

The Emerging Paradigm for Po Multiethnic Societies: Glimpses From the American Exi

William F. McDonald*

Georgetown University, U.S.A.

(Received February 2001; in final June 2001)

A new paradigm for policing multiethnic societies is emerging in which t
between enforcing law and maintaining racial/ ethnic harmony is being re
of the latter. This reflects a cultural shift towards greater tolerance of di
timing is opportune as massive international migration is reshaping the c
of formerly homogeneous populations. Community policing is a mo
strategy for achieving race/ethnic harmony; but, the strategy alone is no gu
must be knit to specific situations by politically sensitive officials.

Key Words: Multiethnic society; community policing; racial profiling;
September 11th; immigration; demographic change; tolerance; race rela
riots

* The author wishes to thank Daniel E. Price for presenting this paper at the Intern
Policing Multiethnic Societies, Israel; the three reviewers for their constructive
Erez for her special leadership in organizing the conference. The points of view a
in this paper are solely my own. They do not necessarily represent those of the
Justice, Georgetown University, or any of the sponsors or hosts of this conference

September 11: A Prologue

On September 11, 2001, long after this paper was written but during the time the United States was hit by the most horrific terrorist attack in its history, two planes were hijacked. Two were used to destroy the World Trade Center in New York City. One was crashed into the Pentagon. The fourth was crashed into a field in Pennsylvania. All told, more than 3,000 people were killed.

That atrocity has caused a rapid and notable reordering in American society, particularly with regard to matters addressed in this paper. With regard to the perennial problem of balancing security concerns against civil liberties, maintaining an open society, there has been a tilt in favor of security (Edoziem, 2001).¹ With regard to the culture's movement toward greater acceptance of diversity and the condemnation of anything involving discrimination or exclusion, there have been some reassessments, the full impact of which are not likely to be temporary.

Prior to September 11, a law enforcement practice loosely referred to as "racial profiling" had been developing a broad and almost unchallenged acceptance. Not just minority spokespersons (Edoziem, 2001). But many people have come out against it, including the Governor of New Jersey (Diamond, 2000), presidential candidates (Dickerson, 2000), and many others (Edoziem, 2000; A.P., 2000; A.P., 2001; Lueck, 2000).²

However, when early reports suggested that 28 of 28 suspects responsible for the September 11 attack on America were all Middle Eastern males, American passengers began insisting that airlines remove people who appear to be of Middle Eastern descent from planes (Mayer, 2001),³ the discussion of the reasonableness of racial profiling began to be reassessed (Glaberson, 2001). The proposition that law enforcement should not be allowed to take race (or ethnicity) into account when it is associated with a higher risk of dangerous behavior has lost the moral high ground it had been gaining (Weinstein, Finnegan and Lueck, 2001).

During his confirmation hearings, FBI Director Robert Mueller had called racial profiling abhorrent to the Constitution and promised that the FBI would not engage in it (Holland, 2001).⁴ Yet, after the attack, FBI agents questioned and searched hundreds of people, many on the basis of little more than their race, ethnicity, and religious affiliation (Rosin, 2001). Even traditional liberals began to accept and defend the legitimacy of using race/ethnicity as criteria for surveillance and inquiry by law enforcement under certain circumstances. The idea that racial

should not be considered at all, a point of view that had been g suddenly seemed unrealistic, if not extremist .⁵

These developments do not alter the basic thesis of this paper. T put some parts of the presentation in a new light. Our argume condoned bigotry is a thing of the past has been demonstrated by handling of the war against terrorism with his clear efforts to sho not against Islam, Arabs, Muslims, or the people of Afghanistan an he and others have taken to condemn hateful acts against Mus Eastern people in the United States.

On the other hand, our review of the developments regarding accurate when written (see footnotes 37 through 41 and related te today. Similarly, although it is unlikely that there will be a retur anti-immigrant xenophobia that once flourished, those in : immigration controls and greater supervision of foreigners will easily demonized as bigots, paranoids, and hatemongers as previously. Consequently, their initiatives may be more likely to st policy.

Rather than rewrite this paper to integrate the changes mention decided to simply add this prologue and leave the rest untouched. as its own unintended case study of changes in the trajectories of developments in a free society before and after an atrocity of magnitude.

The New Paradigm of Policing

הערה: I have reformatted the following two paragraphs and highlighted them in purple to get your attention. The text was not changed but the format had somehow been accidentally changed. So I corrected it.

Please just remove the purple highlighting and keep the text as is.

The challenge for police in multiethnic, liberal, democratic societ correct balance among the public goods at stake. They must enforce maintain racial and ethnic peace. These goals are incompatible Enforcing the law may disrupt the peace. Keeping the peace may opportunities to prevent crime or apprehend criminals.

The practice of racial profiling illustrates the tradeoff. The police d as an essential law enforcement tool needed to help identify potent terrorists, and other criminal types. More generally, they use race/t as one of several cues to suspect that something is amiss and tha would be appropriate. A black male walking in an all-white neig deserted industrial park late at night, or driving an expensive new scenarios that traditionally have prompted police inquiries.

Such interventions undoubtedly prevent some crimes. But they also have [They produce deep resentments and alienation among minorities who are stopped and questioned by the police. They divide the community and racial peace. Over time, they build up and explode in race riots or cheer black community for people like O.J. Simpson when they beat the system.

As the 21st century begins, the relative priority between enforcing maintaining racial/ethnic harmony is being reset. A new paradigm for multiethnic societies is emerging. The old paradigm was about maintaining keeping people in their place, both socially and geographically (La Richardson, 1970; Calavita, 1984; Williams and Murphy, 1990).⁶

The new paradigm is about integration, not segregation; equal prote domination; mutual respect, not deference. In the old paradigm, enforci was the highest value. In the new paradigm, enforcing the law is still imp increasingly is being placed second to maintaining racial and ethnic harmo

The new paradigm reflects the changing cultural norms regarding tol diversity and demands for equality. The timing could not be better. demographic changes are happening in the world. Societies that c dominated by a single ethnic group are rapidly becoming more heteroge result of the dual process of less-than-replacement fertility and immigra the end of the cold war, international borders have become more porous (Schmid, 1996).⁷

In the United States, the whole concept of race relations is being tr (Hardin, 1998). Latinos have surpassed blacks as the largest minority in r cities. Asians are majorities in some places. The white descendants of the who founded the country, and who have dominated it politically, econom demographically ever since, are projected to lose their majority status b 2050 (Booth, 1998; Holmes, 1998).

Today's immigration has made the challenges of policing a multiethnic the more complex. The police are having to find ways to bridge cultural communicate in foreign languages; to win the trust of people whose past led them to mistrust or despise the police (Bowles, 2000); to protect forei from xenophobic attacks and their own ethnic gangs.

Many of the new immigrants are illegally in their host countries, confor problem even further. They are more vulnerable to victimization and less cooperate (Davis and Erez, 1998). The problem is magnified by the fact illegal immigrants live with friends and relatives who are consequently

keep a distance from the police. Others are linked to international organized criminals who smuggle humans for profit, frequently hold them in slavelike conditions in sweat shops or forcing them into prostitution to pay smuggling fees.

This paper provides some glimpses of the emerging new paradigm of multiethnic societies based on responses of the American police to ethnic diversity. That record provides much to be hopeful about, but it must be noted and much remains to be done. The portrait is at once bleak and bright, as might be imagined from reading the newspaper headlines. Although incidents continue to occur, to focus on them is to miss the progress that is taking place.

Our argument is presented in three parts. First we document the cultural changes that have occurred and their impact on policing. Then we illustrate some of the police agencies have employed to reach the new immigrant community. In this discussion, we note that some of these community policing innovations are inspiring many of these innovations. Finally, we conclude with a cautionary tale.

For those who believe that the complexity of the problems of police in multiethnic societies can be resolved by something as simple as adopting community policing by having the police agency staffed and controlled by members of the oppressed minority, we analyze a few experiences that would see things go wrong. The Mount Pleasant riots in Washington, D.C., the riots in Los Angeles and the lawsuits in Chandler, Arizona, suggest that in the end racial sensitive policing depends upon good judgment that is not guaranteed by any police strategy.

The New Cultural Context and Its Impact

Police dealings with racial and ethnic minorities today are constrained by cultural and legal norms that are palpably different from those of the past. In the United States and elsewhere, there is a new level of cultural support for the principle of equal treatment under the law. For America, this is a matter of cultural change that is in line with national ideals.

The United States is a nation of immigrants. From the beginning the nation was based on ideals of pluralism and equality. George Washington and other leaders were creating a new race of men into which all the tribes of the continent were welcome to meld together, forming a new breed (Schlesinger, 19

two centuries to approach those ideals: one century to abolish slavery and prohibit discrimination.

The civil rights movement of the 1960s had a profound effect. Bigotry and discrimination still occur. But they no longer enjoy the protected status and tolerance they once had. They are acts of individuals, not public policies with the intent to discriminate (Mann, 1988; Kleck, 1996; Peterson et al., 1996).⁸ The police (and the government in general) can no longer choose. They must strive for impartiality or risk public denunciation and lawsuits (Kleck, 2000).⁹

For instance, the last time the United States faced the massive immigration it is experiencing today was at the end of the 19th century. Large numbers of immigrants from Southern and Eastern Europe streamed into the country. In the process of protecting the Anglo-Saxon race from mongrelization, political elites supported passing immigration laws that completely prohibited the immigration of Chinese and placed restrictive quotas on the immigration of Italians, Slavs, and Jews. Racially motivated discrimination is now unthinkable. Immigration restrictions were lifted in the 1960s and 1970s as the norms against discrimination began permeating American culture. The impact of this change on policing can be seen in various examples.

In 1954, state and local police throughout the southwestern states joined the federal government to conduct a massive deportation of Mexican workers in the country illegally. Over a few weeks, 100,000 Mexicans were rounded up and expelled in what was officially called Operation Wetback. Radio stations urged people to turn in suspected illegal immigrants. No apology was made for the use of ethnic slur "wetback" or for the harassment of Mexican citizens who were caught up in the dragnet (U.S. Congressional Service, 1971).

In contrast, in 1997 the Chandler (Arizona) Police Department joined the Federal Border Patrol to round up and deport 400 illegal Mexicans. In the process they stopped several people who appeared to be Mexican and demanded their immigration papers. The people were Americans and they objected (de la Cruz, 1997).

To use the cynically humorous phrase, they were arrested for the crime of "driving while Latino". They filed a \$32 million lawsuit against the city of Chandler. Moreover, the Arizona Attorney General issued a scathing criticism of the human relations officer and a Hispanic police liaison officer were appointed. All officers were required to attend 1,500 hours of classes on cultural awareness and hate crimes, and there was a proposal to teach Spanish to all officers (de la Cruz, 1997).

A.P., 1998; Drake, 1998; Magruder, 1998a; Magruder, 1998b; Khoury, 1999; Mattern, 1999).¹⁰

An even broader example is the dramatic step back of American immigration enforcement agencies in the country (Maguire and Pastore, 1999) that assist the Federal Immigration and Naturalization Service (INS) in enforcing immigration laws (McDonald, 1999).

This is in sharp contrast to the "old days," when local police routinely enforced federal immigration law. In 1930, the New York City Police Department created a Criminal Aliens Bureau to round up and investigate all alien records with an eye toward deportation. NYPD had been arresting about 100 a year, but until then it did not have a special detail to check for immigration law violations (New York Times, 1930a). This was just one effort to rid the country of gangsters who were seen as the product of an ethnic group. The effort was spearheaded by the federal government (New York Times, 1930a). In 1972, San Diego County, California, Sheriff J. J. Finneran issued an order to taxicab drivers to report suspected illegal aliens to the sheriff's office. The order was intended to crack down on the smuggling of illegal aliens. Mexican and cab drivers protested, but the order was upheld by the State Supreme Court (Anon, 1973).

By the 1970s, illegal immigration was out of control in southern California. Minorities were empowered by the success of the civil rights movement. Playing the "race card" had political leverage. City governments were accused of racism in their policies. In 1979, in Los Angeles, community pressure and a lawsuit for cooperating too closely with the Los Angeles City Council, at the behest of Police Chief Daryl Gates, resulted in the issuance of Special Order 40. It generally prevented any officer from asking anyone about their immigration status, checking on it with the INS. Suspects accused of minor crimes were turned over to the INS (McDonnell, 1999).

In 1983 in Santa Ana, California, just south of Los Angeles, Police Chief J. J. Finneran announced that his department would no longer cooperate with the INS in sweeps of illegal aliens. "[I]n order for the illegal aliens to trust the police, we can't be seen as an extension of the INS," he said (Skoog, 1986). According to his community relations officer, "We need the undocumented alien population to settle in our city but now that they are going to work with them. You can't afford to have 25 percent of the population hostile toward the Police Department (New York Times, 1983)."

Chief Davis's move was not in reaction to a lawsuit. Rather, it flowed from the police philosophy he was pioneering, namely "community policing." Community support was essential. Enforcing immigration law alienated the Latino community. The choice was not a hard one. Even though Chief Davis was upset about illegal immigration, he regarded the federal control efforts as pointless. Illegal immigrants who were deported one day would be back the next.

During the 1980s, protesters unhappy with American refugee policy lobbied state and local governments to protect immigrants seeking refuge from deportation. As a result of this "sanctuary movement," many state and local governments refused to cooperate with the INS in certain ways (Skerry, 1995).

In 1996, immigration restrictionists in Congress tried to negate these provisions by reenlisting the services of local police to control illegal immigration. The Immigration and Naturalization Act prohibited state and local governments from restricting any of their employees from informing the INS regarding the immigration status of aliens. It further prohibited the Federal Attorney General from entering into agreements with state governments to enforce immigration law (Illegal Immigration Reform and Immigrant Responsibility Act, 1996; McDonnell, 1997).

Virtually no police departments have been authorized under the new policies. In Salt Lake City, officials explored the possibility as a way of coping with the crime problem attributed to the expanding Mexican migrant population, but were persuaded not to do it. Mexican-Americans argued that it would be used against them (Donaldson, 1998; Edwards, 1998; Tobar, 1999; McDonald, 2000).

Racial profiling is a traditional police practice that has alienated ethnic minorities in recent decades (Cole, 2000; Wilson, 1999). Until recently, their complaints were of little avail. Today, there is a crescendo of support for abolishing the practice. Presidential candidates, Bush and Gore, condemned it. Five states have legislation prohibiting it, and 25 more have pending legislation (Dicker and Koh, 2000; Ross, 2000).¹¹

Law enforcement responses to this challenge have varied from denial (McAlpin, 2000), to defense of the practice (Lueck, 2000), to a constructive search for solutions (Mishra, 1999). On their own initiative or under threat of public criticism, police have begun sensitivity training programs; started collecting data on stops; allow for a check on the racial pattern in their stops; and installed video cameras on patrol cruisers to record the race and the interactions (A.P., 1999; Gorman, 2000).

department, the officers held group discussions that resulted in a reject any tactics based on assumptions about race or ethnicity (Davis, 1998).

Police Responses to the New Immigrants

Immigration to the United States since the 1970s has confronted departments with the kind of diversity that has not been seen since the 19th century. Immigrant communities that do not speak the local language, are unfamiliar with American cultural norms, and are often deeply suspicious of contact with officialdom have popped up overnight in various places. The presence of these foreign communities has given the logic of community policing new relevance.

These communities had special needs from the rather mundane to the complex. Transplanted refugees from Vietnam did not understand that they could not drink from the local lake without a license; immigrants from El Salvador were urinating on the sidewalk; immigrants from the Middle East saw their daughters being married off at a young age; immigrants from various countries did not read traffic signals, did not know how to report a crime, and, in some cases, did not want to report a crime if they were the victims. Calling upon the police to address these needs (McLaughlin and Jesilow, 1998).

Police responses have included an assortment of efforts to overcome language and cultural barriers, including increased foreign language capability training; educational programs for immigrants and host communities; special police-community institutions, such as mini-stations manned by police officers to serve particular ethnic communities, liaison officers, and special enforcement units (National Crime Prevention Council, 1994 & Erez, 1998; McDonald, 1999).

Many examples might be cited to illustrate the new paradigm of police-community relations in diverse societies, but two should suffice. One has already been mentioned: Davis's willingness to forgo the enforcement of immigration law to address the needs of the Latino community in Santa Ana.

Another is the partnership established between the Portland Police Department and the local organization of H'mong refugees.¹² It is particularly telling for the balance it strikes between respect for the needs of the refugee community and the requirement that American law be obeyed. A memorandum of agreement signed by the Chief of Police and the President of the American Unity Association states:

WHEREAS the City of Portland has made it a concern of priority to empower the city
the City to direct the Bureau of Public Safety to work collaboratively with the various
diverse communities . . .

We... pledge the honor of our respective offices, and the resources of our respective
organizations, toward the execution of a comprehensive partnership agreement of
policies and practices conforming to the aspirations of the Oregon Constitution, the expectations
of Federal, State and local law, in deepest respect toward the ethno-cultural norms
among customary law (where such law is not inconsistent with... Oregon law)

(National Crime Prevention Council)

A Cautionary Tale

Community policing has been the rationale for many of these exemplary
It is a key part of the shift to the new paradigm for policing multiethnic societies
builds upon the recognition that the law enforcement function of the police
succeed without the cooperation and input of the community (Skolnick and
1986 and 1988; Wilson and Kelling, 1982; McDonald, 1992; Bayley, 1998
and Taylor, 1988). In effect, it challenges the idea that the police must
between enforcing law and maintaining racial/ethnic peace. On the contrary,
argues the trust and support of the racial and ethnic communities are essential
success of the law enforcement function.

One might expect, then, that where community policing is practiced one
less likely to find ethnic communities angry at the police (Cohen, 2001;
Dunham, 1988; Coventry and Johnson, 2001).¹³ But such was not the case in
Chandler, Arizona. Ironically the disastrous police operation to remove
immigrants there sprang from the application of community policing. The
department had surveyed the community; had helped to remove the “signs
from the neighborhood (Wilson and Kelling, 1982) and was acting on the
of some residents about the nuisance and potential danger of the immigrants
gathered there for day labor (McDonald, 1992).

The logic of community policing is no substitute for good judgment
management as well as sensitivity to race/ethnic concerns. Nor is the police
force or the political administration any guarantee of sensitivity to
grievances, as the Mount Pleasant riot in Washington, D.C., revealed.
Washington, D.C., both the police department and the political administration
time were predominantly African-American. Moreover, the police had
community policing in place. Neighborhood advisory councils existed
which the police were supposed to be able to obtain input from
neighborhoods.

The incident began when three metropolitan police officers stopped a Salvadoran immigrant who had been drinking in a park. When he was handcuffed by the Hispanic female officer who was handcuffing him, her black female partner struck him nonfatally. Word quickly spread and hundreds of Hispanic men joined in a two-day rampage, directing much of their rage at the police (James 1997).¹⁴

The immediate reason for the riot was the perception among Hispanics of discrimination against them by black police and black leaders in Chicago (Chicago Commission, 1988; Manning, 1996).¹⁵ Their complaints were the same as those of other ethnic minorities. "It's just like in Guatemala, except that what happens during the day happens here at night," said one immigrant (James, 1991). "The oppression that there is in my country, . . . is here too. The police in Chicago are like the police in El Salvador. For the simple pleasure of it, they harass people. It's a direct response to years of oppression," said another (James, 1991).

The response of the black leadership showed no sympathy for the Hispanics. One black member of the City Council exploded in anger: "They don't appreciate our country, get out (James, 1991)." Mayor Dixon blamed the Hispanics for not trying hard enough to integrate themselves into the community (James, 1991).¹⁶

The irony was not lost on everyone. One African-American member of the City Council recognized this: "The Hispanics see the police department as an oppressor. They force the same way black people saw the police department as an oppressor in '68 (James, 1991)."¹⁷

In Miami, Florida, the Latino community rose in political and social consciousness during the 1960s and 1970s. In May 1980, the black community joined in a rampage when 125,000 Cubans landed after Castro allowed them to leave the island. They had been losing jobs and economic opportunities to Latinos in the 1970s. Tensions continue to be high between the two groups.

According to Nathaniel J. Wilcox, a community activist there, the situation is "a lot better for blacks under the old regime when whites controlled the city."

The perception in the black community, the reality, is that Hispanics don't want power. They want all the power. At least when we were going through this during the Jim Crow era, at least they'd hire us. But Hispanics won't allow African-Americans to even compete. They have this feeling that their community is the only communi-

Conclusion

The police are a reflection of the societies in which they exist. In the United States and other liberal democratic societies, the culture has moved toward tolerance for diversity and demand for equality. Police practices and policies are moving with that change. There is a new balancing of priorities among the police. Fighting crime is not always the highest priority. Maintaining racial and ethnic peace is seen as outweighing the enforcement of law. Given the increasing diversity in societies, this reorientation is a timely shift. The one making one out of the many is that much closer to reality.

Notes

- ¹ For example, the new antiterrorism law rushed through by congress authorizes law enforcement and intelligence agencies to conduct broad domestic surveillance and to share information with each other, Lancaster John (2001), "Anti-Terrorism Bill is Approved Bush Cheers House's Cautious Reaction but Civil Liberties Advocates are Alarmed," **The Washington Post**, October 13, 2001, A1.
- ² Edozien Frankie (2000), "I Was Stopped Because I'm an Italian," **The New York Post**, October 10; Mosk Matthew (2000), "Weeding Out Officers Who Single Out Drivers: Md. Seeks to Pass Anti-Profiling Bill," **The Washington Post**, April 6, 2000, B01; The Associated Press (2000), "Cites N.Y. Police for Profiling," **The Washington Post**, June 17, 2000, A6; The Associated Press (2001), "Migrant Council Singles Out Jerome (Idaho) Police as Racial Profilers," **The Associated Press**, July 31, 2001. Not everyone joined the chorus. New York City Mayor Rudolph W. Giuliani argued that law enforcement must be able to consider race among other factors in the fight against terrorism. Lueck Thomas J. (2000), "Giuliani Defends Police Against Federal Finding of Racial Profiling," **New York Times**, Oct. 6, 2000, B1.
- ³ Several incidents occurred where individuals who appeared to be of Middle Eastern descent were ejected from airplanes. In one case, Utah Attorney General Mark Shurtleff tried to force tolerance for the practice by enforcing the law against discrimination. He threatened to sue airlines for refusing to let three Utah citizens of Middle Eastern descent board one of his airlines. Much to his surprise, he got a flood of angry protests from all across the country demanding that he stop the action. "I'm kind of depressed. I really thought we had moved beyond this in America," said Shurtleff. Mayer Caroline E. (2001), "Passenger Fears, Bias Laws May Clash: Terrorism Law Sparks Concerns," **The Washington Post**, Sept 29, 2001, A12.
- ⁴ Director Mueller said his agency is targeting people "based on predications that the individuals may have information" relating to the attacks. Holland Jesse J. (2001). "Mueller Confirms Targeting," **Associated Press**, July 31, 2001.
- ⁵ Many people who disagree with the politically correct views on certain topics remain silent because of the hassle and costs of disagreeing.
- ⁶ Indeed, historically the proximate reason for establishing police departments was often to maintain peace among increasingly diverse urban populations prone to interethnic violence. The Los Angeles Police Department, for example, was founded in 1837 in the wake of days of rioting by Protestant immigrants. Protestants stormed through the Irish Catholic section of the city burning houses and churches.

Catholics. Lane Roger (1971), **Policing the City: Boston, 1822-1885**, New York: Oxford University Press; the following decades, virtually every state experienced anti-immigrant riots, establishment of police departments. Richardson James F. (1970), **The New York Times to 1901**, New York: Oxford University Press; Calavita Kitty (1984), **Unclean Hands: Police and the Control of Labor, 1820-1924**, Orlando, FL: Academic Press. South Carolina police to keep slaves in their place. Williams Hubert, Murphy Patrick V. (1996), **Strategy of Police: A Minority View**, Perspectives on Policing: January, No. 1. U.S. Department of Justice, National Institute of Justice.

- ⁷ An estimated 100 million people (2 percent of the world's population) live out of their home countries. Schmid Alex P. (ed.) (1996), **Migration and Crime**, Milan, IT: International Professional Advisory Council of the United Nations Crime Prevention Programme.
- ⁸ Racial discrimination in the American criminal justice process is an old topic but a new debate. Coramae Richey Mann sees systematic race discrimination throughout the system. In contrast, William Wilbanks says the idea that the system is "racist" is a myth driven in part by the fact that the kind of direct, blatant forms of discrimination in the past (and to which we are referring in our analysis) are not as readily apparent and have not been unequivocally established in studies. Also, some analysts want to distinguish discrimination that are not the result of individual acts of bigotry or of policies with intent to discriminate. Known as "institutional racism" this refers to decisions and policies in themselves may be legitimate but that result in less favorable outcomes. For example, community policing of the broken windows style with its zero tolerance policy could be regarded as "racist." It endorses crackdowns on "disorderly" people, which means the poor, hence disproportionately people of color. Because of the problematical use of this concept, other analysts reject it. For our purposes, the evidence supporting the shift in Western intolerance. Today we are not only worried about individual acts of discrimination but also about policies with strong potential for discrimination (see discussions of the defeat of the INS and local police in Utah and the discussion of racial profiling at footnotes in related text) but also about policies and practices that may have a discriminatory impact. See generally, Kleck Gary (1996), "Racial Discrimination in Sentencing," In: Bridges George S., Weis Joseph G., Crutchfield Robert D. (eds.), **Criminal Justice: Readings** CA: Pine Forge Press: 339B44; Peterson Ruth D. (1996), "Changing Conceptions of Race: Toward an Account of Anomalous Findings in Research," In: Bridges George S., Weis Joseph G., Crutchfield Robert D. (eds.), **Criminal Justice: Readings**, Thousand Oaks, CA: Pine Forge Press: 345B50; Miller Jerome G. (1996), **Destroy: African-American Males in the Criminal Justice System**, Chicago: University Press; Walker Samuel, Spohn Cassia, DeLone Miriam (2000), **Toward a New Race, Ethnicity and Crime in America** (2^d ed.), Belmont, CA: Wadsworth; Williams Hubert (1987), **The Myth of a Racist Criminal Justice System**, Belmont, CA: Wadsworth; Coramae Ritchie (1988), **Unequal Justice**, Bloomington, IN: University of Indiana Press.
- ⁹ In its first-of-a-kind report to the United Nations Committee on the Elimination of Racial Discrimination required by the UN's antiracism convention, the United States presented the most stringent antibias laws in the world and that much progress against discrimination had been made. But it also presented a detailed catalogue of problems that remain. Kempton Robert (1996), "U.N. Hears Good, Bad on Racism in U.S.," **The Los Angeles Times**, Sept. 22, 1996.

- ¹⁰ Associated Press (1997), "Arizona to Investigate Roundup of Immigrants," **Union-Tribune**, Aug. 10, 1997; Associated Press (1998), "City, Citizens Battle Over Chandler Incident to Be Settled in Court," July 21, 1998; Drake John (1998), "INS Targeted Over Roundup of Illegal Immigrants," **The Arizona Republic**, Aug. 7, 1998; Magruder "Chandler's Tidal Wave of Illegals: Year After Roundup They're Still Coming," **The Arizona Republic**, July 26, 1998; Magruder Janie (1998), "Chief Reprimanded in 1997 Roundup," **The Arizona Republic**, Dec. 18, 1998; Magruder Janie (1999), "\$400K Settles Roundup Deal Includes New Police Policy," **The Arizona Republic**, Feb. 2, 1999; Khoury Kathy (1999), "Arizona's Suburban Divide: Who Gets Swept in Immigration Roundup," **Christian Science Monitor**, Feb. 2, 1999; Mattern Hal (1999), "House Bill Responds to Roundup," **The Arizona Republic**, Feb. 5, 1999.
- ¹¹ Dickerson (2000), "Racial Profiling: Are We All Really Equal in the Eyes of the Law?" on the Elimination of Racial Discrimination, the United States noted racial profiling as remaining problems U.S. Department of State, "The Convention on the Elimination of Racial Discrimination: Initial Report of the United States of America to the United Nations Committee on the Elimination of Racial Discrimination" http://www.state.gov/www/global/human_rights/cerd_report/cerd_toc.html, September 21, 2000; Harold Hongju (2000), "Remarks at a Public Release of the Initial Report of the United States of America to the United Nations Committee on the Elimination of All Forms of Racial Discrimination," In: U.S. Department of State http://www.state.gov/www/policy_remarks/2000/000921_koh_cerd.html, Sept. 21, 2000; Sonya (2000), "U.S. Report admits Racism in America Is Still Stubborn Problem: Ethnic Profiling Called Factor," **The Record (Bergen County, NJ)**, Sept. 22, 2000, A20.
- ¹² The H'mong are refugees from Cambodia who were resettled in the United States after war.
- ¹³ Research on community policing has focused upon particular problems, such as reducing burglaries; or upon correlations between general characteristics, such as neighborhood police strategies; or upon public attitudes towards the police. Except for the studies reported in the National Crime Prevention Council (cited above) there is little literature on the impact of community policing initiatives on the particular immigrant/ ethnic groups at which they were directed. See Cohen Debra (2001), "Problem-Solving Partnerships: Including the Community For A Better Police," **Cops Innovations**: http://www.usdoj.gov/cops/pdf/cp_resources/pubs_ppse/e0601115; Alpert Geoffrey P., Dunham Roger G. (1988), **Policing Multi-Ethnic Neighborhoods**, Greenwood Press; Coventry Garry, Johnson Kelly Dedel (2001), "Building Relationships Between Police and the Vietnamese Community in Roanoke, Virginia," **BJA Bureau of Justice Bulletin**, Jan..
- ¹⁴ Over two days hundreds of youths threw rocks and bottles at the police; damaged 20 percent of two dozen Metro transit vehicles; and attacked 30 businesses. James Daniel (1997), **Immigration-An Unfolding Crisis**, Lanham, MD: University Press of America; Manni (1997), "Washington, D.C.: The Changing Social Landscape of the International Capital," in **Origins and Destinies: Immigration, Race and Ethnicity in America**, Pedraza Silvio R. (ed.), New York: Wadsworth: 373B89.
- ¹⁵ Although riots are often triggered by incidents involving police and citizens, they are typically rooted in underlying social inequalities. United States. Kerner Commission (1968), **The Kerner Commission Report: The 1968 Report of the National Advisory Commission on Civil Disorders**, New York: Basic Books; Manning Robert D. (1995), **Multicultural Washington**, New York: Basic Books.

The Changing 'Complexion' of Social Inequality, Unpublished conference report author; Manning Robert D. (1996), "Washington, D.C.: The Changing Social International Capital City," In: Pedraza Silvia, Rumbaut Ruben C. (ed.), **On Immigration, Race, and Ethnicity in America**, Belmont, CA: Wadsworth: 37

¹⁶ She stated:

I do think that in order to become a part of the community here you have to make sure you are not involved in "NC [Advisory Neighborhood Councils] or town meetings like the Romans do.' ...It's to everyone's advantage to learn how to be a citizen. You cannot have people drinking in public, because that is an inappropriate and disrespectful act. You have to respond to that symbol of authority in whatever forms it takes in **Illegal Immigration-An Unfolding Crisis**, 82.

¹⁷ James, **Illegal Immigration-An Unfolding Crisis**, 80. The reference was to the assassination of Martin Luther King in Washington, DC, in the wake of the assassination of Martin Luther King. Black blockades and shook up the white establishment.

References

Alpert Geoffrey P., Dunham Roger G. (1988), **Policing Multi-Ethnic Neighborhoods**, Greenwood Press.

Anon (1973), "Police Right to Hold Suspected Aliens Affirmed" **Los Angeles Times**

Associated Press (1997), "Arizona to Investigate Roundup of Immigrants", **San Diego Tribune**, Aug. 10.

Associated Press (1998), **City, Citizens Battle Over '97 Roundup: Chandler Incarcerated**, July 21.

Associated Press (1999), "N.J. Accepts Outside Monitor in U.S. Effort to End Police Profiling", **Washington Post**, Dec. 24.

Associated Press (2000), "Panel Cites N.Y. Police for Profiling", **The Washington Post**, July 14.

Associated Press (2001), "Migrant Council Singles Out Jerome (Idaho) Police as Profiling", **Associated Press**, July 31.

Bayley David H. (1989), **A Model of Community Policing: The Singapore Story**, Justice: Research Report, Washington, D.C.: U.S. Department of Justice, National Institute of Justice.

Booth William (1998), "One Nation, Indivisible: Is It History? Soon, No Single Racial Majority", **The Washington Post**, Feb. 22, A1.

Bowles Scott (2000), "Are Police Seeking Trust of Minority Communities?", **The Washington Post**, 14, B1, B5.

-
- Calavita Kitty (1984), **U.S. Immigration Law and the Control of Labor**, 1820B1924, Academic Press.
- Cohen Debra (2001), "Problem-Solving Partnerships: Including the Community For A Change **Innovations**, http://www.usdoj.gov/cops/pdf/cp_resources/pubs_ppse/e06011157.pdf, June;
- Cole David (2000), **Removing the Blindfold from Lady Justice: No Equal Justice: Race the American Criminal Justice System** (New York: The New Press).
- Coventry Garry, Johnson Kelly Dedel (2001), "Building Relationships Between Police and Vietnamese Community in Roanoke, Virginia," **BJA Bureau of Justice Assistance Bulletin**
- Craig Richard B. (1971), **The Bracero Program: Interest Groups and Foreign Policy**, University of Texas Press.
- Davis Patricia (2000), "Chief Says Arlington Fights Racial Profiling", **The Washington Post** B09.
- Davis Robert C., Erez Edna (1998), **Immigrant Populations as Victims: Toward a New Criminal Justice System**, Research in Brief, Washington, D.C.: U.S. Department of Justice Institute of Justice.
- De La Cruz Donna (2000), "Giuliani Rips Allegations Of Profiling", **The Washington Post**,
- Diamond Randy (2000), "Whitman Promises End to Race-Based Stops by Police", **The Record** County, NJ, Aug. 2, A9.
- Dickerson Debra (2000), "Racial Profiling: Are We All Really Equal in the Eyes of the Law", **Los Angeles Times**, July 16, M1.
- Donaldson Amy (1998), "Salt Lake Crime Declined Again In 1997", **Deseret News (Salt Lake City)** May 18.
- Drake John (1998), "INS Targeted in Claim Over Roundup of Illegal Immigrants", **The Washington Post**, Aug. 7.
- Edozien Frankie (2000), "I Was Stopped Because I'm an Italian", **The New York Post**, Oct.
- Edozien Frankie (2001), "N.Y. Police Target of New Dream Speeches", **The New York Post**,
- Edwards Alan (1998), "S.L. Delays Plan to Link Police, INS: Strategy's Opponents Fear the Impact on Utah Hispanics", **Deseret News (Salt Lake City)**, Aug. 14.
- Glaberson William (2001), "Racial Profiling May Get Wider Approval by Courts", **The New York Times**, Sept. 21.
- Gorman, Michael (2000), "Accurate Data on Racial Profiling", **New York Law Journal**, Oct.

Greene Jack R., Taylor Ralph B. (1988), "Community-Based Policing and Foot Patrol: A Review of Research and Evaluation", In: Greene Jack R., Mastrofski Stephen D. (eds.), **Community Policing: A New Reality**, New York: Praeger: 194B224.

Harden Blaine (1998), "In: 'N.Y. Anger Is No Longer Defined in Black and White' Reshape Urban Political Landscapes", **The Washington Post**, June 9, A3.

Holland Jesse J. (2001), "Mueller Close on FBI Confirmation", **Associated Press**, July 10, A1.

Holmes Steven A. (1998), "Hispanic Population Moves Closer to Surpassing That of Whites", **York Times**, Aug. 7.

"Illegal Immigration Reform and Immigrant Responsibility Act", (1996), 108 **Statute**.

James Daniel (1991), **Illegal Immigration-An Unfolding Crisis**, Lanham, MD: American University Press.

Kempster Norman (2000), "U.N. Hears Good, Bad on Racism in U.S.", **The Los Angeles Times**, Feb. 22, 14.

Kerner Commission (1968), **The Kerner Report: The 1968 Report of the Commission on Civil Disorders**, New York: Pantheon.

Khoury Kathy (1999), "Arizona's Suburban Divide: Who Gets Swept in Immigration Crackdown?", **Christian Science Monitor**, Feb. 2.

Kleck Gary (1996), "Racial Discrimination in Criminal Sentencing", In: Bridges Gary G., Crutchfield Robert D. (eds.), **Criminal Justice: Readings**, Thousand Oaks, CA: Sage: 339B44.

Koh Harold Hongju (2000), Remarks at a Public Release of the Initial Report of the United States to the United Nations Committee on the Elimination of All Forms of Racial Discrimination, U.S. Department of State http://www.state.gov/www/policy_remarks/2000/000921.htm, Feb. 21.

Lancaster John (2001), "Anti-Terrorism Bill Is Approved Bush Cheers House's Question on Civil Liberties Advocates Are Alarmed", **The Washington Post**, Oct. 13, A1.

Lane Roger (1971), **Policing the City: Boston, 1822-1885**, New York: Atheneum.

Lueck Thomas J. (2000), "Giuliani Defends Police Against Federal Finding of Fault", **New York Times**, Oct. 6, B1.

Magruder Janie (1998a), "Chandler's Tidal Wave of Illegals: Year After Roundup Tightens", **The Arizona Republic**, July 26.

Magruder Janie (1998b), "Chief Reprimanded in 1997 Roundup", **The Arizona Republic**, July 26.

Magruder Janie (1999), "\$400K Settles Roundup Suit in Chandler: Roundup Deal Includes Policy", **The Arizona Republic**, Feb. 11.

Maguire Kathleen, Pastore Ann L. (1996), **Sourcebook of Criminal Justice Statistics**, Washington, D.C.: Government Printing Office: T.1.26.

Mann Coramae Ritchie (1988), **Unequal Justice**, Bloomington, IN: University of Indiana.

Manning Robert D. (1995), **Multicultural Washington, D.C.: The Changing 'Complexity and Inequality**, Unpublished conference report. On file with the author.

Manning Robert D. (1996), "Washington, D.C.: The Changing Social Landscape of the Capital City", In: Pedraza Silvia, Rumbaut Ruben C. (eds.), **Origins and Destinies: Immigration and Ethnicity in America**, Belmont, CA: Wadsworth, pp. 373-89.

Manning Robert D. (1997), "Washington, D.C.: The Changing Social Landscape of the Capital City", In: (Pedraza Silvia, Rumbaut Ruben C. (eds.), **Origins and Destinies: Immigration and Ethnicity in America**, New York: Wadsworth, pp. 373-89.

Mattern Hal (1999), "House Bill Responds to Chandler Roundup", **The Arizona Republic**, Feb. 11.

Mayer Caroline E. (2001), "Passenger Fears, Bias Laws May Clash: Terrorism Raises Legal Questions", **The Washington Post**, Sept 29, p. A12.

McAlpin John P. (2000), "Memo Shows State Police Knew Racial Profiling Existed", **Aspen News Service**, Oct. 12.

McDonald William F. (1992), "Police and Community: In Search of a New Relationship", **The Arizona Republic**, March: 455B69.

McDonald William F. (1999), **The Changing Boundaries of Law Enforcement: State and Local Law Enforcement, Illegal Immigration and Transnational Crime Control: Final Report**, report, Washington, DC: U.S. Department of Justice, National Institute of Justice.

McDonald William F. (1999), "Policing the New America: Immigration and Its Challenge", **Oriented Policing**, Washington, DC: Police Executive Research Forum: 2:209B50.

McDonnell Patrick J. (1996), "Law Could Alter Role of Police on Immigration" **Los Angeles Times**, Sept. 30.

McDonnell Patrick J. (1997), "Judge Upholds Curbs on Police-INS Cooperation", **Los Angeles Times**, March 4.

McLaughlin Collette Marie, Jesilow Paul (1998), "Conveying a Sense of Community Through Commercial Belts: Little Saigon as a Model of Ethnic Commercial Belts", **International Migration Review**, 22(1), 64.

Miller Jerome G. (1997), **Search and Destroy: African-American Males in the Criminal Justice System**, Cambridge: Cambridge University Press.

Mishra Raja (1999), "Police Look At Ways to Avoid Racial Profiling", **The Washington Post**, April 6, B01.

Mosk Matthew (2000), "Weeding Out Officers Who Single Out Drivers: Support for Anti-Profilng Bill", **The Washington Post**, April 6, B01.

National Crime Prevention Council (1994), **Building and Crossing Bridges: Law Enforcement Working Together**, Washington, DC: Author.

National Crime Prevention Council (1995), **Lengthening the Stride: Employing Law Enforcement to Serve Newly Arrived Ethnic Groups**, Washington, DC: Author.

New York Times (1930b), "Police to Round Up Criminal Aliens Here; New Bureau Headed by Mulrooney", **The New York Times**, Dec. 20, p. 1.

New York Times (1930a), "Doak Moves to Deport Alien Gang Leaders: 'All Resources to Be Used Against Underworld'", **The New York Times**, Dec. 12, p. 1.

New York Times (1983), "Coast City Spurns Action on Aliens", **The New York Times**, Dec. 12, p. 1.

Peterson Ruth D., Hagan John (1996), "Changing Conceptions of Race: To What End? Anomalous Findings of Sentencing Research", In: **Criminal Justice: Readings**, (ed. by S., Weis Joseph G., Crutchfield Robert D., Thousand Oaks, CA: Pine Forge Press: 3-12.

Richardson James F. (1970), **The New York Police: Colonial Times to 1901**, New York: University Press.

Rosin Hanna (2001), "Some Cry Foul As Authorities Cast a Wide Net", **The Washington Post**, p. A1.

Ross Sonya (2000), "U.S. Report Admits Racism in America Is Still Stubborn Problem; Society Called Factor", **The Record (Bergen County, NJ)**, Sept. 22, p. A20.

Schlesinger Jr., Arthur M. (1992), **The Disuniting of America**, New York: W.W. Norton.

Schmid Alex P. (ed.) (1996), **Migration and Crime**, Milan, IT: International Scientific Advisory Council of the United Nations Crime Prevention and Criminal Justice Program.

Skolnick Jerome H., Bayley David H. (1986), **The New Blue Line: Police Innovation in Urban Cities**, New York: The Free Press.

Skolnick Jerome H., Bayley David H. (1988), **Community Policing: Issues and Implementation**, Washington, D.C.: Government Printing Office.

Skerry Peter (1995), "Many Borders to Cross: Is Immigration the Exclusive Responsibility of Government?", **Publius: The Journal of Federalism**, no. 3, Summer: 71B85.

Tobar Hector (1999), "Latino Police Chief's Drug War Tactics Stir Melting Pot Immigration Confounds Utah's Growing Minority Community", **Los Angeles Times**, Feb. 16.

U.S. Congressional Research Service (1980), **History of Immigration and Naturalization** Report, 96th Cong. 2d Sess. Washington, D.C.: Government Printing Office.

Walker Samuel, Spohn, Cassia, DeLone Miriam (2000), **The Color of Justice: Race, Ethnicity, and Crime in America**, 2^d ed., Belmont, CA: Wadsworth/Thompson.

Weinstein Henry, Finnegan Michael, Watanabe Teresa (2001), "Racial Profiling Gains Support as Police Tactic", **The Los Angeles Times**, http://www.latimes.com/news/print/edition/la_000076510:

Wilbanks William (1987), **The Myth of a Racist Criminal Justice System**, Belmont, CA: E

Williams Hubert, Murphy Patrick V. (1990), **The Evolving Strategy of Police: A Multi-Perspective on Policing**: January, No. 13, Washington, D.C.: U.S. Department of Justice Institute of Justice.

Wilson Scott (1999), "Montgomery Police Ticket Blacks at Higher Rate", **The Washington Post**, p. A1.

Wilson James Q., Kelling, George L. (1982), "Broken Windows: The Police and Neighborhood Crime", **The Atlantic Monthly**, Feb.: 29B38.