Impact of Cultural Diversity on Law Enforcement

Chapter 1 Multicultural Communities: Challenges for Law Enforcement
Chapter 2 The Changing Law Enforcement Agency: A Microcosm of Society
Chapter 3 Multicultural Representation in Law Enforcement: Recruitment, Retention, and Promotion
Chapter 4 Cross-Cultural Communication for Law Enforcement

Part One of Multicultural Law Enforcement introduces readers to the implications of a multicultural society for law enforcement, both within and outside the police agency. Chapter 1 discusses aspects of the changing population and presents views on diversity. The case studies in Chapter 1 exemplify how the presence of different cultures can affect the very nature and perception of crime itself. We present the subject of prejudice and its effect on police work, providing specific examples of its consequences in law enforcement. The chapter ends with suggestions for improving law enforcement in multicultural communities.

Chapter 2 discusses demographic changes taking place within law enforcement agencies, as well as reactions to diversity in the law enforcement workplace and responses to it. In addition to data on ethnic and racial groups, this chapter provides information on women and on gay men and lesbians in law enforcement across the country. We include a discussion of how law enforcement agencies and the community must be proactive about the elimination of
discrimination and racism. In addition, we illustrate the realities of the new workforce and the corresponding need for flexibility in leadership styles.

Chapter 3 discusses challenges in the recruitment, retention, and promotion of police personnel from multiple perspectives, including those associated with race, ethnicity, and sexual orientation. We emphasize that the pool of qualified applicants for law enforcement jobs has significantly reduced not only because of the economy, but also because of societal changes and trends. We present strategies for recruitment, emphasizing the commitment required by law enforcement chief executives and the need to look inward—that is, to assess the level of comfort and inclusion that all employees experience in a given agency. If the levels are not high, hiring, retention, and promotion will be difficult. Chapter 3 describes the pressing need facing all agencies to build a workforce of highly qualified individuals of diverse backgrounds and in which all people have equal access to the hiring, retention, and promotion processes. It also presents a creative model for recruitment using community policing.

Chapter 4 provides practical information highlighting the dynamics of cross-cultural communication in law enforcement. The chapter includes a discussion of the specific problems involved when officers communicate with speakers of other languages. We present typical styles of communication that people may display when they are uncomfortable with cross-cultural contact. The chapter includes a section on the need for communication sensitivity post-9/11. In addition, it covers differences in nonverbal communication across cultures and addresses some of the communication issues that arise between men and women in law enforcement agencies. Finally, we present skills and techniques for officers to apply in situations of cross-cultural contact.

Each chapter ends with discussion questions and a list of references, including websites. The following appendices correspond to the chapter content in Part One:

A. Multicultural Community and Workforce: Attitude Assessment
B. Cultural Diversity Survey: Needs Assessment
C. Listing of Consultants and Resources
D. Self-Assessment of Communication Skills in Law Enforcement: Communications Inventory
LEARNING OBJECTIVES

After reading this chapter you should be able to:

- Discuss the impact of diversity on law enforcement.
- Understand the references “melting pot” and “mosaic” society and provide a historical overview of the context in which these terms have evolved.
- Summarize key demographic trends in the United States related to the growth of minority populations.
- Provide an overview of key issues associated with immigration directly affecting law enforcement.
- Define “culture” and “ethnocentrism” and discuss the contexts in which they are relevant to law enforcement.
- List the primary and secondary dimensions of diversity.
- Apply the concepts of prejudice and stereotyping to everyday police work.

OUTLINE

- Introduction
- The Interface of Diversity and Law Enforcement
- Culture and Its Relevance to Law Enforcement
- Dimensions of Diversity
- Prejudice in Law Enforcement
- Summary
- Discussion Questions and Issues
- Website Resources
INTRODUCTION

The 21st century will be the century in which we redefine ourselves as the first country in world history that is literally made up of every part of the world.

—Kenneth Prewitt, Former Director of the U.S. Census Bureau, 2001

I am the son of a black man from Kenya and a white woman from Kansas . . . I am married to a black American who carries within her the blood of slaves and slaveowners . . . I have brothers, sisters, nieces, nephews, uncles and cousins, of every race and every hue, scattered across three continents, and for as long as I live, I will never forget that in no other country on earth is my story even possible.

—Barak Obama, from “A More Perfect Union” March 18, 2008

Multiculturalism and diversity are at the very heart of America and describe accurately the demographics of our nation. The word multiculturalism does not refer to a movement or political force, nor is it an anti-American term. The United States is an amalgam of races, cultures, and ethnic groups, evolving from successive waves of immigration. President Obama’s family is, in part, a microcosm of the larger society. His extended family members are “black and white and Asian, Christian, Muslim and Jewish. They speak English; Indonesian; French; Cantonese; German; Hebrew; African languages . . .” (“Nation’s Many Faces in Extended First Family,” 2009). The United States, compared to virtually all other nations, has experienced unparalleled growth in its multicultural population. Reactions to these changes range from appreciation and even celebration of diversity to an absolute intolerance of differences. In its extreme form, intolerance resulting in crimes of hate is a major law enforcement and criminal justice concern. While the country as a whole celebrated the historical significance of the nation’s first African American president, law enforcement was acutely aware of the other side of this celebration. President Obama received more threats following his election than did any other president in history; in addition, law enforcement saw an increase in hate graffiti, beatings, and threats toward other African American citizens in this same period (“The Year in Hate,” 2009).

THE INTERFACE OF DIVERSITY AND LAW ENFORCEMENT

Those whose professional ideal is to protect and serve people equally from all backgrounds must face the challenges and complexities of a diverse society. A lack of communication effectiveness, coupled with little understanding of individuals’ backgrounds, can result in inadvertent violation of individuals’ rights as well as officer safety and risk issues. Officers, even more than others, must ensure that their prejudices remain in check and that they refrain from acting on any biased thought.

In an interview Ondra Berry, Retired Assistant Police Chief, Reno, Nevada, states:

Law enforcement is under a powerful microscope in terms of how citizens are treated. Minority and ethnic communities have become increasingly competent in understanding the role of law enforcement, and expectations of law enforcement for professionalism have been elevated from previous years. In an age when information about what happens in a police department on the East Coast speeds across to the West Coast in seconds, law enforcement officials must be aware. They must be vigilant. They must do the right thing. (Berry, 2009)
Although our nation has been enriched by diversity, many police procedures and interactions with citizens can be more complex because of diversity. Racial tensions and communication challenges with immigrants, for example, are bound to complicate some police encounters. It would be naive to preach to law enforcement officers, agents, and managers about the value of diversity when day-to-day activities can be complicated by diversity. At a minimum, a basic acceptance of diversity on the part of all criminal justice representatives is required as a precursor to improving interpersonal relations and contact across cultural, ethnic, and racial lines.

The United States has always been a magnet for people from nearly every corner of the earth, and, consequently, U.S. demographics continue to undergo constant change. In their efforts to be both proactive and responsive to diverse communities, police officers and groups from many backgrounds around the country are working to become more closely connected in direct relationships promoted in community-based policing models. Leaders from both law enforcement agencies and the community have realized that both groups benefit when each group seeks mutual assistance and understanding. The job of law enforcement requires a certain level of comfort and professionalism in interacting with people from all backgrounds whether one is working with community members to build trust or dealing with suspects, victims, and coworkers.

Through increased awareness, cultural knowledge, and skills, law enforcement as a profession can increase its cultural competence. Acquiring cultural competence is not an instantaneous process; it is multilayered and complex, and includes:

- Exploration of officers’ belief systems and biases
- Awareness of an officer’s perspectives and perceptions, especially as they may differ from those associated with minority viewpoints
- Acquisition of cultural information relevant to the concerns of law enforcement, and the capacity to apply that knowledge in ethnic, racial, and other diverse communities
- Increased communication skills leading to effective rapport building and communication with all community members
- Development of a set of principles, attitudes, policies, and structures that will enable all individuals in an organization to work effectively and equitably across all cultures and ethnicities.

The strategies an individual uses to approach and build rapport with his or her own cultural group may result in unexpected difficulties with another group. The acts of approaching, communicating, questioning, assisting, and establishing trust with members of culturally diverse groups require special knowledge and skills that have nothing to do with the fact that “the law is the law” and must be enforced equally. Acquiring knowledge and skills that lead to sensitivity does not imply preferential treatment of any one group; rather it contributes to improved communication with members of all groups.

Individuals must seek a balance between downplaying and even denying the differences of others, and, on the other hand, distorting the role of culture, race, and ethnicity. In an effort to simply “respect all humans equally,” we may inadvertently diminish the influence of culture or ethnicity, including the role it has played historically in our society.

The Melting Pot Myth and the Mosaic

Multiculturalism, also called cultural pluralism, violates what some consider to be the “American way of life.” However, from the time the United States was founded, Americans were never a homogeneous people. The indigenous peoples of America (the ancestors of the American Indians) were here long before Christopher Columbus “discovered” them. There is even strong evidence that the
first Africans who set foot in this country came as free people, 200 years before the slave trade from Africa began (Rawlins, 1992). Furthermore, the majority of people in America can claim to be the children, grandchildren, or great-grandchildren of people who have migrated here. Americans did not originate from a common stock. Until fairly recently, America has been referred to as a melting pot, a term depicting an image of people coming together and forming a unified culture. One of the earliest uses of the term was in the early 1900s, when a famous American playwright, Israel Zangwill, referring to the mass migration from Europe said, “America is God’s crucible, the great Melting-Pot where all the races of Europe are melting and re-forming... Germans and Frenchmen, Irishmen and Englishmen, Jews and Russians—into the Crucible with you all! God is making the American!” (Zangwill, 1908).

This first use of the term melting pot was not designed to incorporate anyone except Europeans. Did the melting pot ever exist, then, in the United States? No, it never did. Yet people still refer to the belief, which is not much more than a romantic myth about the “good old days.” African Americans, brought forcibly to this country between 1619 and 1850, were never part of the early descriptions of the melting pot. Likewise, Native American peoples were not considered for the melting pot. It is not coincidental that these groups were nonwhite and were therefore not “meltable.” Furthermore, throughout our past, great efforts have been made to prevent any additional diversity. Most notable in this regard was the Chinese Exclusion Act in 1882, which denied Chinese laborers the right to enter America. Early in the twentieth century, organized labor formed the Japanese and Korean Exclusion League “to protest the influx of ‘Coolie’ labor and in fear of threat to the living standards of American workingmen” (Kennedy, 1986, p. 72). Immigration was discouraged or prevented if it did not add strength to what already existed as the European-descended majority of the population (Handlin, 1975).

Even at the peak of immigration in the late 1800s, New York City exemplified how different immigrant groups stayed separate from each other, with little of the “blending” that people often imagine taking place (Miller, 2008). Three-fourths of New York City’s population consisted of first- or second-generation immigrants, including Europeans and Asians. Eighty percent did not speak English, and there were 100 foreign-language newspapers in circulation. The new arrivals were not accepted by those who had already settled, and newcomers found comfort in an alien society by choosing to remain in ethnic enclaves with people who shared their culture and life experiences.

The first generation of every immigrant and refugee group, who saw the United States as the land of hope and opportunity, had always experienced obstacles in acculturation and integration into the new society. In many cases, people resisted Americanization and kept to themselves. Italians, Irish, Eastern European Jews, Portuguese, Germans, and virtually all other groups tended to remain apart when they first came. Most previously settled immigrants were distrustful and disdainful of each newcomer group. “Mainstreaming” began to occur only with children of the immigrants, although some people within certain immigrant groups tried to assimilate quickly. For the most part, however, society did not permit a quick shedding of previous cultural identity. History has never supported the metaphor of the melting pot, especially with regard to the first and second generations of most groups of newcomers. Despite the reality of past multicultural disharmony and tension in the United States, however, the notion of the melting pot prevailed.

The terms mosaic or tapestry more accurately portray diversity in America. They describe a society in which all colors and backgrounds contribute their parts to form society as a whole, but one in which groups are not required to lose their characteristics in order to “melt” together. The idea of a mosaic portrays a society in which all races and ethnic groups are seen as separate and distinct in contributing their own color, shape, and design to the whole, resulting in an enriched society.
Reactions to Multiculturalism: Past and Present

Accepting multiculturalism and diversity has always been a difficult proposition for most Americans (Miller, 2008). Typical criticisms of immigrants, now and historically, include “They hold on to their cultures,” “They don’t learn our language,” “Their customs and behavior are strange,” and “They form cliques.” Many newcomers, in fact, have historically resisted Americanization, keeping themselves to ethnic enclaves. They were not usually accepted by mainstream society.

Are the reactions to newcomers today so different from people’s reactions to earlier waves of immigrants? Let us look at the reactions to the Irish, who, by the middle of the nineteenth century, constituted the largest group of immigrants in the United States, making up almost 45 percent of the foreign-born population. Approximately 4.25 million people left Ireland, mainly because of the potato famine. Many of these immigrants had come from rural areas, but ended up in cities on the East Coast. Most were illiterate; some spoke only Gaelic (Kennedy, 1986). Their reception in America was anything but welcoming, exemplified by the plethora of signs saying, “Jobs available, no Irish need apply.”

The Irish...endeavor[d] the scorn and discrimination later to be inflicted, to some degree at least, on each successive wave of immigrants by already settled “Americans.” In speech and in dress, they seemed foreign; they were poor and unskilled and they were arriving in overwhelming numbers. . . . The Irish found many doors closed to them, both socially and economically. When their earnings were not enough . . . their wives and daughters obtained employment as servants. (Kennedy, 1986)

If this account were written without specific references to time and cultural group, it would be reasonable to assume that it describes contemporary reactions to newcomers. We could have taken this passage and substituted Jew, Italian, or Polish at various points in history. Today it could be used in reference to Cubans, Somalis, Afghans, Mexicans, Haitians, Serbs, or Ethiopians. If we compare immigration today with that during earlier periods in U.S. history, we find similarities as well as significant differences. In the past few decades we have received people from cultures more dramatically different than those from Western Europe. For example, many of our “new Americans” from parts of Asia or Africa bring values and languages not commonly associated with or related to mainstream American values and language. Middle Easterners bring customs unknown to many U.S.-born Americans. (For cultural specifics, refer to Chapters 5–9.) Many refugees bring scars of political persecution or war trauma, the nature of which the majority of Americans cannot even fathom. The relatively mild experiences of those who came as voluntary migrants do not compare with the tragedies of many of the more recent refugees. True, desperate economic conditions compelled many early European immigrants to leave their countries and thus their leaving was not entirely voluntary. However, their experiences do not parallel those, for example, of war-torn Eastern European refugees who came to the United States in the 1990s or Afghan and Iraqi refugees who came after 2000.

Disparaging comments were once made toward the very people whose descendants would, in later years, constitute much of mainstream America. Many fourth- and fifth-generation immigrants have forgotten their history (Miller, 2008) and are intolerant of the “foreign ways” of emerging immigrant groups. Every new group seems to be met with some suspicion and, in many cases, hostility. Adjustment to a new society is and has always been a long and painful process, and the first-generation immigrant group suffers, whether Irish, Jewish, Polish, Afghani, Laotian, Filipino, or Russian. It must also be remembered that many groups did not come to the United States of
their own free will but rather were victims of a political or an economic system that forced them to abruptly cut their roots and escape their homelands. Although grateful for their welcome to this country, such newcomers did not want to be uprooted. Many new Americans did not have any part in the creation of events that led to their flight from their countries.

**Changing Population**

Demographic estimates and projections in the twenty-first century are likely to fall short of counting the true mix of people in the United States. In the culture-specific chapters of this book, we discuss Asian and Pacific Americans, African Americans, Latino and Hispanic Americans, Arab Americans and other Middle Eastern groups, and Native Americans. These categorizations are merely for the sake of convenience; an individual may belong to two or more groups. For example, a black Latino, such as a person from the Dominican Republic or Brazil, may identify himself or herself as both black and Latino. Race and ethnic background (e.g., in the case of a black Latino) are not necessarily mutually exclusive. Hispanic is considered an ethnicity, not a race. Therefore, people of Latino descent can count themselves as part of any race. Biracial individuals, who in the 1990 census counted themselves as black, could, beginning with the 2000 census, choose both black and white and be considered as one person with two races (“Multiracial Data in Census,” 2000). The U.S. Census information released in 2008 projected that, by 2050, the number of people who “identify themselves as being of two or more races” will more than triple, from 5.2 million to 16.2 million (“An Older and More Diverse Nation by Midcentury,” U.S. Census Bureau, 2008).

Law enforcement officials need to be aware of the overlap between race and ethnicity and that many individuals consider themselves to be multiracial. “Every day, in every corner of America, we are redrawing the color lines and are redefining what race really means. It’s not just a matter of black and white anymore; the nuances of brown and yellow and red mean more—and less—than ever” (“The Changing Face of Race in America,” 2000).

The face of America has been changing for some time. In 1860 there were only three census categories: black, white, and “quadroon” (i.e., a person who has one black grandparent, or the child of a mulatto and a white). In the 2000 census, there were 63 possible options for marking racial identity, or twice that if people responded in the affirmative to whether or not they were of Hispanic ethnicity. As the 2000 census director, Kenneth Prewitt, wrote, the concept of classification by race is human-made and endlessly complex.

What is extraordinary is that the nation moved suddenly, and with only minimal public understanding of the consequences, from a limited and relatively closed racial taxonomy to one that has no limits. In the future, racial categories will no doubt become more numerous. And why not? What grounds does the government have to declare “enough is enough?” When there were only three or even four or five categories, maybe “enough is enough” was plausible. But how can we decide, as a nation, that what we allow for on the census form of today—63 racial groups or 126 racial/ethnic ones—is the “right” number? It can’t be, nor can any other number be “right.” There is no political or scientifically defensible limit. (Prewitt, 2001)
Chapter 1 • Multicultural Communities: Challenges for Law Enforcement

Minority Populations

Documented changes in population characteristics between 1990 and 2000 had been dramatic, and they have continued through the next decade. Consider the following data released in 2008 (U.S. Census Bureau News, 2008a):

- Minorities constitute one-third of the U.S. population, and are expected to become the majority by 2042. By 2050, minorities are expected to reach 54 percent of the population.
- The tripling of the Hispanic population is expected between 2008 and 2050. This increase means that the Hispanic population would double from 15 to 30 percent of the total population.
- The non-Hispanic, single-race white population (those self-identified as white, and not of Hispanic/Latino ethnicity) is projected to be only slightly larger in 2050 (203.3 million) than in 2008 (199.8 million).
- Projections indicate that the above-noted white population will decrease in numbers in the 2030s and 2040s, constituting 46 percent of the total population in 2050. (The United States is expected to reach a population of 439 million by 2050.)
- By 2050, Asians will comprise 9.2 percent of the population, representing an increase of 15.5 million people from that in 2008.
- The Black population is expected to increase from 14 percent of the population in 2008 to 15 percent in 2050.

Minority group • A group that is the smaller in number of two groups that constitute a whole; part of the population that, because of certain characteristics, differs from the majority population and may be subjected to differential treatment.

Exhibit 1.1 shows projected rates of growth of nonwhite groups through 2050 and the corresponding decline in the white (non-Hispanic ethnicity) population.

Exhibit 1.1 Resident population by race and Hispanic origin status—Projections: 2010 to 2050

Immigrant or “Permanent Resident Alien”  “An [individual] admitted to the United States as a lawful permanent resident. Permanent residents are also commonly referred to as immigrants; however, the Immigration and Nationality Act (INA) broadly defines an immigrant as any alien in the United States, except one legally admitted under specific nonimmigrant categories [e.g., temporary workers] . . . Lawful permanent residents are legally accorded the privilege of residing permanently in the United States. They may be issued immigrant visas by the Department of State overseas or adjusted to permanent resident status by the Department of Homeland Security (DHS) in the United States.” (Department of Homeland Security, 2008)

Refugee  “Any person who is outside his or her country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on . . . race, religion, nationality, membership in a particular social group, or political opinion. People with no nationality must generally be outside their country of last habitual residence to qualify as a refugee.” (Department of Homeland Security, 2008)

In addition, immigrants from 1980 to the present have come from many more parts of the world than from where they arrived at the turn of the twentieth century. From U.S. Census data
released in 2007, the top seven countries of birth for foreign-born populations were, in descending order, Mexico, China, the Philippines, India, El Salvador and Vietnam, and Korea (Exhibit 1.4). Each of the following five states had 1.7 million or more immigrants: California, Texas, Florida, New York, Illinois (U.S. Census Bureau, 2007).

Between 1990 and 2007, the fastest growth in foreign population took place in North Carolina where the population increased from 115,000 to 630,000 or by 448 percent (U.S. Census Bureau, 2007). After North Carolina, the following four states ranked (in descending order) with 200 percent or higher growth in their immigrant populations from 1990 to 2007: Georgia, Arkansas, Nevada, and Tennessee (U.S. Census Bureau, 2007).

The foreign-born population includes naturalized U.S. citizens, lawful permanent residents, temporary migrants (e.g., foreign students), humanitarian migrants (refugees), and unauthorized migrants. (U.S. Census Bureau, State and Country Quick Facts: Foreign-Born Persons, 2000)

Even though most Americans, with the exception of the indigenous peoples, have been immigrants at some time in their lineage, anti-immigrant sentiment is common. Especially in times
of recession, immigrants are often blamed for society’s woes. However, the issues surrounding immigration are not as clear-cut as they may at first appear to be. Despite the problems that are inevitably created when large groups of people have to be absorbed into a society, some immigrant groups stimulate the economy, revitalize neighborhoods, and eventually become fully participatory and loyal American citizens. Nevertheless, if an officer has an anti-immigrant bias, negative attitudes may surface when that officer interacts with immigrants, especially under stressful circumstances. When officers are under pressure, negative attitudes become apparent and their communication may become unprofessional. Indeed some citizens have claimed that officers with whom they have been in contact had not attempted to understand them or that they demonstrated little patience in communicating or finding a translator. (See Chapter 4 for a discussion of communication issues and law enforcement.)

In addition, officers must be aware of “racial flash points” that are created when immigrants move into economically depressed areas with large and diverse populations. Some people feel that immigrants’ moving into certain urban areas displaces economically disadvantaged groups or deprives them of access to work. (This topic is discussed further in Chapter 11.) Thus law enforcement representatives may see hostility between, for example, blacks and Korean or Arab immigrants in such cities as Los Angeles, New York, and Detroit. Although officers cannot be expected to solve these deep-seated problems, they may find themselves in situations in which they can serve as cultural mediators, helping each group to increase understanding and toleration of the other. For example, police can point out that the absence of a Korean grocer’s smile or greeting of a customer is not necessarily a sign of hostility or an expression of distrust, but possibly a cultural trait. When a person complains that an Arab liquor store owner does not hire outside his or her community, officers can explain that it is usually because the business is a small, family-run operation in which employees are family members. It would be too simplistic to attribute all or even the majority of problems as cultural, but with an understanding of immigrants’ backgrounds, officers can help explain points of tension to members of other ethnic groups.
Furthermore, some behaviors may be common to more than one immigrant population, yet unfamiliar to officers working with these groups. As part of his community policing outreach, one of the authors (AO) established an ongoing police outreach to Portland area immigrants and refugees in 2002. The organization, called IRCO (Immigrant Refugee Community Organization), sponsors classes in which new immigrants and refugees are oriented on interaction with American police and on how to use 911. What is learned from the immigrant community is shared with police officers in various police departments. For example:

- In the United States, most police departments do not allow the driver or the passengers to exit their car and walk back to the police car.
- In other countries like Cuba, Japan, Mexico, and Russia, it is expected that motorists exit their car and walk back to the police officer.
- Translators, court interpreters, and new immigrants are excellent sources of information on customs of their country.
- Men from Eastern Europe and South America find it difficult to believe that a man can be arrested for touching a woman and find it silly that the U.S. police do prostitution sting decoy operations.
- The police in such regions as Eastern Europe and South America expect bribes when they stop a motorist.
- Domestic violence laws are basically nonexistent in Eastern European countries because their governments view family matters as personal and private.

The more direct contact officers have with ethnic and immigrant communities, the more cultural knowledge they will gain that may have an impact on law enforcement (see Exhibit 1.5 on workshops provided to immigrants and refugees).

To better serve new immigrants and refugees coming to the United States from all countries in the world, Organization and Training Services offers public-safety and basic-law workshops through IRCO (Immigrant Refugee Community Organization, http://www.irco.org). The workshops consist of an orientation on America’s police, laws, and emergency services. The immigrant and refugee participants typically would have been in the United States for one month and would have had no previous orientation on the American police, laws, or emergency services. The two-hour sessions are offered in the morning and afternoon, and are part of a 16-week training and employment services program for new immigrants and refugees. The classes are held at the local IRCO office.

Interpreters translate during the presentation, which includes basic information on the following:

- State Police
- Sheriff’s departments and city police departments
- Traffic and criminal laws
- Domestic violence
- What to do if stopped by a police officer
- How to use 911 for emergencies and other alternatives for nonemergencies

A question-and-answer session follows the presentation.

**EXHIBIT 1.5 Workshops for immigrants and refugees on U.S. Police, laws, and emergency Services**

*Source: Olson, Aaron T., 2009. Used with Permission.*
EUR OPEAN AMERICANS  In learning about diversity in U.S. society, focus is often centered on the diversity among immigrants from cultures very different from “mainstream” U.S. culture. However, there is also a great deal of diversity among European Americans. One of the myths about European Americans is that they are all alike. The majority of people in the United States are of European descent, but most Europeans are not of the same ethnicity or nationality, nor do they even have the same physical characteristics. Europe is a continent that is divided into four regions, east, west, north, and south, and has a population of 730 million people (Population Reference Bureau, 2005). Europe has 45 different countries, each with a unique national character, government, and, for the most part, language. To illustrate Europe's diversity and heterogeneity, the European Union has 23 different official languages for its European Parliament compared to the United Nations (which has six official languages). The European Union holds the world's largest translation operation and has 60 interpreters in use when its 25–member state Parliament is in session (Owen, 2005). The countries listed in Exhibit 1.6 represent the continent of Europe.

Undocumented Immigrants: Demographic Information
The census bureau does not ask about legal migrant status of respondents as there is no legislative mandate to do so. (U.S. Citizenship and Immigration Services [USCIS], 2009). In its 2003 report on undocumented immigrants, the former INS, now the USCIS, placed the growth of this population at 350,000 annually. This figure was 75,000 per year higher than was estimated before the 2000 census, primarily because of improved means of counting a hard-to-track population. Exact figures are difficult to obtain. In May 2006, it was estimated that 12 million undocumented people were living in the United States (Ferraro, 2006). It is difficult to obtain completely accurate information on the number of undocumented immigrants in the United States, and, as of the

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EXHIBIT 1.6  The countries of Europe
writing of this text, 2010 data was not available. Exhibit 1.7 shows the percentage of undocumented immigrants residing in various states in 2000 (Urban Institute, 2002).

### Undocumented Immigrants: Background Information

The terms “illegal immigrant,” “illegal alien,” and “undocumented immigrant” are sometimes used interchangeably, but there is controversy around the use of these terms (which is beyond the scope of this chapter). There are two major groups of undocumented immigrants: those who cross the U.S. borders without having been “inspected” and those who enter the country with legal documents as temporary residents but have violated their legal admission status by extending their stay. Initially, Mexicans and other Latin Americans come to most people’s minds when they hear the terms illegal alien and undocumented worker. In addition, however, there are people from the Dominican Republic who enter through Puerto Rico; since Puerto Ricans are U.S. citizens, they are considered legal. Therefore, officers may come in contact with “Puerto Ricans” who are actually from the Dominican Republic and have come to the United States under an illegal pretext. Asians are also smuggled into the United States, including women brought in for sex trade. People from other parts of the world may come to the United States on a tourist visa and then decide to remain permanently (e.g., Canadians).

Some come to the United States with the hope that they can remain legally by proving that they had escaped from the political repression in their homeland. Those who seek asylum face persecution or death if they were to return to their native countries.
People who are often deported as undocumented arrivals are those who come as “economic refugees” (i.e., their economic status in their home country may be desperate). They generally have few occupational skills and are willing to take menial jobs that many American citizens will not accept. They fill economic gaps in various regions where low-wage labor is needed.

Outer appearances are not an accurate guide to who has legal status and who does not. Both the illegal and the legal immigrants may live in the same neighborhoods. In addition, the U.S. government has occasionally legalized significant numbers of some populations of formerly illegal immigrants, usually in recognition of special circumstances in those persons’ home countries, such as large-scale natural disasters or serious political instability.

Undocumented immigrants lack the papers necessary to obtain legal residence in the United States. The societal consequences are far-reaching. Law enforcement officials, politicians, and social service providers, among others, have had to deal with many concerns related to housing, education, safety, employment, spousal violence, and health care. The undocumented segment of the immigrant population poses some difficult challenges for law enforcement officials.

**Undocumented Immigrants: Fear of Deportation**

The principal barrier to establishing trust with undocumented immigrants revolves around fears of being reported to the U.S. Immigration and Customs Enforcement (USICE), the largest investigative arm of the DHS. Entire communities may resist reporting crimes because of the fear of deportation. These immigrants are often already located in high-crime areas, and become even more vulnerable because of their fears of deportation.

An argument exists that supports leaving undocumented immigrants alone, unless they have committed a criminal act or are creating a disturbance. It is based on the perspective that tracking down and deporting immigrants has technically been the job of the USICE and not that of the state or local police. Sometimes the trust of the entire community, including both the illegal and the legal immigrants, is at stake. If immigrant communities know that police officers will not turn over illegal immigrants to the USICE, then there is less fear of the police when it comes to reporting crimes.

Although law enforcement agencies in Prince William and Frederick counties [Virginia] have agreed to help federal authorities enforce immigration laws, officials in many other parts of the country remain reluctant to do so, saying they fear losing the trust of the immigrant communities and worry about being accused of racial profiling . . . While recognizing that illegal immigration is a crime, . . . [El Paso’s Mayor, John Cook] is also worried about a growing public perception that immigrants are criminals.

“There is a danger”, he said. “Once people don’t trust a police officer in immigrant communities, they become communities that foster crime, where people won’t report domestic violence or [even] the theft of a TV. If people feel that they are under threat of being deported, they become silent. There has to be a delicate balance.” (“Many Officials Reluctant to Help Arrest Immigrants,” 2008)
Law enforcement’s involvement with undocumented immigrants had been the focus of controversy for years prior to the publication of this text. “The ICE 287(g) Program: A Law Enforcement Partnership” actively began in 2006 with 29 participating law enforcement agencies. As of May 2009, the number had increased to 67 agencies in 23 states (USICE, 2009).

This partnership gave the authority to the Secretary of Homeland Security to enter into agreements with state and local law enforcement agencies, allowing officers to perform immigration law enforcement functions. Under 287(g), ICE provides state and local law enforcement with the training and delegated authority to enforce immigration law (U.S. Immigration and Customs Enforcement, 2008).

Under the new administration in 2009, the ICE 287(g) program began to undergo tremendous scrutiny. Many immigrant groups claimed that 287(g) had become a vehicle for the racial profiling of Hispanic immigrants, and that deportation by police officers for minor crimes had begun to occur with alarming frequency. Congressional hearings in early 2009 called for the monitoring, improved assessment, and closer supervision of the 287(g) program, and many local law enforcement agencies recognized 287(g) as a problem. In March of 2009, the Government Accountability Office reported the following:

... the government has failed to determine how many of the thousands of people deported under the program were the kind of violent felons it was devised to root out. Some law enforcement agencies had used the program to deport immigrants “who have committed minor crimes, such as carrying an open container of alcohol,” the report said, and at least four agencies referred minor traffic offenders for deportation. (“Report Questions Immigration Program,” 2009)

Undocumented Immigrants: The “U” Visa and the Safe Reporting of Crimes

With the passage of the Victims of Trafficking and Violence Protection Act of 2000 (in which VAWA [Violence Against Women Act] is included), Congress also created the “U” visa, a relatively unknown piece of legislation that can affect communities and law enforcement. When undocumented immigrants call the police, chances are that they are victims of or witnesses to a crime. If they actively cooperate with law enforcement in providing information about the crime, they are entitled to a “U” visa or a nonimmigrant visa, which can eventually be used in the application for a legal work permit and a social security number. While there are many hurdles associated with obtaining the “U” visa, undocumented immigrants who are granted it may eventually apply for residency. Application for the “U” visa is an extremely challenging process, and needs to include a “certification of helplessness” from a certifying agency. This means that the individual petitioning for the “U” visa must “provide a Nonimmigrant Status Certification from a federal, state or local law enforcement official that demonstrates the petitioner ‘has been helpful, is being helpful or is likely to be helpful’ in the investigation or prosecution of the criminal activity.” As of 2007, the United States Citizenship and Immigration Services has been able to grant up to 10,000 “U” nonimmigrant visas in any one fiscal year (U.S. Citizenship and Immigration Services, 2007).

According to Christopher Martinez, Program Director for refugee and immigrant services of the Catholic charities CYO in San Francisco, since the law passed, and in the last few years, only approximately 13,000 (as of March 2009) people across the country have applied for the “U” visa. Of these, only 65 have received the visa. Nonprofits such as the Catholic Charities have forged relationships with police departments to maximize cooperation, and have been in
a position to educate officers about this provision in the Act. In Martinez’s experience in San Francisco, the city has had the support of the police department and the District Attorney’s Office for these nonimmigrant visa applications.

If more of the community knew about this law, more undocumented immigrants would likely come forward and out of the shadows to cooperate with law enforcement. In doing so, they could work with the police to create safer communities. It is not an easy road to obtain this kind of visa, but it can be an incentive to speak out and to help avoid becoming victimized again. About 10 years ago, a woman and her child living on the East Coast witnessed a heinous crime involving the husband. While at the time of the crime the law did not exist, this woman came forward cooperating fully with the authorities. Ultimately, the perpetrator was caught and convicted. The woman is now eligible for a “U” visa, and has the full backing of the District Attorney’s office in the city in which she and her child live (Martinez, 2009).

**Immigrant Women: Victims of Domestic Violence**

In a 2003 report to a congressional subcommittee on immigration, Leslye E. Orloff, director of the Immigrant Women’s Program (National Organization of Women’s Legal Defense and Education Fund), presented a full account of problems that continue to beset battered immigrant women. Even though the frequency of domestic violence is consistent across socioeconomic classes, racial groups, and geographic areas, according to Orloff, immigrant women still face additional challenges in seeking help from their communities.

[The] Violence Against Women Act (VAWA), passed by Congress in 1994 and improved in 2000, set out to reform the manner in which officers responded to domestic violence calls for help. Although significant improvement following the passage of VAWA has been noted, the response continues to be lacking. Some police officers’ personal attitudes regarding domestic violence (i.e., it is a private problem) and how it should be handled (through mediation rather than arrest or formal charges), in essence, marginalizes victims of domestic violence. In extreme cases, victims’ requests for help are disregarded. The lack of appropriate response to domestic violence from the police is further compounded when the battered woman is an immigrant. The police often do not have the capacity to communicate effectively with the immigrant victim in her own language. The police may use her abuser or her children to translate for her, and/or police may credit the statements of her citizen spouse or boyfriend over her statements to the police due to gender, race or cultural bias. (Orloff, 2003)

VAWA was reauthorized by the Congress first in 2000, after its passage in 1994, and then in December 2005. On January 5, 2006, the bill was signed into law by President George W. Bush. VAWA will be up for reauthorization in 2010.

Domestic violence is a phenomenon that exists among people from all socioeconomic classes, races, and backgrounds. Nevertheless, there are particular factors contributing to the high rate of domestic violence that some immigrant women experienced in their native countries.

Women subjected to domestic violence in their home countries confront societal, familial, and legal systems that refuse to acknowledge the seriousness of the problem or to protect the victim. In many countries, the voices of the victims go unheard, drowned out by age-old traditions that perpetuate the idea that women should serve their husbands no matter how they are treated. Often victims’ own families do nothing to help the victim of spousal abuse.
and force her to “endure”—as generations of women have done. Outside the family network, women find little assistance in the legal system. Many countries do not codify domestic violence as a separate crime, and some countries regard domestic violence as strictly a family issue to be dealt with in a private manner. In many countries, the law fails to recognize rape by a spouse... Few countries have enacted protections for domestic violence victims. And, measures that have been enacted all too often fall short due to little or no enforcement. Calling the police in many countries does not ensure any real protection for the victim (Tiede, 2001).

When women who have been battered come to the United States, they carry with them the traumas they experienced earlier owing to their culture and traditions. There are multiple problems facing battered immigrant women in the United States. The following summarizes some of these, and should help law enforcement representatives understand the larger context in which an immigrant may fail to report a crime (Tiede, 2001):

- Some battered immigrant women are completely isolated in the United States. They may live secret lives, never having established a legal identity in the United States.
- Batterers frequently add to victims’ fears by threatening to call ICE about deportation.
- Women fear losing their families and being deported to a hostile society upon their return. (In certain places in Latin America, for example, a woman returning to her own village without her husband and children is often ostracized.)
- Victims are often not aware that protection is available, nor do they know how to find it.
- Many victims do not speak English and have no understanding of U.S. criminal and immigration laws and systems.

In addition, a battered immigrant woman may not understand that she can personally tell her story in court, or that a judge will believe her. Based on her experience in her native country, she may believe that only those who are wealthy or have ties to the government will prevail in court. Batterers often manipulate these beliefs by convincing the victim that he will prevail in court because he is a male, is a citizen, or has more money (Orloff, 2003, p. 313).

Police can assist by being ready with resources to provide to victims. In the case of immigrant women, both documented and undocumented, officers need to be aware of community assistance programs specifically created to address their needs. In some jurisdictions, management may even encourage or mandate that officers make an initial call for help, while still with the victim, to a community organization, for example. The Women’s Justice Center in Santa Rosa, California, is one such example of a community resource. Exhibit 1.8 lists advice from the Center and lets immigrant women know that their issues and fears are shared:

- Immigrants must learn a great deal about U.S. laws, the law enforcement system in general, and the role of police officers. Many fear the police because police in their native countries engaged in arbitrary acts of brutality in support of repressive governments (e.g., in Central America). In some other countries, citizens disrespect police because the officers are poorly educated, inefficient, corrupt, and have a very low occupational status (e.g., in Iran). The barriers immigrants bring to the relationship with police suggest that American officers have to double their efforts to communicate and to educate. A further challenge for law enforcement is that, for the reasons mentioned above, new immigrants often become victims of violent crimes. In part, the acculturation and success of immigrants in this society depend on how they are treated while they are still ignorant of the social norms and laws. Law enforcement officials who have contact with new Americans will need extraordinary patience at times. Adaptation to a new country can be a long and arduous process. Without the knowledge of citizens’ cultural and national backgrounds, law enforcement officers may observe citizens’ reactions that they do not fully understand.
EXHIBIT 1.8 Advice to Immigrant Women from the Women’s Justice Center


Some immigrants carry with them memories of police from their native countries and have deep-seated fears about relating to police officers even in the United States. A Central American refugee who had received asylum in the United States recalled a police act of “handcuffing” that took place in the 1980s. He explained that such actions, and worse, were common practice for police.

I was about 14 years old. My father and I were in the car driving home late in the afternoon. It was very common to have to go through checkpoints, and we were unfortunately pulled aside at one of them. My father was asked to produce paperwork, including a license. Unfortunately, he had forgotten his wallet that day. Even though my father had also worked for the government, the police did not believe him. They took my father out of the car, put his arms behind his back, and with a string tightly tied his thumbs together as they had no handcuffs. Right away, I could see his thumbs start becoming purple. The police demanded that I go home and get his wallet. It took me about one hour to run home and back. Thankfully, I got the wallet. But, when I returned to see my father, his thumbs had turned completely black from the tight string around them. There was no way we could complain about this—things would have gotten much worse for us if we had. There was too much fear at that time in our history. We could not even look an officer in the eye without getting into some kind of trouble. . . . (Central American asylee, personal communication, 2009)
To illustrate this fear even further, the Central American interviewee added, after he shared the above story: “Please do not ever identify me by name or associate me with this anecdote. There could still be consequences for my family back home if they knew that I was speaking about the authorities like this” (Central American asylee, personal communication, 2009).

CULTURE AND ITS RELEVANCE TO LAW ENFORCEMENT

An understanding of accepted social practices and cultural traditions in citizens’ countries of origin can provide officers with insight into predicting some of the reactions and difficulties new immigrants will have in America. However, some customs are simply unacceptable in the United States, and arrests must be made in spite of the cultural background. Regardless of the circumstances, immigrant suspects need to be treated with respect; officers and all others in the criminal justice system must understand the innocent state of mind the citizen was in when committing the “crime.” For example, female circumcision is illegal under all circumstances in the United States but is still practiced in certain African countries. The Hmong, mountain people of Southeast Asia, and particularly Laos, have a tradition considered to be an acceptable form of eloping. This Hmong tradition allows a male to capture and take away a female for marriage; even if she resists, he is allowed to take her to his home, and it is mandated that he consummate the union. However, “Marriage by capture” translates into kidnap and rape in the United States. Perpetrators of such crimes in the United States must be arrested.

In interviews with a deputy public defender and a deputy district attorney, a legal journal posed the following question: Should our legal system recognize a “cultural” defense when it comes to crimes? The deputy district attorney’s response was, “No. You’re treading on shaky ground when you decide something based on culture, because our society is made up of so many different cultures. It is very hard to draw the line somewhere, but [diverse cultural groups] are living in our country, and people have to abide by [one set of] laws or else you have anarchy.” The deputy public defender’s response to the question was: “Yes. I’m not asking that the [various cultural groups] be judged differently, just that their actions be understood according to their own history and culture” (Sherman, 1986).

If law enforcement’s function is to protect and serve citizens from all cultural backgrounds, it becomes vital to understand the cultural dimensions of crimes. Obviously, behaviors or actions that may be excused in another culture must not go unpunished if they are considered crimes in this country (e.g., spouse abuse). Nevertheless, there are circumstances in which law enforcement officials at all levels of the criminal justice system would benefit by understanding the cultural context in which a crime or other incident occurred. Law enforcement professionals must use standard operating procedures in response to specific situations, and the majority of these procedures cannot be altered for different groups based on ethnicity. In a multicultural society, however, an officer can modify the way he or she treats a suspect, witness, or victim, given the knowledge of what is considered “normal” in that person’s culture. When officers suspect that an aspect of cultural background is a factor in a particular incident, they may earn the respect of—and therefore cooperation from—ethnic communities if they are willing to evaluate their arrests in lesser crimes.

Many officers say that their job is to uphold the law, but it is not up to them to make judgments. Yet discretion when deciding whether to take a citizen into custody for a lesser crime may be appropriate. When officers understand the cultural context for a crime, the crime will and should be perceived somewhat differently. Consider the Sikh religion (a strict religious
Part 1 • Impact of Cultural Diversity on Law Enforcement

Ethnocentrism

An attitude of seeing and judging other cultures from the perspective of one’s own culture; using the culture of one’s own group as a standard for the judgment of others, or thinking of it as superior to other cultures that are merely different; an ethnocentric person would say there is only one way of being “normal” and that is the way of his or her own culture.
When it comes to law enforcement, there is only one set of laws to which all citizens, whether native-born or not, must adhere. However, the following case studies illustrate that culture does affect interpretations, meaning, and intention.

Mini Case Studies: Culture and Crime

The following mini case studies involve descriptions of crimes or offenses with a cultural component. If the crime is a murder or something similarly heinous, most people will not be particularly sympathetic, even with an understanding of the cultural factors involved. However, consider that understanding other cultural patterns gives one the ability to see and react in a different way. The ability to withhold judgment and to interpret a person’s intention from a different cultural perspective is a skill that will ultimately enable a person to identify his or her own cultural blinders. Each case study describes an increasingly serious crime—from driving under the influence to child abuse to murder.

Mini Case Study 1: Driving under the Influence?

The following case, among others, was the subject of discussion in an officers’ course in ethnic understanding in a San Francisco Bay Area police department:

A Tongan man living in [the Bay Area] was arrested on Highway 101 on the Peninsula for driving under the influence of kava, a relaxing elixir popular with Pacific Islanders. But a hung jury effectively acquitted [this man] in October. The jury determined, in part, that police didn’t fully understand the effect and the importance of the drink. Tongans, Samoans, and Fijians say the kava ritual is an integral part of life, a way to share information and reinforce traditions. And they say it doesn’t affect their ability to drive any more than soda pop. (“Officers Being Trained in Ethnic Understanding,” 2000)

Mini Case Study 2: A Tragic Case of Cross-Cultural Misinterpretation

In parts of Asia, there are medical practices unfamiliar to many law enforcement officials (as well as medical practitioners) in the West. A number of these practices result in marks on the skin that can easily be misinterpreted as abuse by people who have no knowledge of these culturally based medical treatments. The practices include rubbing the skin with a coin (“coining,” “coin rubbing,” or “wind rubbing”), pinching the skin, touching the skin with burning incense, or applying a heated cup to the skin (“cupping”). Each practice leaves highly visible marks, such as bruises and even burns. The following is an account of a serious misreading of some very common Southeast Asian methods of traditional folk healing on the part of U.S. school authorities and law enforcement officials.

A young Vietnamese boy had been absent from school for a few days with a serious respiratory infection. His father, believing that coining would help cure him, rubbed heated coins on specific sections of his back and neck. The boy’s condition seemed to improve and he was able to return to school. Upon noticing heavy bruising on the boy’s neck, the teacher immediately informed the school principal, who promptly reported the “abuse” to the police (who then notified Child Protective Services). When the police were notified, they went to the child’s home to investigate. The father was very cooperative when questioned by the police and admitted, in broken English, that he had caused the bruising on his son’s neck. The man was arrested and incarcerated. While the father was in jail, his son, who was under someone else’s custody, apparently relapsed and died of his original illness. On hearing the news, the father committed suicide in his jail cell. Of course, it is not known whether the father would have committed suicide as a response to his son’s death alone. The tragic misinterpretation on the part of the authorities involved, including the teacher, the principal, and the arresting police officers, provides an (continued)
extreme case of what can happen when people attribute meaning from their own cultural perspective.

Cultural understanding would not have cured the young boy, but informed interaction with the father could have prevented the second tragedy. All of the authorities were interpreting what they saw with “cultural filters” based on their own belief systems. Ironically, the interpretation of the bruises (i.e., child abuse) was almost the opposite of the intended meaning of the act (i.e., healing). Even after some of the parties involved learned about this very common Southeast Asian practice, they still did not accept that it existed as an established practice, and they could not fathom how others could believe that coinage might actually cure illness. Their own conception of medical healing did not encompass what they perceived as such “primitive treatment.”

Ethnocentrism is a barrier to accepting that there is another way, another belief, another communication style, another custom, or another value that can lead to culturally different behavior. Ethnocentrism often causes a person to assign a potentially incorrect meaning or attribute an incorrect motivation to a given act. Consider how the outcome could have differed if only one person in the chain of authorities had viewed the bruises as something other than abuse. The tragic outcome of serious cultural misunderstandings might have been averted. (Personal communication with social worker who wishes to remain anonymous)

Mini Case Study 3: Latino Values as a Factor in Sentencing

In a court of law, a cultural explanation or rationalization (i.e., a cultural defense) rarely affects a guilty or not-guilty verdict. Nevertheless, culture may affect sentencing. Consider the following case, in which, according to retired Judge Lawrence Katz, cultural considerations lessened the severity of the sentence:

A Mexican woman living in the United States became involved in an extramarital affair. Her husband became outraged when the wife bragged about her extramarital activities at a picnic at which many extended family members were present. At the same time, the wife also made comments about her husband’s lack of ability to satisfy her and how, in comparison, her lover was far superior. On hearing his wife gloat about her affair, the husband left the picnic and drove five miles to purchase a gun. Two hours later, he shot and killed his wife. In a case such as this, the minimum charge required in California would be second-degree murder. However, because the jury took into consideration the cultural background of this couple, the husband received a mitigated sentence and was found guilty of manslaughter. It was argued that his wife’s boasting about her lover and her explicit comments made specifically to emasculate him created a passion and emotion that completely undermined his machismo, masculine pride and honor. To understand the severity of the wife’s offense, the law enforcement officer and the prosecutor had to understand what it means to be humiliated in such a manner in front of one’s family, in the context of Latino culture. (Katz, 2009)

The purpose of these three mini case studies is not to discuss the “rightness” or “wrongness” of any group’s values, customs, or beliefs but to illustrate that the point of contact between law enforcement and citizens’ backgrounds must not be ignored. Officers must be encouraged to consider culture when investigating and presenting evidence regarding an alleged crime or incident involving people from diverse backgrounds. This consideration does not mean that standard operating procedures should be changed, nor does it imply that heinous crimes such as murder or rape should be excused on cultural grounds. However, as a matter of course, officers need to include cultural competence as a variable in understanding, assessing, and reporting certain kinds of incidents and crimes.
Law enforcement representatives have the ultimate authority to arrest or admonish someone suspected of a crime. According to retired Judge Katz, “Discretion based on cultural competence at the police level is much more significant than what happens at the next level in the criminal justice system (i.e., the courts).” Individual police officers have the opportunity to create positive public relations if they demonstrate cultural sensitivity and respect toward members of an ethnic community. Katz cited the example of police contact with the San Francisco Bay Area Samoan community, in which barbecues and parties can include a fair amount of drinking, resulting in fights. In Katz’s opinion, the police, responding to neighbors’ complaints, could come in with a show of force and the fighting would cool down quickly. However, word would spread that the police officers had no cultural understanding or respect for the people involved. This would widen the gap that already exists between police and many Pacific Islander and other Asian groups and would not be a way to foster trust in the Samoan community. Alternatively, the police could locate the leader, or the “chief,” of this group and let that person deal with the problem in the way that he would have handled the conflict in Samoa. There is no question about the chief’s ability to handle the problem. He has a prominent role to play and can serve as a bridge between the police and the community. The *matai* is also a resource; he is an elder who has earned the respect of the community.

The heads of Samoan communities are traditionally in full control of members’ behavior, although this is changing somewhat in the United States. Furthermore, according to traditional Samoan values, if a family member assaults a member of another family, the head of the family is required to ensure punishment. Given the power entrusted to the chiefs, it is reasonable to encourage officers first to go through the community and elicit assistance in solving enforcement problems. This recommendation does not imply, in any way, that groups should be left to police themselves; instead, understanding and working with the leadership of a community represents a spirit of partnership.

The awareness of and sensitivity to such issues can have a significant impact on the criminal justice system, in which police have the power to either inflame or calm the people involved in a particular incident. According to Katz, “Many cases, especially those involving lesser offenses, can stay out of court.” He asks, “Do you always need a show of force? Or can you counsel and admonish instead?” In certain situations, such as the one described earlier, officers can rethink traditional police methods in order to be as effective as possible. Doing so involves knowledge of ethnic communities and a desire to establish a positive and trustworthy image in those communities (Katz, 2009).

**DIMENSIONS OF DIVERSITY**

To make sense of the different groups in our workplace and society, we need to have functional categories and terms. Marilyn Loden, organizational diversity consultant, describes and outlines the primary and secondary dimensions of diversity (Loden, 2009). The specific categories within the dimensions of diversity are not new but rather provide a functional construction of individual and group characteristics for understanding the people in the workforce and our society. This awareness and the ability to view differences as sources of strength often results in improved interpersonal relationships and improved citizen contacts.

**Primary Dimensions of Diversity**

A primary dimension is a core characteristic with which a person is born that remains with the individual in all stages of his or her life. According to Loden, people have a minimum of six primary dimensions (Loden, 2009):

1. Age
2. Ethnicity
3. Gender
4. Mental/physical abilities and characteristics
5. Race
6. Sexual orientation

Most people are aware of the meaning of these categories. For the sake of clarity, the following terms are included in the category “sexual orientation”: heterosexual, homosexual, lesbian, gay, bisexual, and transgender. All of the six primary dimensions are characteristics that contribute to being advantaged or disadvantaged in the workforce and in society. Victims of hate bias crimes have been targeted because of these six dimensions of diversity—age, ethnicity, gender, disability status, race, and sexual orientation. The primary dimension associated with age also includes generational differences. In the law enforcement agency workforce, values may collide among the generations; leaders and managers need to be cognizant of this dimension of diversity. Recruiting someone from “Generation Y,” for example, could involve an understanding of some of the unique characteristics associated with this age group. Generation Y members (born between 1977 and 1994, and compromising 20 percent of the population) have been characterized by one global human resource and recruitment firm as a tolerant group (NAS Insights, 2006). “With the ever growing diverse population, the word ‘minority’ may no longer have meaning to this and future generations . . . Working and interacting with people outside of their own ethnic group is the norm, and acceptable” (NAS Insights, 2006).

Secondary Dimensions of Diversity

A secondary dimension is a characteristic a person acquires as the result of a choice he or she made or a choice someone else made for him or her (Loden, 2009). Nearly all of the secondary dimensions’ characteristics contribute to the micro level demographic data. The secondary dimensions of diversity include, but are not limited to,

1. Communication style
2. Education
3. Family status
4. Military experience
5. Organizational role and level
6. Religion
7. First language
8. Geographic location
9. Income
10. Work experience
11. Work style
12. Others

Both primary and secondary dimensions of diversity influence the personal and professional lives of law enforcement personnel. Police officers need to be cognizant of these dimensions with their coworkers, and leaders with their subordinates. Tensions between supervisors and coworkers are often caused by the differences in secondary dimensions. Similarly, a police officer’s ability to establish rapport with citizens can also be related to either the actual or the perceived degree to which dimensions are shared.
EXHIBIT 1.9  Dimensions of Diversity

Models such as the diversity wheel, designed by Loden Associates, facilitate understanding of a broad range of primary and secondary dimensions of diversity.


Exhibit 1.9 shows how the primary and secondary dimensions of diversity influence people in the workforce and society. “While each dimension adds a layer of complexity, it is the dynamic interaction among all the dimensions of diversity that influences one’s self-image, values, opportunities, and expectations. Together, the primary and secondary dimensions give definition and meaning to our lives by contributing to a synergistic, integrated whole—the diverse person” (Loden, 2009).

PREJUDICE IN LAW ENFORCEMENT

The following questions were asked of police officers participating in a cultural diversity program:

“Raise your hand if you are a racist.” Not a single officer raised a hand.

“Raise your hand if you think that prejudice and racism exist outside this agency.” Most officers raised their hands.

The instructor then asked with humor: “From where were you recruited?” (Berry, 2009).

When discussing the implications of multicultural diversity for police officers, it is not enough simply to present the need to understand cultural background. Whenever two groups are from entirely different ethnic or racial backgrounds, there is the possibility that prejudice exists because of fear, lack of contact, ignorance, and stereotypes. To deny the existence of prejudice or racism in any given law enforcement agency would be to deny that it exists outside the agency.
To stereotype  To believe or feel that people conform to a pattern or manner with all other individual members of that group, lacking any individuality. People who are prone to stereotyping often categorize the behavior of an entire group based on limited experience with a very small number of people in that group. Negative stereotyping classifies many people in a group by the use of slurs, innuendoes, names, or slang expressions that deprecate the group as a whole as well as individuals in it.

To scapegoat  To blame one's failures and shortcomings on innocent people or those only partly responsible.

The movie *Crash* is an action-packed drama on film illustrating racial prejudice and discrimination. Read the following questions, and then the description and analysis of the film.

a. If you have seen the film *Crash* or have the opportunity to do so, discuss the following with your fellow officers or students:

   Which character(s), if any, surprised you? If applicable, what about the characters misled you?

   Discuss the two police officers involved—the one who appeared very open and accepting of diversity, and John. To be effective officers, what do they need to understand about themselves?

b. What interracial or interethnic dynamics, if any, have you observed or heard about in your jurisdiction or in the city in which you reside?

c. How is it of value to police officers to understand the phenomena of scapegoating and stereotyping in their line of duty?

d. What real-life examples, if any, are you aware of in your department or the city in which you reside that involve inaccurate perceptions and stereotypes leading to mistaken judgment? This question also extends to answers that relate to citizens’ misperceptions of police officers.

*Crash*—Stereotypes and Scapegoating

*Crash*, winner of the Oscar for Best Picture in 2006, powerfully depicts a contemporary, metropolitan racial environment. Through a complex interweaving of storylines, *Crash* illustrates the tragic effects of racial prejudice and discrimination. The diverse cast of characters portrays the multifaceted relations between and within various races; some are victims, others are blatant perpetrators, and others seemingly champion racial equality, while harboring hidden racist attitudes themselves. This film cleverly examines and explores the interplay of perceptions of the “other” and the tendency to scapegoat as a means of displacing one’s own anger. These two tendencies underlie racial prejudice, the dominant theme of *Crash*.

Jean Cabot is the rich, white wife of a Los Angeles Deputy Attorney, whose racial prejudices deepen after she is carjacked at gunpoint by two young black men. Shortly thereafter, she reveals racial stereotypes toward a Mexican locksmith, and takes out her frustration from the carjacking incident on her Hispanic maid. John Ryan, a white police officer with the LAPD, unabashedly displays racial prejudice. After unjustly pulling over the vehicle of a black couple, he verbally belittles them and molests the wife. On another occasion, the film reveals a frustrated, helpless side to John’s character when he deals with his ailing father, whose career was ruined because of the implementation of affirmative action policies.

John’s anger over his father’s unemployment and his powerlessness in dealing with his father’s medical condition prompt him to spout racial epithets at a black HMO employee who had nothing to do with his father’s situation. In his diatribe directed at Shaniqua Johnson, the HMO employee, he declares that he cannot look at her...
“. . . without thinking about the five or six more qualified white men who didn’t get [her] job” and that someone like her who “may have been given a helping hand might have a little compassion for someone in a similar situation.” Without knowing Shaniqua’s educational background or vocational experience, John instantaneously labels her as uneducated and dependent. He is judging the “other”—a member of a group to which he does not belong—based on stereotypes. He also scapegoats her (i.e., blames her, takes out his anger on her) as a means of displacing his own frustration.

After being carjacked at gunpoint, Jean Cabot displaces her anger and fear on Daniel Ruiz, the Mexican locksmith. She refers to him as “the guy in there with the shaved head, the pants around his ass, the prison tattoos,” who will sell the keys to his fellow gang members. In the immediate period following the carjacking, Jean demonstrates increased racial prejudice. Even though the carjackers were black, she takes out her frustration by insulting Mexicans, and in doing so, reduces minority groups as lower status and dangerous. Daniel, the Mexican locksmith, proceeds to go home to his family and comfort his frightened daughter, completely disproving the stereotype with which he was associated. Jean lacks the knowledge of who he is as an individual, and thus oversimplifies what it means to be Mexican. The following morning, after criticizing her Hispanic maid for not putting the dishes away in a timely fashion, she realizes that her anger “had nothing to do with [her] car being stolen. . . . I wake up like this every morning”; she realizes her frustration stems from the unsatisfying life she leads.

Jean’s tendency to stereotype and scapegoat the “other” is the basis of her racially prejudiced behavior. Throughout the film, we see individuals making split-second judgments about other people, based not on who the people are, but rather on oversimplified and inaccurate views. In reality, this happens on a daily basis, often including mutually inaccurate characterizations of both police officers and minority group members.

Source: Lipsett, 2009, Adapted with Permission.

What Is Prejudice?

Prejudice is a judgment or opinion formed before facts are known, usually involving negative or unfavorable thoughts about groups of people. Discrimination is action based on prejudiced thought. It is not possible to force people to abandon their own prejudices in the law enforcement workplace or when working in the community. Because prejudice is thought, it is private and does not violate any law. However, because it is private, a person may not be aware when his or her judgments and decisions are based on prejudice. In law enforcement, the expression of prejudice as bias, discrimination, and racism is illegal and can have tragic consequences. All police must consider the implications of prejudice in their day-to-day work as it relates to equal enforcement and professionalism.

It is not uncommon in diversity or cross-cultural workshops for officers to hear sentiments such as the following: “We’ve already had this training on prejudice. Why do we need to go over it again and again?”

As with other training areas in law enforcement, such as self-defense tactics, the area of prejudice needs to be reviewed on a regular basis. (It’s like working out at the gym; doing it once is not enough to keep a person in shape.) A person has only to read the headlines periodically to see that the problem of prejudice and racism in law enforcement is not yet solved. Although police chiefs cannot mandate that their officers banish prejudicial thoughts, this subject should be dealt with seriously. While some police officers say they have every right to believe what they want, the chiefs of all departments must be able to guarantee, with as much certainty as possible, that no officer will ever act on his or her prejudices. All officers must understand where the line is
between prejudice and discrimination, whether in the law enforcement agency with coworkers or with citizens. It becomes eminently clear that prejudice in the law enforcement agency must be addressed before it turns into racism and discrimination. Indeed, an agency cannot be expected to treat its multicultural population fairly if people within the agency are likely to act on their prejudiced thoughts.

### How Prejudice Influences People

Prejudice is encouraged by stereotyping, which is a shorthand way of thinking about people who are different. The stereotypes that form the basis of a person’s prejudice can be so fixed that he or she easily justifies his or her racism, sexism, or other bias and even makes such claims as “I’m not prejudiced, but let me tell you about those—–I had to deal with today.” Coffey, Eldefonson, and Hartinger (1982) discuss the relationship between selective memory and prejudice:

> A prejudiced person will almost certainly claim to have sufficient cause for his or her views, telling of bitter experiences with refugees, Koreans, Catholics, Jews, Blacks, Mexicans and Puerto Ricans, or Indians. But in most cases, it is evident that these “facts” are both scanty and strained. Such a person typically resorts to a selective sorting of his or her own memories, mixes them up with hearsay, and then overgeneralizes. No one can possibly know all refugees, Koreans, Catholics, and so on. (Coffey et al., 1982)

Indeed, individuals may be so convinced of the truths of their stereotypes that they claim to be experts on “those people.” One of the most dangerous types of prejudice can be subconscious. Subconscious prejudice (sometimes called “character-conditioned prejudice”) usually runs deep; the person with this character deficiency may hold hostile attitudes toward many ethnic groups, not just one or two. People who tend to mistreat or oppress others because of their prejudices often were mistreated themselves, and this experience can leave them extremely distrustful of all others. In addition, people who have strong prejudices can be insecure and frustrated because of their own failures. Consequently, they blame or scapegoat others. They have a great deal of stored-up anger that often began to build in childhood because of dysfunctional relationships with their parents. Quite often people in racial supremacist organizations fit the description of the extremely prejudiced person for whom mistrust and hate of all others is a way of life.

Another type of prejudice is acquired during “normal” socialization. This type of prejudice results when a person belongs to a group that holds negative views of other specific groups (e.g., southern whites and blacks, Arabs and Jews, Chinese and Japanese, Puerto Ricans and Mexicans). When there is a pattern of prejudice within a particular group, the “normal” person is the one who conforms to the prejudice. From childhood, parents pass on stereotypes of the out-group into the child’s mind because of their “normal” prejudices. By adulthood, the person who has learned prejudice against a particular group can justify the prejudice with rationalizations (Coffey et al., 1982).

However, not everyone in a given group holds prejudices common among the rest of the members of the group. According to Coffey and his colleagues, some people are more susceptible than others to learned (or culture-conditioned) prejudice. Those more likely to be prejudiced include (1) older people, (2) less educated people, (3) farmers and unskilled or semiskilled workers, (4) residents of rural areas or small towns, (5) people uninterested in civic affairs, and (6) people of low socioeconomic status.
**Police Prejudice**

Ondra Berry’s diversity training for law enforcement repeatedly conveyed this message to officers: if you are normal, you have cultural blind spots that will give you an unbalanced view of people who are different from you. Officers must look at themselves first before getting into situations in which they act upon their biases (Berry, 2009).

Police prejudice received a great deal of attention in the latter half of the 1990s—so much so that it was addressed as a topic of concern in the President’s Initiative on Race (“One America,” 1998):

> Racial disparities and prejudices affect the way in which minorities are treated by the criminal system. Examples of this phenomenon can be found in the use of racial profiling in law enforcement and in the differences in the rates of arrest, conviction, and sentencing between whites and minorities and people of color. Law enforcement professionals have recognized, especially as they enter the twenty-first century, that prejudices unchecked and not acted on can result in not only citizen humiliation, lawsuits, loss of jobs, and long-term damage to police–community relations but in personal tragedy as well.

Sometimes, training can be successful in changing behavior and possibly attitudes. Consider the example of firing warning shots. Most officers have retrained themselves to refrain from this action because they have been mandated to do so. They have gone through a process of “unfreezing” normative behavior (i.e., what is customary) and have incorporated desired behavior. Thus explicit instruction and clear directives from the top can result in profound changes of police actions. Clear policies that, in no uncertain terms, condemn racist acts or forms of speech will prevent most outward demonstrations of prejudice. It is not acceptable to ask a citizen, “What are you doing here?” just because he or she is of a different background than those of a particular neighborhood. Officers pay attention to these specific and unambiguous directives coming from the top. It may be difficult to impossible to rid an officer of stereotypes, but eliminating acts of prejudice becomes the mandate of the department.

**Peer Relationships and Prejudice**

Expressions of prejudice in police departments may go unchallenged because of the need to conform or to fit into the group. Police officers do not make themselves popular by questioning peers or challenging their attitudes. It takes a leader to voice an objection or to avoid going along with group norms. Some studies have shown that peer behavior in groups reinforces acts of racial bias. For example, when someone in a group makes ethnic slurs, others in the group may begin to express the same hostile attitudes more freely. This behavior is particularly relevant in law enforcement agencies given the nature of the police subculture and the strong influence of peer pressure. Thus law enforcement leaders must not be ambiguous when directing their subordinates to control their expressions of prejudice, even among peers. Furthermore, according to some social scientists, the strong condemnation of any manifestations of prejudice can at times affect a person’s feelings. Authorities or peers who keep prejudiced people from acting on their biases can, in the long run, weaken the prejudice itself, especially if the prejudice is not virulent. People conform and can behave differently, even if they hold the same prejudicial thoughts. Even if they are still prejudiced, they will be reticent to show it. National authorities have become much more vocal about dealing directly with racism and prejudice in law enforcement as an institution, especially in light of the quantity of allegations of racial profiling in police departments across the country.
A process of socialization takes place when top management has mandated change and a person is forced to adopt a new standard of behavior. When a mistake is made and the expression of prejudice occurs, a police department will pay the price in adverse media attention, lawsuits, citizen complaints, human relations commission’s involvement, or dismissal of the chief or other management. What may have been acceptable at one time is now definitely not and may result in discipline and monetary sanctions.

When police officers are not in control of their prejudices, either in speech or in behavior, the associated negative publicity affects the reputation of all police officers. It reinforces the popular stereotype that police are racists or bigots. Yet, because of publicized instances of discrimination, officers become increasingly aware of correct and incorrect behavior toward ethnic minorities. One example of this was a police department that was besieged by the press and outraged citizens for over two years. Several police officers had exchanged racist messages on their patrol car computers, using the word *nigger* and making references to the Ku Klux Klan. The citizens of the town in which the incident took place ended up conducting an investigation of the department to assess the degree of racism in the institution. In their report, the committee members wrote that the disclosure of the racial slurs was “an embarrassment and a crushing blow” to the image and credibility of the city and the police department. In addition, citizens demanded the chief’s resignation. In a cultural diversity workshop, some of the officers said they believed that the entire incident was overblown and that there was no “victim.” These officers failed to understand that the use of derogatory terms alone is offensive to citizens. Officers who do not grasp the seriousness of the matter may not realize that citizens feel unprotected knowing that those entrusted with their safety and protection are capable of using such hateful language. While the language is offensive, the problem is more with the attitudes it conveys. Such incidents are extremely costly from all points of view; it may take years for a department to recover from one incident connected to an officer’s prejudice or racism.

Officers need to be aware that anything they say or do with citizens of different backgrounds that even hints at prejudice automatically creates the potential for an explosive reaction. Here the experience of the minority and the non-minority do not even begin to approach each other. An officer can make an unguarded casual remark and not realize it is offensive. For example, an officer can offend a group member by saying “You people” (accentuating a we–they division) or by implying that if a member of a minority group does not fit a stereotype, he or she is exceptional (e.g., “She’s Hispanic, but she works hard” or “He’s African American, but very responsible”).

Members of culturally diverse groups are up against the weight of history and tradition in law enforcement. Ethnic groups have not traditionally been represented in police work (especially in top management), nor have citizens of some ethnic groups had reasons to trust the police. The prejudice that might linger among officers must be battled constantly if they are to increase trust with ethnic communities. The perception of many ethnic group members is that police will treat them more roughly, question them unnecessarily, and arrest them more often than they arrest whites. Awareness of this perception is not enough, though. The next step is to try harder with ethnic groups to overcome these barriers. Officers should go out of their way to show extra respect to those citizens who least expect it. It is important to create nondefensiveness in citizens who have traditionally been the object of police prejudice and who expect rude or uncivil behavior from the officers.

Beyond eliminating the prejudice manifested in speech, police management can teach officers how to reduce or eliminate acts of bias and discrimination. A large metropolitan police department hired several human relations consultants to help assess community–police problems. The chief insisted that they ride in a police car for four weekends so that they would “appreciate the problems
of law officers working in the black ghetto.” Every Friday through Sunday night, the consultants rode along with the highway patrol, a unit other officers designated as the “Gestapo police.” When the month ended and the chief asked what the consultants had learned, they replied, “If we were black, we would hate the police.” The chief, somewhat bewildered, asked why. “Because we have personally witnessed black citizens experiencing a series of unjust, unwarranted intimidations, searches, and series of harassments by unprofessional police.” Fortunately, that chief, to his credit, accepted the feedback and introduced a successful course in human relations skills. After this training, the officers demonstrated greater professionalism in their interactions with members of the black community.

When it comes to expressions of prejudice, people are not powerless. No one has to accept sweeping stereotypes (e.g., “You can’t trust an Indian,” “All whites are racists,” “Chinese are shifty,” and so on). To eliminate manifestations of prejudice, people have to begin to interrupt biased and discriminatory behavior at all levels. Officers have to be willing to remind their peers that ethnic slurs and offensive language, as well as differential treatment of certain groups of people, is neither ethical nor professional. Officers need to change the aspect of police culture that discourages speaking out against acts or speech motivated by prejudice. An officer or a civilian employee who does nothing in the presence of racist or other discriminatory behavior by his or her peers becomes a silent accomplice.

Eight Tips for Improving Law Enforcement in Multicultural Communities*

- Make positive contact with community group members from diverse backgrounds. Don’t let them see you only when something negative has happened. Allow the public to see you as much as possible in a nonenforcement role,
- Make a conscious effort in your mind, en route to every situation, to treat all people objectively and fairly,
- Remember that all groups have some bad, some average, and some good people within them,
- Go out of your way to be personable and friendly with minority group members. Remember, many don’t expect it,
- Don’t appear uncomfortable with or avoid discussing racial and ethnic issues with other officers and citizens.
- Take responsibility for patiently educating citizens and the public about the role of the officer and about standard operating procedures in law enforcement. Remember that citizens often do not understand “police culture.”
- Don’t be afraid to be a change agent in your organization when it comes to improving cross-cultural and interracial relations within your department and between police and community. It may not be a popular thing to do, but it is the right thing to do.
- Remember the history of law enforcement with all groups and ask yourself the question, “Am I part of the past, or a part of the future?”

*Tips and quotes are from Ondra Berry, retired Assistant Chief of Reno Police Department, 2009.

Summary

- A diverse society contributes to the challenges of a law enforcement officer’s job. Although our nation has been enriched by diversity, many police procedures and interactions with citizens can become more complex because of it. Racial tensions and communication challenges with immigrants are bound to complicate some police encounters. Officers have to work harder at building trust with certain communities. As individuals, officers need to increase their own cultural competence; as a profession, law enforcement needs to ensure that agencies promote the
ideal of officer effectiveness across all backgrounds and equitable principals, policies, and structure throughout police organizations.

- Multiculturalism has been a way of life in this country since its founding; U.S. society has never been homogeneous. Until fairly recently, America has been referred to as a melting pot, a term depicting an image of people coming together and forming a unified culture. However, the melting pot did not really ever exist. The first generation of every immigrant and refugee group in the United States has always experienced obstacles to acculturation into the new society. History does not support the metaphor of the melting pot, especially with regard to the first and second generations of most groups of newcomers. The terms mosaic and tapestry more accurately portray diversity in America. They describe a society in which people of all colors and backgrounds contribute to form society as a whole—and one in which groups are not required to lose their characteristics in order to “melt” together. The idea of a mosaic portrays a society in which each group is seen as separate and distinct in contributing its own color, shape, and design to the whole, resulting in an enriched society.

- The face of America has been changing for some time. Minorities constitute one-third of the U.S. population, and are expected to become the majority by 2042. By 2050, minorities are expected to reach 54 percent of the population. U.S. Census information released in 2008 indicated that approximately 1 in every 10 counties across the United States was already a “majority-minority” county; this meant that the percentage of minority residents in these counties had exceeded 50 percent.

- New immigrants can present challenges for law enforcement officers. Immigrants must learn a great deal about U.S. laws, the law enforcement system in general, and the role of police officers. Many immigrants fear law enforcement because police in their native countries engaged in arbitrary acts of brutality in support of repressive governments. In some other countries, citizens disrespect police officers because officers are poorly educated, inefficient, and corrupt, and have a very low occupational status. The barriers immigrants bring to the relationship with police suggest that American officers have to double their efforts to communicate with and to educate new immigrants. A further challenge for law enforcement is that, for a variety of reasons, new immigrants often become victims of violent crimes. Law enforcement faces additional challenges with respect to undocumented immigrants and its own enforcement role. With the debate on immigration into the United States and transitional relationships between ICE and some law enforcement agencies going on, issues await resolution regarding the enforcement role of the police officer.

- “Culture” is defined as beliefs, values, patterns of thinking, behavior, and everyday customs that have been passed on from generation to generation. Culture is learned rather than inherited and is manifested largely in unconscious and subtle behavior. If law enforcement’s function is to protect and serve citizens from all cultural backgrounds, it becomes vital to understand the cultural dimensions of crimes. Obviously, behaviors or actions that may be excused in another culture must not go unpunished if they are considered crimes in this country. Nevertheless, there are circumstances in which law enforcement officials at all levels of the criminal justice system would benefit by understanding the cultural context in which a crime or other incident occurred. Law enforcement professionals must use standard operating procedures in response to specific situations; the majority of these procedures cannot be altered for different groups based on ethnicity. In a multicultural society, however, an officer can modify the way he or she treats a suspect, witness, or victim given the knowledge of what is considered “normal” in that person’s culture. It is important for an officer to understand where “ethnocentrism” comes into play. “Ethnocentrism” is defined as an attitude of seeing and judging other cultures from the perspective of one’s own culture. An ethnocentric person would say there is only one way of being “normal” and that is the
way of his or her own culture. When officers suspect that an aspect of cultural background is a factor in a particular incident, they may earn the respect of—and therefore cooperation from—ethnic communities if they are willing to evaluate their arrests in lesser crimes.

• A “primary dimension of diversity” is a core characteristic with which a person is born and which remains with the individual in all stages of his or her life. People have a minimum of six primary dimensions: age, ethnicity, gender, mental/physical abilities and characteristics, race, and sexual orientation. A “secondary dimension of diversity” is a characteristic that a person acquires as the result of a choice he or she made or a choice someone else made for him or her. The secondary dimensions of diversity include, but are not limited to, communication style, education, family status, military experience, organizational role and level, religion, income, first language, geographic location, income, work experience, and work style.

• When discussing the implications of multicultural diversity for police officers, it is not enough simply to present the need to understand cultural background. Whenever two groups are from entirely different ethnic or racial backgrounds, there is the possibility that prejudice exists because of fear, lack of contact, ignorance, and stereotypes. To deny the existence of prejudice or racism in any given law enforcement agency would be to deny that it exists outside the agency. Members of the law enforcement profession have to examine their words, behaviors, and actions to evaluate whether they are conveying professionalism and respect to all people within the workplace and on the streets, regardless of their race, culture, religion, or ethnic background. All officers and civilian employees must be free of all expressions of prejudice and must recognize when stereotypes are contributing to biased judgments and potentially differential treatment of citizens.

Discussion Questions and Issues

1. Views on the Multicultural Society. The following viewpoints regarding our increasingly multicultural population reflect varying levels of tolerance, understanding, and acceptance. Discuss these points of view and their implications for law enforcement:

   • Diversity is acceptable if there is not too much of it, but the way things are going today, it is hard to absorb and it just may result in our destruction.
   • They are here now, and they need to do things our way.
   • To advance in our diverse society, we need to accept and respect our differences rather than maintain the myth of the melting pot.

2. Police Work and Multiculturalism. Describe three reasons why police officers need to show multicultural respect to their coworkers and citizens in their community. Also list three ways to demonstrate this respect and the benefits that will result.

3. Dealing with Illegal Immigrants. Does the police department in which you work (or in the city in which you reside) have a policy regarding undocumented immigrants? Are officers instructed not to inquire into their status unless a crime has been committed? How do you think police officers should deal with undocumented immigrants?

4. Mini Case Study 1. Reread, then discuss.

   Driving under the Influence?

   a. Has this issue (kava drink and its use among Pacific Islanders) been identified as an issue or problem in your jurisdiction? If so, what has the prosecuting attorney said about dealing with these cases?
   b. What would the officer’s and the police department’s liability be if he released the driver and the erratic driving continued?

5. Mini Case Study 2. Reread, then discuss.

   A Tragic Case of Cross-Cultural Misinterpretation

   a. Do you think this case would have proceeded differently if all the authorities involved understood the cultural tradition of the medical practice (“coin rubbing”) that caused the bruising? Explain your answer.
b. Discuss whether you think Southeast Asian refugees should give up this medical practice because it can be misinterpreted.

6. **Mini Case Study 3.** Reread, then discuss.

**Latino Values as a Factor in Sentencing**

a. Discuss whether culture should play any part in influencing the sentencing of a criminal convicted of violent crimes such as murder and rape. Was the lighter verdict in this case justified? Explain your answer.

b. According to retired Superior Court Judge Katz, culture influenced the sentencing in this case. In your opinion, if the husband involved were not Latino, would the sentence have been the same?

7. **Prejudice and Discrimination in Police Work.** In your own words, define prejudice and discrimination. Give examples of (a) discrimination in society in general, (b) discrimination against police officers, and (c) discrimination toward minorities by police officers. Discuss two strategies for each one to help eradicate the discrimination and the benefits that will result.

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**Website Resources**

Visit these websites for additional information related to the content of Chapter 1.

**The Population Reference Bureau:** [http://www.prb.org](http://www.prb.org)

The website informs people around the world about population, health, and the environment, and empowers them to use that information to advance the well-being of current and future generations. PRB analyzes complex demographic data and research to provide the most objective, accurate, and up-to-date population information in a format that is easily understood by advocates, journalists, and decision makers alike.

**Vera Institute of Justice:** [http://www.vera.org](http://www.vera.org)

The Vera Institute of Justice works closely with leaders in government and civil society to improve the services people rely on for safety and justice. It creates innovative programs, studies social problems, and provides practical advice and assistance to government officials around the world. The Vera Institute has publications on many topics of interest to law enforcement.

**The International Association of Chiefs of Police:** [http://www.theiacp.org](http://www.theiacp.org)

This comprehensive website provides a wide variety of information on police-related topics. It includes research, publications, and such topics as leadership and training. It also contains selected publications on community policing from the viewpoints of Chiefs of Police.

**Urban Institute:** [http://www.urban.org](http://www.urban.org)

Urban institute conducts nonpartisan economic and social policy research. Their website includes a wide variety of information on immigration, race, ethnicity, and US cities demographics.

**U.S. Census Bureau:** [http://www.census.gov](http://www.census.gov)

This website provides comprehensive information about changing demographics in the United States.


The official U.S. Government website connects to millions of web pages from federal government; state, local, and tribal governments; and foreign nations around the world. Most of these pages are not available on commercial websites. FirstGov offers the most comprehensive search of government data anywhere on the Internet.

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