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**Neighborhood Crime Survey: An Examination of the Relationship between Immigration
and Victimization**

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Abstract

The current project represents a mixed-methods study of the nature and extent of criminal victimization experiences across immigrant groups and immigrant generations. For the quantitative survey, we distributed a total of 25,346 postal invitations to San José residents in December 2020 and April 2021. In each invitation letter issued we described the survey along with information on accessing the web survey. Non-responding addresses were also provided a reminder letter and postcard delivered through the USPS. After approximately three weeks had passed without a response, our research team made outbound calls to persons for whom we had a phone number associated with their address. Potential respondents were called by trained telephone interviewers and were either provided instructions for completing the survey online or, if they consented to be included in the survey, were read the survey questions and their responses were recorded. Our final sample size was 3,756 people who resided in 82 of the 212 San José census tracts, for a final survey response rate of 16.98 percent. Just over 33 percent (33.04%) of respondents identified as White, 21.5 percent as Latino/Hispanic, 2.4 percent as African American, 34.85 percent as Asian, and 6.8 percent as “other.”

For the qualitative component, we recruited respondents using a variety of non-probability methods. For the individual interviews with San Jose residents, we contacted local service and municipal agencies by email and phone to explain the study and request their help locating respondents, being careful to avoid any coercion and providing contact information for our study team. We distributed flyers by email and social media and posted them at community centers where immigrants may be present. Respondents were also recruited from the quantitative survey, inviting respondents to contact the research team if they were interested in being interviewed individually. We also contacted community centers by phone to announce the study. For the focus group and individual interviews with professionals we contacted key agencies by email and phone (e.g., police, victim’s assistance, immigrant services, domestic violence programs, ethnic-specialty behavioral health agencies, etc.) and requested participation from key informants from director-level, management, and direct service staff. We interviewed 52 community residents who were victims of crime. The professional focus group had six respondents participating representing city police, community support programs, victims’ assistance, and immigrant services. We conducted another six individual interviews with professionals representing victims’ assistance and immigrant services. Major findings along with policy implications are presented in this final report.

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Project Purpose

The current project represents a mixed-methods study of the nature and extent of criminal victimization experiences across immigrant groups and immigrant generations. More specifically, the project investigated subtypes of victimization (e.g., domestic violence, assault, and burglary) across subgroups of Hispanic and Asian immigrants. It is noteworthy that, although there has been an increasing number of victimization studies that have examined crime and victimization among Hispanic/Latino populations, moving beyond the traditional focus on black and white persons (Brown, 2009; Lee & Martinez, 2009; Lee, Martinez, & Rosenfeld, 2001; Martinez, 2002; Martinez & Lee, 2000; Peskin, 2006; Xie, 2014), Asian immigrants and native-born Asians have largely been understudied (Chin, 1999; Martinez & Valenzuela, 2006; Wu, 2013). According to a recent report by the Pew Research Center (Figure A1), the increase in Asian-American immigrants has surpassed that of Hispanics. Between 2000 and 2015, the U.S. Asian population grew 72% (from 11.9 million to 20.4 million), while Hispanics increased 60%. The growth in the Asian-American population, a corresponding increase in the victimization rate (Toma et al., 2015), and the paucity of victimization research inclusive of Asian immigrants underscored the need for empirical exploration, which this study sought to accomplish.

The first goal of this project was to obtain robust estimates of risk factors for victimization among Hispanic and Asian legal and illegal residents. To achieve this goal, we set out to achieve the following objectives: *(1) identify patterns of criminal victimization across first-, second-, and third-generation immigrants, (2) identify patterns of criminal victimization across Hispanic and Asian subgroups, (3) identify correlates of crime reporting among legal and illegal residents, and (4) examine how neighborhood immigration concentration levels are associated with criminal victimization.*

The second goal was to garner an in-depth understanding of how legal and illegal residents conceptualize the risk of victimization in their communities and how formal and informal social control systems influence their decisions on how to respond to victimization. To achieve this goal, we conducted in-depth interviews with legal and illegal residents, victim services providers, police officers, and leaders of community organizations. Specific objectives were to: *(1) explore how legal and illegal residents viewed the threat of victimization (e.g., severity, likelihood, and avoidability) for themselves in their local community; (2) explore how victims of crime who are legal and illegal residents cope with victimization and utilize available informal and formal resources (e.g., police, courts, and community organizations); and (3) identify whether and how perceptions of immigration policies among legal and illegal residents are associated with responses to crime and victimization.*

Project Design and Methods

Survey Development

We developed our survey based on the American Crime Survey sponsored by the Bureau of Justice Statistics. Research staff from San José State University (SJSU), Michigan State University (MSU), and NORC at the University of Chicago (NORC) reviewed the initial draft of the San José Community Survey questionnaire for clarity, flow, and consistency. A key goal was trimming the survey length so that administration time would be about 30 minutes. Once the survey and respondent outreach materials (including telephone prompting and interviewing scripts) were finalized, we used a translation vendor to translate them into Spanish, Cantonese, Mandarin, and Vietnamese. The web survey was available in the aforementioned languages; respondents could switch from one language to another during the survey via a button at the top

of the screen. English and Spanish-speaking telephone prompting and interviewing staff were available when dialing was active.

Sample

Quantitative data

Data used to respond to the first goal of the study was obtained using a representative sampling strategy in San Jose, CA. The sample was created in two steps. First, a geographic analysis helped to determine which Census tracts would comprise the study area. A review of existent research conducted by the city government helped inform the decision and ultimately a set of 212 tracts were chosen. Then, using American Community Survey (ACS) summary statistics, the tracts were stratified based on demographic distributions, such as the percentage of Hispanics, Asians, and people living in poverty. Individual tracts were assigned to high, medium, or low categories for each demographic characteristic before being placed in the correct cell in a 3x3x3 cross-classification across these dimensions. Then, 82 tracts were randomly selected from these strata, each with a probability of selection roughly equal to the stratum's size.

In the second sampling stage, a sampling frame of addresses in the study area was developed using a version of the USPS Computerized Delivery Sequence Files (CDSF) licensed from a vendor that was geocoded to the address level and associated with the Census tract. The addresses were then sampled randomly and proportionately according to each tract's Census Planning Database Low Response Score. This strategy helped to ensure sample balance and representativeness by allocating more sample to tracts with lower response propensities. Additionally, the sample was divided between two batches so that changes to the sample composition could be made during fielding.

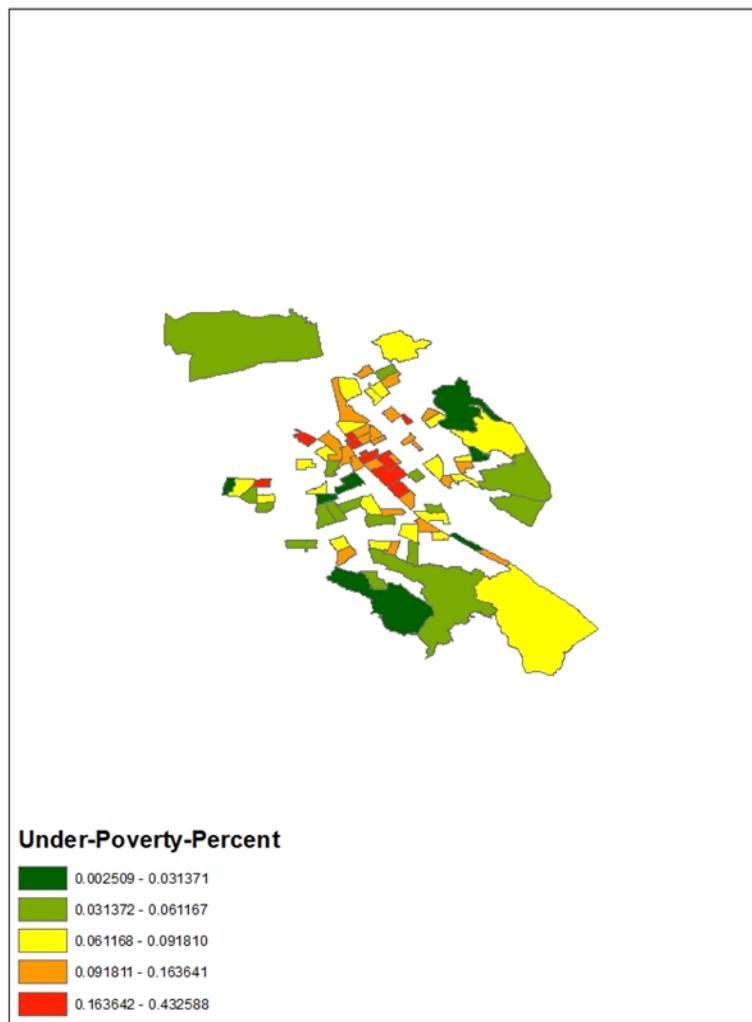
The first sample batch's results were evaluated in terms of completes by tract. To improve representativeness for city-wide estimates a second batch design was developed such that a minimum number of completed surveys (41) in each tract would likely be achieved. This involved oversampling tracts with high crime rates and high Hispanic populations to address low response rates. To incentivize participation and compensate for respondent time and effort, a \$15 prepaid Visa card or a \$15 prepaid Visa code was delivered to respondents through mail or email, respectively, as long as respondents provided contact information. Just over 54 percent (54.4%) of those who completed the survey selected a prepaid card, 35.1 percent chose a prepaid code, and 10.4 percent declined the reward.

For the quantitative survey, we distributed a total of 25,346 postal invitations to San José residents in December 2020 and April 2021. In each invitation letter issued we described the survey along with information on accessing the web survey. Non-responding addresses were also provided a reminder letter and postcard delivered through the USPS. After approximately three weeks had passed without a response, our research team made outbound calls to persons for whom we had a phone number associated with their address. Potential respondents were called by trained telephone interviewers and were either provided instructions for completing the survey online or, if they consented to be included in the survey, were read the survey questions and their responses were recorded.

Our final sample size was 3,756 people who resided in 82 of the 212 San José census tracts, for a final survey response rate of 16.98 percent. Just over 33 percent (33.04%) of respondents identified as White, 21.5 percent as Latino/Hispanic, 2.4 percent as African American, 34.85 percent as Asian, and 6.8 percent as “other.” Sampled census tracts were diverse in terms of poverty levels, with tracts ranging in percent living below the poverty level

from a low of 0.3% to a high of just over 43% (see figure 1). These figures resembled the city of San Jose, overall, as 37.5 percent of San José residents identified as White, 2.9% as African American, 37% as Asian, and 31% as Hispanic or Latino, according to the most current U.S. Census data from 2021.

Figure 1. Poverty Levels of the 82 Census Tracts Sampled



To ensure that our sample was representative of the people in San José, we computed survey weights for data analysis. In addition, we defined first-generation immigrants as individuals who were born outside of the United States, second-generation immigrants were individuals born in the United States but have at least one parent who was born outside of the United States, and third-or greater-generation immigrants were those born in the United States with parents who were also born in the United States. We also asked individuals about what country they were born to better identify whether the country of origin is a meaningful correlate of victimization risk beyond race/ethnicity and immigrant generational status.

Qualitative data

Individual interview participants were selected from our quantitative survey participants and neighborhoods with high levels of immigration concentration, poverty, and violent crime. We first invited victims of crime from the quantitative survey to participate in our interviews. Then we used quota sampling to recruit adequate representation from people of Asian and Hispanic origin and representation of various types of immigration statuses. We also conducted individual and focus group interviews with representation from victim services providers, the San José Police Department, and community organizations that serve immigrant populations. Individual interviews and focus group participants received a \$50 Target gift card for participating in the study.

For the qualitative component, we recruited respondents using a variety of non-probability methods. For the individual interviews with San Jose residents, we contacted local service and municipal agencies by email and phone to explain the study and request their help locating respondents, being careful to avoid any coercion and providing contact information for our study team. We distributed flyers by email and social media and posted them at community centers where immigrants may be present. Respondents were also recruited from the quantitative

survey, inviting respondents to contact the research team if they were interested in being interviewed individually. We also contacted community centers by phone to announce the study.

For the focus group and individual interviews with professionals we contacted key agencies by email and phone (e.g., police, victim's assistance, immigrant services, domestic violence programs, ethnic-specialty behavioral health agencies, etc.) and requested participation from key informants from director-level, management, and direct service staff.

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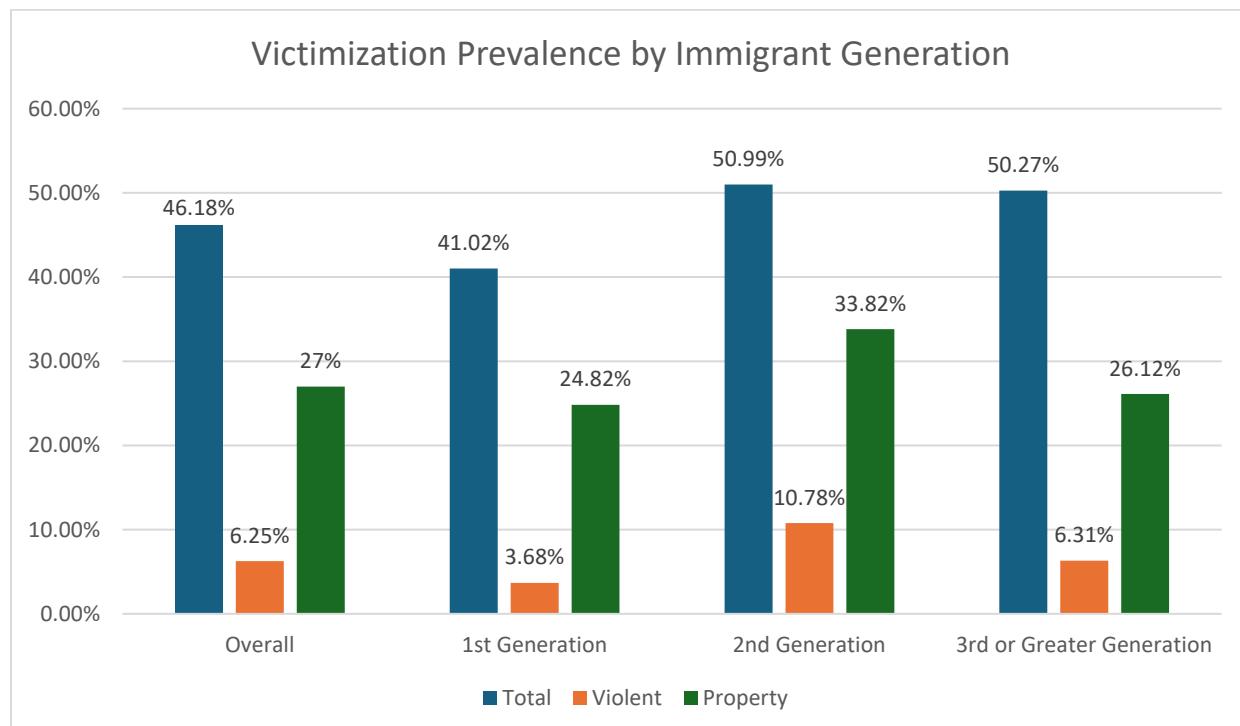
Data Analysis

Quantitative Analysis

We conducted descriptive and regression analyses in Stata 15 (StataCorp., 2017). First, our cross-sectional survey shows that the overall victimization rate is 46.18 percent, indicating that just over 46 percent of residents living in San Jose had experienced at least one form of victimization in the past 12 months (see Figure 2). The violent victimization rate was 6.25 percent, and the property victimization rate was 27 percent. Among the first generation, the overall victimization rate was 41.02 percent, violent victimization was 3.68 percent, and the property victimization rate was 24.82 percent. For second-generation immigrants, the overall victimization rate was 50.99 percent, the violent victimization rate was 10.78, and the property victimization rate was 33.82 percent. For the third and greater generation of immigrants, the overall victimization rate was 50.27 percent, violent victimization was 6.31 percent, and property victimization was 26.12 percent. Data from the current study suggest that the second generation

of immigrants reported the highest victimization rates for all three types of criminal victimization.

Figure 2: Victimization Prevalence by Immigrant Generation



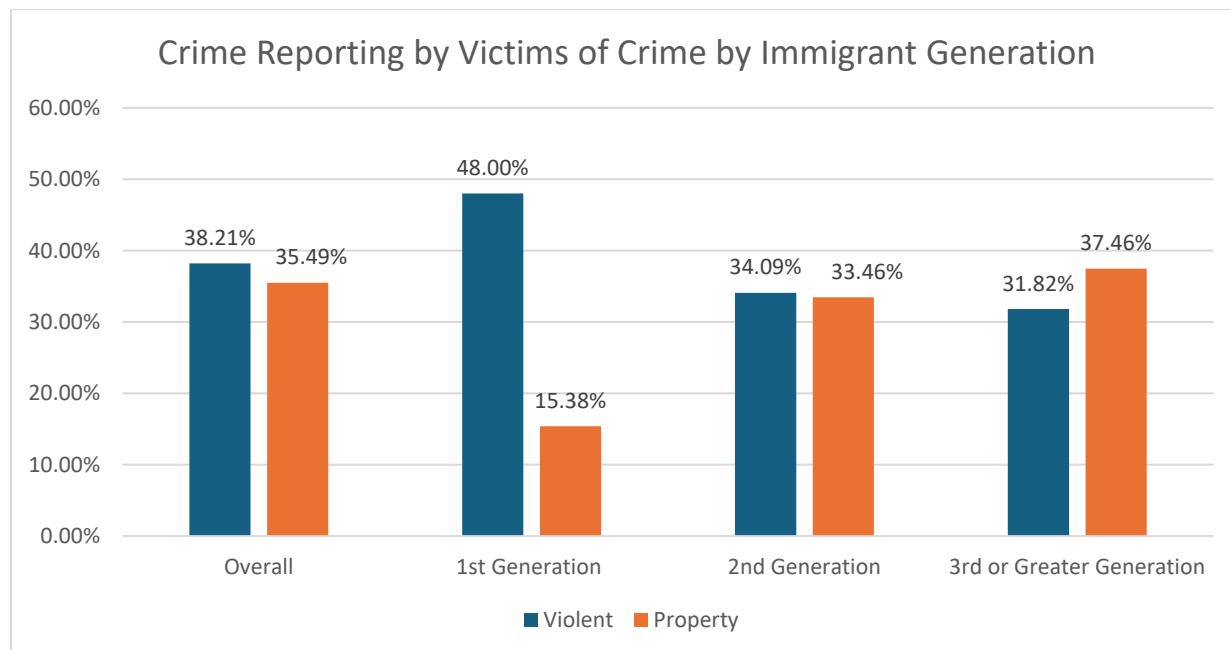
Second, we analyzed patterns of victimization among Asian and Hispanic subgroups based on the reported country of origin. We found that, for Mexican immigrants, the overall victimization rate was 53.87 percent, the violent victimization rate was 12.75 percent, and the property victimization rate was 36.11 percent. Among Chinese immigrants, the overall victimization rate was 39.61 percent, the violent victimization rate was 1.69 percent, and the property victimization rate was 21.74 percent. For Vietnamese immigrants, the overall victimization rate was 38.89 percent, the violent victimization rate was 4.53 percent, and the property victimization rate was 25.73 percent. Further, for Asian Indians, the overall victimization rate was 39.79 percent, the violent victimization rate was 4.71 percent, and the property victimization rate was 22.11 percent.

Third, we analyzed crime reporting patterns across immigrant generations. First, we asked immigrants how likely they were to report crimes in their neighborhood, such as domestic violence, violent crimes, and property crimes to the police. We found that third or greater-generation immigrants (91.16%) were more likely to report domestic violence to the police than first-generation (88.88%) and second-generation (88.60%) immigrants. For violent crimes, there were no significant differences across the first (97.73%), second (96.64%), and third or greater generation of immigrants (97.45%). There were also no significant differences in crime reporting between authorized (97.62%) and unauthorized immigrants (96.43%). For property crimes, second-generation immigrants (94.17%) reported a slightly lower willingness to report to the police than first (96.97%) and third or greater-generation immigrants (96.28%). Among the first generation, 96.71 percent of authorized and 94.64 percent of unauthorized immigrants were willing to report property crimes in their neighborhoods to the police. Our data suggest that most residents are willing to cooperate with the police regardless of their immigration generation and legal status.

Among victims of violent crimes (6.25%) and property crimes (27%), we found that 38.21 percent of violent crime victims reported at least one violent victimization incident to the police (see Figure 3), and 35.49 percent of property crime victims reported at least one property victimization incident to the police. First-generation immigrants (48%) were more likely to report violent victimization incidents to the police than second (34.09%) and third-plus-generation immigrants (31.82%). In addition, for property victimization, 15.38 percent of first-generation immigrants reported at least one property victimization to the police, and 33.46 percent of second-generation and 37.46 percent of third-plus-generation immigrants reported property victimization to the police. With respect to immigration status, 41.18 percent of

unauthorized immigrants reported property victimization to the police compared to 35.38 percent of authorized immigrants. Overall, similar to residents' willingness to report a crime to the police, we did not find first-generation immigrants were less likely to report violent victimization to the police, although they were less likely to report property crime.

Figure 3: Crime Reporting by Victims of Crime by Immigrant Generation



Finally, we ran multilevel modeling logistic regressions to examine the relationships between census tract level immigrant concentration levels and victimization, controlling for individual-level and neighborhood-level covariates. We found that neighborhood foreign-born concentration levels ($b=1.393$, $SE= 0.703$) were positively associated with violent victimization, while the relationship between property victimization and foreign-born concentration levels was not statistically significant. This finding suggests residents living in census tracts with a higher concentration of immigrants were more likely to experience a violent crime victimization in the last 12 months than those in areas with a lower concentration of immigrants, holding other factors constant.

Qualitative Data Analysis For Individual Interviews

The major qualitative themes we analyzed from the qualitative interviews fall under the following categories, although there is a great deal of overlap among the themes: a) crimes experienced, b) safety and trauma, c) law enforcement and reporting, and d) services for victims of crime. An initial thematic area that was coded in almost every transcript had to do with immigration and cultural issues. As we organized themes for this report, these issues were so embedded into the other thematic areas that we decided to integrate them into the sections, since a separate section on them would be redundant.

Crimes Experienced

In the interviews, we asked respondents about the victimization(s) they experienced. There were no discernable patterns of crimes by ethnicity. Early in the study, many of the first to respond to our recruitment through agencies had been victimized more than a year ago. For subsequent phases, we screened more respondents who were more recently victimized in the past year. Knowing the type and timing of victimization early in the interview helped establish context for the interview since respondents' attitudes about safety, law enforcement, and cultural contexts were related to these factors. For example, domestic violence figured prominently in many interviews, in which case the respondents' concerns, as well the response from law enforcement, centered around the home and the perpetrator of violence: “[When trying to get a restraining order on the partner] it's either a hit or miss [with getting the police to] respond to me. I'm...responded with usually a male figure who doesn't believe me, despite there being solid proof. And he'll try and flip it around and try and say that there's no violation and/or ignore the violation and just want to leave.” A Latina respondent who was a victim of abuse from her husband reported that she was raised in a violent environment at home in Mexico. “...Growing up I was in that environment. I am the oldest of six kids. My parents had me young and so they

didn't know what they were doing, I don't think. And so I saw a lot of [violence between parents in the home]. And I can't blame...their parenting for me, choosing relationships that were also violent." What made her decide to report her abuse to the police was the concern about how continuing the abusive relationship without taking action would affect her children. In this case, the response from the police was helpful.

Victimization by robbery or theft would invoke themes about neighborhood safety which some respondents also equate with other social problems. A victim of attempted carjacking reported "I don't like how a lot of the people that I see on the street...clearly have severe mental illness and they're just left to fend for themselves. And so often that results in a lot of...car thefts and break-ins and fights and confrontations, just literally right outside my parking lot." Being victimized can affect many aspects of a person's life. A victim of a home break-in with a gun and assault living in an otherwise safe neighborhood continues to avoid personal interactions outside of the home as a result of the traumatic experience. Living in what is perceived as a dangerous neighborhood, a victim of domestic violence also copes with safety in the neighborhood: "I just try to protect my own self and then appear as threatening as possible as well so that I don't get any confrontation coming my way either." Safer environments with supportive services can be protective. Younger generations with less serious victimizations have a more positive experience - a 2nd generation Vietnamese teenager whose scooter was stolen from school grounds reported receiving a great deal of support from the school (the school resource officer helped find the scooter) and from his family. Nevertheless, the respondent also discussed other Asian American neighbors being especially cautious about crime and violence by installing a security system. Other victimizations of those interviewed include being stalked by a

stranger, burglary, sexual assault, attempted auto theft, shooting, vandalism, excessive force by police, and witnessing a violent crime.

There was a general perception by a number of respondents that the COVID-19 pandemic has resulted in an increase in crime. Most visible to Asian respondents are the physical attacks on other Asians. “There have been more attacks on elder Asians...and I have been frightened for my own grandparents who do go out and just do simple stuff and am afraid that they will be attacked. And knowing my grandparents and knowing like especially older people, especially like my parents...they're not the personality type that they...like who they are. They...don't want to report [an attack] because it's like, ‘Oh...it seems bothersome’ and it's not seen as needed.” This same respondent sees a difference among younger generations, who are more likely to report such crimes and take action. During the lockdown, family members spent more time at home – which could exacerbate already difficult relationships: “[During the pandemic] most of my time I used to stay at home so I was in contact with [the domestic violence perpetrator] for a very long time. So maybe the assaults increased [then].” Another domestic violence victim stated “[the]lockdown...really led to an increased rate of abuse. And that's why I summon the courage to leave the relationship...the impact of COVID had was it kept [my partner] at home and he would always pass this aggression and all of that anger to me.” The respondent decided to leave the relationship when the lockdown ended.

Safety and trauma

We were interested in respondents' general perceptions of their safety issues as well as specific safety concerns related to having been victimized. As mentioned in the previous section, being victimized when there is physical violence or a threat of danger can change one's perception of continued safety and affect many aspects of one's life, and safer environments can be protective, acting as a buffer to the impact of trauma. An individual's sense of safety is also

affected by their relationships, attitudes toward the police, and features of the community environment, which will be covered in the next section. We asked questions both about the respondent's personal sense of safety as well as their perception of their community's safety.

There were three dimensions to safety that came up in the interviews – personal safety at home, safety in the neighborhood, and the impacts of the COVID pandemic on safety. Personal safety in the home was most typically discussed by victims of domestic violence. A key theme among victims of domestic violence was the escalation in these behaviors over time, to the point where at some point their home and family presented more risk factors rather than protective factors: "...I knew then he [the partner] had some issue like psychologically...behavior in moods..." and the problem became worse over time, resulting in physical violence. As opposed to a single exposure to violence, domestic violence victims can live with an abuser for an extended time until action is taken: "I would say [the abuse from my partner] went on throughout our relationship because I met him in 2016, and a few months into the relationship...he came back drunk and he would always want to hit me...So it's a tough one for a period of years until I got the courage to finally walk out of the relationship." Another victim of domestic violence explained how the trauma effects are continuous well after the decision to leave the abusive partner: "And after the one year or two years I was into panic attacks and I have to look for help because I was scared."

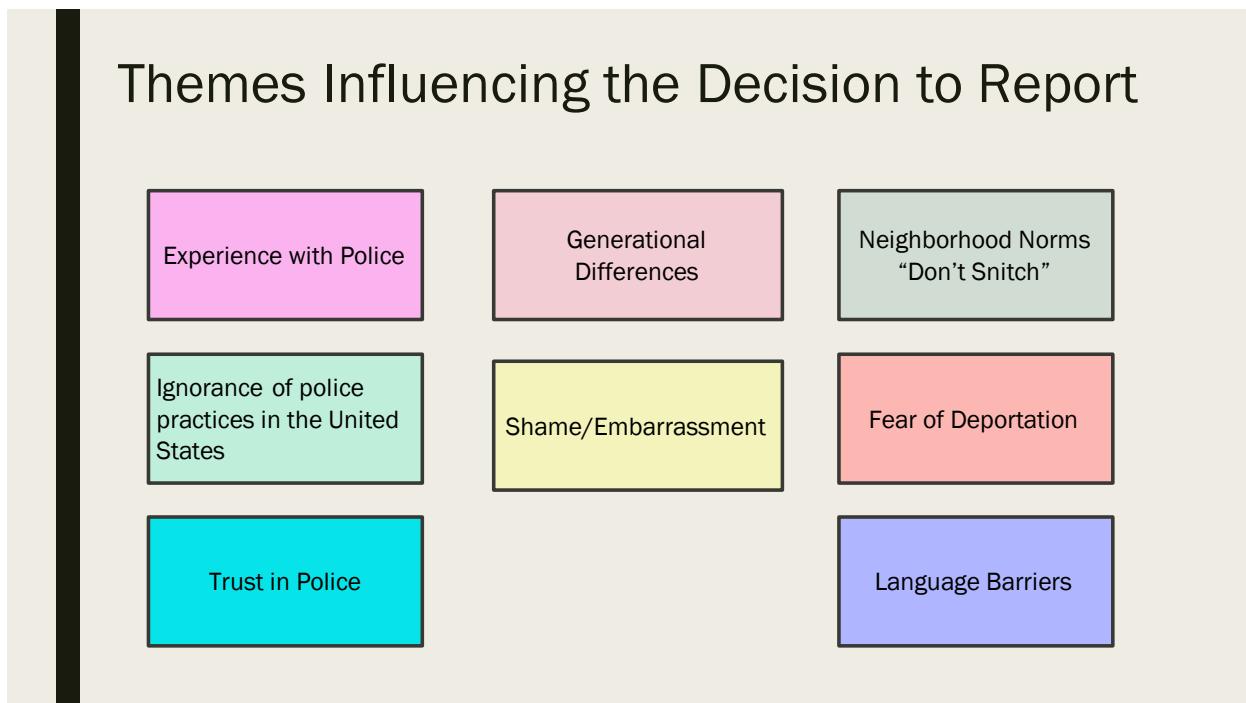
Safety in the neighborhood was an obvious issue for those who were victimized outside of their homes. One respondent who was assaulted close to home reported "I was just taking a walk... then, I heard a voice. You know, I was trying to talk to the person. Then boom - he just attacked and I was trying to call for help... at first, I tried to defend myself. But when I saw [the] gun, oh, I was really very scared, and I couldn't do much." This respondent believed that the

assault was race-related. Some victims take action, such as installing a security camera or streaming doorbell, or communicating with neighbors to be aware – “...as long as we have our neighbors that have our backs and vice versa, then I reciprocate as well.” In one of the more dramatic victimization stories, a 2nd generation African immigrant reported being attacked by strangers at home: “when my parents weren’t home, around 1 a.m....so I was asleep and suddenly there was a knock on the door... two tall, brooding men about like six feet high...they looked somehow drunk. I...asked them to leave. But they ignored me.” They produced a knife and threatened the respondent, then entered the house. While they searched through the jewelry, the respondent managed to subdue both men, and the police arrived about a half hour after they were called. Although his parents continue to remark on his bravery in the situation, he reported “the next three months this situation affected me like, like dreaming about it each time.”

Law Enforcement and Reporting

An important set of questions in the interviews were about reporting crimes to law enforcement. Interrelated themes from the transcripts were a) motivations and barriers to reporting; b) peoples’ experiences with law enforcement responses to reported crimes; and c) community experiences and attitudes about law enforcement. Individual decisions about reporting their own victimization varied – 23% of interview respondents did not make a report to the police. There did not seem to be a pattern of the types of crime related to the decision to report. Respondents decided against reporting to the police for both violent and non-violent crimes, as did those for which a report was made to the police. Explanations for not reporting included a) previous exposure to law enforcement that discouraged further involvement, b) general attitudes about police from indirect sources (such as the media coverage of police violence or word-of-mouth information), or c) immigrant-related circumstances, such as language barriers (see Figure 4).

Figure 4: Emergent Themes Impacting the Decision to Report an Incident to Police



Previous experience with law enforcement was an important predictor. “If he was handled properly, he might call the police. But if he was handled improperly, like he was not handled properly according to the law, he may not call the police because he's afraid of the mishandled, maybe mishandling of the last time.” One respondent remembered witnessing police violence – “I had a friend of mine where we actually experienced violence from a police officer and I saw one of my best friends who was actually held up and choked by an officer SJSU PD in our house. And so I remember that we were traumatized because we were all being held up against the wall and we couldn't do anything.”

An example was given of a decision based on indirect general attitudes from a domestic violence victim: “Maybe I should have reported to the police... maybe that case wouldn't have gone anywhere... I'm Black, you know, maybe that racism thing so I just thought the entire process will be like a journey to me, so I just thought maybe let it go.” There are expectations

associated with law enforcement responses that may be linked to how police are viewed in the respondent's country of origin, as one service provider noted: "Immigrants that are still new to the United States, especially the first immigrant, they may not have enough information about the police. They may think that [like in India]...it is the same way police in their country treat them they expected to be treated here the same way." Even when personally victimized, the reluctance to report stems from long-standing community norms of non-cooperation for fear of being labeled a "snitch." As one respondent put it, "obviously you don't talk to the police. You don't converse with them. You weren't seen talking to them, being near them or anything... or else you're a snitch." Then, there's simply a fear of being deported, whether personally or given the tenuous immigration status of a loved one, as was conveyed in the following quote: "...like for my mom's...status, she was always worried about what that would mean as far as Immigrations and Customs Enforcement."

Language poses a significant barrier to reporting to law enforcement, because, for "People who are not bilingual or they cannot speak English, that could be really challenging for them to report the whole incidence (*sic*)."¹ For recent immigrants like one Chinese women, ignorance of the process of crime reporting can make it challenging, as she described "[I don't know]...the proper...way that I should report [a crime] cause nobody ever shares that with me. There's no education." From the perspective of an English-speaking adult child, "my parents don't speak English well, and I think that affects them calling the police because when [the police] come and if [my parents] are not able to...communicate...what's going on. I don't feel like [the police] take it as seriously."² A second-generation Vietnamese respondent talked about similar attitudes in their community: "[one issue is] people of color feeling that the police will not side with them or will not help them or will take their concerns seriously, that [the] police

involvement will only make things worse so that they don't use police." Furthermore, when those with language barriers decide to report a crime, at best, they expect delays in responding: "When they speak Spanish and they call 911 for service operations, there's a delay. And so when they're screaming for help and they're being abused or they're being shot at or they're being stabbed and the dispatcher can't speak Spanish, they have to be transferred or be or they have to be held over until an operator who speaks Spanish gets or a dispatcher, somebody who's contracted from another service gets transferred over to speak Spanish for them."

Not all interactions with police were negative. Several respondents reported more positive interactions, even if it seemed that nothing would come from the investigation. An African immigrant's response to calling the police about being assaulted was emblematic of these assessments: "I was really surprised when I got respected by the police officer;" from one respondent who was actually arrested, "I felt I was treated with honor, with respect, and I have not pushed around or anything." Often, however, the police action did not result in tangible results, such as a case involving domestic violence, where a respondent suggested the "Police were nice/polite but they did not have answers."

Services for Victims of Crime

We asked a question about what services the respondent and/or family members received as a result of their criminal victimization. There did not seem to be any patterns in this sample about whether those who reported their victimization used more or less services than those who did not report. However, more victims of domestic violence sought out and received services than victims of other crimes, including violent crimes. Counseling was the most sought-after service, although not all domestic violence victims made use of it. At least one respondent did not wish to make it known to law enforcement or the courts that she was interested in counseling given their distrust of law enforcement: "The thing was that I didn't want the courts to know. I

wanted to do that on my own without their acknowledgment... because [if they] know about me going to counseling, then they can force me to go... they always have something up their sleeve...if I'm going to receive help, I'm going to do it on my own." A few respondents had already been in counseling prior to the victimization under discussion, given domestic violence is often experienced as a series event, and thus they were responding to ongoing behaviors. There were mixed opinions about the benefits of counseling, including how such services can lead to self-help in the way of leaving an abusive partner. As one respondent suggested, "You can't talk someone into like leaving the relationship. They just wanted to be done with it. I think just having a center somewhere to have, you know, have people, you know, that are victims to come and feel like they're not judged [offering] in-person support groups." There may be generational differences in seeking support, much like the difference mentioned above about reporting a crime. "Maybe the younger generation made a way where people don't have to feel intimidated by law enforcement or they have agencies now that can assist in filling out restraining orders and all this. I didn't have that luxury. I did it all by myself without assistance." One respondent took advantage of counseling sessions offered by the County Family Justice Center but was left unsatisfied by their services, stating "I did not think that they were very helpful and I wish that they would have been more helpful." When asked how their services could have been more helpful, the response was "Offering services that I needed, helping me get compensation and apply for victims' compensation." Almost no respondents of any type of victimization mentioned seeking or receiving victim/witness compensation.

The COVID-19 pandemic had a definite impact on the availability and access to services. The opinion of many respondents was that the pandemic limited support services. Online counseling and support groups were viewed as inferior to in-person services. "I don't think

[virtual/phone therapy] is the best fit for me and probably not for a lot of people.” Online availability may also have reduced access: “I don't get to see my therapist in person... it has to be over the phone, and it may take longer because also there's...more patients wanted to talk to my therapist, so she has less availability.”

Qualitative Data Analysis for Professional and Focus Group Interviews.

We interviewed representatives from professional organizations serving immigrant victims of crime in the City of San Jose. The organizations included those providing victim advocacy, legal services, housing assistance, county immigrant services, gender-based violence advocacy, domestic violence service providers, Asian community services, city police, and the District Attorney’s office. This report will cover both individual interviews (N=8) and a focus group with six participants. The following major thematic areas were discussed by professionals: a) factors in crime trends, b) domestic violence, c) factors in reporting, d) immigration-related issues, e) response and services, and f) policy issues and recommendations.

Factors in crime trends

Although there were several types of crimes discussed by community residents, professionals focused on a few major trends – mostly due to the COVID pandemic and the associated stresses of the lockdown. A law enforcement representative reported “dramatic changes” during the pandemic lockdown: there was a decrease in home burglaries and a decrease in sexual assaults. Vehicle burglaries “skyrocketed.” After the lockdown, reports of child sexual assault and child abuse increased, “...because kids are in schools again, and that's where they report it.” Reported domestic violence did not decrease. One respondent stated that it might take another year or two until we know more about the crime trends at home, especially for domestic violence when the close proximity of the family discourages timely reporting.

Domestic violence

The influence of immigrant status on domestic violence was a consistent theme across interviews with professionals in San Jose, including the role a tenuous immigration status can play and that of native culture on experiences of domestic violence. One contextual issue affecting immigrant women is the relationship with spouses as determined by their immigration status. A Vietnamese professional reported that women "rely on their partners...to navigate the immigration process... so I think... one of the threats that are made by the partners...[is that] 'I won't sponsor you or you're gonna get deported...' Hispanic women are also affected and the abuse in the home is exacerbated by the tenuousness of their legal status. "Many women...are afraid of losing custody of their children and also cannot go back to their homeland and cannot legally stay in the United States. So they [remain] undocumented." Part of the job of advocacy organizations is educating victims about the nature of their abuse: "making that step [to get help] is really important. They think 'Oh, he didn't - there are no bruises on me...he only yelled at me. He didn't leave a bruise. It's not domestic violence.' So educating them [that] domestic violence is physical [and] emotional." For first-generation women, their dependence on their male partners is for "survival reasons" even when their partners are abusive. "It was pretty common in the past that...the male partner is a U.S. citizen who speaks very good English and has a spouse who is an immigrant and doesn't speak English at all, that [the male partner] is actually talking to law enforcement and explaining what happened." Not having a social network also limits victims' ability to communicate problems to others outside the family: "Especially if they just moved to America and they don't have any friends or family members in America. That's also very hard for them...looking for services if they're being controlled by the abuser not to go anywhere or have any [connection] with anyone like neighborhoods or they're also not allowed to go to school or work..." An additional disincentive to reporting spousal abuse is the presence

of extended family in the house. The importance of maintaining the integrity and reputation of the family is important, and so there is pressure from extended family (often on the paternal side) to keep the abuse within the family, rationalizing “that’s just how it is.”

Beyond immigration status, cultural norms of privacy and patriarchy influence how people handle domestic violence. As one respondent suggested concerning privacy and family conflict, “That's part of...Asian culture of why you don't report...you don't want to air your family's quote unquote, ‘dirty laundry’ and you don't want to make your community look bad.” The abusive relationship “could be as simple as verbal abuse, like calling them names. It could be being manipulative. It could be their partner having other partners, you know, so essentially, cheating...[and] the victim knows about and has confronted the other person about [it].”

Factors in reporting

Some of the family and cultural factors in reporting domestic violence were discussed in the previous section. Professionals reported two main factors that influence reporting crime victimization in general: immigration-related concerns and cultural attitudes about law enforcement. “The fear isn't always coming from fear of being deported by the police or not being believed by the police, but retaliation by their abuser who [holds] their status against them. And so I had a case where these victims were undocumented. I think they're from Central America. And right before a preliminary hearing, which is a hearing where they're required to come to court to testify, they get a very suspicious phone call that they have to appear in immigration court and they even had...a document that was sent to them via text message that looks like a subpoena. And they were freaking out that they have to appear in immigration [court]. It turns out, it was false. We don't know who it came from. We highly suspect it comes from [the suspected perpetrator].”

For those with uncertain legal status, the main concern is drawing attention and fears of deportation. Even for those victims who have legal status, there is still concern about drawing attention to other family members and increasing the risk of ICE intervention. “They might think that…they may get deported, or their sister or parents may get deported… and so that's why we do…outreach to them, to let them know that being the victim of a crime and reporting it to the police will not get you deported, will not have any effect on your immigration status.” Often, reports come in secondhand – friends or relatives report a crime or abuse, sometimes months after the occurrence.

Many newly arrived people lack knowledge about the legal system and available support: “That's one thing that I've noticed about people who are undocumented, it seems like even though this information is out there on the internet, they don't really know.” One respondent remarked that they do a lot of “hand-holding” to assist people in navigating the law enforcement system. Another respondent contextualized some of the issues in finding factual information on the criminal justice system for immigrants, stating, “from being an immigrant myself, I will say that coming from a different culture and learning about American culture [is difficult because] there's a lot of misinformation.” Negative experiences with law enforcement in the home country is also a factor: “…the only government that you do know is corrupt and will likely jail you for being raped instead of help you.”

We heard both positive and negative aspects of the culture of origin and its effect on handling victimization. On the one hand, cultural mores can stifle getting help: “that's why we've had such a hard time getting victims and the Vietnamese community to cooperate even after they report because half the time their parents are stressing them out so much about how embarrassing this is to the family that the kid doesn't even want to deal with it. And that is a huge challenge

that we have to meet. And it is an awful, awful consequence of the culture for the victim." Such issues are kept so hidden in the Vietnamese community that one agency representative reported having a new co-worker who speaks Vietnamese, and since then "all of a sudden, there's so many cases that we never knew existed...[the agency has been] so out of touch. It just seems like it's really private." Respondents confirmed that a similar dynamic is at play in the Hispanic community. One respondent provided an example that, especially in Central and South America, marriage to young girls is acceptable in some regions, so "I've had many cases where the defendants [say] 'Yes, I've had sex with [an underage girl]. What's wrong with that?' He didn't even know what was wrong with it, 'because I could marry her.'"

On the other hand, there are cultural strengths in having a community that provides support: "Communities [are] very resilient, and maybe it's because they don't have any other choice... I just think that if they do have any strengths it...really is coming from their own community. I just know that they have friends and family that come with them to court, that call us and ask questions on their behalf." So strong community bonds based on a shared culture can provide protective benefits according to service providers in the San Jose area.

Response and services

Most of the professionals interviewed provide some type of service for immigrants or victims of crime. The impact of COVID also dominated the conversation about service capacity: "after the shelter in place was lifted, it's like the needs of the community are so much higher... their mental health, they desperately need therapy. We have a list of therapists that we have provided in the past, those therapists are highly impacted. It just seems like the needs have doubled. The urgency has doubled, tripled, but there's not enough supply." Domestic violence shelters felt the brunt – one respondent reported that at one point there was a two-week wait for

an opening in a shelter. The lockdown also affected advocates, as advocacy centers were short-staffed and unable to respond to demand. Similarly, suspected perpetrators might have been released from incarceration early in order to prevent the spread of COVID in local jails, which then added stress to victims. So there seemed to be pent-up demand for services as a result of COVID, while at the same time in-person support services for immigrant victims were limited, even though service providers viewed them as better able to meet the needs of their constituents:: “it's also good for them to meet in person and bond with each other like they're all going through the same thing. It's always important. So when we stopped because of COVID... we couldn't do that anymore. It really affected everybody because that was...our time to bond in person [and] they learned things from each other.”

Even in the best of circumstances without COVID, the network of agencies is not highly coordinated or collaborative, according to more than one respondent: “there's...competition, for example, there's our office. And then there's the [community support agency name], right? And we provide similar services. But we can't work together. We really can't, because I call them and I'm like, ‘Hey, I have this call, I'm trying to connect them.’ And then I get cut off, like, ‘Okay, we'll take it from here.’” Another respondent explained that the precariousness of funding sources for many of these non-profit organizations is partly to blame. The exception in Santa Clara County is the Domestic Violence Action Coalition, which includes five agencies that meet regularly. “We make a lot of decisions together in terms of how to advocate [for] systems ...[there is strong] community collaboration...with an immigration-specific organization like Asian Law Alliance...and some other immigration-focused agencies.

Some organizations receive referrals by word of mouth. A representative of a victim's services organization reported: “...I have some clients that heard that I helped them in some way

and then they gave my number and then now [others are asking] for help and they're also undocumented. I'd like to think that my office and my unit provide a positive impact on the immigration community because they know that they have somebody to support them and guide them in this process, regardless of their undocumented status." For some newly arrived people, word of mouth may be the only source of information due to unfamiliarity with the internet and poor English skills.

Victims of crime have available resources such as applying for a U Visa, which provides temporary non-immigrant status to victims of a specific, but relevant, list of crimes, including sexual assault and domestic violence. One victim advocacy professional, however, reported that they are criticized for providing information about this by attorneys: "[who] get worried that if we provide this information, it's going to be used against them, and it's going to affect the case [for documented status]. Because the defense attorney [for the perpetrator] can say 'Oh, she's only saying this because she wants a visa. This didn't really happen.' And so then that's another battle that [victims] have to address." Thus, even legal and policy responses meant to improve the situation for immigrant victims can pose a challenge to those that want to use such services, as they fear their immigration status may be used against them.

Implications for Criminal Justice Policy and Practice

Providing support to victims of crime is a complex issue, made more complicated in immigrant communities given cultural norms, language barriers, unfamiliarity with systems and processes, and fears concerning immigration and customs practices that can negatively impact the lives of victims and their families, neighbors, and communities. As highlighted above, these complexities manifest themselves in potentially detrimental ways for crime victims, leading to impaired system use and underreporting of victimization to local authorities. That said, it is

important to understand these findings in the context of San Jose and Santa Clara County more broadly, which “has a legislative body that supports pretty much all progressive policies and legislative proposals...to change immigration policy or to really expand services to immigrants and affirm the rights of immigrants.” While certainly imperfect, the City of San Jose has a rich array of services for immigrants. Thus, generalizations of these findings to other communities with lesser services and a political atmosphere less supporting of immigrants and immigration may suggest even greater reluctance on the part of immigrants to utilize public and private services to respond to victimization, with potentially serious negative impacts.

However, there are still gaps. One respondent recommends a statewide mandate to connect immigrant victims with an advocacy group. An example is that “we make teenagers talk to attorneys before they get interviewed by cops” so the respondent implied the same should happen with other types of victims, especially immigrants and those with language barriers.

Prevention of domestic violence was brought up. “In the past few years, we have moved towards prevention. So we try to...meet our community where they are. And I actually take a different approach. I think everybody knows what abuse is. It's just how people respond, because I can say more about my community than the others that a marriage is rarely between two people. It's two families coming together. It's almost like there is an incentive for the community to make sure the family is a success.” The point made is that families and communities need to be strengthened. One aspect of strengthening communities is bringing people together so that they can provide each other with supports (e.g., sharing transportation and advice). Another aspect of prevention is education, which respondents agreed should happen as early as possible, before incidents of violence in the home. A domestic violence agency representative described its importance: “...a lot of those educational sessions happen once they are involved [with the

agency]. What is the next step? What can they expect when police [are] involved? What's going to happen? And of course, this fearful thing is DFCS [the child welfare department] getting involved in the child abuse allegations. And we know that if there is a DV call at a home where there are children, DFCS will pay a visit. So what to expect and not to be afraid, asking for a support person, asking for interpreters if they need [them]. Another need is language translation: "We need translation in the courts so much...that's a huge, huge issue, especially in family court. [There are] so many proceedings where [translation services] don't exist and then legal services too because many times you're the one without the lawyer, you're the one who loses custody, even if you are the survivor." There are also concrete services that families need – such as housing. One respondent, a housing advocate, described the importance of short-term rental assistance for immigrant families which also includes case management since the rental program is only short-term and the families' needs go beyond that timeframe.

The role of law enforcement in prevention was discussed in the focus group: "...we're constantly trying to improve our relationships and work with community-based organizations and faith-based organizations to provide the resources to both victims as well as the witnesses and suspects of crimes. So a suspect in a gang-related crime may be best served by gang intervention programs, as opposed to incarceration or the school-to-prison pipeline...we're really looking at all these alternative ways of doing business. Now, that being said, look at the current state of police reform throughout the United States. It's a huge pendulum swing on the way some communities would like to be policed. Here in San Jose, we haven't found that. We haven't found that people don't want police at a domestic violence incident. We want someone who can...manage the law. But we also want to provide the resources on the back end that will prevent this from happening again in the future. So that's where that collaboration comes in." An

example of this was given in a community outside of San Jose, where in a courtroom at the Family Justice Center, the District Attorney, multiple city police representatives, and victim witness services provide a “one-stop shop” for services for victims.

Conclusions

This mixed-methods study of the residents of San Jose, CA revealed a number of nuances with respect to immigration and victimization that can help guide future research, policy, and practice. Quantitative data was consistent with prior work demonstrating what is referred to as the second-generation decline (e.g., Bersani, 2014) when it comes to involvement in crime, whereby second-generation immigrants report greater involvement in crime and other risky behaviors than first-generation immigrants. These risks, however, were not evenly distributed across immigrant groups, with Hispanic residents of San Jose, CA at greater risk of victimization than those immigrating from Asian countries. Targeting resources towards second-generation immigrants, therefore, is supported in the current study.

Qualitative data provided much needed insights into the difficulties that immigrant communities face in responding to victimization, including reaching out to formal and informal sources of support. The role of uncertainty in deterring immigrants from seeking formal responses to victimization experiences was evident. Whether this uncertainty emanated from an unfamiliarity with local justice system processes, their experiences with the justice system in their country of origin, or language barriers, breaking down the social barriers that negatively impact immigrants’ reporting practices should be a priority in high density immigrant communities like San Jose. Results suggest some of these barriers may be generational, suggesting that younger immigrants may serve as credible messengers in motivating reporting practices among first-generation and older immigrants.

Artifacts

List of Products

Peer reviewed publications

Yuan, Y, Yuning, W & Sanchez, C (2022) Immigrant Status and Neighborhood Context on Perceptions of Police Procedural Justice. *Social Science Quarterly*.

<https://doi.org/10.1111/ssqu.13214>

Yuan, Y, Yuning, W & Melde, C. (2022) Does Racial Discrimination Matter: Explaining Police Bias Across Four Racial/Ethnic Groups. *Policing: An International Journal*. Ahead-of-print. <https://doi.org/10.1108/PIJPSM-02-2022-0020>

Yuan, Y, McNeeley, S. & Melde, C. (2022) Understanding the Fear of Crime and Perceived Risk Across Immigrant Generations: Does the Quality of Social Ties Matter. *Crime and Delinquency*. Ahead of print. <https://doi.org/10.1177/00111287221113306>

Yuan, Y, Melde, C., Zhang N. & Pagidipati, P⁺(2022) Race, Ethnicity, Psychological Factors, and COVID-19 Vaccine Hesitancy During the COVID-19 Pandemic. *Psychology, Health & Medicine*. Ahead of print. DOI: [10.1080/13548506.2022.2084123](https://doi.org/10.1080/13548506.2022.2084123)

Yuan, Y, Sanchez, C.& Punla.C⁺ (2022) Procedural justice, neighborhood context, and domestic violence reporting intention among subgroups of immigrants. *Police and Society*. Ahead of print. <https://doi.org/10.1080/10439463.2022.2029437>

Conference Papers

Yuan, Y., Chris Melde, Xin Jiang (2023) Immigrant Status, Race/Ethnicity, Violent Victimization, and Crime Reporting: Mixed Methods Findings from San Jose, CA. American Society of Criminology Annual Meeting in Philadelphia, PA.

McNeeley, S. & Yuan, Y. (2022) Immigrants attitudes toward violence. American Society of Criminology Annual Meeting in Atlanta, GA.

Yuan, Y., Chris Melde, Xin Jiang (2022) Immigrant Status and Victimization: Associations across Race/ethnicity and Neighborhood Contexts. American Society of Criminology Annual Meeting in Atlanta, GA.

Yuan, Y., Susan McNeeley, and Chris Melde. (2022) Understanding the Threat of Victimization Across Immigrant Generations: Does the quality of social ties matter? Western Society of Criminology Annual Meeting, Honolulu, Hawai'i.

Appendices

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