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THE FUTURE IMPACT OF AN INCREASING HMONG POPULATION ON LAW ENFORCEMENT

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by

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## FOREWARD

"THE FUTURE IMPACT OF AN INCREASING HMONG POPULATION ON LAW ENFORCEMENT" is a research project funded in conjunction with the Command College, a program of the Center For Executive Development, State of California, Commission on Peace Officer Standards and Training.

The major purpose of this undertaking is to utilize the knowledge and principles learned in the Command College by applying them to a research project which may in turn, be used as a standing reference for those law enforcement administrators who shall be examining "futures oriented" issues.

The first chapter of this report examines the history of the Hmong people and includes a detailed account of the effects of the war in Southeast Asia. It provides the reader with the background and reasons for the Hmong migration to America.

The next five chapters take an in-depth look at the social, technological, economic, environmental and political culture of the Hmong. Each topic is examined in terms of the past practices and origins, present status and capabilities, and future expectations. This serves to provide information for the strategic planning process in anticipation of future needs.

Chapter seven closely examines radical cultural differences between the Hmong and American society. Several key areas are identified which will provide officers with a basic understanding of how and why many Hmong come to the attention of the criminal justice system in America.

Chapter eight looks at current law enforcement problems in the Hmong community and specifically identifies the Hmong as victims, as well as suspects. It concludes by voicing the current concerns for the Hmong community and forecasts future trends of criminal conduct by the Hmong.

The last chapter recommends a strategic and proactive plan for the future delivery of law enforcement services to the Hmong. It begins with practical suggestions and identifies one of the key points in dealing with the Hmong culture, ESTABLISHING A PROTOCOL for dealing with the clan system. It ends with five exemplary programs that can firmly cement the bond between the Hmong and law enforcement.

There are no closing thoughts or summaries at the end of this project. The subject of the Hmong and law enforcement is an open and unfinished book, which shall so remain, until this noble race of people are comfortably assimilated into the American society.

This project is dedicated to the "Free Men".

JLT

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

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

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

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## TABLE OF CONTENTS

<u>THE FUTURE IMPACT OF AN INCREASING HMONG POPULATION ON LAW ENFORCEMENT</u>	
Foreward	
Acknowledgement	
Chapter I. HISTORICAL BACKGROUND	1
-Culture	1
-The War Years	3
Chapter II. SOCIAL TRANSITIONS IN AMERICA	9
-Yesterday	9
-Today	11
-Tomorrow	13
Chapter III. TECHNOLOGICAL CAPABILITIES	16
-Yesterday	16
-Today	17
-Tomorrow	19
Chapter IV. ECONOMICAL DEVELOPMENT	21
-Yesterday	21
-Today	23
-Tomorrow	25
Chapter V. ENVIRONMENTAL FACTORS	27
-Yesterday	27
-Today	28
-Tomorrow	29
Chapter VI. POLITICAL IMPLICATIONS	31
-Yesterday	31

TABLE OF CONTENTS - Continued

-Today	32
-Tomorrow	33
Chapter VII. RADICAL CULTURAL DIFFERENCES IN RELATION TO LAW ENFORCEMENT	35
-General Distinctions	35
-Domestic Relations	36
-Religious Beliefs	37
-Medical Practices	38
-Perceptions of the Police and the Criminal Justice System	40
Chapter VIII. CURRENT LAW ENFORCEMENT PROBLEMS IN THE HMONG COMMUNITY	42
-Urban Life	42
-The Hmong as Victims	43
-Current Criminal Activities	44
-Future Hmong Criminal Conduct	47
-Hmong Concerns for the Criminal Justice System	47
Chapter IX. STRATEGY FOR THE FUTURE DELIVERY OF SERVICES TO THE HMONG COMMUNITY	51
-Policy Decisions	51
-Setting Up a Program	51
-In-Service Training	54
-Programs to Implement	54
Information Conversion	54
Hmong Community Service Officer	55
Crime Prevention Classes	56
Community Interfacing	57
Cross-Cultural Mediator	57
Bibliography	58

## CHAPTER I.

### HISTORICAL BACKGROUND

The Hmong were first recorded in Chinese historical annals about 3,000 years ago. They have also been known as the MIAO in China and MEO by western civilization, although these terms are somewhat derogatory in nature.

They began migrating south and settled in Laos around the middle of the 18th Century. A very clannish and independant race, they settled in the high mountain summits where other races refused to live.

Their economy was based on a primitive "slash and burn" style of agriculture, supplemented by the raising of livestock. Once the soil in their village was depleted of nutrients, they would move on to a new location.

Their main crop was the opium poppy, which was legal to produce in Laos. Opium was used for medical purposes by the Hmong, who could never have imagined that their product would be turned into the heroin which would eventually poison much of the world.

### -Culture-

The Hmong evolved from 20 original clans and consider all fellow clan members as brothers and sisters.

Their culture is based upon a very tight knit extended family unit which includes all who share the same immediate paternal grandparents. This unit consists of up to ten or more households and can span four

generations.

A Hmong is never an individual, he is always part of the family. His daily actions and decisions are based upon consideration for the family honor and well being.

Marriages were traditionally used to extend linkages to other clans. In fact, part of the ceremony itself, was the settling of old feuds and grievances between rival clans, before the actual wedding took place. This practice served to cement relationships between the people, while offering security, support, counsel and assistance in time of need.

The Hmong version of social security was in the number of children born to the family. A large family stood for prosperity, happiness, and children to care for the parents in their elder years. The Hmong love their children dearly and remain close throughout their lifetime.

The Royal Laotian government could never extend into the highland areas, leaving the Hmong to govern themselves. There were no laws to follow so justice, leadership, and authority was based upon the spoken decisions of the village elder.

Conflicts were resolved through custom and tradition.

In times of need, a man would turn to his family for assistance. To look elsewhere would bring shame on his clan.

Living high in the mountains under primitive conditions, the Hmong were not plagued with urban socialization problems. Juvenile delinquency, begging and other evils were not a part of the Hmong lifestyle. Persons exhibiting chronic antisocial behavior were "eliminated". There were no strangers, and travelers were welcome to food and lodging.

Formal education was not part of the Hmong tradition. The Hmong

written language was just recently developed within the last 30 years, leaving the majority of the people illiterate.

The native language is from the Sino-Tibetan family and is spoken in two dialects, that of the White Hmong, and that of the Blue/Green Hmong. Sub groups such as the Striped, Black, and Dark Blue Hmong exist with various differences in custom and dress attributing to their uniqueness. All of the various groups are able to understand each other.

The basic Hmong value system includes such virtues as industriousness, intelligence, modesty, filial devotion and respect, hope for attaining prosperity and leisure, facing adversity with patience, silent suffering, and perseverance. They respect authority and are not inclined to do antisocial things.

#### -The War Years-

A complete anthropological study of the Hmong has never been made. Couple this fact with only a very recent addition of literary skills, and there is a general lack of information which could only be obtained by sitting for many days, months and even years on end, listening to the stories of the elders that have been passed down verbally, from generation to generation.

It is known that the Laotian Hmong spent their first half century in relative peace and freedom from colonial influence or warring neighbors.

This peace came to an end in 1896 when the Hmong became subject to the French Colonial tax system, which taxed the number of people in the family, regardless of wealth. With the Hmong refusing to pay, the French and Laotian governments sent local militia and guerrilla fighters to

enforce the tax laws.

The Hmong took up arms and ambushed the intruding soldiers, which resulted in a hasty settlement negotiated by the French.

A much bloodier revolt took place from 1919 to 1921 as the Hmong in North Vietnam fought against similar oppression.

From 1941 to 1945 Laos was occupied by the Japanese. The hospitable Hmong hid and sheltered the fleeing French and eventually joined them as guerrilla fighters against the Japanese Army.

With the capitulation of Japan, two Laotian factions, the Viet Minh and Pathet Lao, took up the fight to drive the remaining French from Indochina, and began eliminating those Hmong who had aided the French. The Hmong aligned with the Royal Lao Government as factionalism took the form of civil war when the French finally left Laos in 1954.

From 1955 on, the effects of war ravaged and disrupted the Hmong way of life. All their provinces were either controlled by the Communist Pathet Lao, or passed back and forth between the factions. Constant military actions meant no day to day safety or security. Thousands had to be relocated daily out of war zones. Since the men were all fighting and could not tend to the crops, most of the people were at the mercy of surviving on airlifted food supplies.

In 1961 the Hmong rose enmasse to fight against the Communist Pathet Lao and invading North Vietnamese Army.

In 1963 a Hmong man by the name of Vang Pao was appointed general of the 2nd Military Region of Laos. Vang Pao was a very charismatic leader who soon formed one of the best fighting units in Indochina. It was during this general time period that the United States Central Intelligence Agency recruited the Hmong as allies to keep the Communists

occupied on the Laotian front of the Vietnam war.

A promise was made to the Hmong that they would be protected and taken care of once the war was over. Although you will not find this fact in any history books, many former Hmong soldiers speak with disappointment and bitterness over "THE PROMISE" that was never kept.

The C.I.A. provided arms, equipment and pay to the gallant Hmong soldiers, who became our most loyal and steadfast allies. Hmong guerrilla fighters prevented the necessity of sending American troops to Laos. Many American pilots who were shot down over Laos, owe their lives to Hmong soldiers who rescued and kept them safe from the clutches of the Communist forces.

Over the next decade more than 30,000 soldiers, one tenth of the total Hmong population, gave their lives to the war. Nearly every Hmong household lost at least one family member. Toward the end of the war, ten and twelve year old boys were being drafted into fighting the Communists.

The Royal Lao Government began to crumble in 1972 with the calling of a cease fire between the Loyalists and the Pathet Lao, who simply continued to advance further into the Laotian heartland under unrestricted cover.

In 1973 a formal peace treaty was signed calling for the Communists to enter into a coalition with the Royal Lao Government. This treaty was a "Trojan Horse" ploy which allowed the Communists to solidify their position and infiltrate the entire country during the next two years.

Royal Lao soldiers were forced to register with the government and eventually were sent to "reeducation" centers from which they never returned. Pathet Lao comrades were assigned to Hmong villages and would

monitor activities both day and night. Very often, villagers would leave in the morning to work in the fields, never to be seen again. Other villagers would be found dead in their huts, somehow mysteriously murdered in the night.

It was in April of 1975 that Cambodia and Vietnam fell, setting the stage for the total collapse of Laos. The Soviet Union was simultaneously issuing a secret directive to exterminate the Hmong population, who were now virtually defenseless without the support and arms of the United States government which was sending its soldiers home.

In May the last Hmong military base in Long Cheng was abandoned and General Vang Pao and his military leaders airlifted to Thailand to avoid becoming embroiled in an ethnic Laotian war. And then, the evacuation airplanes stopped coming.

Over 40,000 Hmong marched to the city of Vientiane to ask for security. The Communists answered this peaceful request by opening fire on the crowd, killing over 100 people.

Thus began a mass Hmong exodus, some in search of safe villages, most to flee through the jungles at night, in hopes of reaching the safety of Thailand.

The Communists unleashed 17,000 North Vietnamese soldiers on a systematic search and destroy mission aimed at the Hmong. They were aided in their attack by Russian made Mig fighters which dropped napalm, rockets, chemical and bacteriological weapons, known as "yellow rain", on the helpless villages and fleeing men, women and children.

Those who were not hunted down and executed in the jungles, found that when they made it to the Laotian/Thai border they were faced with floating across the Mekong River. Most of the Hmong had never learned to

swim in their native mountain countryside. Many who weren't picked off by ambushing Communist patrols as they floated across the river, drowned instead.

Those who successfully crossed the river were met by Thai police who would immediately take them into custody and deliver them to a refugee camp. Unscrupulous policemen were not above committing rape, robbery and violence as they forced the Hmong to one of four camps set up for the unwanted refugees.

No one will ever know how many men, women and children perished trying to escape to "freedom". Most estimates start in the range of 40,000 souls and may have been as high as one death for each one of the 100,000 successful Hmong who did make it to Thailand.

The refugee camps were all populated with at least 30,000 people living in thatched roof bamboo huts with no running water or electricity. The people were continually low on food, medical supplies, blankets, health care and sanitation. Death and disease were common visitors.

Unfortunately, these refugee camps were home for the next four to five years. Whether for reasons of bureaucracy, immigration law technicalities, or a dispute with the Thai government, the United States refused to open its doors to all but a few higher military leaders.

"THE PROMISE" had not been kept and the majority of the 60,000 plus people who were eventually allowed to immigrate to the United States virtually sat with nothing to do and waited their turns for 5 years.

For many, what should have been a joyous opportunity turned to heartbreak. The Hmong were traditional polygamists, especially in situations where a war widow would be married to the slain soldier's

brother for the care and security of the family.

Since the United States did not recognize polygamy, scores of Hmong families were torn apart as all but one wife and her children had to be cast away and left behind in Thailand.

## CHAPTER II.

### SOCIAL TRANSITIONS IN AMERICA

-Yesterday-

There were three types of Hmong who came to America:

1. The Refugee, whose only aim was survival,
2. The Immigrant, who came for the opportunities America offered, and
3. The Citizen, who aimed to become an American citizen who would be a valuable and contributing member of his country.

Transition to a new society was extremely hard. Fortunately for the Hmong, they were a very resilient, adaptive, and easy going people who were law abiding and pro-American.

The Hmong came to America in hopes that "THE PROMISE" was now being kept. There were great expectations that the government, which had employed them as soldiers for over a decade, would now support them with jobs and security. What a shock it must have been for the proudly independant Hmong when they found there were no jobs and they must survive on a new idea called "Welfare".

The people who came to America went through a maturation process. During the first year, there was elation with the fact that they had finally made it. In the second year there was an aim at finding a good job, assimilating into a new culture, and finding one's niche in society. As the third year arrived it became painfully obvious that there were serious problems which would not be easily overcome. The search for a good job, the lack of adequate assistance and the fact that

money was not readily available, all began to wear down psychological harmony and diminish the chances of successful assimilation.

Coming from a tradition of free land, no taxes and little government influence, the Hmong were immediately overwhelmed by the amount of rules and paperwork associated with American life.

There were constant agonizing decisions that had to be made over which culture to follow, requiring two sets of eyes and ears. They had to respect and honor the old ways, but temper them with a vision of the future to be able to adapt and succeed with the new.

A major cultural shock was experienced because the government failed to recognize the closely knit family and social structure of the Hmong clan system. Extended family members were scattered all over the United States to locations where various government and private social services were offering sponsors. The Hmong were now isolated from their family support system by distance, while isolated from the American cultural support system by unfamiliarity.

Another major shock was in the area of language and literacy. The biggest portion of the refugees could not speak English nor could they read or write in their own language. Many people were virtually cut off from the world and had to rely on the closest English speaking Hmong for survival.

A few of the higher ranking military officers, who had developed excellent English skills, fit in with our society much easier than most.

The Hmong had traditionally roamed from location to location when times and conditions were bad. Now, faced with the traumatic separation from family and a home where there was no work, they reverted to old ways and began a secondary migration to be closer to relatives, with an eye

toward bettering their situation.

Still others moved because of the weather. The Hmong believe that snow is the symbol of death.

The status of women in Hmong society was one of an obedient and subservient person whose place was in the home raising the family. Women retained this role during their early years in America.

-Today-

Today, the Hmong feel that they have been negatively received by American society. They suffer from being stereotyped with all other Southeast Asians. They have been on the receiving end of both positive and negative feelings directed towards refugees.

Many Hmong have a strong desire to return to Laos because they can't solve their problems here.

For security, they cluster together often taking over whole apartment complexes within a matter of months. Because of housing shortages, a lack of money, and belief in the safety of numbers and family, as many as 20 people from 3 to 4 families can be found living in the same apartment.

Intergenerational problems are starting to surface as young Hmong are learning to speak English and adopt American ways in our school systems. There is a definite need to integrate into the American culture but valued old ways should be maintained. Elder Hmong feel a great degree of friction with the younger people who are becoming "Americanized" and "street wise". More and more elderly Hmong can now be found living alone.

The young people are beginning to dress differently and a few are taking up fads such as "punk rock". Overall, the teenagers and

youngsters are very polite, quiet and unassuming.

The Hmong people are extremely law abiding and once they are told of a law, most of them will not break it. Most Hmong will not drive until they have passed the driver's test and can afford insurance.

Their main problems in the criminal justice system stem from their past traditions that were legal for them in Laos. These differences are covered in the chapter entitled, "Radical Cultural Differences in Relation to Law Enforcement."

There have been no reported incidents of the Hmong being involved in organized crime or gang activities. A few people are starting to get involved with drugs and alcohol but overall, they are relatively free of these problems.

The role of the woman in Hmong society is beginning to change and is causing considerable friction. In many cases, women are learning to speak English and adapt to the American system much more quickly than the men. Married high school aged girls are getting more and more dissatisfied with marriage and are wanting to go back to school. The tradition of marrying between the ages of 12 and 15 is dying out.

The men feel threatened by this new independence and divorce is becoming more common. Child custody cases cause great tension within the family. Because the husband bore the expense of the bridal dowry, he will usually want custody of the children.

Mental health problems are beginning to surface as a result of family pressures and a host of other problems such as survivor guilt, delayed grief, post traumatic stress from the war, separation from family, no hope for the future, unemployment, language barriers, inability to drive, and being a "nobody" in America. The problems experienced have

caused emotional depression and a few cases of acute paranoia. Many Hmong display somatic symptoms of headache, back pain, and paralysis.

Unfortunately, the Hmong are not likely to seek assistance from mental health services because they don't want to be labeled as crazy. Many others don't know that mental health counseling exists.

The women are the most likely to seek assistance. To date, very few people are involved with counseling.

Perhaps the most baffling problem associated with mental health has been the "Night Death" syndrome which attacks males in the young adult to middle age category. This malady has struck approximately thirty men throughout the United States. All the victims suffered from extreme depression and died in their sleep after experiencing disturbed sleep patterns and choking sounds during the night. Autopsies revealed death from natural causes with no attributable reason. There is a belief that these men literally died from culture shock.

-Tomorrow-

The social future of the Hmong depends upon their ability to adapt to the American culture.

There are three possible roads for them to take.

The first would be to totally adopt the American culture while forgetting their own. This would be an unfortunate mistake since history has shown that those who forget their ethnicity tend to have a greater chance of substance abuse and emotional problems. It would also mean the loss of a very honorable way of life, rich in tradition.

The second path would be to totally reject the American culture. This would also be a mistake since it would isolate the Hmong from

progress.

The ideal path would be to adapt to the American way of life, while preserving those rich values and traditions which would fit into the American society.

A good degree of their success will depend upon the attitudes of the American people. There is a good deal of anti-Southeast Asian sentiment in America and it could be a factor which holds the Hmong back for several years.

Individually, those that reject their culture could face some severe problems of substance abuse during the next few years. Those young people that are not accepted by either culture, will turn to the streets for acceptance. There are already some indications that teenage Hmong are starting to pick up some bad American habits. The elders in every city complain that they are losing control of their children.

It appears that in the next twenty years the clan system will severely erode. There is hope, however, that it will remain enough of an influence to keep the people on an even social keel.

The Hmong language will begin to die out slowly as the young children, who grow up in our school systems, learn to speak and use English. The Hmong are very supportive of their children's education and feel that education is the key to their future. School administrators report that Hmong students are very disciplined and quick to learn.

The elders have a fear of being abandoned and there will be a real need for them to have a support system in the future. Increased emotional problems point to the need for mental health services to gear up now, for what will be problems in the future.

Some of the infants and very young children who were involved in the

war torn exodus, will most certainly be suffering some extreme mental problems as subconscious terrors and memories work their way to the surface.

Emotional problems will mean an increase in domestic violence and child abuse, which is already beginning to infect Hmong society.

One of the key needs which must be met in the coming years is a new attitude on the part of both cultures. This could be facilitated by cross-cultural history lessons in the schools. Social barriers between all the races must be broken down through communications and contacts.

Bilingual and trilingual people are needed to facilitate communications and understanding until that point in the future, when the Hmong can all speak English.

Hmong youth have expressed a concern for the following critical social issues of the future:

- Conflicting cultural expectations,
- High academic drop-out rate,
- Welfare disincentives to work,
- Early marriage and pregnancy,
- Inadequate knowledge of the English language,
- Inappropriate vocational training, and
- Financial limitations to advanced education.

## CHAPTER III.

### TECHNOLOGICAL CAPABILITIES

#### -Yesterday-

In Laos and Thailand, the Hmong lived in primitive villages without electricity or running water. Transportation was by foot or horse. When they arrived in America they literally landed in the middle of the 20th century.

The Hmong did not receive adequate resettlement services and the majority did not even know that modern appliances existed, let alone how to use them. In the beginning, it was not uncommon for landlords to find their new tenants building open fires in the middle of the living room to cook food. Electric can openers, ovens, stoves and all those modern conveniences that we take for granted, were a mystery to the Hmong.

Hmong were not used to traveling within a city and could not read street signs. It was easy for them to get lost in big cities, especially where the blocks all looked the same.

Since many of them could not read or write, they did not know how to use a pencil and pen.

Their early days here must have been full of fear, confusion, mystery and wonder.

Although the Hmong were uneducated, they were certainly not a dumb race of people. During the war, a few Hmong became pilots and many of the guerrilla fighters were able to call in sophisticated artillery fire and air strikes. If you asked the men about weapons and military

procedures, they could answer with confidence and expertise.

Many of them arrived in America with a hope and expectation of resuming a life of farming to support their families. They brought primitive hand tools, which they figured to use on free land that would be made available to them.

As with so many other disappointments, free land was not part of "THE PROMISE".

The Hmong quickly learned that driving was a requirement for success in America. There were some very hectic times as many men got behind the wheel without benefit of ever having driven before. There were problems with their driving skills, as well as their knowledge of the laws. Many police departments learned that they had Hmong in their city through traffic accidents.

There were several early instances of Hmong fleeing the scene of accidents for fear of what the police would do to them.

In those areas where the police took an active interest in providing the Hmong with driver education, there was an immediate improvement in their driving skills. There was also an almost unanimous compliance with the necessity to get a driver's license and insurance.

-Today-

Over the past few years, the Hmong have come a long way in the recognition and utilization of modern conveniences and appliances. Today, most have few problems in the home.

Many of those drivers who got their licenses shortly after entry, are skilled and very careful to obey all the traffic laws. There are still a great many, however, that have just recently received their licenses and

have control problems. Because of the language barrier, they also sometimes misinterpret traffic laws.

Once the Hmong are shown something technical, they are quick to grasp the concept, if they understand it in the first place. Therein lies the biggest stumbling block in their technological capabilities, the ability to speak English. There are practically no Americans available who possess the fluency to be able to teach technical terms in the Hmong language. On the other hand, there are not enough Hmong in key places who can translate technical terms from English to Hmong.

There is a tremendous lack of translators in all public service areas such as mental health, medical care, the judicial system, law enforcement, utilities, and local government functions. Many cities are just now in the process of setting up translator services on a stand-by basis. As a result, some people are lacking the knowledge of the existence of some of these services. For those that do know of the services, many do not know how to use them.

Even if translators are available, the act of translation is always a very slow and tedious process. Most people tend to say more than the translator can absorb, memorize, convert, then deliver, without losing part of the meaning. The process usually gets bogged down even further in public meetings when you often have to speak in Hmong, Thai, Cambodian, Lao, and Vietnamese.

The most serious technological setback for the Hmong has been in the area of agriculture, their prime economic base. They are completely unprepared to engage in the sophisticated agricultural methods we employ. They simply can't make a living on small garden plots.

Another area that is holding them back is the knowlege of our

marketing system. Even if the Hmong could grow a high volume of produce, they would have difficulty going to market with it.

-Tomorrow-

The future of Hmong involvement in technology will depend on the education of their children.

Those five year old Hmong that are entering our school systems today, will accumulate the same modern technological information as their peers. Thirteen to fourteen years from now, they will be entering colleges to undertake the education that will bring their people into the modern mainstream of a technological society.

There is a possibility that the Hmong economy will not progress to the point that the people will be able to afford expensive educations for their children. However, I forecast that shortage of educational funds will not be a problem. At the rate the Hmong are supporting and pushing their children to excel in school, they will probably be among the highest academic achievers, and therefore be able to take advantage of scholastic scholarships.

The upper and middle elementary school children who entered the school system with a limited amount of English skills, have an even chance of being able to have an impact on future technology. Their initiative and drive will overcome their present deficiencies to the point that they should at least progress through high school.

For those high school children that had to start school without a good grasp of the English language, there will probably be less success in the upper levels of education. There will still be enough cultural pressures in the next two to five years to get the young people married.

The boys will be dropping out of school to get jobs to support their families and the girls will drop out to have children.

It is going to take a few years before the idea of birth control is going to be conceptually accepted. Many of the Hmong don't believe in it, or understand the methods of utilizing it.

There are a small number of Hmong students, who are just now beginning to enter college. Their biggest impact will be in paving the way for others to follow.

Rather than a large technological role, these people will most likely be the future clan leaders.

The single most important key issue in the next five years will be in the ability to bring adequate English As A Second Language (ESL) classes to the many adults who are now out of the employment market. Without a good grasp of the English language, it will be extremely difficult for them to be able to learn the technical jobs that will bring them economic security in the future.

## CHAPTER IV.

### ECONOMICAL DEVELOPMENT

-Yesterday-

The Hmong were sadly unprepared for employment in the 20th century. A few of the former high ranking military officers were either able to establish themselves with their own businesses or find satisfactory employment through their previous contacts with Americans. The majority of the people were immediately put on welfare programs.

Those other people, lucky enough to be placed in jobs, were usually placed in a lower status of employment than they were capable of, or previously used to. Being a very industrious people, the Hmong would take even the most menial tasks offered to them, and do a good job.

Employers were usually satisfied and reported that the Hmong were hard workers, who quietly went about their job with little problem of absenteeism or dissention. There were early reports of work site tensions between other American minority races because the Hmong would work through their lunch breaks without stopping.

There were early experiences of racial prejudice against some workers. For example, one rancher fired all of his Hmong workers because his son had been killed in Vietnam. Other reports included employers paying less than minimum wage and some failing to pay at all, particularly in government funded projects. Most of the Hmong would accept these abuses because they didn't want to complain, and they were unfamiliar with labor laws and services available to them.

There was a tremendous unemployment rate among the Hmong because of the scarcity of jobs in the first place. For the jobs that were available, the Hmong had no knowledge of how to utilize job search and application skills in America.

There was a general lack of knowledge of the technical skills required to perform most of the jobs that were available. Inability to speak English was a constant problem because they could not be taught the necessary job skills without an interpreter.

Once the people were on welfare, through the state and federal governments, they became caught up in a virtual trap that would be hard to escape. Under the welfare system in the United States, there is little provision to support the gradual transition from welfare to self-sufficiency. Welfare laws don't push, or even allow, people to work and become independent, without suffering penalty to their current security.

Many of the Hmong that were able to achieve some success in the labor market, did so as a result of the clan joining together its resources to push selected members to the forefront of opportunities. They often pooled their money to help an individual purchase a car, a house, or some other expense that would better their situation.

Some cities made an effort to set aside a small plot of land so that Southeast Asians as a whole, could grow part of their own food crops, while earning a little cash on the side. In various cities, the Hmong were the only race to take advantage of this small opportunity. This was not an overly successful venture because of the fact that too much time devoted to this project, could mean the reduction of welfare funds.

The first years in America were very frustrating, to say the least.

-Today-

The current employment situation remains relatively bleak. About 75% of the Hmong in California are receiving some form of welfare assistance.

Because of secondary migration, most figures regarding Hmong population and employment are usually inaccurate.

A survey in Fresno, the largest Hmong population center in the United States, revealed that of 13,200 Hmong in Fresno County, 9,974 were receiving some type of assistance as of 1984.

During the first 36 months that Southeast Asian refugees are in America, they are eligible for federal assistance. Once they are no longer time eligible, they must go entirely upon county welfare assistance, if they are unable to find suitable employment. This is beginning to cause a tremendous financial demand upon the state and county governments.

An inherent problem in the welfare system is that in Fresno, a family of 6 can get \$771 per month cash assistance, up to \$360 in food stamps, and medical benefits from the government. It is practically impossible to find an unskilled, entry level job that can pay the same kind of benefits.

Further disincentives are in the fact that if a person works over one hundred hours per month, or accumulates over \$1,000 in assets, he will lose all of his cash assistance benefits.

There are several problems that are beginning to surface.

One, we are forcing people to become dependant on welfare. People are simply not going to give up family security for the sake of taking a lower paying menial job that will not support their families.

A second problem is that we are making criminals out of a law-abiding

race of people. There are people on welfare who are working and not reporting their earnings to the government. To the Hmong culture, this is a troublesome dishonor. Unfortunately, many feel that it is necessary for survival and the hope of bettering themselves in the future.

A third problem is that this hidden workforce has a lot of uninvested money sitting around that is not working for them. The only way they can put their money to good use, is to illegally invest it through a clan member who is legally employed, thus adding to the number of people who are committing illegal acts.

Another problem has been that many people, who were afraid of investing their money, lost their entire savings to burglars.

The Hmong generally live in substandard housing, with 3-4 families often crowding into one small apartment. Their secondary migrations have often been associated with the location of more affordable and available housing.

The ability to speak English is still the number one problem facing the Hmong economy today. They simply must be able to learn the language before than can reasonably learn and compete in the job market. A recent survey revealed that about half of the Hmong population can speak English on even a survival skills basis.

English As A Second Language classes face a multitude of logistical problems today. There is a shortage of funds, teachers, space, and time available to teach the thousands of people who are deficient in the English language.

Another critical problem is the level at which the language is taught. Many Hmong complain that the English they learn does not prepare them to utilize emergency and governmental services, nor does it teach

them the skills that are needed for employment.

-Tomorrow-

The immediate challenge for the future of the Hmong economy is to improve their ability to gain linguistic and occupational skills. Finding a job in an already overcrowded unemployment line will continue to hold back progress.

Hmong lament the high odds against escaping dependence on the welfare system. Something needs to be done to break the welfare chain, otherwise we will continue to raise generation upon generation of welfare recipients.

The immediate chances of breaking through bureaucratic red tape and getting a modification of welfare rules to facilitate self-sufficiency are not good. Couple this fact with the high birth rate of the Hmong, and there is the potential to completely overload the welfare system in the next 5 years.

Early marriage and pregnancy pose long range problems for the next generation as parents drop out of the educational system.

In the next ten years, the first set of college graduates will begin to help the economic picture but an overall positive prognosis for economic sufficiency is not good. There will be a certain amount of selective out-migration by some graduates who will abandon their traditional culture.

There is an urgent need to create programs that will get the Hmong into their own businesses.

There is also an urgent need to inform potential employers of the Hmong strengths and skills as workers, once they have been given the

opportunity to learn.

Last, but not least, there needs to be a joining of the clan system elders, elected representatives of ethnic mutual assistance agencies, members of private refugee assistance groups, and the various government agencies so that they can combine their efforts and resources into a more productive unified program.

The Hmong people have the industriousness and drive to gain economic freedom, if they are given the chance. Whether or not they get it, remains the critical question.

## CHAPTER V.

### ENVIRONMENTAL FACTORS

-Yesterday-

The Hmong are very superstitious about their environment, believing in spirits and the luckiness of their surroundings.

As with past tradition, the Hmong in America would move in response to unsatisfactory conditions, rather than remain in a hostile environment and "make waves". The Hmong will silently suffer and put up with a good deal of abuse, but once the clan leader makes up his mind, large portions of the population will pick up and move, literally overnight. The population will also move if the clan leader makes the decision solely based upon his own beliefs and prejudices, sometimes to the detriment of the clan.

A good example of the mass migration potential occurred in the City of Santa Anna, which experienced the following Hmong population changes:

1976	200
1977	1,200
1978	2,000
1979	4,500
1980	5,000
1981	6,500
1982	3,500
1983	3,000

In another example, the City of Fresno, for the period of March to

June of 1983, went from a population of 6,500 Hmong to more than 10,000. By 1985, there were more than 15,000 Hmong in the city.

The Fresno migration was spurred by the rumor that farming opportunities were plentiful and available. Other attributable factors were the more liberal welfare benefits, a lower cost of housing, family reunification, a warmer climate, and to escape community tensions at initial settlement sites.

-Today-

As was previously mentioned, secondary migration can literally change population figures overnight.

California is the Hmong population capital of the United States, with somewhere in the area of 50,000 people. The largest population cluster is in the central San Joaquin Valley where as many as 35,000 Hmong reside from as far south as Visalia, to as far north as Stockton. There are approximately 22,000 Hmong in the Fresno-Merced area.

Large population centers can also be found in Sacramento County, San Diego County, Santa Barbara, Eureka, and the Richmond area.

There is currently a Hmong migration that is just beginning toward northern California in cities such as Redding and Yuba City. If the initial migrating families achieve reasonable success in locating housing and employment, a mass migration could take place in those areas within a very short length of time.

The Hmong have experienced instances of racial prejudice everywhere they have lived. People in America seem to associate them with the bitter consequences of the Vietnam War. Americans are sadly ignorant of the fact that the Hmong were our allies and that they come from an

honorable tradition of family loyalty and respect for society.

Other American minorities resent what they feel is special attention being focused on the Southeast Asians by the social services. In reality, this perception is a myth.

The most common areas contributing to a hostile environment seem to be in misunderstandings, a lack of cross-cultural information, cultural differences, language barriers, racial tensions, racial favoritism, prejudice and a mistrust of the role of police officers.

A survey done in one California city revealed that 25% of the Hmong report that they had been cheated by store clerks or employers, 75% reported incidents of discrimination, and 40% complained of unfair treatment by the police.

Another widely believed myth is that the Southeast Asians brought a multitude of exotic diseases into America. In truth, over 710,000 Southeast Asian refugees have settled in America since 1975, with no noticeable increase in communicable diseases.

-Tomorrow-

As long as California has one of the most liberal welfare programs in America, it will continue to be a refugee population center. In the case of the Hmong, we can expect to retain those people that become forever trapped in the welfare system.

There is a great degree of hope for the majority of the Hmong population to assimilate into our culture and to become a positive and productive part of the United States.

Secondary migration will continue to be a pattern for the next five to ten years until the young people take a solid root into the

educational system.

It would be wise for communities, that are beginning to receive a new influx of Hmong families, to learn as much as they can about their culture and inherent problems. If they do receive a major migration, they will be better prepared to handle the need for services in a unified and appropriate manner.

On the national front, the immigration of Hmong to America has reached a standstill. Apart from a few relatives that are being brought into America, the government has stopped the flow of refugees until the ones that are currently in America can assimilate into the American culture and economic system.

## CHAPTER VI.

### POLITICAL IMPLICATIONS

-Yesterday-

The Hmong political structure was immediately faced with a disruption due to the fact that clan members were separated and distributed across the United States.

Once settled into a community, elders would be selected from each clan to decide current and future issues. The selections would usually revert back to prior military ranks as officers would assume roles of leadership which they had previously held in the military.

There was an expectation that the government would again take the initiative to lead the people and provide them with direction, just as had been done during the war. This was a false hope which added to the confusion of trying to adapt to a strange new land.

In small groups, the individual clan elders would elect a leader to speak for all. In larger groups the clans would formally elect leaders to represent them in mutual assistance associations, such as the Lao Family Community, which is found in large Laotian population centers throughout the United States.

Often, the clan leaders and elder spokesmen would have to use young people for translators. This caused problems in situations where the elders viewed the younger generation as rebellious and "Americanized".

Intergenerational problems have been a continual source of irritation as more and more young people have looked to sources other than the clan

for assistance and services. Many young people feel that they do not have to listen to clan leaders who rely exclusively on the "old ways" to solve new problems.

There have been some cases of currently elected officials and former political leaders taking advantage of the people. Donations have been made to phony "Return to Laos" fund movements. There have also been cases of certain individuals taking large sums of money to mediate disputes. Still other influential local members have attempted to extort money over personal domestic disputes.

A few naturalized citizens, who had documents with the signature of the President of the United States, unscrupulously used them to extort money and sell influence. To the uneducated and backward people, anyone who had a paper signed by the President was mistakenly thought to be someone with a lot of power within the government structure.

Initially, the women continued their subservient role and played no part in the local political scene. At community meetings, only the men would attend.

-Today-

The Hmong political system is in a state of transition today. Where people relied upon the mutual assistance organizations in the beginning, they are now starting to revert back to the decisions of the clan leaders. The Hmong have taken advantage of the telephone to call clan leaders in distant locations, to make local decisions for them.

Whether for reasons of mistrust, dissatisfaction with past results, or economical frustration, many people will simply ignore, rather than unseat the elected leader.

This clan loyalty has had a negative influence on the greater interest of the Hmong people, who have moved too frequently in the last few years. There have been several instances where men gave up good paying jobs to follow the clan leader to another location.

Americans, through ignorance of the Hmong political and social structure, have tended to undermine Hmong leadership. Leaders in the American government and social service agencies have continually made unilateral decisions and expected younger bilingual Hmong to assume political control of their people because of their language proficiency.

They have also made decisions based upon their own value systems, which were in direct conflict with the needs and realities of the Hmong culture.

Today, the Hmong are a very small and insignificant political entity on the American political scene. Most of their current political organization and strength depends upon the year to year granting of federal funds to aid their mutual assistance organizations and vocational training programs.

-Tomorrow-

In ten years the Hmong could have a drastic impact on local political levels. Although they are currently uneducated, their children are being raised as United States citizens who are taking full advantage of our educational system.

The clan political system will surely erode during the next few years. However, if it can survive until the first group of college educated Hmong arrive on the local scene, there could be a resurgence of power.

The people will probably cluster together in large population groups for years to come. The political implications are that they will represent formidable blocks of votes in city council and county supervisorial districts. This will lead to Hmong elected officials who will be able to channel services and political considerations to their constituents.

It would be wise for local governments to take notice and to begin preparing the Hmong people for the eventual power which they are destined to obtain.

## CHAPTER VII.

### RADICAL CULTURAL DIFFERENCES IN RELATION TO LAW ENFORCEMENT

#### -General Distinctions-

There is a wide disparity between the Hmong way of life and the American culture. The Hmong are a very trusting and hospitable race who did not initially see the need to lock their doors, remove their keys from their cars, or secure their possessions. They became easy prey for criminals during their initial years in the United States.

The Hmong have a great respect for society and those Hmong who commit crimes bring great shame to the family, community and clan. Criminals are looked down upon and find a difficult time finding a marriage partner. In Laos, antisocial family members were often either asked to commit suicide or were killed to restore family honor.

Because they fear bringing shame to their family, Hmong are very reluctant to discuss problems with strangers, especially government representatives that they do not know or trust.

The Hmong never had the need to possess domestic documents before they entered the United States so there is often a lack of identification papers, birth certificates, and marriage licenses in their possession.

Credit cards were unheard of and since most people were illiterate, gentlemen's agreements were used to seal contracts and obligations.

The traditional method of identification was to give the child a singular personal name at birth. Upon marriage a second, honorable name would be bestowed. The Hmong did not use their Clan names as a source of

identification until they came to the United States.

On a personal basis, the Hmong are a very stoic people who do not engage in a lot of the American customs such as backslapping, social kissing, using beckoning motions, public displays of affection, or other displays of public physical contact. A Hmong man would understand the American custom of shaking hands but this offer should never be extended to a female without her father or husband's permission.

-Domestic Relations-

The Hmong believe in early marriage and often had their children married by the time they were 15 years old. It was not uncommon for 12 year old females to be taken as brides.

The woman's role was to be silent and subservient to the man. If a wife spoke before her husband, she would be punished, which included beatings.

Having a large family was important so birth control was unheard of. Male children were the most desirable and Hmong would continue having children until there were enough males to insure prosperity and security. Within the family structure, the women would raise and train the girls and the men would assume responsibility for the education of their sons.

Children who did not respond to their parents or displayed antisocial behavior were beaten. If necessary, the beatings would be to the extent that they would be considered child abuse in this country. The actual instances of these situations were few and far between, however.

Polygamy was accepted in the Hmong culture. During the war years, when so many men were being killed, it became almost a common practice,

especially to adopt widowed families. Intermarriage with uncles and cousins was periodically accepted.

There were three accepted methods of marriage in Hmong Society. The most common was for two families to utilize a negotiator to come to a marriage agreement, which included a bridal dowry. The second was for the bride to simply elope with the male she had chosen. The third, was for a groom to kidnap his prospective bride, have sex with her, and proclaim her his wife after three days. This custom has proven to be a very difficult cross-cultural problem for law enforcement.

The problem of assimilating into the American culture has caused problems within marriages, especially when one spouse adopts the new social values quicker than the other. Women are beginning to speak up and demand more recognition, which causes a lot of friction with a traditional husband. In the early years, wives would not speak of family problems but are now coming forward for counseling, assistance and education.

The male Hmong is suffering a great deal of frustration over his inability to find work, his wife's new found independence and the fact that he often has to have his children translate for him. Not too surprisingly, some men are turning to domestic abuse, alcohol and drugs to dull the pain caused by their loss of ego.

Many Hmong women are afraid to report that they have been victims of rape because most Hmong men are no longer interested in their wives once they have been raped by another man.

#### -Religious Beliefs-

The Hmong have a very spiritual view of the world that includes

animism, ancestor worship, and shamanism. The Hmong believe in a metaphysical world where the ancestors and spirits reside. Spirits can be either tame or wild and influence all of the good and bad events of the world. Hmong believe that these worlds mirror each other so they are careful not to do things that disturb the natural order of life.

At birth, babies are often affixed with fetishes to invite good spirits and scare away the bad. Removal of such an item would invite bad luck and ill health.

The Hmong believe in the individual soul and will remove the dead fetus of a woman who has died so that funerals and burials may be performed separately.

The Hmong burial ceremony traditionally lasts two to three days. The body remains in the home for family and well wishers to visit and pay their respects. Chanting and stories of the departed person's virtues will echo through the night.

Since coming to America, there has been a very gradual transition to Christianity.

#### -Medical Practices-

The Hmong attribute illness to either the soul attempting to leave the body, demonic possession, a disturbance of the ancestral realm or punishment for the sins of an ancestral spirit.

A shaman, "Txi Neng" in Hmong, mediates between the human and spiritual worlds to cure sickness. The various folk healing remedies and practices have been derived from time honored beliefs, customs and practices.

The shaman will often use a gong or rattle to call the spirit world,

then utter a series of chants to please the spirits. Chickens, dogs, pigs, and cattle, depending upon the nature of the illness and the wealth of the family, will be sacrificed as an offering. Blood will be poured over a paper doll, representing the ill person, which will then be buried in the doorway.

Contrary to popular belief, the Hmong do not eat dogs and cats. If pets are missing in their neighborhoods it could be attributed to their sacrifices or, some other race of Southeast Asians are using them for food.

Beatings will often be used to drive away evil spirits, and can leave traumatic evidence which may come under the terms of American child abuse laws.

One of the most common forms of treatment is "coining". The shaman or a relative will place a special menthol ointment on one or more areas which will then be vigorously rubbed with the edge of a coin to exude the "bad wind" from the body. Coining is done for pain, colds, heat exhaustion, vomiting and headache, and will leave extensive bruises wherever it is applied. A spoon or the middle knuckle of the index finger may also be used.

The act of "pinching" is commonly used for most ailments and will sometimes be accompanied by small pin pricks to draw blood from the area.

White tape, infused with menthol oil, will sometimes be taped to the body and will leave a reddened area when the tape is removed.

"Cupping" is a treatment involving the igniting of alcohol soaked cotton inside a cup. When the flame extinguishes, the cup is immediately placed on the afflicted area to form a vacuum to pull away the evil spirits. This practice is seldom used in the United States but

officials should be aware of it since it leaves a two inch circular burn mark on the skin.

The Hmong will also use opium for pain and in other homemade remedies which can sometimes prove harmful, especially when administered to children.

The whole practice of modern medicine stands in direct conflict of Hmong religious beliefs. Such common practices as autopsies, cremations, caesarian sections, and the drawing of blood are believed to have lasting effects on surviving family members and children yet to be born.

Many Hmong have a fear of hospitals and believe that medical people will use their children for experiments.

-Perceptions of Police and the Criminal Justice System-

The Hmong have a tremendous fear and misconception of the criminal justice system. They believe that police are corrupt, brutal, and part of the military government. They expect to have to pay money and gifts for services rendered.

Many people believe that if they bother the police too much or complain about a person, who has friends on the police force, that they will be killed for calling.

During their early times in America, it was not uncommon for Hmong to run from the police for even insignificant reasons because they feared being shot.

The Hmong are keenly aware that they do not know American laws and have a fear that policemen will come take them away for a mistake they might have made. They are very suspicious when an officer asks them

questions.

Although they have a great fear of police, they do respect authority and will respond accordingly when professionally treated.

The Hmong do not like to become personally involved with the police because they do not believe in complaining. The act of anger is considered very rude. They also feel that they are guests in America and should not bother the police.

The Hmong philosophy is to either silently endure hardship or move away.

The Hmong will not openly take to law enforcement efforts on their behalf and will often not return calls to officers who are trying to help them.

## CHAPTER VIII.

### CURRENT LAW ENFORCEMENT PROBLEMS IN THE HMONG COMMUNITY

#### -Urban Life-

The Hmong were poorly prepared to deal with life in urban America. Simple daily functions that we take for granted, were a traumatic problem to many people who had previously been living in a primitive village. As a result, the police often become involved with providing noncriminal and basic survival skill information.

Surrounding neighbors usually complain about the high density of Hmong families living under one roof and in the same neighborhood. There are also complaints of dirty living quarters, scattering of garbage, children running naked, and urinating in public.

The Hmong isolate themselves from the Americans, as well as their own Southeast Asian counterparts. In fact, the Hmong do not regularly or particularly enjoy associating with other Laotian tribes. This isolationism only helps to further suspicions and misunderstandings with neighbors.

Because the Southeast Asians do not usually call the police, many ethnic hoodlums and gang members will abuse their own people. Although the Hmong are not involved as suspects, they must be carefully protected to insure that they are not victimized by other races.

The Hmong are in constant fear of new situations and the possibility of losing what possessions they have. Many cities report that a large number of Hmong are purchasing firearms for protection. There have been

very few instances of misuse, but law enforcement should be aware of the volume of firearms that are out in the community.

-The Hmong As Victims-

The most common contact a police officer will have with the Hmong is when they are victims. As has been previously mentioned, the Hmong do not generally call the police for assistance.

There is a tremendous amount of petty crime being perpetrated against the Hmong in every city they reside. The most common cases are theft, burglary, shortchanging by store clerks, purse snatches, and landlord fraud.

The Hmong are learning that they must lock their houses and secure their possessions but there are still many cases of burglars being able to walk directly into Hmong residences to remove valuables. The Hmong reputation for patience and silence toward law enforcement has made many criminals so brazen that they walk in, while the Hmong people are home, and take items unchallenged. There have been cases of the Hmong purchasing their stolen items back from the original thief that stole them.

There have been other instances of gypsies, transients and con artists taking advantage of the trusting Hmong.

Vandalism is a constant problem. Hmong have firecrackers thrown at their residences, windows broken, clothing removed from the line and burned, "KKK" painted on their homes, windshields to their vehicles smashed, and countless other crimes caused by pranksters and people with prejudices.

They are often verbally harrassed, abused and sworn at by people who tell them that they do not belong here and should go back home.

The most common crimes of violence are assaults associated with harrassment and prejudice. There are often cases of people from American minority races, "aggies", and juvenile gangs beating up Hmong young people. They will not usually fight back due to their nature, and the fact that they are usually outnumbered.

The Hmong are being victimized by armed robbers.

There have been a few instances of Hmong children being molested by other races. There are quiet rumors in many communities about unprovoked rape attacks. It is feared that there are quite a number of unreported rapes because Hmong women generally are not willing to risk the cultural and social consequences of reporting such a crime.

The Hmong have been unwitting victims of receiving illegal packages of opium in the mail, from relatives in Laos who did not know that the drug was illegal in the United States.

In summary, there are an inordinate number of petty crimes, as well as an increasing number of violent crimes, being committed against the Hmong, that are never reported. Until there is someone in the local police department who the Hmong trust and can call direct, it is highly likely that this trend will continue.

#### -Current Criminal Activities-

The most common police complaint against the Hmong involve cross-cultural problems. The Hmong are ignorant of our laws. Many of the things they regularly did in Laos, are illegal in the United States. The positive fact about the Hmong people, is that if someone explains the law to them, they will usually obey it. Only a very small percentage of people would intentionally continue to break the law.

Complaints of nudity, urination, defecation, and breast feeding in public are common. The involved adult or parent of the offending child will usually immediately resolve the problem when it is brought to their attention.

Other neighborhood complaints, such as picking fruit from someone else's trees, taking someone's parking stall in an apartment complex, scattering garbage while scavenging, trapping of pets, missing pets, starting fires on residential floors to cook, and raising farm animals in urban areas, can all usually be resolved by bringing the neighbors together and explaining the law.

The most common Hmong vice is gambling. Whether an adult participating in an illegal lottery, or a child "pitching pennies" in school, the Hmong love to gamble.

There is some opium use within the Hmong community, with the majority of it being used to practice folk healing. Opium addiction is not an acceptable vice. However, they have been known to allow their dying elders to slip happily away under the influence of opium, rather than suffer a painful death.

The Hmong are learning that possession of opium is illegal, however, their believed need to possess it for medical and spiritual reasons can outweigh the necessity to comply with the law. The Hmong will most often be arrested for importation of opium through the mail. In instances of public intoxication, without the symptoms of alcohol, the officer should suspect opium influence.

The Hmong are beginning to suffer social problems within the family and are beginning to become involved as suspects in domestic violence and child abuse. Cases of juveniles beyond control and running away are

surfacing and can usually be attributed to a clash in cultural values between the two generations. A few Hmong teenagers are starting to loiter within the areas of fringe gangs, but to date have not participated in any organized youth gang activities.

Hmong marriage customs have caused considerable problems for the police, especially involving the kidnapping and marriage of underage girls. The Hmong community, itself, is split over acceptance of American and Hmong marriage traditions. This results in chaotic problems when the two collide. It takes a great deal of patience to get to the bottom of the actual circumstances of the case. The case could be a rape, unlawful intercourse, or even a situation where the girl will want to be married, but will claim being raped to agree with her parents.

There are a few cases of polygamy, but they will very seldom reach the attention of the police department.

Fish and Game regulations are quite frequently the object of Hmong law violations. In Laos there were no such regulations or restrictions on the amount of game that could be harvested.

There have been threats made against the lives of investigating social workers, who were investigating cases of Hmong welfare violations. To date, none of the threats have been carried out.

In the same area, hidden incomes and welfare abuse are becoming a reality.

It must be strongly reemphasized that the overwhelming majority of Hmong are very peaceful, law abiding citizens. Officers contacted from agencies throughout California all reported only a few incidents a year involving Hmong as suspects. Many of these situations were more a result of misunderstandings, rather than an intentional commission of a crime.

-Future Hmong Criminal Conduct-

As a whole, the middle aged and elderly Hmong will probably continue their cultural tradition of compliance with the law, throughout their lifetime. There is hope that the clan system will remain strong enough to pass their noble traditions on to the next generation.

Gambling is an area of particularly dangerous implications, especially if members of organized crime begin to move in on this relatively virgin territory of vice.

Emotional problems will begin to manifest themselves into an increase of criminal conduct as assimilation and cross-cultural conflicts cause more and more friction within family units. Spousal and child abuse will most certainly become a problem, particularly since beatings were an accepted practice in Laos.

The opium problem has many Hmong concerned that assimilation pressures will lead to an increase in substance abuse. Here again, the area is ripe for the influx of organized crime. Where there is abuse, there is the tendency to sell drugs to maintain one's habit.

A very sensitive area, which many Hmong do not like to talk about, is the fear that the Communists will infiltrate the Hmong community to cause unrest. The Hmong fear that their social problems will be used as a method of undermining the American society. There is concern that one method would be to flood the Hmong community with opium and other drugs over a period of years.

-Hmong Concerns For The Criminal Justice System-

Lack of communications is a multi-faceted concern facing the Hmong and law enforcement community. The first issue is the language barrier, which is often only partially assisted, even with the use of a

translator. Knowledge of the criminal justice system, how to use it, and its laws and procedures needs to be passed on to the Hmong. Their cultural tradition of "not making waves" must be broken down so that they report criminal problems within the Hmong community. A feeling of mutual trust and respect must be forged on the part of the Hmong, the police, and the community.

Misunderstandings have led to some very unfortunate situations, such as when Hmong have chased burglars down only to have the police arrest both the criminal and the people who caught him.

In another incident Hmong were told by a neighborhood watch coordinator to watch their own residence for vandals. The two Hmong who were assigned to do so by their clan leader were subsequently arrested for possession of a bat and gun, by a passing patrol officer who checked them out as suspicious persons sitting in a vehicle.

Another Hmong was legally driving his vehicle when he was struck by a driver who made an illegal turn. A witness to the accident stopped and beat the Hmong man up. When the police arrived the witness reported that the Hmong had caused the accident. The Hmong could not speak English so he was unable to tell his version of the accident.

At the scene of a burglary in progress at a Hmong residence, the police arrived and spread the entire Hmong family and the suspect on the ground to be searched.

A Hmong man was sitting in his vehicle with his 7 children when a young hoodlum tried to rob him. The Hmong fired shots in the air to scare the suspect away, then was arrested and thrown in jail for discharging a firearm within the city limits.

Interviews with Hmong community leaders reveal incident after

incident of a similar nature have occurred. Unfortunately, situations like these destroy the trust in police before an attempt can be made to establish a working relationship with the community.

Such misunderstandings have led to some very tragic jail suicides by Hmong men who could not withstand the shame they had brought upon their families.

The Hmong often complain that officers often seem rude and prejudiced toward them, especially at accident scenes. They feel that if they have a disagreement with a minority race member, and a police officer of the same race responds, that he will side with his own people. Hmong also feel that caucasian witnesses discriminate against them.

The Hmong do not understand police procedures, especially in the area of establishing probable cause to arrest. Many Hmong complain that when the police investigate a crime, they never do anything about it. They do not realize that the police are just as frustrated as they are over not being able to put a criminal in jail because of legal technicalities.

In Laos, the military and the police literally took the law into their own hands and made their own rules. The Hmong have the misconception that our police have the same power. They get extremely frustrated when nothing seems to get done. As a result, they will stop reporting crimes.

The Hmong do not understand the necessity of a call priority system by shorthanded police agencies and will become impatient with long delays in response to their calls.

Frustrations at having to deal with an English speaking dispatcher often lead to Hmong never calling the police. Unfortunately, they do not realize that translators are available for emergency services through the

9-1-1 telephone system.

When Hmong call the police, they feel that their problem is a major situation. They are often irritated by the seeming unconcern of the responding officer. They complain that the officers do not explain the laws or procedures to them. They frequently mention that no disposition is ever reported back to them.

Cross-cultural disputes have two particular problems associated with making a decision to prosecute a possible law violation. On one hand, some considerations must be made for past traditions and ignorance of the law. On the other hand, you may be dealing with a Hmong who fully expects to be dealt with according to the protections of the American justice system.

## CHAPTER IX.

### STRATEGY FOR THE FUTURE DELIVERY OF LAW ENFORCEMENT SERVICES TO THE HMONG

#### -Policy Decisions-

Law enforcement administrators must first establish that there is a need for specialized services to the Hmong population within the community. Because the Hmong do not usually commit or report crimes, criminal statistics will not be a realistic tool for the justification of more manpower. The decision to commit manpower must be made upon the fact that there is a large group of citizens within the community who have a very specialized set of problems.

The selection of personnel to deal directly with the Hmong is extremely critical. Because of their beliefs of the low status of women, a male representative should be selected to break ground during the early stages of the program. An older male will also receive more respect and cooperation. Finally, the person should be someone who has a genuine love of people and is willing to be patient and understanding.

#### -Setting Up A Program-

The very first priority is to establish a communications link with the Hmong by locating translators.

This can be done by surveying the various public service agencies that are already dealing with the Hmong on a regular basis. County Social Service agencies and schools are the first, and two of the best, sources of information and will usually have translators in place long

before the police begin thinking of an outreach program.

In many areas supporting a large Hmong population, there is usually a Mutual Assistance Association (MAA) within close proximity, most often the Lao Family Community, Incorporated. These agencies are funded by the Federal government and provide such services as information/referral, mediation/arbitration, counseling, transportation service, social adjustment assistance, landlord mediation, vehicle law and license information, public relations, culture preservation, cross-cultural/political orientation, and translator services.

The need for translators is two fold. During the administrative organization of the program, many of the people who will be participating will not speak English. The second area of need is to establish an on call system for field officers to be able to summon translation assistance on a 24 hour basis. The ideal program is to develop a source to pay the translators for their services. Alternative sources of revenue are church groups, private organizations and special government grants to train and employ refugees.

During this initial period the liaison officer should take a survey of which private and public service entities are dealing directly with the Hmong. There are a few key people within these agencies who the Hmong have come to know and trust. Identification and recognition of these role-players will help in establishing credibility with the police agency. This will also avoid duplicating services and spending time doing things that others may have already completed for you.

Early on, the liaison officer should be establishing a base of knowledge on the Hmong culture. This can be accomplished by contacting

other police agencies with a large Hmong population, gathering printed publications from various government agencies and interviewing the leader of the Mutual Assistance Agency.

The second priority is to establish an immediate liaison with the two to twenty clan leaders that reside within the community. The Mutual Assistance Agency representative is the best source for locating clan leaders, since they are the people who helped elect him.

Initial meetings should include representatives from local government and the chief executive of the law enforcement agency. The goal is to establish a relationship with the clan leaders. You should explain that your program will not harm them and that you want to work through them, to establish a better service base to their people. Getting the clan leaders on your side opens up a word-of-mouth communications system that rivals our most sophisticated communications technologies. If the clan leader receives the information, it will be distributed to his people.

Once you convince the clan leaders that you are concerned, you want to help, and that they are a valuable asset to the community, you will also have the people on your side.

Establish an advisory board among the most open minded clan leaders, then listen to what they are saying. The best way to anticipate and plan for Hmong programs is by having the Hmong tell you what their problems are, not a government representative telling you what he thinks the problems are.

Once the Hmong get over their initial suspicions and see that you are really interested, they will open up and get behind your efforts. Don't be surprised, however, if you don't achieve overnight success, for it takes time to overcome suspicions that have been ingrained in war.

-In-Service Training-

Cross-cultural in-service training is a must for all personnel. An agency should include it during a new officer's orientation, as well as in roll call training sessions.

Training should provide basic information on the customs, habits and beliefs of the people. It should also be directed toward clarifying the role of the Hmong during the war to reduce prejudice and misconceptions.

An effort should be made to introduce Hmong community members to police personnel during these sessions to promote positive public relations in both directions. Officers should be continually sensitized to the difference of the various Southeast Asian races.

Accurate training information is critical. One agency was located that had put out a training bulletin on Hmong that proceeded to explain the entire culture and tradition system of the Vietnamese. At least half of the information either didn't apply, or was the complete opposite of what the Hmong believe in. Such errors can cause serious damage to the relationship law enforcement is trying to establish, as well as cause injury to innocent people if certain actions are misinterpreted.

-Programs to Implement-

Information Conversion An effort should be made to convert all department public information brochures and pamphlets into the Hmong language. Although many of the Hmong are illiterate, those that can read will most certainly pass the information on.

Rather than "reinvent the wheel", other agencies should be contacted for copies of literature that have already been translated into Hmong, which is entirely different from all other Southeast Asian languages.

Some excellent examples are:

1. "HOW TO CALL THE POLICE AND WHAT TO SAY", by the Fresno Police Department.
2. "RICHMOND POLICE DEPARTMENT BASIC INFORMATION SHEET", a synopsis of the role of the police, reporting crimes, crime prevention and common law violations.
3. "POLICE OFFICERS CULTURAL GUIDE TO THE INDOCHINESE COMMUNITIES", by the San Diego Police Department, which provides translations of basic crime report and traffic violation information, as well as a wealth of cultural information.
4. "PLAY IT SAFE" coloring book, obtained at the Fresno Police Department.
5. "HUNTING AND FISHING REGULATIONS", Department of Fish and Game, Fresno, California

Hmong Community Service Officer The creation and recruitment of a fully dedicated Hmong Community Service Officer position would be of great benefit to the community and the department. Several obstacles must be overcome, such as convincing the personnel department to set the proper standards and qualifications, securing of funds, and setting up an appropriate testing process. The next step would be to sell the concept to the clan leaders, for there is a stigma attached to being a police officer. As one Hmong relayed, "To be a policeman is to be a victim also". The people will not rely upon, respect, or utilize the services of a Hmong Community Service Officer without the approval of the clan leaders. Ask the clan leaders and the Mutual Assistance Agency representative to locate potential recruits for you and they will locate those that are interested and qualified.

Once on board, the CSO can aid with translations, crime prevention programs, community liaison and any number of beneficial tasks.

Crime Prevention Classes The law enforcement agency should present a regular series of crime prevention and general information meetings. As always, the clan leaders should be involved and advised of the contents of the sessions. Weekly meetings should be conducted for at least 2 months to draw as many people as possible into the program. Once positive words begin to pass through the community, attendance will snowball. When attendance figures stabilize and your basic information has been presented, cut back to 1 meeting a month so that you maintain regular liaison and contact with the people.

The very first class should be to explain the role of police officers. A tour of the station would be helpful. Remember to speak slowly and in short phrases so that the translator can accurately pass your information on. Do not attempt to put too much information out at each meeting because the translation process is very slow. If your presentation is successful, you will not have time to answer all the questions you will be asked.

The second meeting should provide instructions on how to call the police, fire and medical services. Give practical information on how to interface and access assistance from relevant public service agencies.

Subsequent meetings should be conducted on the criminal justice system, crime prevention, home security, traffic laws, the court system, narcotics laws, domestic violence, child abuse laws and juvenile procedures.

It is a good idea to make sure your program is firmly entrenched in the Hmong community before you begin instruction in the areas of

cross-cultural conflicts. One agency reported that women's rights were discussed at one of their earliest meetings and all the men got up and walked out.

Community Interfacing The law enforcement agency should take the lead in interfacing the Hmong with all branches of public and private service organizations. Meetings should be set up with representatives of local government, politicians and key civilians throughout the community. Once a relationship is established with the Hmong community, there will be a constant flow of requests for services and information to the law enforcement agency. It will save the agency time, money and effort to teach the Hmong who the proper people are to call for non law enforcement related problems.

Cross-Cultural Mediator The use of a cross-cultural mediator can be a tremendous asset to the law enforcement agency. A mediator can review crime reports involving Hmong law violations, interview the investigating officers, witnesses and suspects, then make a determination if the crime was an intentional misdeed or an honest mistake. In many instances, education can serve the principles of justice much better than jail, since most Hmong law violations are due to mistakes or ignorance of the law.

To be successful, administrators of the court, district attorney, child protective services and other related agencies must make key policy decisions on where to draw the line in regards to prosecution.

Another key area is to maintain positive feedback and interaction with patrol officers since there can be some very hard feelings generated over the non prosecution of cases.

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