# LATINO LOCK UP: HISPANIC CULTURAL IDENTITY AND OTHER FACTORS INFLUENCING SUCCESSFUL POST-INCARCERATION COMMUNITY REENTRY

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This thesis explores the reentry transition between prison and community for Hispanic populations in the west coast states of Washington, Oregon, and California. The three states all exhibit greatly different rates of recidivism, and Hispanics in Washington and Oregon display more success and stability in reentering their communities than their Caucasian peers. The reasons behind this include differences in cultural identity and the Hispanic experience among states, state policies, and the availability of social service and support organizations. By critically analyzing the contributing factors to the success of Hispanics in Washington and Oregon, successful community and institutional practices can offer models to other Hispanic communities in other states helping to create successful reentry processes and reduce harmful recidivism rates.

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## PREFACE

The subject of this thesis was inspired by a combination of the focal values of the International Studies curriculum at the University of Oregon, as well as one very influential class I took outside of the department: the Inside-Out Literature and Ethics course in the spring of 2010. This course, conducted at Oregon State Penitentiary (OSP) and taught by Professor Steven Shankman, thrust me into the very unfamiliar situation of taking a class, and being peers with, individuals with very different backgrounds and circumstances than my usual 20-something year old college classmates. That course ignited in me an awareness of what it means to truly see an individual as what they are—a fellow peer in humanity—which, although it may sound like a simple and long-overdue recognition for a twenty-one year old, was unparalleled by any other experience in my life. To say that I 'learned', was 'challenged' or 'grew' in that class in no way does justice to the experience.

After taking this course and attempting to process its significance (a continually ongoing affair), I experienced a shift in interests for further educational and career goals. My education with International Studies has been an invaluable experience and has taught me a great deal about proper motivations and processes of interacting with people different from yourself and respecting beliefs, values, and independence. I became very interested in the meaning of community and community development and the proper way to implement successful initiatives and practices in this field. Lessons and theories learned in my International Studies classes became unique lenses through which I could look at the struggles of international communities in our own backyard.

My interests, passions, and time spent living in a Central American culture during my Spring 2009 study abroad in Mexico, coupled with my newfound passion for prison issues and my observations during my time spent in Oregon State Penitentiary to spark an interest in exploring the relationship between incarceration, Hispanics, and recidivism.

I feel it is prudent to note that I understand that the interactions I had with my fellow (inmate) students during my course at OSP were not necessarily representative of the experiences I would have had interacting with the general incarcerated population. Our classmates had exhibited extensive good-behavior records, were only eligible as long as they had not committed certain crimes (violent acts against women or children, any sexually-related offense) been screened and interviewed, many lived in honors housing, and treated the class as an opportunity and a privilege. They were, essentially, the 'best of the best' in the prison population. I was moved by conversations in which they shared the harshness and difficulty of prison life and expressed anxiety about release and frustration into a societal system that was seemingly stacked against them. If men with as much intellect, compassion, and potential as my classmates could struggle with the transition back into their communities, it made the reentry process and associated obstacles seem nearly impossible for offenders who have more extensive crime histories, more violent and addictive dispositions, and who did not receive any educational or vocational opportunities while on the inside.

I recognize that due to a restricted timeline, limited resources regarding the subject matter, and lack of access to ex-offenders for in-prison and post-release interviews, there exists a difficulty in establishing conclusive answers to my research

questions. Regardless, this paper will serve as a stepping-stone for future research (of my own, or someone else's), having already identified influencing factors that can be ruled out and those that should be studied further.

## I: INTRODUCTION: TRENDS AND PROBLEMS

The focus of this paper is to explore the reentry transition between prison and community for Hispanic populations in the west coast states of Washington, Oregon, and California. In regards to this topic the three states all exhibit greatly different rates of recidivism, ranging from 16.5% for Hispanic populations in Oregon (Oregon Department of Corrections) to 70.2% for Hispanics in California (California Department of Corrections and Rehabilitation, "Prisons and Parolees" 77, 84). Hispanics in Washington and Oregon display more success and stability in reentering their communities than their Caucasian peers; this is not the case for California. This paper will explore the reasons behind this circumstance including differences in cultural identity and the Hispanic experience among states, state policies, and social service organizations. By critically analyzing the contributing factors to the success of Hispanics in Washington and Oregon, successful community and institutional models can be exported to other Hispanic communities in other states helping to create successful reentry processes and reduce harmful recidivism rates. In order to truly understand the extent of the problem, it is necessary to understand the recent developments of the United States prison system as well as the experience of Hispanics inside and outside of institutional walls.

Although the circumstances surrounding incarceration trends in the United States provide an essential context for this paper, my specific focus is what happens *after* a period of incarceration. Individuals moving from prison or jail institutions back into society constitute one of the largest migratory movements in the United States today. The majority of offenders that are sent to prison do not serve life sentences, but are eventually released back into society. In 1999, over 550,000 inmates were released

from prison back into their communities (Raphael, Stoll, et al 207). To say the reentry transition is difficult is a gross understatement: more than half of released offenders are back in prison within three years (Warren, "One Hundred" 4). The reentry and reintegration process presents a series of very challenging social, financial and bureaucratic obstacles. Although states have a variety of reentry and reintegration support services, these programs have widely varying levels of success, and there is no comprehensive initiative by the federal government, the criminal justice system, or policy makers to address the obstacles of reentry, recidivism, rehabilitation, and reformation (Marbley, Ferguson 637). The lack of rehabilitative programs and support perpetuates the cycle of higher incarceration rates. Through harsher sentences for repeat offenders and high rates of recidivism, more people remain incarcerated for longer periods of time.

Recidivism is measured by calculating the percentage of offenders who recommit a crime from any given release cohort. Not only does recidivism expose the community to repeat criminal behavior, it is a financial strain in terms of court processing costs and repeat prison sentences. While recidivism is a problem across the nation, there are programs and factors that have been shown to decrease the likelihood that an offender will recommit upon release. These programs include institutional vocational and education programs, substance abuse treatment programs, cognitive behavioral therapy, and community employment and job training, as well as family partnership, therapy, and visitation (Aos, Miller, Drake 9). Not only must ex-offenders resist old habits of crime and addiction, but also transition to being employed, law-abiding citizens interacting positively with their families and communities.

Despite the generally disheartening rates of successful reentry for ex-offenders, pockets of successful communities do exist. In the state of Oregon, for example, Hispanics are incarcerated at twice the rate of Caucasians, yet the relative recidivism of Hispanics after thirty-six months is about half that of Caucasians, at 16.5% and 27.6%, respectively (ODOC). The recidivism rate for Hispanics relative to Caucasians is especially encouraging given that in so many other criminal justice arenas, it is the minority groups that are marginalized, discriminated against, and exhibit higher rates of negative societal indicators. Tangentially it is also encouraging that the state of Oregon has overall recidivism rates much lower than the national average.

The smoother transition from prison to community shown by Hispanics in Oregon is only partially mirrored in other Hispanic communities along the west coast. In Washington, Hispanics make up a much smaller portion of convictions relative to Caucasians, 4% to 72%, respectively. Both populations report much higher rates of recidivism more consistent with the national average: Hispanics at 48.5% and Caucasians at 61.1% (State of Washington 1). However, Hispanics in the state of Washington are also experiencing more successful rates of reentry than their Caucasian counterparts.

In California, Hispanics are not a minority in the prison population, making up approximately 39.3% of inmates, compared to 25.6% of the incarcerated population being Caucasian (CDCR, "Prisons and Parolees" 37). California is known for having some of the highest recidivism rates in the country, with 63.4% of Caucasian inmates being re-arrested or re-committed, and 70.2% of Hispanic prisoners being re-arrested or re-committed (CDCR "Prisons and Parolees" 77, 84). Not only does the state of

California struggle with successful reentry transitions in general, but also they are the only west coast state that exhibits higher rates of Hispanic recidivism than Caucasian.

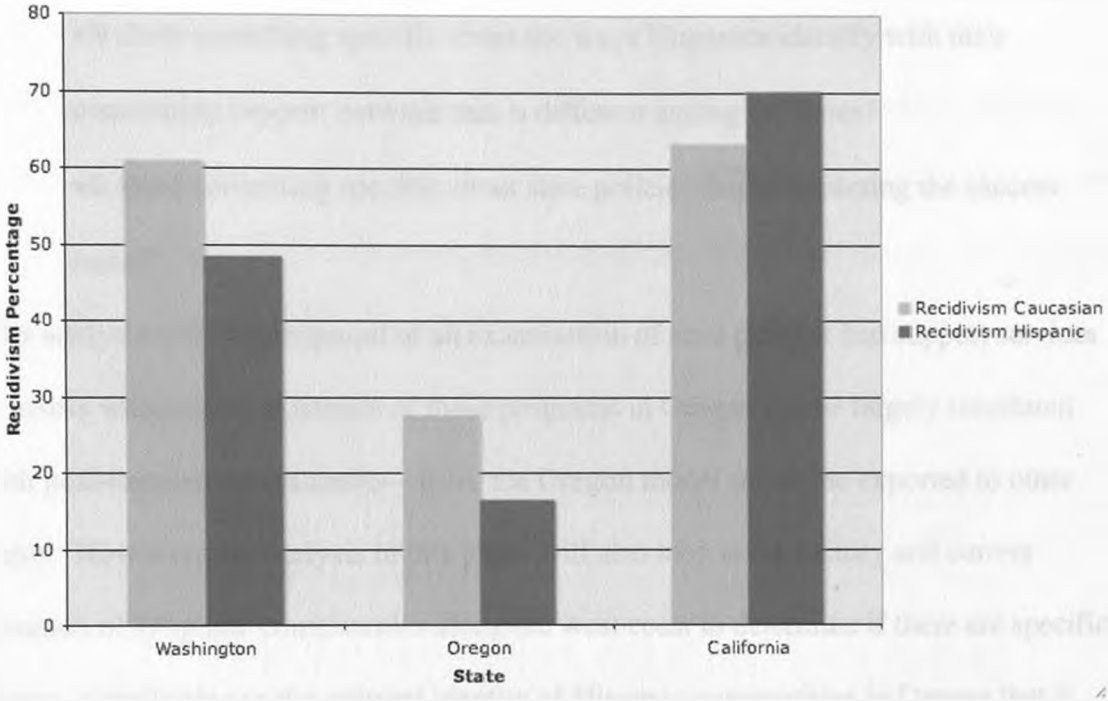



Figure 1: State Recidivism by Population. Source: self-generated.

In light of these statistics, several questions emerge. The central question I will be addressing in this paper asks why Hispanic populations in Oregon and Washington are more successful than their Caucasian peers in the reentry and reintegration process. Truly understanding why certain individuals recommit crime and others do not would necessitate gathering longitudinal data about personal histories, incarceration experiences, release circumstances, state policies, and social support services. Instead, this paper aims to present the current situation, as well as a preliminary analysis of factors that may have been thought to contribute to Hispanic recidivism in Washington, Oregon, and California. If possible, I will also try to address, tangentially, why the state of Oregon has drastically lower recidivism rates than its west coast neighbors, for all populations. I will be conducting an analysis based on the following hypotheses:

- Is there something specific about community development and history that is causing the different success rates?
- Is there something specific about the ways Hispanics identify with their community support network that is different among the states?
- Is there something specific about state policies that is impacting the success rates?

This analysis will be composed of an examination of state policies and support services to assess whether the existence of these programs in Oregon can be largely correlated with post-incarceration success—if so, the Oregon model should be exported to other states. However, the analysis in this paper will also look at the history and current situation of Hispanic communities along the west coast to determine if there are specific factors contributing to the cultural identity of Hispanic communities in Oregon that is creating a more successful reintegration process.

## II: INCARCERATION IN AMERICA: NUMBERS AND PRACTICES

Incarceration rates in America have reached alarming and unprecedented levels unseen anywhere else on the globe. With less than five percent of the world's population, the United States holds nearly twenty-five percent of the world's prisoners (Liptak). This influx of people into our prison system has occurred rapidly in just a few decades. In the past thirty-five years, the prison and jail population in the United States has increased by more than 500% (Mauer 3).

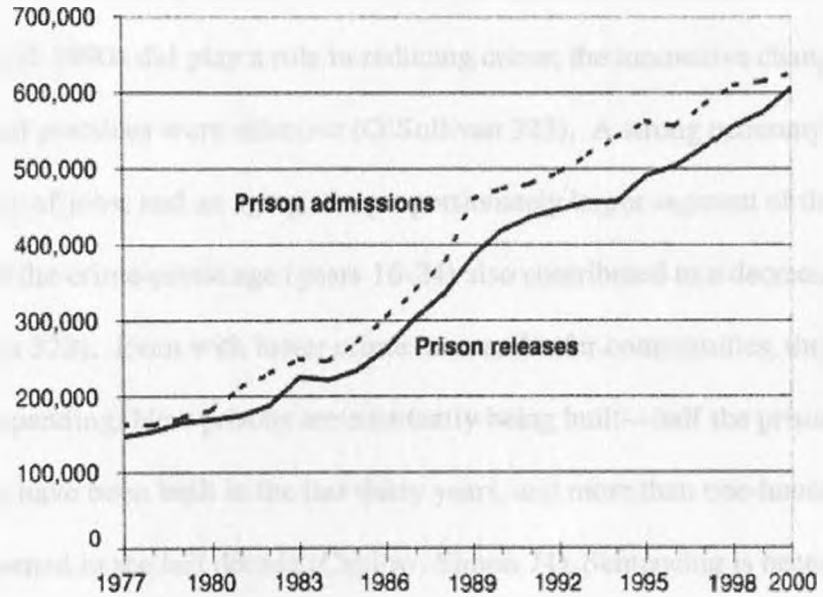



Figure 2: Sentenced prisoners admitted and released from federal and state prison between 1977 and 2000. Source: The Urban Institute. Based on Bureau of Justice Statistics national prisoner statistics.

While there has been a significant growth in the population of the United States during the same time period, it is not proportionate to the growth rate of the prison population; between 1950 and 1990, the general U.S. population increased 64% (Gamboa 7). According to data from the Bureau of Justice Statistics for the year 2008, over two million people in the U.S. were held in state or federal prisons and local jails. This

means that one in every one hundred U.S. adult citizens is behind bars (Warren 1). When individuals who are under state control through the means of parole or probation are included in the count, the number jumps to 7.3 million people (Bureau of Justice Statistics). Using the 2009 US Census Data estimated population of 308,745,538, individuals under state control account for 2.5% of the total population.

These growing rates of imprisonment are occurring simultaneously with a declining crime rate. Total crime rates, including violent crime, peaked in the late 1980s and have been declining steadily since. The "tough on crime" phase that occurred in the mid-1990s did play a role in reducing crime; the innovative changes in police policies and practices were effective (O'Sullivan 323). A strong economy from 1990-1998, plenty of jobs, and an aging of a proportionately larger segment of the population out of the crime-prone age (years 16-24) also contributed to a decrease in crime (O'Sullivan 323). Even with lower crime rates and safer communities, the prison system is ever expanding. New prisons are constantly being built—half the prisons in the United States have been built in the last thirty years, and more than one-hundred facilities have opened in the last decade (Caplow, Simon 74). Sentencing is becoming increasingly harsher; from 1997 to 2007, there was a 10% increase in federal prison sentences (United States Sentencing Commission). We are locking up more of our citizens for longer periods of time.

Incarceration is a highly contentious issue. One area of contention is the financial burden of incarceration. In 2008, federal, state, and local governments spent a total of $75 billion on corrections—the majority of this budget was used for incarceration (Schmitt, Warner, Gupta 4). A second is ethical: how many of our citizens do we have to lock up before we draw the line? One quarter of inmates are

serving time for non-violent drug offenses. Is incarceration a better answer than treatment?

A third area of contention is the population distribution of the individuals who are incarcerated and how this dispersal varies disproportionately to the representation in the general population. As a society, we tend to imprison a very specific type of individual. When compared to non-incarcerated communities, prison inmates have a long history of being less educated, under-employed, relatively poor, and disproportionately non-white (Uggen 295). Additionally, incarceration is a phenomenon dominated by young males that fall into the categories listed above, although the number of women being sent to prison is rapidly increasing. Since as recently as the mid-1990's "tough on crime" phase, the male prison population has increased by eighty percent; the female prison population has increased nearly one hundred fifteen percent in the same time span (Warren, "One Hundred" 5). Despite the greater percentage increase for incarcerated females, men are still imprisoned at a rate nearly five times higher than that of women (Warren, "Thirty-One" 5). The odds of serving a prison sentence also decrease significantly with age. One in fifty-three individuals in their twenties is sent to prison; for people over the age of fifty-five, the rate falls to one in eight hundred thirty seven (Warren, "One Hundred" 3).

Incarceration rates also show a great discrepancy when race and ethnicity are examined. Only one in one hundred and six Caucasian males will be incarcerated in their life. For Hispanics, it is one in thirty-six males; for African Americans, the number is one in fifteen males (Warren, "One Hundred" 6).

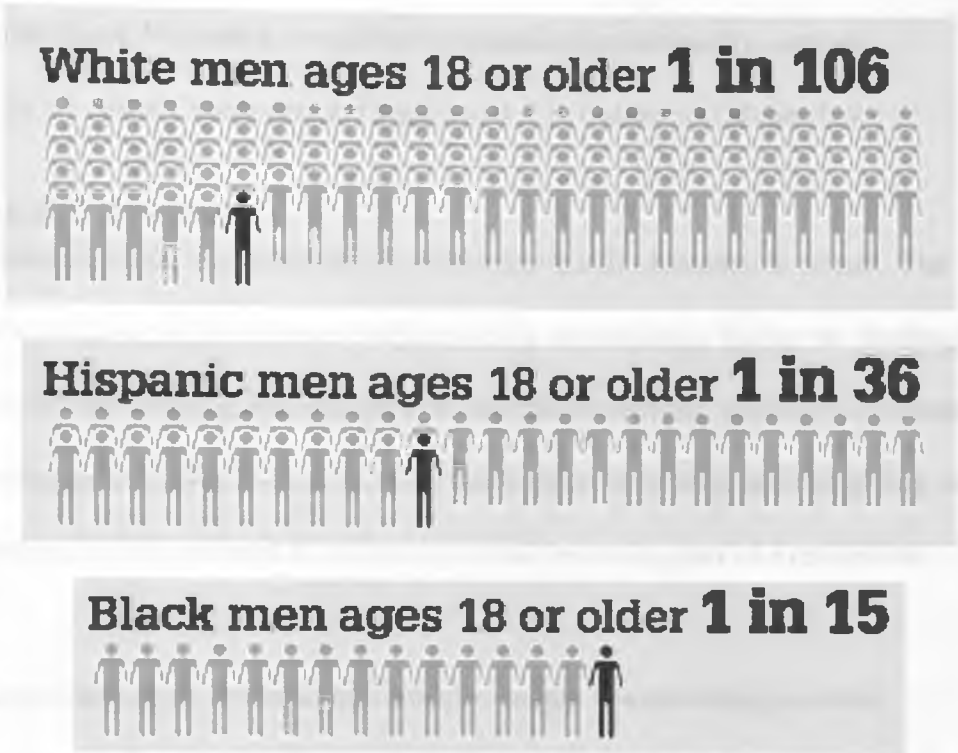



Figure 3: Racial and ethnic discrepancies in likelihood of incarceration for males ages 18 and older. Source: Jennifer Warren, "One in One Hundred"

Although the disproportionate numbers of imprisoned African Americans (especially males) has been documented for some time, the growing numbers of incarcerated Hispanics is a relatively newer development. In 2005, Hispanics comprised approximately twenty percent of state and federal prison inmates, an increase of forty-three percent since 1990 (Mauer 2). Hispanics account for a disproportionate percentage of inmates, as in 2010 they accounted for 16% of the general population (US Census Bureau). Hispanic women are also targeted disproportionately with prison sentences. While 9.7% of the U.S general female population is Hispanic, 32% of female federal prisoners are Hispanic (The Sentencing Project 2). Nationally, Hispanics are incarcerated at a rate twice as high as whites (The Sentencing Project). While the disparity between rates of Hispanic and Caucasian incarceration is not quite as extreme

along the west coast, Hispanics are still incarcerated more frequently—at rates ranging from 1.1 times Caucasians in Oregon to 1.7 in California (Mauer 16).

***Reentry and Reintegration***

As noted earlier, most individuals do not serve a life sentence in prison. The majority of ex-offenders are released back into their communities facing the challenges of finding a job and housing, medical care or addiction treatment, avoiding old criminal habits, reviving non-criminal social contacts and support networks, and complying with parole policies, all in an attempt to ultimately avoid becoming part of a recidivism statistic.

Recidivism occurs when an individual is caught re-committing a crime. According to national studies on the subject, within three years of release, nearly 7 in 10 released individuals will have been rearrested. The costs, both social and economic, of high recidivism rates are alarmingly high and extremely harmful. Not only does recidivism destabilize families and communities, the financial costs of returning and keeping someone in prison are burdensome.

Recidivism rates are commonly viewed as a defining factor in measuring the success or failure of the criminal justice system. Ultimately, the re-arrest of an individual does indicate a shortcoming in the system. However, there are a great many experiences and challenges that happen in between the moment of release and the potential moment of re-arrest that are much more significant to an individual's success after incarceration. This process will be referred to, interchangeably, in this paper as 'reentry' or 'reintegration'. Some, but not all, factors to be considered in the reentry process are access to housing, access to employment, proper identification, work history and experience, vocational and educational skills gained or lost while incarcerated,

connection to family, and physical and social place in the community. By looking at an individual's cultural identity and the perceptions and beliefs of the families and communities being reentered, the reintegration process can be made smoother, more efficient, and more successful.

There is a small but growing movement in the restorative justice field looking at the reentry process from a longitudinal perspective. The restorative justice field is characterized by attempting to repair the harm and damages caused by criminal behavior. This is achieved through cooperative processes that include all stakeholders. Programs often associated with restorative justice include community service, victim-offender mediation, victim assistance, and ex-offender assistance. I will be working with the longitudinal model (shown below) in my thesis as it complements the idea of cultural identity as a contributing factor in both incarceration and reentry experiences. The longitudinal model accounts, essentially, for a personal history; it does not operate as a "clean slate" model. Longitudinal thinking recognizes that events before, during, and after incarceration will all constantly be impacting an individual's choices. Furthermore, it also takes into account the influence, support, and motivation coming from individual, family, and community connections.

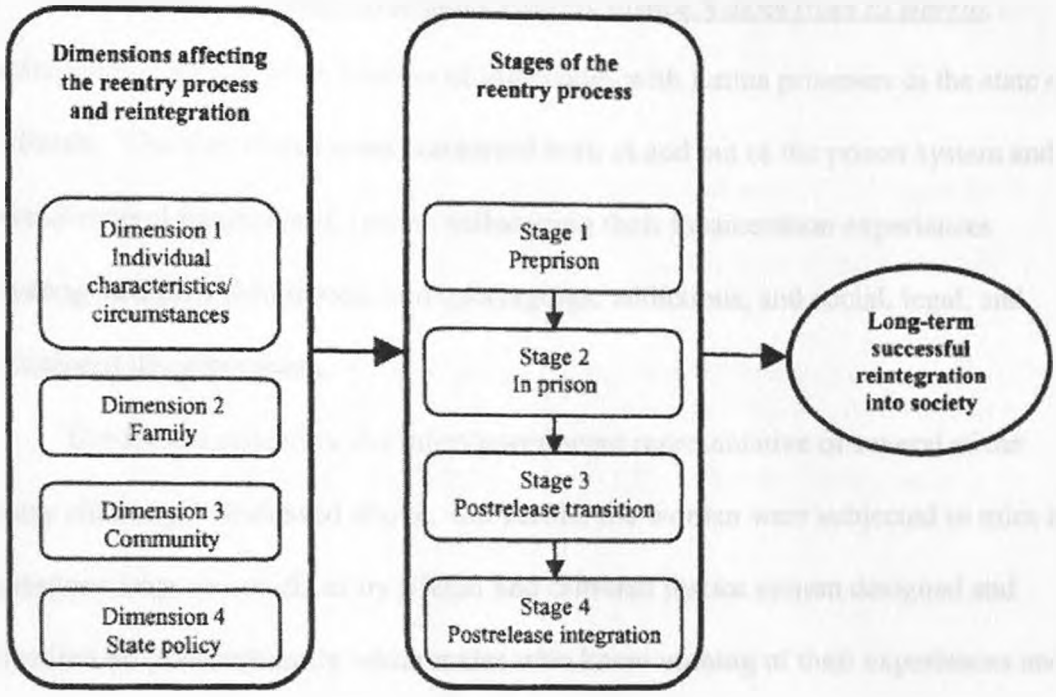



Figure 4: Conceptualizing individual transitions from prison to community. Source: Visher & Travis, "Transitions from Prison to Community".

The longitudinal model accounts for eight sectors of influences split into two categories: dimensions affecting the reentry process and reintegration, and the stages of the reentry process. The four dimensional sub-categories are individual characteristics and circumstances, family relationships, community contexts, and state policies. The four stages of the reentry process are pre-prison, in prison, post release transition, and post release integration (Visher, Travis 91). Naturally, one can infer that the in-prison experiences and support network are an integral part of what happens upon release. Time spent with bad peers in prison leads to higher rates of post release offense; exposure to supportive peers helps prevent re-offending levels upon release. Family relationships and contact both while incarcerated and upon release facilitate success in a similar way (Visher, Travis 91).

In her book Chicana Lives and Criminal Justice:Voices from *El Barrio*, Juanita Diaz-Cotto presents a series of interviews with Latina prisoners in the state of California. The interviews were conducted both in and out of the prison system and covered several longitudinal factors influencing their incarceration experiences including families, childhoods, and upbringings, addictions, and social, legal, and institutional discrimination.

The Latina prisoners she interviewed were representative of several of the reentry challenges discussed above. On parole, the women were subjected to rules and regulations imposed on them by a legal and criminal justice system designed and controlled by predominantly white males who knew nothing of their experiences and challenges. Breaking their rules or challenging the officers brought a risk of re-incarceration for the women. These men imposing the rules often subjected the women to acts of racism and sexual harassment (276).

In the face of institutional discrimination, many Latinas were trying to make it on their own and support their children without returning to their addictions or breaking any other laws. Despite the dire need to support themselves financially, very few had received educational or vocational training that provided them with passable job skills. These circumstances are difficult for ex-offenders with supportive families, legal employment histories, and educational backgrounds. For ex-offenders who do not have these benefits and are released with the label of 'convict' on their record, it is nearly impossible to overcome these obstacles.

It has been noted by scholars of the Hispanic community that there are better ways to address issues of incarceration and recidivism. Writing about the problem in

the United States, a professor from the Universidad Nacional Autónoma de México said this:

> Las oportunidades de reducir la reincidencia serian mucho mejores si pudieramos reuinir suficientes recursos durante un periodo de vigilancia a prueba o de tratamiento institucional, para tratar en toda su plenitud y hondura los problemas que enfrentan los ofensores en ese punto o etapa de su carrera (Ohlin 361).
>
> *Opportunities to reduce recidivism would be much better if we could gather sufficient resources for a period to monitor and test institutional treatment, to address completely the fullness and depth of problems faced by the offenders at the point and stage in their careers. [Translation mine]*

By using the longitudinal model to fully address the wide range of problems faced by offenders, both inside and outside of prison institutions, we could potentially help create healthier individuals and communities.

## III: HISPANIC INCARCERATION

Rates of incarceration with regard to racial and ethnic backgrounds in the United States have never been even; the recent surge in growth of the prison population has emphasized the disproportionate racial composition of the United States prison system. The rates of incarceration for the three largest populations vary greatly. Caucasians are incarcerated at a rate of 412 per 100,000; African Americans at 2,290; Hispanics at 742 (Mauer 6). The term Hispanic is an ethnic classification; an individual could, for example, be black or white, have no identifiable 'Hispanic' features, and still identify as Hispanic. For the purposes of this paper, the term 'Hispanic' will be considered an ethnic categorization exclusive from African American or Caucasian. Both Latino and Hispanic are used as general terms, although individuals with a specific heritage—Chicano, Puerto Rican, Salvadorean, etc—often form stronger subgroups.

Hispanics are the fastest-growing incarcerated population in the United States (The Sentencing Project 1). This is generally assumed to be attributed to a combination of both increasing incarceration rates and a quickly growing Hispanic population that has experienced a rise of 43% since 2000 (United States Census Bureau, "Hispanic Origin" 3). An additional factor contributing to this trend is the fact that the Hispanic population tends to have a younger average age than Caucasians. The young are more likely to be arrested and incarcerated, across all demographics. This overrepresentation is seen at the earliest stages of the institutional experience with Hispanics making up large numbers of juvenile arrests, the juvenile correctional population, as well as adult prisons and jails. According to numbers from the California Youth Authority for 2002, Hispanics accounted for 48% of wards and 51.3% of parolees in the state (Diaz-Cotto

18), despite being only 37% of the general population of California (US Census Bureau).

Other factors that are creating increased arrests and imprisonments among Hispanics include over-patrolling of poor and working-class neighborhoods by police, racism, criminal laws targeting the types of crime committed by these classes, insufficient legal representation, and sometimes excessive and unnecessary bail (Diaz-Cotto 19). Estimates from the Bureau of Justice Statistics project that 17% of Latino men born in the United States in 2001 will go to prison. Estimates for Caucasian men stand at less than 6% (Uggen 286). Despite the projections, it is impossible to know what sort of experiences Hispanic communities across the country will have with the prison system. The rates of racial and ethnic incarceration are not consistent across states. Rates fluctuate with overall crime and incarceration rates, as well as ethnic distribution. For example, the highest ratio of Hispanic to Caucasian incarceration is found in Connecticut, at 6.6:1; the lowest is found in Hawaii, calculated at .4:1. The national average is about 1.8:1 (Mauer, 16).

There are also inconsistencies with states reporting rates of Hispanic incarceration—the Hispanic population in the criminal justice system has not been monitored and reported as accurately as African Americans or Caucasians. Hispanics are partly an ethnic minority identified by cultural characteristics, like language for example, and partly a racial minority defined by their physical appearance and heritage (Steffensmeier 710). The Michigan State University Instituo para la Niñez, Juventud y las Familias describes the situation as follows:

> Los estados definen la etnia y raza del latino(a) de multiples y diferentes maneras. A una joven cuyo padre es puertorriqueño y cuya madre es afronorteamericano se le identificaría de cuatro formas diferentes en

> cuatro estados diferentes. En Michigan, se le clasificaría como "Hispana" y también se le asignaría un grupo racial específico. En California se le asignaría la categorya de "Afronorteamericano". En Arizona se le definiría su propia raza/etnia. En Ohio se pondría en las listas que tiene "dos razas". (11)

> *States define ethnicity and race of Latinos in multiple different ways. An adolescent whose father is Puerto Rican and whose mother is African American could identify in four different ways in four different states. In Michigan he would be classified as "Hispanic" and also be assigned a specific racial group. In California he would be classified as "African American". In Arizona he would define his own race/ethnicity. In Ohio he would be listed as "two races".*

This complexity of Latino identity increases the difficulty of gathering and reporting accurate ethnic and racial information. Because of the history of comparatively low, and sometimes inaccurate, reporting on Hispanic populations, research statistics concerning this group should be viewed with caution. As the MSU institute says:

> Debido a que no existe un sistema uniforme para definir la etnia de los(as) latinos(as), las comparaciones de información en todos los estados relatives a la juventud Latina son inexactas. Hasta que exista una definición y un sistema de información uniformes, no será posible el determinar la extension precisa de la representación desproporcionada y el trato desigual de los(as) latinos(as) en el sistema de justicia (11).

> *Because there is no uniform system for defining the ethnicity of Latinos, the comparisons of information in all states for Latino youth are inaccurate. Until there is a definition and a uniform information system, it will not be possible to determine the precise extent of disproportionate representation and unequal treatment of Latinos in the criminal justice system.*

Eleven states (Alabama, Kansas, Maine, Maryland, Minnesota, New Mexico, North Carolina, South Dakota, Vermont, Wisconsin, and Wyoming) do not even provide data for Hispanic inmates (Mauer 14, 15). It is commonly believed in the field that states

that report comparatively low rates of Hispanic incarceration compared to Caucasians is not because of actual practice, but rather a reflection of undercounting and underreporting (Mauer 14). This could, partially or in whole, explain the extremely low rate seen in the state of Washington of relative Hispanic/Caucasian incarceration rates. Even though during the intake process the racial and ethnic classification options are consistent with that of the U.S. Census, there is no way of monitoring the accuracy of the information recorded by the intake officer. Considering Hispanics make up just over 10% of the general population in Washington state (US Census Bureau), difficulties in reporting and classifying could potentially be making up this discrepancy.

That being said, the growing rate of Hispanic incarceration is often explained by the perception that immigrant communities, Hispanics especially, participate in crime at higher rates than their domestically born counterparts. In reality, Hispanic populations in the United States are typically less involved in crime than their U.S. national peers (Hagan). Studies have shown that it is not immigrant status, but rather acculturation into American society that is causally associated with crime (Portes & Zhou, Hagan). This is supported by the findings that first generation immigrants have lower rates of crime than second generation immigrants; that individuals who immigrated as children have higher crime rates than those who immigrated as adults, and that immigrants to the United States have higher rates of crime than their counterparts in native countries (Hagan 618). This raises the question—do well-established Hispanic communities reduce acculturation into American culture, possibly reducing involvement in crime? This hypothesis may prove to be a key factor in the successful reentry processes of Hispanic communities in Washington and Oregon.

This hypothesis, however, cannot be used to explain the drastic rise in Hispanic incarceration. Typically, Hispanic communities possess the exact characteristics of the populations we tend to incarcerate: under-educated, under-employed, poor, and non-Caucasian. Hispanic families and communities are also significantly more likely to be low-income: 61% of Hispanics, 49% of African-American, and 26% of Caucasians fit this characteristic. Hispanics experience twice the rate of household hardship than Caucasians (The Sentencing Project 2). Additionally, as socially disadvantaged offenders and recent immigrants, Hispanic defendants may lack the cultural or financial resources to soften or resist the imposition of harsh legal penalties. They also may tend to feel alienated from a criminal justice system they believe treats them unfairly and hence seem more recalcitrant. Lastly, their offenses may be viewed as more threatening than the same offenses committed by Caucasians (Steffensmeier 725). This can lead to higher-than-average rates of conviction as well as harsher sentencing. Studies have shown that ethnicity has a small to moderate effect on sentencing outcomes that favors white defendants and penalizes Hispanic defendants; African-American defendants are left in an intermediate position (Steffensmeier 705).

Furthermore, once Hispanics enter the criminal justice system after arrest, they are still more likely to face hardship and discrimination. Like all immigrants, Hispanics are one-third as likely as Caucasians to be released before trial, 22.7% versus 63.1% (The Sentencing Project 2); pre-trial detention greatly increases the likelihood of imprisonment (Hagan 619). Hispanics are twice as likely as Caucasians to go to prison for a drug conviction despite proportionately equal rates of use among populations; however, Hispanics serving federal prison sentences are half as likely (19% compared with 39.5%) as Caucasians to have had any rehabilitative drug treatment. The numbers

are also disproportionate for those in state prisons as well, with 33.8% of Hispanics and 51.8% of whites having received treatment, respectively (The Sentencing Project).

It can be understood why some immigrant youth do not adjust well, landing them in unfortunate situations, including prison. In a study conducted within Mexican-American families and published in the *Journal of Early Adolescence*, the authors write:

> Mexican-origin youth face the challenge of adapting to the mainstream culture while also maintaining ties with and adapting to the Mexican American culture; that is, they often experience socialization pressures to conform to ethnic standards at home while also experiencing socialization pressure to conform to mainstream standards in the broader community and at school. Several authors suggest that challenges created by this dual cultural adaptation process represent a substantial risk for Mexican American (and other minority) youths and may lead to negative mental health outcomes, low self-esteem, conduct problems, school failure, drug and alcohol abuse, and financial instability (Knight, Gonzalez, Saenz 445).

This, among many other socio-economic and political factors, may help to address the issue of why Hispanics are often incarcerated at rates higher than Caucasians. Difficulties in cultural adjustments, social and academic challenges, and a frequently growing multi-cultural disconnect between generations can all lead to behaviors that ignite trouble with the law. These factors are all consistent with difficulties with successful post-incarceration reintegration as well.

Interviews conducted by Diaz-Cotto in the California penal system that describe the backgrounds of Latina prisoners shed light on the overarching social circumstances that created unstable youth environments, eventually leading to lives of crime and incarceration. The stories of the women provide a sample of histories that are, unfortunately, highly representative of adolescent experiences of those who find themselves incarcerated. Of the twenty-four women interviewed, at least half had run away from unstable and unsafe home environments between the ages of 13 and 16.

Motivating factors to leave the home included "physical, emotional, and sexual abuse as well as neglect, abandonment, strict families, divorce, parents' addiction or mental illnesses (33)." As youth and adolescents, 21 of the 24 women were sexually abused. Unstable upbringings started the cycle of imprisonment at startling early ages. Between the ages of 11 and 17, twenty-five percent of interviewees and spent time in youth facilities. In this regard, these women are representative of greater trends concerning Hispanic female incarceration in California (37).

Furthermore, the incarcerated community is highly racialized and segregated within institutions. My classmates at OSP often told us how our classroom was the only place in the prison where it was acceptable and safe to interact—blacks, whites, Hispanics—together. Victoria, a woman from Diaz-Cotto's book interviewed about her involvement in the California penal system, said, "I think it was because we…felt a little bit more comfortable because we knew each other's culture (67)." If Latina prisoners did not speak English, they were even further bullied, discriminated against, and isolated from any possible friendships. From Victoria: "If they were just Spanish-speaking, kind of like they were treated almost as if they were outcasts because they didn't know the language…They be kind of like…the 'nobodies' in jail (67)." Prisons tend to be so racialized that even rival gang members will set aside conflicts from the streets in order to present a 'united front' before African American(s) and white(s) (67).

Despite the highly segregated atmosphere within the institutions, the Latinas did not have access to culturally sensitive services that met their needs. Very few ever came into contact with bilingual, culturally sensitive, or Latina staff members. None of the women interviewed had access to counseling or therapy for the PTSD symptoms from their sexual or physical abuse. None of the women who had been arrested for

drug-related crimes were referred to substance abuse, addiction, and recovery programs (74). While vocational and educational programs were available, they were not designed to a high enough level to make the women financially self-sufficient and independent. Diaz-Cotto recognizes the importance of treatment and rehabilitation for youth offenders (to stop the cycle of crime from extending into adulthood), as well as the principles expressed by the longitudinal rehabilitation model:

> In short, rather than locking them up, juvenile authorities could have provided a holistic approach that included family counseling, counseling for sexual and physical abuse and PTSD, drug and alcohol counseling, and adequate educational and job training programs that would allow older youths who opted for economic self-sufficiency to adequately support themselves. Furthermore, the adults in their lives should have been held more accountable for the abuse and neglect (75).

This insight further reinforces the role of the family as a necessary support for successful transitions and reentry experiences.

## IV: WHAT CAUSES SUCCESSFUL REENTRY?

The main research questions of this project—Why are Hispanic communities in Oregon and Washington re-adjusting to reentry into their communities more successfully, and what is it about these communities that provide such a successful reentry environment, when Hispanics are often incarcerated at higher rates?—necessitate complex, multi-faceted research to provide a complete answer. Therefore, the results of my analysis will serve as an examination of popular theories and misconceptions about ethnic incarceration and reentry, as well as a narrowing-down of likely contributing factors. I will be addressing each potential contributing factor individually.

### *Community History and Development*

The first hypothesis for why this is occurring relates to cultural identity. If Hispanic groups in Washington and Oregon are performing much better, in terms of recidivism, than their Caucasian peers and this is not happening in California, it could be hypothesized that there exists a distinct factor of cultural history and development of Hispanic communities that is contributing to success rates. In order to understand the differences occurring with Hispanic incarceration and recidivism rates, it is necessary to understand the history, development, composition, and struggles of these communities.

These populations are permanent contributors to the cultural fabric of our country. In 2008, California had the second-highest rate of Hispanic residents in the country at 37% (Pew Hispanic Center). Oregon and Washington had much lower population percentages of Hispanics, at 11% and 10%, respectively (Pew Hispanic Center). The majority of this population—around eighty-four percent in all three states-

-come from Mexican heritage. The history of Latino, and predominantly Mexican, culture in Oregon can be documented back to the early Spanish explorers of the area in the 1600s. Exploration of the Pacific Northwest continued into the 1800s with many visits from Mexican, Spanish, and Peruvian sailors searching for possible locations for coastal settlements. Supplies, as well as cultural influences, were traded across the open border between Mexico and the Oregon "Country" (Nusz 112). In 1848 the border was set, encompassing previously Mexican areas and populations within the U.S. The period between 1910 and 1930 showed a great increase in the number of people entering the United States from Mexico as people fled the Mexican Revolution. Additionally, there was an increased demand for farm labor at this time (Stephen 79). These jobs subsequently disappeared during the Great Depression, reducing the Mexican immigrant presence (Nusz 113).

The Bracero Program enacted during World War II reversed this. As American men joined the armed forces, thousands of Mexicans were encouraged to come work in communities around the nation The West Coast states received more than other regions. The Bracero Program provided funding to bring millions of guest farm-workers to the United States from Mexico. Although the program was originally implemented to ease labor shortages during World War II, the exchange lasted until 1965 (Stephen 72). In fact, the number of contracts granted after the war exceeded those granted during the war by several million. Although the program stipulated that workers invited to the United States must return to Mexico with the expiration of their contracts, this was not easily monitored or enforced. The Bracero Program initiated a seemingly steady stream of Mexican immigrants to the state.

This pattern of following seasonal work led to the eventual development of permanent Hispanic community settlements. As a few small handfuls of families who had been visiting the Pacific Northwest for several years decided to stay permanently, so did others. These families often "experienced considerable isolation from the cultural surroundings of their hometown and separation from lifelong friends" (Gamboa 16-17). As these communities grew, further steps were taken to ease the cultural isolation felt by Hispanic families. For example, Hispanic community leaders would often persuade local theaters to show Mexican films—frequently on Wednesday or Sunday evenings. This not only provided culturally familiar events and gatherings for Hispanic community members, it also forged positive business and social relationships. Theater owners now had popular showings for otherwise slow nights (Gamboa 18).

During the 1950s and 1960s, Mexican communities in Oregon faced what could be termed a 'mild identity crisis'. The small, isolated Latino communities did not have the cultural resources available among themselves to maintain their traditions (Nusz 113-114). Additional funding from state and federal levels was needed to create and maintain programs to address the needs of the growing Hispanic population. In this sense, Oregon has long been a leader in supporting the social and political rights of disadvantaged populations. As early as the 1960s, federal funding has been given to Oregon, in the form of grants, to create organizations and programs that support adult education, job development, and day care for disadvantaged populations (Gamboa 18). The Hispanic community in Oregon has noted this process, saying:

> La lucha contra la pobreza y contra el maltrato de los migrantes trajo como resultado un surtido de programa socials y educativos, así como leyes y normas que, con el pasar de los años, han ido mejorando el nivel de vida de los hispanos de este estado ofreciéndoles también oportunidades (Gamboa 45).

> *The fight against poverty and against the mistreatment of the migrants brought as a result a variety of social and educational programs, as well as laws and regulations that, with the passing of the years, have been improving the quality of life of Hispanics in this state and have also been offering them opportunities.*

As the decades have passed, Latino communities have become more established and active in maintaining their cultural identity. This activism and awareness came at an early point in the fight for Hispanic and Hispanic American rights. These efforts made Oregon citizens aware of the economic, political, and social hardships faced by their Mexican-American peers. This led to partnerships that created legal reform concerning many of these issues. These partnerships and organizations have thrived in large part due to their "bottom-up" method of addressing community needs. One example of this was the Valley Migrant League, a community-based organization located in Woodburn that addresses specific needs—such as vocational training, adult education, summer school, health services, and day care—as requested by migrant workers (Gamboa, 50). The Hispanic community, especially in Washington and Oregon, has been highly effective in identifying their own specific needs and mobilizing internal activist networks to advocate for the partnerships and resources necessary to address their concerns.

The history of Hispanic immigrants in the western half of the United States, especially the coastal states discussed in this paper, has almost always been closely tied to agriculture. For that reason, it is not surprising to see the distribution of largely Mexican Latino communities along the highly fertile Willamette Valley. The majority of Oregon's Hispanic population has congregated in eight counties: Clackamas, Jackson, Lane, Malheur, Multnomah, Marion, Umatilla, and Washington (Gamboa 8).

This physical distribution is mirrored in the highly productive Yakima Valley in Washington, with a large concentration of Hispanics account for nearly 40% of the total population (Pew Hispanic Center). However, although Mexicans and Mexican Americans make up the majority of each Washington, Oregon, and California's Hispanic populations, they are constantly becoming more diverse.

For Hispanics from the Caribbean and Central or South America, Oregon and the surrounding Pacific Northwest region is not typically the first area of settlement in the United States. Many of these families migrate to the Pacific Northwest from other states. The constant settling and mixing of Hispanics from varying countries of Latin America are changing the composition of Hispanic populations in the Pacific Northwest. It is becoming increasingly inaccurate to speak of 'Pacific Northwest Hispanic populations' and 'Mexican or Mexican American' interchangeably. With the various groups of immigrants come varying experiences, interests, and social and work arenas. Despite this growing diversity, all immigrants—Hispanic and otherwise—are united in the stresses of a new home, separation from friends and relatives, a loss of roots, and other challenges that accompany moving anywhere, internationally or locally.

However, despite the diversity, progressive laws, and strength of culture, Mexican Americans and other Hispanics in Oregon are still not treated entirely as equals. They still face discrimination and are often perceived as 'outsiders' or 'intruders'. The Oregon Commission on Hispanic Affairs has reported that:

> "Political rhetoric has often singled out the Hispanic community as a source of many societal ills. Oregon Latinos collectively have been portrayed as an immigrant, alien, and separatist population that overburdens our institutions and resources, while clinging to a culture and language that many view as a threat to American values and unity (Gamboa 71)."

This unified Latino minority creates a unique community in which to examine cultural supports and factors that contribute to successful reentry processes. In the previously mentioned *Journal of Early Adolescence* study, the authors identified six values associated with Mexican and Mexican-American beliefs, behaviors, and traditions. Despite the growing diversity among Hispanic populations, the Mexican-American value scale is a legitimate cultural indicator, since the overwhelming majority of Hispanics in all three states are of Mexican-American descent. These values included family support, family obligations, family referents, respect, religion, and traditional gender roles (Knight, Gonzales, Saenz 448). It was noted that Mexican and Mexican-American families place high importance in maintaining close family relationships for emotional support, tangible care giving and the fulfillment of obligations to the family, and use the family to define the self. It has been shown that family bonds and support can help combat recidivism rates. It has also been shown that the majority of the Hispanic population in each of the states in question is of Mexican heritage. These two factors could be working together to create the lower rates of relative recidivism for Hispanics in Washington and Oregon. But if this is the case, why does California have much higher rates of Hispanic recidivism, even with almost exactly the same proportion of Mexican-American families?

This is a difficult question to address for many reasons, in part because of the divide among the Hispanic populations along the West Coast. While there are not numbers for each state concerning the exact percentage of Hispanic inmates who are coming from poverty, it is reasonable to assume that many of them are since more than half of prisoners are earning less than $10,000 a year at the time of their arrests (Bureau of Justice Statistics). In all three states, the Hispanic population is stratified into two

distinct groups: a portion of the population who have permanent residences, are often married with children, and tend to have higher levels of education, and a second group of seasonal, highly mobile laborers, typically young, unmarried males. Recognizing the existence of these two distinct groups is necessary in order to fully understand the social issues and desires for change among the Hispanic community.

Some similar areas of concern between both groups are more basic social and political reform: access to quality education, affordable and adequate health care, stable employment opportunities, and equal recognition and fair legal treatment. Specifically, migrant workers are typically concerned with access to emergency health and dental care, especially in rural regions, job safety issues ranging from the use of pesticides to child labor regulations, local and state criminal justice policies, due process of immigration services, and migrant education issues ranging from bilingual education, proper grade level placement, and remedial classes. Many of these concerns are shared by more permanent resident Hispanics, with the focus slightly shifted to housing, employment, and discrimination issues (Gamboa 72).

Amongst all this, criminal justice and public safety issues have risen to the forefront of importance among the Hispanic community. Rates of gang-motivated criminal activity, youth violence, and drug-related crimes are alarming leaders of the Hispanic community. Large portions of Hispanics being arrested are undocumented Mexican nationals who have become involved with illegal drugs. The attention brought on the Hispanic community by these crimes has also turned the lens of examination on the criminal justice system.

With an understanding of the cultural history, struggles, and composition of west coast Hispanic communities, it is seen that the discrepancies between Washington

and Oregon with regard to both incarceration and recidivism rates cannot be directly attributed to the cultural composition of the communities. Hispanics in these two states do not have differences of any consequence in their histories of immigration, socio-economic status, or education levels.

There are many factors that determine the cultural identity of a community. With Hispanic and Latino peoples across the country, but especially in the large concentrations along the west coast, defining cultural identity must begin by addressing the question of what these communities should be called. There are a variety of terms commonly used to describe the group I am talking about in my paper: Hispanic, Latino, or Latin American, to name a few. Each term is nuanced and appeals to certain individuals, while simultaneously alienating or excluding others.

In chronological order[1]: the term Latin American was coined by the French in the nineteenth century. This term aimed to appeal to the supposed language kinship between France and Central/South America—a region of the world where the two other Romance languages were spoken. It was thought that this kinship and appeal could help increase French influence in the region.

One of the more widely accepted terms, Hispanic, was first seen on the 1970 census form of the U.S. Government. The term was intended to classify individuals from Mexico, Puerto Rico, Cuba, Central and South America, and other Spanish cultures and origins. However, according to the U.S. Government, it is not race, but national origin and culture that qualify one as Hispanic. Individuals can be both Hispanic and black.

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[1] All of the following definitions come from 'Nosotros: The Hispanic People of Oregon" edited by Erasmo Gamboa and Carolyn M. Buan.

The term Latino has gained favor in many circles in the last two decades. With the 500th anniversary of the Christopher Columbus expedition in 1992, strong debates arose surrounding the event and what it symbolized for Hispanic identity. Communities were split; some saw the event as the beginning of what Hispanic culture had evolved into. Others saw that time in history as the near eradication of indigenous culture and the beginning of alien Spanish rule in their homelands. It is this second group that prefers the term Latino, as it suggests that in Latin America there was a distinct, creative, indigenous culture, rather than the region just being a conquest of the Spanish crown.

Furthermore, there are certain racial groups—primarily Mexicans, Puerto Ricans, and Cubans—who wish to solely be identified as such, and reject most, or all, other labels. In order to mirror the dynamism and evolution of this aspect of Latino and Hispanic cultural identity, as well as in an effort of respect and inclusion, I will use several of the above-mentioned terms, as appropriate.

### *Community Support*

The next contributing factor that serves as a hypothesis is the demography of the communities being compared. It is highly unlikely that Hispanic and Latino communities along the West Coast have drastically different community cultural identities. I am not, in any way, saying that variations among identities do not occur between communities; they most certainly do. However, the vast majority of these communities have similar roots and similar development paths.

### Establishment

Hispanic populations first explored the west coast region around the same time period. Hispanic and Latino families also permanently settled all along the west coast

more or less within the same decade. For an Oregon-specific example, the settlement of Woodburn is described as follows: "The first permanent Woodburn Mexican families came from Texas in the 1950's. Originally came as farm workers, but found work in canneries, railroads, construction. Oregon (and Washington) was a natural 'upstream' choice for Mexican families from California" (Stephen 88-89). This rules out any great differences in the socio-political climate time scale that may have affected the ease of settling in a certain region at a certain time. All Hispanic and Latino populations in all three states faced discrimination and had to fight for permanent housing settlements, jobs, and equality in their communities. The types of communities that these settlements have grown into, however, varies significantly today.

**Economics**

Additionally, great differences in economic status can be ruled out as a contributing factor for incarceration rates. All three states have roughly the same proportion of their Hispanic populations living in poverty. For Hispanics ages seventeen and younger, 25% live in poverty in the state of California and 28% do in the state of Washington. Oregon has a higher rate, with 35% of Hispanic youth living below the poverty line. For Hispanic adults ages 18-64, the percent living in poverty ranges from 15% in California 19% in Washington, and 21% in Oregon (Pew Hispanic Center). Even though Oregon has the highest percentage of Hispanic adults in poverty, the raw numbers tell a different story. In Oregon, this means just over 87,000 Hispanic adults in poverty. In Washington, 122,000; in California, however, a poverty rate of 15% means more than two million of Hispanic adults live in poverty.

Hispanics traveled along (and later settled) the west coast while participating primarily in agricultural work. With the majority of the population engaged in the same

labor sector across three states, the work experiences, wages earned, and future opportunities would be fairly homogenous. Therefore it is even more unlikely that any differences of incarceration and recidivism rates between states have roots in the specific Hispanic and Latino populations that reside therein. Although these populations have stratified to create two distinct tiers of Hispanic residents, this stratification has manifested itself in a very similar manner in all three states.

**Urban Environments**

There is one way in which the Washington/Oregon region, however, does have a distinctly different atmosphere, especially in Hispanic communities, than that of California. Varying rates of gang involvement and differing concentrations of people of Hispanic descent congregating in larger communities are all factors that create a uniquely different microcosm environment. The composition of established communities is extremely important to the success of incoming minorities. These families tend to congregate in cities, particularly central cities, and the interactions with native-born minorities make the newcomers more vulnerable for downward assimilation (Portes, Zhou 83). This downward assimilation, as well as increased acculturation into American culture in larger urban environments, increases the likelihood of becoming involved with crime.

A key factor to solving this question may be found simply in the size of communities found in the respective states. The statistics for each state are not broken down into success rates for individual communities, or for offenders leaving individual institutions. Therefore, we cannot distinguish between reentry rates in a city like Los Angeles from success rates in a rural community in Washington or Oregon. However, immigrants who are joining, smaller ethnic communities have more immediate access to

a network of resources—moral and material—that exceed those offered by official state and community sponsored assistance programs (Portes, Zhou 86).

What I am finding is not only a commentary on the (more) effective sizes of communities. Reintegrating into a large urban environment (such as Los Angeles), it is easy to get lost in a sea of people trying to gain access to already-strained social support services. Although Diaz-Cotto notes the presence of Hispanic-oriented social activist organizations in California, she also notes their fallbacks. While a few self-help groups were targeted specifically to the Hispanic population being released from prison, these organizations had their resources, time, personnel, and contacts in the penal system addressing a wide range of Hispanic community issues (261). The concerns are too wide-ranging and the resources too limited to address the reentry and rehabilitative process. It is harder to reestablish a new, positive lifestyle disassociated with past negative influences. Smaller communities seen in Oregon and Washington provide just that—a supportive community setting in which to try and start anew.

It seems, intuitively, that the size of the community being reentered has a large influence on success. Although Washington and Oregon have metropolitan centers in Seattle (greater metropolitan population of 3.3 million) and Portland (greater metropolitan population of 1.7 million), these do not compare to Los Angeles, with a population of over nine million people (US Census Bureau). The numbers of Hispanics living in each of these urban centers varies greatly also. In the Los Angeles area, 48% of the population is Hispanic. The numbers are much lower in Portland and Seattle, at 7% and 5%, respectively (US Census Bureau). In both Washington and Oregon there are a number of smaller non-urban communities that have higher percentages of Hispanic populations than in the urban centers of those states. Of the total Hispanic

population, the majority are living outside the urban centers in both Washington and Oregon. While there are also towns in California that have a higher percentage of Hispanic populations than Los Angeles, the populations of these individual towns are much smaller, so that the majority of Hispanic people in California are sill living in urban environments. Although metropolitan areas often have higher concentrations of social service organizations, they also offer more opportunities to reengage in crime. Large, socially and economically disadvantaged ethnic communities are even less desirable for newcomer immigrant families than no community at all (Portes, Zhou 87). This is due to the fact that newly arrived, impressionable youth will fall into social groups with previously established potentially negative and harmful subcultures. Just as often, as shown by the previously mentioned close-to-home example, smaller communities can offer just as many support services, as well as a cohesive, culturally supportive community.

> The city of Woodburn is also characterized by the presence of Latino organizations that have offered significant support to Mexican immigrants in the community. The Willamette Valley Immigration Project, which began in Portland in 1977, moved its offices to Woodburn in 1979. WVIP provided important legal service and representation for undocumented workers and others with immigration problems and was the foundation for Oregon's only farm workers labor union, Pineros y Campesinos Unidos del Noroeste, founded in 1985 in Woodburn. In the area of health, the Salud de la Familia clinic was established in Woodburn in the 1970's, affording access for farm workers to medical care and dentistry at greatly reduced rates. Since the 1970's St. Luke's Catholic Church has offered a wide range of services in Spanish and is now one of the focal points for immigrants in the community (Stephen 89).

The range of culturally directed support services, specifically legal and job related aid has helped Woodburn grow into a culturally proud and supportive community. This atmosphere, recreated in many communities across Washington and

Oregon and in stark contrast to an urban center such as Los Angeles, harbors the services and support network necessary in a community to make a successful reentry from prison.

Smaller communities are often more successful with bottom-up community development projects. Smaller populations are more likely to have more homogeneous concerns about specific social issues and therefore can more easily unite, brainstorm, and implement projects to address these issues. The problems of smaller communities more frequently go unnoticed by government entities or, if they are noticed, are not as of immediate a concern as problems facing larger communities, with more voters. Not only do larger communities typically have a more widespread range of social problems, but there is also a greater population with a greater range of concerning issues who are each trying to mobilize and ignite change regarding their specific concern. Compounded with this is the fact that social issues and calls for change are more likely to be heeded by local government entities. This, however, does not always equate itself into the best form of community development. Being on the radar of government organizations often results in top-down community development projects. This form of development adopts a "we know what is best for you" attitude and often involves policy changes and mandates that are unrealistic for community members, culturally insensitive, and exploitative. In this context, one could present a theory that smaller Hispanic communities in Washington and Oregon are more effective and successful in mobilizing to address community issues concerning member reentering the community after incarceration and ways to combat recidivism rates. Larger communities, often found in California, may be lacking in community mobilization and support and suffer from ineffective, state-crafted and mandated programs and services.

This theory is supported by Portes and Zhou. They argue that the already-established racial and ethnic communities are highly influential—for better or worse—in the assimilation of newcomers. In Washington and Oregon, these communities are established mostly outside of urban areas; these communities are less vulnerable to urban poverty and newcomers are more likely to experience positive upward assimilation into these communities. However, heightened racial stigmatization often found in larger urban areas, such as Los Angeles, creates an environment where urban segregation is more prevalent, causing newcomers to these ethnic and racial communities to be more vulnerable to downward assimilation and involvement in gangs, drugs, and crime.

It also seems that the relative size of the Hispanic population is influential in creating a unified, statewide Hispanic community. The proportion of Hispanics in the general population in Washington and Oregon is much lower than that of California. In Washington and Oregon, Hispanics are still seen as enough of a 'minority' to have highly specialized and focused social and community service organizations. While these types of organizations and programs are also highly prevalent in California, it is possible that the Hispanic population has become large enough that, even though they statistically remain a minority, the Hispanic community is not as cohesive as it is in Washington or Oregon due to the difficulty of unifying that large of a population. The state of California is also geographically a much larger area over which to unify a given population.

***State Policies and Practices***

With the historical, developmental, cultural, and community factors appearing very similar across state lines, it is necessary to look at how these borders themselves

in the country that spends more of their budget on corrections than on higher education (Warren "One Hundred" 16). Interestingly enough, when individual state corrections budgets are dispersed at a per-institution ratio, Oregon spends the least amount of funding per facility, and still maintains the best success rates in terms of reentry processes and recidivism.

Becoming acculturated to the socially harsh atmosphere of prison can dampen interpersonal skills and increase violent tendencies, contributing to unsuccessful-post incarceration transitions. Yet few states take much action to reduce inmate-on-inmate harassment and assault. Various state policies concerning who is being incarcerated exacerbate this problem within the incarcerated population. For example, Proposition 36 in California mandates drug treatment, rather than incarceration, for some of the individuals convicted of drug felonies. This was intended to reduce the overcrowding of prisons. While it is arguably a positive change to offer treatment to non-violent drug offenders rather than incur the economic and social losses of incarceration, this policy has significantly changed the composition of the incarcerated population since 2000. Due to a steady rise over the past fifteen years of individuals incarcerated for violent crimes, coupled with the removal of a large number of non-violent offenders, the majority of the incarcerated population in California's system is now comprised of violent criminals (Public Policy Institute of California). This not only jeopardizes the physical and social safety of the environment, but necessitates a crueler individual exterior in order to maintain individual identity during incarceration. These habits and circumstances do not translate into successful reentry experiences.

Institutional policies for visiting families also vary between states. Analysis of these policies and potential ways in which they could positively or negatively impact

prisoner experiences, reentry, and recidivism is especially difficult as each state reserves the right for individual institutions to modify visiting policy. In addition to policy differences between institutions, wardens and superintendents can approve, deny, or otherwise adjust visiting policy for individual inmates for a number of discretionary reasons.

Despite the variability of the policies, all three states have a similar structure to their visiting practices. Each state requires an application and approval of individuals wishing to visit before being placed on an approved list. There are different levels of visiting privileges ranging from Basic to Privileged visiting; all levels consist of different time allowances and appropriate levels of physical contact. The states approach the scheduling of appointments for different levels of visits differently—depending on the visiting privileges of a specific inmate and the type of visit being requested the visit can be either impromptu, or an appointment must be made. The state of California explicitly notes that minor children may not be allowed to visit with parents if the parent is incarceration for a crime or sexual offense involving children. Washington and Oregon state that this is allowed with the supervision of another approved guardian, but clearly the states can revoke these privileges if deemed necessary. Washington and California have 'Extended Family Visiting' programs, where the immediate family of an offender can come stay on site in a private area for up to forty-eight hours. The state of Oregon has implemented a 'Video Visitation' in which inmates can see and talk with family and friends via videoconferencing technology. This program helps facilitate visits with loved ones who live further away or are unable to travel to the institution for a variety of reasons.

All three Departments of Corrections note that visits with family and friends are essential to the mental health of inmates and help maintain positive, supportive ties to the outside community which helps in the reentry process. Across all three states, the number of visits allocated to each inmate is an extremely variable number based on inmate behavior and classification, security of the facility, number of people visiting at one time (as well as number and age of minors), whether the visits are scheduled for weekdays or weekends, and a wide range of other factors. Because of this variability, it would be necessary to track visiting experiences of individual inmates at several institutions in each state in order to identify any real positive or negative trends associated with visiting policy.

As noted earlier, educational and vocational programs within institutions help to better prepare offenders for release and successful reintegration experiences. All three states analyzed in this paper have educational and vocational opportunities for inmates. Washington and Oregon have programs at every institution; California has educational programs at thirty-two of their thirty-three facilities, and vocational programs at all (WA/OR/CA Departments of Corrections).

Another discrepancy among states is the type of Hispanic advocacy departments within the state governments. The Oregon and Washington governments both have a Commission on Hispanic Affairs, who both focus on public policy development and deliverance designed to meet the needs of the state's Hispanics (WDC, ODC). Essentially, these commissions maintain or act as a liaison between the Hispanic communities and the government to ensure equal inclusion and that specific community needs are being met. On the other hand, the state of California has a Latino Legislative Caucus. This entity acts more of a public interest research group that raises public

awareness, offers internships and trainings, and providing public policy seminars (California Latino Legislative Caucus). While these services are aimed at Hispanic populations, the Latino Legislative Caucus does not necessarily advocate directly for specific community needs.

Not only do all levels of the criminal justice system—state and local police departments, prisons, jails, and the court system—frequently lack Spanish-speaking staff, there is a severe under-representation of Hispanics in management and leadership positions in the Judicial department. The Oregon Supreme Court has acknowledged that "minorities are more likely to be arrested, charged, convicted, put on probation, and incarcerated, and less likely to be released on bail in the adult system" (Gamboa 73). Additionally, youth in the juvenile detention system are more likely to be arrested, charged with delinquent acts, removed from their family's care and custody, remanded for trial as adults, found guilty of delinquent acts, and incarcerated. Because of this alarming evidence, Hispanic community leaders have reached out to school officials, correctional offices, social workers, police officers, and lawyers to develop policies and programs that effectively and proactively reverse these trends.

The success of rehabilitative programs also varies among the states. While all state governments offer institutional support and programs for reentry, it is difficult to monitor and evaluate the success of each state-sponsored program. Oregon, for example, sponsors the Home for Good program, a faith-based community reentry partnership program available to inmates. This program won the 2005 National Correctional Programs Excellency Award and continues to be successful and effective today. Eugene, Oregon is also home to the Sponsors, Inc. reentry program. This program offers a variety of transitional housing locations for both men and women, as

well as case management services. Participants are required to make contributions for food and rent (although at extremely reduced rates), must have a full time commitment to work, education, or a combination of the two, and must submit to random drug and alcohol testing. Between 60% and 70% of participants have successfully graduated from the program for the past ten years.

A very similar transitional program is Interaction/Transition, based in Seattle. The organization focuses on providing critical basic needs such as housing, job counseling, and social support for ex-offenders reentering the community. The organization maintains a cooperative and collaborative relationship with other local human service providers in order to ensure access to all necessary services for their participants. Group transition meetings occur both in prison for offenders preparing for release, as well as at the transitional residences in the community—the general ex-offender population is welcome; it is not necessary to be a participant in the transitional housing to attend the group support meetings.

Additionally, the State of Washington Department of Social and Health Services provides the most comprehensive database of resources, organizations, and services available to ex-offenders facing reintegration challenges. Their 'Offender Reentry Social Service Gateway' website provides a one-stop location for organizations providing economic, health, child care, and developmental disability services, mental health and chemical dependency treatment, as well as housing and employment resources. The website clearly categorizes state-sponsored as well as independent non-profit organizations, and also lists services available by county. Although it is impossible for me to determine how much of an impact such comprehensive database

holds, it appears to the outside eye as an excellent resource, clearly organized to avoid the 'lack of access to information and resources' seen in other states.

The state of California shows a different side of the spectrum. Much of the reentry support work in California is conducted by non-profit organizations either visiting the prisons or operating entirely outside of institutional domain. The California Reentry Program, a non-profit organization, came about due to the apparent ineffectiveness of the state-sponsored institutional reentry programs:

> Although the Department of Corrections and Rehabilitation (CDCR) provides several re-entry programs, they reach only a small percentage of the paroling population and are not comprehensive in meeting the needs of the individuals they are intended to serve. Most glaringly lacking is individual case management to help each prisoner with his or her re-entry needs, specific to his or her situation upon release. Another major flaw in the system as it currently functions is the critical time lag in the delivery of services: even when adequate services are available, they frequently are not offered until a least a week after parole, and this leaves the newly released with few choices for survival in the interim. In addition, information about available services is often poorly disseminated, and as a result some parolees are never able to access assistance which is, in theory, available to them (California Reentry Program).

This program, run by volunteers, uses a comprehensive, individualized approach to providing reentry services in order to fill in gaps in the official state program. While currently only working in San Quentin prison, the program has goals to expand not only its levels of job, educational, and social counseling, but also the number of institutions in which it offers its programs.

Ultimately, it is clear that the variances in state policies and practices among Washington, Oregon, and California contribute to differences in procedures within the criminal justice court proceedings, length of incarceration sentences, funding of incarceration institutions and rehabilitative programs, reentry aid services, and many other arenas. However, because of the numerous variable factors—budgets, state

policies, incarceration rates, grants for non-profit support services-- it is difficult to arrive at any conclusive result as to specific positive and negative effects of any individual state policy.

## Conclusion

The conclusions I have drawn through this research do not neatly answer any of the questions I have posed. It is difficult to do so with any topic that has so many cultural, political, economic, social, and geographic variables. Rather, the conclusions for this research serve to rule-out certain hypotheses, allowing the field of possible contributing factors to be narrowed ever so slightly. Further research on this question should, ideally, be based on areas of study that have not been ruled out. Ideally this would include long-term, longitudinal ethnic studies that address both time in prison and transitions upon release.

The first hypothesis presented concerned differences in the history and development of Hispanic communities along the West coast. I have shown that Hispanic populations have a history of exploration of the entire West coast region that goes back several centuries—before state and national boundaries were created. The majority of the Hispanic population in the region has long been primarily of Mexican descent, and has traveled the region primarily for agricultural and seasonal work. Hispanic communities experienced similar discrimination and struggles for civil rights. Although the experiences and histories of each community and even each individual are inevitably nuanced and varied, the overall similarities of the history and development of Hispanic communities suggests that this is not an integral factor to the discrepancies seen in incarceration and recidivism rates.

The levels of community support (including factors such as economics and urbanization) do play a role in the discrepancy in recidivism trends. Smaller Hispanic communities offer better support than the larger sprawl of urban poverty found in places

like Los Angeles. The greater levels of urbanization, and the greater number of Hispanics living in urban environments in California, are perhaps the most distinctive factors that contribute to higher relative rates of Hispanic recidivism in California. Additionally, the third hypothesis of state policies and practices does have an effect on incarceration and recidivism rates. Policy differences concerning funding, sentencing, reentry services, family visits, transferring inmates, as well as differences in sheer size of the institutional systems inevitably creates different experiences and different success rates.

I suggest that studies be conducted that monitor the number and frequency of family visits while incarcerated and compare this with recidivism rates upon release. From my experiences talking with incarcerated individuals, a common theme is the extremely high value placed on contact with and visits from family and friends while serving the sentence. These connections to the outside community provide a form of stability, sanity, comfort, as well as a way to break the monotony of the same people and the same topics of conversation experienced in daily prison life. If it were shown that a high positive correlation existed between visits from family and friends and lower recidivism rates, then more funding should be allocated to help with transportation costs to get families to visit their loved ones in prisons.

A highly influential factor that I did not have to opportunity to conduct primary research on, but of which I would highly encourage future examination is the role and involvement of gangs—both inside and outside of the prison environment. Prison gangs offer an essential support system within institutions, but often come with commitments to a life of crime upon release. However, an association with crime, although often a Pavlovian assumption in the discussion of gangs, is not always a fair

assessment. As Diaz-Cotto extracted from her interviews with Hispanic females associated with gangs:

> Several assumptions underlie the discussion of gang activities in this chapter. Chicana youth groups, including gangs, challenge mainstream society in multiple ways and exhibit symbols of ethnic pride. Likewise, they demand an end to the discriminatory implementation of criminal justice policies, such as police brutality and harassment of Chicana communities. As a result, they play political functions of various sorts in communities besieged by poverty, racism, and discriminatory criminal justice practices (77).

Gangs operate on a set of codes, rituals, and values that include trustworthiness, honesty, courage, loyalty to fellow gang members and your neighborhood, honoring gang veterans, and no informing on members of your gang (Diaz-Cotto 86). All of these regulations help to foster a collective identity and sense of community among the gang. Especially for youth that had experienced instability, abuse, and exposure to drugs and addictions in their childhood homes, gangs provided a stable family. Since many of the women interviewed were arrested and incarcerated for activities unrelated to their gang involvement, it would be interesting to research any potential positive, community-oriented traits of gangs, both inside and outside prisons. A comparative study about in-prison gang involvement across state lines, as well as association upon release would provide essential insight into this question.

Another suggestion, not necessarily for future research but for future institutional practices, would be requiring individual institutions to maintain traceable institutional recidivism records. These would record recidivism of ex-offenders that were released from any individual institution. This would allow for a comparison of institutional success rates; further allowing an investigation and comparison of

differences in institutional policies and practices that may contribute to better (or worse) in-prison experiences, or quality differences in preparation programs for release.

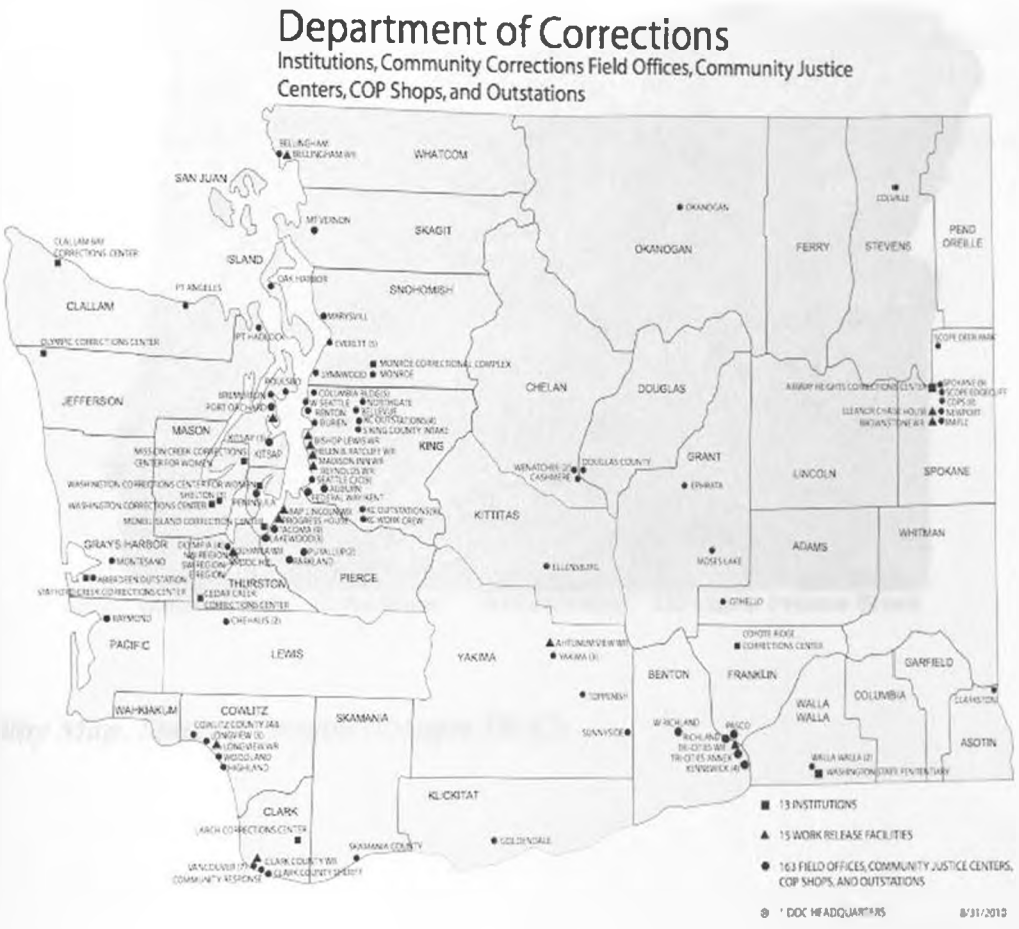
This policy would be helpful because minority communities tend to populate the same areas within cities and states with a higher density; in turn, city and county jails, or state prisons in these areas often receive higher populations of minorities in their institutions. It would be necessary to look at if institutions with higher minority populations had support and advocacy programs for these groups; if these programs were proven to increase successful reentry transitions and reduce recidivism, they should be exported and replicated in other institutions and available to all inmates.

Finally, studies concerning the overarching causes for lower Hispanic recidivism should be conducted while looking at the effects of general recidivism and racial stigmatization. Does the fact that Oregon has much lower general recidivism contribute to the reversal of trends within the state with regard to racial recidivism? Does higher racial stigmatization in California contribute to overall higher recidivism rates? Prison institutions are so highly racialized that any manifestation of racial stigmatization—either stronger or weaker than the norm—is bound to play a role in the overall incarceration and recidivism experiences.

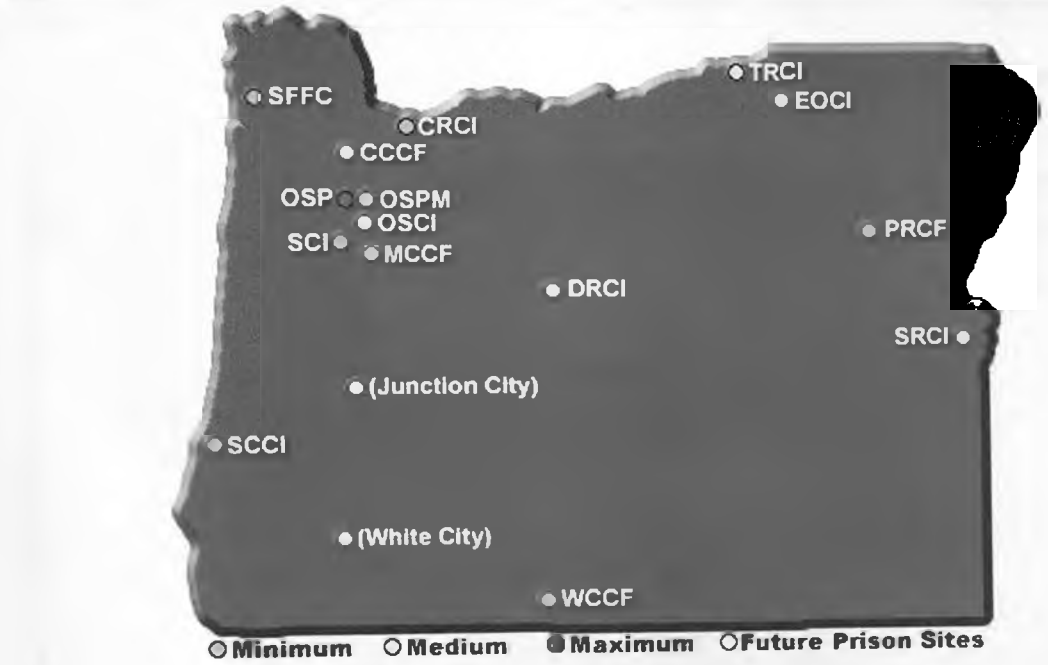
While the hypotheses more directly concerned with Hispanic cultural identity showed to not be as influential as state policies and current Hispanic community structure, this idea should not be entirely ruled out. Even though my research for this paper did not uncover any distinct factor of Hispanic cultural identity that is contributing to lower recidivism rates, this does not mean that such a factor does not exist. Further research into this topic should remain culturally sensitive to the views and identities of Hispanics, or any other ethnic or racial category. The awareness of

pre-existing ethnic and racial discrepancies within the system should be coupled with further analysis of state and institutional policies to further analyze underlying causes of successful Hispanic reintegration in Washington and Oregon.

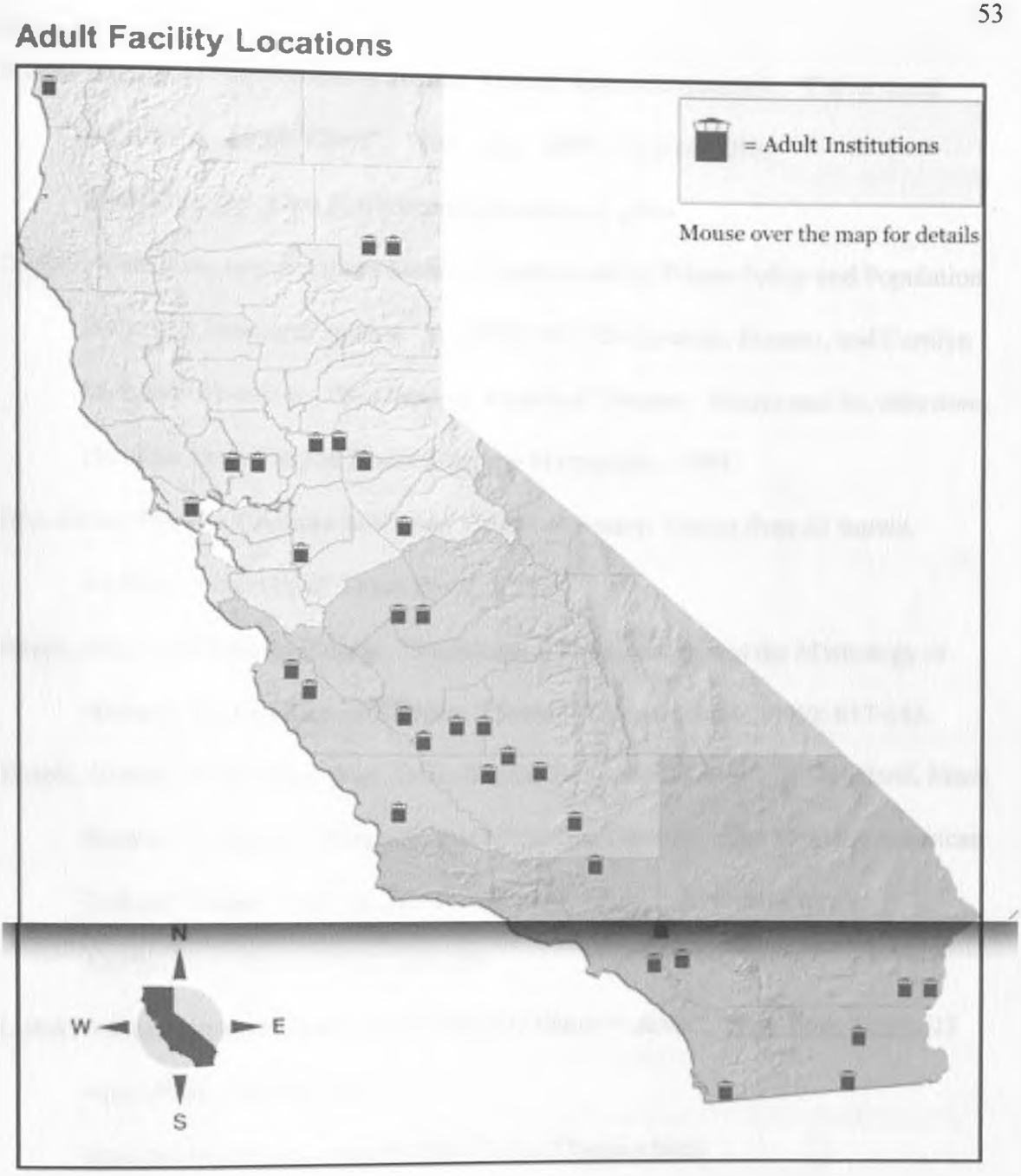
## Appendix




***Facility Map, State of Washington*** (Washington DOC)




***Facility Map, State of Oregon*** (Oregon DOC)




***Facility Map (Adult), State of California*** (California DCR)

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