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Latino Interests in Education, Health, and Criminal Justice Policy

In many ways, America, as a nation, is becoming "Latinoized." In significant parts of the country, breakfast tacos are preferred to biscuits and gravy, *futbol* to football, and *salsa* to ketchup. At the same time, Latino artists like Carlos Santana, Ricky Martin, and Gloria Estefan have recently reigned over the pop charts. Latinos like Bill Richardson, Ileana Ros-Lehtinen, and Henry Cisneros are recognized as influential Washington politicians and many Latinos and Latinas, representing diverse constituencies, serve prominently in the U.S. Congress.

Despite the ascendancy of Latino culture, few Americans understand how the growth in the size and influence of the U.S. Latino population might potentially influence important policy decisions. To begin to address this deficiency, we briefly highlight how current policies in education, health, and criminal justice

affect Latinos in the United States. We also suggest how the assertion of Latino interests may help reshape national social policies.

At the outset, to provide an important

context for considering the policy issues facing U.S. Latinos today, we wish to emphasize three important features that characterize the Latino population. High fertility and immigration rates make Latinos the fastest growing racial/ethnic group in the country. Latinos are also relatively young. The median age for the general population is 35; for Latinos, 26.1.¹ Lastly, Latino poverty rates are severe: 31% live below the poverty line, compared to 13.5% of the general population.²

Latinos and Education Policies

Improving educational attainment is the single most important issue for

Latinos today. Numerous studies show that higher levels of educational attainment are positively related to better job opportunities, higher income, higher social status, and increased political and civic participation (Carnevale 1999; Verba, Schlozman, and Brady 1995; Wolfinger and Rosenstone 1980). Yet Latinos are nearly the most educationally disadvantaged of all groups in the United States today (Riley and Pompa 1998).³

The Current Situation

U.S. Latinos Have the Lowest High School Graduation and College Enrollment Rates and the Highest Drop Out Rates

Less than 13% of the Latino population holds bachelors or advanced degrees (U.S. Department of Education 1997). Worse, more than one-third of Latinos have failed to complete high school. While the dropout rate for 16 to 24 year olds in other groups has declined steadily over the last 25 years, the overall Latino rate has fluctuated between 30 and 35% for the same time period. Currently, the Latino dropout rate is 2.5 times the rate for African Americans and 3.5 times the rate for non-Latino whites (Secada et al. 1998).

Latinos Attend Public Schools that Are Increasingly Racially, Ethnically, and Economically Segregated

During the 1996-97 school year, 75% of all Latino students attended schools where a majority of the students enrolled were Latino or African American. Over one-third of Latino students (35%) attend intensely segregated schools in which Latinos and African Americans comprise 90-100% of all students enrolled. A student in an intensely segregated minority school is 11 times as likely to be in a high-poverty school as is a student in a school with less than 10% black or Latino students (Orfield and Yun 1999). Although the effects of school social class and minority concentration on student achievement are complex, several studies find peer effects

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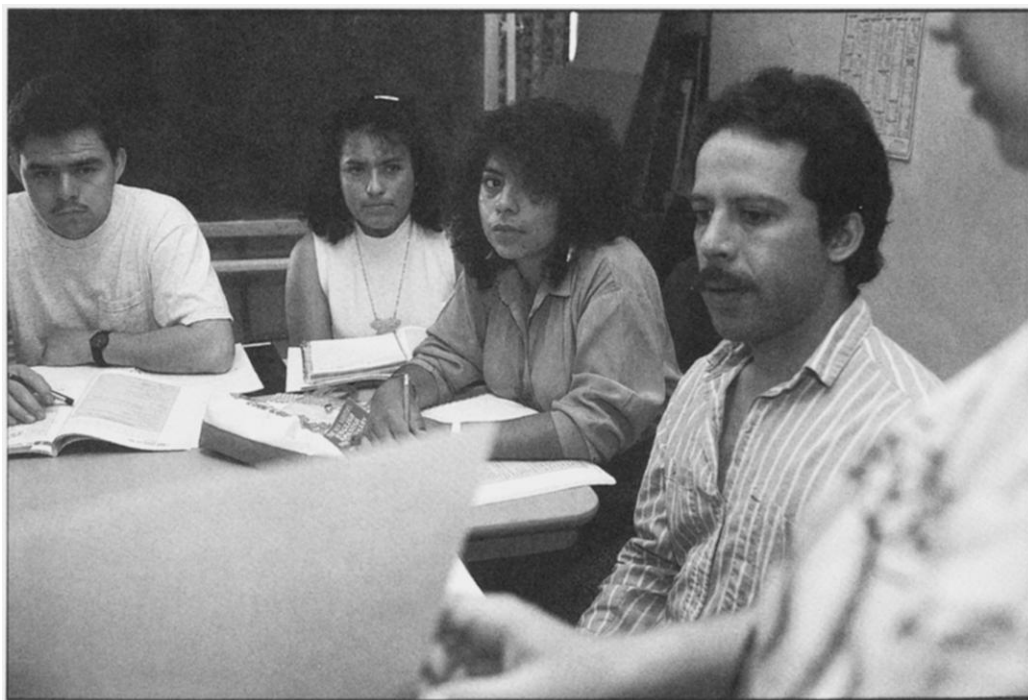
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are exceptionally strong (Bryk, Lee, and Holland 1993; Coleman, Hoffer, and Kilgore 1982; Gamoran 1996).

Latino Students May Underperform Because They Lack Fluency in English

More than 3.5 million students in public schools are classified as “limited English proficient” (LEP). Seventy-five percent of these students are Latino (Riley and Pompa 1998). LEP students come from homes where a language other than English is dominant and they have difficulty speaking, reading, writing, or understanding English. School systems have yet to devise comprehensive programs to ensure academic success for these students. Moreover, there is a critical shortage of qualified bilingual teachers. Less than one in five teachers is currently LEP-certified, and the shortage is estimated to be between 100,000 and 200,000 (Diaz-Rico and Smith 1994; Macias 1998).⁴



Studies show that Latinos are nearly the most educationally disadvantaged of all groups in the United States. Here, Spanish-speaking students learn English. Photo by Loren Santow/Impact Visuals.

Latino Students Often Face Institutional Racism or Cultural Biases at School

Cultural biases in the educational system are reflected in programming, curriculum, tracking, and ability grouping. Latino students are more likely than non-Latino white students to be placed in general or vocational tracks or to be assigned to remedial or special education classes (Grossman 1995; Meir and Stewart 1991; Spring 2000). They also are more likely than non-Latino whites to be “held back” or required to repeat a grade level (Spring 2000; U.S. Department of Education 1999). A study of Latino presence in instructional materials also found that they are frequently

excluded or presented in a stereotypical or biased fashion (Carrasquillo 1994).

U.S. Latino Students Perform Lower on Standardized Tests

Latinos underperform non-Latino whites on standardized tests of math, science, and reading proficiency in elementary schools. Generally, the performance gaps decrease as schooling progresses, but they do not disappear (U.S. Department of Education 1997). Moreover, as Riley and Pompa (1998) reported, there has been little improvement in these achievement gaps over the last 20 years.

National Implications of and Policy Options for a Growing Latino Student Population

The educational problems identified above are likely to worsen if the Latino student population grows as projected. In 1976, Latinos constituted 6% of students enrolled in American public schools. By 1996, the proportion of Latino students had risen to 14%; by 2020, the proportion is expected to be more than 30%. Latinos already make up a growing majority of public school students in large urban areas in California, Texas, New Mexico, and Florida. Similar growth is projected in states nationwide (U.S. Bureau of the Census 2000).

Policies to improve the educational status of disadvantaged students typically flow from a general strategy of school accountability (Spring 2000). Underperforming schools, rather than students and their families, are generally understood to be the primary causes of low educational attainment by students. Following this rationale, we identify four major policy options that have the most potential for improving the performance of Latino students: program enrichment strategies, standardized performance assessment, market-based initiatives, and democratic institutional reform.

Program Enrichment: Better Teacher Recruitment and Training and Enhanced Bilingual Education

There is a critical need for teachers who are more knowledgeable about Latino students and better prepared to teach them. Studies indicate teachers from similar backgrounds or minority cultures have a posi-

tive influence on the satisfaction and performance of low-income minority students. Yet the vast majority of schoolteachers (93%) and those in teacher training programs (90%) are non-Latino white and are from rural and suburban areas (King-Sears et al. 1992). Also, few training programs offer specialization in urban education. It takes just one to two years to master conversational or “playground” English, but it requires five to seven years to master the “academic” English necessary to succeed in school (Macias 1998). While bilingual education outcomes depend on many factors,⁵ studies consistently find that LEP students must receive some instruction in their native language to maintain their subject area learning in math, science, and social studies during the time they are mastering English. Moreover, an abrupt transition from virtually all-Spanish to virtually all-English instruction has been found to be detrimental for Latino students (Berman et al. 1992; Ramirez 1992).

Standardized Performance Assessment: More Evaluation of Differential Effects of Mandated Testing

All but four states currently mandate statewide standardized testing of students in reading and math, and many states require students to score above a certain level to advance or graduate from high school. The purpose behind this testing is to make schools more accountable by enabling comparisons of student achievement over time and across schools, but critics charge that mandated testing has “a significant adverse impact on minority students” (Mexican American Legal Defense and Education Fund 2000, 1). Research demonstrates that minority students are more likely to fail the mandated test and more likely to drop out because of the test than are nonminority students. One federal judge agreed with this assessment in his evaluation of Texas’ mandated test but ruled that the state could continue administering the test in the interest of improving the quality of education (Mexican American Legal Defense and Education Fund 2000, 1).

Market-Based Initiatives: Benefits Are Mixed, so Proceed with Caution

Market-based initiatives, such as private school vouchers or expanded public choice programs, will only benefit Latinos if they participate and if they select schools that improve students’ performance. However, it is unclear that Latinos have sufficient knowledge to make informed judgments about participation or the selection of quality schools (Henig 1996; Martinez et al. 1995). Analyses of both public and private choice programs indicate Latinos are less likely than non-Latinos to participate in the first place and more likely to drop out. However, there are positive results for those who remain in choice schools, especially Catholic schools: higher student and parent satisfaction and small but significant increases in test performance, high school graduation rates, and college enrollment rates (see Witte 1996). Empirical findings on the effects of choice programs on Latino students left behind in attendance-zone schools are limited, but one study finds

mixed results: no effect on student and parent satisfaction but lower student performance (Godwin, Kemerer, and Martinez 1998). It is likely too soon to judge whether school choice will benefit Latino students.

Democratic Institutional Reform: Increase Policy Impact with Greater Access to Policy Making

The last policy option requires a major change in the distribution of political influence among stakeholders in educational policy. Studies suggest that Latinos can increase their political influence through the election and appointment of school board members. Analyses consistently demonstrate that the greater the presence of Latinos on school boards, the higher the percentage of Latinos in administrative and teaching

Studies indicate teachers from similar backgrounds or minority cultures have a positive influence on the satisfaction and performance of low-income minority students.

positions. Also, the combined presence of Latino board members, administrators, and teachers is often associated with more successful Latino educational experiences regarding tracking, disciplining, and dropout rates (Erikson 1994; Fraga, Meier, and England 1986; Meier and Stewart 1991).⁶ Educational policy and practice in the United States always reflects the tension between politics and an alleged apolitical professionalism. Yet, the Latino experience suggests that politics may be the key to an increase in the type of educational policy and practice that best serves Latino students, i.e., professionalism.

It is also important to recognize that current efforts to increase the educational attainment of Latino students is occurring within the larger context of a clear retrenchment of the federal courts from using race to expand educational opportunity for students of color. Since 1991, Supreme Court rulings reveal a clear withdrawal from its previous propensity to use the principles of *Brown v. Board of Education* (347 U.S. 483, 1954) to promote educational reform. In *Board of Education of Oklahoma v. Dowell* (498 U.S. 237, 1991), for example, the Court ruled that the Oklahoma City School District was unitary and the school board subsequently voted to return to a system of neighborhood, largely segregated, schools. Similar decisions were made in *Freeman v. Pitts* (503 U.S. 467, 1992) and *Missouri v. Jenkins* (115 S. Ct. 2038, 1995).⁷ In every case, the Supreme Court established the primacy of returning local schools districts to the total control

of local school boards, lessening the chances that the goal of removing all vestiges of educational disparity across racial groups could be met. Given this pattern, Latinos cannot rely on federal courts to provide resolutions to the educational issues they confront.⁸

The likelihood of enacting policies that benefit Latino students will depend upon consensus building among major stakeholders for educational reform. Electing more Latinos to all levels of government, but especially to local school boards, could serve as an important catalyst to the building of such coalitions for reform. It is unlikely, however, that increasing the number of Latino officials will be sufficient to maintain consensus over the long term. School administrators and teachers also play key roles in determining the educational experiences of Latino students. The support of these educational practitioners cannot be determined by politics alone. To the extent that carrying out reform requires additional funding, consensus also must be attained among voters.

Latino Health Issues

High poverty, low educational attainment, and low occupational status have negative effects on individuals' health. Unfortunately, many Latinos share these risk factors. We summarize the most critical health problems faced by Latinos below.

The Current Situation

U.S. Latinos Lack Health Insurance

U.S. Latinos are "nearly twice as likely to be uninsured as the general population," and the number of uninsured Latinos nearly doubled between 1987 and 1998 (Quinn 2000). Nearly four in 10 Latino adults and three in 10 Latino children in the United States are uninsured.⁹ One study found that, of Latinos without insurance, 80% live in families where at least one member is employed. In other words, Latinos without health insurance are either underemployed or employed by companies (low-wage industries or small firms) that do not provide health insurance benefits (Quinn 2000).

There Is a High Incidence of Diabetes among U.S. Latinos

One in four U.S. Latino adults have diabetes. According to the American Diabetes Association (2000), diabetes is the fifth leading cause of death among all Latinos and the fourth leading cause of death for Latinas and older Latinos (see also Hoyert, Kochanek, and Murphy 1999). In addition, approximately 675,000 Latinos have diabetes but do not know it. Type 2 Diabetes (adult on-set) is twice as high among Latinos than among the non-Latinos. The rates of diabetes among Latino adults between the ages of 45 and 74 are highest among the Puerto Ricans (26%) and Mexican American subpopulations (24%) and lowest among Cuban Americans (16%) (American Diabetes Associa-

tion 2000; National Diabetes Information Clearinghouse 1999).

U.S. Latinos Experience a High Incidence of HIV/AIDS

Today, AIDS is the tenth leading cause of death for Latinos (Hoyert, Kochanek, and Murphy 1999). Nearly one in five (18%) of the reported AIDS cases in 1999 involved a Latino (U.S. Department of Health and Human Services 1999). Latinos continue to be disproportionately infected by HIV (Soles 1999). Moreover, minorities and women with AIDS receive inferior care compared to whites, as measured by numbers of doctors' and emergency room visits, hospitalization rates, and sophistication of drug therapies (Gullo 2000).

U.S. Latinas Have a High Breast Cancer Mortality Rate

One of every 12 Latinas will develop breast cancer. While the number of Latinas diagnosed with breast cancer significantly trails that of white women, primarily because Latinas are less likely to have regular mammograms than black women or white women (Bentley et al. 1998), Latinas have a higher mortality rate. Higher death rates may be due to "the lack of education and prevention services tailored to Latinas' cultural values, . . . limited knowledge about cancer-related risks, personal finances and lack of health insurance" (Hernandez 2000).

There Is a High Rate of Teenage Pregnancy among U.S. Latinas

Since 1994, Latinas have had the highest annual teen birth rate in the nation. The birth rate for Latinas 15 to 19 years of age in 1997 was 97.4 per 1000, "nearly double the national rate of 52.3 per 1,000" (National Campaign to Prevent Teen Pregnancy 1999).¹⁰ The immediate consequence of teen pregnancy is often the permanent disruption of education. One study notes that only 27% of Latina teen mothers complete high school by their mid-twenties, compared to 55% of white and 67% of black teen mothers (National Council of La Raza 1993). Lacking education and marketable skills, most Latina teen mothers face prolonged unemployment and high rates of poverty.¹¹

Acculturation Increases Susceptibility to Health Problems for U.S. Latinos

Studies continue to demonstrate the relationship between increased acculturation by immigrant populations and increased health problems. The findings from these studies do not bode well for U.S. Latinos, nearly 40% of whom are foreign born. Zambrana and Ellis (1995) noted that acculturation was positively associated with increased alcohol consumption and cigarette smoking and decreased preventive health behaviors. Seemingly, the more assimilated Latinos become, the more their health will decline.¹²

Policy Recommendations

Increase Access to Health Insurance

U.S. Latinos need better access to either public or private health insurance (Institute for the Future 2000; U.S. Office of the Surgeon General 1993). Prevention and early detection of diabetes, heart disease, and cancer, the most common health problems for U.S. Latinos today, cannot be increased without it. Of greatest need is insurance specifically targeted to the working poor.

Provide Culturally Relevant Health Care, Treatment, and Medical Information

More bilingual health education and promotional materials are needed. Given the high percentage of foreign-born U.S. Latinos and the increasing incidences of diabetes and teenage pregnancy, new service delivery models are needed. Pilot programs of culturally appropriate services, which address the unique contributing causes of diseases among Latinos, have worked and need to be expanded (Morehouse School of Medicine and New Wellness Group 2000; Pine 2000).

Better Research and Data

Because Latinos of Mexican origin make up nearly two-thirds of the U.S. Latino population, statistics on Latinos often reflect experiences of Mexican Americans and fail to accurately reflect the experiences of Puerto Ricans and Cuban Americans. Reducing the health disparities between Latinos and non-Latinos in the United States will require collection of data pertaining to diverse Latino groups.

Latinos and Criminal Justice Policy

Race and ethnicity remain salient in the creation of public policy in the United States. In California, for example, racial antagonism towards immigrants and minority populations is evident in efforts to enact policies that target Latinos. Proposition 187,¹³ the “Save Our State” initiative restricting services provided to undocumented immigrants, Proposition 227, making English the official language, and Proposition 209, the anti-affirmative action initiative, individually and collectively raise concerns about protecting Latinos’ rights in a state that will soon become dominated by a “majority/minority” population.

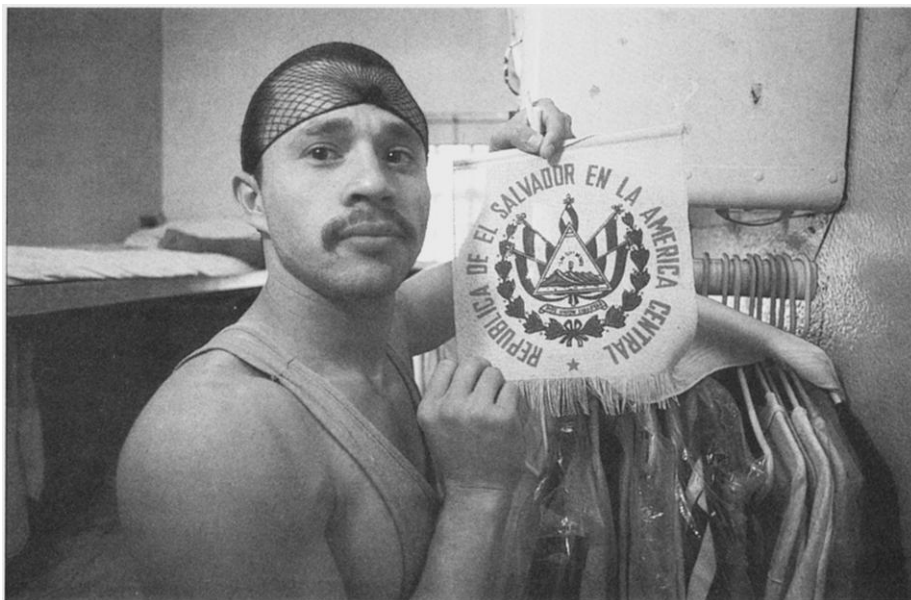
Latino Populations and the Criminal Justice System

While scholars often examine how immigration policies, bilingualism, and other pressing policy issues affect the Latino community, they seldom review criminal justice policies from a Latino perspective.

Traditional paradigms in criminal justice literature, for example, often include comparisons between blacks and whites with little attention to Latinos populations. Empirical studies devoted to the exclusive examination of Latinos and the criminal justice system are limited and largely focus on sentencing disparities, jury selection, and bail determination.¹⁴

Racial and ethnic bias in the criminal justice system is well documented. For example, researchers have noted large disparities in sentencing based on the race of the defendant and race of the victim. Their findings suggest that, all else being equal (i.e., the same crime, the same jurisdiction, the same record of prior convictions), one is likely to receive a tougher sentence if one is nonwhite or if one’s victim is white (Holmes and Daudistel 1984 ; Welch, Gruhl, and Spohn 1984). This bias becomes especially evident when one considers capital sentencing. In capital cases, prosecutors seek the death penalty for Latinos four times more often than they do for whites; prosecutors are 14 times more likely to seek the death penalty against defendants accused of murdering whites than against defendants accused of murdering Latinos (Garcia 1994).

Data on Latinos and crime is limited because criminal justice agencies typically code data by using Census



The current practice within criminal justice agencies of classifying Latinos with whites has made it difficult to calculate the extent of racial and ethnic disparities within the criminal justice system. Photo by Donna DeCesare.

Bureau racial categories, namely, “white, and “black,” including Latinos as white. This makes it difficult to calculate crime rate differences between Latinos and non-Latino whites and has ramifications for systematic research on the nature and extent of racial and ethnic disparities within the criminal justice system. For example, the incorporation of Latinos in the white category masks the potential gaps in the extent of racial disparities between, say, “white” and “other” in arrest rates. In evaluating arrest rates, the Uniform Crime Reports reinforce this mask by also not collecting data

on Latino subgroups, limiting research into factors that might correlate to arrest rates and comparative crime rates.

Latinos are less likely to report the victimization to the police than non-Latinos (U.S. Department of Justice 1994), due to fear of deportation, language barriers, and historic mistrust of police. Victimization surveys further reveal that victims do not report crimes because they do not believe anything can or will be done for them and because they fear self-incrimination.

Future Directions in Criminal Justice Research

More accurate data, innovative methodologies, and new theoretical orientations are needed to explain disparities in the treatment of Latinos within the criminal justice system. Current crime studies provide little information on Latino populations and the few available studies typically focus on the Mexican American population of the Southwest. Experiences with the criminal justice system may be different for Puerto Ricans, Cubans, or South and Central American Latinos (Carter 1983; Lopez 1983). Consequently, research studies that address intraethnic differences, as well as the relative impact of other socio-demographic factors on crime, are needed. The relationship between immigration status and crime also is ripe for innovative queries concerning state responses to national policy development and political rhetoric relating crime to increased patterns in immigration (Hagan and Palloni 1999). Finally, the causes and treatment of Latino juveniles in the criminal justice system requires further exploration.

Policy Recommendations

Government Policies and Criminal Justice Officials Need to Be More Sensitive to the Needs of the Populations They Serve

Recent police corruption cases like the Rampart Division scandal in Los Angeles and police brutality incidences like the Amadou Diallo case in New York illustrate the need to develop policies to restrict law enforcement officials' exercise of power.¹⁵ These events further aggravate tensions and sour perceptions between minority communities and police (Shoop 1988; Wortley, Macmillan, and Hagan 1997). The active participation of communities of color in documenting disparate treatment is necessary for ensuring the accountability of state actors (Porter 1999). Relations between Latino communities and law enforcement need to be strengthened through increasing dialogue and cooperation (InterAmerica Research Associates 1980). In some local jurisdictions, like Santa Ana, California,

police agencies have special units that handle crime in multiracial and ethnic communities. In a similar way, other actors within the criminal justice system must devise policies and practices that will constrain discretionary use of power. Finally, the actions and perceptions of prosecutors and judges regarding Latino defendants should be systemically analyzed so that policies can be devised to ensure consistent compliance with the rules of fairness and due process.

Latino Participation in the Development and Implementation of Criminal Justice Policies

Latino population emergence has the potential for translating numbers into active political participation in the criminal justice policy process.¹⁶ It is hypothesized that Latinos will come to constitute a distinct political constituency capable of framing and implementing criminal justice policies. Despite currently facing several formal barriers¹⁷ to organizing effective advocacy groups, Latinos must initiate consciousness-raising efforts to inform their coethnics about impacts of criminal justice policies (Nolan 1997).

Conclusion

Three themes emerge from our examination. First, projected Latino population growth has serious implications for policy making nationwide. As Latinos become the largest racial-ethnic minority group in the United States, enacting policies that enhance the overall status of this major subgroup will become more critical to the entire nation. Second, the youth of the Latino population makes developing effective policies for education, health, and criminal justice especially important. Many of the policies we examined do not serve the interests of Latino youth and some even target them for disparate treatment. The U.S. may pay a high price in the near future if this situation is not addressed. Third, furthering the integration of young Latinos into the national polity must be a priority. The policy process (problem definition, solution formulation, and implementation) suggests that favorable changes are most likely to result from greater Latino representation in policy-making bodies. Advancing Latino interests depends upon increasing the political influence of members of the group by ensuring they become elected, appointed, and community-based officials and advocates.

The U.S. Latino population is not going away. Rather its numbers and influence—political, economic, cultural, and social—will continue to expand and redefine the country. Timely policy prescriptions for addressing the challenges currently experienced by Latinos can prevent exorbitant national costs and consequences later.

Notes

1. Mexican Americans are the youngest, with a median age of 24.2. Next youngest are Puerto Ricans (27.5), and Central and South Americans (29.9). Cuban Americans' median age is 41.3. It is estimated that by 2005, Latino children will be the largest minority population under age 18 (U.S. Bureau of the Census 2000).
2. Forty percent of Latino children live in poverty. See U.S. Bureau of the Census (2000).
3. Unfortunately, few educational researchers have collected differential data on Latino national-origin groups, such as Puerto Ricans, Cubans, and Mexicans. One of the few available bivariate analyses indicates significant socioeconomic and sociocultural differences among members of these national-origin groups (Jasinski 2000, Tables 1-2). Nonetheless, as authors, we are somewhat uncomfortable making summary statements that fail to consider the diversity of Latino populations and we would caution readers accordingly.
4. Nearly one-third of LEP students attend schools that provide no curriculum adapted to their linguistic needs, receive no specific English language instruction, and are given no additional assistance in subject areas (Diaz-Rico and Smith 1994; Macias 1998).
5. One researcher, based on a metaevaluation of 18 years of bilingual program evaluations, noted that conclusive evidence as to the benefits of one model of bilingual education over another will never be forthcoming "regardless of the quantity and quality of additional research" (Cziko 1992).
6. Research by Meier, Polinard, and Wrinkle (1999, 2000) shows that a lack of political representation may be especially detrimental to Latinos in smaller school districts.
7. Many circuit and district courts have followed the precedent of the Supreme Court. See, for example, *San Francisco NAACP, et al. v. San Francisco Unified School District* (U.S. Dist. 59 F. Supp. 2d 1021, 1999) and *G.I. Forum, et al. v. Texas Education Agency* (U.S. Dist. 87 F. Supp. 2d 667, 2000).
8. It will be interesting to see if Latinos turn to the state courts as alternative sources for educational reform. In Texas, for example, it was the state supreme court that ruled in *Edgewood Independent School District v. Kirby* (Tex. Sup. Ct. 804 S.W.2d 491, 1991), that the state system of financing public education was unconstitutional. Thus,

restructuring was necessary to limit the financial and related educational disparities that existed between resource-rich and resource-poor school districts. Although the state worked to implement an effective remedy for several years before the court accepted its equalization plan (see *Edgewood ISD v. Meno* [Tex. Sup. Ct. 893 S.W.2d 450, 1995]), it is still unclear whether this reform benefited low-income minority children (Farr and Trachtenberg 1999).

9. In 1998, 35.3% of Latinos were uninsured. Among poor Latinos, the rate was 44% (U.S. Bureau of the Census 1999).
10. Mexican Americans have the highest teen birth rate (112.4/1000) among Latina teens, followed by Puerto Rican teens at 74.9/1000 and Cuban Americans at 38.3/1000 (National Campaign to Prevent Teen Pregnancy 2000).
11. In 1990, 65% of Latina heads of households between the ages of 18 and 24 with less than four years of high school were living below the federal poverty level.
12. Vega et al. (1998) found that Mexican immigrants suffer one-half the rate of mental disorders (drug and substance abuse, depression) relative to their U.S.-born Mexican American counterparts.
13. For an evaluation of the link between the passage of Proposition 187 and an increase in hate crimes against Latinos, see Cervantes, Khoka, and Murray (1995, 1). Estimates by the Los Angeles County Commission on Human Relations (1994) suggest a 23.5% increase in hate crimes against Latinos in 1994.
14. These studies include Carter (1983), Holmes and Daudistel (1984), LaFree (1985), Persersilia (1983), Sedillo (1995a, 1995b), Tinker et al. (1985), and Welch, Gruhl, and Spohn (1984).
15. Studies of racial profiling suggest police officers use race and ethnicity as a proxy for probable cause to suspect someone of criminal misconduct. Latinos and African Americans are the disproportionate targets of likely criminal deviancy and limits on this use of discretionary power are necessary for equal treatment under the law (see Kennedy 1997, 136-37).
16. See Bolick (1997) for a discussion of community involvement in criminal justice policies and enforcement.
17. Political power is limited based on formal barriers that include, but are not limited to, noncitizenship, a relatively young population, and lack of English fluency (Arvizu and Garcia 1996).

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