

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/we-need-more-data-to-understand-the-impact-of-mass-incarceration-on-latinx-communities>

Public Facing Advocacy Writing

Latinx Heritage Month, which runs from September 15 through October 15, is a time to celebrate the history, achievements, contributions, and heritage of Latinx people in the United States.

September 15 is the day when five Latin American countries—Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua—celebrate their Independence. Mexico, Chile, and Belize observe Independence Day on September 16, 18, and 21, respectively.

Though this month is a time to celebrate, it's also a time to reflect on the challenges that Black and Latinx people face in the United States, including overrepresentation in the criminal justice system. We know that Latinx people are disproportionately incarcerated nationwide. But we still don't know the true impact of mass incarceration on Latinx communities because many states' criminal justice systems [lack fully representative data on race and ethnicity](#).

Data is essential to fight for meaningful reform and end mass incarceration. Although little data is collected on Latinx populations in the criminal justice system, here are a few things we know.

One major gap in data is definitional: some state criminal justice agencies [do not collect data on ethnicity](#) but merely assign Latinx people to a Black or white race category. This binary choice creates a problem, because many Latinx people who enter the justice system are likely to be labeled as white, thus artificially skewing the number of white people in the system and minimizing the disparities that exist.

Because of the lack of data, the disparities described may be even greater than the estimates we see. This is why it's important for states to properly update their criminal justice data sets to include Latinx people. According to an Urban Institute report, [even states with the biggest Latinx populations](#) do not necessarily report accurate data on ethnicity. For example, the population of California may be [more than 39 percent Latinx](#). But the state [includes Latino/Hispanic as a category](#) only when it comes to its arrest data. California does not have data on Latinx people in its state prisons broadly, by offense type among those in prison, or about people on probation or parole. (The Urban report found that like California, Florida and New Mexico also have large Latinx populations but reported ethnicity data in fewer categories than the average state did.)

There's already strong support among Latinx people for states to collect such information. According to a national poll conducted by LatinoJustice PRLDEF in 2017, [two-thirds of Latinx people surveyed believe](#) that it is important for the U.S. Department of Justice to collect data about Latinx people who enter the system. The same poll found that [justice reform is also a big concern for respondents](#). A 2018 LatinoJustice PRLDEF poll found that when asked if the criminal justice system treats everyone fairly regardless of race, [74 percent of Latinx voters said no](#). Some reform respondents indicated that they want to see fewer arrests for low-level nonviolent crimes, restricted use of detention, and reduced racial and economic disparities in the system.

To address and meet the needs of Latinx communities, having the best available data is critical. It's time for states—especially ones with large Latinx populations—to collect and publish comprehensive data on race *and* ethnicity in their criminal justice systems. This is a vital step toward creating fairer systems and implementing meaningful reforms.

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