

LAW ENFORCEMENT FOR LATINO INDIVIDUALS
WITH NEUROPSYCHOLOGICAL DISABILITIES

By: Nicolas Linares-Orama, Ph. D.
The FILIUS Research Institute
University of Puerto Rico

1. The Latino population in the USA.

To provide fair and adequate law enforcement to Latinos, courts and police departments need to recognize the numbers of Latinos who reside in the USA; and be able to understand their attitudinal, communication, and behavior patterns. This will result in the reduction of their overrepresentation in American justice systems, in addition to having a safer society. Latinos, the largest race minority, constitute 15% of the nation's total population, or 44.3 million persons. The USA is the third country in the world with more Latinos, mostly Mexicans and Puerto Ricans, young (an average of 27 years of age), with more males than females. In year 2050 Latinos will constitute 24% of the nation's total population. The number of states with at least a half million Latino residents are Arizona, California, Colorado, Florida, Georgia, Illinois, Massachusetts, Nevada, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Texas and Washington. Most Latino households (62%) have children younger than 18 years of age, living mostly with two married parents. There are monolingual Spanish or English speaking Latinos, but among all those Latinos who speak Spanish at home, more than one-half say they speak English well. Nearly 25% of all Latinos are poor and lack health insurance, and almost 60% have a high school diploma. Thus, there is a significant chance that law enforcement officials, as part of their duties, will face Latino individuals who demonstrate considerable sociocultural and language differences when compared to whites and African-Americans. Also, as an estimated 20% of Latinos have disabilities (8.8 million persons), law enforcers will need to acquire skills in managing Latinos with sensory, mental, and mobility conditions that make them

still more difficult to process. Finally, all Latinos are not identical because they could have been born and/or raised in the USA, Puerto Rico, Mexico, or other Central or South America countries. This means that, while Latinos share a common language one finds vast differences in socio-cultural rules of conduct among persons from those sites. This complicates even more the area of law enforcement with this diverse population.

As a group, Latinos represent a mixture of several ethnic backgrounds, including European, American Indian, and African. Puerto Ricans are USA citizens by birth and their migration to the continental USA from the Caribbean is influenced by the island's poverty rate. Many of the Cubans that left Cuba were people who had privileged socioeconomic conditions, while those who from Mexico have been from the lower classes. In general terms, Latinos are use more gestural communication and touching, are family-oriented, are influenced by a "machista" orientation, speak more about sentiments, and have a feeling of imposed acculturation which makes them suspicious of white Americans. A majority of these Latinos want to become members of the American society but could experience difficulties in adjusting their cultural behavior patterns to different societal groups of the USA, with ensuing socio-cultural conflicts. In conclusion, law enforcement professionals need to be aware of the USA Latino realities and make serious efforts to develop knowledge, attitudes, and skills to understand the why's and how's of their behaviors, distinguish between their typical and deviant manners, and communicate effectively with members of this minority.

2. The neuropsychology of behavior.

Human beings of every ethnic and national group acquire and learn the language and behavior patterns of the surroundings in which they are born and raised. This development is the

active construction by individuals of ways of acting, communicating and reacting in order to meet with success their biological and perceived needs. Law enforcers need to accept this fact if they want to provide a good service to society. Sometimes the conduct and communication styles of persons from different cultures are perceived as deviancies when that is not the actual case; often, those behavior discrepancies were rewarding in a foreign society but could be completely unproductive in the American society. Although this does not excuse misbehaviors, it should be ascertained whether the person had the opportunity to learn appropriate conducts for their new neighborhoods, if they have a disability that interferes with that new learning, or if they demonstrate an abnormal pattern of breaking the law.

Individuals learn how to adapt to society through interactions of their bodies and their environments. These relations occur as a result of the following:

- Sensory aspects of learning: We need to sense in order to behave; the human nervous system receives information about the external world through the senses; what we see, hear, taste, touch, smell, and how we move is represented in the brain; this sensory representation is associated with our personal motives. There are two general sense process disabilities, i.e., the information not entering well through the senses, or the information that entered not perceived by the brain. As an example: a youngster with deafness does not hear the sounds of speech when you explain the Miranda Rights, or if hearing the Miranda Rights a youth might not distinguish the sounds of speech in your message.
- Associative aspects of learning: Our brain cells associate what we sense with what we feel inside, and fire continuous electrochemical responses all to cope with world situation demands. These associations are the result of our abilities to remember, connect, and

integrate what enters through our senses, and our capacity to associate all this with our two basic emotions, i.e., delight or disgust. We can encounter individuals whose sensory capacities are functioning well but who have central brain associative disabilities described as autism, mental retardation, specific learning disabilities, and emotional disorders, among others, that make it difficult for them to learn how to behave in appropriate manners or are slow in acquiring such conducts. For instance, a boy with autism of the Asperger type might be perceived as rude because he has not been able to learn how to address different persons in a courteous way.

- Motor aspects of learning: All human responses involve movements, both in the internal and external portions of the body. These movements can be automatic or learned, and are there to permit the person to adjust musculoskeletal adaptations to natural and cultural demands. Once the person finds that such ways of moving are productive these will become automatic. Such is the case of speech movements, walking, reacting to threats, and gesturing. Our gestures are learned based on the culture where we are raised, and consist of facial, hand, and body movements. There are individuals with movement or motor disabilities whose motor responses are atypical because of neurological reasons. Some of them have spastic movements or poorly coordinated actions. For instance, a youngster with specific learning disabilities and a movement component might react impulsively to social situations and these responses could be misinterpreted as violent reactions.

In closing, law enforcement officials should be aware of all the different disabilities that human beings can experience, how these might influence social responses, and how important it

is to determine if a person's actions are due to a criminal attitude or a disability. In addition, typical persons and persons with disabilities of a Latino origin could experience bilingualism difficulties that could be added to their problems in understanding the law and in communicating well with these public servants. These officials should continue their professional development by accessing information sources on the wide array of human disabilities they could encounter in the work they do, and that include blindness, deafness, mental retardations, autism spectrum disorders, emotional disorders, specific learning disabilities, attention deficit disorders, hyperactivity, neurodegenerative disorders (such as Alzheimer's disease, Parkinsonism), cerebral palsy, and the neurogenic communications disorders (aphasia, dysarthria, apraxia of speech), sociopathologies, and addictions.

3. Law enforcement systems and Latinos.

There are significant USA race and ethnic disparities in crime. Latinos are three times more likely than non-Latino Whites to be a victim of homicide but almost three times less likely than Blacks to be killed. We should consider variations within Latino groups in order to fully understand group differences in criminal and delinquent behaviors. Latino youth are overrepresented in the juvenile justice system and become further deprived as they move through the system, as extralegal factors such as socioeconomic means and language barriers impact case processing. We must develop successful responses to these problems including culturally competent detention alternatives and race-neutral screening criteria.