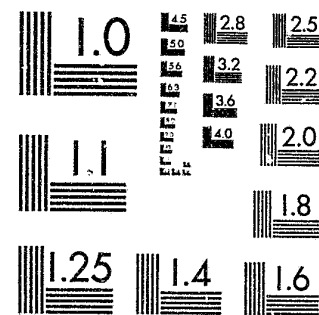


National Criminal Justice Reference Service

**ncjrs**

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART  
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

7/31/85

# THE IMPACT OF CRIME AND THE CRIMINAL JUSTICE SYSTEM ON FLORIDA'S HISPANICS



Florida State  
Commission on Hispanic Affairs

1981

96628

U.S. Department of Justice  
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Copyright for this publication is owned  
by the State of Florida, Dept. of State,  
for Florida's Commission on Hispanic  
Affairs to the National Criminal Justice Reference Service (NCJRS).

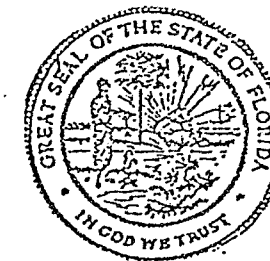
Further reproduction outside of the NCJRS system requires permission of the copyright owner.

96628

FLORIDA STATE COMMISSION  
ON

HISPANIC AFFAIRS

COMMISSIONERS



LESLIE PANTIN, SR  
CHAIRPERSON  
MIAMI

AMALIA FAZA READ  
VICE CHAIRPERSON

RAFAEL A. PENALVER, JR.  
SECRETARY

EDUARDO NODARSE  
PARLAMENTARIAN

DR. JOSÉ AYBAR DE SOTO  
EXECUTIVE DIRECTOR

ALICIA BARÓ  
MIAMI

DR. RALPH BORRÁS  
FORT LAUDERDALE

MARIA IRENE FARÍÑAS  
MIAMI

JULIO M. GÓMEZ  
MIAMI

RENE J. GONZALES  
TAMPA

OLGA H. MARTINEZ  
MIAMI

RAÚL MARTINEZ  
HIALEAH

FERNANDO PUIG  
MIAMI

MERCEDES DIMAIO  
TAMPA

PACO LOPEZ BORGES  
MIAMI

DECEMBER , 1981

F O R E W O R D

THE IMPACT OF CRIME AND THE  
CRIMINAL JUSTICE SYSTEM ON FLORIDA'S HISPANICS

## FOREWORD

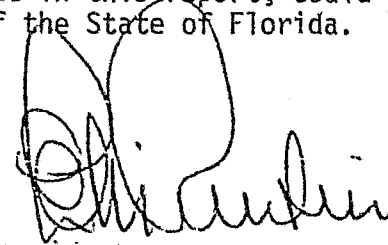
The Florida State Commission on Hispanic Affairs takes this opportunity to transmit its report entitled, The Impact of Crime and the Criminal Justice System on Florida's Hispanics. The information presented in this study should facilitate movement toward effective integration of the Hispanic population into the mainstream of the State of Florida. It is intended that the public at large benefit from Executive and Legislative actions responsive to the problems and needs of Florida's Hispanic population. Developing more effective crime control measures and increasing the public awareness and involvement in criminal justice system improvement efforts should produce a safer and more secure Florida for all of its citizens.

Contrary to other studies and the popular media and emotional public opinions that persist about crimes against and/or involving Hispanic persons in this country, the Hispanic population in Florida is not the most criminally victimized nor the most offensive segment of our population; however, initial assessments do reveal that Florida's Hispanics appear to be the least well represented and/or involved in criminal justice system policy-making and practice. In addition, it is apparent that fear and the perceptions of crime and/or being victimized leads many Floridians to erroneously blame Hispanics for the significant increase in serious crime and the decreasing responsiveness of criminal justice service delivery agencies in Florida's heavily populated urban areas.

The Commission intends for this study to begin to dispel the myths about crimes involving Hispanics and to initially examine in a rational way the information needed to continue developing our State's capabilities to insure more effective involvement of Florida's Hispanics in reducing the serious crime problem and in improving criminal justice system responsiveness to the problems and needs of all Floridians.

Florida, as one of the most rapidly growing states in the nation with a proportionately increasing Hispanic population, can expect the problems relating to crime and Hispanics, as an issue, to be dealt with for some time to come. The Commission feels certain that Executive and Legislative actions in 1982 will be responsive to the continued security and safety needs of Hispanic Floridians. The problems addressed and the recommendations contained in this report should be considered in developing long range strategy toward improving Florida's crime control efforts and insuring increased Hispanic participation in criminal justice practices throughout our state.

Considering the importance of continuing to work together for an improved quality of life due our citizenry, the Florida State Commission on Hispanic Affairs respectfully presents for your consideration and action, The Impact of Crime and the Criminal Justice System on Florida's Hispanics. If carefully considered and appropriately implemented the recommendations made in this report, could significantly benefit Hispanics, and the general population, of the State of Florida.

  
Leslie Pantin, Sr. PCU  
Chairperson

Florida State Commission on  
Hispanic Affairs

## S U M M A R Y      R E P O R T

### C O N T E N T S

This Summary Report of the 1981 study entitled, The Impact of Crime and the Criminal Justice System on Florida's Hispanics presents the reader with Chapter One: Introduction and Chapter Four: Recommendations and Guidelines in their entirety. While Chapter Two: The Critical Issues, Chapter Three: Findings and The Appendices: Supportive Documentation have not been included in this abbreviated printing of the original report.

Essential information regarding the purpose for the Study, the study methods employed and the significance of the study are provided in Chapter One, while the results produced by the study activities appear as Recommendations and Guidelines in Chapter Four.

THE IMPACT OF CRIME AND THE  
CRIMINAL JUSTICE SYSTEM ON FLORIDA'S HISPANICS

S U M M A R Y       R E P O R T

CONTENTS

	Page Number
COMMISSION MEMBERSHIP .....	i
FOREWORD .....	ii
CONTENTS .....	iv
ACKNOWLEDGEMENTS .....	v
EXECUTIVE SUMMARY .....	vii
I. Chapter One: INTRODUCTION .....	1
A. Purpose of the Study .....	1
B. Scope of the Study .....	3
C. Overview of Florida's Hispanic Population .....	6
D. Methodology: Descriptive/Developmental Social Research Effort .....	15
E. Importance of the Study .....	25
II. Chapter Four: RECOMMENDATIONS AND GUIDELINES:	
A. Developing More Productive Crime Control for Hispanic Floridians .....	28
B. Specific Study Conclusions And Recommendations .....	39

NOTES

FEB 6 1983

ACQUISITIONS

ACKNOWLEDGEMENTS

THE IMPACT OF CRIME AND THE  
CRIMINAL JUSTICE SYSTEMS ON FLORIDA'S HISPANICS

## ACKNOWLEDGEMENT

This study was conceived as an effort to stimulate policy-related research and responsive Executive and Legislative actions in the largely neglected area of Hispanic involvement in Florida's criminal justice practices. Discussions regarding a study of the impact of crime on Florida's Hispanics were initiated in early 1981 at the prompting of Commissioners Fernando Puig and Raul Martinez. The members of the Florida State Commission on Hispanic Affairs expressed a need to know more about the impact of crime and the administration of justice on Florida's Hispanics. Commission Chairperson Leslie Pantin, Sr. and Commissioner Puig guided the development of this study.

Throughout the process of collecting data, conducting inquiries, and the preparation of this study, the Commission and its staff have provided much needed support. They have helped in identifying critical issues, processing of data, and publication. Dr. Jose Aybar's enthusiasm and timely advice contributed substantially to the study in all its stages. Ms. Teresa Gavalda, Administrative Assistant in the Commission's South Florida Office also has provided substantial support in the presentation of this study.

The generally elusive quality of the information relating to Hispanics in the several components of the criminal justice system necessitated the adaptation and recalculation of officially published data in order to focus upon Florida's Hispanic populations. These data revealed so many provocative gaps and



raised so many important and intriguing questions that the investigation was extended to a first-hand examination of crime reporting documents, economic and community development reports, reports on justice system improvement efforts, crime control program reports, police departmental studies, grand jury reports, Department of Corrections annual reports/studies, the workings of the Florida Governor's Task Force on criminal justice system reform, and many other records of criminal justice planning, program management, and evaluation efforts.

An important part of the work was undertaken by Ms. Maria Pedrajo, who as a research associate made a valuable contribution to this study. She also reviewed early study designs and/or drafts and provided many constructive suggestions which served to strengthen the final document.

Access to data and unpublished research reports was provided through many personal contacts within the criminal justice systems in Florida and through the cooperation of present and former professional associates. Dr. William Wilbanks contributed new information resulting from his current research efforts on the impact of homicide on Florida's Hispanic populations during 1980 and 1981.

While many people constructively participated in the preparation and completion of this study and are essential contributors to any success it may have in achieving its stated goals, its deficiencies are solely the responsibilities of the authors.

## EXECUTIVE SUMMARY

## THE IMPACT OF CRIME AND THE CRIMINAL JUSTICE SYSTEM ON FLORIDA'S HISPANICS

THE IMPACT OF CRIME AND THE  
CRIMINAL JUSTICE SYSTEM ON FLORIDA'S HISPANICS

E X E C U T I V E   S U M M A R Y

The crime problem in Florida has achieved crisis proportions. In the State of Florida, serious crimes have increased fifty per cent (50%), in 1980 over 1979. For example, in 1979, Dade County report 320 incidents of homicide, while that crime increased to 587 reported cases in 1980. This represents over an eighty-three percent (83%) increase in homicide in Dade County, Florida in one year. The impact of this problem will continue to be felt by all of Florida's peoples. Taxes will be increased, more police officers employed, prosecutorial and judicial practices will be altered to respond to this crisis-oriented Florida crime problem.

The Hispanic population of this state must determine the impact of Florida's number one problem on them. New information and techniques must be developed through the study of the crime problem and its impact on Florida's Hispanics so that history does not repeat itself.

The Florida State Commission on Hispanic Affairs requested that a study of this nature be conducted so that the proper measures can be taken to prevent further negative consequences from this problem. This will enable the Commission to draw accurate conclusions and make productive recommendations for more effectively dealing with crime in the State of Florida.

Some of the many areas which a study of this type investigates are:

1. Is it possible to describe the "crime problem" and its general impact on Hispanic peoples throughout the State of Florida.
2. How are the crime trends impacting on Hispanics in Florida 1975-1980? 1980-1985?
3. How should the Criminal Justice System in Florida respond to the needs and problems of Hispanic peoples in Florida?
4. What percentage of criminal justice system personnel are bilingual and/or Hispanic?

This study should produce many action-oriented recommendations around which the Florida State Commission on Hispanic Affairs can develop programmatic efforts designed to reduce the negative consequences of crime on Hispanic peoples in Florida thus leading toward an improved quality of life for all Floridians.

Hispanics represent a significant portion of the population of the State of Florida. At present there are over 900,000 Hispanics residing within the State of Florida which represents ten percent (10%) of the total population of this State. In addition, the Hispanics in Florida appear to be concentrated in four heavily populated urban counties. These are Dade, Broward, Hillsborough and Orange Counties. Even more significant is the fact that approximately 700,000 or seventy-eight percent (78%) of the Hispanics within this State live in Dade County.

This descriptive report will present a general overview on the characteristics of the Hispanic population and their impact upon crime and the criminal justice system, as well as their needs and recommendations for Criminal Justice System improvement. Because of the limited amount of resources available to conduct this study and to produce this report and the heavy concentration of Hispanics in Dade County, this county will be used as the model for indepth analysis and data collection. Hispanics represents forty percent (40%) of Dade County's total population of 1,725,000 residents. Dade County's population accounts for 17.5% of the State's total population. However, basic information on all areas addressed by this study will be included for Broward, Hillsborough and Orange Counties. Due to the particular nature and classification of Hispanic migrant workers, they will not be addressed in this report.

The first area to be included within this study encompasses a description of the population characteristics for the four (4) Hispanic population centers within the State of Florida. Said description provides general demographic and crime

related information. This section will also describe the overall impact of immigration and/or migration of Hispanics into the State of Florida and the problems encountered.

The above section is followed by an assessment of the critical issues impacting specifically upon the Hispanic population as well as the entire population of this State. Areas developed under this section include the changing social, economic and political environments; the increase in crime incidents/frequency; and the impact of crime and migration of Hispanics into Florida. Specific crime issues included are violent crime, property crime, commercial crime, juvenile delinquency, use of weapons in criminal activities, illegal narcotic transportation and distribution, crime reporting to police and perceptions of Hispanics involvement in criminal activities.

The third section of this report evaluates the effectiveness of the criminal justice system in responding to the needs of Hispanic Floridians. This section addresses the performance of law enforcement agencies, the Public Defender, the State Attorney, the Judiciary, the corrections system, and private security in meeting the special needs of Hispanics and responding to these problems and needs more effectively.

The final area included within this report provides conclusions and recommendations which require further Executive and Legislative action in order to improve the effectiveness of the criminal justice system as it relates to the specialized needs/problems of the Hispanic population of Florida. Hopefully, the recommendations made will provide the framework for developing a more responsive and productive crime control system for Hispanics, as well as all, Floridians.

The major and most significant task undertaken in the course of this study was the formulation of the recommendations based on the analysis of the problems identified and the conclusions reached. The recommendations offered were developed with the input of various knowledgeable and concerned persons and address both those areas which will require additional funding/resources and/or a reallocation of existing resources and priorities.

The recommendations enumerated in no way represent the solution to the needs/problems being encountered by Hispanics in Florida nor are they meant to be totally comprehensive. The basic purpose of these recommendations is to provide a means by which the population under study can most effectively and efficiently be addressed by the criminal justice system.

In addition, the reader is cautioned not to attempt to strictly adhere to these recommendations since various external and/or internal factors may affect the implementation of the suggested recommendations over time. The avenue for change must encompass a fluid and flexible process and therefore, the proposed recommendations cannot remain static within the changing environment.

No study undertaken, alone, will have a significant impact upon the needs being experienced by the Hispanic population unless the State of Florida and its residents acknowledge the special needs of this population and makes the commitments required for change. The documentation of existing problems and the presentation of study conclusions and recommendations will be of little value if sufficient resources are not made available.

  
José M. Aybar de Soto, Ph.D.  
Executive Director

## S U M M A R Y                      R E P O R T

### I. CHAPTER ONE : I N T R O D U C T I O N

THE IMPACT OF CRIME AND THE  
CRIMINAL JUSTICE SYSTEM ON FLORIDA'S HISPANICS

I. CHAPTER ONE: INTRODUCTION

A. Purpose of the Study

The crime problem in Florida has achieved crisis proportions. Serious crimes in some sections of the state have increased fifty per cent (50%), in 1980 over 1979 and at least an additional twenty per cent (20%), in 1981 over 1980. For example; in 1979 Dade County reported 320 incidents of homicide, while that crime increased to 587 reported cases in 1980 and 622 reported incidents in 1981.

The impact of this problem will be significant on all of Florida's populace. Taxes will be increased, more police officers employed, prosecutorial and judicial practices will be altered to respond to this crisis-oriented nature of the Florida crime problem.

The Hispanic populace of the state and more specifically of Dade, Broward, Hillsborough and Orange Counties must determine the possible impact of Florida's number one problem on them. New insights and knowledge must be developed through studies of the impact of crime on Florida's Hispanic residents and business people.

The Florida State Commission on Hispanic Affairs expects this study to lead to the development of measures which can be taken by Florida's Hispanic populace to prevent the crime and criminal justice system problems from continuing to impact negatively on them. This should enable the Commission to draw accurate conclusions and make productive recommendations calling for appropriate legislative and executive response at local, state, and federal

levels.

Some of the many questions which this study explores are:

1. Can we describe the "crime problem" and its general impact on Hispanic peoples throughout the State of Florida?
2. What are the crime trends impacting on Hispanics in Florida 1975-1981?
3. What are the Criminal Justice Systems needs and/or interests of Hispanic peoples in Florida?
4. What percentage of criminal justice system personnel are bilingual? Hispanic?

This study should produce many action-oriented goals around which the Florida State Commission on Hispanic Affairs can develop programmatic efforts. The ensuing efforts should reduce the negative consequences of crime on Hispanic peoples in Florida leading to an improved quality of life for all Floridians. .

## B. Scope of the Study: INFORMATIONAL INDEX

### I. SYSTEM-WIDE PROBLEMS

- Impact of Immigration and/or Migration of Hispanics into Florida
- Unique Interests and Concerns of Hispanics in:
  - Miami
  - Ft. Lauderdale
  - Orlando
  - Tampa

### II. SPECIFIC PROBLEMS

- Personal crimes of violence
- Personal crimes of theft
- Personal crimes involving some form of social disorder
  - a) Juvenile Delinquency
  - b) Domestic and/or Family Conflicts
- Household crimes
- Commercial crimes
- Weapons used in criminal activities
- Illegal narcotics transportation and distribution
- Reporting crimes to police

### III. ASSESSMENT OF CRIMINAL JUSTICE SYSTEM PERFORMANCE

- Performance of the police
- Performance of the Public Defender
- Performance of the State's Attorney
- Performance of the Judiciary
- Performance of the Correctional System
- Performance of the Juvenile Justice Agencies
- Performance of Private Security in response to Hispanic Floridians' Needs

- Perception of Economic/Political Terroristic Acts in Florida
- Performance of Ancilliary and Support Organizations including those which are Community Based.

# FLORIDA POPULATION DATA

	1980 Census Totals	1981* Adjusted Totals
Florida's Total Population.....	9,739,992	9,880,000
Florida's Total Hispanic Population	857,900	977,900
Miami/Dade County Total Population	1,625,979	1,745,900
Miami/Dade Hispanic Population	581,030	681,000
Tampa/Hillsborough Total Population	646,960	652,000
Tampa/Hillsborough Hispanic Population	64,199	67,200
Fort Lauderdale/Broward County Total Population.....	1,014,043	1,020,000
Fort Lauderdale/Broward County Total Hispanic Population ..	40,252	44,200
Orlando/Orange County Total Population .....	471,660	474,600
Orlando/Orange County Total Hispanic Population .....	19,728	20,800

\* August, 1981 Census figures  
Source: United States Department of Commerce  
Census Bureau, Washington, D.C.

In 1970 the U.S. Census Bureau reported that slightly more than 9 million persons, or 4.5 percent of the nation's population, identified themselves as being of Spanish origin. Of Florida's population at that time, 6.7 percent, about 450,000 persons so identified themselves. Florida followed well behind states such as New York, California, and Texas.

Florida nevertheless received a great deal of national attention as the entry point and initial residence of the large numbers of Cuban refugees. Cuban-Americans represented only 6 percent of the population of Spanish origin in the United States in 1970, but nearly half of them lived in Florida and accounted for 62 percent of the population of Spanish origin in the state. Of the remainder, 26 percent were of Central American, South American, European, or other Spanish origin, 7 percent of Puerto Rican, and 5 percent of Mexican background.

In 1970 there were sizable groups of Mexicans in West Palm Beach and Orlando and significant numbers of Puerto Ricans in West Palm Beach and Fort Lauderdale-Hollywood. The majority of the Hispanics in Jacksonville and Tampa-St. Petersburg were of South American, Central American, European, or other Spanish origin.

Although the groups of Spanish origin were well dispersed within the state, two areas accounted for most of the population. Seventy percent of the Hispanic population in the state lived in Dade County and 11 percent in Tampa-Hillsborough County area. Hispanics constituted 22 percent of Dade County's total population, 4 percent of Tampa-St. Petersburg's. The Hispanic groups in Dade County have had, as a result, a great impact on the local political process and, with 13 percent of the current population estimated to be Hispanic in what is also the state's largest urban area, a greater potential for influence in state politics. The great influx

of migrants from Cuba in 1980 intensified the impact of Hispanics in the state, even though the federal government dispersed many of the incoming Cubans to other parts of the country.

Studies of the impact of the Hispanic population have focused almost entirely on Cuban-Americans, presently estimated at about 450,000 persons, or about 82 percent, of the population of Spanish origin in Miami. Estimates place the number of immigrants to the United States between 1959 and 1974 as high as 640,000. Not only were these immigrants political refugees from a Communist country, but they appeared to be overwhelmingly middle-class and upper-class. This new group of immigrants seemed to have an ideological and social character very different from other Hispanics migrating to the United States.

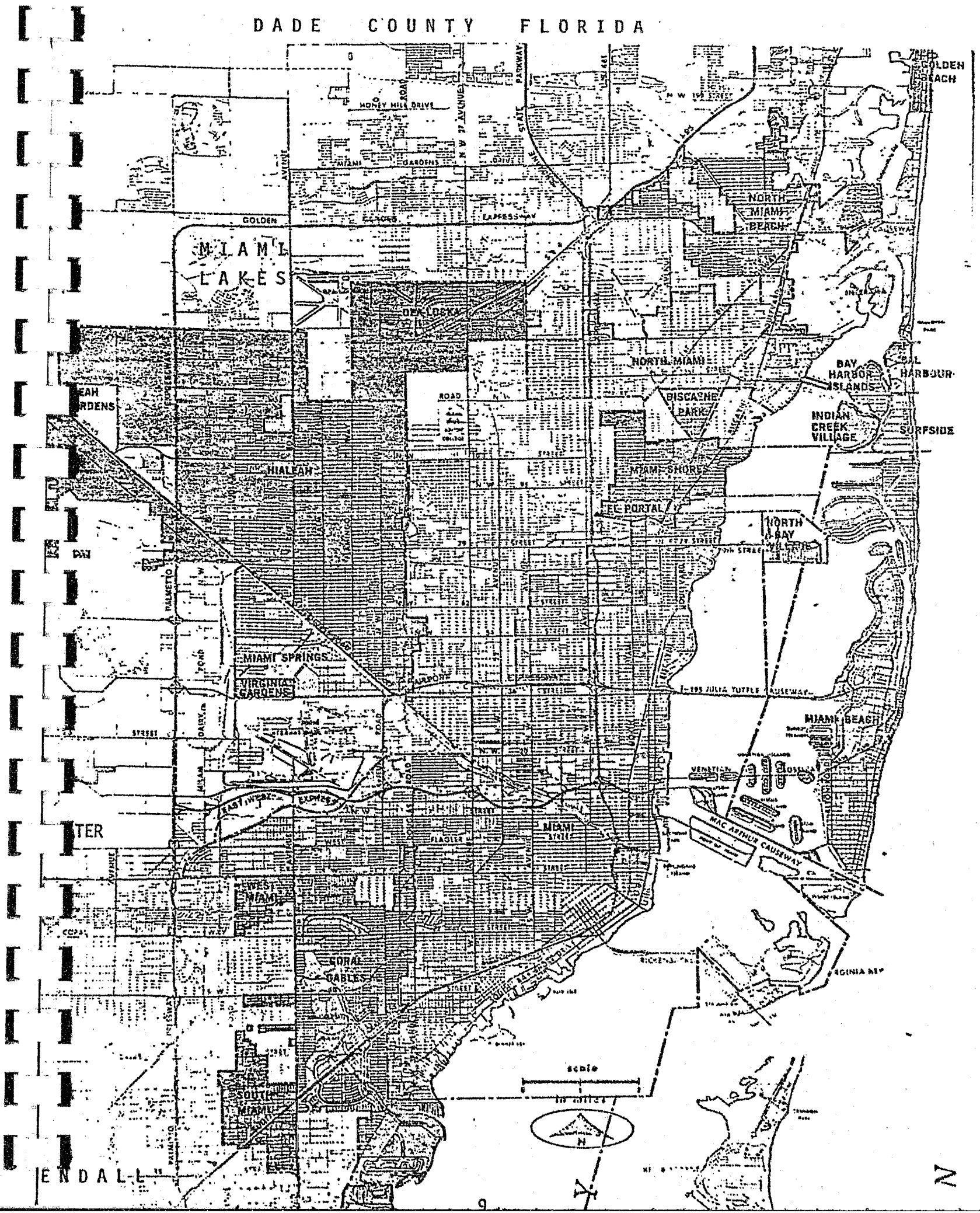
There are a number of reasons why the present reality differs from earlier expectations. Some reasons are tied to the features of the Cuban population itself. Others stem from the nature of the political process with which the Cubans have had to deal.

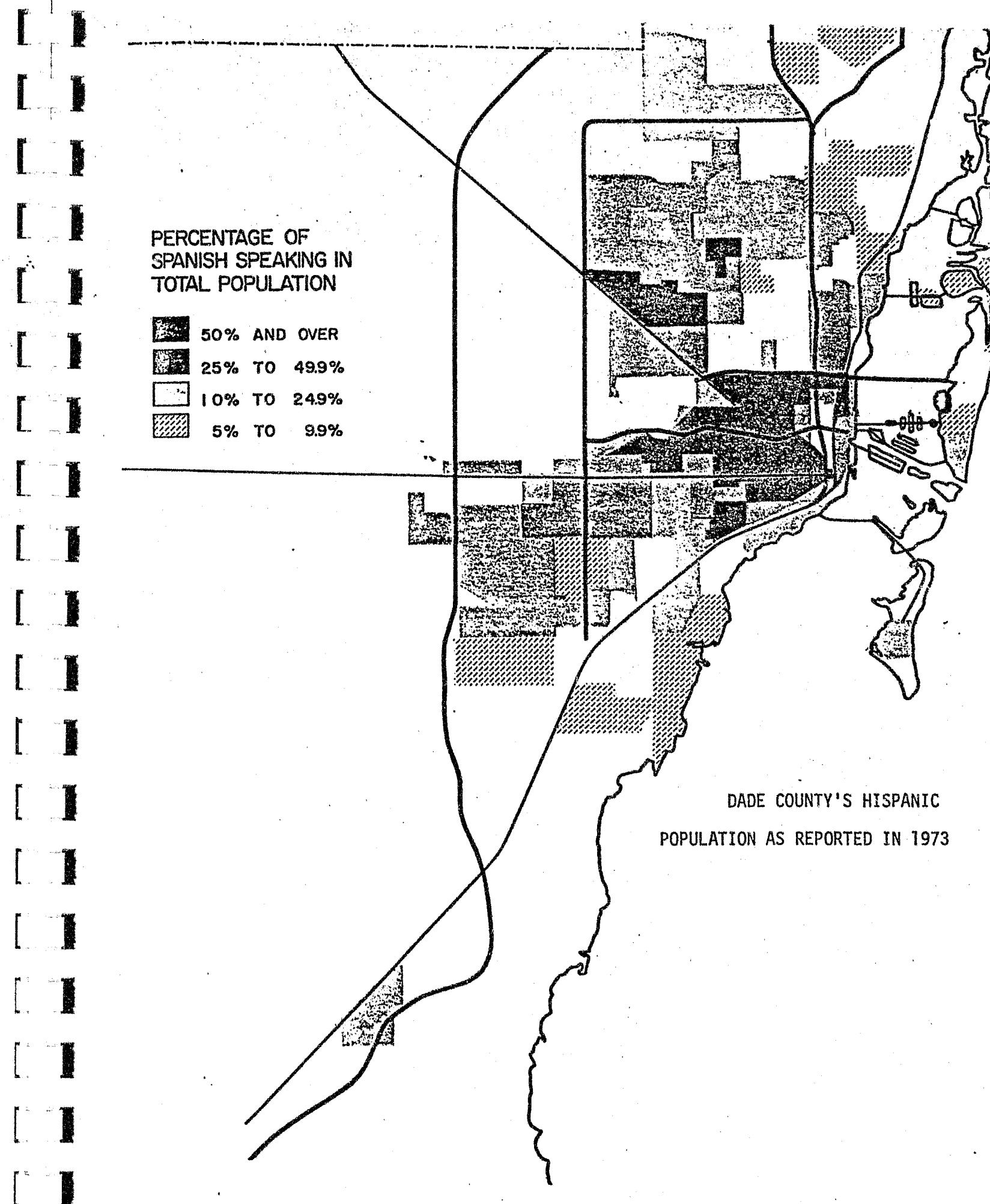
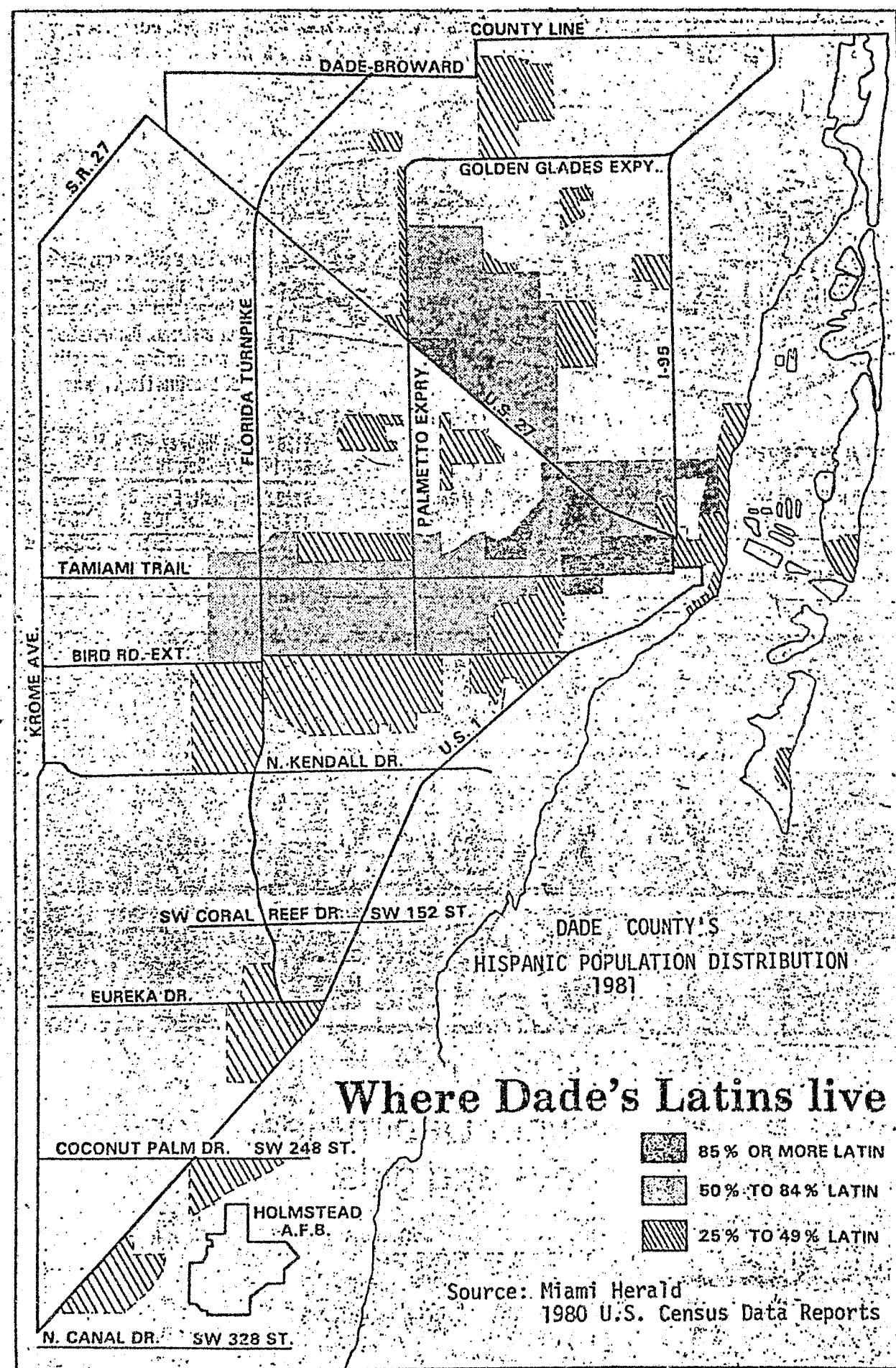
The socioeconomic differences among the Cuban immigrants have been reflected in residential patterns in Miami. The initial groups tended to settle in the area west of downtown Miami between Flagler and Southwest 8th Street. "Little Havana," then as now, is overwhelmingly white-collar and residential in character. The new groups, weighted more heavily with working-class persons, gravitated toward blue-collar Hialeah, northwest of Little Havana, an important warehousing and light-manufacturing area.

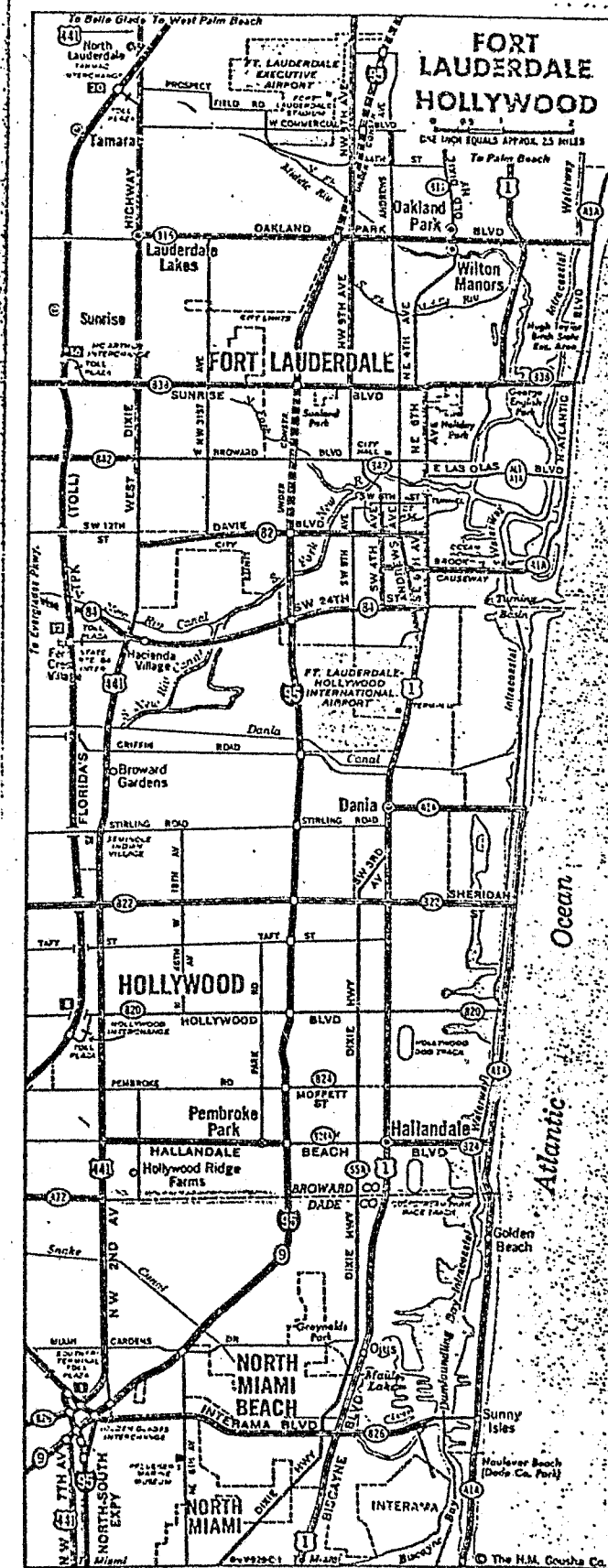
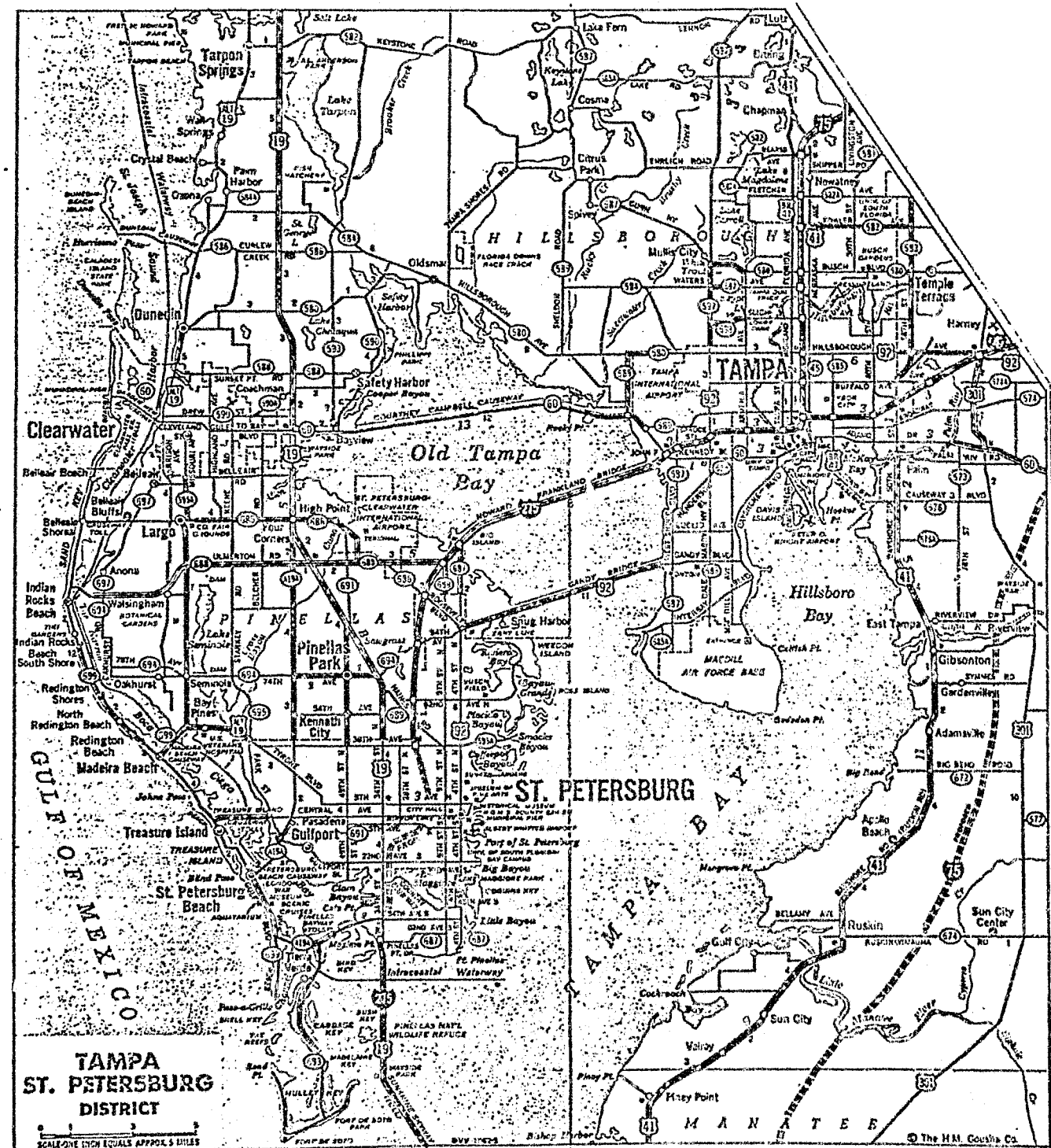
The preexisting differences among the Cubans have been supplemented through their American experience. Many Cubans have distinguished themselves in government, business, and professional fields in the United States.



Continuing socioeconomic heterogeneity in the Cuban community is complicated by still another factor. The Cuban refugee program resettled 65 percent of the incoming refugees in other parts of the United States, primarily in the Northeast, the upper Midwest, and California from 1955 through 1974. Despite the strong trend toward eventual residence in Miami (about 40 percent of the current Cuban population lived in another state before coming to Pade County), the resettled refugees were exposed to differing social and political environments in America. These experiences influenced attitudes and opinions and introduced another element of heterogeneity into the Cuban community.











The Commission intends for this study to begin to dispel the myths about crimes involving Hispanics and to initially examine in a rational way the information needed to continue developing our State's capabilities to insure more effective involvement of Florida's Hispanics in reducing the serious crime problem and in improving criminal justice system responsiveness to the problems and needs of all Floridians.

Florida, as one of the most rapidly growing states in the nation with a proportionately increasing Hispanic population, can expect the problems relating to crime and Hispanics, as an issue, to be dealt with for some time to come. The Commission feels certain that Executive and Legislative actions in 1982 will be responsive to the continued security and safety needs of Hispanic Floridians. The problems addressed and the recommendations contained in this report should be considered in developing long range strategy toward improving Florida's crime control efforts and insuring increased Hispanic participation in criminal justice practices throughout our state.

Considering the importance of continuing to work together for an improved quality of life due our citizenry, the Florida State Commission on Hispanic Affairs studied The Impact of Crime and The Criminal Justice System on Florida's Hispanics. If carefully considered and appropriately implemented, the recommendations made in this report, could significantly benefit Hispanics, and the general population of the State of Florida.

The crime problem in Florida has achieved crisis proportions. In the State of Florida, serious crimes have increased fifty per cent (50%), in 1980 over 1979. For example, in 1979, Dade County reported 320 incidents of homicide, while that crime increased to 587 reported cases in 1980. This represents over an eighty-three per cent (83%) increase in homicide in Dade County, Florida in one year. The impact of this problem will continue to be felt by all of Florida's peoples. Taxes will be increased, more police officers employed, prosecutorial and judicial practices will be altered to respond to this crisis-oriented Florida crime problem.

The Hispanic population of this state must determine the impact of Florida's number one problem on them. New information and techniques must be developed through the study of the crime problem and its impact on Florida's Hispanics so that we can work toward creating more effective crime control measures.

The Florida State Commission on Hispanic Affairs requested that a study of this nature be conducted so that the proper measures can be developed to prevent this problem from continuing to impact on Hispanic Floridians in negative ways. This study will enable the Commission to draw accurate conclusions and make productive recommendations for more effectively dealing with crime in the State of Florida.

Some of the many areas which a study of this type investigates are:

1. Developing a description of the "crime problem" and its general

impact on Hispanic peoples throughout the State of Florida.

2. Identifying and describing the crime trends impacting on Hispanics in Florida 1972-1980, and developing forecasting techniques to determine crime levels and impact for 1980-1985.
3. Establishing a description of how the Criminal Justice System should respond to the needs and problems of Hispanic peoples in Florida.
4. Determining what percentage of criminal justice system personnel are bilingual and/or Hispanic.

This study is designed to produce many action-oriented recommendations around which the Florida State Commission on Hispanic Affairs can develop programmatic efforts designed to reduce the negative consequences of crime on Hispanic peoples in Florida leading toward an improved quality of life for all Floridians.

Hispanics represent a significant portion of the population of the State of Florida. At present there are over 900,000 Hispanics residing within the State of Florida. Hispanics represent ten per cent (10%) of the total population of this State. In addition, the Hispanics in Florida appear to be concentrated in four heavily populated counties. These are Dade, Broward, Hillsborough and Orange Counties. Even more significant is the fact that approximately 700,000 or seventy-eight per cent (78%) of the Hispanics within this State live in Dade County.

This descriptive report presents a general overview on the characteristics of the Hispanic population and their impact upon crime and the criminal justice system, as well as their needs and recommendations for Criminal Justice System improvement. Because of the limited amount of resources available to conduct this study and to produce this report and the heavy concentration of Hispanics in Dade County, this county will be used as the model for indepth analysis and data collection. Hispanics represent forty per cent (40%) of Dade County's total population of 1,725,000 residents. Dade County's population accounts for 17.5% of the State's total population. However, basic information on all areas addressed by this study will be included for Broward, Hillsborough and Orange Counties.

The absence of adequate information about the influence of crime and its impact on Florida's Hispanics, injustices perpetrated on Hispanics by the criminal justice system, inequities in criminal justice system employment practices, recently arrived Cuban entrants' impact on crime and the administration of justice, and many other equally important issues prompted the decision by the Florida State Commission on Hispanic Affairs to sponsor this study.

For over a decade, Florida Hispanics have struggled to influence policy making in this state's administration of justice. Hispanics are disproportionately represented in numbers of arrested, frequency of felony/misdemeanor convictions, incidents of reported homicides, and in the amount and type of assistance they receive with which

to develop solutions for these and many other related criminal justice problems.

Few of Florida's Hispanics are in significant positions of power where they could be a potent force in developing the strategies for resolving these inequities. The problems identified by this study must be addressed and responded to through positive Executive and Legislative actions that will insure both upward mobility and better access to the decision-making process in Florida's administration of justice. The primary purpose of the Commission's study of the Impact of Crime and the Criminal Justice System on Florida's Hispanics is to urge the development of a comprehensive strategy that would assist Hispanics in resolving the unique crime and criminal justice system problems which confront them at the local and state levels. The "impact study" serves only to establish the importance of this issue and the need for intensive and continuous research and response.

In this study of crime and the administration of justice in Florida, there are many fundamental conceptual issues presented. The differentiation between black, white, and Hispanics which appears to occur in the criminal justice system raises a number of questions. Even more significant is the absence of demographic data reflecting ethnicity and/or Hispanic national origin.

Until last year, most criminal justice agencies neglected to report the impact of crime on Hispanics specifically. The Florida Crime Report for 1980 and the Governor's Task Force on

Criminal Justice System Reform: 1980 Statistical Overview presented criminal justice data which places Florida's Hispanics in the "other" category. The Florida Department of Correction's, Bureau of Planning Research and Statistics in its publication of current data on the system's inmate population indicates the percentage of those incarcerated in all major Florida correctional institutions "claiming to be Hispanic as an ethnic affiliation." This study should clearly demonstrate the need for more effective data gathering and analysis efforts which would serve the interests of Florida's Hispanics while helping to improve our state's system for administration of justice. It is quite appropriate to recommend that a Florida Hispanic Research Center be established to assist in responding to this need.

This study includes a description of the population characteristics for the four (4) Hispanic population centers within the State of Florida. Said description provides general demographic and crime related information. A description of the overall impact of immigration and/or migration of Hispanics into the State of Florida and the problems encountered may assist the reader in developing an understanding of these related issues. In 1970, the U.S. Census Bureau reported that more than 9 million persons, or 4.7 per cent of the nation's population, identified themselves as being of Spanish origin. Of Florida's population at that time, approximately 4.7 per cent, about 450,000 persons so identified themselves. Florida followed somewhat behind States such as

New York, California, and Texas.

Florida nevertheless received a great deal of national attention as the entry point and initial residence of the large numbers of Cuban refugees. Cuban-Americans represented only 6 per cent of the population of Spanish origin in the United States in 1970, but nearly half of them lived in Florida and accounted for 62 per cent of the population of Spanish origin in the state. Of the remainder, 26 per cent were of Central American, South American, European, or other Spanish origin.

Although the groups of Spanish origin were well dispersed within the state, two areas accounted for most of the population. Over seventy-five per cent (75%) of the Hispanic population in Florida live in Dade County and approximately 10 per cent in Tampa-Hillsborough County area. Hispanics constitute over 40 per cent of Dade County's total population and over 13 per cent of Tampa-St. Petersburg's. The Hispanic groups in Dade County have a great impact on the local political process and, with 17.5 per cent of Florida's current population estimated to be Hispanic there exists also a greater potential for influence in state politics. The great influx of migrants from Nicaragua in 1979 and Cuba in 1980 intensified the impact of Hispanics in the state, even though the federal government dispersed many of the incoming Cubans to other parts of the country.

Studies of the impact of the Hispanic population have focused almost entirely on Cuban-Americans, presently estimated at

about 700,000 persons, or about 90 per cent of the population of Spanish origin in Dade County (Miami). Estimates place the number of immigrants to the United States between 1959 and 1974 as high as 640,000. Not only were these immigrants political refugees from a Communist country, but they appeared to be overwhelmingly middle-class and upper class. This new group of entrants seemed to have an ideological and social character very different from other Hispanics migrating to the United States.

There are a number of reasons why the present reality differs from earlier expectations. Some reasons are tied to the features of the Cuban population itself. Others stem from the nature of the political process with which Cubans have had to deal. All of these factors should be considered as the Hispanics in Florida begin to interact with and become involved in our State's administration of justice.

The socio-economic differences among the Cuban entrants/immigrants have been reflected in residential patterns in Dade County (Miami). The initial group tended to settle in the area west of downtown Miami between Flagler and Southwest 8th Street. "Little Havana" then as now, is overwhelmingly white-collar and residential in character. The new groups, weighed more heavily with working class persons, gravitated toward blue-collar Hialeah, northwest of Little Havana, an important warehousing and light manufacturing area. Emerging patterns of criminal activities appear in relationship to



the movement and settling characteristics of recent entrants. Dade County experienced its most substantial annual increases in serious Class One criminal offenses during 1980. The percentage of increase of 1980 over 1979 was 30.5 per cent.

The pre-existing differences among the Cubans have been supplemented through their American experience. Many Cubans have distinguished themselves in government, business, and professional fields in Florida and throughout the United States.

Continuing socio-economic heterogeneity in the Cuban community is complicated by still another factor. The Cuban refugee program resettled 65 per cent of the incoming refugees in other parts of the United States, primarily in the Northeast, the upper Midwest, and California from 1955 through 1974. Despite the strong trend toward eventual residence in Miami (about 30 per cent of the current Cuban population lived in another state before coming to Dade County), the resettled refugees were exposed to differing social and political environments in America. These experiences influenced attitudes and opinions and introduced another element of heterogeneity into the Cuban community. Executive and Legislative decision-makers at the local, state and federal levels should consider the importance of these Hispanic population characteristics in developing major changes in and/or planning new programs for improvement of crime control efforts and criminal justice system responsiveness.

#### E. Importance of the Study

If the Hispanic experience of justice administration and crime control is to be understood, it must be from within a reliable and clearly articulated framework. Very few studies have been conducted, consequently, there is almost no published literature in the United States devoted exclusively to that experience. The literature that is available draws heavily upon concepts inherited from earlier studies conducted by researchers interested in describing the immigration of Cubans to Florida during the 1960's. In this study the Commission emphasizes the relevance of these concepts in examining Hispanic involvement in the criminal justice systems of Florida and the United States. The emphases are not mutually exclusive or equally valid. In varying degrees, however, they reflect the views that (a) this unique Hispanic experience can be understood as a result of initial differences between Hispanic mainstream cultural assumptions, particularly regarding concepts of law, social control, and communication patterns, and/or as a result of breakdowns and transitional changes in Hispanic cultural values and supports, and (b) these cultural differences ought to be taken into account in the operations of the various criminal justice systems in Florida and the United States.

In an effort to build on this foundation of new understanding, an assessment of the critical issues impacting specifically upon the Hispanic population as well as the entire population of this State is included in this study. The primary areas of concern are the changing social, economic and political

environments; the increase in crime incidents/frequency; and the impact of crime and migration of Hispanics into Florida. Specific crime issues included are violent crime, property crime, commercial crime, juvenile delinquency, use of weapons in criminal activities, illegal narcotic transportation and distribution, crime reporting to police and perceptions of Hispanics' involvement in criminal activities.

In this report, an attempt is made to evaluate the effectiveness of the criminal justice system in responding to the needs of Hispanic Floridians. This section addresses the performance of local and state law enforcement agencies, the Public Defender, the State Attorney, the Judiciary, the corrections system, and private security in meeting the special needs of Hispanics and responding to these problems and needs more effectively.

The most significant statements included in this report provide conclusions and recommendations which require further Executive and Legislative action in order to improve the effectiveness of the criminal justice system as it relates to the specialized needs/problems of the Hispanic population of Florida. Hopefully, the recommendations made will provide the framework for developing more responsive and productive justice administration and crime control systems for Hispanics, as well as all Floridians.

The major and most significant task undertaken in the course of this study was the formulation of the recommendations based on the analysis of problems identified and conclusions reached.

The recommendations offered were developed with the input of various knowledgeable and concerned persons and addressed those areas which will require additional funding/resources and/or reallocation of existing resources and establishment of new priorities.

The recommendations enumerated in no way represent the solution to the needs/problems being encountered by Hispanics in Florida nor are they meant to be totally comprehensive. The basic purpose of these recommendations is to provide a means by which the population under study can most effectively and efficiently be addressed by Florida's criminal justice systems.

In addition, the reader is cautioned not to attempt to strictly adhere to these recommendations since various external and/or internal factors may affect the implementation of the suggested recommendations over time. The avenues for change must encompass a fluid and flexible process and therefore, the proposed recommendations cannot remain static within the constantly changing environment.

No study undertaken, alone, will have a significant impact upon the needs being experienced by the Hispanic population unless the State of Florida and its residents acknowledge the special needs of this population and make the commitments required for change. The documentation of existing problems and the presentation of study conclusions and recommendations will be of little value if substantial Legislative and Executive attention and commitment are not forthcoming.

S U M M A R Y   R E P O R T

II. CHAPTER FOUR: RECOMMENDATIONS AND GUIDELINES

THE IMPACT OF CRIME AND THE  
CRIMINAL JUSTICE SYSTEM ON FLORIDA'S HISPANICS

RECOMMENDATIONS FOR IMPROVING  
LOCAL, STATE AND FEDERAL CRIMINAL JUSTICE SYSTEMS'  
IN RESPONDING TO THE NEEDS AND INTERESTS  
OF FLORIDA'S HISPANICS

The Florida State Commission on Hispanic Affairs wishes to emphasize the need for Florida's Criminal Justice System to have a bilingual capability so as to effectively deal with the delivery of services to this state's substantial Spanish speaking populations. What is being suggested is simply a vehicle to increase each criminal justice department's/agency's efficiency in dealing with the administration of justice. The ability to communicate in the language of this large non-English speaking population would facilitate every aspect of effective Criminal Justice System service delivery to Florida's Hispanics.

Specifically, we are addressing the problems of service delivery to 10 percent of the state's total population with significant concentrations in Dade, Hillsborough, Orange and Broward Counties, and lesser concentrations in the Duval, Clay, St. Johns County area. There is little question that new Hispanic arrivals both from the Caribbean and Central America have had a direct impact on the Criminal Justice System. The impact created by the new entrants/arrivals has systematically worsened existing conditions by further overloading an already overburdened Criminal Justice System designed to serve the needs of the entire population of the State of Florida. Specifically in Dade County, which bares the brunt of the influx of both Cuban and Haitian immigration facilitated in the areas of crime prevention, law enforcement/public safety, traffic regulation/enforcement, prosecutorial, and judicial processes if the state would provide this assistance.

This minimal presence should be increased so as to more effectively communicate with the non-English speaking segment of Florida's population. This would facilitate the process of service delivery to Florida's Hispanic and Non-Hispanic populations alike.

A second point that is extremely important for us to consider is that of information dissemination. Because of language barriers and lack of time to acculturate there is little or no information regarding the social norms that are prevalent in this state. Specifically, there is an information gap regarding the rights of individuals under the law, for example:

- A) The right of an individual to a hearing within 21 days;
- B) The right of an individual to have an attorney;
- C) Confidentiality of the lawyer and client relationship.

It would be extremely helpful to develop a bilingual informational campaign designed to inform and educate the peoples of Florida in these legal matters. The manner in which the Criminal Justice System of Florida responds will have a bearing on the individual's perception of the overall system.

Executive and Legislative review of and response to the following recommendations should lead Florida toward improving its Criminal Justice System not only for Hispanic Floridians, 900,000 in total, but for all citizens of the Sunshine State.

#### A. Developing More Productive Crime Control Measures For All Floridians

##### RESPONDING TO THE NEEDS AND INTERESTS OF HISPANICS IN FLORIDA

This study represents an attempt to analyze Florida's Hispanics experience with the criminal justice system and therefore addresses itself to the configurations which occur around culture, social control, and law. Implicit in this process is a number of complex problems which can be addressed only in the context of substantive investigation.

The recommendations presented in the Impact of Crime and the Criminal Justice System on Florida's Hispanics are directed toward filling gaps in our knowledge. Some recommendations arise directly out of the data discussed in this study. Others arise out of the paucity of information which became apparent as attempts were made to answer questions concerning Florida's Hispanics and the criminal justice system. In various ways, these recommendations call for extended research in Florida's institutions, in agencies and in the communities. The following are a few of the recommendations presented in the study:

##### Recommendation 1

The periodic reports required from Florida's criminal justice agencies are based upon differing policies concerning the presentation of ethnic data relating to their clients. Agency practices range from the relatively precise identification of Hispanics by nationality to the inclusion of people of Hispanic origin in an "all other" category which may contain people of Oriental, American Indian, European and other origins. In some instances this practice may be justified by

the agencies on the grounds that Florida's Hispanics do not constitute a significant minority, or that the percentage of Hispanics on a particular agency's workload is insignificantly low. When Florida's Hispanics are separately categorized the criteria used for the identification of Hispanics may be either birthplace, parentage, self-identification, or Hispanic surname. Florida's criminal justice agencies appear to be only slowly becoming aware that Hispanics at present are the second largest minority in the nation and in Florida. Some projections suggest that Hispanics may become the largest minority before the turn of the century. This alone would be a sufficient argument for more precise and more uniform reporting of the Florida Hispanic presence.

In those Florida cities where there are large Hispanic populations, criminal justice agencies should develop a uniform definition of the Hispanic groups to be used in all official reporting. Florida's criminal justice agencies, correctional agencies, probation and parole offices, the courts and the police should be required to publish information describing the ethnicity of the populations they process. Federal agencies responsible for publishing criminal justice data, including the FBI and the U.S. Bureau of Prisons, should separately identify the extent of Hispanic involvement in crime and criminal justice. Particularly the FBI should endeavor to obtain from its reporting agencies data describing Florida's Hispanics involvement in arrests for index crimes and Hispanic victimization.

#### Recommendation 2

Florida's State statistics on adult and juvenile inmate populations in correctional institutions show that Hispanics are constituting increasingly large proportions of new inmate populations. The causes of this increase should be sought. It is particularly important to determine the extent to which it may be a product of demographic changes or changed practices by the police and courts, and the extent to which it is a genuine reflection of increasing Hispanic crime rates. Research should be directed specifically toward the influence of criminal justice system practices on the increasing number of Hispanic adults and juveniles arrested, prosecuted, convicted and incarcerated in Florida during 1982.

#### Recommendation 3

The increasing prevalence of Hispanics in Florida's correctional facilities necessitates a review of the support systems available for incarcerated Hispanic offenders and their families. Research should be addressed to (a) the peculiar cultural implications of imprisonment for the Hispanic offender; (b) the cultural implications of incarceration for the Hispanic inmate and his family; (c) the need for counseling and other support for the Hispanic inmate and his family, especially spouse and parents.

#### Recommendation 4

Whatever the effects of Florida's legislative changes and criminal court practices may be upon the incarceration of Hispanic drug offenders, drugs clearly constitute a major problem for Florida as well as its Hispanic communities. New research efforts must be directed to (a) the documentation of the involvement of Hispanics in drug-related offenses; (b) the identification of the causes of this involvement; (c) the development of preventive programs which would be based upon the identification and generation of cultural support systems within Hispanic communities.

#### Recommendation 5

The place of violence generally and the incidence of homicide particularly are sources of great concern for Hispanic communities in Florida. Most research conducted in this area has focused upon violence in the black community. The predisposition to working with large numbers which characterizes the interests of many researchers and the availability of information for black populations, which is unavailable for Hispanic populations, have contributed to this emphasis. Highly sophisticated theoretical propositions concerning violence and its relation to sub-cultures have been formulated in recent years but on the whole they have not been utilized for the study of violence in Hispanic communities in Florida. It is recommended that research efforts should be directed toward establishing the incidence of homicide and lesser crimes of violence in Florida's Hispanic communities with reference to the socio-cultural bases of such actions and to

possible preventive measures. Dr. William Wilbank's study titled, "Homicides Involving Hispanics in Dade County, 1981," is included in the Commission's study.

#### Recommendation 6

The conflicts in legal perception experienced by a Hispanic from a civil-law nation to a case-law nation are unknown. Although many studies have examined the problems of cultural assimilation experienced by immigrant groups, none has considered in depth the social and cultural implications of the switch from a civil-law ethos to a common-law ethos. Socio-legal studies undertaken by research-oriented lawyers, should be developed to examine such implications. Investigations should be designed to explore the perception of the law and the legal system which predominates in Florida's Hispanic communities along with an examination of how such a perception is acquired. Such research should particularly explore the nature of the conflicts between Hispanic social-control mechanisms and the established legal system. These investigations might be directed toward a determination of how far special efforts may be required to acquaint Hispanic people with the legal expectations which prevail in Florida and how far special legal support systems might be developed to provide for the distinctive needs of Hispanic people in this state.

#### Recommendation 7

A principal, although frequently hidden, participant in the criminal justice system is the victim. Research has repeatedly shown that it is the poor, the elderly, the members of ethnic minorities, and the residents of decaying urban neighborhoods who are the victims of



crime. To what extent are Florida's Hispanics the victims of crime and what is special about the Hispanic victim? There is a continuing problem with the identifying of victims which is almost as great as -- and certainly not unrelated to -- the problem of identifying the criminal. This may be particularly acute for Hispanic Floridians who become crime victims. Are Hispanic crime victims less likely than victims of other ethnic groups to report crimes? If this is so, in what ways might this be related to (a) the Hispanic perception of United States/Florida laws and criminal procedures, (b) language difficulties and (c) the reluctance to transmit problems of Florida's Hispanic communities to a largely non-Hispanic criminal justice officialdom? In the case of crimes against undocumented Hispanic aliens the reluctance to communicate with the police or other agencies is understandable. In the case of Hispanics legally residing in Florida, are there voluntary community mechanisms of care and cultural support which function to satisfy the needs of the victim without turning to official agencies?

It is recommended that the questions posed should be the subject of an overall research study of the Hispanic crime victim, his prevalence, his attitudes towards the disclosure of a crime, and the formal and informal support systems which may work with such a victim to meet his needs and make involvement with the criminal justice and social services systems more acceptable and desirable.

#### Recommendation 8

The willingness of victims to report a crime is frequently related to their perception of the sympathy and effectiveness of the criminal justice system in its dealings with them. In most cases the primary agency with which the victim must deal is that of the police. What is the nature of police-Hispanic relations? How far do Florida's Hispanic communities fully comprehend the function of the police in this society and how far is their comprehension influenced by understandings of police departments and police work in other cultures with different kinds of legal systems in Florida? What precisely have been the efforts of police departments in Florida's large Hispanic communities to develop an understanding of the peculiar difficulties of such communities such as Miami, Fort Lauderdale, Tampa and Orlando not only with regard to the specific impact of certain types of crime but also with regard to the culturally ingrained expectations of the police which may be shared by many of Florida's Hispanic people?

Careful and objective study in Hispanic communities and in the police departments which serve them is required to clarify the nature and problems of the relationship between Hispanics and the police. Such study should perhaps give prime importance to the function of informal social control mechanisms within the community, their relevance to police work and their importance for securing mutual trust between police departments and the people they serve.



#### Recommendation 9

A comprehensive study of the place of Hispanics in the Florida's criminal justice professions is long overdue. This study should address not only the familiar equal opportunity and affirmative action questions concerning percentages, quotas, seniority and representation. It should also examine the functional significance of the employment of Florida's Hispanic people in criminal justice agencies. In what ways does the employment of Hispanics meet immediate needs within the system and extend the support mechanisms of the Hispanic community into Florida's criminal justice systems?

#### Recommendation 10

This recommendation returns to the situation of the Florida Hispanic accused of a criminal offense. Although the evidence is not conclusive, Hispanic offenders appear to be differentially treated by the courts both in terms of the type of disposition that is imposed upon them and in terms of the severity of the sentence which they receive. More rigorous analysis of the Hispanic experience of the criminal court process is required. The research which has examined the differential treatment of black and white defendants has served to point to a number of situations which are pivotal in the determination of the conclusion of a criminal case. Research should be initiated which in addition to examining the severity of the alleged offenses of Florida's Hispanic defendants should also focus upon the significance of the nature and source of legal advice given to the Hispanic defendant; the Hispanic involvement in plea negotiation; and the role of the prosecu- office and the judiciary in the criminal processing of Florida's Hispanic defendants.

Existing knowledge of Florida's Hispanics experience of criminal justice is sparse. Currently, any attempt to generate a comprehensive picture of the situation is the functional equivalent of building a house on sand. The mainstream society in Florida broadly acknowledges that certain ethnic minorities constitute a peculiar criminal justice problem not only because they furnish Florida with its criminals but also because they furnish society with its victims. It is contended here that Florida's Hispanics experience of criminal justice is a significant, although largely unexplored, part of Hispanic cultural experience. The questions which have been raised in these recommendations provide no more than a minimal basis for understanding the complementary dilemma which Hispanic communities in Florida and criminal justice agencies experience together. Until such questions begin to be answered the interaction between Florida's Hispanic communities and criminal justice agencies may continue to be informed by assumptions based on incomplete, inconsequential and possibly even inappropriate conventional "knowledge."

The ten recommendations articulated above reflect some of the major concerns which Florida's Hispanics feel inhibit and restrict this state's development of more effective and responsive crime control measures and criminal justice system practices.

The following Conclusions and Recommendations reflect specific actions and/or responses which if properly planned and implemented should result in improved crime control and justice administration for all of Florida's citizenry.

## B. Specific Study Conclusions and Recommendations

### CONCLUSION One

The Florida State Commission on Hispanic Affairs does not have the resources required to provide the comprehensive level of services it should be offering to the Hispanic community and government entities within the State of Florida.

### RECOMMENDATIONS

1. The State of Florida should provide the Florida State Commission on Hispanic Affairs with sufficient funding to establish a Hispanic Resource Center which could provide, upon request by both public and private agencies, information regarding Hispanics and their involvement in the criminal justice system, commerce, the economy, business ventures, as well as information on characteristics of the Hispanic community within Florida and counties of heavy concentrations. This service requires the establishment of a considerable data base and the updating of this information on a timely and frequent basis. Reports including the information reflected above should be published annually and available for distribution.
2. The Florida State Commission on Hispanic Affairs should be provided with the resources required to implement a clearinghouse for the exchange of information among various states and their subdivisions in the area of Hispanics. In addition, this clearinghouse could be of local use by making available information regarding the needs and problems of Hispanics in other areas of this county, as

well as providing a source for model programs being implemented which could be considered for implementation within this state.

3. The Florida State Commission on Hispanic Affairs should be adequately funded to be able to conduct research activities in areas affecting the Hispanic population such as crime, employment, health services, etc. In addition, the resources allocated should be substantial enough to provide the Commission with the personnel to develop long range plans in high priority areas as established by the Commission.

## CONCLUSION Two

Many criminal justice and/or support agencies throughout the State of Florida do not have adequate numbers of Hispanics throughout the ranks/position classifications of said agencies.

## RECOMMENDATIONS

1. All federal, state and local police/law enforcement agencies should attempt to recruit, hire and promote Hispanics so that the sworn and civilian composition within the ranks of the departments reflect the ethnic make-up of the community they serve.
2. All federal, state and local correctional and rehabilitative agencies, both private and public, should hire and promote Hispanics in order to reflect the ethnic composition of their jurisdiction.
3. The Judiciary, State Attorney's Offices, Public Defender's Offices, and all court support agencies should hire and promote Hispanics at all levels so that said components of the criminal justice system are ethnically reflective of the community they serve. In addition, when vacancies exist, the Governor should attempt to appoint additional Hispanic judges in the areas of Orange County, Dade County, Broward County and Hillsborough County.
4. Regional and Metropolitan Planning Units should be required to hire and promote Hispanics so that the agency is reflective of the ethnic composition of the community being served.
5. All advisory boards to federal, state and local criminal

justice system components should be required to include Hispanics within their membership in direct proportion to the ratio of Hispanics within the area for which they have jurisdiction.

6. Auxiliary and reserve officer programs established within law enforcement and corrections agencies must insure Hispanic representation in percentages equal to the overall population of the service jurisdiction.
7. All federal, state and local victim assistance programs should hire and promote Hispanics in order to obtain representation in an equal proportion to the population of the jurisdiction being served.

### CONCLUSION Three

Data does not presently exist to determine if racial disparity exists within the various decision points within the criminal justice system in the State of Florida as it relates to Hispanics.

### RECOMMENDATIONS

1. A study should be conducted to determine if racial disparity exists at the various decision points within the criminal justice system within the State of Florida and each individual county therein. Said study should specifically include prior record, age, sex, race, nature of offense, charges, disposition, sentence, time served, victim/offender relationship, composition of jury, etc.
2. Each county within the State of Florida should establish the necessary mechanisms required in order to identify persons within the criminal justice system by ethnic group so that a determination can be made regarding whether racial disparity exists or not.

### CONCLUSION Four

The Hispanic community within the State of Florida and the counties of this state have not significantly contributed to the identification of crime and/or crime related problems/needs of their communities.

### RECOMMENDATIONS

1. Every neighborhood and/or area with a large portion of Hispanic residents should organize and become involved in some level of crime prevention activities such as Crime Watch. In jurisdictions where a Crime Commission exists, the Hispanic community should become actively involved with the organization and solicit their assistance in developing local neighborhood crime prevention activities and training.
2. Latin Chambers of Commerce and business/professional associations should attempt to address the crime problem of their communities by assessing the level of crime and crime control related services within their community. In addition, based on their assessment, they should actively support and lobby for needed legislative changes, required resources, and policy implementation and/or development.
3. Hispanic professionals within the criminal justice system should organize in order to provide leadership to the community, as well as to coordinate services to the Hispanic community being served.

#### CONCLUSION Five

Although a substantial position of the State of Florida's population (approximately ten per cent) is composed of Hispanics, the majority of data collected by the criminal justice system and other government agencies does not reflect information for this ethnic group.

#### RECOMMENDATIONS

1. It is strongly recommended that criminal justice system agencies providing information and reports on their activities include data on Hispanics. In addition, it is recommended that all government organizations with the State of Florida be required to do so as well.
2. The Counties of Dade, Broward, Hillsborough and Orange should immediately establish mechanisms for the collection, analysis and dissemination of data which reflects the involvement of Hispanics within their respective criminal justice systems.

#### CONCLUSION Six

Refugee involvement in serious crimes within Dade County has created added burdens upon an already critically burdened criminal justice system.

#### RECOMMENDATIONS

1. Increase the capacity of pre-trial detention facilities.
2. Increase the capacity of facilities designed for incarceration of sentenced offenders.
3. Consider "no bail" for alleged offenders believed to present a danger to society.
4. Increase staffing for S.A.O. and Public Defender to be able to deal with this population (refugees) in a timely manner.
5. Demand federal response to refugee problem as well as reimbursement to local/state agencies for costs incurred due to refugee influx.
6. Increase judicial/court related capabilities to address additional demands caused by massive refugee influx.
7. Demand that federal agencies assume all responsibilities (employment, welfare, housing, detention) in the handling of refugees within this state as a result of federal immigration policies and/or lack of policies.
8. Conduct a refugee impact study (statewide by county) which includes: refugee involvement in crime both as perpetrators and victims; impact financially on the local/state criminal justice systems; impact on the service delivery/

effectiveness level on the local/state criminal justice systems; nature of and types of crimes in which refugees are involved; impact upon federal resources; and impact upon the overall community and its development.

#### CONCLUSION Seven

Various task forces have been established at the federal and state level to analyze and make recommendations regarding the criminal justice system, its problems and needs. However, it appears that these task forces have not placed enough emphasis on the involvement of Hispanics nor are they addressing the needs of the Hispanic population of this country and/or state.

#### RECOMMENDATIONS

1. The Governor's Task Force on Criminal Justice System Reform should address the needs and problems of the Hispanic community of the State of Florida and include specific recommendations in this area within their final report.
2. The Attorney General's Task Force on Violent Crime issued its Final Report on August 17th, 1981 which proposed various recommendations which should, when and if implemented, specifically involve Hispanics. These recommendations are listed below:

Recommendation #6: The Attorney General should mandate the United States Attorneys to establish law enforcement coordinating committees in each federal district.

It is strongly urged that membership on these committees include Hispanics in those areas where they are a significant percent of the population.

Recommendation #8: The Attorney General should direct the National Institute of Justice and other branches of the Department of Justice to conduct research and development on

federal and state career criminal programs,  
including programs for juvenile offenders  
with histories of criminal violence.

It is strongly urged that information collected on the clients of these programs specify ethnic breakdowns to include Hispanics.

Recommendation #12: The Attorney General should exercise leadership in informing the American public about the extent of violent crime. In that connection, the Attorney General should seek to build a national consensus that drug abuse, crime and violence have no rightful place in the schools and, when these conditions are found to exist, vigorous criminal law enforcement should ensue.

It is strongly urged that any program directed toward publicizing the problems regarding violent crime and crime in our schools be developed both in English and Spanish so that the Hispanic community may fully benefit.

Recommendation #15: The Attorney General should direct responsible officials in appropriate branches of the Department of Justice to give high priority to testing systematically programs to reduce violent crime and to inform state and local law enforcement and the public about effective programs.

It is recommended that any method developed to test the efficacy of alternative methods being utilized to reduce violent crime include testing which will differentiate among those methods

most effective by ethnic group as well as by type of crime. In addition, any literature developed for public information purposes, as well as any media formats, should be available in both English and Spanish.

Recommendation #37: The Attorney General should seek a substantial increase in personnel resources for federal law enforcement and prosecutorial agencies to enable them to effectively perform their present responsibilities and the additional and expanded responsibilities recommended by this Task Force.

It is strongly recommended that an attempt be made to hire additional Hispanics and that Hispanics be assigned to those areas in which there is a heavy concentration within the community, such as South Florida.

Recommendation #44: The Attorney General should establish, and where necessary seek additional resources for, specialized training programs to allow state and local law enforcement personnel to enhance their ability to combat serious crime.

It is strongly urged that said training include specific areas of concern which involve Hispanics and their involvement in certain types of serious crime. An example of this is the heavy involvement by Colombians in drug smuggling and dealing in South Florida, as well as drug/narcotics related murders in this area.



Recommendations #45 and #46 allude to the training of prosecutors and correctional personnel as does #44 in the area of law enforcement. It is recommended, where appropriate, that consideration be given to training which address problems and needs in the area of Hispanics from the prosecution and corrections aspects.

Recommendation #51: The Attorney General should ensure that adequate resources are available for the collection and analysis of statistics on crime, its victims, its perpetrators, and all parts of the justice system at all levels of government and for the dissemination of these statistics to policymakers in the Department of Justice; other agencies of federal, state, and local government; the Congress; and the general public.

It is recommended that statistics collected, analyzed and disseminated on victims and perpetrators of crime include Hispanics on their ethnic breakdowns by state and specific local jurisdictions. In addition, data collected on federal, state and local criminal justice agencies should include Hispanics in the ethnic breakdowns for employees and clients served.

Recommendation #52: The Attorney General should support or propose legislation to allow direct financial assistance to supplement the resources and efforts of state and local governments that have demonstrated that they are suffering a criminal justice disaster or emergency of such unusual nature and proportion that their own resources fall

short of addressing the need, and he should request adequate funds to support such assistance.

It is recommended that the Attorney General move quickly to request this assistance for the State of Florida due to the critical problems being experienced by state and local criminal justice system components as a result of the massive influx of Cuban/Haitian refugees in this area and the enormous quantity of drugs/narcotics which enter this country through Florida.

Recommendation #53: The Attorney General should ensure that:

- (a) Adequate resources are available for the research, development and independent evaluation of methods to prevent and reduce serious crime; for disseminating these findings to federal, state and local justice agencies; and for implementing these programs of proven effectiveness at the state and local level.
- (b) Grant awards for implementing such demonstrated programs require a reasonable match of state and local funds and be limited to a reasonable time period.

State and local entities receiving these funds should be required to adequately address the criminal justice system needs/problems of their minority communities. It is recommended that localities with significant Hispanic populations be required to address them in any programs proposed and that resources also be provided to Hispanic organizations (public and/or private) to research, develop and evaluate methods utilized to prevent and reduce serious crime; disseminate said information; and, implement programs of proven



effectiveness.

It is also recommended that the requirement for match funding by state and local agencies be eliminated for those minority community based agencies which do not have the capability to produce significant capital yet provide neighborhood based services to the Hispanic and Black communities.

Recommendation #57: The Attorney General should support or propose legislation to amend the Vocational Education Act and other applicable statutes to facilitate state and local correctional agencies' ability to gain access to existing funds for the establishment of vocational and educational programs within correctional institutions.

The state and local correctional institutions within the State of Florida should, when and if available, solicit funding under the Vocational Education Act for the specific purpose of providing educational programs to incarcerated Hispanics in the area of English language proficiency and remedial education in order to prepare them for vocational instruction. In addition, vocational instruction should be provided in Spanish to those inmates which cannot function in vocational classes conducted in English.

Recommendation #62: The Attorney General should establish and promulgate within the Department of Justice, or support the enactment of legislation to establish, Federal Standards for the Fair Treatment of Victims of Serious Crime.

It is recommended that the standards enacted and promulgated include

the provision of services to be rendered in the native language of the victim and that in areas of heavy Hispanic concentrations, the staff be made up of bilingual personnel in order to accomplish this recommendation. At a minimum, translators should be available on staff through contractual services to insure that Hispanic victims are informed as to the process and any specifics relating to their case.

Recommendation #64: The Attorney General should order that a relatively inexpensive study be conducted of the various crime victim compensation programs and their results.

It is recommended that said study include a section relating to the Hispanic victims' participation in these programs and their evaluation of the process and results. In addition, all programs should be assessed in reference to their maintenance of statistics on the ethnic breakdown of their clients, and, if none are available, they should be urged to maintain statistics for at least the two significant minorities (Blacks and Hispanics) within this country.

3. The Governor's Task Force on Criminal Justice System Reform and the Attorney General of the United States should solicit the input of Hispanic professionals in the criminal justice systems within the State of Florida (local and state) prior to implementation of any recommendations made by these task forces.

**END**