

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
LEARNING DOMAIN 42  
CULTURAL DIVERSITY/DISCRIMINATION

**Effective date of outline: August 1, 2013**

**I. LEARNING NEED**

Peace officers need to recognize and respect the complexities of cultural diversity to develop skills necessary for identifying and responding to California's changing communities.

**LEARNING OBJECTIVES**

A. Define the terms:

1. Culture
2. Cultural diversity

B. Describe personal, professional, and organizational benefits of valuing diversity within the community and law enforcement organizations

1. Personal
2. Professional
3. Organizational

C. Explain the historical and current cultural composition of California

1. California's past
2. California's present

**II. LEARNING NEED**

Peace officers need to become aware of stereotyping that could lead to prejudicial viewpoints and unlawful acts of discrimination.

**LEARNING OBJECTIVES**

A. Define the term stereotype

1. Individuals perceptions
2. Preexisting tension among groups
3. Human tendencies

B. Discuss the dangers of relying on stereotypes to form judgments or to determine actions

1. Dangerous assumptions that
2. Characteristics of groups are accurate
3. All members of a group share the same characteristics
4. Possible effects

- C. Define the term prejudice
1. Prejudice is a prejudgment or point of view about a person or group of individuals that is usually formed before the facts are known.
- D. Define the term discrimination
1. Discrimination is an action or behavior that is prompted or based on prejudiced thought.
- E. Define the term racial profiling, including the:
1. Conceptual definition
  2. Legal definition
- F. Discuss the legal considerations peace officers should take into account related to racial profiling, including:
1. California Penal Code section 13519.4
  2. Fourth Amendment
  3. Fourteenth Amendment
  4. Current case law
  5. Criminal profiling vs. racial profiling
- G. Discuss the impact of racial profiling on the:
1. Individual citizens
  2. Community
  3. Officer
  4. Criminal justice system
- H. Discuss landmark events in the evolution of civil and human rights
1. Initial drafting of the United States Constitution
  2. Displacement of the Native American Indians
  3. Mexican/American War
  4. Civil War
  5. Women's Suffrage
  6. Internment of American Citizens of Japanese descent
  7. Federal and state Civil rights legislation
  8. Americans with Disability Act
  9. Legislation regarding sexual orientation
- I. Define key indices peace officers should recognize and respect that make up evolving culture among a community
1. Every person needs to be recognized as an individual without having dispersions cast upon them because of the actions in their culture.
- J. Discuss the obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow officers
1. Ethical consideration and obligations
  2. Leadership

3. Continual evolution

III. LEARNING NEED

Peace officers must recognize that one of the most reliable strategies for successful contacts with individuals from differing cultural, racial, or ethnic backgrounds is to treat all individuals and groups with dignity and respect.

LEARNING OBJECTIVES

- A. Explain strategies for effective communication within a diverse community, including:
  - 1. Verbal communication
  - 2. Active listening
  - 3. Nonverbal communication
  
- B. Describe positive officer behaviors during contacts with members of a cross-cultural community
  - 1. Demeanor, respectful attitude
  - 2. Treatment of members of the community (i.e., fair, impartial)
  - 3. Moral and ethical standards
  - 4. Judgment
  - 5. Use of force
  - 6. Empathy as a trait of a leader
  
- C. Discuss articles of faith that can be interpreted as a weapon, including:
  - 1. Identification of the article
  - 2. Proper handling of and respect for the article

IV. LEARNING NEED

Peace officers need to have a lawful basis for recognizing criminal acts as hate crimes and understand the impact of such crimes on victims and communities.

LEARNING OBJECTIVES

- A. State the legal definition of a hate crime based on the Penal Code
  - 1. Penal Code Section 13519.6 (a)
  
- B. Classify the crime and the elements required to arrest for:
  - 1. Desecrating religious symbols
  - 2. Interfering with religious freedom
  - 3. Terrorizing another
  - 4. Interfering with an individual's civil rights

- C. Explain the legal rights and remedies available to victims of hate crimes based on federal law and civil code
1. Federal Codes
    - a. 18 U.S.C Section 241
    - b. 18 U.S.C Section 245
    - c. 18 U.S.C Section 242
    - d. 42 U.S.C Section 3631
    - e. 42 U.S.C Sections 1981 and 1982
    - f. 42 U.S.C Sections 1985(3)
    - g. 42 U.S.C Section 3617
  2. Civil Codes
    - a. 51.7
    - b. 52.1
- D. Describe the impact of hate crimes on victims, the victims' families, and the community
1. Direct victims
  2. Indirect victims
  3. Reactions to hate crimes
  4. Effects on community
  5. Peace officer reactions
- E. Discuss the indicators of hate crimes
1. Target(s) of criminal act
  2. Acts of vandalism
  3. Presence of graffiti
  4. Threatening telephone calls
- F. Explain considerations when investigating and documenting incidents involving possible hate crimes
1. Victim
  2. Witness
  3. Suspect
  4. Documentation

## V. LEARNING NEED

Peace officers need to have an understanding of what constitutes sexual harassment, how to respond to sexual harassment in the workplace, and the legal remedies available through the sexual harassment complaint process.

### LEARNING OBJECTIVES

- A. State the legal definition of sexual harassment
1. Is unwelcome
  2. Is personally offensive
  3. Creates an intimidating, hostile or offensive work environment
- B. Discuss the federal and state laws dealing with sexual harassment to include:
1. Title VII

2. Government Code Section 12940 et. seq.
  3. Concept of Quid Pro Quo
  4. Concept of hostile work environment
  5. Current case law
- C. Explain the legal remedies available to a victim of sexual harassment
1. Federal laws
  2. Civil liabilities
- D. Describe behaviors that constitute sexual harassment, including:
1. Verbal
  2. Physical
  3. Visual
  4. Written material
  5. Sexual favors
  6. Threats
  7. Hostile work environment
  8. Force
- E. Explain the mandated sexual harassment complaint process guidelines
1. Penal Code Section 13519.7
- F. State the protections that exist to prevent retaliation against anyone submitting a sexual harassment complaint
1. Government Code Section 12950
- G. Describe the methods for responding to sexually offensive or unwanted behavior
1. Penal Code Sections 13519.7

## VI. REQUIRED LEARNING ACTIVITIES

- A. Given a diagnostic instrument, questionnaire, personal inventory or equivalent method, students will participate in a learning activity that requires self-assessment to determine their own level of cultural sensitivity and experience in interrelating with cultural groups.
1. The learning activity should provide the student with an opportunity to determine their current level of experience in dealing with cultural groups
  2. The learning activity should also serve as a starting point for an instructor-facilitated classroom discussion and/or small group discussions which address perceptions, experiences, fears, and stereotypes concerning contact with cultural groups
  3. Discussion may include, but is not limited to cultural stereotypes, ethno phobia, homophobia, xenophobia, gender bias, and media impact on cultural perceptions
- B. Given a minimum of three POST-developed video re-enactments depicting law enforcement contacts with cultural groups, or an equivalent number of simulations, scenarios or video representations

provided by the presenter, the student will participate in an instructor-led discussion evaluating the appropriateness and professional quality of the contact.

Among the issues which must be addressed are:

1. Any positive or negative behaviors demonstrated by contacting officers
2. The apparent perception of the cultural group regarding the contact
3. Presence or absence of cultural stereotyping
4. The level of cultural understanding demonstrated by the officers
5. The legality of the contact and subsequent actions of the contacting officers
6. The professional, personal, and organizational impact of the contact, either positive or negative
7. Cultural group history, customs, religious conventions, core values, or other perceptions material to the contact

Presentation of the video re-enactments, simulations, or scenarios may be done collectively or may be interspersed throughout the instructional block at the discretion of the instructor.

- C. Given a minimum of four POST-developed video re-enactments depicting possible sexual harassment, or an equivalent number of simulations, scenarios, or video representations provided by the presenter, the student will participate in a facilitated discussion which addresses the following:
1. Any behaviors which are illegal, as defined by federal or state sexual harassment laws
  2. Professional, personal, and organizational impacts of the incident
  3. Legal and administrative consequences of the behaviors observed
  4. Whether or not state sexual harassment reporting guidelines apply to the situation
- D. Given a minimum of two POST-developed video re-enactments or written descriptions of possible hate crimes, or an equivalent material provided by the presenter, the student will participate in a facilitated discussion which addresses the following:
1. Whether or not the incident constituted a hate crime under the law
  2. Impact of the incident on victims, their families and the community
  3. Effectiveness of the law enforcement response
  4. Legal rights of, and remedies available to the victim(s)
- E. The student will participate in a series of learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources. At a minimum, each activity or combination of activities must address the following topics:
1. The impact racial profiling may have had on them as individuals or their community
  2. Concerns the students may have as to how racial profiling will affect them in the field
  3. Clarification of the myths and realities of racial profiling
  4. The concept of individualized suspicion as it pertains to probable cause
  5. How the history of the community can affect the way they view law enforcement today
  6. Law enforcement's obligation to various cultures within the community
  7. What law enforcement must do to increase trust with the community
  8. Law enforcement's obligation to respond to and report incidents of discriminatory or biased practices by fellow officers
  9. The importance of applying leadership during contacts with persons from diverse cultures as it pertains to profiling, ethics and community policing

- F. Given three POST-develop video re-enactments depicting possible racial profiling, students will participate in a facilitated discussion and/or small group discussion which addresses the following:
1. Application of the 4<sup>th</sup> and 14<sup>th</sup> Amendments and current case law
  2. Consensual contacts as it pertains to racial profiling
  3. Importance of articulating characteristics or behaviors to develop probable cause.

<u>Description</u>	<u>Hours</u>
POST Minimum Required Hours	<u>16</u>
Agency Specific Hours	<u>10</u>
Total Instructional Hours	<u>26</u>