

Peter Olney's upbringing was caught between the upper-middle class New England community he was raised in and the more radical past of his family. His grandmother was the first national secretary of the Unitarian Universalist Association and proudly marched alongside Dr. Martin Luther King Jr. in Selma, Alabama. Growing up, he was an active member of the Unitarian Church's Liberal Religious Youth. As he recalled:

Of course, that was a group that had a lot of close ties and synergies with a lot of the activity of the church in the South, particularly around civil rights, so my summer camps were spent hearing from Freedom Riders coming back from the South. And that's really what started me on the road to thinking critically about the United States... (Olney, 2013)

As an undergraduate at Harvard, he was vehemently opposed to the Vietnam War and became radicalized while studying abroad in Italy. He soon dropped out of Harvard, became a skilled tradesman in Boston, and has spent the majority of his adult life organizing workers in California.

Manuela Ramos' story is decidedly different. Raised in various parts of Guatemala by her grandparents, she remembers having a complicated relationship to the United States. Her grandfather was a mechanic for a subsidiary of the American-owned United Fruit Company. She recalled the exotic aura of the American dollar and reading about the United States from Havana's *Bohemia*. She was in Guatemala City during the CIA-sponsored coup of Jacobo Arbenz in 1954. Like many Guatemalans, she was shocked by Arbenz's ouster and the dictatorial rise of Carlos Castillo Armas. She noted about Arbenz and the coup, "Civilians said 'Why didn't he give us weapons? We would have supported him to not let Castillo Armas enter'" (Ramos, 2011). She eventually immigrated to the United States where she worked as a janitor for decades. Now retired, she still periodically visits the union hall and is adamant about participating in as many local protests as possible.

The disparate lives of Peter Olney and Manuela Ramos are united by the Los Angeles' Justice for Janitors movement. Their narratives, and many others like them, have been recorded over the past four years by the University of California Los Angeles (UCLA) Center for Oral History Research (COHR) in a series titled "Donde Haiga un Trabajador Explotado, Ahí Estaré Yo: Justice for Janitors' Workers, Organizers, and Allies." Founded in 1985, Justice for Janitors is a national campaign created by the Service Employees International Union (SEIU) with the intent of organizing workers in the janitorial service industry. With an emphasis on grassroots organizing and community involvement, Justice for Janitors has won major victories throughout the United States. The largest successes came in Los Angeles with workers winning large concessions in 1990 and 2000. Since then, filmmakers, academics, and journalists have attempted to capture what has made

Justice for Janitors in Los Angeles successful. In particular, scholars have focused on their innovative organizing strategies and the “subjective social dynamite” of the Latino workers that make up the core of the movement (Olney, 2013).

Methods

The oral history series at UCLA seeks to record a comprehensive history of the Los Angeles chapter of the Justice for Janitors movement. Backed by the financial support of the Arcadia Fund, the series is in line with COHR’s dedication to capturing Los Angeles history from a unique perspective. This series is one of several in COHR’s archive that pays particular attention to the role of Latinos in shaping the history of Southern California. Since the series was founded in 2011, I have served as the series leader and interviewer for the project. I have interviewed organizers, community members, and politicians in an effort to track the movement from its infancy in the 1980s to the present day. I was initially trained by Teresa Barnett and Virginia Espino, COHR’s director and program coordinator for Latina and Latino History. Following my training, COHR worked with SEIU-USWW to create an initial list of potential interviewees. Since then, additional interview subjects have been identified through research and suggestions provided by interview subjects. The number of sessions with interviewees varies. Typically, two sessions are conducted with each interviewee but as many as nine sessions have been recorded with an individual participant. The fluctuations are often due to limited time on the part of interviewees or geographical limitations. As an example, Peter Olney lives in San Francisco and our session was recorded during a brief trip to Los Angeles. The series follows a life history format. This means that sessions begin by talking about the interview subject’s upbringing and follows the broad trajectory of their lives. While all participants share a history in Justice for Janitors, this format allows them to contextualize their own experience. Indeed, one of the rich aspects of the series has been the ability to chart the incredible range of backgrounds that converged in this one particular movement.

This particular article will focus on the two biggest obstacles that have stemmed from the series: the recording of sensitive materials pertaining to the Central American civil wars and the legal framework regarding the interviewing of undocumented workers. Because the series follows a life history format, many major themes are covered in the interviews besides Justice for Janitors. In particular, the core of the series features rank-and-file members who are largely Central American. As a result, the Central American conflicts of the 1970s and 1980s, particularly in El Salvador and Guatemala, have been a focal point of many interview sessions. These wars were among the most violent of the twentieth century and interviewees have shared memories of loss and turmoil that have provided some of the series’ most powerful moments. While rich in nature, the

content can be particularly traumatic for interviewees and we have undertaken specific measures to lessen the burden involved in recounting these experiences. One of the other challenges posed by the project has been the process of creating a set of policies that would allow us to interview undocumented workers. We sought out help from the Institutional Review Board (IRB) and even looked into additional legal protections provided by the National Institutes of Health. In the process, we had to learn about the legal strictures surrounding these interviews and the uncertainty surrounding claims of confidentiality. An individual researcher may have been able to tackle these issues more nimbly. However, approaching this process as an institution, with its many procedures and policies, presented many problems. Combined, the issues of trauma and undocumented status are deeply tied to a common experience of violence; the military violence in Central America that spurred the migration of many series participants and the institutional violence in the United States that consigns many of their co-workers and family members to anonymity. As the series has progressed, we have attempted to mitigate these risks for participants while allowing them a platform to take control of their narratives.

Trauma and the Central American Civil Wars

Reflecting on his oral history series on World War I veterans, Alistair Thomson (2006) has written about the emotional burden that interviewers levy on interviewees that have experienced periods of profound trauma. As he noted, “Unlike the therapist, as an oral historian I would not be around to help put together the pieces of memories which were no longer safe” (Thomson, 2006, p. 246). Any oral historian that follows a life history format is bound to uncover moments of pain, loss, and regret. However, interview subjects that have been victims of war, abuse, and other extreme circumstances present some of the more troubling cases for oral historians. The emotional weight of these experiences often lingers for years or decades. The testimonies of Holocaust survivors (LaCapra, 2011) and Apartheid victims (Field, 2006) have demonstrated that oral testimonies are often complex combinations of trauma, memory, and contested history. In recent years, academics have used oral history to catalog September 11th (Cvetkovich, 2003), the Rwandan Genocide and the Bosnian War (Jessee, 2011), and Hurricane Katrina (Sloan, 2008). Each of these studies has shown the inevitable role of trauma in oral history sessions that cover topics of profound violence. Erin Jessee’s (2011) oral history study of mass atrocities underscores the inherent risks of these interviews. Aside from the emotional toil, many studies must also consider the political volatility of countries. As she noted on her reflections on the project, “...I remained reluctant to publish, not because I feared personal reproach from the Rwandan and Bosnian governments (though it is perhaps inevitable under the circumstances), but

because I worried about the repercussions of my findings for my participants” (Jessee, 2011, p. 288).

For our series, the Central American civil wars became an unavoidable topic. From the period of 1980 to 1991, over a million Central Americans migrated to the United States in response to the various civil conflicts in the region (Guzder, 2011). For our purposes, victims of the El Salvador and Guatemalan civil wars were particularly prominent. For many rank-and-file members of Justice for Janitors, it is the event that spurred their migration to the United States and serves as a central narrative in their life history. The torture and murder of friends, family, and other community members have left an indelible mark on their lives. A look into these interviews, and others like it, show how interviewers can lessen the emotional hardship of these sessions.

It is first important to highlight the similarities and differences between the oral history accounts in the Justice for Janitors series and the well-worn tradition of the Central American *testimonio*. An oral history, as Valerie Raleigh Yow (2014) recently defined it, “is the recording of personal testimony delivered in oral form with purposes beyond the recording itself” (p. 4). She also notes that oral history implies “that there is someone else involved who frames the topics and inspires the narrator to begin the act of remembering, jogs memory, and records and presents the narrator’s words” (Yow, 2014, p. 4). The *testimonio* is a performative personal narration that is driven more by the historical actor. As John Beverley (2004) has argued, the *testimonio* is propelled by “an urgency to communicate, a problem of repression, poverty, subalternity, imprisonment, struggle for survival, implicated in the act of narration itself” (p. 32). In the 1980s, Central American refugees effectively used *testimonio* to communicate the horrors of the Central American civil wars. They traveled to American churches, union halls, and other sympathetic spaces to retell their story of survival. These refugees were frequently backed by the Sanctuary Movement—a coalition of United States churches from dozens of denominations that wanted to draw attention to the human rights violations taking place in Central America. As William Westerman (2006) recalled in an article on this phenomenon, “Rather than existing in isolation, these testimonies were each part of that larger mural of the recent history of Central America” (p. 498).

Similarly, our series overlaps with *testimonio* in its ability to capture traumatic moments, show a panoply of experiences, and restore historical actors who have been victimized to a position of power. It is different from *testimonio* and firmly in line with oral history in that these experiences are being sought out by an institution (COHR, in this case) and the narratives are ultimately shaped and guided by my questions. Another key difference involves separation of time. The aforementioned Central American *testimonios* of the 1980s were conducted while these conflicts were still ongoing. They were political acts, firmly grounded in a historical moment. Our recordings of the Central American civil wars were

captured decades after the fact with interviewees who were not necessarily accustomed to recounting these narratives. Some interviewees were able to recount the events with some degree of detachment. For others, the interviews marked one of the only times they have ever shared this information. Dealing with the trauma that was borne out of these narratives became a key consideration in our series.

My initial experience with trauma and the Central American civil wars came from my first recorded session with Rosa Beltran. Beltran is a native of El Salvador who was raised in Santa Ana. Although she was never directly involved in the conflict, the war was particularly distressful for her family. After I asked her about her initial memories of the war, she became immediately emotional. She recalled:

And they are things that one truly never forgets but saves... We spent a lot of time like that, us, seeing how friends—that this person was found dead here, that this other person was taken tonight, that they are looking for this person, that this or that person was on the lists. (Beltran, 2011)

She then recalled a wave of horrific stories. In between bouts of composure and sadness, she finally recalled her most personal memory of the conflict. She remembered how her brother, Nelson, who she was profoundly attached to, failed to come back home one night. Two mornings later, a neighbor alerted Rosa that a man that looked to be her brother was dead in the street. In haste, Rosa ran out and surveyed the scene:

It can't be my brother! And I ran to see him. And how my nerves went...how his head was shattered, I opened his mouth because, my mother, when he was fifteen years old, she gave him two crowns and the deceased had two crowns. And he was dressed like my brother...How am I going to tell my mom, how am I going to tell my mom, how am I going to tell her, my God! (Beltran, 2011)

In a frenzy, Rosa informed her mother. The mother refused to believe it was Nelson, went into a taxi, and traveled throughout town looking for her son. Nelson was found in his girlfriend's home—they had been there for two days and had simply not left her house. The man in the street was a close friend of Nelson's. The family now believes that the man was mistakenly killed, and that Nelson was the target all along. Nelson's revolutionary sympathies would have made him a prime candidate for such a fate. With this in mind, Rosa's mother soon made a plan and shipped him to Costa Rica to safety. In telling this story, the interview became notably tense. She was not recalling this memory, she was reliving it. Dominick LaCapra (2001) has written about a similar phenomenon in the narratives of Holocaust survivors. He noted that "Whether or not the past is reenacted or repeated in its precise literality, one feels as if one were back there reliving the event, and distance between here and there, then and now, collapses" (p. 89). Since Rosa was struggling

to speak, it was at this point that I turned off the recorder. She composed herself, we talked for a bit, and she then assured me that she wanted to continue the session. Moments later, we continued and began talking about her journey to the United States.

In moments like these, what are our obligations to an interviewee? In our protocols we have created steps before and after interviews to mitigate the emotional disturbances that remembering these events can spark. The first step is the pre-interview. The pre-interview is an informal, unrecorded session between myself and the interviewee. Aside from learning the basic contours of a person's life, this is also a crucial moment to explore sensitive topics and assure the interview subject that they can tell me ahead of time any subject that they feel uncomfortable talking about. In two particular cases, interviewees outlined specific parts of their lives that they did not feel comfortable recording. During their recorded sessions, unprompted, they both offered those particular stories. When I asked them about it afterward, they both noted that they thought about it and decided that they wanted it to be on the record. This is a prime example of how the pre-interview process allows the interviewee to express control over sensitive aspects of the interviews. On a related note, as Wendi Rickard (1998) noted in her study of a vulnerable population, "This is a poignant reminder to me to review the way we provide information about access restrictions and the need to repeat it" (p. 39). Aside from whether or not they feel comfortable talking about these events, there are related questions about access. They might feel comfortable talking about it but be uncomfortable having the material publicly released during their lifetime. These are all issues that can be discussed and potentially resolved in the early stages of an interview relationship.

After the recorded sessions, it is important to maintain contact with interview subjects. The first major interaction occurs when the interview is transcribed. Even though subjects have typically signed their release forms by this point, the interviewee still has the right to remove any portion of the interview that they feel uncomfortable about. These requests are honored without argument. This also allows for the interview subject to discuss the interview and provide a sense of how they feel about seeing their lives on paper. Similarly, it is important to maintain contact for ensuring that the interviewee feels fine about having shared this information. Because this is a community study, and I often find myself at the SEIU-USWW's union hall, this allows for the opportunity to catch up with interviewees and establish the idea that the interview is part of a series that denotes a long-term relationship between the UCLA Center for Oral History and the participants of the series. This breeds trust and as one historian has noted, "Deeper levels of trust are not necessary for all projects but it is crucial when interviewing people who have endured considerable suffering" (Field, 2006, p. 36).

Preliminary studies on interviewees that recount traumatic events have generally noted that they have found their interviews to be helpful. This research is still relatively new but shows some promise. Two of the better examples of such studies come from Alison Parr (2007) and Wendy Rickard (1998). Both oral historians conducted a set of interviews with vulnerable populations—World War I veterans suffering from post-traumatic stress disorder in the case of the former and HIV patients in the case of the latter. In both cases, they approached their interview subjects years after their sessions and asked them to reflect on their experience. Some subjects were acutely aware of the emotional burden placed on them. In Rickard's case, one interviewee mentioned that "I think it's a lot more dangerous than therapy" (Rickard, 1998, p. 41). For this particular person, the creation of an artifact, an actual recording, complicated the process. In a therapist's office, you are discussing the material actively with a trained professional. The existence of a recording that subjects are later privy to allows for the possibility of "listening to myself uncovering quite distressing material..." (Rickard, 1998, p. 42). Unsurprisingly, interviewees in these studies had very different responses to receiving the recorded material. Some listened to the tapes immediately, others plan to listen to them but feel the right time has not come, while others have sworn off ever listening to them. With that said, both studies provided a sense of empowerment from participating in the process. Years after the study, Parr (2007) noted that "Overall, the interviewees reported positive longer term outcomes from taking part in the project with a sense of relief and release common to each man" (p. 69). The veterans also reported that seeing their lives historicized helped greatly because it put their experience into a broader context of shared experience. Similarly, one of Rickard's (1998) subjects noted:

It [the oral history interview] makes me proud sometimes in a way...It's like a small contribution we've done. It takes courage...I sort of always, and that's not to a psychiatrist or to a psychologist, I always felt the need, and I realized when I finished the tapes, not before, that I needed to shout something... (p. 42)

Participants in the Justice for Janitors series echo many of the same sentiments of empowerment. As Westerman (2006) has noted on the *testimonio*, "Testimony is about people rising from a condition of being victims, objects of history, and taking charge of their history, becoming subjects, actors in it" (p. 501). In this respect, the narratives of the Justice for Janitors movement mirror testimonies in their ability to communicate a story that moves from conflict to personal triumph. When interviewees reflect on their experience of escaping the civil war, migrating to the United States, and taking part in one of the most vibrant labor movements in the United States, they are incredibly proud of their journey. When reflecting on the entire experience, not just the Central American narrative, many participants note that they feel proud adding to the historical record. Three

years ago, I took part in a history day at the SEIU-USWW where UCLA undergraduates enrolled in Dr. Gaspar Rivera-Salgado's Applied Research course came to record brief oral history interviews with union members. The event was a huge success and gave undergraduates invaluable experience in oral history technique and methodology. The workers were especially happy to see so many students there to record their stories. As a student participant, Caroline Luce noted, "It's amazing to see how surprised the workers are that somebody wants to hear their story... They're just awakening to how accomplished and admirable they are" (Strutner, 2011, p. 16).

As the series nears its completion in 2015, we have attempted to balance the rigors of historical knowledge with the well-being of our participants. Their experiences and history in Central America are vitally important for the historic record. They are detailed documents that not only speak to the Central American civil wars, but also to the diasporic experience of Central Americans and the experiences of Latinos in the United States. These accounts are deeply tied to contemporary debates over immigration reform and the recent spate of child migration from Central America.

Oral History and Undocumented Workers

Undocumented workers have been a constant fixture of the Justice for Janitors movement in Los Angeles. From the outset, many of the original Latino janitors in the SEIU were undocumented workers from Mexico and Central America. It was for this reason that early organizing presented various difficulties. Many workers were concerned about their involvement in the labor movement and the potential repercussions for their activity. For immigrants fleeing war-torn Central America, a return to their native countries presented particular danger. For older rank-and-file members, they received legalized status as a result of the Immigration Reform and Control Act (IRCA) of 1986. In the present day, the issue of undocumented immigrants is still a critical one in the SEIU-USWW. The fight for immigration reform is inextricably tied to the union's mission and is seen as an essential part of Justice for Janitors. Although our interviews are focused on long-time members that are documented, we were interested in the possibility of interviewing undocumented workers as well. Our attempt to provide a legal safeguard for these interviews presented various obstacles.

For oral historians looking to document sensitive material, one recent project serves as a cautionary tale: the Belfast Project. In 2001, Anthony McIntyre began an oral history project on the history of separatism in Northern Ireland. As a former member of the Irish Republican Army (IRA) who served time in prison over activities related to the organization, McIntyre was deeply tied to many former members of the IRA and its political offshoot, Sinn Fein. The project was

undertaken in secret in accordance with Boston College with the understanding that each interview would be protected, each person's identity kept encrypted, and that interviews would be sealed until the interviewee's death. The project concluded in 2006 with over 20 interviewees participating. Brendan Hughes, a Belfast Project participant and former member of the IRA, passed away in 2008. Ed Moloney, the project director of the interview series, then used the Hughes sessions for his book (2010) titled *Voices from the Grave*. Hughes' interviews included a detailed account of his involvement in the kidnap and murder of Jean McConville. This session also implicated Dolours Price (another series participant) and Gerry Adams. The fallout has been the topic of endless debate. In light of these revelations, Northern Ireland officials, working in concert with the United States Justice Department, subpoenaed the oral history series for information that could lead to the arrest of Jean McConville's murderers (McMurtrie, 2014). The legal battles are still ongoing but many sessions have been released to the Northern Irish government—the agreements that protected their release were irrelevant in the face of a subpoena. It is now clear that Boston College's series was not fully vetted on legal or ethical grounds. As a recent report from the Boston Globe noted, "in many ways, the Belfast Project was mismanaged from the start, critics say, a victim of careless legal vetting and lax oversight, and was kept secret for years from the BC historians who should have supervised it" (Schworm, 2014, p. 2).

The Belfast Project represents an extreme case, but following the scandal, oral historians have been left to wonder what legal safeguards and claims to privacy an institution can guarantee its oral history participants. For our series, we began to contemplate the idea of seeking out undocumented workers as part of the series to provide another layer of depth to the study. It was then that Teresa Barnett, the director of the UCLA Center for Oral History, and I began a lengthy process discussing protocols and best practices to deal with this possibility in future interviews. The first step was re-evaluating our Institutional Review Board (IRB) process. Like IRB's at other universities, the UCLA IRB is dedicated to making sure that studies undertaken by UCLA staff or students are tied to a review of said project's ethics and aims. One of the major flaws of the Boston College study was that it ignored this process altogether. As one report noted, "Boston College now requires IRB review if oral-history archives are to be made public, but the Belfast Project began before those protocols were in place" (McMurtrie, 2014, p. 46). Like any other series at the UCLA Center for Oral History, the series on the Justice for Janitors movement was vetted by the university's IRB under an expedited review that denotes a study with minimal risk. After deciding that we might seek out undocumented workers, we decided to re-submit our IRB proposal for a full board review. This is a more stringent process that includes a full review from the IRB board and additional documentation about the interview process and methods for informing interviewees about their rights. The IRB soon responded by informing

us that our study did not require any additional procedures and that the study did not require a full board review. Even so, the IRB process does more to protect the institution than actual participants.

Protections beyond the IRB are not entirely secure either. John A. Neuenschwander (2009) has written extensively about oral history and legal requirements. On a recent article on Oxford University Press's blog, Neuenschwander (2011) addressed the issue of interviewing undocumented workers. This was in response to a recent listserv where several oral history practitioners weighed in on best practices. The suggestions ranged from using pseudonyms to removing all identifiable information. Neuenschwander posited that none of these methods on their own are sufficient. He argued that "the ability of a program or archive to bar access to interviews and/or identifying information based solely on a release agreement promising anonymity is highly doubtful" (Neuenschwander, 2011, p. 2). Neuenschwander strongly urges practitioners to go through the IRB process and then apply for a Certificate of Confidentiality from the National Institute of Health. This particular license "establishes a legal shield that precludes the disclosure of any identifying information '...in any civil, criminal, legislative, or other proceeding whether at the federal, state, or local level'" (Neuenschwander, 2011, p. 2). However, even this license is not foolproof. As a recent study argued:

Researchers working with vulnerable populations remain in uncharted territory, however. It is still unclear whether undocumented immigrants are fully protected under the COC. When the first two authors of the chapter e-mailed an NIH COC officer asking if undocumented immigrants were protected under the certificate, the officer referred the researchers to their university's IRB. And in our experience, many IRBs are not fully knowledgeable of these issues. (Hernández et al., 2013, p. 55)

Our experience with the issue of undocumented workers highlights the incredible responsibility undertaken by academic institutions that sponsor oral history programs on this topic. As the study of undocumented people becomes more commonplace among academics and non-academic writers (Orner, 2008), it is imperative that interviewers do all they can to ensure the safety and legal protection of their participants. In general, large institutions are ill equipped to deal with the study of undocumented people. Institutions are likely to protect themselves first and are also saddled by bureaucratic obstacles. Individual researchers or independent research teams have greater flexibility. Peter Orner's (2008) recent collection of interviews with undocumented workers is a good example. He notes about his team's process:

In almost all the cases, the names of the narrators and their families have been changed to protect their identities. In some of the more sensitive cases, we also changed locales and company names. However, the stories themselves remain faithful to the speakers' words, and have been carefully verified to the best of our abilities. (Orner, 2008, p. 15)

This exemplifies the difference between a large institution and an individual researcher undertaking a project on undocumented workers. Orner was able to survey this particular group of workers, consider each individual interviewee, and formulate a policy that he felt balanced historical accuracy with interviewee protection. For institutions, this is much more difficult. Saddled by extensive policies, all projects generally follow a uniform procedure. Documentation in particular is much more extensive—phone numbers, addresses, invitation letters, transcripts, and a host of other documentation is stored in the institution. As a result, devising a separate set of policies for sensitive projects can be very difficult. In our case, the process and uncertainties have become such a labyrinth that we have concluded that we cannot actively seek out undocumented interviewees in good conscience.

Conclusion

The two obstacles discussed in this article present both old and new problems for oral historians. The modern use of oral histories dating back to the 1940s has frequently delved into sensitive and controversial subjects. In many respects, these themes represent oral history at its best. Our cataloguing of the Central American civil wars, and recent work that has done the same (Fink & Dunn, 2003), is part of an old tradition of using oral history to capture the intersection between tragedy and memory. These interviews represent the ongoing discussion of recording sensitive material while placing the well-being of the interview subject as our primary responsibility. In our series, the pre-interview coupled with long-term contact have been the best way to deal with potential trauma. The pre-interview is critical on two fronts: it breeds familiarity and trust between the interviewer and interviewee and also allows for the ability to set boundaries regarding the discussion of sensitive material. After the sessions have been recorded, it is also important to maintain communication with the interview subject. For us, this is most important when the interviewee receives the transcribed interview. This is an ideal time to get a sense of how an interviewee feels about their sessions and also allows for one more possibility to edit the interview if anything about it makes them uncomfortable.

Done properly, these types of oral histories capture unique perspectives on tragedy while also allowing for the possibility of empowering interviewees.

Collectively, our narratives on the Central American civil wars show incredible resilience and strength on the part of our interviewees. As Sean Field (2006) has argued, “Through recording and disseminating oral histories we can help people to identify the social interconnectedness of past experiences and current memories. These moments of social identification create possibilities where marginalized people might regenerate themselves as historical actors” (p. 40). By stressing communication throughout the oral history process, an interviewer can strike the best balance between compassion and historical rigor.

The issue of interviewing undocumented people represents a series of new challenges. Issues of privacy and confidentiality have long existed in oral history. However, the volatility of immigration policy coupled with weak confidentiality protections leaves it unclear to oral historians what policies represent best practices. Our case is instructive for showing how institutional IRB’s vary considerably. While our study did not even make it to the point of receiving a full board review, other IRB’s have required scholars to undertake various precautions. A recent study on immigrant communities noted that their IRB labeled the project as having greater than minimal risk and outlined a series of necessary steps for the project:

Researchers were required to purchase digital voice recorders with file encryption, encrypted thumb drives for data transfer and short-term storage, and a safe to store thumb drives. Additionally, researchers were required to change the password to encrypted digital recorders every 2 months, download a deencrypted file to a nonnetworked computer, and place the file onto a thumb drive that would be kept in a safe. For any audio and Word file transfers between the partnering institutions all deidentified data were required to be transferred via WinZip software including the precaution of a 12-digit password. (Hernández, et al., 2013, p. 56)

These practices are sound but additional pressure needs to be levied on certifying institutions (IRB, NIH, etc.) to guarantee or clarify the legal protections that can be offered to interview subjects. Until then, data encryption and other storage practices are still sitting atop shifting ground.

Our failure to include undocumented workers is an obvious gap in the series. Janitorial work, as many Justice for Janitors veterans will point out, is a form of labor that in many ways defines the Latino experience in the United States. It is essential but thankless work. One of the major triumphs of Justice for Janitors was in humanizing these workers and giving a face and voice to people that were previously viewed as powerless. Jono Shaffer, a key organizer during the early period of Justice for Janitors in Los Angeles, argued that:

Janitors are invisible workers...Most people never think about them. They never think about the fact that every night, every square foot of carpet in those luxury

office buildings has a vacuum cleaner pushed over it. We're trying to change that, to get people to pay attention to what's going on. (Dillow, 1993, p. 3)

The immigrant workers chronicled in our series, documented and undocumented, organized effectively, confronted some of the largest building owners in Los Angeles, and won. Our inability to include the experiences of undocumented workers in our series leaves this story incomplete; they become absent from the historical record in the same way that they are absent from fully participating in the American experience. In order for oral history institutions to include their perspectives and valuable narratives, more must be done to ensure their protection.

References

- Beltran, R. (2011, June 27). Interview by Author [Tape recording]. Donde haiga un trabajador explotado, ahí estaré yo: Justice for janitors' workers, organizers, and allies, UCLA Center for Oral History Research. Los Angeles, CA.
- Beverley, J. (2004). *Testimonio: On the politics of truth*. Minneapolis, MN: University of Minnesota Press.
- Cvetkovich, A. (2003). Trauma ongoing. In J. Greenberg (Ed.), *Trauma at home: After 9/11* (pp. 60-66). Lincoln, NE: University of Nebraska Press.
- Dillow, G. (1993, July 16). War of wages: Low-paid janitors, fighting status as 'invisible workers,' target El Segundo job sites. *Los Angeles Times*. Retrieved from http://articles.latimes.com/1993-07-16/local/me-13892_1_el-segundo
- Field, S. (2006). Beyond 'healing': Trauma, oral history and regeneration. *Oral History*, 34(1), 31-42.
- Fink, L., & Dunn, A. E. (2003). *The Maya of Morganton: Work and community in the nuevo new south*. Chapel Hill, NC: University of North Carolina Press.
- Guzder, D. (2011). *Divine rebels: American Christian activists for social justice*. Chicago, IL: Lawrence Hill Books.
- Hernandez, M. G., Nguyen, J., Casanova, S., Suarez-Orozco, C. & Saetermoe, C. L., (2013). Doing no harm and getting it right: Guidelines for ethical research with immigrant communities. *New Directions for Child and Adolescent Development*, 141, 43-60.
- Jessee, E. (2011). The limits of oral history: Ethics and methodology amid highly politicized research settings. *The Oral History Review*, 38(2), 287-307.
- LaCapra, D. (2001). Holocaust testimonies: Attending to the victim's voice. In D. LaCapra, *Writing history, writing trauma*, (pp. 86-113). Baltimore, MD: Johns Hopkins University Press.

- McMurtrie, B. (2014, January 26). Secrets from Belfast. *The Chronicle of Higher Education*. Retrieved from <http://chronicle.com/article/Secrets-from-Belfast/144059/>
- Moloney, E. (2010). *Voices from the grave: Two men's war in Ireland*. New York City, NY: Public Affairs.
- Neuenschwander, J.A. (2009). *A guide to oral history and the law*. New York City, NY: Oxford University Press.
- Neuenschwander, J.A. (2011, April 12). Conducting interviews with undocumented workers? *Oxford University Press Blog*. Retrieved from <http://blog.oup.com/2011/04/undocumented-workers/>
- Olney, P. (2013, December 26). Interview by Author [Tape recording]. Donde haiga un trabajador explotado, ahí estaré yo: Justice for janitors' workers, organizers, and allies, UCLA Center for Oral History Research. Los Angeles, CA.
- Orner, P. (Ed.). (2008). *Underground America: Narratives of undocumented lives*. San Francisco, CA: McSweeney's Books.
- Parr, A. (2007). Breaking the silence: Traumatized war veterans and oral history. *Oral History*, 35(1), 61-70.
- Ramos, M. (2011, July 29). Interview by Author [Tape recording]. Donde haiga un trabajador explotado, ahí estaré yo: Justice for janitors' workers, organizers, and allies, UCLA Center for Oral History Research. Los Angeles, CA.
- Rickard, W. (1998). More dangerous than therapy? Interviewees' reflections on recording traumatic or taboo issues. *Oral History*, 26(2), 34-48.
- Schworm, P. (2014, May 18). BC reflects on missteps in Northern Ireland project. *The Boston Globe*. Retrieved from <http://www.bostonglobe.com/metro/2014/05/17/controversial-project-stumbles-end-reflects-where-things-went-wrong/Pp7b9cT3CDZ0Ltb3uuUPPI/story.html>
- Sloan, S. (2008). Oral history and Hurricane Katrina: Reflections on shouts and silences. *The Oral History Review*, 35(2), 176-186.
- Strutner, S. (2011, May 20). Project preserves union history. *Daily Bruin*. Retrieved from http://dailybruin.com/2011/05/20/project_preserves_union_history/
- Thomson, A. (2006). Anzac memories: Putting popular memory theory into practice in Australia. In R. Perks & A. Thomson (Eds.), *The oral history reader* (pp. 244-254). New York City, NY: Routledge.

- Westerman, W. (2006). Central American refugee testimonies and performed life histories in the sanctuary movement. In R. Perks & A. Thomson (Eds.), *The oral history reader* (pp. 495-505). New York City, NY: Routledge.
- Yow, V. (2015). *Recording oral history: A guide for the humanities and social sciences*. Lanham, MD: Rowman & Littlefield.