

FACT

LATINOS AND HATE VIOLENCE

SHEET

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- ❖ *Latinos are targets of a growing trend of abuse by private citizens and local law enforcement officials, acting "under color of law," because of their immigration status — real or perceived. Inflamed political rhetoric and immigrant-bashing have created an atmosphere that "gives license" to such acts of violence. Summaries of some of the more egregious cases are as follows:*
- ◆ **Salt Lake City, UT, 4/25/97.** A group of 75 heavily armed police officers and federal agents burst through the metal door of Rafael Gomez' tortilla factory and Mexican food store. Wearing scarves over their faces, with bulletproof vests and brandishing rifles and pistols, the law enforcement agents ordered some 80 employees down on the floor. Gomez, who was standing near the door when the police arrived, was struck in the face with what appears to have been the butt of a rifle. As he fell to the ground, he struck his head against the concrete floor and was later handcuffed by police. When he tried to lift himself to see what was happening, he was kicked in the back of the head and was ordered to stay down. Gomez says that police later pointed a rifle at the head of his six-year-old son. His secretary was dragged by her hair across the floor. According to the police, they had been tipped off by an anonymous source that the tortilla factory was being used as a distribution center for drugs and illegal weapons. However, from the police point of view the raid proved to be a complete failure. No street drugs or weapons were found. So far, police have made no apologies for the raid, which appears to have been motivated by the ethnic nature of the business and its employees. (*The Salt Lake City Tribune*, 5/18/97.)
- ◆ **Hamblen County, TN, on or about 8/19/97.** Tennessee Highway Patrol tipped Miami-based Border Patrol that it would be "interested" in the traffic on highway 160 in the Lakeway area. Border Patrol and police set up a road-block and requested documents only from Hispanics. One U.S. citizen, a native of California, was pulled out of his car by his hair, punched in the face, and arrested. Apparently, his fingernails were long and impeded the border patrol's ability to take his fingerprints. The patrol officer used a pocket knife to cut Mr. Hernandez fingernails, cutting his finger in the process. Mr. Hernandez believes he was singled out and pulled over because of his ethnicity and that the police and Border Patrol arrested him because, like most Americans, he could not instantly produce a document to prove his citizenship. (Account of Dennis Hernandez.)
- ◆ **New York City, NY, 9/1/97.** Cesar Diaz, a Mexican immigrant, was physically assaulted by three men at Panarella's Restaurant on the Upper West Side, where he worked as a busboy. The attack occurred because Mr. Diaz showed up to work 10 minutes late. Mr. Diaz' boss, his cousin, and a friend are the accused attackers. There were numerous witnesses to the event, which occurred in the restaurant's second floor stairway and which left Mr. Diaz hospitalized with a broken nose and eight stitches. Mr. Diaz, like the majority of Latino employees at the restaurant, are owed back wages from the owner and get paid an average of less than \$3 an hour. The police have given little attention to his plight. (Latino Workers Center, e-mail posting, 9/5/95.)
- ◆ **New York City, NY, 7/25/97.** A group of 55 deaf, undocumented Mexican nationals were smuggled into the U.S. and forced to peddle trinkets on city subways, and then to turn all of their earnings over to the defendants. The defendants held the vendors in virtual slavery, keeping them in two cramped apartments and subjecting them to beatings, food deprivation, and sexual abuse. The defendants were able to exploit their victims because of their immigration status and their disability. (*Washington Post*, 7/25/97.)

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- ◆ **Riverside County, CA, 4/96**, two Riverside County, California sheriff's deputies were videotaped beating two suspected undocumented Mexican immigrants. The man and woman were continuously struck with batons and the woman was pulled to the ground by her hair. (LCEF/LCCR, *Cause for Concern: Hate Crimes in America*, January 1997.)
- ❖ **Delegating authority to enforce immigration laws to local police will encourage violations of the rights of non-white citizens and residents.** Under last year's immigration law, the U.S. Department of Justice has the ability to delegate immigration authority to local law enforcement officers. However, a strong argument can be made that even with ample training, INS agents themselves have been unable to guarantee that the rights of racial and ethnic minorities are not violated in the enforcement of the immigration laws (AFSC, 1995 & 1996 Abuse Reports: *Border Patrol and Police*, January 1997). It is unrealistic to expect that local law enforcement agencies will do better, especially without adequate training or strict accountability. Furthermore, many local police departments have less than spotless track records when it comes to the use of excessive force against Latinos, and the proposed new policy provides a new avenue for rights violations without concomitant accountability procedures.
- ❖ **Federal hate crime statistics demonstrate an increasing number of hate crimes against Latinos.** According to the FBI's Hate Crimes Statistics, the number of bias-motivated incidents has increased for Hispanics in recent years. In 1993, there were 472 anti-Hispanic offenses reported. By 1995, the number had increased to 680, and although final figures are not in for 1996, the preliminary numbers indicate a notable increase in bias-motivated crimes against Hispanics. Some examples of hate crimes against Latinos in recent years include:
 - ◆ On November 12, 1994, Graziella Fuentes, 54, was taking her daily one-mile walk through the suburban San Fernando Valley, when eight young males 14 to 17 years old shouted at her that now that Proposition 187 had passed, she should go back to Mexico. After calling her "wetback" and other names, they threw rocks at her, hitting her on the head and back. (LCEF/LCCR, *Cause for Concern: Hate Crimes in America*, January 1997.)
 - ◆ In the summer of 1995, Allen Adams and Tad Page were sentenced to 88 and 70 months, respectively, for their roles in the ethnically-motivated shooting of four Latinos in Livermore, Maine. Three of the shooting victims were migrant laborers working at an egg farm, while the fourth was visiting his ailing mother, a migrant worker. The incident began at a store, where the victims were trying to make a purchase. Adams and Page, who were also at the store, taunted the victims with ethnic epithets, telling them: "Go back to Mexico or [we'll] send you there in a bodybag." After the victims drove away from the store, Adams and Page chased them by car, firing 11 rounds from a nine-millimeter handgun at the victims' automobile. One victim was shot in the arm, while another bullet hit the driver's headrest, just a few centimeters from the driver. (LCEF/LCCR, *Cause for Concern: Hate Crimes in America*, January 1997.)
- ❖ **Underreporting of hate crimes in the Latino community is a severe problem.** Social science research shows that hate crimes are less likely to be reported to the police than random crimes. (Herek, Gillis, and Cogan, in press, 1997) One of the reasons, they argue, for this lack of reporting is a concern that the system is biased against the group to which the victim belongs and police authorities will not be responsive to the incident. This is especially true when law enforcement agents, acting "under color of law," are the perpetrators of the crime. A sense of mistrust continues to permeate the community against those who are supposed to be there to protect them.

For full citations and additional information,
contact Carmen Jøge
Civil Rights Policy Analyst
at (202) 785-1670.