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Dr. Hector P. Garcia

Attached for your information is a newspaper article from the Albuquerque Journal.

Louis P. Tellez

Harvard Boys Stir Controversy in Texas Town

By MIKE COCHRAN

HEREFORD, Texas (AP) — It was nearly 1 a.m. when the patrol car, creeping along a dark, deserted downtown street came across a youngster, who was perhaps pushing 12.

"Hey, kid, what are you doing out at this hour?" the cop demanded.

The youngster bristled. "None of your business. Leave me alone or I'll tell the TRLA."

The incident, witnessed by a reporter, points up the presence of Texas Rural Legal Aid, an organization that has given Mexican-Americans a sense of protection while stirring up a bitter controversy in Hereford.

In the Texas Panhandle city of 17,000, the overriding issue is civil rights or a lack thereof. But it is hardly that simple. It might be styled Harvard vs. Hereford, for it involves several brash, young, Harvard-trained lawyers and a citizenry angry and alarmed.

"High Noon in Hereford," headlined a Dallas magazine.

Cattle is king here, as the town's name implies. But the fertile farmlands are the crown prince of the local economy.

And it is the vegetables — the onions, lettuce, potatoes, cucumbers, cantelope and sugar beets — that bring migrant farmworkers to the High Plains from March until October.

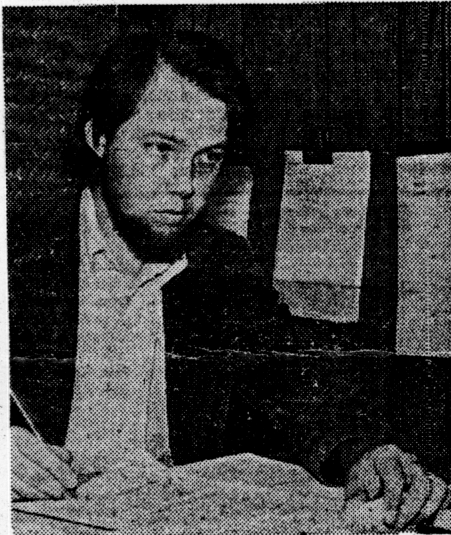
On the heels of the farmworkers has come the TRLA. The young lawyers are smart and aggressive and more than a little idealistic.

Carpetbagging troublemakers, their detractors insist. They call the TRLA attorneys aloof and arrogant, dismissing them as legal headhunters on an ill-conceived and destructive ego trip.

"We need people to help us build and heal, not divide and destroy," said a county commissioner. "They are hurting our county and dividing our people."

The TRLA lawyers maintain they want nothing more than to ensure for the migrant workers a minimum wage, good housing, food stamps and tolerable working conditions.

Fine, say the townspeople, but they object to TRLA methods. "Sometimes it takes drastic steps to cure drastic problems," responds Bill Beardall, one of four



Bill Beardall
Texas Rural Legal Aid Lawyer

federal lawyers currently in the thick of the fracas.

Since arriving here in the fall of 1978, Beardall, 28, and his colleagues have sued a wide variety of targets, most often in the name of minority rights.

The suits dealt largely with alleged farm labor abuses in Deaf Smith and Castro counties, but they also attacked politicians, growers, packing sheds, a housing authority, a hospital, the sheriff, two state troopers and a regional officer for the Immigration and Naturalization Service.

In one suit they forced the Hereford School Board to hold a new board member election, contending the previous one had been conducted in a discriminatory manner.

In another suit they challenged voting precinct lines as drawn to discriminate against Mexican-American representation.

In still another they attacked the Castro County Housing Authority, which operated a 192-unit migrant housing project some locals call "the hatchery." One TRLA lawyer described it as "two-room housing with 20 people in each room — worse than anything in Brooklyn ... The Philadelphia Zoo is a saner place to live."

One suit, which ended in a hung jury, charged that a Mexican-American child died in his mother's arms

after allegedly being refused care at Plains Memorial Hospital because the family couldn't afford the \$225 admitting fee.

Most of the suits are brought over migrant labor practices, but civil rights are also involved. In one suit, filed on behalf of a Mexican-American, it was charged that he was held three days because he was suspected of being an illegal immigrant, only to be released when the Border Patrol arrived. The suit contended that a person with brown skin need not carry identification papers any more than an Anglo needs to.

"All these things can and do get emotional," says Beardall, an articulate, soft-spoken Florida native who camouflages a baby face behind a scruffy beard.

"Sure, it's an uncomfortable feeling, not being liked. I'd like to be loved by everyone. I'd also like to see justice done. There's nothing noble or altruistic about it."

"We're opening up the legal process to a lot of people who were denied it."

The ill feelings here are compounded by the controversy over the rights of illegal aliens, hardly a new or isolated issue. Critics feel the TRLA lawyers run roughshod over Hereford residents while protecting the dubious rights of the "undocumented" workers.

"We are a good community here with many responsi-



Bruce Coleman
Farmer, County Commissioner

ble, solid Spanish surnamed citizens," says Bruce Coleman, a dryland wheat farmer and rancher and veteran county commissioner. In fact, he says, the names of several Mexican-Americans appear on a citizens petition protesting TRLA actions.

Nor is it lost on Coleman and others that it is their own tax dollars which help bankroll the \$300 million federal legal services program under which TRLA operates.

"I got my taxes fighting my taxes," he says. "I'm paying on both ends to fight myself, so you see why I'm upset."

The hassle came at a particularly bad time, what with a drought and a heat wave and a firm conviction by many farmers that the government is driving down farm prices artificially.

Many here are convinced that the young, inexperienced government lawyers are dividing the community, hurting the farmers and at the same time contributing little to the migrant workers.

"They're defeating their whole purpose," maintains one critic. "They're going against the farmworkers, who just want to work."

Among those who least admire the TRLA is Sheriff Travis McPherson, 38, a spiffy dresser who prefers suits to jeans and boots and takes a scientific approach to law enforcement.

"I don't hate 'em ... I just

don't like what they've done," he says, referring to the TRLA representation of the aliens and its involvement in the Texas Farm Workers Union strike of plains onion growers.

"It's a gross misuse of taxpayers' money," he contends.

McPherson circulated a petition asking Congress to cut funding for Legal Service Corp., the public entity established in 1974 to oversee TRLA activities.

He got about 1,000 signatures, but no congressional commitment, and a group supporting the government attorneys later matched McPherson's petition.

Most recently, the young lawyers came under fire for their role in the stormy onion strike. By law, they cannot "engage in any public demonstration or picketing, boycott, or strike."

Yet one, Ed Tuddenham, entered the field during the strike at the Howard Gault Co. and confronted the crew boss, Aljejo Aguilon.

"Mr. Gault is a good man and he really cares about the people and the way they are treated," Aguilon argued.

"If Mr. Gault is so concerned about the people working for him and how they are treated," snapped Tuddenham, "then why in the hell doesn't he get off his butt and negotiate?"

Tuddenham later denied "cheerleading" charges leveled against him, and Beard-

dall insisted the TRLA was present only to provide legal assistance to its clients.

"The charge that we are somehow instigating this thing is, I think, largely used as a smokescreen to bring attention away from the very real problems here," says Beardall.

"When a picker is out there bent over double in the sun, when he's not given any water and there's no toilet, he doesn't need me to tell him he's getting a raw deal."

He adds: "I've contended all along that the wages, working and housing conditions are worse here than anywhere in the Rio Grande Valley. It's very difficult in the Valley to find anyone making less than minimum wage."

Paid by the bag for picking onions, a worker makes less than half the \$3.10 hourly floor, the union claims.

An angry grower, asking anonymity, declared:

"Now with his strike thing, they've gone too far. They're trying to tell me how to run my business and that just doesn't wash. They're coaxing these people into making trouble."

Since half the population here is Mexican-American, it follows that the TRLA actions would have a polarizing effect. Yet, both sides claim their support crosses ethnic lines.

Indeed, some Anglos concede privately they feel the government lawyers do little more than provide their clients access to the legal system.

"There's a lot of power to be able to go into court on an equal footing with the adversary and present your case to an impartial judge," says one.

At the same time, many resent what they consider the "high-handed and immature tactics," of the casually dressed lawyers and paralegals.

"If you gotta send in some lawyers," says one farmer, "send us some with maturity and experience who know how to act and dress — who look like lawyers."

All concede there are no simple answers. Few deny that some abuses do exist. No one contends that all or even most of the growers are opportunistic orges. In any case, TRLA isn't expected to go away soon.

"Hereford's the stage," grumbles one longtime resident, "but all the actors are from out of town."