

**Managing Increasing Hispanic/Latino Inmate Populations  
Oklahoma Department of Corrections—October 2008**

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A DOC “White Paper”**

**Abstract**

The Hispanic/Latino inmate population in Oklahoma prisons is the fastest growing racial/ethnic population in DOC. While the numbers are not a large proportion of the total inmate population at this time, their growth and rate of increase pose definite questions for effective and efficient management of department institutions. Among the questions are (1) accurate and complete collection of data on their actual numbers and (2) sufficient awareness and application of necessary language and cultural needs to prevent inappropriate planning for and responses to the day-to-day operations of facilities with growing numbers of Hispanics and Latinos. DOC might address these concerns by assigning investigation and recommendations of future concerns and needs to a committee with a timetable for a report on the best ways to meet the challenges of this increasing population.

**Projected Hispanic/Latino Prison Population, Oklahoma Department of Corrections, FY 2005-FY 2013**

	<b>FY2005</b>	<b>FY2006</b>	<b>FY2007</b>	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>
Hispanic/ Latino Inmates	1,185	1,357	1,511	1,721	1,948	2,205	2,496	2,826	3,199

Data for FY2005-FY2008 from Oklahoma Department of Corrections, Offender Management System.

Hispanic/Latino inmates in the Oklahoma Department of Corrections (DOC) have increased 45% since FY 2005 and project out to another 86% increase in the next five years if their numbers continue to increase at past average rates. This will take DOC from 1,721 in FY 2008 to 3,199 in 2013. No other racial or ethnic group of inmates is growing at this pace in DOC institutions. It is reasonable, therefore, to ask what, if any, special considerations and actions DOC might need to take to manage that population growth effectively.

**Hispanic/Latino Inmates Historically and Nationally**

The question is not unique to Oklahoma, now or in the past. *The Sentencing Project* in August 2003 published a report (2003) on a national survey of Hispanics/Latinos in U.S. criminal justice, including their status as inmates. Among the authors’ findings:

***Hispanics in Prisons and Jails***

- *There are 283,000 Hispanics in federal and state prisons and local jails, making up slightly over 15% of the inmate population.*
- *Nearly 1 in 3 (32%) persons held in federal prisons is Hispanic.*
- *As of 2001, 4% of Hispanic males in their twenties and early thirties were in prison or jail - as compared to 1.8% of white males.*
- *Hispanics are the fastest growing group being imprisoned, increasing from 10.9% of all State and Federal inmates in 1985 to 15.6% in 2001.*
- *From 1985 to 1995, the number of Hispanics in federal and state prisons rose by 219%, with an average annual increase of 12.3%.*

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· *There is a fair amount of inconsistency in measuring Hispanic jail and prison populations, as they are frequently counted in conflicting or contradictory methods; e.g. Hispanics measured racially as black or white and not as a distinct group. It is commonly suspected that the actual number of Hispanics incarcerated is higher than what is accounted for by reporting agencies.*

### **Likelihood of Incarceration**

· *Hispanic men are almost four times as likely to go to prison at some point in their lives as non-Hispanic white males, but less likely than African American males.*  
· *In some regions Hispanic male arrestees are the least likely to have their cases dismissed, followed by black males, Anglo males, and females of all ethnic groups.*

### **Comparing Hispanic with White and Black Incarceration**

· *Nationally, in state prisons and local jails, Hispanics are incarcerated at nearly twice the rate of whites, while in some states the rate is much higher, e.g. seven times higher in Connecticut and Pennsylvania, and six times higher in Massachusetts and North Dakota.*  
· *In New York, where the state's adult minority population is less than 31.7%, nine out of ten new prisoners are from an ethnic or racial minority. In 1997, the state-wide population of Maryland, Illinois, North Carolina, Louisiana and South Carolina was two-thirds or more white, but for each, prison growth since 1985 was 80% non-white.*

### **Drugs**

· *Despite equal rates of drug use proportionate to their populations, Hispanics are twice as likely as whites, and equally as likely as blacks, to be admitted to state prison for a drug offense.*  
· *Of all federal prisoners, Hispanics are half as likely as whites to have ever received treatment for substance abuse and also less likely than blacks (H19%, B25.7%, W39.5%). The numbers are also disproportionate for state prisoners (H33.8%, B36.6%, W51.8%). . . .*

### **Hispanic Women Prisoners**

· *In state prisons and jails Hispanic females are incarcerated at almost twice the rate of white females (117 persons to 63 persons per 100,000 population).*  
· *Hispanic women are three times as likely to go to prison in their lifetime as compared to white women (1.5% vs. 0.5%).*  
· *In the U.S. general population, 9.7% of women are Hispanic. In the U.S. prison population, 15% of women state prisoners and 32% of women Federal prisoners are Hispanic.*  
· *Between 1990 and 1996, the number of Hispanic female prisoners rose 71%.*  
· *In New York, Hispanic women are 14% of the state's prison population but constitute 44% of women sentenced to prison for drug offenses.*

These findings mirrored results from a Massachusetts study a few years before (Tenaglia, 1999) that discovered the following about that state's Hispanic/Latino inmate population:

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*Of the total prison population, 23% were Hispanic. The majority of Hispanic prisoners are male (94%) and are incarcerated for drug related offenses (49%). Mean age of incarceration is 29.8 years old, with the mean maximum sentence length being 91 months for Hispanics. Sixty-seven percent of the Hispanic inmates had an educational achievement level below 11th grade compared to 45% of the non-Hispanic population. There were also only 13% of non-Hispanics incarcerated for drug related offenses. Life sentences were being served by 17 % of non-Hispanic inmates compared to 7% of the Hispanic population.*

Despite the detailed statistical breakdown, neither report addressed the particular needs or concerns which state departments of corrections might have to confront in managing this special population. This was not unusual for the time, as almost all the studies focused on managing Hispanic/Latino inmates available today came from the late 1970s-early 1980s. However, those studies raised several issues that likely remain important questions for consideration today.

In 1978, the Puerto Rican Bar Association of New York proposed a study of Hispanic offenders at Rikers Island, designed in part around variables with implications for correctional management: . . . *the study will also provide police, court, and corrections officials with a simple means of identifying Hispanic offenders with serious language handicaps. The survey will also include a scale for measuring the role that social discrimination plays in the problems of Hispanic offenders, and whether discrimination toward Hispanics is a matter of race or ethnic origin* (Torres and Stansky, 1978). A year later, a Master's thesis in New Jersey (Lee, 1979) dealt with Puerto Rican inmates in 4 NJ penal institutions. Among the conclusions were the following: The inmates were “*greeted with antagonistic and stereotyped attitudes which are magnified upon entering a penal institution, by negative attitudes toward both criminal offenders and the racial or ethnic minority. Generally, programs to serve minorities operate on a stereotyped basis and fail to appreciate the inmates' real needs. . . .Criminal justice programs need more Spanish-speaking persons in the courts and correctional institutions, as well as legal aid for Hispanics. Those working with Puerto Ricans also need to appreciate their cultural diversities as well as their similarities.*”

A 1980 article (Castro, 1980) asserted that

*For too long, the Hispanic has been a minority within a minority in the criminal justice system and has been given relatively little attention in the caseloads of probation and parole officials. The lack of Spanish-speaking professionals or paraprofessionals in criminal justice has crippled efforts to provide the language and cultural linkages so vital to equitable decisions about the handling of the Hispanic offender. The increase in the number of convicted Hispanics mandates a wider range of bilingual programs of education, counseling, vocational training, religious programs, etc. Correspondingly, there is a critical need to employ Hispanic or Spanish-speaking professionals who can work as custodial personnel, teachers, counselors, administrators, or probation and parole officers. Such personnel must also fill positions in law enforcement, the judiciary, prosecution,*

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*and legal aid. To address the demands of Hispanics in the criminal justice system, reliable data are necessary to assess the characteristics of incarcerated Hispanics. Such data do not now exist. Whatever information is available is obscured in confusing tables and charts.*

Similarly, an article on Hispanic inmate reentry in California (Smith, 1981) reiterated and expanded on the specific needs of Hispanic offenders in and after prison with these recommendations:

*which include (1) increasing the relevancy of prison vocational education and prison industries, (2) improving the effectiveness of Hispanics' involvement in work release programs, (3) increasing the visibility of ex-offenders as a target group for funding, and (4) expanding the battery of job services and job options available to ex-offenders. Recommendations directed specifically at Hispanic needs include providing culturally relevant socialization, job preparation, and re-entry services, and improving Hispanic staffing and bilingual institutional programs to better serve Hispanic inmates.*

In 1985 New York's Department of Correctional Services created a task force to investigate and recommend needed changes in programs and services for Hispanic inmates, focusing on "health services, legal services, education and libraries, services before and after release, staffing needs, and the needs of Hispanic female inmates." Its resulting report (Rojas, 1985) found the following:

*More than one-fourth of the total inmate population in New York's adult correctional institutions is of Hispanic descent. Hispanic inmates have health problems common to all inmates, as well as unique problems, especially vulnerability to tuberculosis and Acquired Immune Deficiency Syndrome. Substance abuse and potential suicide also need added attention. All inmates also need annual physical examinations. Although extensive legal assistance is available to inmates, many Hispanic inmates are undocumented aliens and Hispanic inmates often have difficulty understanding the American legal system. All legal forms need translation into Spanish. The New York State Department of Correctional Services should improve its educational programming directed at non-English speaking inmates. The prerelease program called Network should be conducted in Spanish in facilities with at least 100 Hispanic inmates. These inmates also need Spanish guidebooks on services in the community. Correctional staff should receive sensitivity training as well as inservice training on the special needs of Hispanic female inmates.*

### **Managing the Hispanic/Latino Inmate Population in Oklahoma**

From the sparse literature cited above, we can nevertheless identify two sets of needs for more effective management and treatment of the Hispanic/Latino inmate population in Oklahoma corrections. First, it is clear that greater sensitivity must be paid to **data collection and reporting**. Two chief means exist to identify Hispanics and

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Latinos: self-report and intake officer determination. Neither is completely reliable. As a result, some Hispanics and Latinos may end up classified as White or Black, or categories of Mixed Race may not carefully enough distinguish those with Hispanic/Latino heritage from others without that heritage.

Second, greater *emphasis on bilingualism and on cultural awareness* may be required in the future. This would certainly apply to correctional officers and case managers in institutions but should also involve counselors and treatment providers, educators, health care (physical and mental), and even top executive staff in the facilities. Reentry staff and probation and parole officers may also need to be included.

How can these sets of needs be addressed? The lack of literature, even in searches of publications of the major professional organizations in corrections such as the American Correctional Association, the American Probation and Parole Association, and the National Institute on Corrections, as well as the National Criminal Justice Reference Service and the Justice Research and Statistics Association, indicates that the field has not yet created dispersible models for management and treatment. Therefore, exploratory work involving offender and staff surveys, community outreach, topical focus groups, and outside authorities might be the logical first step. What can be done to better identify offenders as Hispanic/Latino in a more accurate but culturally sensitive way? How can greater cultural awareness assist better understanding and structuring of inmate-staff relations to enhance efficient and effective operation of the facilities and operations? A committee could be created to pursue answers to these questions, or an already-existing body, such as the DOC Diversity Committee, might take the work on or assign it to a subcommittee with a specific timeframe for reporting recommendations.

### Conclusions

The Hispanic/Latino inmate population in Oklahoma prisons is the fastest growing racial/ethnic population in DOC. While the numbers are not a large proportion of the total inmate population at this time, their growth and rate of increase pose definite questions for effective and efficient management of department institutions. Among the questions are (1) accurate and complete collection of data on their actual numbers and (2) sufficient awareness and application of necessary language and cultural needs to prevent inappropriate planning for and responses to the day-to-day operations of facilities with growing numbers of Hispanics and Latinos. DOC might address these concerns by assigning investigation and recommendations of future concerns and needs to a committee with a timetable for a report on the best ways to meet the challenges of this increasing population.

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