Centering Pesticide-Affected Communities Through Outreach, Organization, and Advocacy

Moderators: Chloe Winnett & Chelsea Shinfang Tu*[**]
Panelists: Caroline Farrell,[***] *Angel Garcia,*[****] *& Michael Freund*[*****]

Chloe Winnett: I'd like to bring up our first panel, titled "Centering Pesticide-Affected Communities Through Outreach, Organization, and Advocacy." Our moderator, Chelsea Shinfang Tu, is the Program Director of the Unincorporated Community Justice Program at California Rural Legal Assistance. She has previously worked as the Executive Director of Monterey Waterkeeper, as a Senior Attorney at the Center on Race, Poverty, and the Environment, and as a Climate Justice Advocate at Public Advocates. She has also worked with the Center for Biological Diversity. Chelsea received her law degree from the American University Washington College of Law and received her undergraduate degree in Environmental Sciences from UC Berkeley. She also teaches the Environmental Justice: Race, Class, and the Environment course at Berkeley Law.

Chelsea Shinfang Tu: My name is Chelsea Tu, as Chloe mentioned, and I am the Director of our Environmental Justice Program at California Rural Legal Assistance.

I want to go right into the purpose and the themes of this morning's panel on Centering Pesticide-Affected Communities Through Outreach, Organization, and Advocacy. The purpose of this panel is to really learn from each other and then discuss the reality of how farmworkers and farmworker families are overexposed and harmed by toxic chemical pesticides right here in California. Really, ultimately, we want to discuss what people are doing about that and what you can do about it. As a lot of you might know, farmworkers in California produce a third of vegetables as well as three-quarters of fruits and nuts, not just for California, but for the entire country.

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This topic touches not just farmworkers and farmworker families, but all of us, even if it's just simply through the fruits and vegetables that we need and we consume every single day. Our hope by the end of the panel is that you gain a better understanding of the lived reality, political, regulatory, and other barriers to reducing pesticide use as well as overexposure, how you can make a difference, and how people are making a difference; diving into how community leaders and advocates are working together to overcome these barriers to reduce overexposure to these toxic chemicals.

I will just take a moment to introduce the people you really want to hear from. I will start with Angel. Angel Garcia is the co-director of Californians for Pesticide Reform, or CPR. Angel joined the CPR staff in 2017 after working for the coalition as a staff member for the Lindsay-based nonprofit El Quinto Sol de America. Angel actually came up from Tulare County yesterday, so thank you for traveling all the way up from Tulare County, which is the epicenter of intensive agricultural operations in the Central Valley or the San Joaquin Valley. Angel is from Tulare County, and he graduated from UC Santa Cruz with a Bachelor's in Latin American and Latino Studies and Politics. He's also a founder of the local coalition in Tulare County called Tulare County Coalition Advocating for Pesticide Safety.

Next, Michael Freund is a dedicated and experienced attorney who we will also hear from today. He has really worked in his entire legal career enforcing environmental laws that are supposed to be here to protect the environment as well as our health. Since 1981, Michael has successfully represented neighborhood groups fighting toxic air pollutants, individuals, and also fighting for individuals and families that are harmed from the overexposure to pesticides are a topic in this panel, as well as numerous other environmental issues. We'll talk a little bit more about this in the panel today, and Michael's one of the leading attorneys in California enforcing Prop 65.

Last but not least, I want to introduce Caroline Farrell. Caroline Farrell is currently an associate professor and director of Environmental Law and Justice Clinic at Golden Gate University. I had the fortune of working with Caroline a few years back at the Center on Race, Poverty and the Environment (CPRE). A lot of what I know about environmental justice, about policy, about community law, I learned from Caroline.

I hope that you'll take some time to talk about community law today as well, Caroline. Caroline was with CRPE for more than twenty-three years as an attorney where she assisted low-income communities and communities of color in southern San Joaquin Valley and throughout the country in their struggle for environmental justice. She's authored a lot of different articles that you probably have read on environmental justice, on climate policy, just transitions, and pesticide regulation. Finally, Caroline graduated from Golden Gate University School of Law, highest honors, and is currently part of the clinic. Caroline received her bachelor's from Bates College.

I will start the discussion with Caroline. Caroline, I'd love to just ground ourselves in the concept of slow violence. What does this mean? What does slow

violence mean in this context? Where does this term come from? When we talk about this idea, specifically in terms of pesticide exposure, what does that look like?

Caroline: I'll start with a little story. I first started working on pesticides in 1999, about a week after I passed the bar exam. I moved to Delano to start work at the Center on Race, Poverty, and Environment. There had been a pesticide drift incident in Earlimart, California. Earlimart is a small, predominantly Latinx farmworker community. The accident happened on a Sunday afternoon when methyl iodine had been improperly applied to a potato field. It had drifted into a nearby neighborhood. Residents were exposed to the pesticide drifting off the field.

From that experience, I learned about a lot of different failings. One is the absence of any notification to neighbors that pesticides would be applied. A lack of translation services available for farmworkers who had been impacted. A lack of information and training for emergency responders being called to the pesticide drift incident. A failure to really fine or penalize applicators in a way that would de-incentivize improper applications. A failure to compensate affected families who had to evacuate or seek medical treatment. Earlimart's experience twenty-five years ago is common in California agricultural communities. It demonstrates the disproportionate impact Latinx communities experience from pesticides.

In California, roughly two million pounds of pesticides are applied per year. Approximately one-fifth by volume are carcinogenic. In California, eleven majority Latinx counties experience 900 percent more pesticide use per person and per square mile than twenty-five counties with the lowest Latinx population. What we know is that Latino children in California are 91 percent more likely than non-Hispanic white children to attend school with the highest levels of pesticide use. Historically, counties with the most pesticide use have issued the fewest fines for pesticide misuse or failure to adequately protect workers. By the close of the twentieth century, the average life expectancy of a migrant farmworker in the United States was forty-nine years, compared to the national average of seventy-five.

Given the concentration of pesticide use and community vulnerability in California, the regulatory system is not really set up to protect farmworkers and their families. In the United States, pesticide regulation begins with the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA, and its implementing regulations. Under the Act, the U.S. EPA is given the authority to regulate the sale, use, and distribution of pesticides to preserve the environment and protect public health.

The United States delegates authority to the California Department of Pesticide Regulation (DPR) to implement the law in California. Specifically, DPR has the authority and duty to enforce pesticide laws in California. That includes a duty to investigate all reports of potentially significant adverse effects, a duty to reevaluate pesticides, to monitor for pesticide exposure, to collect data on potential exposure patterns, to assess the effectiveness of existing controls, to

conduct inspection, and to prevent the misapplication or drift and possible contamination of workers. DPR, in turn, oversees county agricultural commissioners who carry out and enforce pesticide permitting and environmental laws and regulations locally.

The disconnect between the experience of farmworker communities and the regulatory framework which purports to protect them has led to legal scholars to apply the slow violence approach to environmental justice analysis and civil rights enforcement in the context of pesticides. Slow violence occurs gradually over time and is not necessarily visible. It happens incrementally and cumulatively. Rob Nixon introduced the concept of slow violence and slow violence in environmentalism of the poor. Basically, environmental harms are difficult to trace to a single act or decision. Instead, the root causes of harm are ongoing and spatially extended.

The nature of slow violence is the gradual accretion of harms out of sight and dispersed over time and space. It explains why so many farmworker communities throughout the state experience the same things but are not addressed collectively by the agencies, why it's so difficult to identify and research remedies, and why it's largely ignored or accepted by government agencies as the status quo. The dispersed regulatory authority between federal, state, and local agencies also allows experiences to fall through the cracks, to not be documented or investigated by design and by neglect.

The slow violence approach also allows space for farmworker and residents living near pesticide applications to share their slow observations or experiences to identify patterns and issues, inform research, and remedy adverse impacts. The slow violence approach applied to pesticide exposure in Central California farmworker communities opens new avenues for environmental protection and legal practice and social science research. It's a theory that's newly applied to pesticides based on some of the work that Californians for Pesticide Reform has been doing with Greg Macy at UC Irvine and that I've had the opportunity to collaborate on.

Chelsea: Do you want to share a little bit more about the research that you've collaborated on that you mentioned or on how it's modeled?

Caroline: In September of 2023 in Lindsay, California, Californians for Pesticide Reform and Greg Macy organized a people's tribunal on pesticides. From that tribunal, people came from all over the state, primarily agricultural communities. People who lived in farmworker communities and were farmworkers themselves testified about their experiences. All of the experiences shared a lot of commonalities, even though they were unique to the place. I was a judge on that tribunal.

We issued an opinion that basically documented what we learned and compared people's experiences to the legal framework and found that a lot of things people were experiencing are actually violations of regulations that currently exist. It's not that we don't have the regulations. It's that they're not being enforced by the agencies that are required to implement them. They're not being enforced community, by community, by community. We documented that,

and then from there started writing law review articles that basically tried to think about legal theories that could potentially be used in both the civil rights context as well as in an environmental enforcement context.

Chelsea: Thank you so much. We'll have time later in the panel to really talk more about what the theme is, regulatory and enforcement failings. Especially the lack thereof really doesn't address the systemic, invisible, and incremental cumulative exposure and environmental health harms being experienced by farmworker and farmworker communities. We'll come back to the law and policy in a bit. I did want to just shift gears a little bit and drill deeper into the lived experience.

That's really what we're talking about. We're talking about people's health and people's lives. I would just really love to hear a little bit more from Angel, if you could share a little bit of your background, experience and observations on pesticide exposure coming from Tulare County. What are the harms that are being felt every day in farmworker communities in the Central Valley, Central Coast, and around the state?

Angel Garcia: Thank you for that question and I appreciate the very rich context of the slow violence theoretical framework. I do want to just start off by saying, this is very much my lived experience as the son of transnational Indigenous Mexican farmworkers. Just a quick background on me is my parents come from a small village in Mexico, rural Mexico, southern Mexico, and have lived just following the crop seasons up in California and also into Oregon as well. This is something that I really have been living throughout my life and something that has really impacted and shaped the way that I've articulated this experience.

To go back to this theoretical framework of slow violence, to open it up and maybe take out some of its guts, so to speak, there are three challenges that we can potentially be looking at when it comes to the pesticide reform work. One is the existence of an oligopoly. When we're talking about pesticides and pesticide reform work, we're essentially talking about four major companies here, four major companies that control three-quarters of the pesticide manufacturing; or the chemical realm, if you will. We're also talking about the concentration of power and access to land. Ten percent of "growers" own two-thirds of California's crop land. We see a major concentration of access to land and land ownership. This is very important to understand, for us here at Californians for Pesticide Reform, to better understand the challenges that come with it. We have this concentration of power and land.

The other part is the state preemption. What does this mean? It means that as much as we would love to go to our local city council, or county board of supervisors to enact some change at the county level or city level, it's simply impossible, thanks to the chemical companies that lobbied really hard decades ago. And then they made sure that the power again was concentrated, and [any change] needed to take place in Sacramento. That's what really shapes our existence, but also the way that we operate and organize. We organize at the local

level, hyper-local level, but then also always having a state level component to it.

Then third is this idea of pesticide secrecy. What I mean by that is that agricultural pesticide happens too often to the point that it becomes normalized.

If you happen to live or visit in the southern side of King Valley, you'll come across families like mine that, until recently, we still had swamp coolers in our homes. It sucks in all the air from outside and doesn't really cool the house much. There are times in the summer heat where we just have to turn it off because we can hear the air blast sprayers taking place at night. There are times in the day or in the weeks where we have to shut down the windows or close them because we know that they're spraying. We can hear it. We can feel it. We see a mist out and about. This normalization really feeds into this pesticide secret. We don't know what they're spraying. We know they're spraying, but we just don't know exactly. Then, because it becomes so normalized, it becomes invisible, in the sense that we see it so often that it becomes part of everyday living at times. There are schools that are adjacent to fields only separated by a chain link fence.

These three obstacles, these three layers, really feed into how we go about in really advancing pesticide policy reform in California at Californians for Pesticide Reform. These three things, and I'm sure there are others, but those are the prevalent ones that we've identified, really contribute to the pesticide regulatory structure that can only be changed, only if pushed by external outside forces. The change cannot happen necessarily from within.

This really shapes the way that we go about our organizing on the ground. It really pushes us to employ and/or deploy a lot of action-driven campaigns. It really shapes the work in the way that we have to be more confrontational and also have to connect with the likes of Mr. Freund and Caroline here, as well as other experts, and bring in a host of expertise to really approach pesticide reform policy from different leverage and endpoints. That is, to put it succinctly, some of the challenges that come [up] and are connected to pesticide reform policy work or pesticide reform in general at Californians for Pesticide Reform.

It's also another reason why we exist, because unless we laser focus on this particular issue, it'll get lost in other very important environmental issues as well. For us, it's really imperative that we have an ongoing focus on agricultural pesticides because it's also very important for us to have communities that are at the forefront of shaping what that work looks like. Just wanted to illustrate some of the barriers, some of the challenges, some of the hurdles that shape what the ongoing organizing push looks like.

Chelsea: I was curious, and folks who are not familiar with the impacts of overexposure to pesticides, if anyone could share a little bit more about observations you've made, your own lived experiences of health harms that communities like farmworker communities actually experience when they are exposed to pesticides. Tell a story or two.

Michael Freund: I can talk about that in detail because I work on these cases, and I've worked on a whole host of pesticide cases in my legal career. I

can talk about one of them, which was the second-largest pesticide exposure in California that took place in a small town in Arvin. It's a little bit to the east of Bakersfield. It's a farmworker community, and I'd never even heard of it, but I was contacted twenty-plus years ago to come down there and meet people. In fact, my contact to that case was a student here at UC Berkeley who was the first person in Arvin to go to college. She was very proud of that. She was my contact to this community. Across the street from the residential neighborhood in Arvin is a farm called Kirschenman Farms. One day, [the applicator was] applying pesticides. The pesticide was called metam sodium. It's a carcinogen. It's listed under Proposition 65. It volatilized into the air because the applicators failed to create a water seal. You inject the fumigant into the soil. You're supposed to put a sufficient amount of water so that the pesticide does not volatilize into the air. They did not do that.

There are about four blocks adjacent [to the fields]. Everybody who was home got sick. They got headaches. They vomited. They had stinging eyes. They were coughing. They had skin rashes. There were a lot of impacts from that mistake. In this particular case, I represented the community. This was a toxic tort case, so doing this kind of work, I can explain that there are many legal vehicles. In this particular case, we used negligence. In other cases, we used nuisance. In other cases, we've used Proposition 65 and other state laws. We were able to successfully arrange for a settlement so that the people were adequately compensated.

Chelsea: I don't know if anyone else wanted to just chime in on the environmental health impacts are being felt from our communities due to exposure because of misapplication, multiple applications, or just overexposure in general?

Angel: In my experience doing outreach to the community, we have to go to school sites or parent groups. Almost every time, there's always a mother that has a child that has difficulty learning. Either they just can't sit still, or they just don't catch on to things. Oftentimes, the story goes, when they were pregnant, they were working in the fields, or they were living surrounded by agricultural fields.

There's always that trend and that link between school children not being able to concentrate or having difficulty at school, and oftentimes facing the consequences of that, but then it really opens that door: What if your environment had something to do with that? What if you're working in the fields during your pregnancy had something to do with that? It goes back to this slow, ongoing exposure that is, to an extent, woven into their reality, their everyday living. That's something that I see a lot. It happens especially in the smaller communities. In the San Joaquin Valley, you have cities and towns.

Then you also have a lot of what they call "unincorporated communit[ies]." These are much smaller, oftentimes a group of homes, and they don't have any infrastructure, any street lighting, any roads or, much less, sidewalks. Oftentimes, people that live in these unincorporated communities are mixed-status households. Also, [there are people from] the more recent wave of the

migrational pattern of Indigenous people from Southern Mexico and Central America.

As we're outreaching in the communities, on the go, we're coming across this as well, with people having respiratory problems. We see parents having their kids be born on the spectrum. It creates, at times, tension within the family because they're blaming each other, like, "Oh, my family didn't have anyone, and your family," but then they happen to live in areas where there are a lot of heavy agricultural pesticide applications happening. Again, it's really hard to say that that's what caused it, but there's definitely a trend, a pattern that is ongoing in those areas. People are seeing that. What we've noticed on the ground outreach and the on-the-ground connections is that people are getting angry about this and are starting to ask, "What can we do about it?"

That has been the wave of responses that we've seen recently. Again, because it happens so often, people think, "Oh, this is a country of laws. It's not like where I'm coming from, where there are no laws," and that sort thing. There's this, perhaps, perception that because it's applied it's okay for people's health. In reality, that's not necessarily the case. We see a lot of families that still are unaware of the health harms that these chemicals have onto their bodies, and not just short term, but also, I think even more concerning, long term.

Chelsea: I want to first return the mic to you, Angel, because what I'm hearing is really just through the lived experiences of farmworker communities, and there are a lot of different factors beyond the big systemic disproportionate political power, land ownership, economic power, and especially intensive agricultural operations and chemical companies. Really looking at the day-to-day lives of farmworker families, there are a lot of different layers to why pesticide exposure and health harms that you all, Michael and Angel, you laid out so well.

Just giving small examples of harms but there's so much more that we're not talking about because we don't have time to get into them today. Again, I wanted to dive a little bit deeper, beyond those systemic big picture structural barriers, to making sure that farmworker families are healthy. There are household economic issues. There are immigration barriers. There's just a lack of information on what pesticide is being sprayed, how much, when, how close to the families, et cetera, et cetera. [Angel,] you touched a little bit earlier on organizing. Caroline, you also talked a little bit about the people's tribunal.

I see those as efforts to really overcome barriers through transparency, through increasing visibility of the invisible exposures to the pesticides we're talking about here today, and then increasing transparency in people's actions, and then hopefully leading to some hopeful positive regulatory outcomes that protect people's health.

I wanted to ask Angel a little bit more about, really, how do you organize? This is something that I feel we don't come to law school to learn, but it's such a critical and important part of making change; especially when change is so hard, like we've been talking about.

Change could come from external pressure, that could come from the ground through organizing. What does that look like? Why organize? How do local organizers and leaders work together to organize to bring visibility to the invisible, to provide channels for people's voices to be heard? Because we're in a law school setting, how do organizers [and] community members work with lawyers and advocates to bring pesticide reform?

Angel: The day of an organizer can start at any given moment. Usually, it tends to be early in the morning. Recently, we've had organizers go out into the fields. Whenever a group of farmworkers enter the field, they have what they call escuelita, which means a class before going into the fields. They get a recap of how to pick the fruit. They're instructed and guided on what to look for in the fruit and that sort of thing.

At that time, that's a very important entry point to have organizers come in and also share out information around what they can do or what to identify as immediate reactions to potential pesticides because sometimes what we've noticed and we've heard from community is that oftentimes pesticide exposure is misdiagnosed. They think that, oh, they were out partying last night, that's why they have a major headache or a bloody nose. They identify entry points. That's an early entry point in the day.

Secondly, we establish connections there, and then once that connection is established, we follow up. That's the most key part of community organizing, the follow-up, that conversation at their home or at the site where they feel most comfortable. It is there where we ask them about if they know of any other families or folks that would be willing to connect with us, and then just follow up with the community or those connections. Then create a meeting, a community meeting, and then bring the people that we've connected with, and then we go from there. That's a very in-a-nutshell way of saying it, but that is how the outreach is done for farmworker families. Then we also have another component, which is the outreach to community groups and organizations. We have that as well. That's ongoing.

Then we bring it all together and consolidate all this into what we call monthly coalition meetings. We have monthly coalition meetings in different counties, where we do have an organizer. The whole idea there is to really galvanize all the energy around concern and interest to make change at the local level in the form of pressuring the local agricultural pesticide enforcing authority, which is the county agricultural commissioner, and then [develop] small-term campaigns. These are campaigns that have really tangible outcomes, because people like winning and like seeing something that they can hold on to. This can come in the form of a resolution at the local city council. This can come in the form of updating the integrated pest management at their local schools. It's really about just getting those small victories.

Then, essentially as we're having these ongoing monthly coalition meetings and getting these victories along the way, we're starting to develop leadership. We identify entry points at the state level and at the regional level. That feeds into and shapes our state-level work, because at the end of the day, the change

needs to happen in Sacramento because of state preemption. That's been our blueprint on how to go about doing that, again, without going too in-depth.

Back to the point on employing the different pieces: law, policy, and community organizing. In recent years, our 1,3-dichloropropene (1,3-D) campaign has been a perfect example of employing the different elements and different moving pieces at Californians for Pesticide Reform. I guess you could say in recent years, the Department of Pesticide Regulation has faced intense scrutiny over their handling of 1,3-D. While other countries have banned this chemical or are in the process of banning it, the Department of Pesticide Regulation here in California attempted to relax restrictions through underground regulation.

That prompted our network to respond by taking them to court. A pivotal moment came when our attorneys successfully sued the Department of Pesticide Regulation and required them to do a new regulation. While that was happening, we also were appealing to the [California] Office of Environmental Health Hazard Assessment (OEHHA) to establish a No Significant Risk Level (NSRL) on this particular chemical. We got that in 2022.

Having the state cancer experts give us a baseline of what is an acceptable exposure level helped us to push the Department of Pesticide Regulation not to move forward with their proposed regulation, which allowed air concentrations of this chemical to be fourteen times higher than what the OEHHA cancer experts deemed was safe. I think that we not only employed the law, but we also went to state policymakers, regulatory bodies, and experts to also consult with them and then have them also support this. At the same time, we were developing the on-the-ground presence so that we have the community organizing component going, and also pressing the Department of Pesticide Regulation at the state level to redo their draft regulation.

All this came together, and then, earlier in January of 2025, the Department of Pesticide Regulation was doing a hearing on their current draft regulation on this particular pesticide. Again, we're talking about 1,3-D. This is a carcinogen, and the third most used pesticide in the state. We had people fed up with the way that the Department of Pesticide Regulation has been slow-walking this, to the point that they decided collectively to do a die-in at the Salinas hearing, and thus disrupted the hearing itself.

People right now are really getting behind this powerful idea, that regulation should be grounded in science and also address environmental racism, that is very much happening because this pesticide is often used in communities that look like me, communities where oftentimes there aren't a lot of protections out in the fields, or there's a lack of enforcement of the laws on the books.

Chelsea: Michael, as one of the attorneys on the 1,3-D case: You have so much experience, whether it's a toxic tort case or regulatory cases. Could you share a little bit more about your work? As Angel really did an amazing job just outlining the pesticide reform movement, could you share more about your cases and the role of lawyers in this movement?

Michael: For those of you here who might have some interest in becoming an environmental lawyer, I was once in your shoes, wondering what I'm going to do for my life work. I chose this career because I had a passion to protect the environment and protect public health. I, after law school, came to live in this area. We have a very short amount of time, so I'm going to do this as quickly as possible. This should be a three-hour panel, but unfortunately, we don't have that time.

A local case, my first case doing air work, was against Pacific Steel Casting Company at Second and Gilman Street that used to, once upon a time, emit odors during their casting process that smelled like a burning pot handle into the air that went as far as the Berkeley Hills. That's several miles. It's a long distance. People complained. A group formed called Neighbors for Clean Air, and I represented them at dozens of hearings at the Bay Area Air Quality Management District. Those were administrative hearings. We were saying that they were a nuisance, but we won those cases.

Each time we won, there were three stages of that. They were ordered to put on more pollution control equipment. That was a victory that took something like ten years. In the end of the '80s, I was contacted to work on a nuisance case in Fresno. This was my first really big environmental justice case. I represented thirty-six people, Hispanic and African American, living near the chicken company Zacky Farms—we buy their foods, for those of you who do that—and a rendering company called Darling-Delaware. Rendering companies take dead animals and scraps from restaurants. They render it, and they make dog food from it. During these processes, there were extreme odors into the community. This is a poor community that was neglected by the City of Fresno. The Air Pollution Control District did not help these people. I was contacted. I represented a group of people led by an amazing woman. Her name is Precious Whittle.

After we filed our case, I would go out to Fresno, and I would stay at her home because I'm doing this on contingency. I was still a relatively new lawyer, and they would take depositions of each person for three days. Eventually, after five years, at the day of the trial, we settled the case, and then I took my clients out to the Red Lobster. I'm telling you this story because this is not easy work. It takes a long time to get results, but if you're passionate and you're determined, you will win if you have a good case. Part of being an environmental attorney as a plaintiff is to know what is a good case, and then once you decide to take that case, to throw everything you have into it.

I did a few other pesticide cases. I'll discuss those briefly, and then I want to talk about what Angel was referring to with the 1,3-D case. Crop dusters spray, and sometimes those pesticides go onto people. A woman was walking her dog at seven o'clock in the morning, she gets sprayed, she gets sick. I represented her in a personal injury case. She was suffering with headaches, stinging eyes, burning mouth, skin rashes, and all the typical impacts from pesticide exposure. Another case was a farmworker who was a seventeen-year-old boy in the Central Valley. He was sprayed also. I represented him successfully.

One other case, a pesticide application is taking place over here. The farmworkers at the next farm are only twenty, thirty, forty, or fifty meters away, and they don't know that there's a spray application going on. They get dosed, they get sick. About twelve Latina women, I represented them. I'm trying to give you an example of some of the different varieties of how these cases take place using different environmental laws. I do Proposition 65, and I did that in the air context arena for over twenty years, going after companies that were emitting toxic chemicals into the air, like perchloroethylene and lead.

I did the first case for Citizens for a Better Environment, later called Communities for a Better Environment, here in Contra Costa County, and we eliminated two carcinogens. It was the first air toxics Proposition 65 case in California. Proposition 65 is an amazing legal tool to combat toxic exposures in all different varieties, not only in the air context, but also in the foods we eat, the supplements we have taken, things of that nature. That is an extremely powerful legal tool that has propelled my legal career because we win, and if you work hard, you want to win, and you want to win to make changes in the way companies and corporations do their business.

Proposition 65 is basically a law that says you need to inform people being exposed to various toxic chemicals over certain risk levels. Lots of companies don't want to do that. We sue them so they can then eliminate the cause of the problem. They can put in air pollution control equipment, using what's the best available control technology. They can eliminate the chemical in the supplement that you're taking, that nature.

I also want to just piggyback on Angel's comments on the 1,3-D case. I was one of the major lawyers doing that case. We sued the Department of Pesticide Regulation. My client was Juana Vasquez. She was a farmworker, a brave woman who decided to become the plaintiff in that case. Because she was brave, we were able to have successful victories against the Department of Pesticide Regulation. Now, what did they do? There's something called an underground regulation. Think about what that might mean, even if you don't really know what it means.

They're doing something underground, in secret. Instead of having public hearings, they draft a regulation that increases the amount of 1,3-D, a carcinogen banned by the European Union, allowed in California because Dow AgroSciences is the most powerful corporation. They manufacture that chemical. They have tremendous power over the state. The underground regulation was ruled as such by the Alameda County Superior Court, and the court ordered the Department of Pesticide Regulation to engage in a real regulatory process with public hearings and comments. You do a draft regulation. It goes out to the public. You get an opportunity to comment on it, and you go through a process.

They were ordered to do that. They sort of did it, but they didn't do it, so they had to be sued again. We won round one. Round two, we won again because they didn't do a regulation as to what are called "occupational bystanders." Those are the farmworkers who are working in that area where the applications of pesticides are taking place. The court ordered. We did a writ of mandate, and that

was successful, too. Now that DPR is doing it correctly, sort of, we may have a round three, but we're running out of time.

Chelsea: You all did such a wonderful job taking us on a whirlwind tour on pesticide reform, so I think maybe we can just close with a little bit of looking forward. The work really is just beginning on pesticide reform. There are so many angles that we barely touched on—making that change happen over time, and systemic issues require a long time, like Michael said, and systemic ways to make that change to protect people's health from pesticide exposure in this case. I wanted to just maybe start with Caroline on something you're working on, something you're looking forward to as a key actor in the pesticide reform movement.

Caroline: I'm excited about all the community organizing that's happening and the awareness that's coming to pesticides. I think making sure that pesticides are a key part of all of our environmental policies moving forward, around climate change, around air quality improvements, and civil rights, I think it's really important.

Chelsea: Which we didn't have time to talk about, but that's another lecture. Angel, is there anything that you really look forward to that you're working on at Californians for Pesticide Reform to make this change come around even faster?

Angel: There are two things that we look forward to that bubble up in my head right now. One is the recent unfurling of the first-in-the-world, first-of-its-kind advanced pesticide notification system. You can do a quick Google search: Google "Spray Days." Granted, it only is for pesticides on the restricted materials list, so it isn't all pesticide applications, but it's a very important first step into addressing pesticide transparency.

The other important thing that we're also looking forward to is the implementation of an environmental justice advisory committee at the Department of Pesticide Regulation that is scheduled to launch later this fall. Those are two very important pieces in the pesticide reform world that I think are really important steps.

Chelsea: Thank you. We'll wrap up with Michael.

Michael: I would just piggyback and say that today, compared to several decades ago, the strength of the communities in this area are a lot more advanced. Several decades ago, it was more scattered, and putting the pressure on state agencies and bringing these kinds of lawsuits is making a difference. There are serious problems in the state with pesticides. I just read a study that Santa Cruz shows a 33 percent increased pediatric cancer rate above other counties in California. They do a lot of spraying in Santa Cruz County. Putting the pressure on in policy ways and legal cases is making a difference.