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Review of “Rape in the Fields. The Hidden Story of Rape on the Job in America”

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Approximately half a million immigrant women work the “fields of America,” paying a heavy price to put food on our tables. They are poor and speak little or no English, and may be single mothers without legal papers who are uninformed about US laws. This film, for the first time, gives voice and visual dimension to the pervasive human rights abuses -- in the form of rape and sexual assault -- being perpetrated against these especially vulnerable, mostly Hispanic women at powerful American agribusinesses.

The film shows that while hundreds of charges have been made nationwide, there are no reliable statistics available on these abuses and “zero” criminal charges have been filed to date against perpetrators. The survivors, who are geographically and culturally isolated, speak of their fear of losing jobs, of deportation, of retribution by abusers, and of bringing shame to their families should they report their abuse. In farms across California, Washington state, and Iowa, women describe shocking rapes on “fields of panties.” The film makes real the *systemic* issues related to ongoing violations of these women’s rights: the culture of disbelief and silence that surrounds the abuse, the impunity of perpetrators who are not brought to justice for lack of “evidence,” and the power of corporations.

The film presents four recent cases, three brought by the EEOC against agribusinesses, through which we are able to hear the perspectives from survivors, EEOC trial lawyers, advocates, activists, and corporate defense lawyers. Olivia Tamayo, who was raped at gun point by her supervisor at Harris Farms (CA) was awarded damages, but the jury found inadequate reasons to convict. The company denied all knowledge of the incident, and the rapist was allowed to retire. At Evans Fruit (WA), foreman Juan Marin faced no criminal charges despite the testimony of 26 women. Again the company denied all knowledge, but subsequently and voluntarily implemented sexual harassment training. This represented a small victory, according to the EEOC lawyer on the case. At the DeCoster Egg Facility in Iowa, the undocumented workforce was locked in for days when immigration patrols came to investigate. A high school educator who had been alerted by her student picked up the women and was told that some of the younger ones had been raped. Again, no one was charged. DeCoster denied knowledge of the rapes, but settled with survivors for \$1.3 million. In 2008, Federal agents rounded up 300 undocumented workers at a meat packing plant in Iowa, but asked no questions about the purported rampant sexual abuse, including of underage girls, inside the plant.

The women’s personal stories and their desperate and courageous attempts to pursue justice were the most moving aspect of this film. The documentary provides evidence, in the form of long-silenced women’s voices, that the abuse is real. Its presentation of other perspectives was also valuable, as it illustrated the obstacles to effecting substantive institutional changes (the perspectives of

lawyers on both sides, for example). However, the film could have elaborated further on the U Visa, given its pertinence to the problem. (Part of the Victims of Trafficking and Violence Prevention Act, 2000, this visa gives legal status to an undocumented immigrant for up to 4 years, and protects victims of abuse who assist law enforcement. Eligibility requires proof of “substantial” physical or mental abuse, measured by a list of criteria which includes rape, torture, and abusive sexual contact). Also, there were additional pieces of evidence that could have further substantiated and supported the findings of the film, one being a report on immigrant female farmworkers by Human Rights Watch (2012), which was mentioned in passing, and another by the Southern Poverty Law Center (2010), which was not mentioned at all.

Regardless, we see a powerful documentation of the *institutional* violation of human dignity. The women suffer at the hands of their supervisors, hired by American agribusinesses, even as both the men and the corporations deny knowledge of abuse; their plight goes unnoticed by US immigration officials; and law enforcement is constrained by lack of proof as perpetrators walk free.

An EEOC lawyer asks why, long after slavery has ended, such wrongs continue on American fields. As we enjoy our apples and almonds, we should bear in mind the women who picked them, and at what cost. This contemporary analogy with slavery deserves our attention.