

Notes on the social crisis in America

Naomi Spencer
14 February 2012

Labor Department backtracks on child farm labor rules

After backlash from corporate and agricultural organizations over new child farm labor rules, the US Labor Department has announced it will re-draft its proposals. The rules would not have prohibited children to work on so-called family farms—a vague designation that has long been exploited by agribusiness—but would have barred children under 16 from operating heavy equipment on non-family land.

The Labor Department announced February 8 that it was expanding the “parental exemption” to include “situations in which the parent or person standing in the place of a parent is a part owner of the farm, a partner in a partnership or an officer of a corporation that owns the farm if the ownership interest in the partnership or corporation is substantial.”

Department of Agriculture Secretary Tom Vilsack praised the move: “I want to applaud Secretary (Hilda) Solis and the Department of Labor for their decision to re-propose this portion of the rule to ensure kids across the nation have the opportunity to learn the value and reward of good old-fashioned farm work, while still providing protection to children from the most dangerous aspects of farming.”

Farming, one of the most dangerous occupations, claims dozens of lives in accidents every year, including children. The fatality rate for child farm workers is four times higher than in other industries.

Nearly 2 million children work on US farms. As many as 22,000 are seriously injured each year, and nearly 100 die in farm-related accidents.

Alabama denies food stamps to children of immigrants

Children of undocumented immigrants, including US-born children, are being denied food stamps under Alabama’s anti-immigrant law.

Southern Poverty Law Center President Richard Cohen told *Yahoo News* on Monday that five people had contacted the group through its hotline to report the denials. The callers said they had been refused food stamps for their children because

they were not able to produce documentation that they were legal residents.

The Alabama law makes a felony any “business transaction” between a public employee, such a social worker, and an undocumented immigrant. Undocumented immigrants are already barred from receiving most government welfare benefits.

The anti-immigrant law has had a devastating impact on thousands of families, many of whom have pulled their children out of the public school system. Some have avoided taking jobs, and have even been afraid to put money down for utilities or housing out of fear they will be targeted for arrest and deportation. (See “Draconian anti-immigrant law stokes fear among Alabama’s undocumented population”)

Arkansas ruling upholds use of stun belt on defendant during hearing

The Arkansas Supreme Court on February 9 rejected an appeal that a man was given ineffective counsel and subjected to intimidation during his trial because he was made to wear a remotely controlled stun belt in the courtroom. Joe Anthony Simmons, 32, was sentenced to 60 years in prison with 30 years suspended sentence over drug offenses and failure to appear in circuit court in 2008.

During his trial, the *Arkansas News* reported, Simmons was required to wear a stun belt that could deliver a powerful electric shock at any time. Simmons argued that he had not been given adequate counsel from his court-appointed attorney, because at no point did the defense make an objection to the device. Simmons also said he was unable to communicate adequately with his attorney during the trial or move around because he was afraid of being shocked.

In rejecting the appeal, the state Supreme Court said there was no evidence that the jury could see the belt and therefore would not have been prejudiced by it. It also said that Simmons was not shocked with it during the trial. “We agree with the trial court’s conclusion that appellant failed to demonstrate prejudice to support the claim that counsel was ineffective for failing to object on the basis of the restraint,” the court wrote.

Inmate advocates question California's takeover of prison health care

District Judge Thelton Henderson has ordered the return of prison health care management to the state of California six years after a federal takeover. Prisoner advocates and some medical officials within the prison system have expressed concern over the transfer, saying that many of the problems that prompted the federal takeover persist in the state's 33 facilities.

State inspectors said that before the federal receivership in 2006, the prison health care system was overcrowded, dangerous, unsanitary, and unfit "for any human being, regardless of whether you're incarcerated." Clinic space was cramped, ceilings leaked, facilities lacked technology and basic supplies. Many of these problems remain.

Donald Spector, director of the Prison Law Office, the organization that sued the state in 2006 over conditions, told the *Los Angeles Times* that the state was likely to consider budget cuts in prisoner care. "Jerry Brown has cut almost every social service for free people in order to balance the budget," Spector noted. "So I'm concerned what he would do to the prison medical care budget without a court order." The Democratic administration has already suspended plans for new medical facilities, and frozen \$750 million for upgrades to existing clinics.

"I'd like to have hot water. I'd like to have clinic space that is actually clinic space and not a converted linen closet," J. Clark Kelso, the federal receiver, told the *Times*. "I'd like to see facilities that are designed to deliver health care. It's not an outrageous request, it seems to me."

Sam Johnson, a 14-year prisoner at San Quentin, told the *Times* that inmates were made to wait for months for basic checkups. One fellow prisoner who complained of chest pains was given an antacid and was found dead in his cell at the end of the day. "We didn't matter to them," Johnson said.

"They try to save money in everything they do to treat you," said inmate John James. After suffering a broken ankle, James said doctors delayed treatment for months and did not give him adequate painkillers. "They're kind of callous to inmate suffering and pain," he said.

Virginia to close most state institutions for the disabled

In a \$2.1 billion settlement with the US Justice Department, the state of Virginia late last month announced the closure of all but one of its large institutions for the developmentally

disabled. Thousands of people will be moved into personal homes or with relatives.

The shift was presented as part of an effort to emphasize community care over state management of the severely disabled. The Justice Department found in an investigation that Virginia had discriminated against its 5,000 institutionalized residents by keeping them isolated and rarely allowing them contact with people who are not disabled. Republican Governor Robert McDonnell has stressed that the change will cut health care costs over the long term.

Some advocates and families said they were angry because they had not been consulted on the settlement, and were worried about where they would live. Some individuals who have lived in institutions for their entire lives have disabilities requiring constant care and supervision, a responsibility many families are not equipped to meet.

The closures will affect thousands of employees, including 3,050 training center workers who will lose their jobs.

The federal government has arranged similar settlements with 20 other states. In 1991, Washington DC agreed to close down Forest Haven, a large and troubled institution. In the wake of that decision, local group homes were overwhelmed by the influx of hundreds of new residents and were found to be plagued by abuse and incompetence in care.

Kansas legislature votes to deny public radio funding

The Kansas House Appropriations Committee voted February 9 to reject \$800,000 in funds sought by the state's public broadcasting service. The vote leaves public radio and television stations statewide with only \$600,000 in state funding—down from \$2 million in the previous fiscal year.

"It doesn't say government radio, it says public radio and I think it's time for the government to get out of public radio," Mulvane Republican Rep. Pete DeGraaf declared. Eudora Republican Anthony Brown bragged that they had acted as "real fiscal conservatives."

The impact will be felt in programming for educational television, public news, and other services that benefit the poor and rural populations.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact