

**IS "COMMUNITY ORIENTED POLICING AND PROBLEM SOLVING" A
VIABLE STRATEGY FOR LAW ENFORCEMENT TO PREVENT
VIOLENCE BETWEEN NATURAL AND FOREIGN BORN PEOPLE OF
HISPANIC ORIGIN**

JOURNAL ARTICLE

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PEACE OFFICER STANDARDS AND TRAINING
SACRAMENTO, CALIFORNIA

MAY 1998

25-0511

This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future but rather to project a number of possible scenarios for strategic planning consideration.

Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.

The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).

There is a problem in many of our California communities. A problem that few are willing to acknowledge, and even fewer are willing to talk about, especially the people it effects the most. The problem is “fratricide” in the Hispanic community¹. The dictionary defines fratricide as the killing of a brother, sister or fellow countryman thought of as family. For purposes of this article fratricide refers to the killing of a person of Hispanic national origin by another person of Hispanic national origin with whom the perpetrator shares a sense of family or comradeship, commonly referred to in street vernacular as being a member of La Raza.

There is abundant circumstantial statistical information that supports the existence of this pattern of violence, but yet you will find very few studies that address the issue directly. This might be because violence between natural born U.S. Hispanic community members and foreign born Hispanic community members, which is defined as a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race, is a subject that relates to a culture that does not easily allow the intervention or interest of strangers in private matters, as well as being a topic which relates to a very large and growing group of people who are struggling to achieve equal status in the social, political and economic environments of this country².

During the research of this article there were five distinct factors identified which appear to have significant influence on the continuation of this inter- national origin violence cycle; demographics, the nature of violence, the Hispanic culture, gangs and the type of policing used for crime prevention.

A number of current demographic trends, and a like number of projected demographic trends provide a clear picture of why demographics is an issue that must be addressed.

- A. The Hispanic population will grow significantly over the next 30 years.
- B. A large part of the Hispanic population growth will be due to international immigration, and a large part of that international growth will be undocumented aliens.
- C. A growing portion of the Hispanic population will be getting younger in relation to the overall age of the group.
- D. The high rate of natural Hispanic births attributed to California will assure a significant number of both natural and foreign born Hispanic community members susceptible to the tradition of violence currently seen in the Hispanic community.

The nature, or patterns of violence tends to support continued violence between Hispanics. Many statistics are gathered which define the probability of who will be a victim of serious violence. Males are more likely to be victims of violent crime than females.³ Between 1992 and 1994, the group of people aged 12 to 24 comprised less than 25% of the population, but accounted for 49% of victims of violent crime.⁴ This same group accounted for 35% of murder victims.⁵ The chance of being a victim appears to increase through adolescence, and peaks at about 20 years of age.⁶

This is compounded for the Hispanic community where statistics reveal Hispanics are at higher risk to be a victim of violent crime than non-Hispanic whites of all comparable age groups. Serious violence indicators specifically addressing the Hispanic community include the fact that the age group 12 to 24 have a significantly higher ratio of aggravated assaults per 1000 people

than other age groups, and Hispanics in these age groups have a higher rate per 1000 (13.6) of being a victim of violent crime than non-Hispanics (8.2).⁷

The specific issue of violence between Hispanics is further collaborated by the statistical evidence that the victim of violent crime is most likely to be victimized by a perpetrator of the same sex, race, age, and the victim and perpetrator will know each other.⁸ There has also been shown a correlation between a higher rate of violence in conjunction with poverty.⁹

A significant research project was conducted by Daniel Lockwood titled Violence Among Middle School and High School Students: Analysis and Implications.¹⁰ Lockwood discovered that the majority of violent acts occurred in response to a trivial act or event that escalated to violence after a challenge was offered and the parties could not back down because that would cause them to “lose face”. This pattern is seen frequently in violence between Hispanic groups who share a cultural trait commonly referred to being “macho”. A personal sense of honor and respect, as defined in the Hispanic culture, is highly valued among many Hispanic community member according to Sergeant Garcia of the Redlands Police Department. Sergeant Garcia was born and raised in Mexico, and has extensive experience working with both sides of this problem.¹¹ Another area of violent behavior that reflects the high risk Hispanics face for violent crime is the statistics kept on hate crime. Hate crime is defined by the Department of Justice as “a criminal offense against a person or property which is motivated in whole, or in part, by the offender’s bias against race, religion, ethnic/national origin, or sexual orientation group”. According to the Federal Bureau of Investigations, in 1993, 8,987 hate offenses were committed. 85% of the victims were people, versus organizations at 15%. During 1993 seventy-one point eight percent of ethnic/national origin crimes were committed against persons of Hispanic origin. A 1988 study

estimated 50% of all hate crimes are committed by people between the ages of 16 and 25.

The role of culture among people of Hispanic origin is very complicated. This is due in part to the fact that people of Hispanic origin come from so many different countries that have very diverse customs, traditions and values. Mexico, Puerto Rico and Cuba are very different in their traditions and political structures, and yet they are all considered of Hispanic origin and frequently the people of these Spanish speaking countries find themselves considered one same race by many of the people in the USA.

Hispanic culture in the US is constantly being rejuvenated, and refreshed by new groups of immigrants entering the country. These immigrants bring with them the unadulterated family and work values of their parent culture.¹² Specific aspects of this culture include the fact that members of the immigrant Hispanic community are less likely to be dependent on government support, due to cultural beliefs as well as the fact some members of the Hispanic community are in the country illegally.¹³ They are more likely to be employed, and they are twice as likely to have a married couple as the foundation of the family.¹⁴ The Hispanic culture relies heavily on the “family” to predicate what is acceptable social behavior. This is in stark contrast to mainstream US culture, where peers tend to be the predicator of behavior. A major problem experienced by Hispanic immigrants in California has been the process of acculturation. It would appear that in many cases the longer an immigrant youth is in the country, and is absorbed in to the mainstream US culture, they tend to cultivate the negative traits associated with poverty and delinquency.¹⁵ Even though traditional Hispanic culture deters delinquency, the pressures of living in the barrio makes it difficult to preserve ethnic identity, and frequently there is a loss of family control over younger immigrants.¹⁶ The pressures encountered in the barrio routinely include immigrants

being shunned by indigenous Latinos who berate them with names like “chuntaro”, a person who doesn’t have any social graces, and “mojados” or wetbacks. The meaning of these terms implying that the immigrants are socially inferior to indigenous Hispanics because the immigrants had to swim across the river to get into the US. Yet, it is not only the indigenous Hispanic people who make verbal insults about their foreign counter parts. The foreign born Mexican people started the use of the term “cholo” for US Hispanics. This term refers to the American Hispanics having “new” money and education, but that they can’t buy respect for themselves.¹⁷

A serious point of contention between the natural and foreign born Hispanics is how the foreign born perceive the indigenous Hispanics looking down on them for no valid reason. Actually, many foreign born Hispanics believe it should be the other way around. The immigrant person believes they know their own identity, which comes from their country of birth. The foreign born perceive that the indigenous Hispanics have no identity. They see that many Americans think the indigenous Hispanics are Mexican citizens, when they are not. They find that many indigenous Hispanics frequently have limited or no understanding of the Spanish language. The foreign born see famous US indigenous people of Hispanic origin forced to change their Spanish language surnames to something more acceptable to the general American public. Initially, many foreign born Hispanic people feel pity for the indigenous Hispanic, considering their position that of a sub-race. Then they become offended and subsequently angry when faced with the aggressive, and superior attitude of some indigenous Hispanics.

These situations are compounded by long observed abuse of alcohol and drugs in the Hispanic community.¹⁸ These pressures in the living environment of the foreign and natural born Hispanic community often lead to frustration, which is taken out on loved-ones and neighbors,

which is a major predicator of fratricide in the Latino community.¹⁹

When the immigrant youths enter school many of these same negative pressures from the neighborhood are encountered at school, and tend to cause the immigrant Hispanic youths to band together with like individuals who are suffering the same pressures for safety and social reasons. All of these issues make the immigrant vulnerable to the influences of people who understand their isolation and frustration, and are willing to provide a more secure and accepting quasi-family environment, namely gangs.²⁰

It is important to understand that the gang culture is not Hispanic culture. Gangs are formed from the ranks of the disenfranchised and disenchanting, not the unassimilated.²¹ It is from the gang culture that many immigrant youths learn the value of might makes right, that violence is an acceptable means of maintaining the social hierarchy or pecking order.²²

California has more gangs than any other state. In 1990 it was stated that approximately 33% of all gangs were comprised of Hispanic members. The ethnic group with the largest numbers associated with gangs were the African-American, who account for approximately 55% of the total gangs.²³ The average age for a gang members is 12-25 years, with the peak age being 17 years. A 1995 survey of 2007 law enforcement agencies stated that 49% of the agencies believed their gang problem is getting worse.²⁴ Gang activity is believed to occur more frequently under social deprivation conditions, with the primary purpose of being a gang member identified as being recognition, status, safety, security and power.²⁵ Some studies believe gang activity relates to chronic social problems associated with race, social class and immigration. In most cases the development of gangs follow a common pattern.²⁶ Groups of youth hang around together and then become involved in physical conflicts with other groups involved in the same

activity. Soon graffiti is seen and recruitment begins. As assaults intensify the gang crystallizes and the mold is set. A pattern frequently attributed to all juvenile violence is that it is commonly committed by a group, the opposite of adult violence which is commonly a individual act.²⁷ It is evident that many of the challenges faced by immigrant Hispanic youth make them prime candidates for joining or forming their own gang.

Community Policing is a policing strategy which can trace its roots through a series of earlier strategies which failed to meet the needs of the public. The political era,²⁸ when officers patrolled on foot in designated geographical areas at the direction of politicians, who frequently had other than honorable motivations behind the directed patrols of the police. In response to this relationship with the public another policing strategy was developed, the Reform Era. During this period the police centralized their services to better control the actions of the officers. Part of the purpose was to make policing more efficient and objective. This process had the effect of isolating the officers from the community. What was described as professionalism, mainly a reliance on statistics, was really a process of giving the public what the police thought was appropriate police service. High-tech scientific investigations left the “people” function out of police work. In response to these failures in policing strategy the police began a process of befriending the community. This was the Era of Community Relations, Crime Prevention and Team Policing. Law Enforcement made significant efforts to contact the public in person, but it was a one-way communications system. The police were still telling the community what was good for them, rather than listening to what was important to the community.

The next strategy effort by police is commonly referred to as Community Oriented Policing and Problem Solving(COPPS). This is a combination of two police strategies, Community Oriented Policing, and Problem Solving Policing. The two most significant differences in community oriented policing and it's predecessors being law enforcement's paradigm shift to a "marketing" approach to policing, meeting the stated needs of the community rather than selling the community on a police product, and that real solutions to many problems will be the result of collaboration between interested community individuals and organizations and the police.²⁹ Problem solving refers to the use of processes such as the SARA model for scanning, analyzing, response and assessment. It pushes officers to be creative and innovative in their response to community issues. It is a proactive approach to solving root causes, rather than a reactive response to symptoms of root problems.

The most basic value of COPPS is that it demands law enforcement be responsive to the needs and concerns of the community, flexible in its development and implementation of responses to analysis, while involving the community in collaborations that solve core problems not symptoms. The strategy also requires the community members to take responsibility for the problems that exist in their own community. As many in law enforcement have always known, the community's perception is the community's reality. This strategy forces the community to confront their perceptions, and in many cases recognize through dialogue that a paradigm shift may be the beginning to the solution process.

Community policing strategy takes the enthusiastic, highly trained police officer who has always solved crime through professional investigations and arrests, and puts them in a community based environment where traditional policing is just one tool in a tool box shared by

the officer and the community they serve.

Recent evaluations of preventive policing strategies have shed light on both the potential benefits of community oriented policing, and some negative aspects of traditional police enforcement strategies. New information suggest that the greatest future success in policing will be based on focusing resources on risk factors rather than random or scattered efforts.³⁰ Community policing without a clear focus on what crime or fear factor is being specifically addressed generally shows no effect on crime.³¹ This conclusion specifically demonstrates that random activity, such as traditional marked patrol units cruising a given area, has little documented effect on crime prevention. Patrols that are specifically directed at high risk factors do show evidence of having a positive effect.³² This risk focused activity is most usefully employed after a process similar to Problem Oriented Policing is used to formulated the directed patrol effort.

This evidence is supported by studies which show the mere number of officers assigned to an area alone does not effect crime.³³ Nation wide studies also reveal that reactive arrests without being focused on risk factors get lost in the crime prevention effort, and that there is evidence that minor arrests, commonly used to sweep an area to force crime out of an area, tend to provoke a response by the offender, making them more likely to commit more future crime than if they had not been arrested.³⁴ This arrest activity may have a greater effect on juveniles than other age groups.

The second major factor in the prevention of crime which is showing statistical success is police legitimacy. Evidence is building to support a significant relationship to the perceived legitimacy of police activity and the willingness of people to obey the law.³⁵ This area of studies

goes even further and states that the police can create a risk factor by using bad manners, and being less respectful. This police created risk factor is even more relevant when dealing with high-risk juveniles.³⁶ A significant number of studies show that legitimacy is based in great part on a persons belief they were treated with respect during their previous encounters with the police, and the police were being responsive to the persons needs.³⁷ The best way to increase police legitimacy appears to be through personal, one-on-one positive contact between the officer and the person, such as through door-to-door contacts.

In the case of violence between natural and foreign born Hispanics, a traditional policing strategy is probably the worst long-term strategy. Based on a number of strong cultural beliefs held by the Hispanic community, it is very unlikely they are going to allow law enforcement to tell them, or sell them on what their problem is, and how to solve it. All of the negative ramifications or side effects related to traditional policing stated in the previous paragraphs can be compounded when considered in an environment so heavily predicated on culture as the Hispanic community. Certainly, enforcement and suppression activities are a reasonable and expected police reaction to violent crime, but it has a very low potential for preventing, or stopping the continuation of this violent cycle in the long term if it is not coupled with a risk-factor oriented, community policing approach. Especially, when the Hispanic community already tends to be less supportive of the police, and believe the police are discriminating and use excessive force.³⁸ As was stated earlier, perceptions of a community group are their reality, and that the solution lies many times with a paradigm shift.

The way police resources are used to address a problem in a community may be better received by the community if the decisions influencing the issue are based on qualitative input from the community which, along with other things, demonstrates the desires of the community and their opinions on priorities and needs.³⁹

The current political situation is such that a number of negative events might very well occur which will only sensitize the difference between these groups. These events might include the exclusion of all government benefits to undocumented immigrants, including medical and education. The elimination of all bilingual education and the implementation of English Only as the official language of the US. The economic situation appears to have little hope for providing assistance to the people embroiled in this problem, and could very well get worse with the passage of anti-social services support systems such as the current limitations being applied to welfare recipients.

Internally, we currently have the beginnings of a strategy which can propel our future efforts against this problem. Community Policing is accepted in many police departments as a valuable tool, but there is a great deal of confusion over what Community Policing is. There is no accepted standardized agreement on it's definition and potential. There are still many law enforcement leaders and practitioners who resist the philosophical movement away from traditional enforcement activities for police, towards a risk-factor, community based marketing approach of collaborating on activity that is necessary to prevent the causes of crime and fear in our communities. Additionally, it has been the authors experience that the ranks of many law enforcement agencies do not mirror the ethnic population they serve, an issue of contention among many minority community members. Lastly, most internal evaluations and promotions are

based on the traditional method of counting arrests and perceptions of an officers loyalty to the organization. This organizational mentality will need to be adjusted to develop a organizational culture that values the prevention and solving of problems before they become crimes, customer service and which will recognize the benefit of activity which banks community currency for use in future community interactions.

Recommendations

Based on the research process that was followed as part of this project it is apparent that the potential for violence among natural and foreign born Hispanic community members may remain as high, or get higher in the foreseeable future. Traditional law enforcement strategies employed at many agencies have proven successful in responding to the violence, but have not been as successful in preventing the reoccurrence of the violence or alleviating the causes of the violence. Due to the involvement of “culture” in the cycle of violence, a more flexible, collaborative and legitimized strategy is necessary to address the problem. The following recommendations are offered for consideration as the basis of a strategy to stop violence between natural and foreign born Hispanics.

1. Adoption of a department-wide, risk-factor based, Community Oriented Policing and Problem Solving strategy including:
 - a. Development of collaborative relationships between law enforcement, families, schools, courts, probation, corrections and social agencies, with a priority on communications. An examples would be neighborhood advisory groups.
 - b. Develop structure for collecting information from all concerned community

members, and including this information in community specific strategies

- c. Organize community mobilization, utilizing church, advocates and landlords.
2. Promote philosophy of police legitimacy throughout agency
3. Hire Hispanic Officers in numbers that mirror ratio of Hispanic people in the community, preferably from local community, and assign them to work in Hispanic communities.
4. Assign police officers to work with Hispanic youth in compassionate situations, such as athletic events and other social environments.
5. Develop values related educational classes to provide appropriate role models. Classes should include role playing, simulations and small group interactions.
6. Develop comprehensive conflict resolution training plan for students, including, reducing risk factors, peer counseling, anti-violence counseling, alternatives to violence and gang counseling. Change “violence is ok” value.
7. Provide after school alternatives to gang participation.
8. Offer parent and school personnel training in appropriate anti-violence strategies
9. Promote the families role in providing guidance and discipline.
9. Promote broad spectrum of graduated sanctions against violence, involving family in every step.
10. Provide training on preventing “opening moves” from escalating to violence.
11. Increase employment opportunities for Hispanic community youth and young adults.
12. Provide mandatory school class attended by natural and foreign born Hispanics students together to promote bonding activities, and develop personal self-esteem.

13. The development of financial sources, both public and private, to fund the research, development and implementation of the above recommendations.

Conclusion

The preferred future as it pertains to law enforcement and the issue of violence between the natural and foreign born Hispanic population is clear. Seek to implement a truly risk-focused, community-based, legitimized police strategy which will minimize violence in the Hispanic community to the bare minimum. Based on the review of the literature dealing with Community Policing it would appear that it is a flexible strategy that involves sophisticated methods of identifying and analyzing root causes of problems and utilizing substantive collaboration with the community in determining priorities, needs and solutions to the problems. It includes all of the traditional uses of police tactics and enforcement, but implements them in a risk-factor based, community oriented, problem solving process which legitimizes law enforcement, and as a side effect can result in improved community relations.

There needs to be communicated a sense of “urgency” at all levels of the organization by formal and informal leaders that this strategy is important, and it can only work if every member of the organization dedicates themselves to it’s success. As part of it’s total commitment to the strategy department leaders need to tie organizational rewards to acceptance of the strategy and efforts to implement the strategy in each individuals area of responsibility when ever possible.

Then the organization’s leadership needs to go into the community and relay the same message, and develop the same commitment, and support for the strategy by community members. Remembering you don’t get something for nothing, the organization has to be prepared to demonstrate the benefits of the strategy to the community, and be willing to follow through

with its commitments. To achieve community buy-in the organization must be willing to share its authority, discretionary decision making and problem solving powers with the community. Joint identification of risk factors and possible interventions goes a long way towards developing a trusting relationship.

ENDNOTES

1. Pedro Antonio Noguera, *Violence Prevention and the Latino Population*. Berkeley: *In Motion Magazine*, 1996, p.5.
2. Rojelio Garcia. Sergeant, Redlands Police Department. Interview.
3. Bruce Taylor, *National Crime Victimization Survey Changes in Criminal Victimization, 1994-95*, Washington DC: Bureau of Justice Statistics, 1997, p.4.
4. Bureau of Justice Statistics Staff. *Victim Characteristics*. Washington DC: U.S. Department of Justice, 1997, p.1.
5. Craig Perkins, *Age Patterns of Victims of Serious Violent Crime*, Washington DC: Bureau of Justice Statistics, 1997, p.3.
6. Ibid., p.2.
7. Bruce Taylor, *National Crime Victimization Survey Changes in Criminal Victimization, 1994-95*, Washington DC: Bureau of Justice Statistics, 1997, p.16.
8. National Institute of Justice Staff. *Evaluation of Violence Prevention Programs in Middle Schools*, Washington DC: National Institute of Justice, 1995, p.1.
9. Pedro Antonio Noguera, "*Violence Prevention and the Latino Population*". Berkeley: *In Motion Magazine*, 1996, p.1.
10. Daniel Lockwood, *Violence Among Middle School and High School Students: Analysis and Implications*. Washington DC: National Institute of Justice, 1997, p.6.
11. Rojelio Garcia. Sergeant, Redlands Police Department. Interview.
12. Pedro Antonio Noguera, "*Violence Prevention and the Latino Population*". Berkeley: *In Motion Magazine*, 1996, p.2.
13. Ibid., p.3.
14. Ibid., p.2.
15. Ibid., p.2.
16. Orlando Rodriguez, *The New Immigrant Hispanic Population: An Integrated Approach to Preventing Delinquency and Crime*, Washington DC: National Institute of Justice, 1996, p.3.
17. Sergeant Rojelio Garcia, Redlands Police Department. Interview.
18. Pedro Antonio Noguera, "*Violence Prevention and the Latino Population*". Berkeley: *In Motion Magazine*, 1996, p.3.
19. Ibid., p.4.
20. Irving Spergel et al. *Youth Gangs: Problems and Responses*, Chicago: University of Chicago, 1990, p.6.
21. Graduate School Candidates. *The Non-Gang Affiliated. Essay Excerpts and Case Studies*, Northridge: California State University Northridge, Undated, p.1.

22. Pedro Antonio Noguera, "Violence Prevention and the Latino Population". Berkeley: In Motion Magazine, 1996, p.4.
23. Irving Spergel et al. Youth Gangs: Problems and Responses, Chicago: University of Chicago, 1990, p.3.
24. James Burch, and Betty Chemers, Comprehensive Response to Gang Problem, Washington DC: Office of Juvenile Justice and Delinquency Prevention, 1997, p.1.
25. Irving Spergel et al. Youth Gangs: Problems and Responses, Chicago: University of Chicago, 1990, p.5.
26. Ibid., p.8.
27. James C. Howell, Gangs, Washington DC: Office of Juvenile Justice and Delinquency Prevention, 1994, p.1.
28. Robert Trojanowicz, The Philosophy and Role of Community Policing. Michigan: Michigan State University Press, 1988, p.2.
29. Ibid., p.4.
30. Lawrence W Sherman, et al. Preventing Crime: What Works, What Doesn't, What's Promising, Washington DC: National Institute of Justice, 1997, chpt. 8, p.1.
31. Ibid., chpt. 8, p.2.
32. Ibid., chpt.8, p.10
33. Ibid., chpt.8, p.7.
34. Ibid., chpt.8, p.5.
35. Ibid., chpt.8, p.23.
36. Ibid., chpt 8, p.1.
37. Ibid., chpt 8, p.23.
38. Robert Trojanowicz, The Philosophy and Role of Community Policing. Michigan: Michigan State University Press, 1988, p.9.
39. Ibid., p.10.