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LPPI UCLA
LATINO POLICY &
POLITICS INITIATIVE

DISRUPTING THE BLACK-WHITE PARADIGM:

LATINO ARRESTS IN CALIFORNIA

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EXECUTIVE SUMMARY

The criminal justice system impacts the lives of millions of incarcerated individuals, their families, and entire communities across the United States. For most of the twentieth century, the expansion of criminal justice institutions at the federal and state levels has exacerbated issues of mass incarceration, and their failure to achieve public safety and satisfy fiscal responsibility contributes to today's bipartisan support of criminal justice reform. These impacts are far-reaching; they inform the economic, political, and social circumstances of all Americans, from voting[1] and employment,[2] to housing[3] and residency[4] in the United States. Yet, due to inconsistencies in the data collection and reporting practices of federal, state, and local law enforcement agencies, little attention is paid to how the criminal justice system specifically impacts this nation's young and growing Latino community. Latinos are the nation's largest non-white racial/ethnic group, representing 17.8 percent of all Americans.[5] The Latino data gap seriously complicates the ability of policymakers to track ethnic disparities leaving Latinos worse off when government fails to collect comprehensive and accurate data on ethnicity.[6] With the United States projected to be 28.6 percent Latino by 2060,[7] scholars and practitioners have a demographic mandate to address the lack of accurate and comprehensive ethnicity data to inform the growing criminal justice reforms taking shape at the state and federal level.

This study seeks to address the Latino data gap by analyzing the number of arrests by race/ethnicity in California between 2008 and 2017. The nation's future demographic outlook will likely mirror California's current demographic landscape, whereby Latinos represent the state's plurality at 38.9 percent[8] of the population. California has the largest Latino population of any state in the U.S.[9] and became the second Latino-majority state in 2014 after New Mexico. Over the past decade, California has championed legal and policy reforms to address prison overcrowding, racial/ethnic disparities, and improve public safety. This analysis of adult arrests reveals that while the number of total arrests has decreased over time in California, Latinos are the only racial/ethnic group to experience an increase in the *share* of arrests, in both misdemeanor or felony, during this time period. Although the direction and magnitude of arrests is similar for Latinos regardless of gender with respect to felony arrests; Latinas are the only racial/ethnic group to experience increases in share of arrests, across both types of arrests. These findings highlight the need for increased attention and resources to address the unique needs of Latinos with respect to both criminal justice and public safety.

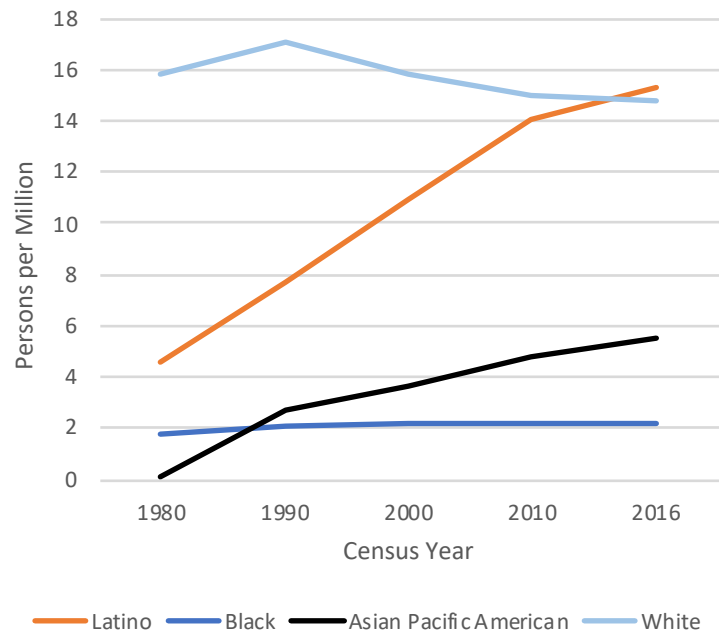**Fig. 1 California State Population by Race/Ethnicity (1980-2016)**

OCT 2011

AB 109 & 117
Diverted felons convicted of non-violent, non-serious, and non-sex offenses to county jails rather than state prisons.

NOV 2012

Prop 36
Revised the three strikes law to impose life sentence only when the new felony conviction is "serious or violent."
Percent of voters in support of Measure: 69.3%

Prop 30
Guaranteed public safety realignment funding through tax increases.
Percent of voters in support of Measure: 55.4%

NOV 2014

Prop 47
California state measure reclassifying non-serious and non-violent property, drug offenses, or felonies to misdemeanor sentences.
Percent of voters in support of Measure: 59.61%

NOV 2016

Prop 57
Individuals convicted of non-violent offenses became eligible for parole following the completion of their first prison term for their primary offense.
Percent of voters in support of Measure: 64.46%

Prop 63
Changed state regulations for ammunition sales including the modification of requirements to buy ammunition.
Percent of voters in support of Measure: 63.1%

Prop 64
Legalized non-medical marijuana for use by adults, implementing a regulation system for non medical marijuana businesses, and imposed state taxes on marijuana.
Percent of voters in support of Measure: 57.1%

Prop 66
Shortened previously established timelines for California death sentences requiring habeas corpus petitions to be initially heard in trial courts rather than the California Supreme Court.
Percent of voters in support of Meaure: 51.1%

CRIMINAL JUSTICE REFORM IN CALIFORNIA

California has enacted various major policy initiatives in an attempt to reform the state's expensive and expansive criminal justice apparatus. A series of class action civil rights lawsuits against California and its Department of Corrections and Rehabilitation resulted in a court-mandated order to substantially reduce the state prison population because of violations of the Eighth Amendment of the United States Constitution, prohibiting cruel and unusual punishments.[10] In an effort to comply the federal court orders, California implemented a series of public safety realignment efforts. Specifically, the state legislature enacted Assembly Bills 109 and 117 in October 2011, which diverts felons convicted of non-violent, non-serious, and non-sex offenses to county jails rather than state prisons.[11] In November 2012, nearly 70 percent of California voters supported Proposition 36, which modified California's 1994 "Three Strikes Law"[12] by imposing the traditional "third strike" life sentence only if the new felony conviction is "serious or violent."[13] Additional public safety realignment policies such as California's Propositions 47, 57, and 64 followed shortly after. These recent policy reforms contrast with the State's previous "tough-on-crime" approach to criminal justice and public safety. This policy context is not only critical for understanding the significance of California as a bellwether for criminal justice reform nationally but also illuminates the unique positionality of Latinos within the California correctional system.

METHODOLOGY: ARRESTS IN CALIFORNIA (2008-2017)

This report analyzes California Monthly Arrest and Citation Register (MACR) data between 2008 and 2017. Local law enforcement agencies (LEA) are mandated to report arrest data to the California Department of Justice,[14] which then maintains reported data in the MACR database.[15] The MACR database includes data on felony and misdemeanor level arrests for adults and juveniles, including status offenses (e.g., truancy, incorrigibility, running away, and curfew violations) for juveniles.[16] Data includes: name, race/ethnicity, date of birth, sex, date of arrest, offense level, status of the offense and law enforcement disposition.[17] If a person is charged with multiple offenses at arrest, MACR reports only the most serious charge based on the severity of possible punishment.[18] Arrests are crucial data to assess the experience of Latinos because they represent the first level of consequential involvement with the justice system. From this perspective, arrests represent the beginning of an individual's interaction with the criminal justice apparatus, irrespective of the ultimate disposition of arrest.

Arrests are broadly defined as the taking of a person into legal custody by a peace officer, either under a valid warrant or on probable cause that the person has committed a crime,[19] and are often differentiated as either a felony or a misdemeanor.

- A **felony arrest** may be defined as a crime that is punishable by death, by imprisonment in state prison, or by imprisonment in a county jail for specific offenses.[20]

- A **misdemeanor** is a crime punishable by imprisonment in a county jail for up to one year and constitutes every other crime or public offense that is

Special Note on MACR Racial/Ethnicity Definitions

African American or Black:
A person having origins in any of the Black racial groups of Africa, as defined by the United States Census Bureau.

White:
A person having origins in any of the original peoples of Europe, the Middle East, or North Africa, as defined by the United States Census Bureau.

Latino:
A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race, as defined by the United States Census Bureau.

Subsection I. Direction & Magnitude of Adult Male Arrests in California

California adult male felony arrests have decreased 34 percent between 2008 and 2017 for all observed racial/ethnic groups. In 2008, there were 343,111 felony arrests compared to 227,081 in 2017. Across this nine-year span, Latinos experienced a 33 percent decrease, white males experienced a 32 percent decrease and Black males a 39 percent decrease. After the implementation of Proposition 47 in 2014, all racial/ethnic groups experienced a substantial decrease in the number of felony arrests in the following year. Between 2014 and 2017, Black males experienced a 24 percent decrease, Latinos experienced a 27 percent decrease and white males experienced a 36 percent decrease. While the general trend continues downward for all adult males, it is important to note that Latinos constitute the largest share of California's total felony arrests. **Latinos accounted for 42 percent of all felony arrests in 2008, and this share increased to 43 percent in 2017.**

Fig. 3 California Adult Male Felony Offenses by Race (2008-2017)

California's misdemeanor arrests decreased for all adult males by 18 percent between 2008 and 2017. In 2008, there were 693,952 misdemeanor arrests compared to 569,704 in 2017. Across this nine-year period, Latinos experienced a 19 percent decrease, Black males experienced an 18 percent decrease, and white males a 17 percent decrease. Between 2008 and 2013, the number of misdemeanor arrests in California were slowly decreasing for all racial/ethnic groups. Proposition 47, which reclassified non-serious and non-violent property offenses, drug offenses, or felonies to misdemeanors, contributed to the directional shift in the number of misdemeanor arrests between 2014 and 2017. **Between 2014 and 2017, the number of misdemeanor arrests increased for all racial/ethnic groups; white males experienced a 4 percent increase, Black males experienced a 6 percent increase and Latinos experienced a 9 percent increase.**
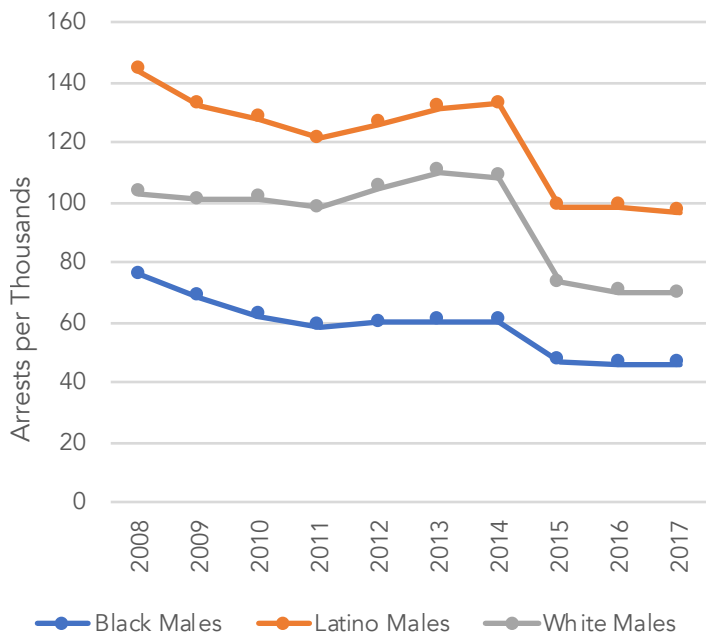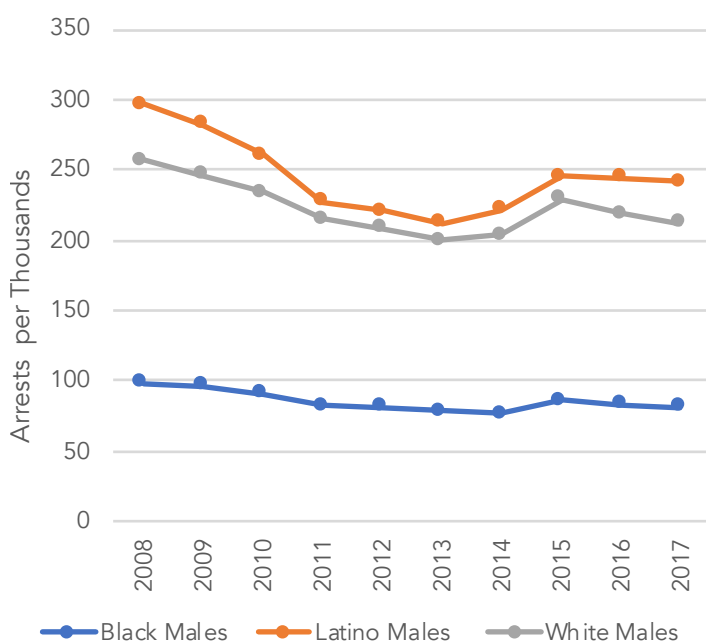
Fig. 4 California Adult Male Misdemeanor Offenses by Race (2008-2017)

CALIFORNIA (2008-2017)

Subsection II. Direction & Magnitude of Female Arrests in California

California adult female felony arrests decreased by 35 percent between 2008 and 2017. In 2008, there were 91,554 arrests compared to 59,570 in 2017. Black females experienced the largest decrease in the number of arrests (46 percent), white females experienced a 36 percent decrease and Latinas experienced a 26 percent decrease. Proposition 47 had a noticeable impact on felony arrests from 2014 to 2017, however the magnitude of the impact varied across racial/ethnic groups. Between 2014 and 2017, white females experienced a 43 percent decrease, while Latinas experienced a 30 percent decrease and Black females experienced a 25 percent decrease in the number of felony arrests. **Between 2008 and 2017, Latinas were the only racial/ethnic group to experience an increase in the share of felony arrests.** In 2008, Latinas accounted for 31 percent of all female felony arrests in California and that share grew to 36 percent in 2017.

Fig. 5 California Adult Female Felony Offenses by Race (2008-2017)

Misdemeanor arrests for adult females decreased by only 1 percent between 2008 and 2017. In 2008, there were 185,944 arrests compared to 184,479 in 2017. During this time period, Black females experienced a 14 percent decrease in the number of misdemeanor arrests, while white females experienced a 1 percent increase and Latinas experienced an 11 percent increase. After the implementation of Proposition 47, there was an increase in the number of misdemeanor arrests for white women and Latinas. Between 2014 and 2017, white women experienced an 8 percent increase in the number of misdemeanor arrests compared to a 5 percent increase for Latinas and a 2 percent decrease for Black females. **Latinas experienced the largest increase in the number of misdemeanor arrests between 2008 and 2017 of any racial/ethnic group in California**, including an increase in the number of misdemeanor arrests after the implementation of Proposition 47 in 2014.
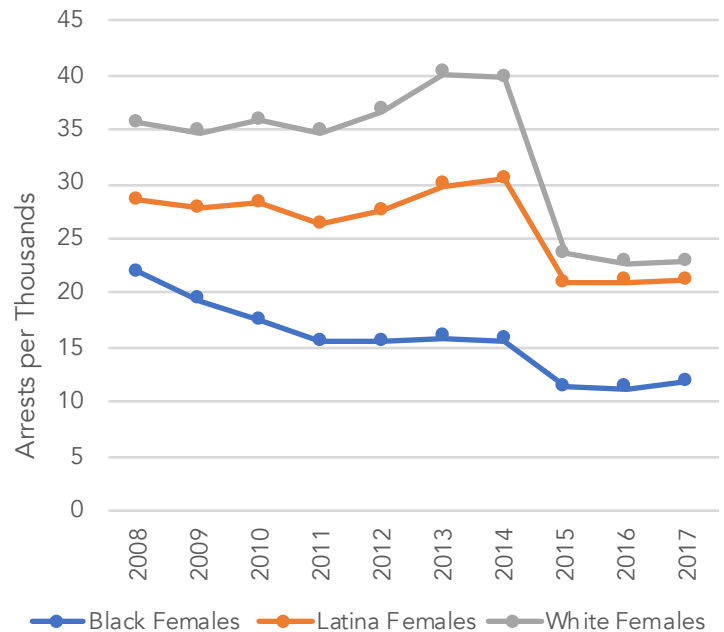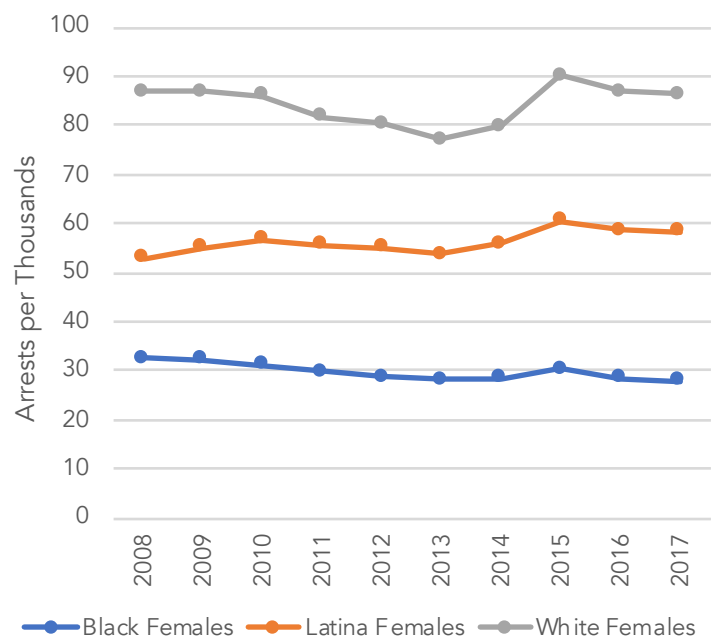
**Fig. 6 California Adult Female Misdemeanor Offenses by Race (2008-2017)**

FINDINGS: DRUG & SEXUAL

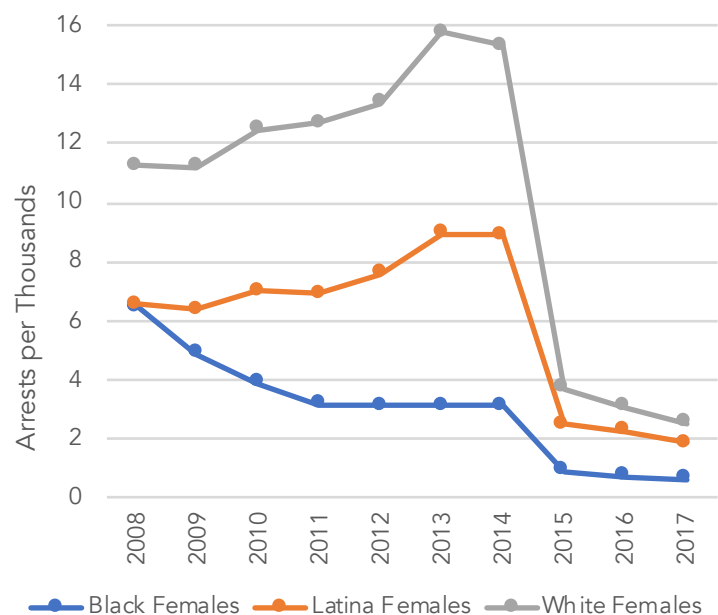## Subsection III. Direction & Magnitude of Drug Offenses for Males & Females

Between 2008 and 2017, arrests for drug offenses dramatically decreased by 76 percent for adult males in California. In 2008, there were 98,242 male drug arrests compared to 24,052 arrests in 2017. During this nine-year period, Black males experienced a 76 percent decrease in the number of drug offense related arrests, followed by Latino and white males, who each experienced a 73 percent decrease. After the implementation of Proposition 47 in 2014, there was a 77 percent decrease in the number of drug offense arrests for men in California between 2014 and 2017. **Furthermore, Latino males accounted for 39 percent of all drug offense arrests in 2008, yet that share increased to 43 percent in 2017.**

Fig. 7 California Adult Male Drug Offenses by Race (2008-2017)
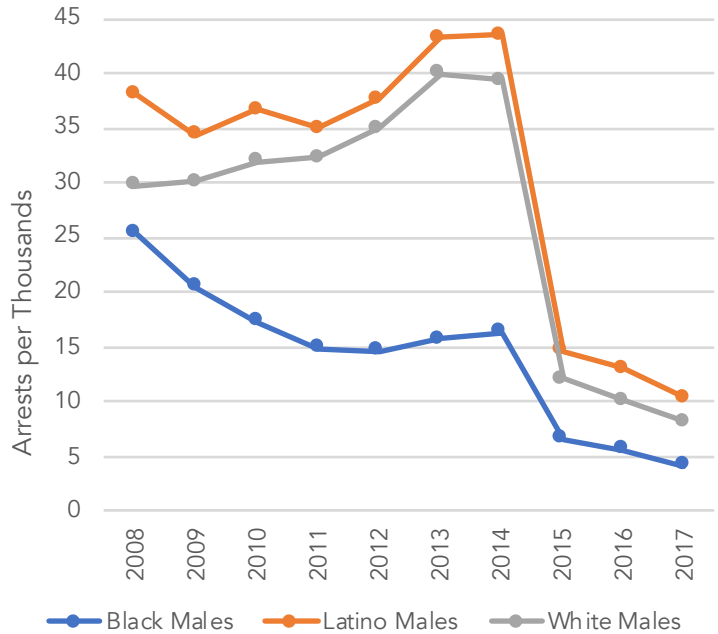
Drug offense arrests for California adult females decreased by 79 percent between 2008 and 2017. Over this nine-year period, Black females experienced a 91 percent decrease in the number of drug offense arrests, followed by white females (78 percent decrease) and Latinas (72 percent decrease). The number of drug offense arrests for California adult females decreased after the implementation of Proposition 47. Between 2014 and 2017, Black females experienced a 25 percent decrease in the number of drug offense arrests, Latinas experienced a 30 percent decrease and white females experienced a 43 percent decrease. **While all racial/ethnic groups experienced a decline in the number of drug offense arrests, the share of arrests for Latinas increased from 26 percent in 2008 to 35 percent in 2017.**

Fig. 8 California Adult Female Drug Offenses by Race (2008-2017)

Subsection IV. Direction & Magnitude of Sexual Offenses for Males & Females

Sexual offense related arrests include charges like sexual assaults, molestation, and indecent exposure. The number of sexual offense related arrests has steadily decreased over the last decade for adult male Californians; there was a 33 percent decrease in the number of adult sexual offense arrests between 2008 and 2017. In 2008, there were 7,090 arrests compared to 4,756 in 2017. In 2017, Latino males represented the largest share of all sexual offense arrests in California; in 2008 they accounted for 47 percent of all sexual offenses, with white males accounting for 30 percent and Black males accounting for 17 percent. The share of sexual offense related arrests decreased by four percentage points to 43 percent for Latinos from 2008 to 2017 compared to a slight increase of two percentage points for both white males and Black males (19 percent). **During the nine-year period of study, Latino adult males constitute the largest share of sexual offense related arrests in California in comparison to all other racial/ethnic groups.**

Between 2008 and 2017 there was a 46 percent decrease in the number of sexual offense arrests of California adult females. However, the arrest trends across racial/ethnic groups has been erratic. Across this nine-year period, Latinas experienced a 58 percent decrease in the number of sexual offense arrests compared to 41 percent for white females and 36 percent for Black females. **Between 2008 and 2017, Black women and Latinas experienced distinct spikes in the number of sexual offense related arrests, while white females have experienced a less erratic downward trend** following a spike in 2009. Additional research is necessary to understand the differences between men and women and across race/ethnicity for sexual offense related arrests, with special attention to the experience of Latinas/os. Little research exists on the subject of Latino sex offenders,[21] most analysis focuses on white or Black offenders.

Fig. 9 California Adult Male Sex Offenses by Race (2008-2017)
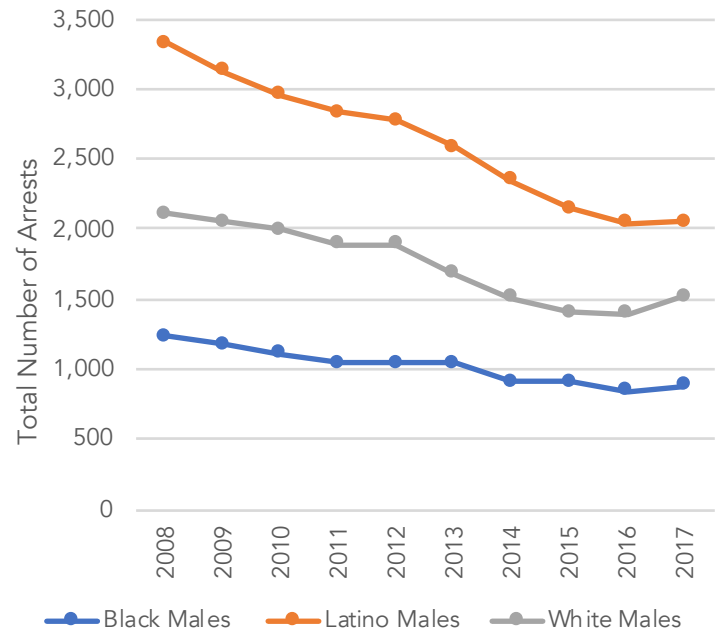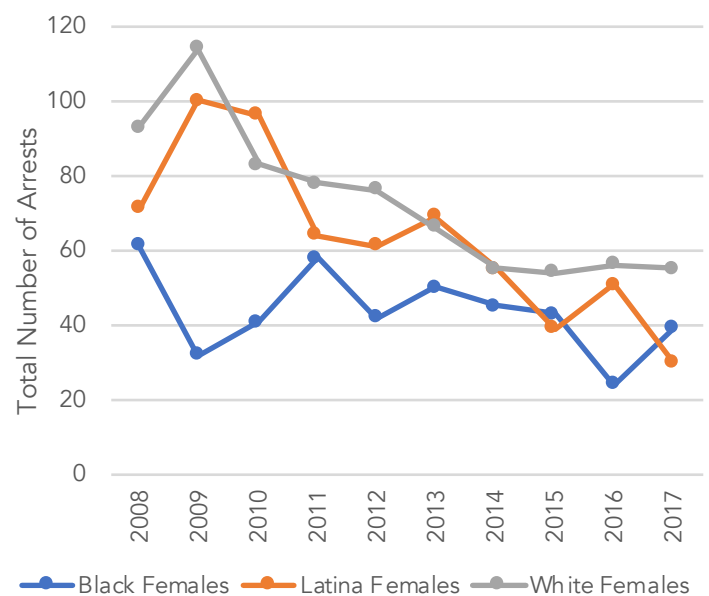

Fig. 10 California Adult Female Sex Offenses by Race (2008-2017)

Additional research and attention is necessary to fully understand Latino arrests in California. Future public safety reforms must integrate culturally-competent policy interventions that address the distinct needs of the state's plurality.
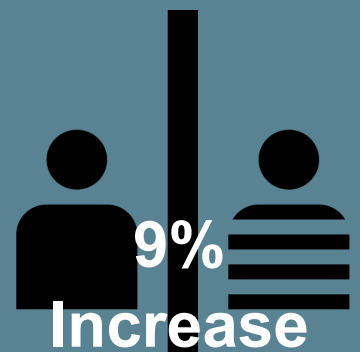
In **2008**, Latino males accounted for **39%** of all drug offense arrests. In **2017**, that figure increased to **43%**.
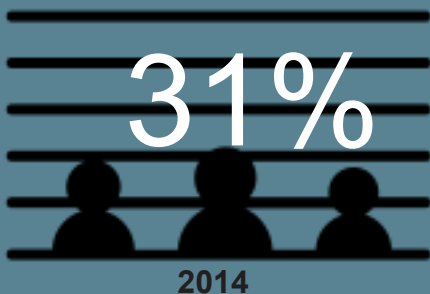
Latinas experienced a substantial **11% increase** in the number of **misdemeanor** arrests between 2008 and 2017.

58,435 arrests

2017
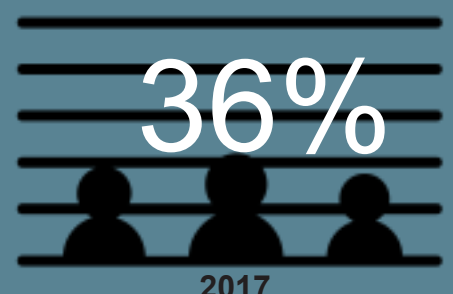
52,831 arrests

2008

Latino males

9% Increase

experienced the largest increase (9%) in misdemeanor arrests after the implementation of Proposition 47 in 2014.

31%

2014

Latinas experienced a 5 point **increase** in the total number of **felony arrests** post-Proposition 47 (2014-2017).

36%

2017

CLOSER LOOK:

CALIFORNIA'S RACIAL/ ETHNIC DISPARITIES IN RATE OF ARRESTS (2008-2016)

Methodology

Using California Monthly Arrest and Citation Register (MACR) data, we computed the arrest rates for Black, Latino, and white adults between 2008 and 2016 to identify the magnitude of racial/ethnic disparities. The time period of this *closer look* analysis is distinct (2008-2016) because it is limited by the most recent data on California's population by race/ethnicity— the 2016 American Community Survey. This report makes clear the direction and magnitude of the number of total arrests in the state for all racial/ethnic groups with special attention to the experience of Latinos. Yet a large body of social science, legal, and other scholarly research makes clear that Blacks are disproportionately affected by the criminal justice system, including arrests. Utilizing the rate of arrests methodology, Black Californians were disproportionately arrested between 2008 and 2016. This analysis provides an important frame to understand the distinction between total number of arrests and the rate of arrests in line with California's racial/ethnic demographics as a whole.

The arrest rate reflects the number of total arrests for each category (e.g. felony or misdemeanor) from MACR data with respect to the U.S. Census Bureau's population estimates for California's Black, Latino, and white populations between 2008-2016. This comparison yields a quotient of 2008-2016 yearly arrests per capita for Black, Latino, and white Californians, by gender.

1. 2008 - 2016 Male and Female California misdemeanor and felony arrest rates (Black, Latino, white).

2. 2008 - 2016 U.S. Census Bureau population estimates for California Black, Latino, and white populations.

The outcome of the parallel contrast between these two data sets produced a quotient of 2008 - 2016 yearly arrests per capita for male and female Black, Latino, and white populations.

Rate of Arrest Formula

$$\frac{\text{Yearly 2008 - 2016 California misdemeanor and felony arrest rates (Male/Female) (Black/ Latino/ White)}}{\text{Yearly 2008 - 2016 U.S. Census Bureau population estimates (Black/ Latino/ White)}}$$

Example: 2008 Arrest Rate for Latinos in California

$$\frac{\text{2008 California misdemeanor arrest rate (Male/Latino)}}{\text{2008 U.S. Census Bureau population estimate (Latino)}} = \frac{403{,}057}{12{,}954{,}535} = \frac{0.0311}{\text{per capita}}$$

Subsection V. California Adult Male & Female Arrests per Capita

Using arrest rates per capita, we see that **Black adult males are overrepresented in the number of California arrests between 2008 and 2016.** Black Californians experienced a sharp decline in the number of felony arrests after the implementation of Proposition 47 in 2014, but that decline has since plateaued. In comparison, Latinos are not nearly as overrepresented as their Black peers in the number of adult arrests between 2008 and 2016, experiencing a relatively stagnant decline in the number of arrests. White Californians are underrepresented in the felony arrest rate, and like their Latino peers have experienced a similar directional trend between 2008 and 2016.

Fig. 11 California Adult Male & Female Felony Arrests per Captia (2008-2016)

As seen in the Figure 12 graph, all Californian males and females experienced a steady decline in the rate of misdemeanor arrests between 2008 and 2014. In 2015, there was a spike in the rate of arrests for all racial/ethnic groups after the implementation of Proposition 47. With respect to racial/ethnic disparities, California's misdemeanor rate of arrests makes clear the substantial disparities that exist for Black adults. **Black adults have disproportionately experienced a higher arrest rate per capita than their white and Latino peers.** In 2008, Black adults experienced an arrest rate of 0.060 per capita, compared to 0.026 for Latinos and 0.022 for whites. In 2016, Black adults experienced an arrest rate of 0.051 per capita, Latinos 0.020 and whites 0.020. This racial disparity is magnified when comparing Black males to white males during this time period. This is especially striking since whites were the plurality population in the state up until 2014, when Latinos became the plurality.
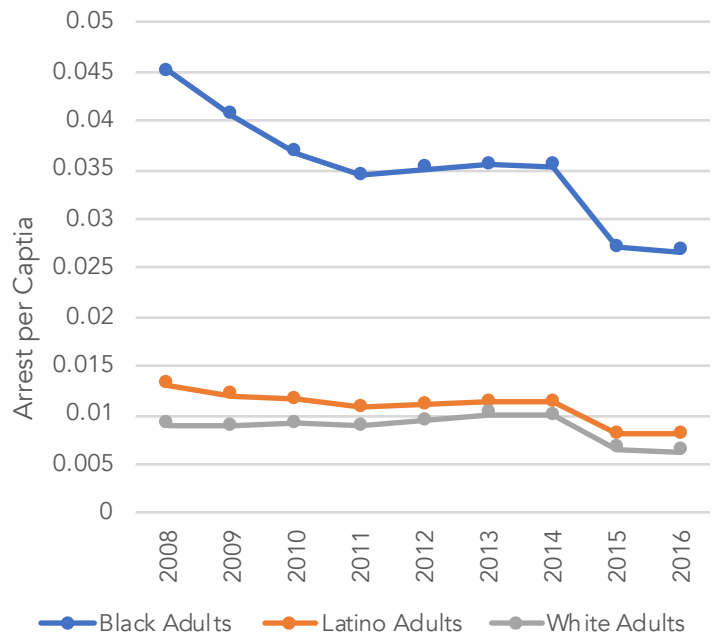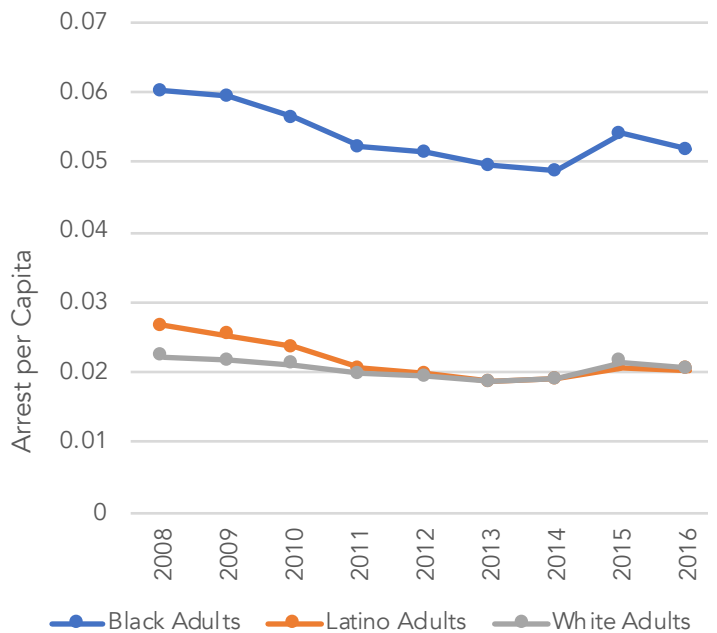
Fig. 12 California Adult Male & Female Misdemeanor per Capita (2008-2016)

GEOGRAPHIC DISTRIBUTION OF *LATINO ARRESTS*

Methodology

California's diverse demographics and geography necessitate additional attention to the distribution of Latino male and female adult arrests. This section uses data from Open Justice, a statistical data platform maintained by the California Department of Justice, to map all adult Latino felony and misdemeanor arrests between 2008 and 2014 by gender.

The arrest rate was calculated by dividing the number of Latinos arrested by the total Latino population of the county jurisdiction multiplied by 100,000. To contextualize the jurisdictions with the highest rate of arrests for Latinos, we then compare them to three counties in California with the largest Latino populations: Fresno, Los Angeles, and San Diego. This comparison shows how jurisdictions with the highest rate of arrests for Latinos compare to the arrest rates of jurisdictions with the largest share of Latinos.

Example: Los Angeles
Latino Felony Arrests: 44,542
Total Los Angeles Latino population: 1,632,199

$$\frac{44,542}{1,632,199} * 100,000 = \text{2,729 arrests per 100,000 population}$$

Map I. California County Map

* Rate is not calculated for counties with population less than 10,000. Rate is also not calculated for counties with fewer than 30 arrests or fewer than 3 deaths. San Francisco Police Department does not report the ethnicity category of Hispanics.
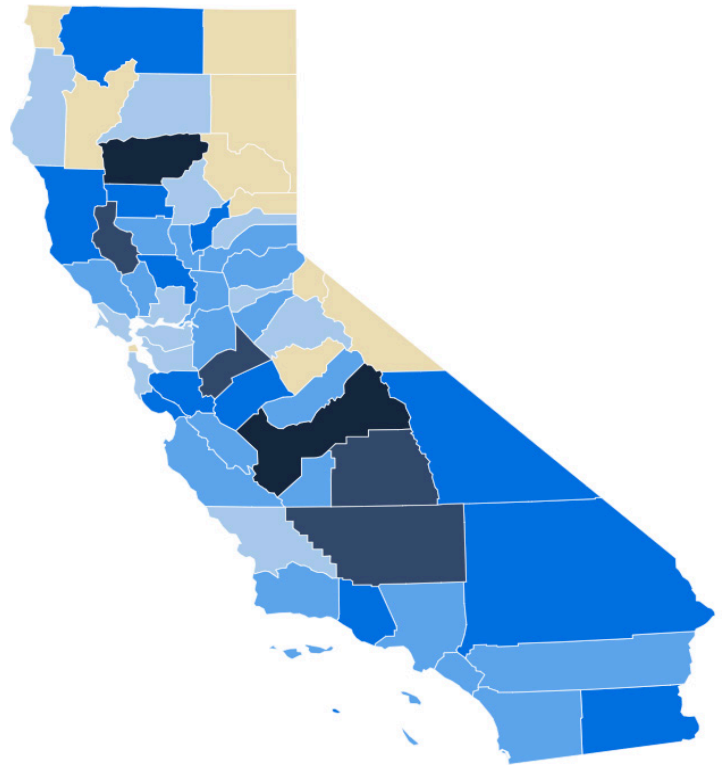
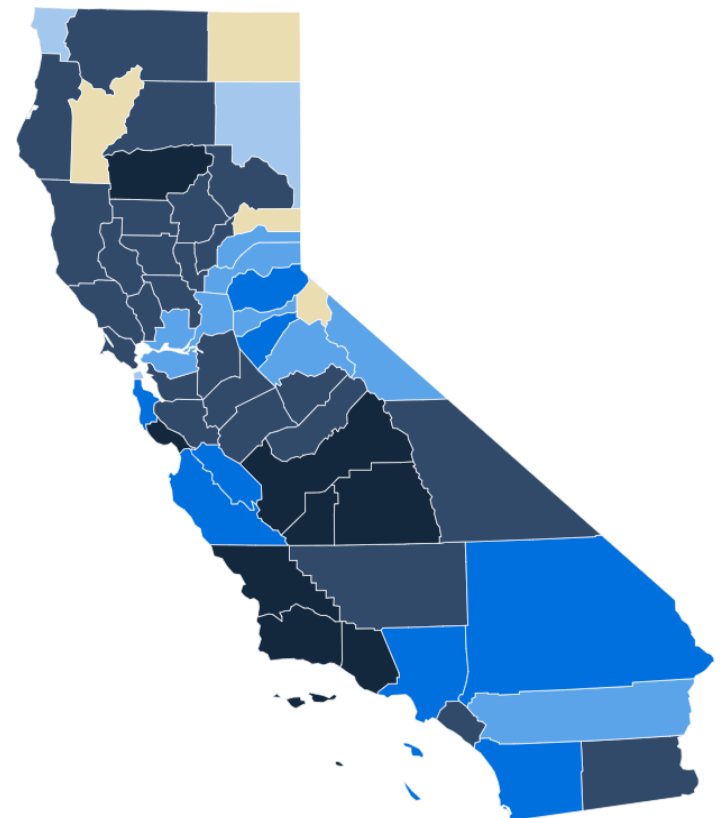## Subsection VI. Californian Adult Male Arrests by County (2008-2014)

Map II represents the rate of felony arrests for adult Latino males in California between 2008 and 2014, by county, per 100,000 population. The darkest shade of blue represents counties with arrest rates greater than 4,200 per 100,000 population, with the lightest shade of blue representing counties with arrest rates between 1,500 and 2,200 per 100,000 population. The counties with the highest misdemeanor arrest rates with over 4,200 arrests for adult Latino males are: Fresno (4,894 arrests) and Tehama (4,483 arrests). The counties that follow with 3,500-4,200 arrests per 100,000 population are: Tulare (4,013 arrests), Stanislaus (3,732 arrests), Kern (3,674), and Lake County (3,530 arrests). In comparison, counties in California with the largest Latino populations have the following misdemeanor arrest rates per 100,000 population: Los Angeles (2,729 arrests) and San Diego (2,208 arrests).

Map II. California Latino Male Felony Arrests

Map III represents the rate of misdemeanor arrests for adult Latino males in California between 2008 and 2014, by county, per 100,000 populations. The darkest shade of blue represents counties with arrests rates greater than 7,000 per 100,000 population, with the lightest shade of blue representing counties with arrest rates between zero and 2,000 per 100,000 population. The top counties with misdemeanor arrest rates over 7,000 for adult Latino males are: Tulare with 8,126 arrests, Santa Barbara with 7,821 arrests, Tehama with 7,564 arrests, Santa Cruz with 7,423 arrests, San Luis Obispo with 7,363 arrests, Ventura with 7,259 arrests, Fresno with 7,144 arrests, and Kings County with 7,094 arrests per 100,000 population. The counties that follow with arrests between 5,000 and 7,000 are the following: Glenn (6,885), Kern (6,627), Inyo (6,619), Merced (6,616), Butte (6,229), Lake (6,116), Imperial (6,093), Santa Clara (5,941), Mendocino (5,894), Napa (5,781), Sonoma (5,736), Siskiyou (5,662), San Joaquin (5,610) Yolo (5,607), Plumas (5,531), Humboldt (5,529), Marin (5,300), Alameda (5,213), Madera (5,179), Shasta (5,089), and Orange (5,043). In comparison, counties in California with the largest Latino populations have the following misdemeanor arrest rates: Fresno with 7,144 arrests, Los Angeles with 4,901 arrests and San Diego with 4,498 arrests per 100,000 population.
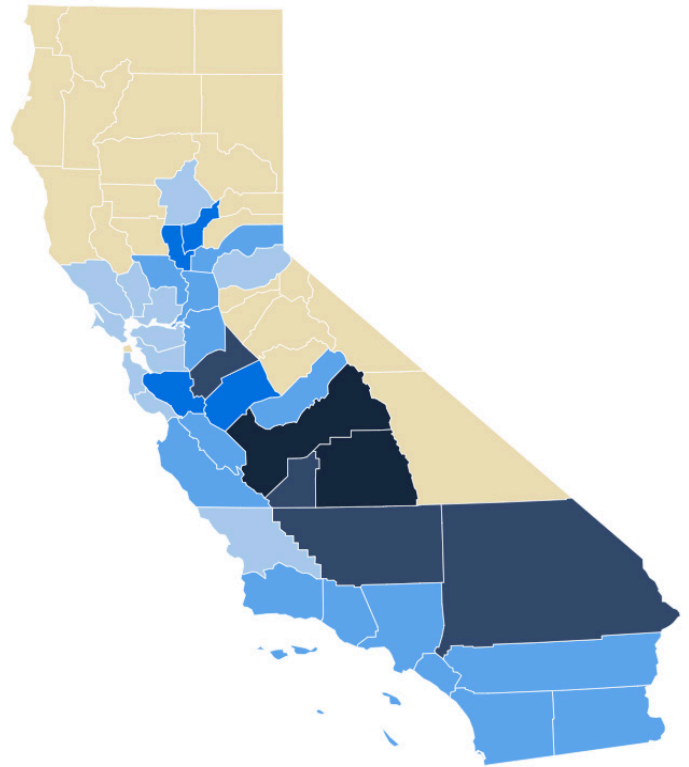
Map III. California Latino Male Misdemeanor Arrests

## Subsection VII. Californian Adult Female Arrests by County (2008-2014)

Map IV represents the rate of felony arrests for adult Latinas in California between 2008 and 2014, by county, per 100,000 population. The darkest shade of blue represents counties with arrest rates greater than 1,000 per 100, 000 population, with the lightest shade of blue representing counties with arrest rates between 300 and 500 arrests per 100,000 population. The counties with the most felony arrest rates greater than 1,000 per 100,000 population for adult Latinas are Fresno with 1,142 arrests per 100,000 population, followed by Tulare with 1,021 arrests. The counties that follow with arrest rates between 800 to 1,000 arrests per 100,000 population are: San Bernardino with 811 arrests, Kern with 869 arrests, Stanislaus with 863, and Kings County with 849 arrests. In comparison, counties in California with the largest Latino populations have the following felony arrest rates: Los Angeles had 545 arrests and San Diego with 532 arrests per 100,000 population.

Map V represents the rate of misdemeanor arrests for adult Latinas in California, between 2008 and 2014, by county, per 100,000 population. The darkest shade of blue represents counties with arrest rates greater than 2,300 per 100, 000 population, with the lightest shade of blue representing counties with arrest rates between 100 and 700 arrests per 100,000 population. The county with an arrest rate greater than 2,000 for adult Latinas is Kings County with 2,836 arrests. The counties that followed with arrests between 1,800 and 2,300 per 100,000 population are Tulare County with 2,056 arrests and Yuba with 1,817 arrests. In comparison, counties in California with the largest Latino populations have the following misdemeanor arrest rates: Fresno has 1,748 arrests per 100,000 population, followed by Los Angeles with 1,044 arrests, and San Diego with 1,011 arrests.

Map IV. California Latina Felony Arrests

Map V. California Latina Misdemeanor Arrests
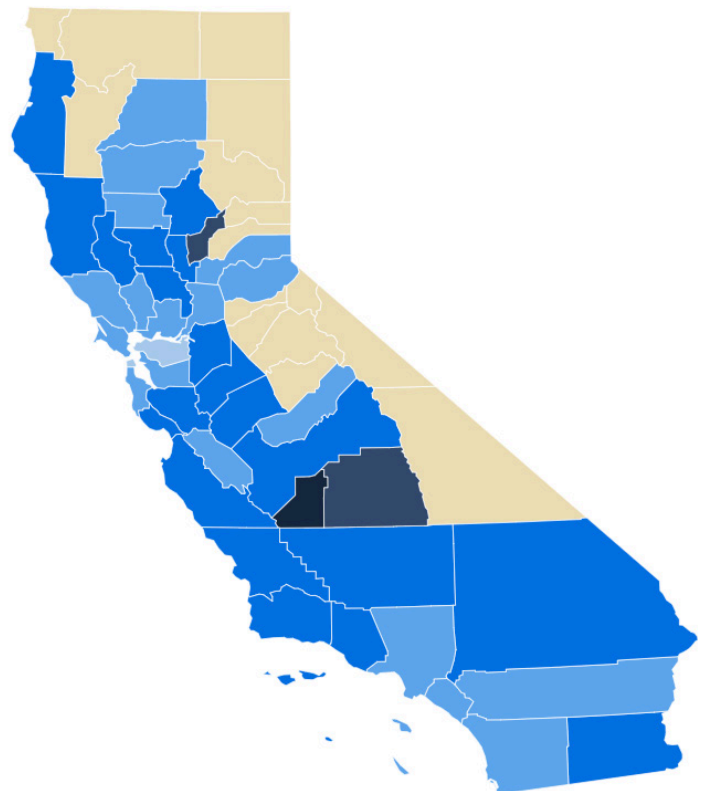
GEOGRAPHIC FINDINGS

These four maps of Latino adult arrests in California by gender make clear the counties that arrest Latinos at a rate higher than other counties, including those with the largest Latino populations. These geographic variations in Latino arrests are compounded by gender. For Latinas, felony and misdemeanor arrests were exclusively concentrated in inland/rural regions, with the counties situated in the Central Valley arresting Latinas more than any other jurisdiction per 100,000 population. Felony arrests for adult Latino males were concentrated in the Central Valley, but also included an oversaturation of arrests in Tehama County, located in the northern part of the state. Jurisdictions with high rate of misdemeanor arrests for Latino adult males are located across the state, including the Central Coast, Central Valley, and Northern California. More attention and resources are necessary to examine why inland and rural jurisdictions have greater arrest rates per population than other counties across the state, including those with the largest Latino populations.

POLICY RECOMMENDATIONS

To increase attention to the ways that Latinos are and are not included in major public policy reforms, the Latinos Politics and Policy Initiative (LPPI) analyzed publicly available data in the largest Latino state in the U.S. to better understand the direction and magnitude of Latino arrests between 2008-2017. This research found clear differences between Latinos and other racial/ethnic groups, namely Black and white individuals in terms of number of arrests, types of arrests, and charges. Additional attention to this issue is necessary to address the distinct needs of Latinos moving forward. Below are four key policy recommendations for decision-makers and practitioners to consider:

1. Expand the resources necessary to ensure local law enforcement agencies collect and publish accurate data on all aspects of their criminal justice-related duties. This includes appropriating the funding necessary to ensure data collection and reporting practices are transparent, efficient, and in line with 21st century innovations, including electronic reporting and sufficient technical assistance from state government colleagues in the Department of Justice.

2. Clarify racial/ethnic definitions to address the Latino data gap so that California law enforcement agencies adopt uniform definitions to categorize people by race/ethnicity. This includes developing and training law enforcement on how to report and publish racial/ethnic data in instances where individuals are multi-ethnic, including Afro-Latinos.

3. Adopt privacy protections and expand law enforcement guidance, where appropriate, to ensure that criminal justice related data and information practices are in compliance with state law, namely the California TRUST Act and Section 7283 of the Government Code (Senate Bill 54). Expand current law enforcement guidance to advise law enforcement agencies on what national origin and/or citizenship status data is permissible for data reporting and publication purposes in California to satisfy the tension between transparency and privacy.

4. Convene criminal justice experts, practitioners, and systems-involved individuals and families to better understand the causal factors behind the increase in the number of Latino arrests, the racial/ethnic disparities in the rate of arrests for Black Californians, distinct differences across genders, and implement evidence-based interventions to advance public safety reforms that remedy demographic disparities.

Finally, this report reaffirms the need for evidence-based reforms that recognize the distinct needs of women. For example, between 2008 and 2017, misdemeanor arrests decreased by 18 percent for adult males but only 1 percent for adult females. Policy reforms that seek to address these arrest trends as they relate to females must integrate the needs of entire households, especially children. From this perspective, alternatives to detention for female arrestees, where appropriate, may mitigate the collateral consequences of incarceration on California's youngest residents, who are overwhelmingly Latino.

CONCLUSION

Latinos in California have experienced increases in their share of felony and misdemeanor arrests, with Latinas as the only group to experience an increase in shares for both types of arrests. Despite a decrease in the number of misdemeanor and felony arrests in California, the magnitude and direction of arrests for Latinos is distinct. Additional research and policy attention is necessary to fully understand causal factors behind these trends in arrests, with attention to differences across genders.

This is especially critical given the youthfulness of Latinos in California, with Latinos representing over 50 percent of the state's school-age population.[22] Individuals are most likely to come into contact with the criminal justice system during their youth making the Latino population particularly vulnerable. Research suggests that Latinos between the ages of 18 to 29 are more likely than Latinos over the age of 30 to say they had been on probation or parole—19 percent versus 10 percent.[23] Given the general youthfulness of the Latino demographic in California, the state's adult arrest trends over the last decade are likely to not only continue but increase. Finally, recent shifts in the way the federal government approaches criminal justice may complicate the political feasibility of meaningful reforms to address this country's outdated and costly approach to criminal justice. Federal policy informs state law enforcement activities across a number of dimensions, including federal appropriations for law enforcement functions. With respect to policy matters, the recent shift in federal law enforcement regulations is especially concerning for the collateral consequences associated with the intersection between criminal

law and immigration law, including the ways that local law enforcement agencies communicate with federal immigration enforcement about arrests. The increased number of arrests experienced by Latinos in California between 2008 and 2017 provide renewed urgency to advance meaningful evidence-based reforms that improve public safety while addressing demographic disparities and collateral consequences for women and immigrants.

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[13] California Secretary of State, Statement of Vote, November 6, 2012 General Election.

[14] California Code, PEN § 13020. Since 1955, Penal Code section 13020 has imposed a duty on city marshals, chiefs of police, district attorneys, city attorneys, city prosecutors having criminal jurisdiction, probation officers and others, including "every other person or agency dealing with crimes or criminals or with delinquency or delinquents, when requested by the Attorney General" to collect and report statistical data.

[15] "Data Characteristics and Known Limitations," State of California Department of Justice, Office of the Attorney General, 2018.

[16] "CSJC Databases," State of California Department of Justice, 2018.

[17] Ibid.

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[20] Note that in November 2014, California voters passed Proposition 47, "The Safe Neighborhood and Schools Act," which reduced some felony offenses to misdemeanors. Given this significant policy change, caution should be applied when comparing post-2014 felony and misdemeanor arrest data to prior years' data.

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Fig. 1 Source: U.S. Decennial Census Data, Social Science Data Analysis Network. U.S. Census Bureau, 2016 American Community Survey 1-Year Estimates.

Fig. 2 Source: UC Hastings College of the Law, San Francisco, California Ballot Propositions and Initiatives, 2018.

Fig. 3-14 Source: California Department of Justice, Monthly Arrest and Citation Register (MARC) Data, 2016.

Map 1 "Open Justice County Map," State of California Department of Justice, 2017.
Map 2-5 "Open Justice County Map," State of California Department of Justice, 2017. * Rate is not calculated for counties with population less than 10,000. Rate is also not calculated for counties with fewer than 30 arrests or fewer than 3 deaths.

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UCLA Latino Policy & Politics Initiative (LPPI) is a comprehensive think tank that addresses the most critical domestic policy challenges facing Latinos and other communities of color in states and localities across the U.S. LPPI leverages UCLA's cross-disciplinary strengths to create an enterprise-wide home for Latino social policy with expertise in over a dozen issue areas including civil rights, criminal justice, educational equity, health access, and voting and civic participation. LPPI fosters innovative research, leverages policy-relevant expertise, drives civic engagement, and nurtures a leadership pipeline to propel viable policy reforms that expand opportunity for all Americans. Learn more at: latino.ucla.edu.