

**TRAINING IN CULTURAL  
DIFFERENCES FOR LAW  
ENFORCEMENT/JUVENILE  
JUSTICE PRACTITIONERS**

***Participant's Manual***

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**MODULE ONE**  
***WHY THIS TRAINING IS IMPORTANT?***

**OBJECTIVES**

At the end of this module, you will be able to:

- ◆ List five professional benefits of studying cultural diversity.

## **DEFINITIONS OF CULTURE**

**Culture is:**

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**Culture is:**

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## **CULTURAL DIFFERENCES TRAINING**

**Reasons why people resist cultural differences training:**

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**Reasons to take cultural differences training:**

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**Reasons to take cultural differences training:**

- **Know ourselves better**
  
- **Know other people better**

**Professional Benefits:**

- **Increased Safety**
  
- **Compliance With Agency Directives**
  
- **Increased Job Satisfaction**
  
- **Reduction in Citizen Complaints Against Agency**
  
- **Minimized Risk Against Successful Lawsuits**

- **Decreased Paperwork/Hearings Due to Complaints and Lawsuits**
  
- **Increased Community Involvement/Cooperation**



**MODULE TWO**  
**CULTURAL DIFFERENCES — WHAT IS IT?**

**OBJECTIVES**

At the end of this module, participants will be able to:

- ◆ Explain the concept of culture and cultural diversity.
- ◆ Define the following terms:
  - culture
  - subculture
  - values
  - prejudice
  - stereotyping
  - ethnocentrism
  - racism
  - discrimination
  - acculturation
  - assimilation.

**CULTURE**

- "A set of traditions and rules that shape the feelings, thoughts, and behaviors of a group of people."

(Light & Keller)



**Characteristics in our Awareness:**

- Language and Communication
- Diet and Eating
- Dress and Appearance

**Characteristics Not in Our Awareness:**

- Relationships
- Use of Space
- Values

### **CULTURE IS HIDDEN**

- The way we perceive the world, what we expect of it, and what we think about it, is so basic and so ingrained, is buried so deep in us and our unconscious that we continuously act and react without thinking why — without even realizing that we might think why.  
(Gudykunst & Yun Kim)

### **TWO AUTOMATIC PROCESSES REINFORCE A PERSON'S CULTURE:**

SELECTIVE PERCEPTION

CLASSIFICATION

**FIFTY-FIVE MEN**

FIFTY-FIVE MEN OF UNKNOWN ORIGINS FOUND FAME AND FORTUNE IN THE MARATHON AND WERE ALL FOUND TO BE SOUND OF BODY AND FIT AS FIDDLES BECAUSE THEY FOLLOWED THE RULES OF THE RACE.

**Selective Perception Means:**

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**Implications for my job are:**

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**DEFINITIONS**

**Classification:**

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**KEY POINT**

- Once people — of any culture — have classified their world, they forget the details or features that made the individual items unique.

## DEFINITIONS

### ACCULTURATION

- Modifying one's own culture because of influences from another culture.

### ASSIMILATION

- Accepting some of the cultural patterns of others.

### BI-CULTURAL

- Living and operating within two cultures.

**VALUES**

- "General ideas about what is good or bad, right or wrong, desirable or undesirable."

(Light & Keller)

**CONTINUUM OF VALUES**

**WE APPROACH** — — — — — **I APPROACH**

**'WE APPROACH' VALUES**

- Hospitality
- Generosity
- Courage
- Honor
- Self-respect

**'I APPROACH' VALUES**

- Materialism
- Success
- Activity
- Progress
- Democracy

**SUBCULTURE**

- "A group whose perspective and lifestyle are significantly different from those of the cultural mainstream, and who identify themselves as different."

(Light & Keller)

**Examples of Subcultures:**

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**ETHNOCENTRISM**

- "The belief that one's own culture represents the natural and best way to do things. . ."

(Rosman and Rubel)

**The implications of ethnocentrism on my job are:**

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**BIAS**

- An inclination toward or against someone or something.

**PREJUDICE**

- "An attitude toward someone or something whereby one prejudices the other, usually negatively."

(Henslin & Light)

- Do you think that you have a tendency to favor your own ethnic group?
- Has anyone ever told you that you were prejudiced?
- If so, do you think that this was due to your own ethnicity or due to your treatment of that person?
- What types of biases do you think that juveniles possess?

### **PREJUDICED PERSONS WILL**

- Ignore any new information that doesn't fit into their categories or that might prove them wrong.
- Interpret what they do see to fit their categories.

### **STEREOTYPES**

- Exaggerated, [fixed, rigid] beliefs consisting of unfounded generalizations of what people are like.

**TWO STEPS TO STEREOTYPING**

1. People are grouped together because they have a few common traits, attitudes or behaviors.
  
2. The same traits, attitudes and behaviors are applied to every member of the group.

**The implications of stereotyping for my job are:**

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**RACISM**

- The attitude or belief that some races are superior to others.

**RACISM**

- "Racism is the number one public health problem facing America. The conscious and unconscious attitudes of superiority which permit and demand that a majority oppress a minority are a clear and present danger to the mental health of all children and their parents . . . Its destructive effects severely cripple the growth and development of millions of our citizens, young and old alike. Yearly, it directly and indirectly causes more fatality, disability, and economic loss than any other single factor."

The Joint Commission on Mental Health of Children

**I agree with this statement because:**

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**I disagree with this statement because:**

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**DISCRIMINATION**

**Intentional Discrimination:**

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**Unintentional Discrimination:**

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**Institutional Discrimination:**

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**STEPS TO PREVENT DISCRIMINATION**

- ◆ Be aware of your assumptions and stereotypes.
- ◆ Recognize that your culture is no better or worse than any other culture.
- ◆ Understand that cultural differences are not inherently negative.
- ◆ Respect the individuality of each person.
- ◆ Set a personal example of professional behavior.
- ◆ Use neutral language.
- ◆ Take time to learn about the cultures of other people.

## HANDOUT 2.7

As a final exercise to this module, answer the following questions. Write your answers individually.

1. What is the difference between culture and cultural diversity? What difference does that make to me?
2. The terms I learned in this module that I did not fully understand before are:
3. The most important thing I have learned from this module is:
4. I intend to use this information on the job by:

**MODULE THREE**  
**CROSS-CULTURAL COMMUNICATION**

**OBJECTIVES**

At the end of this module, participants will be able to:

- ◆ Define effective communication, listing the 4 components of effective communication.
- ◆ List at least 4 factors that impede the communication process.
- ◆ List at least 5 factors of effective cross-cultural communication.
- ◆ List three automatic actions people take when they witness an event.
- ◆ List at least two styles of communicating in the following ways:
  - words and speech patterns
  - eye contact
  - gestures
  - use of space
  - approaches to problem solving.



## COMMUNICATION

Communication is:

- The sending of a message from a source to a receiver with the *least* possible loss of meaning.

### THE FOUR COMPONENTS OF COMMUNICATION ARE

- A speaker
- A message of some kind
- A receiver
- Feedback

### THE COMMUNICATION PROCESS

The speaker sends a message that is in some kind of *code*. The listener *decodes* the message and responds, thereby giving the speaker feedback.

### THE COMMUNICATION CODE

- |               |                      |
|---------------|----------------------|
| ■ Words       | ■ Facial Expressions |
| ■ Voice       | ■ Eye Contact        |
| ■ Gestures    | ■ Posture            |
| ■ Distance    | ■ Perceptions        |
| ■ Assumptions |                      |

## EFFECTIVE COMMUNICATION SKILLS

### Listening:

- People are more concerned about what they want to say than with what the other person is saying.
- People hear *words* rather than the *meaning* of words.
- People make assumptions about what other people mean when they speak — and they base their assumptions on their own perceptions and classifications.

### THE COMMUNICATION PROBLEM

I know you think you understood what I said,  
but I'm not sure that what you heard  
is what I meant to say.

### Checking Perceptions:

- What do I think is happening in this situation?
- What does the juvenile think is happening in this situation?

### Asking for Feedback:

- Paraphrase what you think the other person means by what he or she said or did, and
- Ask the other person if your perceptions are correct.

## **FACTORS INFLUENCING CROSS-CULTURAL COMMUNICATION**

### **The Event**

- My Values and Attitudes (What is important to me...)
  
- My Perceptions (I see, I hear, I think, I feel...)
  
- My Assumptions and Suspicions (I assume that he or she said this because...)
  
- The other person's Communication Style (What and how he or she said it — verbally and non-verbally)

## **PERCEPTIONS AND DECISIONS**

1. We DESCRIBE what we see.
  
2. We INTERPRET what we see — based on our own perceptions.
  
3. We JUDGE what we see — based on our own perceptions.

## **COMMUNICATION STYLES**

**1. Words and Speech Patterns:**

**2. Eye Contact:**

**3. Gestures:**

**4. Use of Space:**

**5. Problem Solving:**

## HANDOUT 3.1

As a concluding exercise on cross-cultural communication, answer the following questions. Write your answers individually.

1. I think the most important factors that interfere with cross-cultural communication are:
2. I think the most important things which help cross-cultural communication are:
3. The most important thing I have learned from this module is:
4. I intend to use this information on the job by:

**MODULE FOUR**  
**IMPLICATIONS FOR YOUR JOB**

**OBJECTIVES**

At the end of this module, you will be able to:

- ◆ List 5 questions you need to ask yourself when you deal with persons from a different cultural group.
  
- ◆ Respond effectively to encounters with persons from different cultural groups on the job — based on the skills you learn in role play situations.

## **QUESTIONS TO ASK YOURSELF**

- Is there a cultural issue in this situation?
  
- What is the cultural issue?
  
- Does this culture have authority issues?
  
- How do I respond to these issues to get the job done?
  
- Am I acting respectfully?
  
- Is there someone else who can help?

## HANDOUT 4.5

As a final exercise on job implications, answer the following questions. Write your answers individually.

1. The most important job implications I learned in this module are:
2. The exercises taught me:
3. The most important thing I have learned from this module is:
4. I intend to use this information on the job by:



# CULTURAL DIVERSITY ACTION PLAN

Name \_\_\_\_\_ Date \_\_\_\_\_

**Self-Awareness Exercise. Answer the following questions:**

1. When someone sees me for the first time, with which groups (racial, ethnic, professional, etc.) would I be identified?

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2. What stereotypes do people have of my groups?

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3. Is there *any* truth to the stereotypes? If so, which parts are true?

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4. What makes me feel more comfortable with some groups and less comfortable with others?

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5. When I consider my circle of friends and people I work with, what does it suggest about the kind of people that I most easily relate to and work with?

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6. How do I feel when I'm in the minority in a group?

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7. What habits and attitudes stop me from being open to people from different cultures and backgrounds?

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**Values Exercise. Answer the following questions:**

1. I see myself as having an "I Approach" set of values, because I value:

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2. I see myself as having a "We Approach" set of values, because I value:

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**Prejudice Exercise. Answer the following questions:**

1. What groups of people do I have strong negative feelings about?

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2. What groups of people do I have strong positive feelings about?

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3. Are my feelings deep-seated?

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4. How do I react to someone of a different race?

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5. How do I react to people who speak a different language around me?

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6. How do I react to accents from other cultures?

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7. How do I respond to someone of the opposite sex?

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8. How do I react to someone who is disfigured, or disabled or ill?

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9. What are some of my stereotypes?

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10. Are my stereotypes positive or negative?

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**Communication Exercise. Answer the following questions:**

1. When I communicate with people, do I get carried away with my own authority?

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2. Am I just interested in being *right* or am I interested in *communicating* well.

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3. Do I *block* communication with any particular group of juvenile offenders?

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4. If so, which groups do I have difficulty communicating with?

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5. What things do I say to myself right *before* I talk to someone who is different from me?

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6. What words do I hear myself using when I block communication?

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7. What words do I hear myself using when I'm open to another person?

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8. Do I listen? Or do I talk to myself while the other person is speaking -- preparing the next thing I'm going to say?

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9. When I communicate, do I give constant feedback to ensure that everyone *understands* what is happening?

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**Goals Exercise. Answer the following questions:**

1. What are three tasks that I am required to do on my job, but which I feel uncomfortable doing?

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2. Which situation or group of people from a different culture am I now having problems with?

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3. Do I avoid doing the tasks, or talking to the people because of how I feel?

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4. What specific changes do I need to make to my attitudes, beliefs, opinions and behaviors to work effectively with this group of people?

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## Writing Your Goals

When you write down your goals, state them as *if you had already* achieved them.

### *Sample Goals*

Here is a list of *sample* goals for you to model yours on. Use them if they apply to you or develop your own. Notice that the goals are written as if they had already been achieved.

1. I give *feedback* every time I communicate with someone I don't know well.
2. I am *open* to different ways of interpreting verbal and non-verbal cues.
3. I *focus* on the individual. I call a person by his or her name, and not by the name of his or her race or group.
4. I find out as much as I can about each person that I deal with on my job before I make any judgements about him or her.
5. I ask questions about what I observe on my job before I jump to conclusions.
6. I *listen* to my own words and beliefs about people from other groups.

*My Goals*

Write out at least 3 specific goals that you want to achieve.

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_





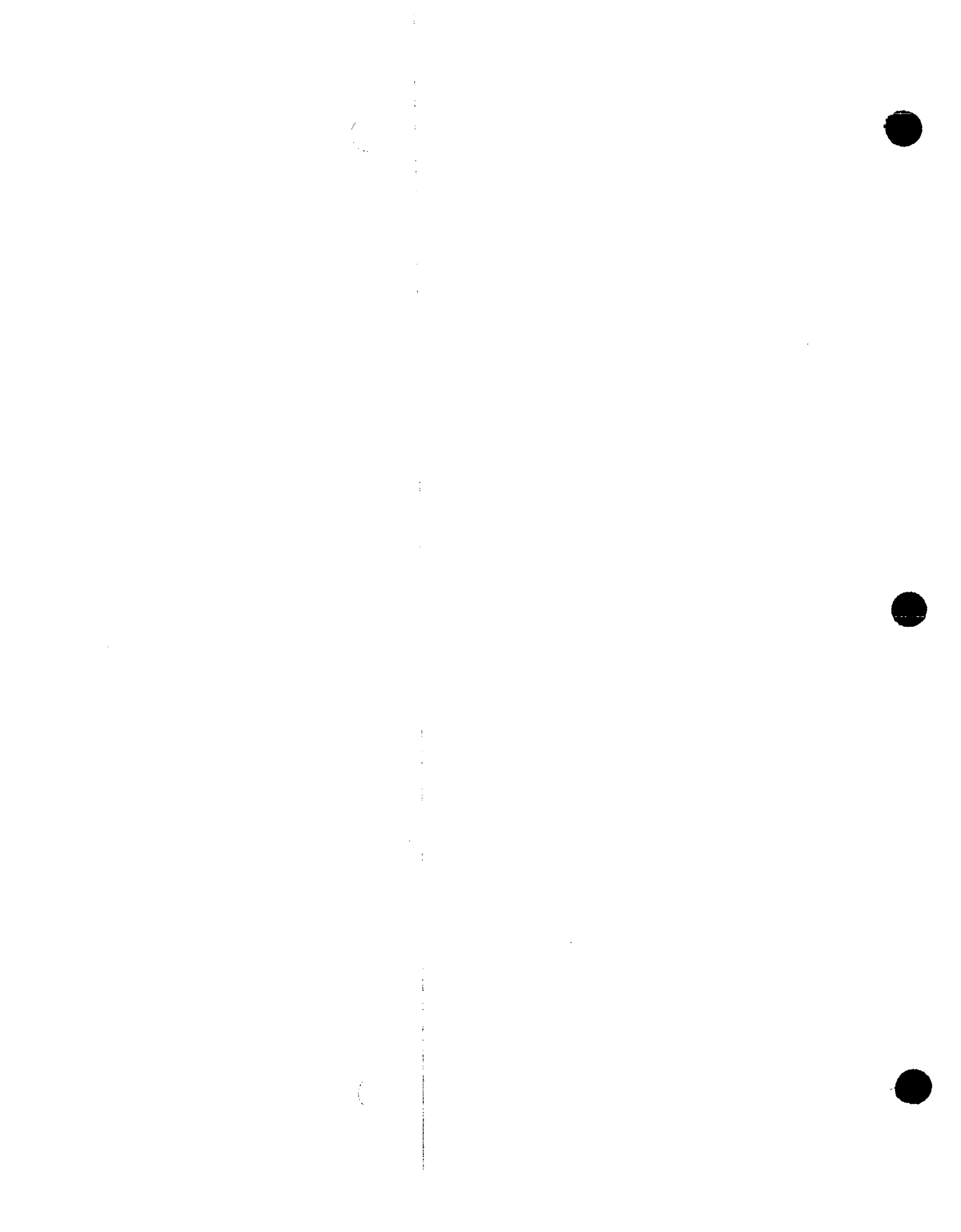
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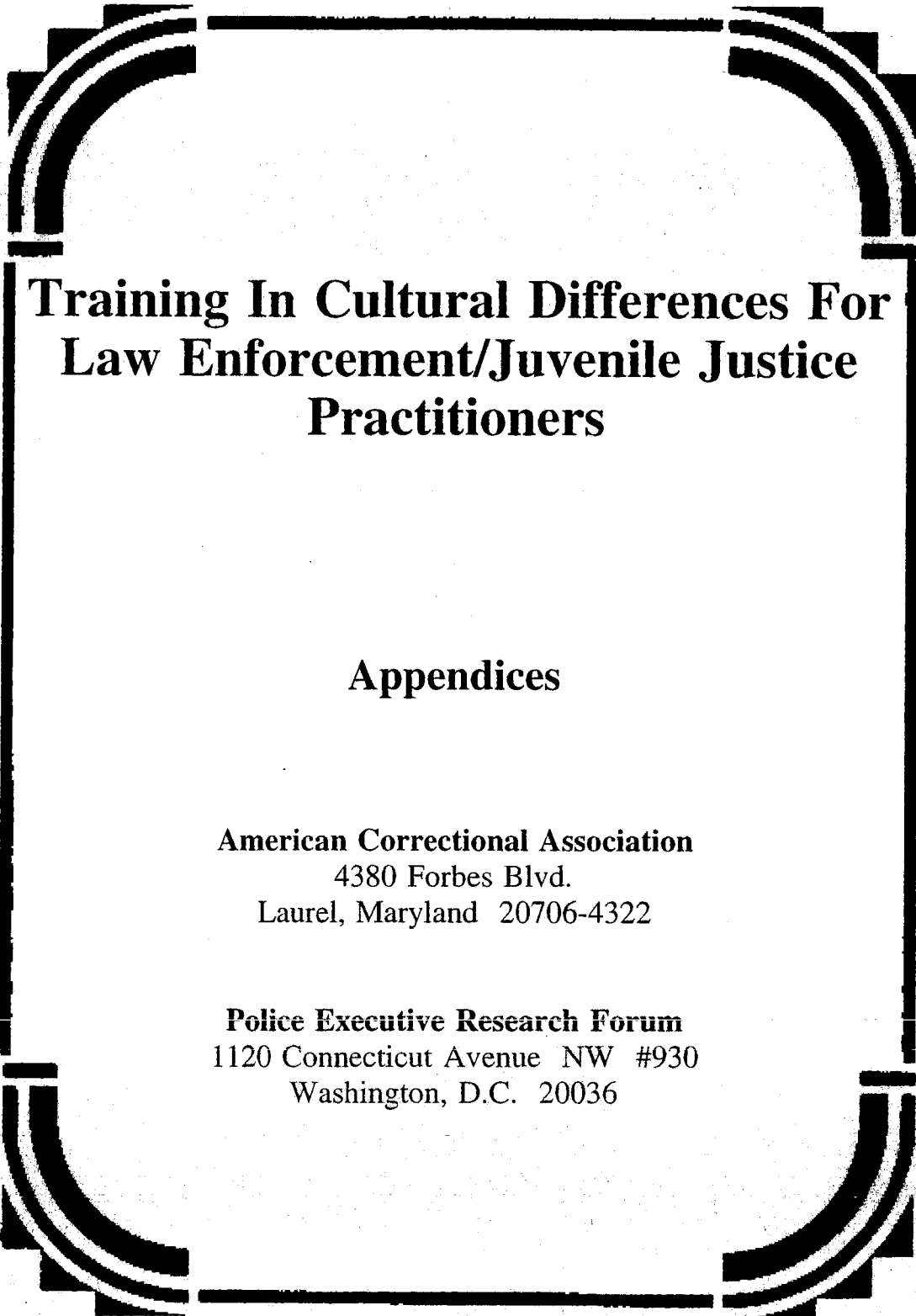




SECTION ONE

JUVENILE COURT APPENDIX





**Training In Cultural Differences For  
Law Enforcement/Juvenile Justice  
Practitioners**

**Appendices**

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## JUVENILE COURT APPENDIX

### ABOUT THE APPENDIX:

This appendix provides additional information for persons working directly with the juvenile court, specifically, judges, prosecutors, defenders and probation officers. Cultural differences in the court setting are significant because of the critical and long-lasting impact of the decisions made there. Inappropriate decisions based on a failure to communicate accurate information or all the information can easily be made. The communication process, especially receiving feedback, is crucial in culturally diverse cases.

The following exercises and case studies give participants the opportunity to apply skills and information learned in earlier material to typical job-related situations. They can be used to replace the role play exercises and exercises that are contained in each module. The decision is entirely up to the trainer to determine which exercises will facilitate the learning objectives for the group within the module. We suggest that trainers familiarize themselves with the general curriculum and use the information in this appendix to make the training relevant to persons working in juvenile courts. Each exercise in the appendix has a participant handout, which can be found at the end of each section.



## MODULE 1: WHY THIS TRAINING IS IMPORTANT

The exercises and information provided in this section pertain to information provided in module 1 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.





## Exercise 1

### MINORITY OVER-REPRESENTATION IN THE JUVENILE JUSTICE SYSTEM<sup>1</sup>

Most experts agree that minority juveniles are overly represented at each stage of the juvenile justice system as compared to their numbers in the general population. For example, Black and Hispanic youth represent 18% of the total youth population, however, they represent 51% of the total youth population in detention.<sup>2</sup> This situation can be found in most juvenile jurisdictions across the United States. The experts however do not agree on the reasons for this phenomenon or the potential solutions.

1. List some of the possible causes for minority over-representation in the juvenile justice system, and the policies that could be instituted to address this issue.

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<sup>1</sup>The material for this exercise was adapted from "Developing Cultural Sensitivity in the Juvenile Justice System" presented by Judge Janice Brice Wellington, 31st Judicial District Juvenile and Domestic Relations Court, Prince William County, Virginia, July, 1992.

<sup>2</sup>Minority Youth In the Juvenile Justice System: A Judicial Response. Juvenile and Family court Journal 1990/vol.41 No.3A.

**✎ Instructor note:**

Distribute Handout JC1.1. Divide the class into groups of five (5). Appoint a group leader. Allow 20 minutes for group discussion of the exercise. Then ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some discussion points that you can present if they are not raised by the group:

- Possible causes for minority over-representation are:
  1. Disproportionate involvement of minority youth in crime.
  2. Legal variables.
  3. Socio-economic status of offenders.
  4. Selection bias/discrimination.
  5. Lack of cultural sensitivity training of law enforcement and juvenile justice professionals.
  6. Lack of minority staff at critical stages of the juvenile justice system.
  7. Lack of community-based alternatives to detention.
  8. Parents seeing the juvenile justice system as the only "cure" for the misbehavior of their children.

■ Some policies that could be instituted are:

1. Juveniles court judges will be made aware of the disproportionate representation of minorities in the juvenile justice system, including the courts.
2. Juvenile court judges will encourage research that focuses on the court's effectiveness in providing treatment to all youths that it processes. This research will facilitate the collection of more accurate and meaningful data about the juvenile court process.
3. Instituting cultural sensitivity training for all court personnel.
4. Providing training on alternatives to referrals other than the juvenile justice system.

■ The Juvenile Justice and Delinquency Prevention Act (JJDP) of 1988 requires that each state participating in the formula grants program assess and address the over-representation of minority juveniles. This act requires that each state must provide documentation to indicate whether minority youth are disproportionately confined. If documentation is unavailable or states demonstrate that minority youth are disproportionately

confined, then each must provide a strategy for addressing the disproportionate representation of minority youth in the juvenile justice system.

Specifically, states are required to:

- a. Assess the differences in arrest, diversion, and adjudication rates, court dispositions other than incarceration, and the rates and periods of commitment to secure facilities of minority youth and non-minority youth in the juvenile justice system.
- b. Increase the availability and improve the quality of diversion programs for minorities who come in contact with the juvenile justice system, such as police diversion programs.
- c. Provide support for prevention programs in communities with a high percentage of minority residents with emphasis upon support for community-based organizations that serve minority youth.
- d. Provide support for reintegration programs designed to facilitate reintegration and reduce recidivism of minority youth.

- e. Initiate or improve the usefulness of relevant information systems and disseminate information about minorities in the juvenile justice system.
  
- ☒ Juvenile court judges should encourage and ensure the development and implementation of cross-cultural diversity, knowledge, empathy and respect in policy, planning and service delivery systems within the juvenile justice system. This goal can be accomplished through the establishment of cross-disciplinary teams that are culturally diverse to identify problem areas and assist in the design of training programs. The teams along with the help of skilled trainers, can develop training workshops that focus on issues such as ensuring fairness in the processing of juveniles at each stage of the juvenile justice system. Community members and former "users" of the juvenile justice system should be represented at all planning sessions.



HANDOUTS





MINORITY OVER-REPRESENTATION IN THE  
JUVENILE JUSTICE SYSTEM

Most experts agree that minority juveniles are overly represented at each stage of the juvenile justice system as compared to their numbers in the general population. This situation can be found in most juvenile jurisdictions across the United States. The experts however do not agree on the reasons for this phenomenon or the potential solutions.

1. List some of the possible causes for minority over-representation in the juvenile justice system, and the policies that could be instituted to address this issue.

## **MODULE 2: CULTURAL DIFFERENCES — WHAT IS IT?**

The exercises and information provided in this section pertain to information provided in module 2 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.

## Exercise 1

### SO YOU THINK THAT WE ARE ALL ALIKE?

**Instructor note:**

Provide the participants with some kind of fruit, such as apples or lemons. It is important that everyone receive the same kind of fruit. Distribute one piece to each participant. Ask the participant to examine their fruit to become familiar with its shape, color, size, markings, etc. Allow about four to five minutes for this exercise. Participants may want to introduce their piece of fruit to the person sitting next to them.

After five minutes, collect all of the fruit in a bag. Ask participants not to make any marks or indentations on their fruit. Empty this bag on a table in the front of the room and ask each participant to come to the front to pick up "their fruit."

The instructor will find that each participant will recognize some feature that is unique about their fruit, and that they will use that feature to identify which fruit belongs to them.

Here are some discussion points that you can present to the group:

- ▣ Each piece of fruit is unique in its own way. It has its own distinctive marks, shape, bumps and so forth. These are the differences that allow each participant to identify their own piece of fruit.
- ▣ The same thing is true for people. Although we may look alike, have similar practices and behaviors, we all have unique features and aspects that others will recognize and appreciate if they take the time to do so.



HANDOUTS



**NO HANDOUTS FOR THIS MODULE**





### MODULE 3: CROSS-CULTURAL COMMUNICATION

The exercises and information provided in this section pertain to information provided in module 3 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.



## Exercise 1

### A DAY IN COURT

A detention hearing is being held for an African American youth who is a repeat property offender. This juvenile is in court to answer new charges of vandalism of public property. The judge is concerned that the youth does not make any eye contact with her when she asks him questions or addresses him. The judge repeatedly asks the youth to look at her when she addresses him. The youth however, hangs his head and mumbles to the judge. The judge takes the youth's behavior to be an admission of guilt and lack of cooperation.

The probation report sites the youth as shy and uncooperative. The youth had been placed on probation for previous offenses. Included in his probation was a mandate for intensive counseling. The youth was not able to attend many of the counseling sessions because he often did not have the money for bus fare. This is precisely one of the reasons that this youth's probation report cites him as being uncooperative.

The judge is now faced with having to make a decision about the disposition of this youth. The probation report suggests detention in the detention center. Based upon the recommendations of the probation report as well as the perceived attitude of the youth in the court room, the judge concludes that detention is her only alternative.

1. How could communication between the judge and the African American youth be improved?
2. Should this juvenile be placed in detention?



 Instructor note:

Distribute Handout JC3.1. This exercise can be conducted with the entire group, using the trainer as the group leader. Read the scenario to the class. Give the class ten minutes to think about the questions. Ask the class for feedback on each question and record the answers on the blackboard or flipchart. In discussing the solutions to this scenario, the trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some discussion points that you can present if they are not raised by the group:

- In some cultures, making eye contact with an individual of authority is considered rude and offensive. Eye contact, therefore, should not be used as a measure of an individual's guilt or innocence.
  
- Better communication could be fostered by the judge explaining to the juvenile exactly what is happening and *will* happen to him. In addition, the judge should ask the juvenile if he understands what is being said and get feedback from him. [Refer to the Cross-Cultural Communication Module for further discussion on effective communication.]



- It is important to understand that individuals respond differently when faced with authority. Some individuals are apprehensive and reserved while others appear confident and steadfast. Do you remember your first time in a court room and how you left? Many of us can remember feelings of fear, apprehension, misunderstanding or just being over-whelmed. Just as you could have experienced these types of feelings, so do many juveniles who are faced with going to court.
  
- For many minorities, the judicial system is perceived to be a place where justice is not always afforded on an equal basis. Many cannot afford their own lawyers and thus are assigned court appointed lawyers—who quite often do not have the time to represent them adequately. With a perception like this, many minorities come into the judicial environment feeling helpless and resigned to the fact that they will not get a fair hearing. Being able to put these fears at ease is critical to ensuring that the lines of communication are open.
  
- Many jurisdictions provide tokens to facilitate transportation of juveniles to and from court hearings.
  
- In considering a disposition for this African American youth, there are some things to consider. First, the youth did not attend his probation mandated counseling sessions because he did not have any money to pay his bus fare. Holding this youth





responsible for attending counseling sessions that he is not equipped to attend is a prescription for failure. An alternative plan could have been to place the youth in counseling that is in his community and is fairly easy for him to get to—perhaps a day treatment program.

Second, what may appear to be uncooperative behavior may be in reality extenuating circumstances. The proper interpretation of these circumstances is vital to deciding whether a youth legitimately needs to be 'controlled' in a secure environment.



TIPS FOR COMMUNICATION WITH LIMITED ENGLISH  
PROFICIENCY PEOPLE (LEP)

Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - ▣ An LEP person may not understand the question, "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?" or "Where is your house?", you may obtain the information you need.
4. Do not use slang, broken English or mixed languages ("Spanglish").
5. Speak slowly and clearly, being careful not to exaggerate your speech.



6. Be careful not to speak louder when you are not understood.
  - Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.
  
7. Pay attention to the driver's non-verbal cues that signal lack of understanding.
  - ▣ Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.
  
8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will respond to negative statements in a true/false manner, using the words `yes' or `no.'
  - ▣ If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean: "True, I did not see the car." An even more confusing response is "No," meaning: "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question: "Did you see the car?"



9. Use consistent terminology.
10. Ask the same question several times to obtain a true response.
  - ▣ Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he or she actually feels.
11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.

#### Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.
2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are treated equally to men, in many LEP cultures, it would be





inappropriate to address a woman or child before addressing a man.

3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).
5. Typically, LEP people can understand English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

*\*\*"Tips For Communicating Effectively With Limited English Proficiency (LEP) People," reprinted with permission and minor editing, is a product of the CHASE grant (Crime, Health and Safety Education for Refugees), funded by the Commonwealth of Virginia, Department of Social Services and coordinated through the Richmond City Office of Virginia Cooperative Extension. For more information, contact Kathy Cooper, State Department of Social Services at (804) 662-9029.*



HANDOUTS



## A DAY IN COURT

A detention hearing is being held for an African American youth who is a repeat property offender. This juvenile is in court to answer new charges of vandalism of public property. The judge is concerned that the youth does not make any eye contact with her when she asks him questions or addresses him. The judge repeatedly asks the youth to look at her when she addresses him. The youth, however, hangs his head and mumbles to the judge. The judge takes the youth's behavior to be an admission of guilt and lack of cooperation.

The probation report sites the youth as shy and uncooperative. The youth had been placed on probation for previous offenses. Included in his probation was a mandate for intensive counseling. The youth was not able to attend many of the counseling sessions because he often did not have the money for bus fare. This is precisely one of the reasons that this youth's probation report cites him as being uncooperative.

The judge is now faced with having to make a decision about the disposition of this youth. The probation report suggests detention in the detention center. Based upon the recommendations of the probation report as well as the perceived attitude of the youth in the court room, the judge concludes that detention is her only alternative.

1. How could communication between the judge and the African American youth be improved?
2. Should this juvenile be placed in detention?



## Handout JC3.2

### TIPS FOR COMMUNICATION WITH LIMITED ENGLISH PROFICIENCY PEOPLE (LEP)

#### Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - ▣ An LEP person may not understand the question, "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?" or "Where is your house?", you may obtain the information you need.
4. Do not use slang, broken English or mixed languages ("Spanglish").
5. Speak slowly and clearly, being careful not to exaggerate your speech.

## Handout JC3.2 (Continued)

6. Be careful not to speak louder when you are not understood.
  - Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.
  
7. Pay attention to the driver's non-verbal cues that signal lack of understanding.
  - Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.
  
8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will respond to negative statements in a true/false manner, using the words 'yes' or 'no.'
  - If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean: "True, I did not see the car." An even more confusing response is "No," meaning: "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question: "Did you see the car?"



## Handout JC3.2 (Continued)

9. Use consistent terminology.
10. Ask the same question several times to obtain a true response.
  - Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he or she actually feels.
11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.

### Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.
2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are treated equally to men, in many LEP cultures, it would be

## Handout JC3.2 (Continued)

inappropriate to address a woman or child before addressing a man.

3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).
5. Typically, LEP people can understand English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

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## MODULE 4: IMPLICATIONS FOR YOUR JOB

The exercises and information provided in this section pertain to information provided in module 3 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.



## Exercise 1

### ALTERNATIVE PLACEMENT

A Hispanic youth is appearing before a juvenile court for a probation violation. This youth has a substance abuse problem and has violated his probation by being involved in an auto theft. He was persuaded to go joy riding with a couple of his old friends in a stolen vehicle that contained illegal drugs. The youth says that he did not know that the vehicle was stolen or that it contained illegal drugs.

The probation officer believes that the youth is highly motivated to get help. The youth's family is very supportive of him; however they do not have the means or the insurance for a private placement. The number of treatment beds available in the community is limited. After actively attempting to find a placement without success, the probation officer sees no alternative but to recommend commitment.

1. What should the judge do?

**Instructor note:**

Distribute Handout JC4.1. This exercise can be conducted with the entire group, using the trainer as the group leader. Read the scenario to the class. Give the class ten minutes to think about the questions. Ask the class for feedback on each question and record the answers on the blackboard or flipchart. In discussing the solutions to the scenario, the trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- One way to address the concerns of this juvenile without committing him to detention would be to place him on home electronic monitoring with substance abuse counseling as part of his treatment plan.
  
- The risk factor of the youth should not be determined solely, by his race or ethnic background.

## Exercise 2

### GIRL'S PROBLEMS

Myesha, a Hispanic juvenile, was removed from her natural home due to evidence of physical abuse by her mother. She has been in several foster homes — most of them with non-minority families. Myesha is a bright young lady with potential, but will not follow the guidelines of supervision. She usually runs away from her foster home after a short period of time.

Myesha has appeared before a judge eight times. She is appearing today with her caseworker on a charge of shoplifting. The caseworker believes that the juvenile should be placed in a foster home with a family of the same ethnic background. The caseworker believes that Myesha will begin to thrive in this environment.

1. What will you do? Place Myesha with a family from her own ethnic background or the first available foster care family?

**✎ Instructor note:**

Distribute Handout JC4.2. This exercise can be conducted with the entire group, using the trainer as the group leader. Read the scenario to the class. Give the class ten minutes to think about the questions. Ask the class for feedback on each question and record the answers on the blackboard or flip-chart. In discussing the solutions to this scenario, the trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some discussion points that you can present if they are not raised by the group:

- There has always been controversy about placing minority children in adoptive or foster homes of non-minority individuals. Some people believe that minority children should be placed in environments that will nurture them culturally. Others maintain that children should be placed in a safe and loving environment regardless of the ethnic make-up.

The placement of minority juveniles in positive environments must be done with the vision of providing comprehensive services to the youth and foster care or adoptive families. This goal can be accomplished through the use of community-based agencies and organizations as well as programs and activities that are culturally based. Some examples are: African American Rites of Passage programs, Native American tribal associations,



religious leaders, and "natural helpers" located in the community (a natural helper can be defined as a member of the community who takes an interest in the community and in volunteering to help teenage mothers, working with substance abusers and so forth. These individuals do not necessarily have formal training but can be an invaluable resource when it comes to intervention. They automatically have the trust of the community because they are a recognizable member of that community). Information about such programs should be made available to judges at the time of dispositional hearings.

It is also important that adoptive and foster care families attend programs that familiarize members with the culture of the children placed in their charge.

## Exercise 3

### **COURT SERVICES**

Your community is becoming increasingly diverse. Over the past five years, your community has grown to include a large African American, Hispanic and Asian population. There is evidence that these groups are not being adequately served. In fact, the quality of services being provided is minimal and ineffective.

A mandate has been passed down for your Probation Services Department to participate in developing community-based programs for minority offenders.

1. What are some of the considerations for developing such programs?
2. How can such programs assist in providing effective services to minority youth?

✍ Instructor note:

Distribute Handout JC4.3. Divide the class into groups of five (5). Appoint a group leader. Allow 20 minutes for group discussion of the exercise. Then ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some discussion points that you can present if they are not raised by the group:

- ☐ Some considerations for developing such programs are:
  - a. How much will this cost (fiscal concerns)?
  - b. Who will provide the manpower to run these programs?
  - c. Where will these programs be located?
  - d. Which agencies will manage these programs?
  - e. Is there a large enough client base to warrant such programs?
  - f. What is the mission, goals and objectives of these programs?

- g. Are the hours of the programs flexible enough to ensure that the maximum number of individuals will be able to participate?
- h. How can the input of clients be included when designing programs?
- i. Is there any other agency or jurisdiction that is providing similar services and if so how can a collaborative effort be established?

The considerations mentioned above are critical when decisions are being made about program implementation. Judges need to know where funding will come from—state, local, federal or private funding sources. A clear understanding of the department or agency that will take the managerial, manpower and evaluation role of such programs must be established. An understanding of the client base and their specific needs must be received to ensure that their needs are matched with appropriate services. Finally, each program must have a clear mission, goals and objectives because these will guide the program, keep it on track and ensure its effectiveness.

Programs will provide good services to minority offenders only if they are centered around community involvement, culturally sensitivity, being comprehensive in approach and have the backing of a strong administrative body at the state, federal or local level. In

addition, these programs should be located in the community, having hours that facilitate client attendance. This will ensure accessibility by clients.

☐ Some ideas for such programs are:

- a. Rites of passage
- b. Mentoring
- c. Community/Law Enforcement liaison programs  
(community policing)
- d. Child care
- e. Law related education
- d. "Natural helpers" from the community

Counseling services that are community-based through religious groups and ethnic groups use the familial base or extended family base of some communities to provide child care services and monitoring services for juveniles.

## Exercise 4

# DEVELOPING JUVENILE COURT PROGRAMS FOR A CULTURALLY DIVERSE POPULATION<sup>3</sup>

What in your opinion would make juvenile court programs culturally sensitive and capable of serving a culturally diverse population?

**Instructor note:**

Distribute Handout JC4.4. Divide the class into groups of five (5). Appoint a group leader. Allow 20 minutes for group discussion of the exercise. Then ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some discussion points that you can present if they are not raised by the group:

- Some ideas that if practiced would help to make juvenile court programs culturally sensitive and able to serve a culturally diverse population are: the ability to honor and respect a variety of beliefs systems, interpersonal styles, and attitudes and

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<sup>3</sup>The material for this exercise was adapted from "Developing Cultural Sensitivity in the Juvenile Justice System" presented by Judge Janice Brice Wellington, 31st Judicial District Juvenile and Domestic Relations Court, Prince William County, Virginia, July, 1992.

behaviors both of families and the multicultural staff who are providing services.

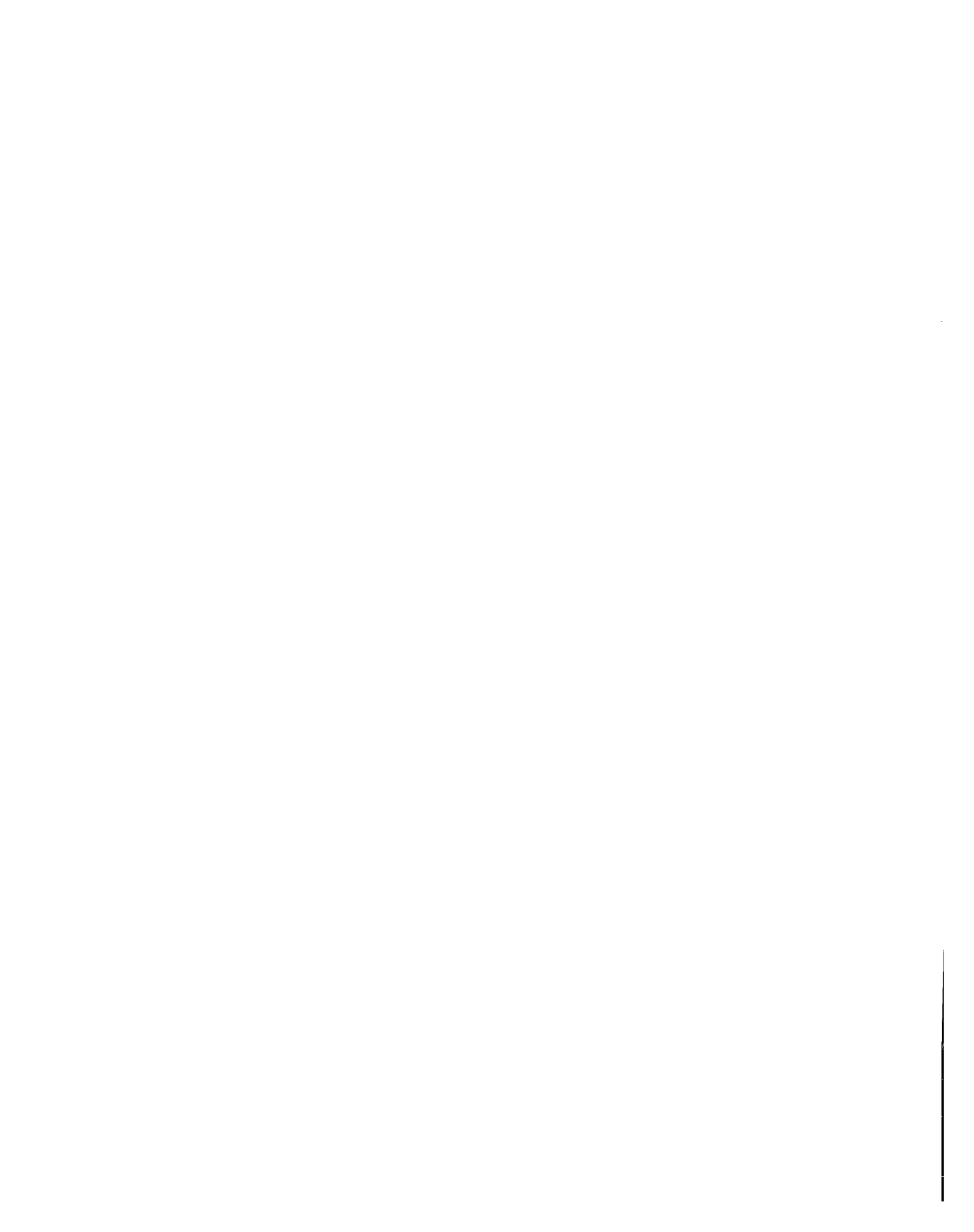
- All courts should have a clearly established policy about cultural diversity and fostering cultural sensitivity. This policy should be publicly stated so that both staff, families and the larger community are aware of the goals of the court's programs.
- Staff should be aware that families are unique and must be treated uniquely. It is as culturally *insensitive* to assume that all families with a given cultural group will react the same way as it is to ignore the fact that culture is an important variable in determining how we behave.
- When instituting policy, juvenile court staff must be careful about separating cultural issues from the effects of poverty and discrimination experienced by many minority groups in the United States.
- Program staff should undergo training that allows them to understand their own culture and how this affects the way that they perceive and interact with individuals from other cultures.
- Service providers should receive ongoing cultural diversity training.





SECTION TWO

JUVENILE COMMUNITY PROGRAMS APPENDIX



# JUVENILE COMMUNITY PROGRAMS APPENDIX

## ABOUT THE APPENDIX

This appendix provides additional exercises to be used when training persons working in community programs. Including both supervision and non-secure residential programs, this group consists of probation officers, educators, halfway house staff, day treatment program staff, community service staff and all those working in alternative programs in the community.

The following scenarios/exercises give participants the opportunity to apply skills and information learned in earlier material to typical job-related situations. They can be used to replace the role play exercises that are contained in each module. The decision is entirely up to the trainer to determine which exercises will facilitate the learning objectives for the group within the module. We suggest that trainers familiarize themselves with the general curriculum and use the information in this appendix to make the training more relevant to persons working in Juvenile Community Programs. Each exercise in the appendix has a participant handout, which can be found at the end of each section.



## MODULE 1: WHY THIS TRAINING IS IMPORTANT

The exercises and information provided in this section pertain to information provided in module 1 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.



## Exercise 1

### DAY TREATMENT

Parallel Day Treatment Center has actively been providing cultural diversity training for its employees. The center has adopted a mission statement that includes the following sentence:

"We will minimize cultural differences and misunderstanding by stressing the similarities between ethnic groups."

Posters and bulletin boards stressing the idea that ethnic groups are more similar than they are different have been placed throughout the center.

1. How can a belief in this statement affect the appropriateness of service provision and treatment of ethnic minority juveniles?

**Instructor notes:**

Distribute handout JCP1.1. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some discussion points:

- The problem with this statement is that it does not take into account the unique nature of individuals. It assumes that everyone basically thinks, believes, and acts in similar ways. But the very reason why we have so much misunderstanding is because we are not all alike. There are differences in values, morals and behaviors among people that need to be understood and appreciated.
  
- To be effective in dealing with individuals on a cross-cultural level, it is important to understand an individual in terms of his or her circumstances. People from the same ethnic and cultural group do share a number of characteristics, but they also differ in many ways. It is precisely because of the differences that we must be careful when establishing a prescribed set of guidelines for providing services to individuals. Establishing broad guidelines, without consideration for culturally specific differences, means that the needs of some will not be met.
  
- "The competent service provider is one who engages in learning about other cultures, is able to continually assess the adequacy of various communication styles and counseling methods, and is flexible enough to make adjustments on a case by case basis". (Color of Justice, Dr. Brian Ogawa, Office of the Governor, State of California 1990 pg. 254).



HANDOUTS



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Posters and bulletin boards stressing the idea that ethnic groups are more similar than they are different have been placed throughout the center.

1. How can a belief in this statement affect the appropriateness of service provision and treatment of ethnic minority youth?



## MODULE 2: CULTURAL DIFFERENCES — WHAT IS IT?

The exercises and information provided in this section pertain to information provided in module 2 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.



## Exercise 1

### <sup>1</sup>CHARACTERISTICS OF THE CULTURALLY DISADVANTAGED YOUTH

Minority youth are often labelled deprived and disadvantaged. Many people believe that minority youth will never be able to function well in mainstream society. This juvenile has been described as:

- Having an experiential background that does not fit the expectations of a middle-class oriented society.
- Coming directly or indirectly from a rural background.
- Being caught up in self-perpetuating spiritual, moral, aspirational, educational, and economic poverty cycles.
- Feeling rejected by society.
- Having a poor self-concept.
- Being aggressive.
- Not adhering to the values of the dominant culture, and often being unaware of them.
- Living in a negative environment that is ugly, crowded, filthy, noisy and disorderly.
- Having a poor attention span.
- Being linguistically handicapped.

As a counselor in a half-way house who is working with a minority juvenile for family re-unification, state at least one negative consequence of believing each characteristic listed above.

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<sup>1</sup>Characteristics adapted from "Human Relations and Diversity Training Workshop," - Youth Services International conducted by ES, Incorporated, 1133 Fifteenth Street, N.W., Suite 1250, Washington, DC 20005, (202) 835-1585.

**Instructor note:**

Distribute Handout JCP2.1. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole

Here are some points that you can present if they are not raised by the group:

- The characteristics presented are highly stereotypic, prejudicial and ethnocentric. Such ideas can lead to discriminatory practices when dealing with minority juveniles.
- The concept of selective perception is applicable here. If a person selectively perceives or envisions all minority juveniles in light of the characteristics presented above, his or her behavior towards that juvenile will reflect the perceptions.

*(See Module 2 - Cultural Differences-What Is It? for explanation of Selective Perception).*



HANDOUTS



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As a counselor in a half-way house who is working with a minority juvenile for family re-unification, state at least one negative consequence of believing each characteristic listed above.



HANDOUTS



## ALTERNATIVE PLACEMENT

A Hispanic youth is appearing before a juvenile court for a probation violation. This youth has a substance abuse problem and has violated his probation by being involved in an auto theft. He was persuaded to go joy riding with a couple of his old friends in a stolen vehicle that contained illegal drugs. The youth says that he did not know that the vehicle was stolen or that it contained illegal drugs.

The probation officer believes that the youth is highly motivated to get help. The youth's family is very supportive of him; however they do not have the means or the insurance for a private placement. The number of treatment beds available in the community is limited. After actively attempting to find a placement without success, the Probation Officer sees no alternative but to recommend commitment.

1. What should the judge do?





## GIRL'S PROBLEMS

Myesha, a Hispanic juvenile, was removed from her natural home due to evidence of physical abuse by her mother. She has been in several foster homes — most of them with non-minority families. Myesha is a bright young lady with potential, but will not follow the guidelines of supervision. She usually runs away from her foster home after a short period of time.

Myesha has appeared before a judge eight times. She is appearing today with her caseworker on a charge of shoplifting. The careworker believes that the juvenile should be placed in a foster home with a family of the same ethnic background. The caseworker believes that Myesha will begin to thrive in this environment.

What will you do? Place Myesha with a family from her own ethnic background or the first available foster care family?



## COURT SERVICES

Your community is becoming increasingly diverse. Over the past five years your community has grown to include a large African American, Hispanic and Asian population. There is evidence that these groups are not being adequately served. In fact, the quality of services being provided is minimal and ineffective.

A mandate has been passed down for your Probation Services Department to participate in developing community-based programs for minority offenders.

1. What are some of the considerations for developing such programs?
2. How can such programs assist in providing effective services to minority youth?



Handout JC4.4

DEVELOPING JUVENILE COURT PROGRAMS FOR A  
CULTURALLY DIVERSE POPULATION 1

What in your opinion would make juvenile court programs culturally sensitive and capable of serving a culturally diverse population?



### MODULE 3: CROSS-CULTURAL COMMUNICATION

The information provided in this section pertain to information provided in module 3 of the general curriculum. This information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.





Communicating with individuals from varying cultures can be difficult. It becomes even more difficult when languages are different. The following can be helpful to understand how to effectively communicate with an individuals who has limited proficiency in english.

✎ **Instructor note:**

Distribute Handout JCP3.1. Instructor should review each of the points with participants. Discuss each point with the participants in terms of

**TIPS FOR COMMUNICATION WITH LIMITED ENGLISH  
PROFICIENCY PEOPLE (LEP)**

Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - An LEP person may not understand the question, "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?"

or "Where is your house?," you may obtain the information you need.

4. Do not use slang, broken English or mixed languages ("Spanglish").
5. Speak slowly and clearly, being careful not to exaggerate your speech.
6. Be careful not to speak louder when you are not understood.
  - Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.
7. Pay attention to the driver's non-verbal cues that signal lack of understanding.
  - Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.
8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will

respond to negative statements in a true/false manner, using the words `yes' or `no.'

- If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean: "True, I did not see the car." An even more confusing response is "No," meaning: "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question: "Did you see the car?"
9. Use consistent terminology.
  10. Ask the same question several times to obtain a true response.
    - Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he actually feels.
  11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.

### Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal

sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.

2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are treated equally to men, in many LEP cultures, it would be inappropriate to address a woman or child before addressing a man.
3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).
5. Typically, LEP people can understand English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

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HANDOUTS



TIPS FOR COMMUNICATION WITH LIMITED ENGLISH  
PROFICIENCY PEOPLE (LEP)

Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - ☒ An LEP person may not understand the question, "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?" or "Where is your house?", you may obtain the information you need.
4. Do not use slang, broken English or mixed languages ("Spanglish").
5. Speak slowly and clearly, being careful not to exaggerate your speech.

Handout JCP3.1 (continued)

6. Be careful not to speak louder when you are not understood.
  - Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.
  
7. Pay attention to the driver's non-verbal cues that signal lack of understanding.
  - Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.
  
8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will respond to negative statements in a true/false manner, using the words 'yes' or 'no.'
  - If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean: "True, I did not see the car." An even more confusing response is "No," meaning: "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question: "Did you see the car?"



## Handout JCP3.1 (Continued)

9. Use consistent terminology.
  
10. Ask the same question several times to obtain a true response.
  - ☒ Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he or she actually feels.
  
11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.

### Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.
  
2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are treated equally to men, in many LEP cultures, it would be

## Handout JCP3.1 (Continued)

inappropriate to address a woman or child before addressing a man.

3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).
5. Typically, LEP people can understand English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

*\*\*"Tips For Communicating Effectively With Limited English Proficiency (LEP) People," reprinted with permission and minor editing, is a product of the CHASE grant (Crime, Health and Safety Education for Refugees), funded by the Commonwealth of Virginia, Department of Social Services and coordinated through the Richmond City Office of Virginia Cooperative Extension. For more information, contact Kathy Cooper, State Department of Social Services at (804) 662-9029.*

## MODULE 4: IMPLICATIONS FOR YOUR JOB

The exercises and information provided in this section pertain to information provided in Module 4 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile court workers.



## Exercise 1

### COMMUNITY RESIDENTIAL HALFWAY HOUSES: THE DILEMMA

You are the Director of a community residential program located in a suburban area. This facility is a twenty-five bed facility, with a population of primarily minority juveniles. Your staff are primarily non-minority.

Over the past year, you have noticed that the level of staff turnover has increased and that a pattern has developed. On shifts where the juveniles are involved in non-work activities, the incidents of negative verbal exchanges and physical confrontation frequently occur. Just recently, one staff member was fired because he hit a juvenile who threatened him with racial slurs. Other staff cite stress and dissatisfaction as their reasons for leaving.

As the Director of this halfway house how can you:

1. Improve staff retention
2. Empower staff to work more effectively with the minority population in their charge.

**Instructor note:**

Distribute Handout JCP4.1. This exercise can be conducted with the entire group, using the trainer as the group leader. Read the scenario to the class. Give the class ten minutes to think about the questions. Ask the class for feedback on each question, record answers on the chalkboard or flip chart. In discussing the solutions to this scenario, the trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- The retention of staff can be enhanced when individuals work in an environment that is safe, pleasant and has low stress factors. Ensuring that this type of environment exists requires cooperative efforts among staff, on-the-job training to improve performance skills and a climate that fosters tolerance. Training staff in cultural differences can promote understanding and reduce the amount of stress and tension that is often associated with cultural clashes.
- Hiring minority staff to work with minority juveniles is not always realistic or necessary. Minority staff do not necessarily understand nor always relate well to minority juveniles because of differing socio-economic backgrounds and experiences. It is *more* important to have staff trained in cultural differences, who are sensitive to the needs of the youth they serve and who understand the dynamics of cultural differences.

▣ Examples of programs that could be instituted to ensure effective and comprehensive service provisions include:

- a. Using volunteers from the different ethnic groups in the community to be mentors or to provide support services for the juveniles.
- b. Having activities within the agency that celebrate cultural traditions such as Kwanzaa, and Chinese New Year to mention a few.
- c. Inviting individuals from the community to do presentations about the traditions and customs of their ethnic groups.
- d. Encouraging cultural exchanges between staff and juveniles through social activities and projects.
- e. Encouraging staff to learn a foreign language. For example if a large percentage of the juveniles in the facility speak Spanish, it would be helpful if there were staff members available to communicate to them in their native language. At the very least, staff should receive and use reference sheets of the most common foreign language terms.

## Exercise 2

### **WORKING WITH THE FAMILY**

Gregory is a minority juvenile who is preparing to be released into the community. He is a 17-year-old who reads at a fifth-grade level; he has a long history of alcohol abuse and truancy.

Gregory's parents are both West Indians and they believe that his behavior has been influenced by his new American friends. According to them, Gregory is just being rebellious.

They also believe that children in the United States are given too much freedom. They tell Gregory to be in the house each evening by 7:30 p.m. But Gregory prefers to "hang out" with his friends at the park or on the basketball court. They constantly remind him that his heritage is West Indian, and that in the West Indies, children do as their parents say. They think that Gregory acts "too American," and is too much of a free spirit.

Both of Gregory's parents work. Many of Gregory's court dates and meetings fall during working hours. The social worker feels that Gregory's parents are not interested in his problems, and has mentioned that feeling to them. For that reason, both think that the juvenile justice system has been an imposition on their lives.



Gregory is anxious to return home, but is also afraid that he may not be able to stay sober or get along with his parents.

1. As Gregory's counselor, develop a release plan for him.
2. Are there any cultural issues that should be addressed. If so, what are they and how can they be addressed?

 **Instructor note:**

Distribute Handout JCP4.2. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- ▣ The following has been taken from the Juvenile Careworker - Resource Guide, American Correctional Association, Laurel, MD. 1992, pages 105-106. This section can help the trainer facilitate a discussion about the procedures for placement and release of juveniles.

THE FIELD AFTERCARE OFFICER

*The following is an excerpt from the above mentioned publication that can assist the trainer to prepare discussion for this exercise.*

The role of the field aftercare officer is to guide and help the newly released juvenile adjust to living in the community.

The officer may be a state of county probation officer who also has parole responsibilities or a state or county parole officer having only aftercare responsibilities. Some systems use specially trained community workers called aftercare workers or community counselors.

Before release from the facility, the aftercare officer should visit the juvenile in the institution to begin the community return process. The reasons for these visits may include the following:

- begin or reestablish a relationship with the juvenile before release from the facility
- begin preparing an individualized program plan (release plan) for the juvenile
- orient the soon-to-be-released juvenile to the program and to the rules, rights, and regulations of aftercare
- gain information from facility staff to write a parole report for the parole board (if applicable)

Systems differ as to who provides transportation from the facility. Depending on the system, the careworker, the family, or the aftercare officer transports the juvenile home.

The aftercare officer is sometimes responsible for working with the juvenile's family before the juvenile is returned home to help prepare the family. This contact may include monitoring trial home visits and working with the family on long- and short-term goals. The family is often given referrals to community service agencies for financial, housing, or employment help.

The facility counselor and aftercare officer coordinate placement plans and dates while helping to develop a release plan. The plan may include the following:

- attending Alcoholics Anonymous or Narcotics Anonymous meetings
- receiving individual and family counseling

- participating in vocational training
- participating in the education plan
- holding down a job

The plan may also consider the level of supervision the juvenile requires. The level system defines the number of contacts with the juvenile required by the aftercare officer per week. It forms the basis of the supervision plan for the juvenile while he or she is in the community.

Supervision by the aftercare officer will, ideally, consist of knowing the juvenile's whereabouts, activities, conduct, and attendance in required community activities. School and work contacts ensure program compliance. Proof of attendance at Alcoholics Anonymous or Narcotics Anonymous meetings or schools is also available. Regular family, school, employment, and peer contacts prove compliance of attendance. These contacts also determine alcohol or drug use and general attitudes and behavior.

The number of contacts with family, employer, or school depends on the supervision plan or need. Some level-of-supervision programs include specific time lines for each level; others base the levels on progress with goals. These levels of contact may range as follows:

- intensive—(first two weeks) four face-to-face contacts a week, with telephone contacts the other three days; one

telephone contact with school or employer; and two telephone contacts with family

- medium—(weeks three through twelve) one face-to-face contact and one telephone contact per week, one telephone contact with school or employer per week, and one telephone contact with the family per week
- minimum—(week twelve through to release) one face-to-face contact per month, two telephone contacts with school or employer per month, and two telephone contacts with the family per month

The aftercare officer writes a release summary showing successful completion of aftercare. The release may be an administrative process or may require a court appearance for judicial release. It may also require a recommendation for discharge to the paroling authority.

Unsuccessful completion of the juvenile's aftercare plan may lead to an administrative hearing or court review resulting in a new disposition. New charges, major violations, or absconding often requires a return to the institution.

Aftercare from institutions has traditionally been a weak area in juvenile services; if it was provided at all, it was by institutional staff of already overburdened court probation officers. It has been only within the past fifteen to twenty years that states have expressed an interest in aftercare. Parole and the use of aftercare officers is now a major emphasis in many states. Where parole systems are missing, states are increasingly providing aftercare supervision in the community by special probation officers. These officers may have regular probation cases, plus aftercare cases, but do not exceed the overall load of regular probation."

- There is an issue of bi-culturalism (functioning within two cultures) here. Gregory's parents do not understand that although their son is born of West Indian parents, he now lives in the United States and will inevitably assume many of the behaviors of his peers.

A juvenile worker needs to understand this dynamic to work effectively with juveniles coming from bi-cultural environments. Parents also need to be counseled about the effects of bi-culturalism on their children.

### Exercise 3

#### KNOW WHAT YOU ARE DEALING WITH

You are a probation officer who has a number of Hispanic juveniles under supervision. Most of these juveniles live with their families in a predominantly Hispanic section of Anytown. You have been having a difficult time communicating with some of the juveniles and their families because of both language and cultural differences. Your inability to work as effectively with your Hispanic juveniles as you do with other clients, has become increasingly more evident.

Juan, one of your juveniles, has not been fully compliant with the requirements of his contract under the court-ordered electronic monitoring program. He often leaves his restricted zone and has violated his curfew on several occasions. Juan insists that he must leave his restricted zone to work to support his family.

His family supports these claims and is reluctant to cooperate with you. Upon visiting Juan's home one afternoon, you are refused access by his mother who claims that she has sick relatives in the house and does not wish to be disturbed.

1. As Juan's probation officer, what are some of the things you may need to consider to supervise him properly in the program?
2. Are there any cultural issues to consider in this situation?
3. What are some of the strategies/actions that your department might take to reduce the risk of improper supervision, or a build-up of tension involving families of different ethnic backgrounds?

**Instructor notes:**

Distribute handout JCP4.3. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some discussion points:

- In this case the language barrier is probably the biggest hurdle to cross. An inability to communicate effectively with an individual is frustrating and ineffective. As service providers, we are not always privileged to choose the individuals we work with. We should, however, be equipped to deal with them at all levels even if that means learning their language.
- We need to learn some key points about the culture of minority juveniles if we are not familiar with them, for example, customs, habits, beliefs and family structure.
- We need to understand how juveniles perceive us as authority figures, understand that there is potential for conflict, and design ways to avoid or abate the conflict.

■ Some departmental strategies that could be used to ensure proper supervision and foster good relations with juveniles are:

1. Producing pamphlets and information sheets to clearly point out departmental procedures. These items should be available in the languages of the minority juveniles.
2. Being involved in community meetings and activities to get community support and develop good community relations.
3. Implementing training in cultural differences for all departmental employees.
4. Establishing programs that educate families about the juvenile justice system, their rights and the process, for example Law Related Education Programs (LRE). These programs are designed to educate individuals about the legal and judicial system thereby reducing misunderstandings.



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HANDOUTS



## COMMUNITY RESIDENTIAL HALFWAY HOUSES: THE DILEMMA

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As the Director of this halfway house how can you:

1. Improve staff retention
2. Empower staff to work more effectively with the minority population in their charge.



## WORKING WITH THE FAMILY

Gregory is a minority juvenile who is preparing to be released into the community. He is a 17-year-old who reads at a fifth-grade level; he has a long history of alcohol abuse and truancy.

Gregory's parents are both West Indians and they believe that his behavior has been influenced by his new American friends. According to them, Gregory is just being rebellious.

They also believe that children in the United States are given too much freedom. They tell Gregory to be in the house each evening by 7:30 p.m. But Gregory prefers to "hang out" with his friends at the park or on the basketball court. They constantly remind him that his heritage is West Indian, and that in the West Indies, children do as their parents say. They think that Gregory acts "too American," and is too much of a free spirit.

Both of Gregory's parents work. Many of Gregory's court dates and meeting fall during working hours. The social worker feels that Gregory's parents are not interested in his problems, and has mentioned that feeling to them. For that reason, both think that the juvenile justice system has been an imposition on their lives.

Gregory is anxious to return home, but is also afraid that he may not be able to stay sober or get along with his parents.

1. As Gregory's counselor develop a release plan for him.
2. Are there any cultural issues that should be addressed. If so, what are they and how can they be addressed?



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Juan, one of your juveniles, has not been fully compliant with the requirements of his contract under the court-ordered electronic monitoring program. He often leaves his restricted zone and has violated his curfew on several occasions. Juan insists that he must leave his restricted zone to work to support his family. His family supports these claims and is reluctant to cooperate with you. Upon visiting the Juan's home one afternoon, you are refused access by his mother who claims that she has sick relatives in the house and does not wish to be disturbed.

1. As Jaun's probation officer, what are some of the things you may need to consider to properly supervise him properly in the program?

2. Are there any cultural issues to consider in this situation? If so, what are they?
  
3. What are some of the strategies/actions that your department might take to reduce the risk of improper supervision, or a build-up of tension involving families of different ethnic backgrounds?



SECTION THREE

JUVENILE INSTITUTIONAL WORKERS APPENDIX



## JUVENILE INSTITUTIONAL WORKERS APPENDIX

### ABOUT THE APPENDIX:

This appendix provides additional exercises, case studies, and role plays for persons working in secure and non-secure residential programs, such as detention centers, training schools, and community residential settings. The significant difference for persons working in these areas is that they provide 24-hour continuous supervision and contact with the juveniles.

One of the more critical points in the juvenile justice system is the detention intake process. Research suggests that many poor, mostly minority juveniles are confined in detention centers more readily than affluent non-minority juveniles, with the same delinquent background.

The following exercises, case studies, and role plays give participants the opportunity to apply skills and information learned in earlier material to typical job-related situations. They can be used in addition to or to replace the role play exercises and exercises that are contained in each module. The decision is entirely up to the trainer to determine which exercises will facilitate the learning objectives for the group within the module. We suggest that trainers familiarize themselves with the general curriculum and use the information in this appendix to make the training relevant to persons working in juvenile institutions. Each exercise in the appendix has a handout, which can be found at the end of each section.



## MODULE 1: WHY THIS TRAINING IS IMPORTANT

The exercises and information provided in this section pertain to information provided in Module 1 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile institutional workers.



## Exercise 1

### GOOD MORNING SHAMAL<sup>1</sup>

#### GOOD MORNING

#### *Shamal*

"Mr. Brown, what is differential treatment of children?"

Well, Shamal, I was reading something the other day that was written by Terry Cross. Terry works for the Northwest Indian Child Welfare Institute. In his article he says "If you are an adolescent and Black and you are seriously emotionally disturbed, the chances are that you will end up in the juvenile system rather than in a treatment setting where your Caucasian counterparts are going to be referred.

If you are a Native American child and you are seriously emotionally disturbed, you are likely to go without treatment or be removed legally and geographically from your family and tribe.

If you are a child who is Hispanic and seriously emotionally disturbed, the assessment is not going to be in your own language.

If you are an Asian child and seriously emotionally disturbed, you will probably never come to the attention of Health Care system.

If you are a racial minority of color, it means that you are probably not going to get your needs met in our present system. Yet, you are more likely to be diagnosed Socially, Emotionally Disturbed (SED) than your Caucasian counterpart.

If you do make it into the system, it is going to be a matter of experiencing more restrictive interventions. Cultural traits, behaviors, and beliefs are likely to be interpreted as a dysfunction to be overcome. The data is clear; the system of care provides differential treatment to minority children in various services systems."

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<sup>1</sup>"FOOTPRINTS"

Is published quarterly by the Black Children's Institute of Tennessee to provide information, education, and awareness of issues affecting African American children in the state of Tennessee.

To receive a copy of "Footprints", contact BCI of Tennessee, P.O. Box 22634, Nashville, Tennessee 37202 or call 1-800-542-9203.

The Black Children's Institute is a statewide African American child advocacy agency. BCI is funded by private contributions and a federal grant administered by the Tennessee Commission on Children and Youth.

**Discussion Points:**

1. To what extent do you think there is differential mental health assessment and treatment of minority juveniles within the juvenile justice system?
2. What standards do you think need to be established to ensure that minority juveniles have equal access to services and the same unbiased diagnoses as non-minority youth?
3. How can these standards be implemented?

 **Instructor note:**

Distribute Handout JI2. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Then ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.



Here are some points that you can present if they are not raised by the group:

- Differential treatment means that the quality of care, the availability of services and placement of minority juveniles are less than those given to non-minority juveniles. Often the quality and system of care afforded to minority youth is poor and inappropriate. It is considered poor because quite often the services available to minorities are insufficient or non-existent in the areas that they live. Economic constraints contribute to the absence of these services. In addition, the system of care is inappropriate because the methods of diagnosis and the instruments used to conduct a diagnosis do not fit the environmental and social circumstances of these youths. A perfect example of this is the Intelligence Quotient Test (IQ test) that is designed to measure intelligence. Many academicians have deemed the test culturally biased.
  
- For example, the test might ask an inner city juvenile to identify a "swan" in a picture of animals. The child might identify the "swan" as a "duck." This does not mean that the juvenile is intellectually deficient in any way. Instead, the juvenile has never been exposed to "swans" before and therefore is unable to recognize one.

- An agency that recognizes and appreciates the uniqueness and differences between ethnic and cultural groups will be more empowered to design policy and procedures that respect cultural differences and ensure that adequate and equal services are provided to all the juveniles that it serves.
  
- See the Glossary at the end of module 1 - Why This Training Is Important, for further information on Minority over-representation and selection bias. This will also provided discussion points for this exercise. In addition, the Glossary at the end of module 4 Implications for Your Job, defines the concept of Cultural Competence. This concept can be discussed to give participants some idea as to how the juvenile justice system can and should move towards providing a system of care for juveniles that is culturally sensitive and will meet their individual needs effectively.

HANDOUTS



## GOOD MORNING SHAMAL

### GOOD MORNING

#### *Shamal*

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Well, Shamal, I was reading something the other day that was written by Terry Cross. Terry works for the Northwest Indian Child Welfare Institute. In his article he says "If you are an adolescent and Black and you are seriously emotionally disturbed, the chances are that you will end up in the juvenile system rather than in a treatment setting where your Caucasian counterparts are going to be referred.

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If you are an Asian child and seriously emotionally disturbed, you will probably never come to the attention of Health Care system.

If you are a racial minority of color, it means that you are probably not going to get your needs met in our present system. Yet, you are more likely to be diagnosed Socially, Emotionally Disturbed (SED) than your Caucasian counterpart.

If you do make it into the system, it is going to be a matter of experiencing more restrictive interventions. Cultural traits, behaviors, and beliefs are likely to be interpreted as a dysfunction to be overcome. The data is clear; the system of care provides differential treatment to minority children in various services systems."

To what extent do you think that there is differential mental health assessment treatment of minority juveniles within the juvenile justice system?

What standards do you think need to be established to ensure that minority juveniles' have equal access to services and the same unbiased diagnoses as non-minority youth?

How can these standards be implemented?



## MODULE 2: CULTURAL DIFFERENCES — WHAT IS IT?

The exercises and information provided in this section pertain to information provided in Module 2 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile institutional workers.





## Exercise 1

### CLEANLINESS

You are a youth worker in a community-based residential facility for young women. You have several minority youth in your care. There are two African American youth who you think are not complying with the rules of hygiene.

These young women get up every morning and curl their hair, using hair grease. You notice that they wash their hair only once a week. You are concerned about the hygiene standards of these young women, and you confront them about it. The young women tell you that they are not accustomed to washing their hair everyday. They say that daily washing makes their hair dry and brittle and ultimately causes breakage. Putting hair grease in their hair makes it manageable and healthy.

List the reasons why this perception could be a cultural differences issue and ways that the situation could be handled.

 **Instructor note:**

Distribute Handout JI2.1. This exercise can be conducted with the entire group, using the trainer as the group leader. Read the scenario to the class. Give the class five minutes to think about the questions. Ask the class for feedback on each of the reasons they gave and record them on the chalkboard or flip chart. In discussing the solution to this scenario, the trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- The youth worker needs to familiarize him or herself with the patterns of hygiene of these youth particularly if this behavior is being exhibited by more than one of the young women. The youth worker might have communicated more effectively by asking the young women if there were reasons why they did not wash their hair everyday, and why they took care of their hair in the fashion they did--rather than confronting them.
- Although the approach that the youth worker took may have been innocent, it could be labelled "ethnocentric." The youth worker perceives that daily shampoos constitutes good hygiene and that anything outside of that is poor hygiene. This worker acted on a selective perception that caused a misinterpretation of what was taking place.

HANDOUTS



## CLEANLINESS

You are a youth worker in a community-based residential facility for young women. You have several minority youth in your care. There are two African American youth who you think are not complying with the rules of hygiene.

These young women get up every morning and curl their hair, using hair grease. You notice that they wash their hair only once a week. You are concerned about the hygiene standards of these young women, and you confront them about it. The young women tell you that they are not accustomed to washing their hair everyday. They say that daily washing makes their hair dry and brittle and ultimately causes breakage. Putting hair grease in their hair makes it manageable and healthy.

List the reasons why this perception could be a cultural differences issue and ways that the situation could be handled.



### MODULE 3: CROSS-CULTURAL COMMUNICATION

The exercises and information provided in this section pertain to information provided in Module 3 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile institutional workers.





## Exercise 1

### THE MARTIAN

Ask for two volunteers from the class. One volunteer will play the role of a Martian from outer space. The other volunteer will play the role of a human who has just met this Martian and must provide the Martian instructions on how to drink a glass of water as humans on earth do. The human can only give verbal instruction to the Martian. Allow five minutes for the role play. At the end of five minutes, call time and ask the rest of the class for feedback on how they thought : (1) the human gave the Martian instructions (2) how well they thought the Martian responded (3) what else could have been done to make their communication more effective.

In addition to the information provided in the general curriculum, the following information is being provided to assist the participants in developing effective cross-cultural communication skills when dealing with individuals who have limited proficiency in English. The trainer may choose to use the following as a hand-out for participants. Distribute handout JI3.1.

## **TIPS FOR COMMUNICATION WITH LIMITED ENGLISH PROFICIENCY PEOPLE (LEP)**

### Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - A Limited English Proficiency (LEP) person may not understand the question, "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?" or "Where is your house?", you may obtain the information you need.
4. Do not use slang, broken English or mixed languages "Spanglish."
5. Speak slowly and clearly, being careful not to exaggerate your speech.
6. Be careful not to speak louder when you are not understood.

- ▣ Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.
7. Pay attention to the driver's non-verbal cues that signal lack of understanding.
- ▣ Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.
8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will respond to negative statements in a true/false manner, using the words 'yes' or 'no.'
- ▣ If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean: "True, I did not see the car." An even more confusing response is "No," meaning: "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question: "Did you see the car?"
9. Use consistent terminology.

10. Ask the same question several times to obtain a true response.
  - Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he or she actually feels.
11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.

#### Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.
2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are treated equally to men, in many LEP cultures, it would be inappropriate to address a woman or child before addressing a man.

3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).
5. Typically, LEP people can understand English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

*\*\*\*"Tips For Communicating Effectively With Limited English Proficiency (LEP) People," reprinted with permission and minor editing, is a product of the CHASE grant (Crime, Health and Safety Education for Refugees), funded by the Commonwealth of Virginia, Department of Social Services and coordinated through the Richmond City Office of Virginia Cooperative Extension. For more information, contact Kathy Cooper, State Department of Social Services at (804) 662-9029.*



HANDOUTS





## Handout JI3.1

### TIPS FOR COMMUNICATION WITH LIMITED ENGLISH PROFICIENCY PEOPLE

#### Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - ▣ An LEP person may not understand the question, "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?" or "Where is your house?", you may obtain the information you need.
4. Do not use slang, broken English or mixed languages "Spanglish."
5. Speak slowly and clearly, being careful not to exaggerate your speech.
6. Be careful not to speak louder when you are not understood.

## Handout JI3.1 (Continued)

- Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.
7. Pay attention to the driver's non-verbal cues that signal lack of understanding.
- Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.
8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will respond to negative statements in a true/false manner, using the words 'yes' or 'no.'
- If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean: "True, I did not see the car." An even more confusing response is "No," meaning: "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question: "Did you see the car?"

## Handout JI3.1 (Continued)

9. Use consistent terminology.
10. Ask the same question several times to obtain a true response.
  - ▣ Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he or she actually feels.
11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.

## Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.
2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are

### Handout JI3.1 (Continued)

treated equally to men, in many LEP cultures, it would be inappropriate to address a woman or child before addressing a man.

3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).
5. Typically, LEP people can understand English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

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## MODULE 4: IMPLICATION FOR YOUR JOB

The exercises and information provided in this section pertain to information provided in module 4 of the general curriculum. These exercises and information can be used to enhance the presentation provided in the general curriculum, making the presentation specific to juvenile institutional workers.



## Exercise 1

### JUVENILE INTAKE

At 3:30 a.m., an Asian juvenile is brought into the detention center as a first-time offender, after being taken into custody by the police for drinking in public and creating a disturbance. He was medically cleared at the local hospital to rule out any health problems.

The juvenile was partially non-cooperative, giving incomplete answers but not violent or in any way out of control. He appeared more "hung over" than anything else. He indicated that he lives with his mother, father and five younger brothers and sisters. He was able to provide an address but stated that there was no phone at his house.

1. As a detention intake worker, what would you do with this juvenile?
2. What measures would you take to contact this youth's parents?

 **Instructor note:**

Distribute Handout JI4.1. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Then, ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- A. The detention intake worker should be able to make an adequate decision about what to do with this juvenile if he or she asks some of the following questions:
1. Ask the juvenile:
    - Are you aware of what is happening and what will happen to you if you do not cooperate by providing the correct information?
    - Does a neighbor have a phone and could the neighbor notify your parents?
    - Is there a significant family member other than your parents who can be reached and into whose custody you could be released?



2. Ask yourself:

- Am I reacting differently because the juvenile is a minority?
- ▣ Does the juvenile really not have a phone, or does he just not want me to call his parents?
- ▣ Is there sufficient reason to detain the juvenile?
- ▣ What can I do that will enable me to release him?
- ▣ If I can contact his parents, to whom do I speak and what do I say?

Additional Information:

- ▣ In many Asian families, the man or father of the house should be addressed. Speaking with the mother or another sibling in the presence of the father is considered impolite. If there is a language barrier, and a child or another individual acts as a translator, always remember to direct your statements and questions to the father.
- ▣ The traditional definition of family to include a mother, a father and a child or children, does not exist in that way throughout society. The definition of a family also includes situations where

mother or father may be absent. It includes a definition of grandparents, aunts and uncles or even cousins in the role of mother and father. In some cultures, the nuclear family recognition includes grandparents and other family members that we in this country traditionally include as extended family members. Although you may find that some juveniles come from a non-traditional family make-up, do not assume that the situation is dysfunctional and that the juvenile should not be involved in it. Do some research, try to get to know the juveniles' family arrangement and how it functions before you make a judgement.

- As was discussed in Module 2 Cultural Differences- What Is It?, do not allow your selective perception and stereotypic thinking to cloud your professional judgement and your ability to be cross-culturally aware.

## Exercise 2

### CLASSIFICATION

A classification committee has limited space available in a day treatment substance abuse program. There are two juveniles with severe substance abuse problems. One is from the inner city and has limited resources, the other is from the residential area of the city and is covered under his parents' health insurance. Both juveniles are requesting treatment service for their alcohol abuse problem. The program is located midway between the homes of the juveniles. The following is a profile of the two juveniles:

#### Profile A: Joshua

Joshua is a sixteen-year-old African American youth who has had been on probation once for truancy. He lives with his mother and stepfather in a two-bedroom apartment of a public housing project in the inner city. Joshua's attitude is negative; he has walked out of several counseling sessions and does not appear to be working with his behavior modification program.

Joshua has a mentor and gets along with him. His mentor understands that Joshua is really frightened of the neighborhood that he lives in, and that he often displays a "tough guy" attitude to try to hide his fears. Joshua has told his mentor that he would like to get help for his substance abuse

problem. He says, however, that the programs that he has been in have not helped him because he did not feel that he could trust any of his counselors, but is willing to try another program if given the chance.

Joshua's parents do not have any health insurance to cover his treatment program.

#### Profile B: Terry

Terry is a sixteen-year-old Caucasian youth who lives with his mother in the residential area of a city. Terry has been placed on probation for truancy and has a history of alcohol abuse. Terry has been using alcohol since he was ten years old. He has been to several programs, none of which seemed to have helped him.

Terry spends most of his days at home by himself while his mother works. He refuses to attend classes at the local vocational school where he is enrolled. He is often quite abusive to his mother, who is ready to put him out of the house. Terry's probation officer has recommended him for this substance abuse program. He is covered under his mother's insurance.

Given the information provided above, who would you place in the one treatment slot available and what would you do with the other juvenile? Give specific reasons for your decision.

 **Instructor note:**

Distribute Handout JI4.2. Divide the class into groups of five (5). Each member of the group should take the role of a classification committee member. The classification committee will have a Case Manager, Psychologist, Support Services Supervisor, Careworker Supervisor and Assistant Superintendent as the Committee Chair. Appoint a group leader. Allow ten minutes for group discussion of the exercise. Then ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- The classification process serves the purpose of developing:
  - a. Comprehensive assessment
  - b. An individual services plan
  - c. Program matching for a juvenile within the juvenile justice system

- Classification takes a holistic approach to the identification of the needs of a juvenile and the matching of services to address these needs.
  
- Classification is divided into two areas:
  1. Risk Assessment which looks at, security, escape, behavioral, delinquency history, legal, and suicidal issues of the juvenile.
  
  2. Needs Assessment which looks at the physical, medical, psychological/emotional, familiar and educational/vocational needs of the juvenile.
  
- The cultural characteristics of these juveniles should be taken into account throughout the classification process. These cultural characteristics should be considered to ensure that the juveniles needs are adequately addressed, not as a mean to eliminate them from service.

### Exercise 3

#### ANYTOWN DETENTION CENTER

Anytown Detention Center is located 50 miles outside of an urban area. This detention center serves the urban area and surrounding counties. Anytown is a 150-bed facility, and has a staff of 60 practitioners. The juvenile populations are ethnically diverse. The ethnic breakdown is:

|                  |       |
|------------------|-------|
| African American | 35%   |
| Asian            | 05%   |
| Hispanic         | 45%   |
| Native American  | 06.5% |
| White            | 06.5% |
| Other            | 02%   |

The majority of the staff are African American and Caucasian. Hispanics and Native American staff are primarily volunteers who work with the juveniles on recreational and social activities. Many staff complain that the programs in place at the detention center should be revised. They are outdated and do not meet the needs of the diverse juvenile population. The administration and staff at Anytown are faced with the following concerns:

- There is ethnic and cultural rivalry among juvenile offenders.

- There is a language barrier between some of the staff and juvenile offenders.
  - Staff are finding it difficult to locate adequate resources (i.e., counseling, therapy, and vocational/educational programs) to serve the juveniles.
  - Many juveniles complain that staff do not care and do not understand their needs.
  - The director of Anytown is faced with a high staff turn-over rate. Staff are frustrated and feel threatened by the diverse population that they must work with.
1. What cultural issues need to be considered when establishing programs to address the needs of the juveniles?
  2. What are some of the strategies and actions that the detention center administration might take to address these issues?
  3. What steps can individual staff take to address these issues?



✎ Instructor note:

Distribute Handout JI4.3. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Ask each group leader to present the groups responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- A. For any agency or organization to deal effectively with a culturally diverse juvenile population, staff must be aware of the cultural specifics of the juveniles. For example, many of the juveniles coming into the facility may not claim English as their native, or even second language. To communicate at all, therefore, at least one staff or community volunteer who does speak the language of the juveniles should be found and made available.
  
- B. Some of the strategies that the detention center administration might take to address the need of their culturally diverse population include:
  - ☐ Developing a mission statement and policies that value and promote cultural sensitivity.

- Providing cultural sensitivity training to both staff and juveniles.
  - Using resources from the community to provide services to both staff and juveniles.
  - Having events at the detention center that foster intercultural exchanges, for example, concerts featuring music from across the world or dinners featuring dishes from around the world.
- C. Staff need to recognize that working within a multi-cultural environment is difficult and requires that they draw on a wider variety of skills. And although training is important to prepare staff to work in this environment, patience and willingness to be open to new ideas is crucial.

Exercise 4

**THE SECURITY ALERT**

The following is a security alert that has been sent to all staff at a juvenile detention center.

Date: June 19, 1992  
To: Security and Admissions Staff  
From: J. Incharge, Director  
Subject: Security Alert

INFORMATION HAS COME TO US FROM THE MILWAUKEE AND ST. PAUL POLICE DEPARTMENTS THAT AN ARMED GANG MEMBER FROM THE WHITE TIGERS AND SEVERAL OTHER GANG MEMBERS ARE COMING TO ST. PAUL TO BREAK THEIR FELLOW MEMBERS OUT OF THE FRANCIS COUNTY JUVENILE CENTER. TO ENSURE OUR FACILITY'S SECURITY, SEVERAL MEASURES ARE BEING TAKEN.

UNTIL FURTHER NOTICE:

1. THE ONLY PERSON ALLOWED IN THE BUILDING TO VISIT WILLIAM CHUNG IS HIS MOTHER, WHOSE NAME IS LOIS CHUNG. NO ONE SHOULD BE ALLOWED IN WITH HER, (i.e. TO SIT IN THE LOBBY OR TO WAIT). ALL INDIVIDUALS ARE TO BE THOROUGHLY SCREENED BEFORE BEING ALLOWED INTO THE LOBBY.
2. ADMISSIONS WORKERS MUST LOOK INTO THE SALLY PORT BEFORE ALLOWING ANYONE INTO THE ADMISSIONS LOBBY. THIS SHOULD BE COMMUNICATED WITH THE CONTROL UNIT.

3. THIS WEEKEND, THERE ARE NO SCHEDULED DELIVERIES. DO NOT ALLOW ANYONE THROUGH THE BACK DOOR. IF THE DOORBELL RINGS, IGNORE IT. IF DELIVERYMEN OR OTHERS NEED ASSISTANCE, THEY SHOULD COME AROUND TO THE FRONT OF THE BUILDING.
4. PLEASE BE AWARE OF ALL PERSONS COMING INTO THE BUILDING. WE CURRENTLY HAVE NO OTHER ASIAN RESIDENTS EXCEPT WILLIAM CHUNG.
5. ALLOW NO ASIAN MALES IN UNLESS YOU KNOW FOR SURE WHO THEY ARE AND THE REASONS FOR THEIR BEING IN THE BUILDING.
6. THE GANG MEMBER WHO LEFT FROM MILWAUKEE IS NAMED IKE (JOSEPH BUNIS).

1. What assumptions are being made about the nationality of the gang member?
2. Is this facility taking all the necessary precautions to ensure that the facility is secure? If not, what else could be done?

 **Instructor note:**

Distribute Handout JI4.4. Divide the class into groups of five (5). Appoint a group leader. Allow ten minutes for group discussion of the exercise. Then ask each group leader to present the group's responses to the class. The trainer should solicit responses from the group as a whole and then elaborate on each point as needed.

Here are some points that you can present if they are not raised by the group:

- ☐ This memo makes the assumption that all the members of the White Tiger Gang are Asian. As a result of this assumption staff members will be taking a close look at all Asians that come through the detention center paying less attention to others individuals that might well be members of that gang.
- ☐ Making assumptions about the traits of gang members is dangerous. Within any culture or subculture, individuals are unique.



2011-12-20



HANDOUTS





**JUVENILE INTAKE**

At 3:30 a.m. an Asian juvenile is brought into the detention center as a first-time offender, after being taken into custody by the police for drinking in public and creating a disturbance. He was medically cleared at the local hospital to rule out any health problems.

The juvenile was partially non-cooperative, giving incomplete answers, but not violent nor in any way--out of control. He appeared more hung over than anything else. He indicated that he lives with his mother, father and five younger brothers and sisters. He was able to provide an address but stated that there was no phone at his house.

1. As a detention intake worker, what would you do with this juvenile?
2. What measures would you take to contact this youth parents?



## CLASSIFICATION

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Joshua has a mentor, and gets along well with him. His mentor understands that Joshua is really frightened of the neighborhood that he lives in, and that he often displays a "tough guy" attitude to try to hide his fears. Joshua has told his mentor that he would like to get help for his substance abuse problem. He says, however, that the programs that he has been in have not helped him because he did not feel that he could

trust any of his counselors, but is willing to try another program if given the chance.

Joshua's parents do not have any health insurance to cover his treatment program.

#### Profile B: Terry

Terry is a sixteen-year-old Caucasian youth who lives with his mother in the residential area of a city. Terry has been placed on probation for truancy and has a history of alcohol abuse. Terry has been using alcohol since he was ten years old. He has been to several programs, none of which seemed to have helped him.

Terry spends most of his days at home by himself while his mother works. He refuses to attend classes at the local vocational school where he is enrolled. He is often quite abusive to his mother, who is ready to put him out of the house. Terry's probation officer has recommended him for this substance abuse program. He is covered under his mother's insurance.

Given the information provided above, who would you place in the one treatment slot available and what would you do with the other juvenile? Give specific reasons for your decision.

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- There is ethnic and cultural rivalry among juvenile offenders.

- There is a language barrier between some of the staff and juvenile offenders.
  - Staff are finding it difficult to locate adequate resources (i.e., counseling, therapy, and vocational/educational programs) to serve the juveniles.
  - Many juveniles complain that staff do not care and do not understand their needs.
  - The director of Anytown is faced with a high staff turn-over rate. Staff are frustrated and feel threatened by the diverse population that they must work with.
1. What cultural issues need to be considered when establishing programs to address the needs of the juveniles?
  2. What are some of the strategies and actions that the detention center administration might take to address these issues?
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SECTION FOUR

LAW ENFORCEMENT APPENDIX



## LAW ENFORCEMENT TRAINING APPENDIX

### ABOUT THE APPENDIX

This appendix has been developed specifically for law enforcement practitioners to be used in a variety of ways that meet the needs of a particular law enforcement agency.

Law enforcement trainers should use this appendix in conjunction with the general curriculum. It contains exercises and discussion points that follow the content of the general curriculum. We suggest that the trainers familiarize themselves with the general curriculum and use the information in the appendix to make the training more law enforcement related.

In this appendix, the transparencies and/or handouts that are needed have been provided in the pertinent sections. Please note that not all sections of this appendix require the use of transparencies and handouts. In some cases, the transparencies in the general curriculum can be used.

Some of the law enforcement exercises use strong language and graphic examples to make important points that are relevant to law enforcement officers. We encourage trainers to use this appendix material in the manner that most suit their needs.



## NOTES TO THE TRAINER

As a law enforcement trainer, you will probably be asked a number of difficult, and sometimes hostile, questions throughout the course of the training.

Although these kinds of questions can get a training session off track, the opportunity to answer them in a way that satisfies the participants can make the rest of the training process go much more smoothly. If their broader concerns about cultural differences training can be addressed adequately, participants will be more able and likely to concentrate on the training material.

What follows are a series of questions frequently asked of law enforcement cultural differences trainers, with sample responses. These responses are guidelines only, to be used as background information for trainers.

## **Sample Responses to Questions Frequently Asked of Law Enforcement Cultural Differences Trainers**

### **1. How can we get the community to learn more about law enforcement?**

Some programs have been tried, such as citizen academies, law enforcement explorer scout programs, DARE, and community policing programs. The best way that the community can learn about law enforcement is for us to become actively involved with the community as an officer and a citizen. The community needs to see law enforcement officers as human beings. It is every officer's job to educate the community about the role of the law enforcement.

Specific ways that law enforcement officers can educate members of the community about policing include:

- Producing and distributing pamphlets in different languages that explain what citizens should do when they are stopped by law enforcement officers, how they can expect to be treated; how to file a complaint (this actually reduced complaints in one Western city); and, what the patrol, detective and other law enforcement functions do, etc.

- Joining minority group associations such as the NAACP. When law enforcement officers join cultural groups and attend meetings, they create an invaluable two-way educational opportunity. Relationships developed through membership meetings and events can be very helpful when an incident with racial or ethnic overtones occurs.
- Sponsoring cultural events and helping to promote the goals of the cultural groups.
- Soliciting the law enforcement agency's harshest critics to participate in several ride-alongs.
- Encouraging your law enforcement agency to offer minority scholarships to the law enforcement academy or community college criminal justice classes.

2. How can we get the community to learn more about cultural differences?

Helping the community to learn more about cultural differences is a massive social undertaking. The more that people interact and the more personal, everyday, normal, routine contact that diverse people have with each other, the greater the understanding that will develop between them. We need integration in the workplace, neighborhoods,

schools and everyday life. We need to stop teaching our children to fear and hate people who are different. We need to learn to recognize and appreciate the power and beauty of diversity, rather than blaming our social problems on other people.

As role models, it is especially important for law enforcement officers to take the lead in valuing diversity and the various cultural contributions to American society.

### **3. Why are many minority citizens so antagonistic towards the police?**

Interestingly enough, public opinion polls show that the vast majority of citizens, regardless of race, ethnicity or cultural group, have favorable attitudes towards the police. Although these surveys do not always capture the views of those who most come into contact with police--primarily lower-income persons--they show that most middle class persons, including minorities, are favorably disposed towards the police.

One of the reasons why many people are so antagonistic towards the police is because, they are not well-educated about the police. How many non-law enforcement people do you know who understand when a police officer must advise someone of their *Miranda* rights? Very few, probably, and they have had every advantage to learn this. Part of the problem, is that the media is not very accurate and sends distorted messages to the public about the police, crime and the law.



In addition, most police officers do not live in the neighborhoods that they patrol. Further, because of traditional patrol practices, many police officers have few opportunities to get to know the people who live in the neighborhoods they patrol -- except in more confrontational situations.

By the very nature of their jobs, police officers are frequently placed in positions that are inherently antagonistic and confrontational, often with members of minority groups. Police officers are continuously called upon to forcibly protect one person's rights by restricting the rights and wishes of another, This places the police officer in a position that almost always leaves someone unhappy.

In minority neighborhoods, these confrontations can become more antagonistic when the police officers involved are from the dominant culture. In addition to basic differences that exist between officers and citizens in most communities (officers live in different neighborhood, patrol from automobile), the gulf becomes more stark with the addition of racial, cultural, and sometimes vast economic differences.

Finally, any newcomers to this country from Eastern Europe or the third world are familiar with police officers in their country of origin who tortured, raped and murdered citizens. They also have experienced corruption at all levels of government. It takes time for trust and goodwill to be formulated between the police and persons from these minority groups.

#### **4. Why don't African American leaders do more to help law enforcement?**

Many African American leaders do not trust law enforcement--almost everything they see on TV is negative, such as the extensive coverage of the Rodney King and Malice Green incidents. Also, many law enforcement officers talk to African American leaders only when they need their help.

In addition, there is a long and negative historical relationship between law enforcement and the African American community. For example, it was law enforcement officers who served as slave patrols, hunting down runaway slaves in the mid-1800s, and law enforcement officers who sprayed fire hoses and used dogs on African Americans during the civil rights movement. Although some of these events took place a long time ago, parents pass their negative feelings and interpretations of events on to their children.

As law enforcement officers, it important for you to understand these historical reasons for the bad feelings between some African Americans and law enforcement. Understand that the African American citizens you come into contact with are not necessarily angry at you, but at what you and the law enforcement agency represent in a historical sense. [See: "An Evolving Strategy of Police: A Minority View," in the Cross-Cultural Communication Module-Selected Reading Section]

5. Why do I have to pay for past discrimination with affirmative action?

[Note to instructor: This can be a very difficult question to answer. The best approach is probably to avoid getting into a debate about the merits of affirmative action, but rather explain how managing diversity is different and when done right can significantly reduce the need for both court-mandated and voluntary affirmative action plans to reduce historical racial, ethnic and gender imbalances among police department employees.]

If you and your fellow officers are serious about managing diversity and do it well--you don't have to pay. Unlike affirmative action, which left out white males, managing diversity recognizes that everyone offers different skills and strengths to an organization, and an organization that actively seeks out people with complementary skills has a competitive advantage over those that don't. A police organization that manages diversity well recognizes that it has to have fair and open employment practices (i.e. hiring and promotion policies) and that it may have to take an extra step to hire and retain diverse employees.

Unfortunately, not everyone is agreement over what constitutes fair and open employment practices. A recent national survey of nearly 3,000 Americans of different races and ethnicities found that a large majority of African Americans, Latinos and Asian Americans do not

feel that they have opportunities equal to whites. Yet a majority of whites believe the opposite -- that members of minority groups do have opportunities equal to whites. Much bitter feeling between whites and minorities stems from profound disagreements about affirmative action and other means of increasing opportunities for minorities.

Fortunately, managing diversity, when done right, can significantly reduce the need for both court-mandated and voluntary affirmative action plans to reduce historical racial, ethnic and gender imbalances among police department employees. Managing and valuing diversity is also seen as inherently beneficial to police departments. If minority citizens feel that the police department looks like and represents the community, frequently, minority citizens will be less antagonistic towards members of the police department.

## **6. What's the real purpose of a diversity program?**

There are many purposes of diversity programs, and they are all important for different reasons. Some of these purposes are:

- To respond effectively to the major demographic changes taking place in our communities.
- To help the law enforcement officers and administrators recognize and appreciate the value of diversity, and learn how to turn diversity into a challenge not into a problem.

- To improve law enforcement-community (especially law enforcement-minority) relations by sending a message to the community that law enforcement officers are actively trying to serve the public better, and by enhancing the officers' human relations and cross-cultural communication skills;
- To reduce the number of citizen complaints and lawsuits against law enforcement; and
- To reduce the frequency of injuries accrued by law enforcement officers and citizens.

7. Why is cultural awareness training such a big deal? I like everyone I work with. It doesn't make any difference to me if a person is an African-American, or Asian or a different color. I treat everyone the same.

Most of us believe that we are fair and objective when we deal with persons of a different culture.

But ask yourselves this question: if someone told a racial joke in front of you, would you stop that person? Most people wouldn't, because social pressures encourage us to go along with things like this, even if we don't really think it's right. We can help make the agency a better place to work for women and minorities if we do let

our colleagues know that not only do we find those kinds of jokes and behaviors objectionable, but that a pattern of those behaviors open the agency to discrimination lawsuits and the imposition of consent decrees--unpleasant outcomes for everyone.

In addition, sometimes we will think we are doing fine and then learn from a person of another culture that we have made some mistakes. This happens to everyone. Sometimes we have no idea that our actions or words are disturbing or insulting to other people. Cultural awareness training and cross-cultural networking gives us an opportunity to make sure we aren't inadvertently insulting or offending people.

**8. Why do minorities accuse me of racism when I stop them for a legitimate reason?**

First, in many instances in the past, law enforcement officers **have** stopped people because of their race. This happens less frequently now, but it still happens occasionally.

Even when citizens have not been stopped because of their race, they may accuse you of racism for the same reasons that some wealthy whites will try to impress you, when stopped, with who they know and their potential influence over the law enforcement agency;

some people begin to cry; some people give you excuses for why they were speeding; and some citizens lie to you about the crimes that they have committed--to avoid the consequences of their actions.

If you did not treat the person any differently because of their race, do not take their accusation personally and do not let it affect your treatment of that person. If you do, he or she will be in a better position to make the case that you stopped them because of their race.

9. Do you really think this training will do any good?

This training is a good resource--it's something that you can take with you when you are doing your job that can make you a more effective and safer law enforcement officer.

But whether this training does any good depends largely on you. Do you want it to do any good? Are you open to new ideas? Do you care about improving law enforcement community or law enforcement-minority relations? Will you take what you learn here about other cultures and about yourself to the streets, or will you leave it in the classroom?

**10. Why isn't there a white law enforcement officers association? Why do minorities have to have their own associations?**

Many racial and ethnic minorities and women feel that they do not have a voice in the executive decision making of the general unions. Most general law enforcement officers' associations and unions are dominated by white males. Since women and minorities have learned through a long history of experience that they can achieve more as a group than they can as individuals, they form their own associations. In addition, there are white law enforcement officers' associations in some agencies.

Minority law enforcement officers' associations often give high priority to issues that general associations do not. For example, African American law enforcement officer associations are often much more concerned about law enforcement-minority relations, racial discrimination in arrests, minority law enforcement recruitment and self-destructive behavior by African-American males, than are the general law enforcement associations. Latino law enforcement officer associations are often much more concerned about incentive pay for Spanish-speaking law enforcement officers and the treatment of undocumented workers, than are the general law enforcement officer associations. Female law enforcement associations are often more concerned with the proverbial glass ceiling and sexual harassment issues, than are general law enforcement officer associations.



11. Why should we have to understand people who don't seem to want to assimilate? If a person is in our country, they should speak English and know our laws.

The main reason for attempting to understand all types of people better is that it will help you do your job more effectively and more safely.

Also, it doesn't help you to get upset if people don't speak English or practice different customs, because as a law enforcement officer, you can't pick and choose your customers. You have to treat everyone as fairly as possible, even if it can be difficult at times, because of language or cultural barriers.

It's important to remember that many people have not come to this country with a full command of the English language. This has always been true in America. A good example of this is when Christopher Columbus and the Spaniards came to America in the 1500s they did not know how to speak Indian languages.

It is also important to remember that English language courses are often not available in other countries to potential U.S. immigrants. Therefore, it sometimes takes at least a generation for immigrant families to gain a command of English. It will also often take at least this long for these families to learn this country's customs, traditions and laws.

## **12. Why do gays flaunt their sexuality?**

The focus of this training is not on sexual orientation, gender or several other cultural characteristics. If you are interested in learning more about these topics, please refer to the Bibliography Section # 9 of the curriculum and the Resources Section # 10.

However, in answer to your question, there is a small minority of gays and lesbians who are much more vocal and visible than most gays and lesbians, much like any other cultural group, and this is the group you most often see on TV. If you are not used to seeing people of the same sex together, it may seem like they are flaunting their relationship, but usually, they are just doing what heterosexuals do in public.

## MODULE 1: WHY THIS TRAINING IS IMPORTANT

The following series of discussion points can be used to explain the benefits of understanding cultural differences and valuing diversity.



Trainer Note:

Some of the following points reflect the information provided in the general curriculum.

Discussion Points:

1. What are some of the potential benefits of cultural differences training?

a. **Understanding cultural differences and treating people of different cultures with respect enhances officer safety:**

■ If officers are aware of specific actions that might insult people of different cultures, they will be less likely to take those actions and risk inciting hostility or physical conflicts.

■ If officers can better assess which behaviors by persons of different cultures are truly threatening and which are less dangerous, officers can respond to each individual situation appropriately. If officers respond appropriately, serious officer and citizen injuries can often be avoided.

■ If officers can communicate effectively with persons of different cultures, officers will have a better grasp of

the true reasons for calls for service and all the facts of various situations.

- Officers who understand cultural differences, and thus are able to ensure the fair treatment of all citizens, will likely be subjected to fewer verbal and physical attacks.

The following true story aptly illustrates this benefit of cultural awareness and respect.

Years ago, an African American gang from Chicago was recruiting children in a mid-sized, mid-western town. The requirement for becoming a member of the gang was "to shoot a white police officer." The gang members knew that eleven- and twelve-year-old children would spend only a little time in juvenile detention if they were caught. They gave four kids a ".38" and told them that when an officer showed up to answer a false call, the children should "take him out."

When the officer showed up, however, the kids did not shoot him. They recognized the officer as "the one who came to their school and treated them well." They added, however, that if a different law enforcement officer had showed up, he or she would have been shot.

- If officers treat people well, it may help save their lives. Understanding cultural differences will give officers the tools to treat people well—from their perspective.

b. **Understanding cultural differences improves enforcement effectiveness.**

- Officers can obtain more accurate information on illegal operations.
- Officers can communicate better with victims to obtain timely information about suspects.
- Citizens of different cultures will be more likely to report crime to officers.
- Officers will be less likely to lose court cases because they failed to correctly advise people of different cultures of their rights; or, failed to ask for consent for searches.

c. **Understanding cultural differences reduces officer liability and complaints against officers.**

- Better communication means a more understanding public.

- Culturally aware officers are less likely to accidentally violate a citizen's civil rights.
  - A hurt or insulted public is more likely to sue or file complaints.
  - Fewer conflicts mean fewer opportunities for suits.
  - A law enforcement agency that undergoes this training can demonstrate an overt effort to improve law enforcement-community relations, and reduce instances of improper use of force.
- d. Cultural differences training supports what law enforcement officers actually do.
- Current research demonstrates that only about 10-15% — a small percentage of policing — involves enforcing the law; 40-80% of policing involves paperwork.
  - Most training focuses on this 10-15% area, without considering the impact of the officer's attitudes and behaviors on real law enforcement activities.



- Law enforcement work continuously involves choosing the interest of one person over the interests of another.
- Law enforcement officers are called to the scene because of their unique right to use legitimate force to resolve conflicts
- The actual use of force, however, is one of the least effective ways to resolve conflict.

✍ Instructor note:

A good resource for this information is Policing Urban America (See references section at the end of the general curriculum for information on how to locate this article).

- e. Understanding cultural differences improves performance evaluations and makes an officer a better candidate for promotion
- Culturally aware officers receive fewer complaints and get involved in fewer conflicts.

- Supervisors value the ability of culturally aware officers to get along with diverse groups of fellow officers.
- Supervisors value a demonstrated ability to communicate effectively and achieve respect from all types of people.

**f. Understanding cultural differences reduces job-related stress.**

- Officers who feel comfortable policing diverse neighborhoods have less on-the-job-stress caused by escalating cultural conflicts or constant antagonism from the public.
- Officers who understand cultural differences experience less internal stress caused by suppressing prejudices and fears; confusion about the most appropriate way to act in diverse communities; miscommunication and anger.

**g. Successfully managing diversity preempts the imposition of consent decrees.**

- If law enforcement agencies tolerate even such simple acts as the use of racial or ethnic slurs by law enforcement officers, the agency may be subject to complaints from employees or citizens. If a judge determines that an agency tolerates discrimination against women or minorities in hiring and employment conditions, a consent decree may be imposed on the agency. Under a typical consent decree, a court orders a law enforcement agency to hire a specific number of persons from certain cultural groups. In effect the courts sets the agency's personnel policies—something most law enforcement officers and agencies want to avoid at all costs.
  
- The dominant group in a law enforcement agency, often white males, is the key to making sure that the agency does not tolerate discrimination in hiring and employment. The dominant group has the most power to ensure that consent decrees are not imposed on a law enforcement agency.

## **OTHER REASONS FOR PARTICIPATING IN CULTURAL DIFFERENCES TRAINING**

1. What are some other reasons for officers to participate in cultural differences training?
  - a. **Changing local demographics underscore the need for cultural differences training.**
    - Most American communities will experience an increase in the percentage of people of color in coming years. For some communities, this increase will be dramatic; in others, it will be less dramatic, but will still significantly impact the delivery of law enforcement services.

📎 Instructor note:

Ask trainees what they think the actual demographics are in their community, then go over actual past, present and future projections that you have collected from the Trainers Survey located in the notes to the trainer section of the curriculum. Note: You may be questioned about the validity of some of the demographic information you have collected. For example, trainees may point out that members of some cultural groups may have been counted twice - if listed as both Vietnamese and Asian - or undercounted. However, small miscounts are not nearly as important as identifiable trends. Try not to get sidetracked in a discussion about whether the numbers you have collected are exactly correct.

b. Changing national workforce demographics also emphasize the need for cultural differences training:

- Between 1988 and 2000, white males will account for only 11.6% of the net additions to the workforce.
- By the year 2000, 75% of those entering the workforce will be women or minorities.
- By the year 2000, 25% of the population will be African American, Hispanic or Asian.

Key Point: In the very near future, all law enforcement officers will face a workforce and citizenry that will have more numbers and power concentrated within groups other than white males. Officers without cultural differences skills will find themselves increasingly less able to provide law enforcement services effectively.

 **Instructor note:**

There are numerous sources that provide interesting and relevant statistics about the changing nature of the U.S. workforce by the year 2000. One such source is the Hudson Institute's publication: Workforce 2000: Work and Workers for the 21st Century. (Bibliography Section of general curriculum).

- c. In the near future, internal diversity will be more valuable**
- Because of the changing demographics and increase in citizen diversity, a law enforcement agency that has officers with different strengths (i.e. Spanish or other language skills), cultures and genders will be in a much better position to safely and effectively deliver law enforcement services.

## MODULE 2: CULTURAL DIVERSITY: WHAT IS IT?

The following information can be used to enhance law enforcement issues regarding the topics that are presented in the general curriculum.





## ASSIMILATION

Reasons why people come to the United States:

- A. To escape political and religious persecution in their own country — for example; many Europeans who came in the 19th century.
- B. To seek economic opportunities — for example; many recent immigrants from South and Central America and the Caribbean.
- C. Forced immigration — for example; African slaves.

The following are some issues surrounding assimilation:

- A. In the United States, whites are in the majority. As a result, a great deal of the dominant culture is influenced by this group.
- B. Assimilation or acculturation is a relative concept. Recent immigrants as well as many long-time residents may retain much of their culture with regard to language, customs, food, etc. On the other end of the spectrum are persons who have almost completely adopted the customs of white culture.

- C. The level of assimilation of an individual you come in contact with is an important concept for law enforcement officers. How a person from a different culture may react to you often depends on where that person falls on the acculturation spectrum. For example, although a person may appear to fit the physical description of a person with a Central American ethnicity, that person may fall anywhere on the acculturation spectrum, from a recent immigrant who fears the police because of the way police treat all suspects in El Salvador, to a fifth generation American who is completely acculturated. Asking this person for their "green card," might cause them to file a complaint against you. **Law enforcement officers need to constantly check their immediate judgements and assumptions when interacting with persons from different cultures.**
- D. Some persons who come to the United States someday wish to return to their own countries. These people would not have a strong desire to assimilate.
- E. Some persons who come to the United States for economic opportunities may wish to assimilate as much as possible to maximize their financial prospects; others may assimilate only as much as is necessary to conduct business.

- F. English language skills. Frequently, persons whose native languages are similar to English can assimilate more quickly if they choose to do so. For example, Spanish speakers can assimilate easier because the English and Spanish languages are similar in nature. On the other hand, some languages like Korean, Japanese and Chinese have virtually nothing in common with English.
- G. The value placed on traditions and customs. Some persons may view the process of assimilation as abandoning closely-held cultural values and traditions, and therefore, choose not to assimilate-or choose to assimilate gradually.
- H. Access to resources. Persons with little access to resources are often restricted in how much they can assimilate.
- I. Sense of belonging. Some immigrant groups are more welcome or feel more comfortable in the United States than others. This sense of belonging can affect the rate and pattern of assimilation.
- J. Culture is not static. Culture frequently changes to meet the current needs of a group.

## **Discussion Points:**

1. Cultural groups often change when they come in contact with other cultural groups. These changes can be voluntary, or forced and violent, depending on the nature and goals of the cultural groups in question. An example of a cultural clash occurred between Europeans and Native Americans, when the Europeans migrated to the United States in the 16th and 17th centuries. What are some modern examples of cultural clash?
  - rap music vs. rock music
  - Afrocentric vs. traditional Western curricula
  - proponents of English-only vs. Latino immigrants
  - gay rights advocates vs. evangelicals
  - East Germans vs. West Germans after the Berlin Wall fell
  - Croatians vs. Muslims vs. Serbs in former Yugoslavia
  
2. What are some job-related examples of cultural clash?

## PREJUDICE

### OPTIONAL EXERCISE

(This exercise can be used in addition to or in place of the "Bomb Shelter Exercise" when discussing prejudice).

✎ **Instructor note:**

Ask the class, "If you were given a choice, which would you least like to be: Rodney King, a member of his jury or the law enforcement officers on trial?" Point out three corners of the room and ask the participants to go to the first corner for Rodney King, the second corner for the jury and the third corner for the law enforcement officers who were on trial. Ask participants in each corner to explain why they picked that corner. (This exercise also works well with other choices, such as, "Which would you least like to be: a female law enforcement officer, a female athlete or a female fire fighter; African American, Hispanic or Asian; poor, mentally disabled or physically disabled, etc.)


### Discussion Points:

1. What does a person's choice say about their value structure?
2. Are some value structures more valid than others?

## Lecture

The following lecture and discussion points address the topic of prejudice from a law-enforcement specific point of view.

- A. Prejudices are a vital part of officer safety and law enforcement. For example, to safely carry out your duties, you must pre-judge the following situations:
- You encounter a youth with wild, glazed eyes who makes irregular movements, and is wearing gang symbols and attire in a certain geographical area.
  - You stop a car that has dark, tinted windows; is old and has a clean license plate or a partially covered license plate; is driven by a person who uses only his or her left hand and hides the right hand; the driver cannot explain where he or she is going.
  - You notice a youth walking out of the bushes at 2:00 a.m. He is wearing dark clothes or a heavy coat on a hot night and appears to be avoiding your headlights.

 Instructor note:

Solicit other examples from the participants, but be alert to examples that may not be appropriate prejudices, i.e., assuming that all teenagers who are Hispanic and live in a particular neighborhood are in a gang. Be prepared to facilitate a short discussion on which prejudices are appropriate and which are inappropriate.

Discussion Points:

1. Where do we pick up prejudices? Negative racial, sexual and social prejudices are rampant and are frequently reinforced by:
  - TV
  - movies
  - advertisements
  - newspaper reports
  - political campaigns

2. Although law enforcement attitudes largely reflect those of society in general, why are prejudices on the part of law enforcement officers potentially more harmful?

- As a law enforcement officer, you are compelled to uphold the law in a fair and impartial manner for every person you come into contact with.
- As professionals delivering public safety services, law enforcement behavior must be a cut above general societal attitudes.
- Law enforcement actions are usually highly visible and often under intense public scrutiny.
- Law enforcement actions that are perceived as prejudiced are often the flashpoint for civil disturbances and increased tension between the law enforcement and the community.



## Lecture

- B. **Selective contact.** Contact with persons in primarily negative situations may reinforce prejudices obtained through the media and from other sources. Because of the nature of law enforcement, law enforcement officers frequently come into contact with persons under negative circumstances. As a result, officers may come to believe that all persons from a certain culture possess the negative characteristics that the officers see on a daily basis.

### Discussion Points:

1. What are some examples of selective contact that you have had with adults of cultures different than your own? What are some examples of selective contact that you have had with juveniles of different cultures?

## Lecture

### C. Prejudices and attitudes vs. behaviors and actions.

- **Attitudes are not necessarily transferred to behavior.** Research suggests that it may be difficult to change attitudes or deeply held beliefs, but that we can more easily change behaviors or actions. (For more information, see "The Subtlety of Racism," by John Dovidio in the selected reading section of Module 2.
  
- **Gaining control of one's own actions.** Through clear identification of our inner prejudices, we can learn to control behavior while maintaining conflicting attitudes.

*RESOURCE MATERIAL FOR THE PREJUDICE DISCUSSION  
VIDEO — "ARRESTING PREJUDICE" (See video reference section  
for more information on obtaining this video.)*

## STEREOTYPES

The following material can be used to debrief participants who have completed the stereotype exercises in the general curriculum.

- A. **Regardless of whether you actually believe these stereotypes, you carry them around with you.** They're what you automatically think of people when you come across them during the course of fulfilling your duties as a law enforcement officer. Overcoming these stereotypes takes a great deal of effort, but will improve your ability to deliver services to diverse neighborhoods.
  
- B. **Because of the potential for cultural misunderstandings and unconscious biases to impact your handling of a situation negatively, you have to consciously think about cultural issues before you take action in your role as a law enforcement officer.** When you go on a call, always think about various aspects of officer safety—cover and concealment, spacing, lighting, how you place your vehicle, how you position yourself. **To minimize the likelihood of cultural conflict, once you have taken actions to ensure your safety, take a minute to think**

**consciously about the cultural issues that may affect how you handle the situation. Think about cultural issues before you begin speaking.**

- C. Usually, certain groups will have more negative stereotypes listed on the chalkboard. Some citizens (and law enforcement officers) who are members of two or more groups on the board are subject to even more negative stereotypes than those who belong to just one group. For instance, an Asian female is subjected to negative stereotypes about women and Asians; an Hispanic female law enforcement officer is subjected to three possible sets of stereotypes, some of which may be conflicting.
- D. **Inaccurate stereotypes can lead to misinformed decision making.** For example, many people believe that African Americans are more likely to be drug users than they actually are because more African Americans are arrested on drug charges. (In 1989, for example, 41% of those arrested on drug charges were African American, but African Americans constitute only 15% of the drug-using population.) News reports, television shows, movies and some politicians reinforce this image. In fact, the typical cocaine user is a white male high school graduate living in a small city or suburb. If you are under the

impression that African Americans are more likely to use drugs, then you may approach African Americans with this impression and treat them differently than you would persons of other cultural groups.

- E. **Stereotypical thinking can also lead officers to miss important clues about a situation.** For example, many adults assume that all juveniles are heterosexual, yet some juveniles are gay or lesbian. If an officer is responding to a young assault victim, but automatically assumes that the youth is heterosexual, the officer may miss clues that a bias crime was committed. In all situations, it is important for officers to be aware of and sensitive to the possibilities in questioning and referrals.

### DISCRIMINATION AND RACISM

VIDEO - "EYE OF THE STORM" (See video reference section for more information about ways of obtaining this video.)

Trainer can use this video as a means of initiating discussion about discrimination and racism.

Lecture Material on "Eye of the Storm"

- A. The video shows that negative terms and stereotypes are learned at a very young age. (In the video, white children refer to African Americans as "niggers.")

- B. Once you have been taught that you are better than others, you tend to look down on other people.
- C. The video illustrates the dynamic of prejudice within races and ethnicities. The children easily began discriminating on the basis of eye color alone.

### **CASE STUDIES ON DISCRIMINATION AND RACISM IN LAW ENFORCEMENT**

 **Instructor note:**

Give each participant a copy of Law Enforcement Handout 1. Explain that the handout gives several true examples of discrimination and racism that have had negative consequences for all parties involved. Read one or both examples.

- A very aggressive officer had always made a large number of stops in both white and African American neighborhoods, but when his arrest statistics were reviewed, it was clear that he tended to arrest more African Americans that he stopped than whites. Most likely, he arrested more African American citizens when he was in an all African American neighborhood because of cultural misunderstanding and fear. The residents in

the all African American neighborhood to which he was assigned may have been more boisterous, vocal and socially aggressive, which he probably perceived as a direct threat to his safety and the safety of others. The officer's agency was sued by the parents of one of the African American youths who was wrongly arrested and the agency settled out of court, with the family receiving a significant payment. This situation illustrates how cultural misunderstanding and fear can result in discriminatory and racist treatment by law enforcement.

- A law enforcement officer responded to a dispatched call of a hostage situation/possible kidnapping in progress in a residential area. The officer contacted his supervisor, who showed up at the scene with additional officers. The officers had been to the residence several times in the past few months, so they knew that weapons were probably present. The officers heard what sounded like people fighting inside the house. The supervisor and officers were frustrated because they had been called to the address so many times in the past. Although according to agency policy, they should have called in the hostage team, they decided to put together an entry team and move ahead. Because the officers were dealing with non-English-speaking Hispanic citizens, they thought that they could cut corners and deal with the situation

on their own. The officers called out to the occupants several times using a loudspeaker, and then, after no one came out, kicked down the front door. The first officer searched the first room on the left and the second officer searched the first room on right. The cover officer saw a male come out of a back room, and the cover officer directed him to the ground. A second male came out of the room. The cover officer saw something shiny and directed the male to the ground, the man didn't stop walking toward the officer, who shot and killed him. After the shooting, the agency discovered that the call was not about a hostage situation, but about domestic violence. In fact, the caller said (in Spanish) that one of the men "treated her like a hostage." The dispatcher did not fully understand the caller and did not get adequate information. A lawsuit was filed by the dead man's family against the agency and they settled out of court, with the family receiving a large settlement.

**Key point:** These and many other unfortunate situations could have been either prevented or mitigated if the officers involved had a basic understanding of cultural differences or treated the citizens involved the same way they treat white citizens.



**LAW ENFORCEMENT DISCUSSION**  
**THE POWER OF LANGUAGE**

**EXERCISE — HOT BUTTON**

✍ **Instructor note:**

Tell the participants that you will throw out several terms and that they should give you their immediate reaction to them. Say words like "welfare," "gangbanger," "non-English-speaking," "interracial dating," "Jesse Jackson," "Rush Limbaugh," "minority juvenile," "gay law enforcement officer," "Ice-T." Ask for a reaction to each term.

**Discussion Points:**

1. These are words we frequently hear, use and discuss. Some of these words trigger emotional reactions. Why do you think this is the case?
  
2. **NOTE:** Write these words on the board: Orientals, wetbacks, niggers, dykes, Ragheads (East Indians), Chinamen (Asians), DWOs (driving while Oriental), gal, fag, bitch [add any locally-relevant derogatory terms that are generally used].

Ask the participants how many have not used these terms while on duty. Ask the class whether it is acceptable for law enforcement officers to use these terms for citizens or when referring to suspects or people who clearly committed a crime.

**Instructor note:**

The following material is best presented as part of a discussion. One way to start such a discussion is to say to the class: "A fair amount of criticism has been directed at law enforcement officers about their use of racial jokes and terminology in radio transmissions, squadroom bulletin boards and everyday conversations. What do you think this is all about?" Frequently, participants will say that this type of language doesn't really mean anything and that people should understand that it's just a form of humor.

Other times, the topic of racist and sexist language will be raised by a participant without any prompting from the trainer. In these cases, the trainer can weave the following lecture material into the discussion.

## Lecture

- A. Some persons suggest that the racist, sexist and bigoted jokes that are found in radio transmissions, on squadroom bulletin boards and in the everyday conversations of law enforcement officers are part of a "WORKING LANGUAGE" that is
  - a. "in good humor,"
  - b. releases stress, and
  - c. does not result in differential treatment

- B. The participants in such humor often interpret their actions as being playful or lacking meaning.
- C. There are also many persons who would never be so crude as to make such jokes, but who would--when they hear the jokes--either politely smile or ignore them.
- D. It is important to be sensitive to jokes, radio transmissions and the so-called "working language" of law enforcement officers because:
  - a. Language has tremendous power to hurt, dehumanize, ridicule and manipulate.
  - b. Reducing people to their body parts or to animal characteristics
    - (1) dehumanizes
    - (2) desensitizes, and
    - (3) makes it easier to harm them
- E. Many of us were taught the phrase "Sticks and stones may break my bones, but words will never hurt me." Why did our parents teach us this? Because words do hurt.

## EXERCISE — THE IMPACT OF WORDS

📎 Instructor note:

Show transparency LE1. This transparency should be used only by experienced trainers, as the language is very strong and reaction to the transparency could be negative. However, the transparency can be used effectively to make the point that words do have meaning and can be very destructive.

Show Transparency LE1 (Lyrics to "Cop Killer") and ask the class, "How about these words? Do these words have meaning for you as law enforcement officers?"

# LYRICS TO "COP KILLER"

by Ice-T

I GOT MY BLACK SHIRT ON.  
I GOT MY BLACK GLOVES ON.  
I GOT MY SKI MASK ON.  
THIS SHIT'S BEEN TOO  
LONG.  
I GOT MY TWELVE GAUGE  
SAWED OFF.  
I'M 'BOUT TO BUST SOME  
SHOTS OFF.  
I'M 'BOUT TO DUST SOME  
COPS OFF.

CHORUS:  
COP KILLER, IT'S BETTER  
YOU THAN ME.  
COP KILLER, FUCK POLICE  
BRUTALITY.  
COP KILLER, I KNOW YOUR  
FAMILY'S GRIEVING.  
(FUCK 'EM)  
COP KILLER, BUT TONIGHT  
WE GET EVEN.

I GOT MY BRAIN ON HYPE.  
TONIGHT'LL BE YOUR  
NIGHT.  
I GOT THIS LONG-ASSED  
KNIFE,  
AND YOUR NECK LOOKS  
JUST RIGHT.  
MY ADRENALINE'S PUMPIN'  
I GOT MY STEREO BUMPIN'  
I'M 'BOUT TO KILL ME  
SOMETHIN'  
A PIG STOPPED ME FOR  
NUTHIN!

CHORUS:  
DIE, DIE, DIE PIG, DIE!  
FUCK THE POLICE  
FUCK THE POLICE  
FUCK THE POLICE, FOR  
DARYL GATES  
FUCK THE POLICE, FOR  
RODNEY KING  
FUCK THE POLICE, FOR MY  
DEAD HOMIES  
FUCK THE POLICE, FOR  
YOUR FREEDOM  
FUCK THE POLICE, DON'T BE  
A PUSSY  
FUCK THE POLICE, HAVE  
SOME MUTHAFUCKIN'  
COURAGE

FUCK THE POLICE, SING  
ALONG.

COP KILLER!  
I'M A MUTHAFUCKIN' COP  
KILLER  
COP KILLER!

Some instructors prefer to let this material sink in for a few moments and then call a break, so that a negative and counterproductive discussion of Ice-T does not ensue. If, however, a discussion seems unavoidable, the following discussion points may be helpful.

**Discussion Points:**

1. In the movie "Terminator I," Arnold Schwarzenegger bombs a law enforcement station and kills 25 or more law enforcement officers. Do his actions in this film seem less threatening than the lyrics to "Cop Killer?"
  - Much tension and fear exists between young, African American males and law enforcement officers. The lyrics to "Cop Killer" represent the anger that a contingent of mostly African American, male, urban youth feel toward law enforcement.
  - In some cities, this anger has reached the boiling point. Cultural fear and misunderstanding, as well as disrespectful language and actions on the part of law enforcement and youth fuel the fire.

HANDOUTS





## HANDOUT LE1

☒ A very aggressive officer had always made a large number of stops in both white and African American neighborhoods, but when his arrest statistics were reviewed, it was clear that he tended to arrest more African Americans than whites. Most likely, he arrested more African American citizens when he was in an all African American neighborhood because of cultural misunderstanding and fear. The residents in the all African American neighborhood to which he was assigned may have been more boisterous, vocal and socially aggressive, which he probably perceived as a direct threat to his safety and the safety of others. The officer's agency was sued by the parents of one of the African American youths who was wrongly arrested and the agency settled out of court, with the family receiving a significant payment. This situation illustrates how cultural misunderstanding and fear can result in discriminatory and racist treatment by law enforcement.

☒ A law enforcement officer responded to a dispatched call of a hostage situation/possible kidnapping in progress in a residential area. The officer contacted his supervisor, who showed up at the scene with additional officers. The officers had been to the residence several times in the past few months, so they knew that weapons were probably present. The officers heard what sounded like people fighting inside the house. The supervisor and officers were frustrated

because they had been called to the address so many times in the past. Although, according to agency policy they should have called in the hostage team, they decided to put together an entry team and move ahead. Because the officers were dealing with non-English-speaking Hispanic citizens, they thought that they could cut corners and deal with the situation on their own. The officers called out to the occupants several times using a loudspeaker, and then, after no one came out, kicked down the front door. The first officer searched the first room on the left and the second officer searched the first room on right. The cover officer saw a male come out of a back room, and the cover officer directed him to the ground. A second male came out of the room. The cover officer saw something shiny and directed the male to the ground, the but the man didn't stop walking toward the officer, who shot and killed him.

After the shooting, the agency discovered that the call was not about a hostage situation, but about domestic violence. In fact, the caller said (in Spanish) that one of the men "treated her like a hostage." The dispatcher did not fully understand the caller and did not get adequate information. A lawsuit was filed by the dead man's family against the agency and they settled out of court, with the family receiving a large settlement.

TRANSPARENCY LE1

LYRICS TO "COP KILLER"  
by Ice-T

I GOT MY BLACK SHIRT ON.  
I GOT MY BLACK GLOVES ON.  
I GOT MY SKI MASK ON.  
THIS SHIT'S BEEN TOO LONG.  
I GOT MY TWELVE GAUGE SAWED OFF.  
I'M 'BOUT TO BUST SOME SHOTS OFF.  
I'M 'BOUT TO DUST SOME COPS OFF.

CHORUS:

COP KILLER, IT'S BETTER YOU THAN ME.  
COP KILLER, FUCK POLICE BRUTALITY.  
COP KILLER, I KNOW YOUR FAMILY'S GRIEVING.  
(FUCK 'EM)  
COP KILLER, BUT TONIGHT WE GET EVEN.

I GOT MY BRAIN ON HYPE.  
TONIGHT'LL BE YOUR NIGHT.  
I GOT THIS LONG-ASSED KNIFE,  
AND YOUR NECK LOOKS JUST RIGHT.  
MY ADRENALINE'S PUMPIN'  
I GOT MY STEREO BUMPIN'  
I'M 'BOUT TO KILL ME SOMETHIN'  
A PIG STOPPED ME FOR NUTHIN!

CHORUS:

DIE, DIE, DIE PIG, DIE!  
FUCK THE POLICE  
FUCK THE POLICE  
FUCK THE POLICE, FOR DARYL GATES  
FUCK THE POLICE, FOR RODNEY KING  
FUCK THE POLICE, FOR MY DEAD HOMIES  
FUCK THE POLICE, FOR YOUR FREEDOM  
FUCK THE POLICE, DON'T BE A PUSSY  
FUCK THE POLICE, HAVE SOME MUTHAFUCKIN' COURAGE  
FUCK THE POLICE, SING ALONG.

COP KILLER!  
I'M A MUTHAFUCKIN' COP KILLER  
COP KILLER!



TRANSPARENCIES



## MODULE 3: CROSS-CULTURAL COMMUNICATION

The following scenarios and role play give trainees opportunities to apply cultural skills and information learned in earlier material to typical law enforcement situations involving cross-cultural communication. The trainer has the option to choose which lecture material exercises will be used.





 **Instructor note:**

This exercise highlights the cross-cultural communication difficulties experienced between African American women and white male law enforcement officers. However, if other cultural groups are of more concern to your community, substitute those groups in this scenario.

Distribute copies of Handout LE1 to participants and then read the short scenario out loud.

## THE COMMUNITY MEETING

Lately your department has focused its efforts on reducing crime in a public housing development that has experienced a great deal of drug activity, as well as several drug-related homicides, during the past few years. Although some residents of the area seem to be supportive of the department's efforts, others have harshly criticized what they perceive to be overly aggressive tactics. These criticisms have appeared in several news stories in the local paper and tension between the residents and law enforcement assigned to the area has increased.

Your lieutenant sends you to a hastily arranged community meeting. As you arrive, you become acutely aware of the fact that you are the only white person in the room. Most of the people at the meeting are African American females, several of whom begin to yell at you. One woman says, "We are sick and tired of you coming into

our neighborhood, harassing our kids, taking them to jail and kicking them around." Another woman angrily adds: "You know they sell drugs on the other side of town, too--why are you always here bothering our kids?" Several of the people continue to yell at you at once.

What do you do next?

 **Instructor note:**

Ask for responses from the participants to generate a discussion about this situation. Most likely, some participants will suggest that the officer try to calm the group down so that they can discuss the issues rationally. If the participants do suggest this, ask them how the officer should accomplish this.

### What You Should Not Do:

- Loudly say that it doesn't sound like we can have a constructive conversation about the issues tonight and leave the meeting.
- Just leave because no one should have to put up with that.
- Engage in a shouting match with the residents about the issues.
- Become aggressive or defensive because of accusations or perceived threats that seem to be directed at you. Do not take the accusations personally. Many officers are somewhat fearful of this kind of situation, and become agitated as a result. If they become agitated or show their fear, the meeting can become more chaotic and can disintegrate. Officers in this situation should remain as calm as possible.

- Do not point at the attendees and say something like: "You have to understand \_\_\_\_\_," or "You people have to do \_\_\_\_\_ before we can help you."
- Do not use the royal "we" (you and the law enforcement agency) when talking to the meeting attendees. Although you are representing the department, you should personalize this discussion. Tell the attendees what *you* will do about their situation.
- Some participants will suggest finding someone who seems to be in charge and get them to make everyone be quiet. Finding the person who seems to be in charge may be somewhat helpful, but if **you** seem to be the focal point of the meeting, then **you** are the person in charge.

### What You Should Do:

- Understand the dynamics of the meeting. If you are white male officer, the people at the meeting probably aren't going to be receptive to you. Most likely, they will see you as being part of the white power structure that has caused them problems for many decades. (See "An Evolving Strategy of the Police: A Minority Perspective," in the selected reading section of module 3: Cross-Cultural Communications.) If you are a minority officer, you will probably have more trust and credibility going into the meeting, but it will still be difficult.
  
- Only if you are a very patient person and not easily upset by accusations, go to the center or front of the room, hold up your hand and just wait. Often, if you can stand at the front of the room with an extremely calm demeanor, after some time, you will have an opportunity to speak. When that opportunity arises, introduce yourself and say, "I'm here to listen"--and then listen for a few minutes. Don't argue, but try to respond to the questions and statements, if possible. If you do not know the answer to a question, say so and let the group know that you will find out the answer and get back to them about it.
  
- Many people are not able to handle the meeting in the above manner, however. If you do not think that you can

approach it without first setting rules, then in a very respectful but firm manner, set the rules at the beginning of the meeting (i.e. one person talks at a time; you are here to listen and answer their questions to the best of your ability; if you don't know the answer, you will find out the answer and get back to them about it; you will schedule a followup meeting to make sure you have addressed their concerns; you would like to address their concerns in a constructive way so that we all can move ahead to other community problems of concern to them.)

- Once you begin a dialogue with the group, ask what they would like you to do to help them with a specific problem. Take this opportunity to educate the attendees about what you can do and what you can't do. Explain why you can't do something and whether there are any ways to change the circumstances so that you could take action.
- **Take notes** on the citizens' concerns and suggestions. You and the attendees both need to go away from the meeting with information you can act on.
- Post a sign-up sheet with names and addresses and have the attendees sign in. Explain that you want this information so that you can followup up with individuals about their concerns.

- If the citizens are concerned about the actions of an officer who had clearly behaved improperly, admit this and explain how the officer will be expected to act in the future, as well as the group's options about the particular situation.

 **Instructor note:**

Distribute Handout LE2 to the participants.

## THE TRAFFIC STOP

You see a car run a red light and you signal for it to pull over. As you approach the car, you notice that a young Hispanic male is in the driver's seat, a young Hispanic female is in the front passenger seat and two young children are in the back seat. You ask for the male's driver's license and he responds, "No Hablo Ingles."

What do you do next?

 **Instructor note:**

Ask for responses from the participants to generate a discussion about this situation.

## What You Should Not Do:

- Frequently, a participant will say that he or she would ask about the immigration status of the driver. If this issue is raised, facilitate a discussion about the appropriateness of this action. Explain that if the driver were here illegally, that would actually be a federal issue, over which local law enforcement departments have no jurisdiction. At this point, the participants may want to discuss whether these kinds of policies and federal laws make sense. Avoid this sort of discussion. Tell the participants that the point of this exercise is not to debate the merits of federal immigration law, but to examine whether persons who do not speak English are treated the same as English-speaking citizens during routine traffic stops.
- Give the driver a stiffer ticket or search the car--because you are having trouble communicating with the citizen.

You may want to ask the participants whether they often suspect that a driver like the one in the scenario can speak English, but is purposefully being difficult.

Ask the participants if they sometimes make a bigger deal out of stopping people who look different.

You may also want to ask the class, "How would you feel if almost every time you're stopped by the enforcement officers, they ask whether you are a citizen?"



## What You Should Do:

- ❑ The driver apparently speaks little or no English. You should be able to gesture with your hands that you need to see his driver's license.
- ❑ If you are still having difficulty communicating, you may want to ask whether anyone in the car speaks English. Be sure to direct this question to the driver even though the children in the back seat may be bilingual.
- ❑ Treat the driver as you would any other citizen who had been stopped for running a stop sign, with the understanding that you may need to take extra steps to communicate with the driver.
- ❑ If you discover that you are frequently having communications difficulties during traffic stops, create or obtain an informational brochure about traffic laws, tickets and fines printed in the languages most needed. In addition, you may want to carry with you translations of key phrases necessary for making traffic stops in different languages.
- ❑ If the driver appears to understand some English, follow the "Tips for Communicating With Limited English Proficiency (LEP) People." (Handout LE3)

 **Instructor note:**

Distribute Handout LE3

**TIPS FOR COMMUNICATION WITH LIMITED ENGLISH  
PROFICIENCY PEOPLE**

Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - An LEP person may not understand the question, "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?" or "Where is your house?", you may obtain the information you need.
4. Do not use slang, broken English or mixed languages ("Spanglish").

5. Speak slowly and clearly, being careful not to exaggerate your speech.

6. Be careful not to speak louder when you are not understood.

☒ Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.

7. Pay attention to the driver's non-verbal cues that signal lack of understanding.

☒ Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.

8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will respond to negative statements in a true/false manner, using the words 'yes' or 'no.'

☒ If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean: "True, I did not

see the car." An even more confusing response is "No," meaning: "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question: "Did you see the car?"

9. Use consistent terminology.
10. Ask the same question several times to obtain a true response.
  - Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he or she actually feels.
11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.

#### Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.

2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are treated equally to men, in many LEP cultures, it would be inappropriate to address a woman or child before addressing a man.
3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).
5. Typically, LEP people can understand English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

*\*\*\*"Tips For Communicating Effectively With Limited English Proficiency (LEP) People," reprinted with permission and minor editing, is a product of the CHASE grant (Crime, Health and Safety Education for Refugees), funded by the Commonwealth of Virginia, Department of Social Services and coordinated through the Richmond City Office of Virginia Cooperative Extension. For more information, contact Kathy Cooper, State Department of Social Services at (804) 662-9029.*

 **Instructor note:**

Ask the class if there is anything else they would do at this point.

Unless there is something about the car or the occupants that would trigger suspicions, there is nothing else to be done except to write the driver a ticket.

### **CROSS-CULTURAL COMMUNICATION ROLE PLAY**

 **Instructor note:**

Divide the participants into small groups of not more than six people. Have each small group discuss real-life cross-cultural communication problems that they have experienced on the job and select one for a role play. The issue identified should center around a cultural issue such as a perception, value, assumption, etc., that is culturally related.

Each group should then briefly describe their scenario and play it out for the entire group.

Examples of situations for this exercise might include:

- explaining to the parents of a different culture that their son or daughter has been arrested for petty larceny;

- responding to a domestic violence incident in which the involved parties speak little English;
- conducting a field interrogation about a robbery suspect in a neighborhood composed mainly of a local minority culture.

 **Instructor note:**

It can be very difficult to persuade law enforcement officers to participate in a role play. Consequently, many law enforcement trainers do not use role plays in delivering cultural differences training. However, if you think that your audience will participate in and benefit from this type of exercise, set aside at least an hour for the role plays and follow-up discussion. Be sure to ask several





HANDOUTS



## THE COMMUNITY MEETING

Lately your department has focused its efforts on reducing crime in a public housing development that has experienced a great deal of drug activity, as well as several drug-related homicides, during the past few years. Although some residents of the area seem to be supportive of the department's efforts, others have harshly criticized what they perceive to be overly aggressive tactics. These criticisms have appeared in several news stories in the local paper and tension between the residents and law enforcement assigned to the area has increased.

Your lieutenant sends you to a hastily arranged community meeting. As you arrive, you become acutely aware of the fact that you are the only white person in the room. Most of the people at the meeting are African American females, several of whom begin to yell at you. One woman says, "We are sick and tired of you coming into our neighborhood, harassing our kids, taking them to jail and kicking them around." Another woman angrily adds: "You know they sell drugs on the other side of town, too--why are you always here bothering our kids?" Several of the people continue to yell at you at once.

What do you do next?



## THE TRAFFIC STOP

You see a car run a red light and you signal for it to pull over. As you approach the car, you notice that a young Hispanic male is in the driver's seat, a young Hispanic female is in the front passenger seat and two young children are in the back seat. You ask for the male's driver's license and he responds, "No Hablo Ingles."

What do you do next?



## Handout LE3

### TIPS FOR COMMUNICATING WITH LIMITED ENGLISH PROFICIENCY (LEP) PEOPLE

#### Verbal Communication

1. Communicate one idea at a time. Do not overload the person with information.
2. Emphasize the main idea you want to communicate.
3. Use simple language. Rephrase your sentences and try a variety of words until you are understood.
  - ▣ An LEP person may not understand the question: "What is your place of residence?" or even the word: "address." However, if you phrase the question: "Where do you live?" or "Where is your house?", you may obtain the information you need.
4. Do not use slang, broken English or mixed languages ("Spanglish").
5. Speak slowly and clearly, being careful not to exaggerate your speech too much.
6. Be careful not to speak louder when you are not understood.
  - ▣ Speaking loudly is a common reaction, but to the LEP person, you will seem intimidating, impatient or even aggressive.

### Handout LE3 (Continued)

7. Pay attention to the driver's non-verbal cues that signal lack of understanding.
  - Some LEP people will agree with you just to avoid trouble or to please you. Most respond, "Yes..., yes..., yes..." each time the speaker pauses. This indicates that the LEP person is listening, but not necessarily that he or she agrees or even understands.
8. Do not use sentences with negatives because you and the LEP person will probably be confused. Often, an LEP person will respond to negative statements in a true/false manner, using the words 'yes' or 'no.'
  - If you ask the LEP person, "You did not see the car?" and he or she responds, "Yes," this may mean, "True, I did not see the car." An even more confusing response is "No," meaning, "False, I did see the car." For this reason, you should avoid all negative questions, and, in this case, phrase the same question, "Did you see the car?"
9. Use consistent terminology.
10. Ask the same question several times to obtain a true response.
  - Initially, an LEP person may respond in a way that he or she thinks will please you. Often, after being asked two or three times, the person will tell you how he or she actually feels.
11. Be patient. Working with LEP people will take longer, no matter what the task. Expect to be delayed.



## Handout LE3 (Continued)

### Non-verbal Communication

1. All cultures use tone of voice to communicate underlying messages. Do not expect an LEP person to understand your tone, if it is meant to communicate sarcasm, praise or blame. LEP people will most likely understand your message in a literal sense. In the same way, do not read into the tone of the LEP person. What you think was communicated in a rude tone, might mean something completely different in the LEP person's native language.
2. Often, it is best to address the oldest male first, even if he does not speak English. Although in some LEP cultures, women are treated equally to men, in many LEP cultures, it would be inappropriate to address a woman or child before addressing a man, than vice versa.
3. Avoid touching an LEP person, particularly if he or she is of a different sex than you, or are of a religious order (i.e. a monk).
4. Complement your communication with non-verbal behaviors (hand gestures) or through visual aides (pictures, written notes).

Handout LE3 (Continued)

5. Typically, LEP people can *understand* English better than they can speak English. Do not talk to others in front of LEP people if you do not want them to know what you are saying; they may understand you.

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## MODULE 4: JOB IMPLICATIONS

The following lecture material and scenarios give participants opportunities to apply cultural skills and information learned in earlier material to situations typically encountered by law enforcement officials. When using these scenarios, divide the class into groups for discussion and feedback. The trainer has the option to choose which lecture material exercises will be used.



## THE DECISION TO ARREST

### Lecture

- A. According to studies, five factors influence the decision to arrest a person. They are the:
- ▣ demeanor of the suspect
  - ▣ seriousness of the crime
  - ▣ preference of the victim
  - ▣ nature of the relationship between the victim and the suspect
  - ▣ characteristics of the neighborhood
- B. All five of these factors could be influenced by cultural differences.

### Discussion Points:

1. How could an officer's assessment of these five factors influence the decision to make an arrest?

## THE INCIDENT

 **Instructor note:**

As written, this scenario occurs in an African American neighborhood, but any appropriate local culture could be substituted. Distribute Handout LE4.

You are called in as back-up in an altercation in a neighborhood that is primarily African American. As you arrive, you see that two officers are trying to subdue two teenaged African American males, who are obviously drunk.

A crowd, primarily African American, is beginning to form. Someone begins to chant, "L.A., L.A.!" You determine that you need to do something quickly before the situation becomes chaotic.

What do you do next?

\*\*"The Incident" is reprinted with permission and minor editing, was developed by the Henrico County Police Department, VA.




 **Instructor note:**

This scenario is about the historically bad relationship between African Americans and law enforcement — especially officers who are using force to subdue suspects or citizens.

Ask for responses from the participants to generate a discussion about this situation. Use the following guidelines to clarify the points that may arise during the discussion.

See article "The Evolving Strategy of Police, A Minority View" found in the supplementary readings section of Cross-Cultural Communication Module.

### What You Should Not Do:

-  Order the crowd to calm down or disperse. This approach will usually provoke people and challenge them to continue their behavior.
  
-  Taunt the crowd; engage in a shouting match or respond to people who are calling you names.
  
-  Move into the crowd and arrest those who seem to be causing the most trouble.

## What You Should Do:

A situation like this one might cause many officers to be fearful for their own safety and the safety of others. As a result, they fall back on trying to exercise their authority to gain control of the situation. Fortunately, officers have more tools available to them than their badge.

- After you have cleared your space, turn to the crowd and explain what is happening. Say something like, "We want you to know that these kids are just inebriated." (If someone in the crowd yells that they are not, just ignore them.) Ask, "Does anybody know these kids? They're drunk and need help. Do you know of a good way to help them?" Use the crowd to help you rather than slipping into the mind-set that it is you against them.
- If the situation continues to deteriorate--the crowd starts throwing things, for example--**you can always leave the scene**. Although this strategy is infrequently used, it is always an option. **Ask yourself, "What am I willing to risk, to arrest two people on misdemeanor drunk charges?"** In all probability, you could come back later and arrest the two boys. At least 25 people witnessed the incident; identification should not be difficult.

But in many cases, officers feel that once they have put



their hands on someone with the intent of arresting them, they can't back down. However, this can quickly become a situation in which people could get hurt. It is also a situation in which it is more likely that someone will file a complaint against you. Or, in a worst case scenario, someone (either you or others) could be seriously injured in a violent melee for which you are partially blamed, resulting in lengthy court proceedings that severely damage your reputation and, possibly, your law enforcement career.

- If you do need to leave the scene prematurely, it would be a good idea to return to the neighborhood later to talk with onlookers to explain what happened, why you left, and follow up with the two young men who were inebriated.

## YOUTH GANG

 **Instructor note:**

This youth gang scenario actually happened in a midwestern city. The youth were members of a football team. They saw the security guard observing them, so they *pretended* to be getting something out of their trunk. After the responding officer determined that nothing was amiss, and explained that he had responded to a call of a possible gang at the mall, the juveniles left. Distribute Handout LE5.

A call comes over dispatch reporting that a security guard at a shopping mall in a predominantly white neighborhood has seen four African American males, all wearing matching leather jackets and red ball caps, opening and closing their car trunk and entering the mall. The security guard told dispatch it looked like gang members might be entering the mall. The security guard notified the merchants, some of whom began closing their stores.

You respond to the call. As you arrive, the juveniles are leaving the mall and are heading toward their car.

What do you do?

A little while later, the juveniles were stopped by a police officer from another jurisdiction, who had heard the initial call over the radio and matched the description of the teenage boys and the car. This

officer conducted a felony stop of the car, making the teenagers get out of the car and down on the ground. Their irate parents later called the first police department to complain about the treatment of their sons. They later filed a civil rights complaint against the second police department.

For the discussion of this scenario, ask for several responses to the following progressive series of questions about the situation:

1. Having only the information from dispatch, how would you approach the vehicle? What would your demeanor be like?

In response to question #1, officers will frequently say that they would first call for back-up because a gun may be involved. Others might say they would cautiously approach the teenagers and ask who they are--basically conduct a short field interrogation.

In this situation, the demeanor of the officer is most important. It will determine whether the officer has a conversation or a confrontation with the juveniles.

- 1a. Suppose you were out patrolling, heard the earlier dispatch about a "gang" at the mall and spotted a car that matched the description of the one at the mall. What would you do?

In response to question #1a, the first thing that the officer out patrolling should do is to radio the responding officer to find out what happened at the mall. The officer out on patrol should not stop the car, because the teenagers have not done anything wrong. If a participant says that he or she would stop the car, ask that person why, on what grounds, and what kind of stop would they conduct: a routine traffic stop, or a more precautionary stop? What are the legal and racial implications of such a stop? If the report over the radio had been about four Asian youths believed to be a gang, would you stop that car?

- 2. Suppose the juveniles said that they were members of a football team and that they had seen the security guard "checking them out," so they thought they would pretend to be getting something out of their trunk. What would you do?**

Once you have determined that the security guards report of four teenaged gang members entering the mall is incorrect, explain exactly how you got the call about them. They need to know why you, as a law enforcement officer, approached them, even though they had not done anything wrong.

Some participants may say they would examine the boys' trunk to make sure that there were no weapons. If so, ask them if they would examine the trunk if this scenario were about four white teenagers wearing matching jackets and ball caps.

3. Should you talk with the security guard? If so, what should you say?

There is no right answer to this question, but it would be best not to reinforce the security guard's fears about African American gang members. The officer in the actual incident told the security guard that he—the security guard—had been mistaken.

4. After asking these questions, tell the participants how this story actually ended, and then facilitate a discussion on the legal and racial implications of this situation and others like it.

- ☐ Under what circumstances is it appropriate to stop people? At what points in this scenario could you legally search people?
- ☐ Even if a search is legal, are you obligated to do it?
- ☐ This story illustrates how miscommunication and stereotyping can put you in a position of taking action that is legal and follows proper procedures, but can outrage the community.

## THE ROBBERY

 **Instructor Note:**

Distribute Handout LE6.

It appears that there has been a rash of robberies in an Asian community in your area. Several Asian community members have told the police department that there is no problem with robberies but property, that your department believes was stolen, from homes in an Asian neighborhood keeps turning up at pawn shops.

You respond to a call of a robbery of an elderly Asian couple. The call came in from someone other than the couple. You try to interview them about the robbery, but they don't seem to be cooperating.

What do you do?

### **What You Should Not Do**

- **Don't back off.** There may be several reasons why the couple does not seem to be cooperative. One could be cultural (an American interpretation of body language and the meaning of phrases); it could be that the couple fear retribution; or they may feel that American police are ineffective compared to the police they knew in their

country of origin; or they may not trust the police completely. (Some Asian leaders, however, say that mistrust is a common misconception)

### What You Should Do

- ❑ If you think that the couple has been robbed, try to find out what their real concerns are, if any.
- ❑ Take extra time to address their concerns and gather information about their situation.
- ❑ You may want to open the lines of communication between the police and the particular Asian community through community meetings. Perhaps your department should consider recruiting more Asian police officers and hiring Asian liaison officers.
- ❑ You may want to print brochures that address what seem to be recurring concerns in the community members language(s).

 **Instructor Note:**

Distribute Handout LE7.

## **Activities That Can Improve Your Understanding of Persons of Different Cultures:**

- Attend cultural group meetings, social events.
- Learn helpful words and phrases of a different language.
- Make friendly contacts with citizens/clients in non-work situations.
- Volunteer time to work with persons in a particular cultural group on their most pressing concerns.
- Ask persons in a particular cultural group what they would suggest you do to get to know the residents of that neighborhood better.

## **Cultural Tips/Etiquette**

- Be patient. Cultural understanding and trust doesn't happen quickly.
- Realize that you will make cultural faux pas, but if they are the result of a good-faith effort to learn more about different cultures, these mistakes will not be disastrous. People will respect you for making an effort.
- Be honest in building relationships.
- Don't to be defensive if a citizen/client accuses your agency



of treating people in their cultural group poorly. Listen to what the person says and be willing do your best to address their concerns.

- ❑ Don't patronize people.
- ❑ Don't make promises you can't keep. If you say that you will be able to attend a community meeting, be prepared to follow through.
- ❑ Mingle. Most people tend to gravitate toward people of the same cultural/professional background at social events, but if you attend a cultural event and sit with the few other people like you, it may appear that you aren't comfortable with the people you came to build relationships with. At a community meeting, greet everyone and sit somewhere in the middle of the group.
- ❑ Don't impose yourself, but take advantage of opportunities to eat dinner at the home of a person in a particular neighborhood or of a cultural background that is different from yours.
- ❑ Eat at a restaurant. Patronize the small businesses in a particular neighborhood that you would like to learn more about.



HANDOUTS



## THE INCIDENT<sup>1</sup>

You are called in as back-up in an altercation in a neighborhood that is primarily African American. As you arrive, you see two officers trying to subdue two teenaged African American males, who are obviously drunk.

A crowd, primarily African American, is beginning to form. Someone begins to chant, "L.A., L.A.!" You determine that you need to do something quickly before the situation becomes chaotic.

What do you do next?

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<sup>1</sup>"The Incident" is reprinted with permission and minor editing, developed by the Herrico County.....



## YOUTH GANG

A call comes over dispatch reporting that a security guard at a shopping mall in a predominantly white neighborhood has seen four African American males, all wearing matching leather jackets and red ball caps, opening and closing their car trunk and entering the mall. The security guard told dispatch it looked like gang members might be entering the mall. The security guard notified the merchants, some of whom began closing their stores.

You respond to the call. As you arrive, the juveniles are leaving the mall and are heading toward their car.

What do you do?





## THE ROBBERY

It appears that there has been a rash of robberies in an Asian community in your area. Several Asian community members have told the police department that there is no problem with robberies but property, that your department believes was stolen, from homes in an Asian neighborhood keeps turning up at pawn shops.

You respond to a call of a robbery of an elderly Asian couple. The call came in from someone other than the couple. You try to interview them about the robbery, but they don't seem to be cooperating.

What do you do?



## Handout LE7

### **Activities That Can Improve Your Understanding of Persons of Different Cultures:**

- ☐ Attend cultural group meetings, social events.
- ☐ Learn helpful words and phrases of a different language.
- ☐ Make friendly contacts with citizens/clients in non-work situations.
- ☐ Volunteer time to work with persons in a particular cultural group on their most pressing concerns.
- ☐ Ask persons in a particular cultural group what they would suggest you do to get to know the residents of that neighborhood better.

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Handout LE7 cont.

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