fight back non-violently, we need help from our friends more than ever.

You can write to Joseph and Sal Giumarra, (Box 1969, Bakersfield, Calif.) and demand that he give his workers those basic rights which other workers enjoy. Inform Giumarra and his broker, Victor Joseph & Sons (467 Sylvana, Englewood, N.J.), that you support the boycott of Giumarra's table grapes.

Frame-up

cont. from page 1

anti-strike injunction in effect since August, entered a plea of not-guilty on Thursday, February 15, in Kern County Superior Court.

Camacho and Chavez, both cited as defendants in the contempt complaint, face possible two-month jail sentences and a total of \$12,000 in fines if convicted on the 12 counts of Giumarra - alleged injunction violations.

The Giumarra complaint attempts to link "mysterious fires" with threats supposedly made by Camacho, and further claims that Union defendants threw dirt clods at one Chuck Beighle, a Giumarra foreman known to the strikers as "Bugsy."

Short hours before Camacho was served with the subpoena on Valentine's Day, John Giumarra, Jr. told UFWOC attorney Jerry Cohen, "I was just up in Delano meeting with some growers, figuring devious ways to get rid of you guys."

The injunction in question was issued last summer by Superior Court Judge J. Kelly Steele, who severely restricted picketing activities, and who unsuccessfully attempted to limit UFWOC's freedom of speech by forbidding the use of bull horns.

The subpoena named Camacho, one of the Union's most effective pickets for more than two years, Cesar Chavez, and 300 "John Does." In addition to alleged violations of the

Steele injunction, two of the twelve counts clearly lay the groundwork for further charges of either arson, conspiracy to commit arson, or both.

When a recent fire destroyed a Giumarra packing shed, the multi-millionaire grower stated publically that he was sure the Union was not implicated. The subpoena served February 14, however, states that Molotov cocktails started recent fires, and implies that Union members were responsible.

The case is scheduled for a "show-cause" hearing before Steele on February 26. Under the "show-cause" procedure, the entire burden of proof falls on the Union, which means, in effect, that officers and members of the Union are considered guilty until proven innocent!

The obvious purpose of the growers is to hang a frame-up on the Union, thereby changing an effective picket line into a silent skeleton. Phony allegations of arson and ridiculous charges of clod-hurling now replace the red-baiting of old, but the intent is the same.

Giumarra seems to have reached a panic point, as the frequent presence of guns in the fields and the recent brutal beating of a Union subpoena server indicate.

A foolish attempt to hang the Union on phony charges will be met with increased activity on the part of the Union, and will only serve to show the remaining Giumarra scabs the true colors of "Patroncito."



Robert Hodgell

Scabs beat Hirsch

At noon of February 3, Fred Hirsch, a volunteer for the United Farm Workers Organizing Committee, entered a field to serve legal papers on two Giumarra foremen. These subpoenas directed the foremen to appear in court and answer questions about illegal recruitment of strikebreakers by Giumarra and his agents. A man may legally enter the Giumarra property if acting on official business, so Hirsch had a legal right to enter the property and give the foremen the subpoenas. After locating Armando Robles, the main Giumarra foreman at this ranch, he attempted to seek out Betty Medina, another "foreman" and labor recruiter.

If Betty Medina was with her crew, she was apparently afraid to accept the court document which would force her to testify, under oath, about illegal recruitment practices. Hirsch came upon the crew as they gathered for lunch, and all of the scabs denied that Medina was there. But Hirsch knew she was there, so he stayed. Someone called the police, but since Hirsch was on legal business, he had nothing to fear from the police. Then someone went to get the pruning crew of Amando Robles. Robles and his men arrived, many of them carrying pruning shears, and approached Hirsch in a threatening manner. Hirsch then served the papers on the woman he thought was Mrs. Medina. When she re-



Fred Hirsch, a volunteer for the United Farm Workers, is wheeled in to an ambulance after being attacked and beaten by Armando Robles and over 20 other scab employees of Giumarra Fruit Corporation.
Maleriado photo.

fused to take them, he delicately laid them at her feet. Then he turned to go, and began walking away. At this point Robles and his men attacked Hirsch.

The Sheriff's Department of Kern County acted shamelessly in this case. They did call an ambulance for Hirsch and get him to a hospital. But though they asked him a few questions, the cops failed to arrest any of the assailants. Several days later, after his release from the hospital, Hirsch appealed to the District Attorney's office for a complaint against Robles and the other Giumarra scabs who had attacked him. But the D. A. told him to wait. He was not allowed to see the

police report.

Three days later, when Hirsch and United Farm Workers attorney Jerry Cohen met with the D. A., Nelson still refused to allow him to sign a complaint, and then announced that a warrant might be issued for the arrest of Hirsch. The D. A. suggested that Hirsch could be charged with attacking a woman, and suggested that the scab crews of over a dozen people were acting in "self-defense" when they beat up Hirsch. And although the D. A. claims to be making a "full and complete investigation," the one witness named by Hirsch, Cesar Chavez, has never been questioned or even approached for questioning.

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