

Case Study 3.1

The vulnerability of immigrant farmworkers to sexual harassment

This case study shows how immigrant farmworkers are vulnerable to sexual harassment and violence.

Research by Human Rights Watch (2012) about US female immigrant farmworkers found extensive evidence of sexual harassment, in a sector that is heavily dependent on seasonal, migrant and unauthorized workers. Nearly all of the 52 farmworkers interviewed reported that they had been victims of sexual harassment or knew of workers who had. A culture of sexual harassment and abuse predominates in the sector. Workers were dependent on housing and transport provided by employers.

The case of Patricia (below) is documented in Human Rights Watch's study on the vulnerability of farmworkers in the US to sexual violence and sexual harassment. It illustrates the extreme risk of sexual violence faced by immigrant farmworkers.

Patricia M.'s Story

Patricia M. was 21 years old when she first came to the United States from Mexico about six years ago. Like most immigrant farmworkers in the US, Patricia did not have a work visa, but she was able to get work. About four years ago, she got a job harvesting almonds. The foreman would pick workers up and then drop them off at the end of the day at a local gas station. She said he repeatedly offered her food and drink, which "bothered [her] a lot," because she felt he was not offering these things innocently. He insinuated that he could help her, saying, "Listen to me, I'm the foreman, and you'll have a job."

On the third day, he dropped off all the workers at the gas station except her. He told the rest of the workers he was going to pick up the water cooler, but instead, he took Patricia to a remote field. "From there, he didn't say anything, he just stared at me. I was wearing a hat and a bandanna [that covered my face], and he said, 'What do you have there? An animal?' And I knew he wanted to do something to me."

Patricia described him as "fat, very big." She reported that he got on top of her and tied her hands with her bandanna to the hand grip above the truck door. Then, she said, "He took off my clothes and he raped me.... He hurt me badly."

Patricia did not tell anyone. She said: "I felt very sad and very alone." She had no family in the US, and she did not want to tell her family in Mexico what had happened.

After the rape, Patricia continued to work at the same farm. She could not leave the job because there was no other work available. The abuse continued. "He kept raping me and I let him because I didn't want him to hit me. I didn't want to feel pain." Eventually, Patricia found out she was pregnant.

She heard that she could apply for disability benefits and went to a social service agency where the employees asked her whether she had a partner. That question prompted her to tell them everything, and the agency helped her file a police report. Patricia credits the agency for providing crucial support. She still has not told her family in Mexico what happened. Although she told her mother she was

pregnant, she didn't tell her about the rape, "because I don't want her to be sick." Without the counsellors at the agency, she knows she would never have filed the police report: "I was afraid they would put me in jail; I was afraid [they'd] send me to Mexico because I was illegal."

Patricia stated that the foreman was not prosecuted and sentenced for the crime. Instead, after arresting him, the police seem to have contacted immigration authorities, as he was soon deported. Unfortunately, this does not mean he is completely out of Patricia's life. She has heard reports from his family that he is planning to come back to the US and see the child. The rape continues to affect her in other ways as well. Patricia is now married, and her daughter is "so beautiful," despite the painful memories of how she became pregnant. Yet she reports: "Sometimes, I remember and I can't be intimate with my husband." She also worries because "I don't know what to tell my daughter when she gets older." (Human Rights Watch, 2012, p. 1)