Part 1

IMPACT OF CULTURAL DIVERSITY ON LAW ENFORCEMENT

1 Multicultural Communities: Challenges for Law Enforcement
2 The Changing Law Enforcement Agency: A Microcosm of Society
3 Multicultural Representation in Law Enforcement: Recruitment, Retention, and Promotion
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 inclusion of three case studies in Chapter 1 exemplifies how the presence of different cultures can affect the very nature and perception of crime itself. The authors present the subject of prejudice and its effect on police work, providing specific examples of its consequences in law enforcement. They also discuss community-based policing and provide examples of departments with and without community partnerships. The chapter ends with suggestions for improving law enforcement in multicultural communities.

Chapter 2 discusses demographic changes that are 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 institutions across the country. The authors illustrate the realities of the new workforce and the corresponding need for flexibility in leadership styles.
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Chapter 3 discusses challenges in recruitment, retention, and promotion of police personnel from various racial, ethnic, and cultural backgrounds. The authors 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.

Chapter 4 provides practical information highlighting the dynamics of cross-cultural communication in law enforcement. The chapter includes a discussion of the special problems involved when officers must 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 now includes a section on the need for communication sensitivity post-9/11. In addition, it covers nonverbal differences across cultures, and to some of the communication issues that arise between men and women in law enforcement agencies. Finally, the authors 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
Chapter 1

Multicultural Communities: Challenges for Law Enforcement

OVERVIEW

In this chapter we discuss law enforcement challenges related to the growing multicultural population in the United States. Chapter 1 begins with the need for an increased understanding of the diverse populations with which law enforcement officials interact. The discussion of our mosaic society incorporates a brief historical perspective on immigration. Three mini case studies illustrate the points of contact between a person’s culture and a particular crime or offense. We present practical reasons why officers should have an understanding of the cultural backgrounds of the groups they commonly encounter. Next, we discuss how prejudice interferes with, but can be overcome by, the professional behavior of law enforcement officers. The authors discuss community-based policing, along with its implications for positive relations and contact with diverse immigrant and ethnic communities. The chapter ends with tips for improving law enforcement in multicultural communities.

COMMENTARY

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.

—Mr. Kenneth Prewitt, Director of the U.S. Census Bureau, 1998–2001

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. A multicultural community is simply one that is comprised of many different ethnic and racial groups. 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.

Law enforcement officials—those whose professional ideal is to protect and serve people equally from all backgrounds—must face the challenges and complexities of a diverse society. Although our nation has been enriched by diversity, many police
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procedures and interactions with citizens can be complicated by diversity. A lack of knowledge of cultural differences 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 are in check and that they refrain from acting on any biased thought—after all, bias is common to all human beings. The following quotes provide a national perspective on the mandate of law enforcement:

**Initial Report of the United States of America to the United Nations Committee on the Elimination of Racial Discrimination**

As a functioning, multi-racial [and multicultural] democracy, the United States seeks to enforce the established rights of individuals to protection against discrimination based upon race, color, national origin, religion, gender, age, disability status, and citizenship status in virtually every aspect of social and economic life. . . . The federal government has established a wide-ranging set of enforcement procedures to administer these laws, with the U.S. Department of Justice exercising a major coordination and leadership role on most critical enforcement issues. (September 2000)

**Interview with Deputy Chief Ondra Berry, Reno, Nevada, Police Department**

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, personal communication, 2003)

INTRODUCTION

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 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, both from law enforcement agencies and the community, have realized that they both 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, knowledge, and skills, law enforcement as a profession can increase its “cultural competence.” Developing cultural competence is a process that evolves over time, requiring that individuals and organizations place a high value on the following (adapted from Cross, Bazron, Dennis, & Isaacs, 1989):

- Developing a set of principles, attitudes, policies, and structures that will enable all individuals in the organization to work effectively and equitably across all cultures
- Developing the capacity to:
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- acquire and apply cross-cultural knowledge
- respond to and communicate effectively within the cultural contexts that the organization serves

The strategies one uses to approach and build rapport with one’s own cultural group may very well result in unsuspected 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, on the one hand, 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 referred to as cultural pluralism, violates what some consider to be the “American way of life.” However, from the time our country was founded, we were never a homogeneous society. 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 usages 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 20th 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 (late 1800s), New York City exemplified how different immigrant groups stayed separate from each other, with little of the “blending” that people often imagine took place (Miller, 2003). Three-fourths of New York City’s population consisted of first- or second-generation immigrants (including Europeans and Asians); 80 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 seeing the United States as the land of hope and opportunity has always experienced obstacles in acculturation (i.e., integration) into the new society. In many cases, people resisted Americanization and kept to themselves. Italians, the Irish, eastern European Jews, the 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 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 and tapestry more accurately and idealistically portray a view of 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 displayed in a form that is attractive because of the very elements of which it is made. Each group is seen as separate and distinct in contributing its own color, shape, and design to the whole, resulting in an enriched society.

**Reactions to Diversity: Past and Present**

Accepting diversity has always been a difficult proposition for most Americans (Miller, 2003). 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 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’s look at reactions to the Irish, who by the middle of the 19th 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,” which could be seen frequently.

The Irish . . . endure[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, p. 18)

If this account were rewritten without specific references to time and cultural group, it would be reasonable to assume it describes contemporary reactions to newcomers. One could take this quotation and substitute 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 through 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, for example, war-torn eastern European refugees who came to the United States in the 1990s.

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, 2003) 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 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 the flight from their countries.
DIVERSE SOCIETY

In *One America in the 21st Century: Forging a New Future*, data showed that although racially and ethnically diverse groups have made progress with respect to the indicators used to measure the quality of life, they still face barriers to full inclusion in American life. In the area of civil rights enforcement, the Advisory Board to the President’s Initiative on Race (1998) made the following recommendations:

- Strengthen civil rights enforcement
- Improve data collection on racial and ethnic discrimination
- Strengthen laws and enforcement against hate crimes

A diverse society obviously makes any law enforcement officer or manager’s job more difficult. Racial tensions, cultural background, and ethnicity are bound to complicate many police procedures and encounters with citizens. It would be naive to “preach” to law enforcement officers, agents, and managers about the value of diversity when day-to-day activities are complicated by diversity. But the longer it takes to understand the influences of culture and ethnicity on behavior, the longer every police procedure and encounter between the police and the multicultural public will remain complicated. At a minimum, there must be a basic acceptance of diversity on the part of all criminal justice representatives as a precursor to improving interpersonal relations and contact across cultural, ethnic, and racial lines.

The Overlap of Race, Culture, and Ethnicity

Before entering into a discussion of demographics of various minority and immigrant groups, we must mention how, in this 21st century, demographic estimates and projections are likely to fall short of counting the true mix of people in the United States. In the culture-specific chapters (i.e., Chapters 5–9) of this book, we discuss characteristics and law enforcement–related issues of Asian and Pacific Americans, African Americans, Latino and Hispanic Americans, Arab Americans and other Middle Eastern groups, and Native Americans. This categorization is 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 him- 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. An individual who in the 1990 census counted himself or herself as black and now chooses both black and white is considered one person with two races in the 2000 census (“Multiracial Data in Census,” 2000).

Law enforcement officials need to be aware of the overlap between race and ethnicity and that many individuals consider themselves to be multiracial. “Everyday, 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” (“Redefining Race in America,” 2000, p. 38).
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The United States, a heterogeneous society, is an amalgam of races, cultures, and ethnic groups and is commonplace. The first photo in the Newsweek article, “Redefining Race in America,” shows a child whose ethnicity is Nigerian, Irish, African American, Native American, Russian Jewish, and Polish Jewish (from parents and grandparents). Her U.S. census category may be simply “other.” When we interpret population statistics, we have to understand that the face of America is changing. In 1860 there were only three census categories: black, white, and quadroon (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 to whether or not they were of Hispanic ethnicity. 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)

Changing Population

Changes in population characteristics between 1990 and 2000 have been dramatic. Exhibits 1.1 and 1.2 graphically present the relative sizes of various ethnic populations. According to population projections, by 2050, the non-Hispanic white population will

<table>
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<tr>
<th>Race/Ethnicity</th>
<th>1990</th>
<th>2000</th>
<th>DIFFERENCE</th>
<th>PERCENT DIFFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic Origin</td>
<td>22.4</td>
<td>35.3</td>
<td>13</td>
<td>58%</td>
</tr>
<tr>
<td>White, non-Hispanic</td>
<td>188.1</td>
<td>194.6</td>
<td>6.4</td>
<td>3.40%</td>
</tr>
<tr>
<td>Black, non-Hispanic</td>
<td>29.2</td>
<td>34</td>
<td>4.7</td>
<td>16.20%</td>
</tr>
<tr>
<td>Asian</td>
<td>6.6</td>
<td>10.1</td>
<td>3.5</td>
<td>52.40%</td>
</tr>
<tr>
<td>American Indian and Alaska Native</td>
<td>1.8</td>
<td>2.1</td>
<td>0.3</td>
<td>15.30%</td>
</tr>
<tr>
<td>Native Hawaiian and Other Pacific Islander</td>
<td>0.3</td>
<td>0.3</td>
<td>0</td>
<td>8.50%</td>
</tr>
<tr>
<td>Other Race</td>
<td>0.3</td>
<td>0.5</td>
<td>0.2</td>
<td>87.80%</td>
</tr>
<tr>
<td>Total</td>
<td>248.7</td>
<td>281.4</td>
<td>32.7</td>
<td>13.20%</td>
</tr>
</tbody>
</table>

Exhibit 1.1 Difference in Population by Race and Hispanic Origin: 1990 to 2000 (rounded to the nearest hundred thousand).

Source: U.S. Census Bureau, 2001

Notes: The 2000 data does not include persons who described themselves as being of more than one of the above racial categories, as the 1990 data did not include this option.
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The table shows the distribution of the resident population by race and Hispanic Origin in 2000. The majority of the population is White, non-Hispanic (69%), followed by Hispanic Origin (13%), Black (4%), Asian (1%), and American Indian, Alaska Native, Hawaiian and Pacific Islander (1%).

From 2000 to 2050, the population is expected to decline to 53 percent from 70 percent. In 2050, 25 percent of the population will be of Hispanic origin, 15 percent will be black, 9 percent Asian and Pacific Islander, and 1 percent American Indian, Eskimo, and Aleut. The non-Hispanic white population will decline to 20 percent from 30 percent in 2000. The percentage of Asian population will decrease to 6 percent from 10 percent, and the percentage of Black population will decline to 15 percent from 20 percent.

Exhibit 1.3  Resident Population by Race and Hispanic Origin Status—Projections: 2010 to 2050.

The bar chart illustrates the projected resident population by race and Hispanic origin status from 2010 to 2050. The percentage of Hispanic origin is projected to increase from 10% in 2010 to 25% in 2050. The percentage of Black population is projected to decrease from 15% in 2010 to 10% in 2050. The percentage of White population is projected to decrease from 30% in 2010 to 20% in 2050. The percentage of Asian population is projected to decrease from 10% in 2010 to 6% in 2050. The percentage of American Indian, Eskimo, and Aleut is projected to remain constant at 1% from 2010 to 2050.
Immigrants

Immigration is not a new phenomenon in the United States. Virtually every citizen, except for indigenous peoples of America, can claim to be a descendent of someone who migrated (whether voluntarily or not) from another country. Immigration levels per decade reached their highest absolute numbers ever at the end of the last century, when the number of immigrants surpassed 9 million from 1991–2000 (see Exhibit 1.4). In addition, immigrants from 1980 to the present have come from many more parts of the world than those who arrived at the turn of the 20th century (Exhibit 1.5). The U.S. Census Bureau reported in March 2002 that approximately 32.5 million U.S. residents (11.5 percent of the population) had been born in other countries.

Among the foreign born in 2002, 52.2 percent were from Latin America, 25.5 percent from Asia, 14.0 percent from Europe, and the remaining 8.3 percent from other regions of the world. The foreign-born population from Central America, including Mexico, made up more than two-thirds of the foreign born from Latin America and more than one-third of the total foreign born (see Exhibit 1.5). In terms of geographic distribution within the country, 11 percent of the foreign-born population lived in the

Exhibit 1.4  Immigration to America in the 20th Century.
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Exhibit 1.5  Emigration to America by World Region, 2002.

Midwest, 23 percent lived in the Northeast, 28 percent in the South, and 38 percent in the West (see Exhibit 1.6) (U.S. Census, 2002).

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 a time of recession, many people perceive that immigrants are taking jobs away from “real Americans” (forgetting that legal immigrants are also “real” Americans). However, the issues surrounding immigration are not as clear-cut as they may at first appear. 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 Ameri-

Exhibit 1.6  Distribution of Native and Foreign-Born Populations by Regional Percentages of Each Population.
can 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 do not attempt to understand them or demonstrate 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. (It is beyond the scope of this chapter to discuss the validity, or lack thereof, of this sentiment.) 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, but rather a cultural trait. (The behavior may also be an expression of distrust, but that is not always the case.) 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. Of course, not all problems are 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, Sergeant Aaron T. Olson, a patrol supervisor with the Oregon State Police, established an ongoing police outreach to Portland area immigrants. The organization, called IRCO (Immigrant Refugee Community Organization), sponsors classes in which Sergeant Olson orients new immigrants and refugees on interaction with American police, and on how to use 911. What Sergeant Olson has learned directly from the immigrant community, he shares with the police officers he supervises and with other police departments. In addition, as a criminal justice instructor and multicultural trainer in a public safety academy, he has the opportunity to provide this invaluable information to college students and to new police and corrections officers. He teaches, for example, that:

In the U.S., most police departments don’t want the driver or 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. I have learned this from translators and immigrants who have shared this from these outreach workshops. As a result of learning this information, I make it a practice to inform police officers of this specific behavior in the classes I teach at the public safety academy. (Olson, 2003)

The more direct contact officers have in ethnic and immigrant communities, the more knowledge they will gain about cultural differences that may have an impact on law enforcement.
Undocumented Immigrants

There are two major groups of undocumented immigrants: those who cross 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. Additionally, however, people from the Dominican Republic enter through Puerto Rico; since Puerto Ricans are U.S. citizens, they are considered legal. Therefore, officers may be in contact with “Puerto Ricans” who are actually from the Dominican Republic and have therefore come to the United States under an illegal pretext. (There is also the smuggling of Asians into the United States, and this includes women brought in for the 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 undocumented “aliens” come to the United States hoping to remain legally by proving that they escaped their homeland because of political repression, claiming that if they were to return, they would face persecution or death (i.e., they are seeking asylum). 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). Undocumented aliens 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 illegal and 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.

Illegal immigrants lack documents that would enable them 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 illegal segment of the immigrant population poses some difficult challenges for law enforcement officials. Trojanowicz and Bucqueroux (1990) found that:

[Illegal immigrants] pose a difficult challenge for police, because fear of deportation often makes them reluctant to report crimes committed against them—which also makes them easy prey. They can also fall victim to crimes related to their vulnerability—scams including extortion, fees for phony documentation. . . . Because so many arrive with little or no money and have difficulty making a living, undocumented aliens often cluster in low-income, high-crime areas. (p. 246)

The principal barrier to establishing trust with undocumented immigrants concerns their fears about being reported to the Immigration and Naturalization Service (INS). The argument supporting leaving illegal immigrants alone (unless they have committed a criminal act or are creating a disturbance) is based on the perspective that tracking down and deporting illegal workers is technically the job of the INS and not
the police. Police department managements have to create policies related to turning in illegal immigrants to the INS. Sometimes the trust of the entire community (illegal and legal immigrants) is at stake. Donya Fernandez (2000), a language rights attorney in San Francisco, California, suggests that police departments make it known to immigrant communities when they have decided not to turn in illegal immigrants to the INS. When this is known, there may be less fear of the police when it comes to reporting crimes (Fernandez, 2000).

**Undocumented Immigrants: Demographic Information**

The Immigration and Naturalization Service (INS) estimated that by January 2000, there were over 7 million undocumented people living in the United States. In its 2003 report on the subject, the INS places the growth of this population at 350,000 annually. This figure is 75,000 per year higher than was estimated before the 2000 census, primarily because of improved means of counting this hard-to-track population.

In the above-noted report, California was estimated to have the highest number of unauthorized residents, with 2.2 million, 32 percent of the national total. After California, Texas, New York, Illinois, and Florida were the next four states with the largest numbers of unauthorized immigrants (see Exhibit 1.7). Mexico accounted for the...

majority of them, with 4.8 million or 69 percent of the national total. Over 100,000 unauthorized persons came from El Salvador, Guatemala, Colombia, Honduras, China, and Ecuador (INS, 2003).

**Immigrant Women: Victims of Domestic Violence and Fear of Deportation**

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 face 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 are 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, 2000)

Jang and colleagues (1994) offer the following explanations for the high rate of domestic violence experienced by immigrant women. This appears to be as relevant now as it was when this statement was made:

1. Immigrant women may suffer higher rates of battering than U.S. citizens because they come from cultures that accept domestic violence, or because they have less access to legal and social services than U.S. citizens. In addition, immigrant batterers and victims may believe that the penalties and protections of the U.S. legal system do not apply to them.

2. A battered woman who is not a legal resident, or whose immigration status depends on her partner, is isolated by cultural dynamics that may prevent her from leaving her husband or seeking assistance from the legal system. These factors contribute to the higher incidence of abuse among immigrant women.

3. Some obstacles faced by battered immigrant women include a distrust of the legal system arising from their experiences with the system in their native countries, cultural and language barriers, and fear of deportation.

4. 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 he will prevail in court because he is a male, a citizen, or that he has more money. (p. 313)

Orloff (2003) told the house subcommittee that a survey of battered immigrant women revealed that only 27 percent of respondents were willing to call the police for help in a domestic violence incident. Specifically, concerning women who were physically and/or sexually abused versus emotionally abused, 31 percent said they called the police for help. Orloff compared these numbers to a 1998 Department of Justice survey where 53 percent of domestic violence victims said they reported the crime to police.

The phenomenon of new immigrants, women or men, legal or illegal, presents challenges to law enforcement officers working the streets. 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 the police because in their native countries police engaged in arbitrary acts of brutality in support of repressive governments (e.g., in Central America). In other countries, citizens disrespect police because they are poorly educated, inefficient, and 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, 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. Those who have contact with new Americans will need extraordinary patience at times. Adaptation to a new country can be a long and arduous process.

**INTERPLAY BETWEEN POLICE INCIDENTS AND CULTURE**

With community changes have come shifts in the concerns of law enforcement and criminal justice, as well as the nature of some crime and reactions to police tactics. Without knowledge of citizens’ cultural and national backgrounds, law enforcement officers in today’s society are likely to experience baffling incidents and to observe citizens’ surprising reactions to police tactics.

Expert in cultural diversity and the law, Alison Renteln (a University of Southern California political science professor), was cited in the following case, in an article entitled “Cultural Sensitivity on the Beat” from the *Los Angeles Times*.

The City of Spokane, Washington, paid a Gypsy family $1.43 million in 1997 to settle a civil rights suit over an illegal police search. The most controversial element of the case was the body search of the 13 family members, male and female, including a number of people who were not targets of the investigation. The family claimed that the unmarried girls who were searched were now considered defiled and unclean in the Gypsy culture. As a result, they could never marry another Gypsy. In fact, the entire household was considered contaminated, a family patriarch testified, and was soon after ostracized and unwelcome at weddings and funerals. (Los p. A12)

A Danish woman was jailed in 1997 for leaving her baby in a stroller outside a Manhattan restaurant—a case that focused international attention on New York City Police Tactics. . . . The woman and the baby’s father were charged with endangering a child and were jailed for two nights. The
14-month-old baby girl was placed in foster care for four days before she was returned to her mother. The incident precipitated a war of words between Danish newspapers and city administrators. Copenhagen columnists called New York police “Rambo cops.” Pictures wired from Denmark showed numerous strollers [with babies] parked outside cafes in view of their parents. (p. A12)

An understanding of accepted social practices and cultural traditions in citizens’ countries of origin can provide officers with the insight needed to understand and even predict 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. “Marriage by capture” translates into kidnap and rape in the United States. 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. 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, p. 33).

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 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. (See the section “Police Knowledge of Cultural Groups” later in this chapter.)

Many officers say that their job is to uphold the law, but it is not up to them to make judgments. Yet discretion, to not take a citizen into custody, in lesser crimes 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 tradition followed by a minority of people from northern India), which requires that its followers wear a ceremonial dagger, a sacred symbol, at all times, even during sleep. Consider Pacific Islanders having barbecues in their garages, where they roast whole pigs. And consider a Vietnamese family who eats dog. When officers understand the cultural context within which a “crime” takes place, then it is much easier to understand a citizen’s intent. Understanding the cultural dimensions of a crime may result, for example, in not taking a citizen into custody. With lesser crimes, this may be the appropriate course of action and can result in the preservation of good police–community relations. Before looking at specific case studies of incidents and crimes involving cultural components, we present the concept of culture and its tremendous impact on the individual.

All people (except for very young children) carry “cultural do’s and don’t’s,” which some might also refer to as “cultural baggage.” The degree of this “baggage” is determined by their own conscious and unconscious identification with their group and their relative attachment to their cultural group’s traditional values. Being influenced by cultural baggage is a natural human phenomenon. Much of who we are is sanctioned and reinforced by the society in which we have been raised. According to some experts, culture has a far greater influence on people’s behavior than any other variable such as age, gender, race, and socioeconomic status (Hall, 1959), and often this influence is unconscious. It is virtually impossible to lose one’s culture completely when interacting in a new environment, yet change will inevitably take place.

The Definition of Culture

Although there are many facets of culture, the term 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 in largely unconscious and subtle behavior. With this definition in mind, consider that most children have acquired a general cultural orientation by the time they are 5 or 6 years old. For this reason, it is difficult to change behavior to accommodate a new culture. Many layers of cultural behavior and beliefs are subconscious. Additionally, many people assume that what they take for granted is taken for granted by all people (“all human beings are the same”), and they do not even recognize their own culturally influenced behavior. Anthropologist Edward T. Hall (1959) said, “Culture hides much more than it reveals and, strangely enough, what it hides, it hides most effectively from its own participants.” In other words, people are blind to their own deeply embedded cultural behavior.

To further understand the hidden nature of culture, picture an iceberg (Ruhly, 1976). The only visible part of the iceberg is the tip, which typically constitutes only about 10 percent of the mass. Like most of culture’s influences, the remainder of the iceberg is submerged beneath the surface. What this means for law enforcement is that there will be a natural tendency to interpret behavior, motivations, and criminal activity from the officer’s cultural point of view. This tendency is due largely to an inability to understand behavior from alternative perspectives and because of the inclination
PART 1: IMPACT OF CULTURAL DIVERSITY ON LAW ENFORCEMENT

Ethnocentrism refers to an attitude of seeing and judging all other cultures from the perspective of one's own culture. In other words, an ethnocentric person would say that 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 must adhere, whether native-born or not. However, the following case studies will 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 (“Officers Being Trained,” 2000).

A Tongan man living in [the Bay Area] was arrested on Highway 101 on the Peninsula in August 1999 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.

**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

*Chapter 5, “Law Enforcement Contact with Asian/Pacific Americans,” includes several other examples regarding the involvement of police and child protective services and coining cases. Please note that, regarding the case above (“A Tragic Case of Cross-Cultural Misinterpretation”), we have no further facts about the case regarding what the police officers knew.
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. Upon 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 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 “coining” 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, 1992, 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 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. Upon hearing his wife gloat about her affair, the husband left the picnic and drove 5 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 her 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, 2003)

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 culture as a variable in understanding, assessing, and reporting certain kinds of incidents and crimes.

POLICE KNOWLEDGE OF CULTURAL GROUPS

Law enforcement representatives have the ultimate authority to arrest or admonish someone suspected of a crime. According to Judge Katz, “Discretion based on cultural knowledge 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 possibility of creating positive public relations if they demonstrate cultural sensitivity and respect toward members of an ethnic community. Judge 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, sometimes resulting in fights. In Judge 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 Judge 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 types of situations, such as the one described earlier, officers can rethink traditional police methods in order to be as effective as possible. This involves knowledge of ethnic communities and a desire to establish a positive and trustworthy image in those communities (Katz, 2003).

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: “Then where were you recruited from?” (Berry, 2003).

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.

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 to hear in diversity or cross-cultural workshops for officers sentiments such as the following: “We've already had this training (i.e., 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 and tactics, the area of prejudice needs to be reviewed on a regular basis. One only has to read the headlines periodically to see that the problem of prejudice and racism in law enforcement is not yet solved. For example, in November 2000, the New York Times reported that racial profiling was routine in a large agency in the Eastern part of the U.S. It is not our intention to single out any particular department but to state directly that prejudice has not yet disappeared from law enforcement. 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 et al. (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 If you are normal, you have cultural blind spots which 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, 2003).

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:

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 (Advisory Board to the President’s Initiative on Race, 1998).

Law enforcement professionals have recognized, especially as they enter the 21st century, that prejudices unchecked and 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. The success of mandated change is supported by Fletcher Blanchard (1991), a social psychologist at Smith College, who conducted and published research findings on fighting acts of bigotry. His contention is that clear policies that unequivocally condemn racist acts or forms of speech will prevent most manifestations of prejudice. Asking a citizen, “What are you doing here?” just because he or she is of a different background than those of a particular neighborhood is not acceptable. Officers will listen to these specific and unambivalent directives coming from the top, even if their personal biases do not change. As Blanchard explains: “A few outspoken people (e.g., in an organization/agency) who are vigorously anti-racist can establish the kind of social climate that discourages racist acts. It may be difficult to rid an officer of his or her stereotypes, but not acting upon prejudices become[s] 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: Using pressure from authorities or peers to keep people who are prejudiced from acting on those biases can, in the long run, weaken the prejudice itself, especially if the prejudice is not virulent. People conform; that is, people will behave differently, even if they still 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 change has been mandated by top management 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
Part 1: Impact of Cultural Diversity on Law Enforcement

price (in adverse media attention, lawsuits, citizen complaints, human relations commissions involvement, or dismissal of the chief or other management). Government officials’ public expressions are subject to a great deal of scrutiny. Alison Berry-Wilkinson, a lawyer and expert on harassment issues, cited the case of a prosecutor who was publicly reprimanded for a hallway comment to another lawyer during a murder trial: “I don’t believe either of those chili-eating bastards.” The court stated: “Lawyers, especially . . . public officials, [must] avoid statements as well as deeds . . . indicating that their actions are motivated to any extent by racial prejudice” (People v. Sharpe, 789 p.2d 659 [1989], Colorado, in Berry-Wilkinson, 1993, p. 2d). Berry-Wilkinson’s concluding statement following the reporting of this case reads: “What once may have been acceptable is now definitely not and may bring discipline and monetary sanctions. While public employees may be free to think whatever they like, they are not free to say whatever they think. A public employee’s right to free speech is not absolute” (p. 2d).

When officers in a police department are not in control of their prejudices (in either their speech or in their behavior), the negative publicity affects the reputation of all police officers (by reinforcing 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.

Beginning in 1990, a California police department was besieged by the press and outraged citizens for over 2 years because six 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 police department. In addition, citizens demanded the chief’s resignation. In a cultural diversity workshop (April 13, 1993) 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 nonminority 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. African American psychiatrist Wendell Lipscomb (1993), who himself experienced biased treatment from officers in his younger years, advises officers to go out of their way to show extra respect to those citizens who least expect it. He suggests “disarming” the citizen who has traditionally been the object of police prejudice and who expects rude or uncivil behavior from the officer (Lipscomb, 1993).

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 civilian employee who does nothing in the presence of racist or other discriminatory behavior by his or her peers becomes a silent accomplice. Law enforcement organizations across the country have used community-based policing to help overcome cultural barriers between officers and the different groups with whom they come into contact.

COMMUNITY-BASED POLICING

We need to open up dialogue with officers—we need a dialogue of critique. Let’s look at what is working and what needs improvement. We need to work together to create a blueprint of cooperation. (Pastor R. Griffin, Detroit-based clergyman and African American community leader, 2003)

Today’s officers are increasingly comfortable with contemporary community-based policing described as a problem-solving approach. Community-based policing enables officers to work with civilians outside the conventional channels by meeting with community groups and learning of their concerns. It also allows community members to
understand the “culture” of law enforcement and to help them grasp the reasons for which officers make the decisions they do. It encourages unconventional and creative ways of dealing with crime and peacekeeping at the neighborhood level, and allows for a change of image of the traditional officer. This is especially true in certain immigrant neighborhoods or ethnic conclaves where citizens have traditionally feared the police.

Community-based policing has, for the majority of local police departments around the country, become a fact of life. As of June 30, 2000, “Two-thirds of all local police departments and 62 percent of sheriffs’ offices had full-time sworn personnel engaged in community policing activities. Local police departments had an estimated 102,598 full-time sworn personnel serving as community policing officers or otherwise regularly engaged in community policing activities, and sheriffs’ offices had 16,545 full-time sworn so assigned” (U.S. Department of Justice, 2000).

According to Sergeant Aaron T. Olson (Oregon State Police), “If the police take the initiative to reach out into the community—it could be to a minority group, or any neighborhood—the community appreciates it, but the relationship has got to be ongoing” (Olson, 2003). The “storefront office,” for example, which is not a new concept, whereby police work at a desk in an office in a neighborhood location during day or swing shifts, serves this purpose. In Sergeant Olson’s experience, the officer will show up to that facility (school, business, or apartment complex) and park their patrol vehicle where it is visible to the public. Inside, the officer will complete reports, return telephone calls, or visit with the facility’s staff or occupants. This way, people in the community see the police on a frequent basis. This creates more positive and personal interaction. According to Olson, this has worked quite well with such a “storefront office” at a particular elementary school. At the school, Olson and other troopers have personally provided intervention for problem students, resources for counselors, and classes to students and neighborhood organizations. According to Olson, “It’s extremely productive.”

Community-based policing is one of several terms that police agencies across the nation use to refer to working partnerships with communities. A few of the more commonly used terms are problem-oriented policing (POP), community policing (CP), and community-oriented policing (COP). The concept of and practices associated with community-based or community-oriented policing are central to any discussion on minority groups and immigrant populations. The legislative basis of what became known as Community Oriented Policing Services (COPS, Title 1 of the Violent Crime Control and Law Enforcement Act of 1994) listed four specific goals intended to change the level and practice of policing in the United States. The first two goals link directly to our discussion of police interaction and professionalism with community members, including those from diverse racial, cultural, ethnic, religious, and lifestyle backgrounds. These two goals are as follows (National Institute of Justice, 2000): (1) To increase the number of officers deployed in American communities and (2) To foster problem solving and interaction with communities by police officers.

A great deal of literature is available to law enforcement agencies on community-based policing. Community-based policing depends on a strong partnership with the various communities that make up a city or jurisdiction. The partnership ensures dialogue and provides the mechanism by which a police department is aware of current relevant issues in the community. The following description of a police department without a community-based approach, while dated, is a graphic example of how world
events and the influx of refugees have to be monitored in a community-based partnership format.

This dramatic example involves the case of a medium-sized police department in southern California that exemplifies the problems associated with not using community-based policing. Neither the management of the department nor the city was aware that the ethnic community had been changing significantly. Only 2 years after dramatic events began to take place did patrol officers start to pay attention to the changes, most of which had occurred suddenly following the fall of Saigon in 1975. After the withdrawal of American forces from Vietnam, the United States changed its immigration policy to relocate peoples in jeopardy from Southeast Asia. Police officers were performing their “crime fighter” role, but because there was no partnership with the community, there was no reason or incentive to monitor and report the changes they were noticing. This particular community, therefore, was not prepared for the increase in racial disputes and violence on the streets and in the schools, nor was it prepared for increasing needs in government, infrastructures, and social services. Former Captain Stan Knee of the Garden Grove Police Department, in a 1987 interview, observed that officers spent five times longer answering calls involving Vietnamese citizens than those in the Anglo community because of language and cultural differences. Officer and management frustrations resulted. Community-based policing would have had a plan in place for that neighborhood transition. Why? Because the department, including all local government institutions, and the neighborhoods would have been working together closely.

Community-based policing allows for collaboration with the community. As Deputy Chief Ondra Berry (2003) says, “We don’t know the community as well as the community does.” (Berry, 2003) Community-based policing represents a more democratic style of policing. It allows for openness and dialogue. The police department is not cut off or insulated from the community (Skolnick, 1999). It has proven to be a contributing factor to the decrease in crime in certain areas. Deputy Chief Berry shared the following firsthand account of how the implementation of community-based policing in his community (Reno, Nevada) was the definitive factor in the decrease in gang-related activities, including homicide.

Deputy Chief Berry spoke of the alarming homicide rates in Reno, Nevada, in 1992, which included the deaths of two Hispanic children—a 13-year-old girl killed at a soccer game and a 3-year-old boy, both victims of Hispanic gang-related shootings. The dissension between the community and the police department was growing rapidly. The police department had no choice but to address the homicide rate in the community from an enforcement point of view; the community’s needs were to address basic issues of survival and quality of life. Deputy Chief Berry’s dedication to the community resulted in the ultimate collaborative effort in community-based policing. Berry, with the help of the ethnic communities as well as the community at large, brought together representatives from the police department (and especially the gang task units), officials from the school districts, government, and nonprofit sectors of the community, and business representatives. Together they devised a plan for combating gang activity in Reno. The community had a strong voice; the police department valued and listened to community members’ input. As a result of the collaboration, the police–community partnership created the Gang Alternative Partnership Center, which includes (1) gyms open until 1:00 A.M., (2) officers helping to coach basketball teams consisting of gang members, (3) drill teams and after-school programs, (4) community
assistance to youth in the finding of jobs, and (5) organized tattoo removal available to gang members. In addition, the community and the police directed nonprofit organizations (such as the United Way) in the channeling of funds to provide programs for youth. The police department also increased its gang units.

According to Deputy Chief Berry, because of the successful collaboration of police department and community, lives have been saved. Since 1995 there have been one or two gang-related shootings. Drive-by shootings went down from an average of 140 shots-fired calls a month to an average of 20 calls per month. Gangs are still present in the city, but activity has decreased in Reno.

The Police Executive Research Forum (PERF) looked for commonalities among various community-policing programs across the country, and conducted thorough research in the subject. The researchers outlined five different perspectives on community policing within agencies throughout the United States. Though this report was published in 1992, these principles are not any less applicable today.

1. Deployment perspective: Placing officers in closer proximity to members of the community and thereby improve their knowledge of the area in which they work.
2. Community revitalization perspective: Focusing on preventing deterioration of neighborhoods by police paying closer attention to fear-inducing characteristics of neighborhoods.
3. Problem-solving perspective: Maintaining that the most critical element of community policing is the problem-solving efforts in which the police and community (residents, other government agencies, and private businesses) participate.
4. Customer perspective: Developing proactive mechanisms for determining the needs of the public relative to the police function; the approach uses routine surveys of citizen and advisory groups to accomplish this goal.
5. Legitimacy perspective: Attempting, via community policing, for officers to be more equitable in their relationships with the minority community.

Such perspectives require opening a dialogue between the police and diverse community groups so that groups can identify their peacekeeping concerns and the police can respond to them. Departments typically mix varieties of community policing perspectives; however, the common thread within all approaches is that the police assist the community in policing and protecting itself. To do so, the police must engage the community in the task of policing. The police are actually dependent on a relationship and partnership (some call it “building bridges”) with the community to perform these tasks. The community identifies problems with the encouragement, direction, and participation of the police.

**SUMMARY**

Dramatic changes in the ethnic and racial makeup of the population have created new challenges at all levels of police work. Willingness to gain cultural information about the new communities that they serve will ultimately benefit officers in their interactions with people of different backgrounds. Officers’ knowledge of cultural differences, coupled with an ability to demonstrate respect for those differences, can result in increased rapport and effective communication with people from various ethnic and
racial backgrounds. Trust in many ethnic communities has to be earned because of the cultural “baggage” that community members bring to their relationships with the police. 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, regardless of their race, culture, religion, or ethnic background. Law enforcement agencies must be free of all expressions of prejudice on the part of their officers and civilian employees. Finally, law enforcement agencies in partnership and collaboration with communities are likely to experience decreased crime rates and increased trust and cooperation with citizens of all backgrounds.

**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 segments of society 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 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?”

**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:

*Tips and quotes are from Deputy Chief Ondra Berry, Reno Police Department, 2003
*See the Instructor’s Manual accompanying this text for additional activities, role-play activities, questionnaires, and projects related to the content of this chapter.
• 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 maintaining the myth of the melting pot.


3. Dealing with Illegal Immigrants. Does the police department in which you work 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 illegal 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 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 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.

8. Community-Based Policing. Why is community-based policing in minority, ethnic, and immigrant communities especially crucial to the success of law enforcement in any given city? Discuss the two cases presented in this section of
the chapter (i.e., the case of the police department without community policing in place [at the time of the fall of Saigon] and the case of the police department whose community policing efforts resulted in a dramatic decline of the homicide rate in the city). What lessons can you extract from these two examples that may be applicable to your jurisdiction?

WEBSITE RESOURCES

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

The Community Policing Consortium:  www.communitypolicing.org
The website presents a consortium of organizations that work to improve community-based law enforcement; the site has a wealth of materials and links related to the topic.

Vera Institute of Justice:  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
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.

U.S. Census Bureau:  http://www.census.gov
This website provides comprehensive information about changing demographics in the United States.

REFERENCES

Berry, Ondra. (2003, December 8). Deputy Chief, Reno, Nevada, Police Department, personal communication.
Part 1: Impact of Cultural Diversity on Law Enforcement


Olson, Sergeant Aaron T. (2003). Sergeant and patrol supervisor with Oregon State Police; Instructor at Oregon’s Public Safety Standards and Training for Regional and Academy students; and police liaison with IRCO (Immigrant Refugee Community Organization) in Portland area, personal communication (July, 2003).