

Providing Culturally Competent Juvenile Justice Services to the Latino Community

Edward Pabon, DSW

National data and research have documented past and current disproportionate representation of minorities in all phases of the juvenile justice system across the country — from arrests to secure confinement. Accordingly, local and state governments have been entrusted with the responsibility of examining race and ethnicity as factors influencing decisions at various points within the juvenile justice system (e.g., decisions to arrest, detain, commit to training school, etc.), and developing programs to reduce the documented disproportionate representation of minorities in the juvenile justice system.

Unfortunately, the concern has too often led to an open door for proponents of treatment programs having little empirical or theoretical basis for achieving success with minority clients. Many of these ineffective interventions happen to be the most repeated in typical juvenile justice agencies, using techniques such as individual counseling, casework, as well as the new wave of more punitive “shock” intervention initiatives. These techniques clearly are not effective for young offenders (Henggeler, 1996). Moreover, they reflect an approach that fails to incorporate a sociocultural perspective into juvenile justice services.

Although juvenile justice policy is best viewed as an amalgam of competing philosophies, delinquent youths have been viewed by policymakers, the public, and many juvenile justice professionals through one of two policy lenses that have defined and categorized delinquents as either victims or villains. Historically, the behavior of youths in the juvenile justice system has been viewed as symptoms of underlying disturbances beyond their control. Through the victim lens, young offenders are viewed primarily in terms of needs and deficits. These needs implicitly call for remedial treatment or therapeutic response. The problem for young offenders themselves, in being viewed by others as victims, is that

the youths are rendered passive and marginal—as yet another group in need of scarce public services. At the same time, for the past decade, the dominant policy lens for viewing young offenders has been that of villain. From juvenile justice codes that have dropped all reference to meeting the needs of youths or providing treatment “in the best interests” of the child, to new statutes that allow easy transfer of young offenders to adult courts, youth offenders are now viewed primarily in terms of the risk or threat they represent and the need to ensure that they receive deserved punishment.

Although the assumptions about cause and appropriate response are different, at the core of both victim and villain views is the belief that the offender is fundamentally different from other young people. What emerges from these beliefs is a “medical model” of juvenile justice — the core assumptions of which have been surprisingly resilient. Such assumptions limit treatment to a focus on strategies for achieving personal and interpersonal change in individual offenders and thus exclude the complex situational and community context surrounding delinquent behavior.

The empirical literature strongly supports a social-ecological view of behavior in which delinquent behavior is multi-determined by the reciprocal interplay of characteristics of the individual youth and the key social systems in which youths are embedded (i.e., family, peer, school, neighborhood) (Thorberry, Huizinga, & Loeber, 1995). Evidence of the multi-determined and social-ecological nature of delinquent behavior is derived from studies examining the cross sectional correlates and longitudinal predictors of adolescent criminal activity. Consistently, these studies have shown that although many factors affect adolescents’ health, emotional well-being and behavior, the largest influence is their relationship with their families and communities.

Edward Pabon is Associate Professor, Social Work Program, Richard Stockton College of New Jersey, Pomona, NJ 08240.

Although most people would understand that being expelled from school, hanging with drug dealing friends, and living in a high crime neighborhood with minimal parental supervision, will contribute to a youth's delinquent behavior, commonly implemented juvenile justice antidotes (e.g., tutoring, individual counseling, group treatment, boot camps, etc.) fail to reflect that understanding. Indeed, juvenile justice solutions are often unrealistic and exacerbate youths' clinical problems. Such techniques as individual casework cannot be expected to be effective, given their failure to address the multiple determinants of serious clinical problems with ecological validity. Worse, as should be anticipated from causal modeling studies showing that association with deviant peers is a powerful predictor of antisocial behavior, group work approaches that bring together antisocial adolescents often exacerbate the problem behavior of the participants. However, such approaches are mainstays of juvenile justice practices.

Effective treatments must address the multi-determined nature of delinquency. Hence, potentially effective treatments must have (a) the flexibility and comprehensiveness to address variables across the youth's social network that contribute to delinquent behavior, and (b) the capacity to be individualized to fit the specific strengths, weaknesses, and needs of a particular youth and family, including a focus on cultural influences.

Culture and the Social Context

In the interest of fostering culturally relevant assessment and intervention strategies, service providers must consider the definition of a developmental or socio-emotional problem within a socio-cultural perspective. Juvenile justice service providers, no less than others, are products of their cultures. They, too, function for the most part as if there existed a "normal" American family and individuals against which their clients could be compared. For instance, as juvenile justice service providers, there are certain preconceived standards about what constitute normative processes for child

development, parent-child relationships, child rearing practices, and parenting abilities. In general, the normative parameters that service providers utilize to identify problems reflect the dominant Anglo culture. To put it another way, the yardstick by which we measure and identify problems is largely majority culture bound.

The tradition of such comparative paradigms, in which minority children and their families are compared to children belonging to the dominant culture, has had serious shortcomings and consequences. At issue, most often, has been the invidiousness of interpreting differences as deficits, and of utilizing instruments normed on Anglo children to assess the development of minority children. This approach has contributed to mis-identification of children and their relative strengths and weaknesses, and has resulted in some misguided early intervention efforts. In addition, such comparative paradigms have hindered the development of meaningful, culturally-anchored assessment and intervention approaches.

With that worldview, juvenile justice service providers have been slow to respond to pressure to examine and reconsider the implicit assumption that their theories and methods were universally applicable, despite the fact that their clients were frequently culturally different from themselves. The source of difficulties in those intercultural relationships was more often seen as problems within the client in accepting or cooperating with the juvenile justice service process. This deficit focus has emphasized the identification of needs and risks and the provision of services intended to correct presumed deficits and dysfunctions.

As a consequence, the interaction between traditional juvenile justice service providers and Latino youngsters and families in this society has been somewhat impersonal, structured, and formal, with minimal give-and-take questioning and relevant discussion. The resultant evidence continues to suggest that services have not been sufficiently responsive to the needs of minority clients, especially

Latino youngsters. When compared with the White majority, Latino populations are less likely to benefit from juvenile justice services, more likely to terminate services prematurely, and less likely to discuss openly their problems with juvenile justice service staff.

It is widely acknowledged, although seldom put into practice, that a culturally-competent system of care acknowledges and incorporates, at all levels: respect for the unique, culturally defined needs of various client populations; the importance of culture as a predominant force in shaping behaviors and values; the view of natural systems (e.g., family, community, church) as primary mechanisms of support for clients; the recognition of the importance of sociocultural, linguistic, and national heterogeneity in the care and treatment of clients; the acknowledgment that people are served in varying degrees by their natural systems; and the recognition that concepts such as "family" and "community" are different for various cultures and even for subgroups within cultures. "Culturally relevant services" does not mean merely "being sensitive" or "understanding" of the existence of other cultures; it means understanding and utilizing the force of cultural scripts (i.e., patterns of social interaction that are characteristic of a particular cultural group) as tools for service delivery and treatment. For the Latino population, it means the utilization of a preference toward people and persons in their interpersonal relationships above concepts and ideas as vehicles to promote therapeutic engagement and relationship building.

Rogler, Malgady, Costantino, and Blumenthal (1987) suggest that culturally sensitive services for Latinos must be reviewed with three considerations in mind: the accessibility of traditional treatment; the selection and altering of a traditional treatment according to perceived features of Latino culture; and the extraction of elements from Latino culture for use as an innovative treatment tool.

Practice techniques, which enhance treatment services for the Latino individual and family may

be classified into three broad groupings: family, community/group, and individual. As such, effective engagement with Latino youngsters and families must incorporate an understanding of cultural influences on behavior patterns, especially toward the client-service provider relationship, targets of intervention, resource preference, and geographic location of services.

Cultural values such as *familialism* (preference for interdependence over independence), *allocentrism* (collectivism), *simpatico* (harmony/empathy), and *power and personal distance*, have been described as cultural characteristics of Latinos. These cultural values can have an impact on how Latinos respond to services and their participation in the service process. Effective juvenile justice services must incorporate these cultural values not only in the overall environment of the education process, but also in the manner in which services are provided to the Latino individual and the family.

In order to enhance services, features of the Latino culture governing familial relations, principally familialism and family solidarity, must be addressed. Juvenile justice providers must understand that Latinos perceive themselves less as individuals per se than as part of a family. The sense of family is dominant and the individual sense of self plays a subordinate role. The Latino family is also an extended one, built on strong ties to family members outside the nuclear family, as well as to persons outside the biological family through "fictive kinship." Limiting treatment to a focus on strategies for achieving personal and interpersonal change in individual offenders (e.g., individual casework) fails to consider the crucial cultural role of familialism in the lives of Hispanics, even offenders, and is shortsighted.

Familialism

The value of familialism has been proposed as one of the most important culture-specific values of Latinos (Moore, 1970). A number of authors have also argued that this value is central to specific Latino subgroups such as Mexican-Americans

(Alvarez & Bean, 1976), Puerto Ricans (Glazer & Moynihan, 1963), Cubans (Szapocznik & Kurtines, 1980), and Central and South Americans (Cohen, 1979). Familialism (also called "familism" or "familismo") is a cultural value that involves individuals' strong identification with and attachment to their families, and strong feelings of loyalty, reciprocity, and solidarity among members of the same family (Triandis, Marin, Betancourt, Lisansky, & Chang, 1982).

Familialism has been shown (Sabogal, Marin, Otero-Sabogal, Marin, & Perez-Stable, 1987) to include three types of value orientations: (a) perceived obligations to provide material and emotional support to the members of the family; (b) reliance on relatives for help and support; and (c) the perception of relatives as behavioral and attitudinal referents. These aspects are found among all Latino groups and tend to remain personally significant, independent of the number of years individuals have lived in the United States or of their generational history.

Juvenile justice providers working with Latino populations will find that an understanding of and respect for familialism is helpful. In promoting therapeutic change, the provider should consider carefully how this marked emphasis on the obligations to and support from the family will affect and impact on encouraging individual change. Identification of the particular consequences of the behavior change on the family can be crucial in motivating change (Marin, Marin, Perez-Stable, Sabogal, & Otero-Sabogal, 1990). Family-related reasons for smoking cessation (e.g., bad example to the children, effects of smoking on family's health) were found to be far more important for Latino than for non-Latino White smokers. Moreover, this value appears to help protect individuals against physical and emotional stress (Cohen, 1979; Grebler, Moore, & Guzman, 1970) by providing natural support systems (Cohen, 1979; Mannino & Shore, 1976; Valle & Martinez, 1980).

In addition, any intervention must include recog-

nition of childbearing practices that emphasize deference to and respect for the parents, of sibling relationships that are often hierarchically structured according to birth order and gender roles, and of family obligations that encourage family solidarity at the expense of individual achievement.

The structural approach to family therapy has been used effectively to engage the Latino family in a personal and trusting relationship (Minuchin, Montalvo, & Guernsey, 1967). This approach not only emphasizes the engagement of the family, but also uses the family and the extended family as integral components of the therapy. Other reasons for its success are that it considers stressful external life events like migration, poor housing, and unemployment as part of the family's context of contributors to the development and maintenance of symptomatic behavior patterns.

Allocentrism

Along with familialism, allocentrism (or collectivism) has been proposed as a basic Latino value by a number of researchers, particularly by Hofstede (1980). Allocentric societies emphasize the needs, objectives, and points of view of an in-group while individualistic cultures determine their social behavior primarily in terms of personal objectives, attitudes, and values that resemble little, if at all, those of the in-group (Marin & Triandis, 1985). Because it is allocentric, Latino culture differs in important ways from the individualistic, competitive, achievement-oriented cultures of the nonminority groups in the United States.

Allocentrism has been associated in previous studies with high levels of personal interdependence, field sensitivity, conformity, readiness to be influenced by others, mutual empathy, willingness to sacrifice for the welfare of the in-group members, and trust of the members of the in-group (Marin & Triandis, 1985). Data confirming Latinos as allocentric have been obtained by Hofstede (1980) among executives of a large transnational corporation in more than 40 different countries, as well as by Marin and Triandis (1985)

among large numbers of young adults in the United States and in Latin America.

Research has shown also that because of allocentrism, Latinos prefer interpersonal relationships in groups that are nurturing, loving, intimate, and respectful while non-Latino Whites prefer confrontational and superordinated relationships (Triandis, Marin, Hui, Lisansky, & Ottati, 1984).

Familialism and allocentrism also manifest themselves in Latino preference for close relationships and involvement with the members of the extended family, which is made up of blood relatives as well as of fictive kin — a special category of kinship that exists among Latinos and among other allocentric cultures. “Compadres” and “comadres” are those close family friends who are given the status of relatives (co-parents, literally) due to especially close friendships or to their involvement in the raising of children (e.g., as godparents in a child’s baptism). These fictive kin are treated like family members in most respects.

Simpatico

In addition, Latinos respond to a cultural script for social interaction called *simpatia* that includes attention that is informal and personal, or personalismo; an atmosphere of warmth called *ambiente*; and role relationships invoking respect, or *respeto* (e.g., younger to older persons, women to men, to persons in authority).

Simpatía is a Latino cultural script that is probably derived from the allocentrism value. *Simpatia* emphasizes the need for behaviors that promote smooth and pleasant social relationships. As a script, *simpatia* moves the individual to show a certain level of conformity and empathy for the feelings of other people. In addition, a person with *simpatico* behaves with dignity and respect toward others and strives to achieve harmony in interpersonal relations. Researchers operationally have defined *simpatia* as a general tendency toward avoiding interpersonal conflict, emphasizing positive behaviors in agreeable situations, and de-emphasizing negative behaviors in conflictive cir-

cumstances (Triandis, Marin, & Betancourt, 1984). The intent of *simpatia* is to evoke mutual trust.

Various aspects of the *simpatia* script have been documented by researchers. The avoidance of confrontation and other negative aspects of conflictive situations has been shown in a number of studies dealing with conflict resolution (Kagan, Knight, & Martinez-Romero, 1982; Kagan & Madsen, 1971). Another study (Triandis, Marin & Betancourt, 1984) has demonstrated the overall preference for avoiding interpersonal conflict in a variety of social situations regardless of the type of actors and the circumstances (Triandis, Marin & Betancourt, 1984).

A primary implication of the cultural script of *simpatia* is the need for the provider to establish positive relationships with Latino respondents. In a therapeutic session for example, it would not be uncommon for Latinos to offer the provider a small gift as an expression of *simpatia*. Because of the importance of the social script, clients will be unhappy if their offering is not accepted. Small talk (known as “*la plática*” in Mexico) before and after a session will also facilitate respondent satisfaction and cooperation and will build empathetic relationships between the service provider and client.

Power and Personal Distance

Hofstede (1980) has suggested that power distance is a fourth important cultural value that differentiates cultural groups. The construct of power distance is defined as a measure of interpersonal power or influence that exists between two individuals. This cultural value supports the notion that societies have powerful individuals as a result of inherent traits (e.g., intelligence) or of inherited or acquired characteristics (e.g., money, education). These individuals strive to maintain their power in relationship to those less powerful, and societies as a rule tend to support these power differentials (e.g., between the well educated and the less informed, or between the rich and the poor).

Societies can differ in the degree to which they support the existence of power differentials (i.e.,

power-distance) by promoting deference and respect toward certain powerful groups or individuals (e.g., the rich, the educated, the aged) or even toward certain professions (e.g., physicians, priests, teachers). Hofstede's 1980 research has shown that individuals from high power-distance cultures value conformity and obedience, and support autocratic and authoritarian attitudes from those in charge of organizations or institutions. There is also a general fear of disagreeing with those in power among individuals from high power distance cultures. In groups with high power distance, the maintenance of personal respect ("respeto") in interpersonal relations allows individuals to feel that their personal power, whatever it may be, is being acknowledged. This is particularly important in interactions with strangers.

An important derivation of the cultural value of respect is the deference that Latino respondents may show for a service provider that comes from outside the community, a reaction that needs to be carefully handled so as to avoid feelings of exploitation on the part of the community members. In addition, the provider must be aware of the value of "respeto" to avoid diagnostic impressions of "withdrawal" or "passivity."

Latinos have been shown to prefer an orientation toward people and persons in their interpersonal relationships over concepts and ideas. The cultural concept of personalismo emphasizes the personal quality of any interaction rather than relating or maintaining a relationship to an institution. Personalism, which is probably derived from the strong family orientation, is a need to relate in personal terms in a warm, emotional fashion — a need to trust people. Conversely, it also entails ignoring and avoiding impersonal relations and situations and distrusting institutions, laws, and expertise that might be too abstract. Personalism is behind strong feelings of attachment and commitment to family and friends. It is at the base of the perception that life is nothing but a flow of interactions with others, and that these interactions are the ones that make life full and meaningful, or empty. Thus, for

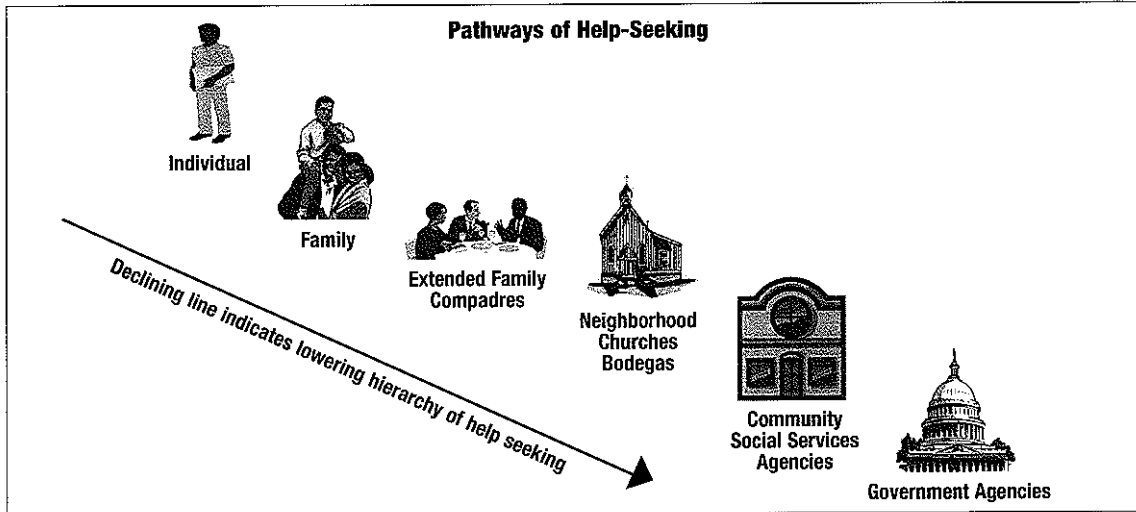
instance, it is common for a Latino to establish a relationship with a service provider and then to stop attending the clinic if the particular service provider leaves the institution. It is also shown in the exchange of personal information, as when a Latino client asks questions about the service provider's family or gives a small gift to the service provider.

Differences in personal space are important to understand because they affect the emotional reactions of individuals to a given social interaction. Non-Latinos, who prefer to stand farther apart than Latinos, may find themselves inexplicably uncomfortable with Latinos who seem pushy by their insistence on establishing closer interpersonal spacing. At the same time, Latinos may often find non-Latinos to be cold and distant because of their need for more physical distance. The implications of these feelings for establishing rapport in an interview can easily be seen. Desk separation and excessive chair spacing inhibit engagement and relationship-building with Latino clients.

Pathways for Helping

Juvenile justice providers need to understand and incorporate cultural value preferences such as familism, allocentrism, simpatico, and power/personal distance in their relationship with Latino clients in terms of building therapeutic relationships. They need to recognize that these cultural values have an impact on targets of intervention and resource preference. Clements (1988) has observed that treatment strategies must build the necessary community structures and involve as many informal supports as possible. In line with this, services directed to the Latino community require attention not only to the importance of the family, but also involve the inclusion of other extended family members and other institutions. As illustrated on page 44, Latino help-seeking behavior patterns follow a course from family to government and public social service agencies as a last resort.

The Latino family is an extended one, built on strong ties to family members outside the nuclear family, as well as to persons outside the biological



family through “fictive kinship.” For the service provider, the extended or “fictive kinship” can provide a natural support system for the client in reinforcing the service provider’s work.

And after the family, the church and the neighborhood can provide the service provider with sources of emotional and economic support for the client. The church can play an important role in providing the service provider with another natural support system for the client, but it also can assist in screening and channeling outside programs attempting to gain access to the local community and its population, including the service provider’s client.

The barrio and its institutions (e.g., neighborhood grocery store, beauty parlors, restaurants, etc.) provide means for information to be spread rapidly, where favors can be exchanged, and where social pressure can be brought to bear upon residents. In addition, according to Levitt (1995), owners of Latino establishments are motivated by a sense of social responsibility as well as economic motives. This sense translates into providing culturally appropriate help for those customers in need, including financial assistance, counseling or advice, and information on formal and informal resources for help. Delgado (1996), in a study of

Puerto Rican grocery stores and restaurants, identified eight key roles these institutions can play in the life of the community that extends beyond the selling of food: (1) providing credit; (2) cashing checks; (3) providing community related news and information; (4) providing information from the homeland; (5) counseling customers in distress; (6) providing information about and referral to social service agencies; (7) assisting in filling out or interpreting government forms; and (8) providing cultural connections with the homeland through the selling of videos, publications, etc. Consequently, Latino businesses take on the role of nontraditional social service centers.

Nontraditional settings are an indigenous source of support and are a place where individuals can gather to purchase a product or service or congregate for social purposes. These settings can facilitate conversation and the exchange of concerns and advice, minimizing the stigma for those seeking assistance. Exchange of advice and assistance is mutual; these settings are generally staffed by individuals who share the same ethnic, socioeconomic, and other key factors (e.g., religion, gender) maximizing psychological, geographical, and cultural access, and have a primary role that incorporates being a “helper.” Their accessibility to the commu-

nity makes these institutions excellent settings for collaboration with juvenile justice organizations. They can help distribute public education information, make referrals, perform crisis intervention, provide close supervision, help to interpret correspondence for non-English speaking clients, and fulfill other important roles.

Culturally Relevant Approaches

Given the expanding role of ethnic minorities in society and the problems that minority groups experience in relation to traditional juvenile justice services, alternative approaches capable of addressing the needs of cultural minorities need to be developed, validated, and disseminated across systems of juvenile justice. However, these approaches will continue to be unresponsive to the needs of minority clients, especially Latino youngsters, if they do not understand that juvenile justice service providers and Latino clients have different expectations and agendas as to treatment assessment, engagement, and practice. Any system of care should be capable of delivering culturally relevant services to its client population. At all levels, a culturally competent system of care must incorporate the importance of cultural scripts in shaping client behavior and values, and in guiding the delivery of services to its clients. There is a pressing need to take new directions that are culturally appropriate when providing services to Latino clients.

It is imperative that assessment and intervention services be based on an empirical understanding of the social, psychological, and cultural behavioral dynamics among Latino families and their members. Despite the national, geographic, economic, and other differences that exist among Latinos, key cultural features mold and guide behavior patterns in similar fashion for the vast majority of Latinos. Understanding and incorporating these cultural scripts in juvenile justice practice is a necessity, if we are to improve the effectiveness and efficiency of services.

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