

*Annual Review of Criminology*LatCrit and Criminology:  
Toward a Theoretical  
Understanding of Latino/a/x  
Crime and Criminal Legal  
System InvolvementMaría B. Vélez<sup>1</sup> and Anthony A. Peguero<sup>2,3</sup><sup>1</sup>Department of Criminology and Criminal Justice, University of Maryland, College Park, Maryland, USA; email: velezmb@umd.edu<sup>2</sup>School of Criminology and Criminal Justice, Arizona State University, Phoenix, Arizona, USA<sup>3</sup>T. Denny Sanford School of Social and Family Dynamics, Arizona State University, Tempe, Arizona, USA

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**Abstract**

An important body of work documents how race matters for the patterning of crime and criminal legal system involvement largely by focusing on comparisons between Blacks and Whites. We build on this vital scholarship by spotlighting Latino/a/xs, a fast-growing group that is the United States' largest racial minority, to broaden the field's understanding of race and crime. In this review, we follow race scholars who see Latino/a/xs as a racial category because dominant actors racialize them as an innate, distinct, inferior, and criminogenic category, leading to their marginalized experiences across many domains. Moreover, Latino/a/xs increasingly view themselves as not White. Studying Latino/a/xs offers an opportunity to integrate key tenets of Latina and Latino Critical Legal Theory (LatCrit), which provide a scaffolding to center race and racism. LatCrit highlights the ways racism metes out discrimination, cultural and linguistic devaluation, criminalization, and racial profiling that in turn shape and are shaped by levels of Latino/a/x crime and legal system involvement. This article provides a description of what it means to center race with an emphasis on LatCrit,

an empirical assessment of Latino/a/x crime and legal system involvement, and an integration of core criminological theory with LatCrit. By doing so, we advance the field to more directly and robustly engage with the idea that racial disparities in crime and legal system involvement are products of racialization as well as attendant policies, institutions, and practices that historically and contemporaneously subjugate and marginalize the Latino/a/x population. We seek to push the boundaries of criminology theory and thereby invigorate and equip them for the twenty-first century and its racial landscape, which is increasingly Latino/a/x.

## INTRODUCTION

Critical race perspectives contend that race organizes society and that racism is a bedrock of US social institutions, including the juvenile and criminal legal systems (Du Bois 1903, Haney-López 1997, Matsuda 1991, Muhammad 2010, Peterson & Krivo 2010). In this review, we argue that these perspectives offer a framework to understand the racialization process that demarcates and fuels group differences in crime and criminal legal system outcomes (Alexander 2020, Peterson et al. 2006). These perspectives eschew “color-blind” arguments and spotlight the political, historical, and social determinants of crime and criminal legal system involvement. We argue, as do others, that these criminal legal systems were founded to oppress and marginalize racial minorities; disparities or miscarriages of justice, in other words, are built in by design (Alexander 2020, Haney-López 1997, Hernández 2017, Muhammad 2010, Russell-Brown 2021).

We apply these insights to the study of the Latino/a/x population.<sup>1</sup> Before we develop our position, we briefly outline why we categorize Latino/a/xs as a racial group. We follow race scholars who see Latino/a/xs as a racial category because of how they are subject to processes of racialization (Bonilla-Silva 1997, 2006; Haney-López 1997). For instance, dominant actors racialize them as an innate, distinct, inferior, and criminogenic category, leading to their marginalized experiences across many domains. A recent survey of Latino/a/x adults by the Pew Research Center found that more than half (54%) of them experienced at least one form of discrimination because of being Latino/a/x (i.e., called an offensive name, criticized for speaking Spanish in public, or unfairly stopped by police) during the first year of the COVID-19 pandemic (Noe-Bustamante et al. 2021). Moreover, Latino/a/xs increasingly view themselves as not White (Hitlin et al. 2007, Jones et al. 2021). Recent analysis of decennial census data demonstrates that more than 40% of people who claim Latino/a/x origin say they are “some other race,” meaning they see themselves as not White (Jones et al. 2021). This identification among Latino/a/xs increased by 42% from 2010 to 2020 (Jones et al. 2021). Moreover, the number of Latino/a/x origin people who identified as “White alone” in the decennial census decreased by 53% from 2010 to 2020 (Jones et al. 2021). Research finds that more than half of Latino/a/xs say skin color affects their daily experiences, and most (70%) say that when walking down the street most people would consider them Latino/a/x—what is known as an indicator of street race (Noe-Bustamante et al. 2021). Given these patterns, seeing Latino/a/xs as a racial category rather than an ethnic one aligns more squarely with their lived experiences (Hitlin et al. 2007, Telles 2018). Counting them as a race rather than an ethnicity also allows for more accurate tracking and effective monitoring of racial disparities (Telles 2018).

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<sup>1</sup>In this review, we use the terms Latino, Latino/a/x, and Latinx interchangeably to describe persons who are of Latin American descent. We acknowledge that among Latinos there is heterogeneity in how they identify, which is shaped by socioeconomic status, region, and age (Noe-Bustamante et al. 2020). We do not use the term Hispanic as it explicitly harkens back to the Spanish colonization of Latin America and parts of the United States. Latino is also a pan-ethnic term that allows us to tell a more general story about this group, but it masks important subgroup differentiation.

Why study and focus on Latino/a/xs? First, we can build on insights from Latina and Latino Critical Legal Theory (LatCrit), which provides a scaffolding to center race and racism in the explanatory process. “Centering” in our case means to trace Latino/a/x outcomes to their position in and relationship to the US racial hierarchy. This approach provides a corrective for research that often places race/ethnicity at the periphery of the conceptual argument and analyses by only controlling for race. We heed the call for race-centered explanations of crime and system involvement (Delgado & Stefancic 2017, Hawkins 1995). Second, the Latino/a/x population has grown in size and geographic spread, driven by immigration initially and later by native births in the past several decades. The Latino/a/x population currently makes up 18.5% of the US population and is expected to double in size by 2050 (Passel et al. 2014). The scale of Latino/a/x population growth and their high levels of crime and criminal legal system involvement necessitate study. Third, race often has been constructed from a Black–White binary, which means we have overlooked the Latino/a/x population, whose racialization experiences are varied because of immigration, colonization, assimilation, acculturation, colorism, and segregation. By spotlighting Latino/a/xs, we broaden our understanding of how race and racism operate in crime and system involvement. As this group becomes the largest racial group in the United States, it is imperative that we understand how this group shapes and is shaped by the evolving nature of the racial hierarchy and its color line.

We suggest that a fruitful way to study Latino/a/xs is to integrate key insights from LatCrit into core criminological theories. To do so, we revisit criminological theories with an eye toward conceptualizing race as an organizing construct and an understanding of the role played by past and present racial discrimination in the building and maintaining of the criminal legal system. We chose theories that are amenable to such an analysis, prioritizing those that have been utilized to study race previously in the field or that have entry points for our endeavor. That these theories are already primed for such an integration also means they emphasize the social positioning of individuals or communities as it relates to the racial hierarchy as part of their etiology of crime or criminal legal system involvement. Specifically, we bridge general strain, social control, procedural justice, opportunity, social disorganization, and racial threat theories with LatCrit. We do not develop theories uniquely for the Latino/a/x population; however, we apply a critical lens so that core criminological explanations address the reality that racism impacts a variety of factors associated with crime and system involvement. In doing so, we infuse race more directly into explanations of crime and thereby invigorate criminological traditions for the study of Latino/a/x populations and communities. By advancing the field in this way, we make core criminological theories particularly relevant vis-à-vis changing racial demographics as the United States becomes a majority-minority country. First, however, we provide an empirical portrait of the Latino/a/x crime and criminal legal system landscape.

## DESCRIPTIVE SNAPSHOT OF LATINO CRIME AND CRIMINAL LEGAL SYSTEM INVOLVEMENT

Our goal in this section is to provide a descriptive snapshot of the empirical realities regarding where Latinos stand across key crime (**Table 1**) and criminal legal system involvement outcomes (**Table 2**) at the national level. To gauge Latinos’ standing in the racial hierarchy, we concentrate on comparisons to Whites, the group that experiences much less crime and criminal legal system contact.<sup>2</sup> Key principles guided our compilation of these data. We began with national-level estimates for key items related to crime and involvement in the criminal legal system. When

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<sup>2</sup>Although we think it is important to compare Latinos to Blacks and other minoritized groups, such an enterprise goes beyond the scope of this review. Our goal here is to infuse core criminological theories with the tenets of LatCrit to better understand the complexities and nuances of how race shapes crime and criminal

**Table 1** Descriptive portrait of Latino crime

| Crime                                      | Latino | White | Operationalization   | Reference(s)   |
|--|--------|-------|--|--|
| <b>Victimization</b>                       |        |       |  |  |
| Violent victimization                      | 10.2   | 6.5   | Rate includes victimizations of rape/sexual assault, robbery, and aggravated assaults reported per 1,000 population age 12 or older  | Natl. Crime Victim. Surv. 2022                           |
| Robbery victimization                      | 46.0%  | 40.0% | Percentage of surveyed residents that reported being robbed in their current neighborhood in Los Angeles, CA. Latino neighborhoods are census tracts that are 70% or more Latino; non-Latino neighborhoods (in the White column) are census tracts with less than 70% Latino. Differences reported are significantly different ( $p < 0.05$ )  | Burchfield & Silver 2013                                 |
| Homicide victimization (official)          | 2.3    | 1.5   | Homicide rates per 100,000 population  | Kaplan 2021  |
| Homicide victimization (mortality records) | 5.0    | 2.7   | Age adjusted rates for homicide  | Natl. Cent. Inj. Prev. Control & Cent. Dis. Control 2022 |
| <b>Youth victimization</b>                 |        |       |  |  |
| Criminal victimization                     | 1.8%   | 2.5%  | Percentage of students ages 12–18 who reported criminal victimization at school during the previous 6 months   | Irwin et al. 2021  |
| Bullied victimization                      | 18.0%  | 24.6% | Percentage of students ages 12–18 who reported being bullied at school during the school year  | Irwin et al. 2021  |
| Sexual victimization                       | 12.2%  | 10.2% | Percentage of students ages 12–18 who reported being forced to do sexual things by someone during the school year  | Basile et al. 2020                                       |
| <b>Adolescent offending</b>                |        |       |  |  |
| Property-related delinquency scale (0–8)   | 0.3    | 0.2   | An eight-item scale based on affirmative answers to whether they (a) painted graffiti or signs on private property/public spaces; (b) deliberately damaged property that did not belong to them; (c) took something from a store without paying for it; (d) drove a car without its owner's permission; (e) stole something worth more than \$50; (f) entered a house or building to steal something; (g) sold marijuana or other drugs; and (h) stole something worth less than \$50 (Y15 wave of Fragile Families; weighted to be representative of the 20 cities in the Fragile Families) | Situ 2021  |
| ■ Painted graffiti or signs on property    | 3.1%   | 0.7%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021  |

(Continued)

Table 1 (Continued)

| Crime  | Latino | White | Operationalization   | Reference(s) |
|--|--------|-------|--|--------------|
| ■ Deliberately damaged property that did not belong to youth | 5.8%   | 2.8%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| ■ Taken something from a store without paying for it         | 7.6%   | 3.29% | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| ■ Driven a car without its owner's permission                | 1.6%   | 1.0%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| ■ Stolen something worth more than \$50                      | 1.3%   | 1.5%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| ■ Entered a house or building to steal something             | 0.3%   | 0.1%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| ■ Sold marijuana or other drugs                              | 1.7%   | 1.1%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| ■ Stolen something worth less than \$50                      | 7.9%   | 5.6%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| Violence-related delinquency scale (0–4)                     | 0.3    | 0.2   | A four-item scale based on affirmative answers to whether they (a) got into a serious physical fight; (b) hurt someone badly enough to need bandages or medical care; (c) used or threatened to use a weapon; and (d) had taken part in a group fight (Y15 wave of Fragile Families; weighted to be representative of the 20 cities in the Fragile Families) | Situ 2021    |
| ■ Got into a serious fight                                   | 16.8%  | 9.1%  | Percentage of adolescents who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families  | Situ 2021    |
| ■ Hurt someone badly enough to need bandages or medical care | 8.7%   | 3.1%  | Percentage of adolescent who reported yes; race is self-reported; weighted to be representative of the 20 cities in the Fragile Families   | Situ 2021    |

(Continued)

Table 1 (Continued)

| Crime                                     | Latino | White | Operationalization  | Reference(s)         |
|---|--------|-------|---|----------------------|
| Involved in physical fights               | 26.0%  | 20.0% | Percentage of students ages 12–18 who reported their involvement in physical fights, both anywhere and on school property, during the 12 months preceding the survey  | Irwin et al. 2021    |
| Offered illegal drugs                     | 26.7%  | 19.8% | Percentage of students ages 12–18 who reported that illegal drugs were made available to them on school property  | Irwin et al. 2021    |
| <b>Adolescent weapon use and exposure</b> |        |       |   |                      |
| Serious weapon involvement                | 10.4%  | 7.0%  | Adolescents who reported carrying a weapon or shooting or stabbing someone in the past 12 months were considered involved in weapon-related behaviors ( $p < 0.05$ ); weighted data indicate national estimates that account for clustering | Shetgiri et al. 2016 |
| Carried a weapon                          | 7.1%   | 4.7%  | Adolescents who reported carrying a weapon; weighted data indicate national estimates that account for clustering   | Shetgiri et al. 2016 |
| Violence exposure                         | 19.0%  | 7.0%  | Percentage of respondents who said they had seen someone shoot or stab another person one or more times in the past 12 months; weighted data indicate national estimates that account for clustering  | Shetgiri et al. 2016 |
| <b>Neighborhood crime</b>                 |        |       |   |                      |
| Violent crime                             | 2.9    | 1.4   | Four-year average number of homicides and robberies per 1,000 people in a typical census tract; data derived from local police departments from 71 cities and 8,557 neighborhoods   | Krivo et al. 2014    |
| Property crime                            | 32.5   | 38.1  | Four-year average number of burglaries, larcenies, and motor vehicle thefts per 1,000 people in a typical census tract; data derived from local police departments from 71 cities and 8,557 neighborhoods                                   | Krivo et al. 2014    |

national-level data on Latinos were not available for important outcomes we utilized information from subnational units. We think these localized approaches help to round out the patterns in our descriptive snapshot. We also focused on sources that are for the most part publicly available and reliably measure the Latino population. We caution that although we strove for comprehensive documentation, data limitations mean we cannot cover all facets of crime and criminal legal system involvement. We return to a need for improvements in our data infrastructure in our conclusion.

### Victimization

Table 1 provides four indicators of victimization; across all four, the rates are higher for Latino than White people. In 2019, the Latino population had a rate of violent victimization of 10.2

legal system outcomes, paying particular attention to comparisons between Latinos and Whites. We encourage future work to build upon our review to take the next step and provide theoretical framing for comparing Latinos with other racialized groups.

**Table 2 Descriptive portrait of Latino criminal legal system contact and involvement**

| Outcome   | Latino | White | Operationalization  | Reference(s)   |
|---|--------|-------|---|--|
| Homicide arrest   | 2.7    | 1.5   | Homicide arrest rates per 100,000 per group at the census place level ( $n = 453$ ) between 2010 and 2014   | Painter-Davis & Harris 2021  |
| Robbery arrest  | 32.5   | 18.3  | Robbery arrest rates per 100,000 per group at the census place level ( $n = 453$ ) between 2010 and 2014  | Painter-Davis & Harris 2021  |
| Violent index arrest  | 167.9  | 111.6 | Violent index arrest rates per 100,000 per group at the census place level ( $n = 453$ ) between 2010 and 2014  | Painter-Davis & Harris 2021  |
| Cumulative probability of arrest by age 28 (with disabilities)    | 46.1   | 39.7  | Estimates are based on cumulative probabilities using birth cohort life tables from rounds 1 to 16 in the National Longitudinal Survey of Youth (NLSY) (1997–2014); data are weighted to be nationally representative | McCauley 2017  |
| Cumulative probability of arrest by age 28 (without disabilities) | 31.4   | 27.6  | Estimates are based on cumulative probabilities using birth cohort life tables from rounds 1 to 16 in the NLSY (1997–2014); data are weighted to be nationally representative   | McCauley 2017  |
| Felony drug arrest  | 77.0   | 67.4  | Felony drug arrest rates per 100,000 per group for California   | Calculated using data found in US Census Bur. (2022) estimates and Open Justice (2022) |
| ■ Males under 18  | 10.8   | 5.3   | Felony drug arrest rates for persons 18 and under per 100,000 per group for California  | Calculated using data found in US Census Bur. (2022) estimates and Open Justice (2022) |
| ■ 18 and above  | 178.0  | 123.0 | Felony drug arrest rates for persons over 18 per 100,000 per group for California   | Calculated using data found in US Census Bur. (2022) estimates and Open Justice (2022) |
| Frisk during a police stop  | 9.0%   | 2.0%  | Percentage of youth who said they were frisked during a police stop (Y15 wave of Fragile Families; weighted to be representative of the 20 cities in the Fragile Families)  | Geller 2021  |
| Search pockets during a police stop                               | 12.0%  | 3.0%  | Percentage of youth who said they were searched during a police stop (Y15 wave of Fragile Families; weighted to be representative of the 20 cities in the Fragile Families)   | Geller 2021  |
| Use harsh language during a police stop                           | 6.0%   | <1%   | Percentage of youth who said harsh language was used against them during a police stop (Y15 wave of Fragile Families; weighted to be representative of the 20 cities in the Fragile Families)                         | Geller 2021  |
| Lifetime chance of prison   | 10.0%  | 3.4%  | Percentage of persons born in 2001 expected to go to state or federal prison during their lifetime given 2001 incarceration levels per group  | Bonczar 2003   |

(Continued)

Table 2 (Continued)

| Outcome                   | Latino | White | Operationalization   | Reference(s)            |
|---------------------------|--------|-------|--|-------------------------|
| Males                     | 17.2%  | 5.9%  | Percentage of males born in 2001 expected to go to state or federal prison during their lifetime given 2001 incarceration levels per group   | Bonczar 2003            |
| Jail admissions           | 642.4  | 439.4 | Jail admission rates per 100,000 (ages 15–64) for 2,104 counties in 2018 with at least 300 Latino population in 2018   | Vera Inst. Justice 2022 |
| Prison population         | 652.1  | 601.3 | Prison population rates per 100,000 (ages 15–64) for 1,035 counties with at least 300 Latino population in 2016  | Vera Inst. Justice 2022 |
| State prison              | 349.0  | 261.0 | Average rate of Latino and White imprisonment from states per 100,000 residents  | Sentencing Proj. 2022   |
| Youth detention placement | 92     | 72    | Detention rates per 100,000. Detention is defined as the holding of a youth in a juvenile facility before their adjudicatory or disposition hearing (i.e., prior to the determination of guilt and sentencing), or prior to decisions on their placement | Diaz et al. 2020        |

victimizations per 1,000.<sup>3</sup> This elevated risk also applies to individuals living in Latino versus non-Latino neighborhoods. Specifically, 46% of surveyed respondents living in Latino neighborhoods in Los Angeles reported being robbed, whereas 40% of surveyed respondents living in the non-Latino neighborhoods reported being robbed; these differences are statistically significant (see table 1 in Burchfield & Silver 2013). Data related to homicide also indicate increased risk compared to Whites. Specifically, in 2019, data from the Supplemental Homicide Reports indicate a rate for Latinos of 2.3 per 100,000, and when we utilize information from mortality records the rate is 5.0 per 100,000 (Kaplan 2021, Natl. Cent. Inj. Prev. Control & Cent. Dis. Control 2022).

### Youth Victimization

Estimates for youth victimization risk based on school-based samples provide an inconsistent picture in **Table 1**. For instance, in one national study, 1.8% of Latino youth reported criminal victimization compared to 2.5% of White youth; additionally, 18% of Latino youth compared to 24.6% of White youth reported being bullied at school (Irwin et al. 2021). In contrast, another study utilizing the Youth Risk Behavior Survey of 2019 reported that Latino youth were more likely to be forced to do “sexual things” while at school (Basile et al. 2020).

### Adolescent Offending

**Table 1** offers a variety of estimates of adolescent offending and reveals higher levels of reported offending by Latino than White adolescents. Using data from the Fragile Families and Child Wellbeing Study (<https://fragilefamilies.princeton.edu/>), Latinos are more likely than Whites to report that they have engaged in property crime like painting graffiti on private or public

<sup>3</sup>The authors calculated these violent victimization rates using the data portal sponsored by the Bureau of Justice Statistics [NCVS Dashboard (N-Dash)] (<https://ncvs.bjs.ojp.gov/Home>).



property or damaging property that did not belong to them (Situ 2021). This pattern holds for violent delinquency, for example, as more Latinos than Whites report getting into serious or physical fights and seriously hurting others (Situ 2021). We do note, however, that the scales for property and violent delinquency indicate that most Latino and White youth do not report delinquency. Relying on another data source from 2019, 26% of Latino youth reported being in a fight, whereas 20% of White youth were involved in fights within their communities and schools (Irwin et al. 2021). Additionally, 26.7% of Latino youth versus 19.8% of White youth reported that illegal drugs were made available to them (Irwin et al. 2021).

### Adolescent Weapon Use and Exposure

Latinos as compared to Whites reported significantly more adolescent weapon use and exposure to weapons (see **Table 1**) (Shetgiri et al. 2016). Based on data from the National Longitudinal Study of Adolescent to Adult Health, about 10% of Latino youth, compared to about 7% of White youth, report serious weapon involvement (Shetgiri et al. 2016). This pattern extends to carrying a weapon and also exposure to violence. In particular, about 7% of Latinos report carrying a weapon, whereas only about 5% of White youth do (Shetgiri et al. 2016). Moreover, 19% of Latino have seen someone engage in violence in the past 12 months compared to only about 7% of White youth (Shetgiri et al. 2016).

### Neighborhood Crime

**Table 1** displays levels of violence and property crime for neighborhoods (census tracts) using data from the National Neighborhood Crime Study (Krivo et al. 2014). In 2010, the average White neighborhood (at least 70% White) had 1.5 violent crimes per 1,000, whereas the typical Latino neighborhood (at least 70% Latino) had 2.9 violent crimes per 1,000, or about two times more. In contrast, the level of property crime is slightly lower in Latino than in White neighborhoods (Krivo et al. 2014).

### Criminal Legal System Contact and Involvement

**Table 2** provides information on a set of system involvement indicators. Turning to arrest, we see that across three indicators of arrest at the census place level, Latino rates are higher than rates for Whites (Painter-Davis & Harris 2021). A recent study calculates using the National Longitudinal Survey of Youth and birth cohort life tables that the cumulative probability of arrest by age 28 is higher for Latinos than Whites especially if these youth have disabilities (McCauley 2017). The inequality in these cumulative probabilities was more stark for males than females (McCauley 2017). To assess drug arrests, we utilize data from California, as they provide information on Latinos as well as by age and sex (Open Justice 2022). Specifically, the Latino drug arrest rate is approximately 12 more arrests per 100,000 than that for Whites. The gap becomes more pronounced for Latino males that are under 18, who are arrested at approximately twice the rate of Whites.

Research by Geller (2021) utilizes the Fragile Families and Child Wellbeing Study to better understand what happens during a police contact for Latino versus White youth. This study found that approximately 9% of Latino boys reported frisks, 12% reported searches, and 6% reported harsh language during police contact. These Latino levels are statistically much higher than for White boys, who rarely experience these events (Geller 2021).

Turning to lifetime chances of going to state or federal prison for persons born in 2001, ten percent of Latinos compared to 3.4% of Whites were likely to go to prison if incarceration rates

remained at 2001 levels (Bonczar 2003). This disparity increases when comparing males. Turning to jail admissions, the rate for Latinos is 642.4 per 100,000 in 2018, which is about 1.5 times the rate for Whites (Vera Inst. Justice 2022). Similarly, the differentials between rates of imprisonment for Latinos and Whites are large when calculated from counties with a population of at least 300 Latinos in 2016 (Vera Inst. Justice 2022). When states are the unit of analysis, Latino rates of imprisonment are about 1.3 times higher than for Whites (Sentencing Proj. 2022).

In 2019, the Latino youth detention placement rate was 92 per 100,000, whereas the White youth placement rate was 72 per 100,000 (Diaz et al. 2020). Focusing on the five states with the most inequality—Hawaii, Tennessee, Nebraska, Kansas, and Virginia—Latino youth are at least 50% more likely to be held in detention than are White youth (Sickmund et al. 2021).

## **THEORETICAL UNDERPINNINGS FOR LATCRIT: CENTERING RACE**

LatCrit has its roots in critical race theory (CRT). At its core, CRT provides a framework for centering race. This means that (a) outcomes of racialized groups such as Latinxs are a function of their position in and interaction with the racial hierarchy; (b) US laws, sociological institutions, and the associated enforcement policies and practices imbue ideologies that marginalize and discriminate against racial minorities; (c) official definitions of crime and justice should be, and are, contested; and (d) research should “square more accurately with minorities’ experiences,” which is often achieved via the “voice-of-color thesis” (Delgado & Stefancic 2017, pp. 11, 25; see also Alexander 2020, Du Bois 1903, Haney-López 1997, Matsuda 1991).

LatCrit enhances CRT’s focus on racial inequality by integrating additional lenses pertinent to the Latinx experience. LatCrit situates racism historically as an episteme: a knowledge system or pattern of knowing that comes to be identified over time as scientific or systemic. Five conceptual pillars guide us (Aoki & Johnson 2008, González & Portillos 2007, Solorzano & Bernal 2001, Solorzano & Yosso 2001). First, LatCrit posits that social institutions are founded on policies and practices that intend to marginalize and oppress the Latinx population, and thus highlights the role of structural and institutional discrimination. Second, LatCrit asserts that historical and contemporary institutional racism is endemic to US life and perpetuates Latinx disparities and inequities with regard to treatment, relationships, and interactions with US social institutions. Third, from a LatCrit perspective, the devaluation of Latinx culture and language creates structural barriers and undermines Latinxs’ ability to establish and sustain open communication and equitable exchanges with institutions and agencies that are supposed to serve, assist, and protect. Fourth, social, cultural, and legal processes transform Latinx behaviors into crime and Latinx individuals into criminals. Fifth, LatCrit sees racial profiling based primarily on phenotype as a motivator of differential treatment. We connect these five pillars to six criminological theories: general strain, social control, procedural justice, opportunity, social disorganization, and racial threat to move toward an understanding of Latinx disparities in crime and criminal legal system involvement.

## **GENERAL STRAIN THEORY**

A long-standing concern focused on micro-level processes is to explain the higher levels of offending by Blacks and Latino/a/xs than Whites. Arguably, the most amenable theory at the micro level to this endeavor in LatCrit is Agnew’s general strain theory (De Coster & Thompson 2017, Isom Scott et al. 2020, Kaufman et al. 2008). The general logic is that strain as captured by factors like economic hardship or unjust and unfair treatment increases stress and other negative emotions that, in turn, motivate criminal behavior. Coping strategies that rely on emotional, cognitive, and behavioral tactics can undercut strain. General strain theory has enjoyed considerable empirical attention and support (see review by Brezina 2017).

Scholars apply this logic to the cases of Blacks and Latino/a/xs by arguing that given that strains and coping strategies are stratified, these groups are expected to be vulnerable to crime. General strain scholars have emphasized that racial/ethnic inequality and discrimination are strains that contribute to disparities in crime and system involvement. Particularly helpful for understanding Latino/a/x crime, scholars point to strains associated with economic deprivation, acculturation (i.e., the process of adapting, conceptualized as a struggle, to the White, English-speaking dominant culture), prejudice, and discrimination. A burgeoning body of work signals general strain theory's validity for Latino/a/xs specifically (Cudmore et al. 2017, Del Toro et al. 2019, Hoskins 2013, Isom Scott 2018, Isom Scott et al. 2020, Pérez et al. 2008). Given that general strain theory clearly allows for racial discrimination as well as racially relevant sources of coping mechanisms to be key components of crime explanations, we think it bridges well with LatCrit.

There are two key ways to bridge LatCrit with strain explanations of crime. First, incorporating structural and institutional discrimination as a source of strain is fruitful and in line with the tenets of LatCrit. Recall that a major element of the LatCrit tradition is to take seriously the influence of structural and institutional discrimination on Latino/a/xs. In addition to capturing interpersonal experiences such as those with coworkers or neighbors, experiences with discrimination can also occur when individuals interact with institutional actors. In one of the earliest papers to assess the role of perceived discrimination, Pérez et al. (2008) found that discrimination increases the risk of violent offending by Latino/a/x youth. Recent work examines racial microaggressions, which are interactions that include overt and explicit acts against a person's racial identity as well as covert behavior or comments that make a person feel invalidated or inferior (De Coster & Thompson 2017). As De Coster & Thompson (2017, p. 905) explain, the "unpredictable, disguised, and often unintended nature of microaggressions in the midst of everyday activities" make them especially salient as a source of strain. Isom Scott (2020) found that microaggressions increase the likelihood of serious and violent offending by Latino/a/x.

We draw on research that explores Latino/a/x interactions in two institutional domains, schools and police, to illustrate the applicability of incorporating discrimination as a force in shaping offending. The legacy of segregation remains evident in schools in regard to the oversurveillance, disproportionate punishment, blocked opportunities, and deficit expectations by teachers, administrators, and staff with regard to Latino/a/x students (Conchas & Acevedo 2020, Espinoza-Herold & González-Carriedo 2017, Gándara & Contreras 2010, Lewis & Diamond 2015, Ochoa 2013, Portillos et al. 2012, Valenzuela 1999). There are structural racial, ethnic, and cultural biases embedded within the educational curriculum that dismiss, distort, and/or misrepresent the historical contributions made by racial/ethnic minorities, including Latino/a/x students. Moreover, the cultural bias of standardized tests contributes to limited and/or restricted college admissions and scholarships for Latino/a/x students (Conchas & Acevedo 2020, Espinoza-Herold & González-Carriedo 2017, Gándara & Contreras 2010, Lewis & Diamond 2015, Ochoa 2013, Valenzuela, 1999). Hoskin (2013) found that when Latino/a/x students report prejudicial treatment at their school it raises their risk of delinquency. Moreover, the harmful relationship between school prejudice and delinquency is magnified when Latino/a/x students have low levels of social support (Hoskin 2013).

Encounters with law enforcement are another site for microaggressions (Rengifo & Pater 2017, Rios 2011, Rios et al. 2020). Often these interactions are involuntary, do not yield evidence of a crime, and thus are seen as procedurally unfair and biased and can lead to psychological distress (Brunson 2007, Del Toro et al. 2019, Portillos et al. 2012, Solis et al. 2009). Del Toro et al. (2019) explore the implications of police contact on self-reported criminal behavior using longitudinal data from boys from six public US high schools located in high-intensity policing neighborhoods in a large city in the South. They found that contact with law enforcement predicts increases in

offending partly because of how it generates psychological distress for Latino/a/x (as well as Black) youth.

Even in instances when the contact was initiated by Latino/a/x citizens, police often respond to the call for help in a way that can compound their injury because they are treated as the potential offender, which is experienced as a microaggression. For instance, Rengifo & Pater (2017) found that among their Latino/a/x sample from New York City, residents feel harmed, injured, and that their voices and lives do not matter after police encounters, culminating in perceived microaggressions. Using data from in-depth observations of police–citizen interactions in a Latino/a/x community, Rios et al. (2020) found that police officers regularly pretend to care and use tough love while simultaneously engaging in demeaning tactics such as frisking, surveilling, and other punitive actions. They document that these interactions racialize, criminalize, and dehumanize Latino/a/x youth in ways that make them feel frustrated and angry (Rios et al. 2020). In a recent article on Latino/a/x youth, Isom Scott (2020) found that reported police discrimination and police injustices significantly increase the likelihood of serious offending (see also Isom Scott et al. 2020).

Second, LatCrit would argue that because general strain theory devalues Latino/a/x culture and language, it is not able to fully appreciate the vast resiliencies in Latino/a/x communities. It would push general strain theory to inventory and integrate the assets and resilience that are part and parcel of Latino/a/x communities. These assets provide stout sources of coping that alleviate strain. Recall that this theory appreciates the role of coping strategies as mitigators of strain. Although general strain theory views Latino/a/xs and their communities as particularly vulnerable to strains, it also offers the possibility that coping strategies are resources that help thwart strain. As Isom Scott (2020, p. 22) states, Latino/a/xs have a “cultural deftness for resilience.”

An important source of coping for Latino/a/xs is their positive ethnic identity. Ethnic identity is a multifaceted concept that has at its heart the sense of self as a member of an ethnic group (Phinney & Ong 2007). A positive ethnic identity includes native language use, affinity for the ethnic group, and a sense of pride and belonging. Individuals with strong connections to their ethnic heritage are able to use it as a cultural asset and improve well-being and curb antisocial behavior (Brook et al. 2010, Coll et al. 1996, Fuligni 2011, Gaylord-Harden et al. 2012, Seaton et al. 2006). Marcelo & Yates (2019) found that commitment to ethnic identity protects against the deleterious influence of discrimination on externalizing and internalizing problems for a sample of minority youth, including Latino/a/x youth. Curry et al. (2018) found Latino/a/x adults with relatively high levels of ethnic identity face a lower risk of being the victim of family violence.

Another cultural feature of Latino/a/xs and their communities is familismo, i.e., strong and prioritized connections among family and a preference for family members to care for children rather than center-based care (Cuevas et al. 2022). Using the Puerto Rican Adolescent Study, which surveys young males from the Bronx, Sommers et al. (1994) found that when youth aligned more with family than with individual opportunities, such familismo protected them against delinquency partly because of how it shapes social control dynamics (see also Cuevas et al. 2022). Work by Cano (2021) indicates that families are key contexts for racial and ethnic socialization strategies. Cano (2021, p. 292) argues that “parents send implicit and explicit messages to their children through these strategies, promoting self-pride and enhancing their abilities to overcome the stigmatization that comes with being Latina in America.” Families thus play a role in teaching youth how to deal with stresses that often come from interacting with institutional actors or acculturating with White society.

Another cultural feature that is prominent among the Latino/a/x population that can fuel coping with stressors is religion or religiosity. At the personal level, Latino/a/xs report high levels of personal piety and this can serve as an inner-driven coping mechanism (Jocson et al. 2020,

Martinez 2017, Taylor et al. 2012). Perhaps more relevant is that Latino/a/x congregations play an important role in community life and help organize resources and support. Martinez (2017) found that religious connections rooted in community life help to reduce delinquency indirectly via reducing negative emotions, in particular depression and anxiety among Latino/a/x students. Additionally, Jocoson et al. (2020) found that Latino/a/x youth who have been exposed to violence personally or vicariously are protected against depression or post-traumatic stress disorder (PTSD) symptoms when they report being spiritual. In the same study, the authors found that religious involvement undercut the relationship between witnessing violence and developing depressive symptoms. And if Latino/a/x youth perceived religion to be an important feature in their home, there was no significant association between witnessing violence and PTSD symptoms (Jocoson et al. 2020).

In sum, a theoretical blind spot in criminology is that it does not fully consider how racism and discrimination are criminogenic (De Coster & Thompson 2017). Bridging LatCrit with general strain theory is one way to address this omission. We urge criminologists to consider everyday experiences with discrimination as criminogenic. Interactions that take place with institutional actors provide a strategic vantage point from which to understand the formation, maintenance, and reproduction of racial hierarchies. Also, LatCrit helps general strain theory to more fully flesh out coping processes by spotlighting the assets in Latino/a/x communities. Coping and resiliency can moderate the devastating influences of inequality on offending. Using discrimination and countervailing forms of coping provides fertile ground for understanding Latino/a/x crime.

## **SOCIAL CONTROL**

Social bond or social control theory postulates that an individual's weak or strong bonds to social institutions influence their engagement in crime. According to Hirschi's original formulation (1969), there are four distinct elements of social bonds, also known as social control: (a) attachment, i.e., the social and emotional ties with others that embody normative expectations; (b) commitment, i.e., the investment of time, energy, and self in a certain line of activity with deviation from that activity being a rational calculation of the consequences; (c) involvement, i.e., the engrossment in conventional activities, which leaves no time for engagement in deviant behavior; and (d) belief in conventional society. In this formulation of control theory, these social processes are seen as invariant across social characteristics such as race/ethnicity. As such, it does not fully allow for the possibility that an individual's potential to establish strong bonds with social institutions might be thwarted by structural and institutional discrimination. Such discrimination may restrict or limit the possibility for racial/ethnic minorities, including Latinxs, to form strong bonds with institutions (Costello & Laub 2020, Gabbidon 2020, Heimer & Matsueda 1994, Kirk & Papachristos 2011).

Schools are a key institutional context that impinge on the strength of social bonds. A LatCrit perspective emphasizes how structural and institutional discrimination disrupts attachment to school. There are several ways that discriminatory schooling interrupts Latinx students' attachment to school. First, schools have a long and persistent history of racial/ethnic discrimination. Discriminatory treatment by other students, teachers, and staff shape Latinx students' relatively diminished attachment to their schools (Benner & Graham 2011, Peguero & Bondy 2011, Rios 2011). Second, school teachers and administrators restrict information about educational opportunities to Latinx parents, such as honor classes, advanced placement classes, and college prep courses (Behnke et al. 2010, Lopez 2003, Ochoa 2013). Third, school counselors discourage Latinx students from applying to and attending universities (Bondy 2015, Gándara & Contreras 2010, Lopez 2003).

Establishing and sustaining strong social bonds are complicated by the inequality faced by the Latinx community. A LatCrit perspective suggests historical and contemporary institutional racism affects the Latinx population, for example, by interrupting Latinxs' commitment to employment. Individuals who have access to employment opportunities are less likely to engage in deviant and criminal behavior (Martinez 2014, Sampson & Laub 1990). Latinx individuals and communities, however, have endured historic and persistent blocked employment opportunities due to residential segregation. Historical and contemporary patterns of residential segregation are linked to redlining practices, New Deal housing policies, and the deregulation of the subprime and prime mortgage markets (Dymski et al. 2013, Hernandez 2009, Molina 2016). As a consequence of these racially segregating policies and practices, the ability of Latinxs to establish a strong and sustainable employment commitment is hampered. Therefore, from a LatCrit perspective, historical and contemporary institutional racism reflected in discriminatory housing policies and practices curb Latinxs' commitment to employment opportunities and thus make them vulnerable to crime.

A LatCrit perspective highlights that there is a devaluation of Latinx culture and language, which can, in turn, restrict Latinx involvement in social services and community activities because of English-only policies and practices. Access to social services and community activities is associated with diminished engagement in deviant and criminal behavior (Sampson 2012, Sharkey et al. 2017). Latinx individuals who have limited English proficiency often face and endure English-only policies and practices that block their involvement in social institutions and community activities (Alba & Foner 2015, Gonzales 2015, López-Sanders 2012, Peguero 2006, Portes & Rumbaut 2014, Valenzuela 1999). Teachers are less likely to communicate, e.g., discuss exemplary or problem behavior, with Latinx parents because of language barriers. Lower involvement in religious activities for the Latinx population is likely to occur when priests, pastors, and ministers only speak English. Thus, implementation of English-only policies and practices restricts Latinx involvement with social institutions.

Belief in fair and just treatment is key in developing strong bonds with the criminal legal system; however, the criminalization of Latinx individuals can derail this possibility. A LatCrit perspective proposes that the criminalization of the Latinx population can limit trust in the criminal legal system. Latinx individuals and families distrust the justice system and the government (Armenta 2017, Lopez-Aguado 2018, Rios 2011, Shedd 2015). There is growing evidence of the hypercriminalization of Latinx youth occurring within communities and school processes. The term hypercriminalization, as defined by Rios (2011), is the process by which Black and Latinx youth behaviors and interactions are constructed as deviant or criminal, which then results in institutional responses of shame, exclusion, punishment, detention, and incarceration. Hypercriminalization is partly achieved through criminalizing entire communities rather than individuals, which establishes distrust in Latinxs because they enter social and cultural spaces as presumed criminals and are treated as such (Rios 2011). Thus, the LatCrit perspective suggests that the criminalization of Latinxs fosters distrust and restricts belief in social institutions.

Gottfredson & Hirschi's (1990) *A General Theory of Crime* highlights the role of self-control in more recent formulations of the original conceptualization of social control. Persons with relatively low levels of self-control are characterized by impulsivity, insensitivity, physicality, shortsightedness, and nonverbal behavior (Gottfredson & Hirschi 1990). Low self-control is expected to predict criminal behavior. However, definitions and characterizations of aggressive and impulsive behavior are often by-products of social and cultural constructions fueled by racial oppression and discrimination (Gabbidon 2020, Russell-Brown 2021, Unnever & Chouhy 2022). LatCrit would contend that the application of low self-control qualities is likely racialized. As an example, aggressive and externalized behaviors of White adults and youth are often associated with medicalized and socio-emotional responses or approaches, but when racial/ethnic minorities exhibit

the same behaviors, they are often categorized as inherent deficiencies (Alexander 2020, Hinton & Cook 2021, Morris 2016, Russell-Brown 2021). In this regard, LatCrit theorists caution that levels of low self-control are proxies for this racialization process, which rests on the enduring myth of Brown criminality.

In sum, social control theory traces individuals' engagement in crime to weak bonds to institutions. Yet the theory tradition does not incorporate the possibility that discrimination hinders the development of strong bonds. In particular, disadvantaged communities have under-resourced schools and limited employment opportunities that contribute to Latinx individuals' increased vulnerability to crime and system involvement via the pathways established by social control theory. By bridging LatCrit with social control, we can better understand how economic, educational, and community inequality may restrict or limit possibilities to form strong bonds with social institutions.

## Procedural Justice

Procedural justice theory posits that people's perceptions of fairness about institutions of authority (e.g., law enforcement) influence their compliance with institutionalized rules. Procedures are perceived as fair and just when individuals feel as though they are treated respectfully and are allowed to participate in the decision-making process (Tyler 2003, 2021). Scholars have identified four pillars of procedural justice: (a) whether individuals are treated with dignity and respect; (b) whether individuals are given a voice; (c) whether the decision-maker is viewed as neutral and transparent; and (d) whether the decision-maker conveyed trustworthy motives.

LatCrit emphasizes that institutions, especially those concerning formal social control, are designed to control and marginalize the Latino population, as they are fueled by historical and contemporary racism. From this vantage point, LatCrit questions the neutrality, trustworthiness, and inherent fairness of law enforcement institutions and actors. It also foregrounds the oppressive nature of law enforcement as the source of mistrust and attendant noncompliance to institutionalized rules. More broadly, LatCrit would require that the above four pillars of procedural justice be seen as wedded to broader patterns of historical and contemporary marginalization. That is, although understanding how Latinos make sense of law enforcement and the criminal legal system more generally is important, it is equally important that the criminal legal system reckon with its perpetuation of racism. Procedural justice, in other words, is achieved when both sides—the Latino population and the law enforcement actors—are engaged, because it is a dynamic relationship.

A LatCrit perspective hypothesizes that historical and contemporary institutional racism is a deeply rooted barrier to Latinos' possibility to perceive a decision-maker as neutral and transparent. There is a long history, legacy, and persistence of police not responding to and equally protecting Latino communities. Racial/ethnic minorities, including Latinos, have long appreciated that policing practices and procedures are rooted in racism (Alexander 2020, Braga et al. 2019, Russell-Brown 2021). Scholars also argue that the police have a historical practice of ensuring the segregation and control of disadvantaged, poor, and lower-socioeconomic communities to restrict their interaction with and movement to more affluent communities (Drakulich et al. 2021, Liberatore et al. 2021). Thus, it is plausible from a LatCrit perspective that historical and contemporary institutional racism can limit and restrict the belief that the decision-maker is neutral and transparent.

LatCrit scholars argue that structural and institutional discrimination undermine the possibility of believing a decision-maker conveys trustworthy motives to Latinos. For example, the implementation of Arizona's Senate Bill 1070 (i.e., SB1070) allowed law enforcement to ask for citizenship documents and made it a misdemeanor for legal residents to not carry them. Scholars have highlighted that SB1070 was specifically designed to target Latino individuals (Armenta

2017, Kubrin et al. 2012, Menjívar & Abrego 2012, Menjívar et al. 2018). SB1070 arguably exemplifies structural and institutional discrimination of the Latino population by overlapping and perpetuating the stereotype of inherent criminality for Latino individuals and communities. The implementation of SB1070 resulted in an increase in police surveillance, contact, traffic stops, requests for identification, and arrests of Latino individuals and communities. This type of policy illustrates the non-neutrality of policymakers, which is a source of Latino distrust of law enforcement.

Latino communities are often skeptical and suspicious of authority figures such as law enforcement due to historical and ongoing marginalization (Menjívar et al. 2018, Rengifo & Fratello 2015, Torres 2015, Vargas & Scrivener 2021). The Latino population has poor or diminished belief and trust in authority figures, leading to lower levels of satisfaction, support, and compliance (Armenta 2017, Becerra et al. 2017, Solis et al. 2009). Latinos report racial profiling, derogatory treatment for not speaking English, and distrust of the police when interacting with them (Menjívar et al. 2018, Rengifo & Fratello 2015, Torres 2015, Vargas & Scrivener 2021). Although there is procedural justice research evidence indicating that racial/ethnic minorities distrust law enforcement (O'Brien & Tyler 2019, Tyler 2021), much of this research situates that distrust within minority communities as a result of problematic policing or miscarriages of justice that could be improved, rebuilt, and/or reformed. However, LatCrit maintains that the source of mistrust is due in large part to the structural racism that led to the formation of institutions of formal social control such as local law enforcement.

From a LatCrit perspective, racial profiling based primarily on phenotype illustrates how institutions are motivated by racism and thus is the source for why Latinos do not believe they are being treated with dignity and respect by law enforcement. "Driving while Black or Brown," i.e., the disproportionate traffic stops that Black and Latino drivers endure, is an example of the racial profiling and social control used by law enforcement (Romero 2000, Russell-Brown 2021, Torres 2015, Warren et al. 2006). Profiling may be used in a variety of policing contexts, both formally (e.g., organizational policy) and informally (e.g., biases and assumptions). Moreover, law enforcement stop-and-frisk policies allow the police to stop someone who is considered suspicious, most often based on racial profiling, which has disproportionately impacted Latino individuals and communities (Rengifo & Fratello 2015, Rios et al. 2020, Vargas & Scrivener 2021).

A LatCrit perspective highlights the devaluation of Latino culture and language, which can limit whether Latino individuals are given a voice when law enforcement officers do not speak Spanish or offer documentation forms in Spanish. Latino individuals who only speak Spanish are less likely to call the police to report a crime or ask police for assistance and indicate harassment and biased treatment when officers only speak English (Correia 2010, Sabina et al. 2012, Tower & Fernandez 2008). These studies also suggest that police officers view Spanish speaking as a marker of potential deportability and criminality. Thus, it is logical from a LatCrit framework that the devaluation of Latino culture and language undermines their ability to communicate their injury and be heard in their complaints about policies and procedures that impact Latinos and their communities.

The key takeaway from bridging LatCrit with procedural justice is to question the default assumption that all individuals can and should trust authority figures. The evidence suggests that trust has to be earned and the burden is on authority figures and not necessarily disadvantaged or marginalized communities. LatCrit scholars suggest that an important element of building trust, having transparency, and treating individuals and communities with dignity and respect is to acknowledge the historical harm and oppression that law enforcement has inflicted on racial/ethnic minorities. Although building trust with communities of color is part of the motivation in procedural justice, oppression, historical trauma, and responsibility need to be acknowledged for any of



these efforts to succeed. Rios et al. (2020) provide a cautionary tale. They found that within the same precinct and time period efforts by police to build trust with community residents and stakeholders occur simultaneously with policies that perpetuate racial profiling and criminalization of the Latino community.

## OPPORTUNITY

Individuals' routine activities are racialized because Latino/a/x individuals must navigate contexts regularly that are characteristically different than those that White individuals must navigate, which elevates their risk. Opportunity theory borrows from routine activity and lifestyle theories to highlight three necessary factors for an incident of crime to occur: (a) the presence of a suitable target, (b) the presence and proximity of motivated offenders, and (c) the absence of a capable guardian (Cohen & Felson 1979; Felson 1986, 1998; Wilcox & Cullen 2018; Wilcox et al. 2018). Individuals' recurrent and prevalent activities increase the likelihood of the convergence of these three factors. Therefore, it is individuals' routines and activities that increase their risk of victimization. Similarly, lifestyle theorists suggest that involvement in particular groups or social activities may make a person more susceptible to victimization (Miethe & Meier 1990, 1994; Wilcox & Cullen 2018; Wilcox et al. 2018). Subsequently, both routine activities and lifestyle theories are integrated to better understand the relationship between behavior and victimization. The principal logic driving the integration of these two theories in relation to opportunity is centered around target suitability, lack of guardianship, and exposure.

We contend that an outcome of the devaluation of Latino/a/x culture and language held by civil and criminal justice representatives contributes to Latino/a/xs' susceptibility to being a suitable target for victimization. Because of language barriers associated with victimization, Latino/a/x workers often report lack of payment, underpayment, and inequitable treatment from their employers (Fernández-Esquer et al. 2021, Fussell 2011, Negi et al. 2013). Because employers recognize that Latino/a/x individuals are often unaware of their civil employment rights and/or unable to report their victimization, the exploitation of their labor and harassment often go unreported. Moreover, Latino/a/xs are viewed as walking ATMs because they rely on a cash-only economy and are thus disproportionately robbed; they are reluctant and/or unaware that they can report these crimes to the police (Barranco & Shihadeh 2015, Caraballo 2020, Fussell 2011). Negi et al. (2020) found that Latino/a/x day laborers in Baltimore experienced high levels of robbery and assault as well as workplace victimization such as wage theft, abandonment at the job site, and verbal abuse, exacting a social and psychological toll.

A LatCrit perspective centers the idea of phenotype discrimination, which helps to understand why motivated offenders would see Latino/a/xs as suitable targets for racial and hate-motivated crimes. Hate-based aggression, threats, harassment, and assaults have increased within schools in the past decade (Gonzales 2015, Hong et al. 2014, Huang & Cornell 2019, Peguero & Bondy 2021, Ray 2022, Rios 2011). These studies indicate that Latino/a/x youth experience racially motivated hate crimes at school such as bullying or assaults by students, faculty, staff, and security. Often these incidents are associated with threats of deportation of students and/or their family members, regardless of immigration status. Moreover, Latino/a/x youth have increased reports of racially motivated hate crimes while traveling through communities, shopping, or riding public transportation because of their skin tone and other demographic characteristics (Benner et al. 2018, Espinola et al. 2019, Huang & Cornell 2019, Peguero & Bondy 2020).

The LatCrit perspective also highlights the influence of historical and contemporary institutional racism, which can limit and restrict the level of guardianship experienced by Latino/a/xs. For instance, Latino/a/x individuals have fewer guardians protecting them because school officials,

social workers, and healthcare providers do not intervene and equitably protect them (Lopez-Aguado 2018; López-Cevallos et al. 2014; Rios 2011, 2017). Studies reveal that school faculty, staff, and security often do not respond to the victimization, assault, discrimination, harassment, neglect, and abuse of Latino/a/x youth (Durán 2013, 2018; Hong et al. 2014; Morris 2016; Ray 2022; Rios 2011, 2017). In addition, criminal and juvenile justice representatives often disregard Latino/a/x youth and adults' reports of victimization, assault, discrimination, harassment, neglect, and abuse as serious, and often do not follow through with prosecution (Lopez-Aguado 2018). Moreover, social welfare and healthcare providers discount Latino/a/x' harm or injury, which often translates into restricted or no service and care provided (López-Cevallos et al. 2014).

A LatCrit perspective appreciates that structural and institutional discrimination contributes to a deficit understanding of exposure or dangerous lifestyles for Latino/a/x individuals. Opportunity theory suggests that dangerous lifestyles are reflective of individual exposure and rational choices; however, structures and institutions often limit choices for nondangerous lifestyles or impose inequities and circumstances that steer marginalized and vulnerable individuals, such as Latino/a/x youth and adults, toward the necessity to navigate dangerous contexts. For instance, discriminatory employment practices and restricted labor opportunities often mean that Latino/a/x workers take jobs that occur late at night and require travel through dangerous and high-crime areas, contributing to their increased odds of victimization (Caraballo 2020, Fernández-Esquer et al. 2021, Fussell 2011). Discriminatory housing practices and restricted residential opportunities mean residing in and engaging with dangerous circumstances (Dymski et al. 2013, Hernandez 2009, Molina 2016). In essence, rational choices are impacted by discriminatory practices and forces that delimit the contexts Latino/a/xs navigate.

A fundamental takeaway for bridging LatCrit with opportunity theories is to consider how elements of opportunity such as target suitability and dangerous lifestyles are racialized. Latino/a/xs' options for safely navigating circumstances and routines to go to work and attend schools are restricted or limited because of discrimination, marginalization, and segregation. Furthermore, the social and cultural construction of dangerousness is racially biased. Motivated offenders are racially profiling, constructing, and identifying Latino/a/xs as suitable targets for criminal victimization because of their race/ethnicity in large part because motivated offenders know that their reports of injury are typically dismissed and disregarded by police (Barranco & Shihadeh 2015, Caraballo 2020, Caraballo & Topalli 2021). Additionally, the notion of a dangerous lifestyle suggests choice in daily routines; however, that choice is undermined for the Latino/a/x population.

## **SOCIAL DISORGANIZATION**

The primary theory tradition to understand the higher levels of crime in Black and Latino communities as compared to White areas is social disorganization theory (Krivo et al. 2021, Peterson & Krivo 2010, Sampson 2012). Historical and contemporary patterns of structural and institutional discrimination contribute to the constellation of structural disadvantages such as male joblessness or poverty in communities of color. Structural disadvantages are expected to usher in social isolation and marginalization, which in turn yield social disorganization—the inability for residents to collectively organize against crime (e.g., collective efficacy and public social control)—along with cultural adaptations (e.g., legal cynicism and localized social orders) that encourage crime (Duck 2015). Thus, higher levels of crime in Black and Latino communities are expected to be products of structural disadvantages, which are brought about by racial inequality and lead to social disorganization and attendant cultural adaptations.

Given the almost exclusive focus on comparisons of Black and White neighborhoods, the area is limited in its understanding of Latino communities. Only recently has a body of

studies begun to explore crime in Latino/a communities (Lyons et al. 2022, Peterson & Krivo 2010, Vélez 2006). Accounting for the large differences in ecological disadvantages between Latino and White communities goes a long way toward explaining higher levels of serious crime in Latino communities. In a recent paper, Krivo and colleagues (2021) found that the difference in serious crime between White neighborhoods and Latino areas reduces by approximately 60% when accounting for concentrated disadvantage in a nationally representative sample of neighborhoods in 2010 (see also Peterson & Krivo 2010).

In this section, we build on this burgeoning work and use social disorganization theory to illustrate the benefits of incorporating insights from LatCrit; particularly helpful are its notions of historical and contemporary institutional racism, structural and institutional discrimination, and the devaluation of Latino culture and language. We thus shed light upon central aspects of this theory by focusing on (a) how historical and contemporary forms of discrimination shape patterns of residential segregation and socioeconomic conditions in Latino communities and (b) how valuing the Latino culture and Spanish language can help us better understand the dynamics that stymie marginalization and bolster community social organization, keeping crime at bay.

There is value in integrating LatCrit with social disorganization theory and doing so is essential to explicitly center racism as responsible for dramatic neighborhood inequalities that set the stage for crime. Although this theory incorporates the role of broader political economies, driven by efforts usually by cities to accumulate wealth and growth, in shaping neighborhood patterns of inequality (Bursik 1989, Sampson & Wilson 1995), it has not fully explored how race is central to this political economy. Taking a LatCrit perspective affords the ability to think about the origins of these inequalities; they are part and parcel of racism and its apparatuses—they do not just happen. We illustrate the utility of this approach with residential segregation and housing-related investments.

LatCrit argues that structural and institutional discrimination shapes the life outcomes of Latinos. One way to bring this into social disorganization theory more forcefully is to study the high levels of residential racial segregation experienced by Latinos from Whites. Patterns of racial segregation are evident in an array of policies, such as restrictive covenants and redlining, that were designed to target Blacks but were often used against Latinos (Betancur 1996). Using Chicago as a case study, Betancur (1996) details how racism translates into Latino residential clustering, which is magnified by economic marginalization. Betancur (1996, p. 1316) states, “Unlike Europeans, Latinos bear a permanent minority condition that has translated into exclusion, economic immobility, and manipulation. This is reflected in a settlement process deeply colored by discrimination. US society has extended racism to Latinos; their settlement reflects this.” Segregation facilitates historical and contemporary forms of capital investment. Segregated areas have a limited flow of capital for housing and business that over time set in motion dynamics related to decline (Betancur 1996, Sandoval-Strausz 2019, Squires & Woodruff 2019).

These historical patterns of exclusion cement current forms of inequality. We illustrate with key examples related to current housing patterns. In terms of residential segregation, the residential distance between Latinos and Whites remains a durable feature of urban life, remaining high and increasing from 1970 to 2010 (Massey & Tannen 2018). Since the Great Recession of 2008, homeownership rates have stalled, home mortgage applications have declined, and denial rates for home mortgage rates have increased for Latinos (Castro et al. 2021). Contemporary patterns of housing-related discrimination translate into a variety of vulnerabilities such as predatory lending; negative equity; and foreclosures and evictions that undermine communities’ ability to combat crime. Given how important housing stability, including homeownership, is to building wealth and fortifying communities against crimes, these patterns in housing stock loss should increase social disorganization in Latino communities. In short, we push the field to continue delving into

the ways racially embedded historical processes related to exclusive housing patterns continue to contribute to crime in Latino communities.

Recall that social disorganization theory would predict that the community does not effectively work together to bring about a crime-free environment because of economic-related marginalization. We build on scholarship (Duck 2015, Pattillo 2013, Sandoval-Strausz 2019) to challenge this view that minority communities suffer from limited social organization. Specifically, LatCrit challenges this assertion given that it might be rooted in a devaluation of Latino culture and the Spanish language. LatCrit would seek to highlight the ways in which Latino communities have developed resiliency and brokered for community social organization despite these hardships. That is, it would not assume that the community is defeated or isolated; it would look to resistance or challenges that might not be detected with conventional metrics proposed by social disorganization theory.

Although Latino communities have been marginalized, they are characterized by Latino urbanism (Sandoval-Strausz 2019). Latino urbanism refers to the revitalization of street life and public spaces that encourages day-to-day practices of sociability in outside spaces, including walking rather than driving to run errands in the neighborhood and interacting with neighbors while watching children play in the front yard (Sandoval-Strausz 2014, 2019). This form of urbanism is anchored in population increases, a built environment that favors mixed uses across the day and night, and a city relatively receptive to the Latino community (Sandoval-Strausz 2014, 2019).

Latino communities appear to have strong fictive kinship ties that help to fortify community social organization. Despite disadvantages, residents of Latino communities pool resources to manage their livelihoods (Klinenberg 2015). Latino communities also have strong familial ties (Burchfield & Silver 2013, Katiria Perez & Cruess 2014, Murillo et al. 2020). Specifically, Latino communities are often characterized as having the value of familismo, which has the potential to create a protective influence and bolster a neighborhood's well-being (Murillo et al. 2020).

A group of studies illustrate the community social organization of Latino communities despite economic marginalization. Burchfield & Silver (2013) found that Latino communities have higher levels of social ties than non-Latino communities in Los Angeles. They also reveal that collective efficacy (e.g., a neighborhood's ability to trust and work together to solve community problems) is less helpful in reducing robbery victimization risks in Latino than non-Latino areas. Furthermore, they discover that collective efficacy is (only) weakly related to structural disadvantage and thus mediates less of the effect of disadvantage on robbery victimization in Latino areas. To make sense of this pattern, Burchfield & Silver argue that Latino neighborhoods have extensive forms of community social organization that go beyond collective efficacy partly due to their vibrant public spaces and thus are not as vulnerable to the pernicious influence of disadvantage on collective efficacy as occurs in non-Latino neighborhoods. Related to this, in their analysis of crime change in neighborhoods from 2000 to 2010, Lyons et al. (2022) found that Latino neighborhoods had steeper crime declines in violence and burglary than White neighborhoods despite high concentrations of disadvantage and other crime-producing conditions. Such a finding signals that Latino communities likely embody elements of resilience that are not usually accounted for in quantitative community-level studies. Sandoval & Herrera (2015, p. 68) show that MacArthur Park, a Latino working-class neighborhood in Los Angeles, can be revitalized when city efforts build upon "endogenous forms of cultural, political, financial and built capital that exist." Key sources of these forms of capital include community-based organizations, local Latino politicians, small businesses run by Latino community members, and cultural celebrations that contribute to community pride and solidarity. In a more recent analysis of three Latino barrios facing gentrification as a result of public transportation developments, Sandoval (2021) documents the importance of ethnic identity in motivating resistance against redevelopment efforts. Sandoval (2021) reveals

that the threatened communities pulled on strings of ethnic identity to organize and make these developments work for the communities' interests and avoid population displacement.

In sum, bringing LatCrit into social disorganization theory will help this tradition to more fully integrate how structural and institutional discrimination both now and in the past shape Latino populations and their communities. Moreover, the LatCrit lens encourages an appreciation of how structural disadvantages do not just happen but are a product of prior political decision-making built on racism. Mapping out the origins of racial inequality and understanding the implications for crime and system involvement is thus a key takeaway. Moving forward, criminologists should not take on a deficit perspective of Latino communities but rather incorporate a more thoughtful redefinition of organization that captures the dynamic vibrancy of Latino community social organization.

## **RACIAL THREAT**

A long-standing interest in the field of criminology is the overrepresentation of Blacks in the criminal legal system; an important theoretical tradition to understand this phenomenon has been the racial threat hypothesis, a component of macro-conflict theory (Blalock 1967, Stults & Swagar 2018). The mobilization of crime control results from the perception that the racialized minority group is a threat to White interests and the social order, which sets in motion discrimination, including violence and formal social control (Blalock 1967). These perceptions are racialized and often hinge on criminality. For example, Latino/a/xs are often constructed as dangerous and criminal. Portillos (1998, p. 156) states that “if you are a young Latino, and especially a Latino male, you are a gun wielding, drug selling gang banger unless proven otherwise.” Such perceptions fuel the Latino/a/x threat narrative and lead to “ubiquitous criminalization” (Rios 2011, p. 6).

Threat is expected to increase formal social control efforts in a nonlinear fashion (Blalock 1967). As the percentage of minorities increases, it can lead to perceptions of competition, leading to increases in discrimination and social control efforts, but these efforts slow down at high levels of percent minority given that discrimination is already so high in these contexts. Yet if the racial threat invokes concerns of power loss by Whites, it elicits an increasing slope; discrimination and formal social control will be scaled up as percent minority increases. Most work empirically assesses this perceived threat with an indirect measure of the population size of the racial group such as percentage Black or Latino/a/x. The expansion of formal social controls includes increased police department size, arrest rates, or incarceration rates.

Two key aspects of this theory tradition bridge well with LatCrit. First, the institutions responsible for crime control are driven partly by the perception that Blacks and Latino/a/xs are criminogenic and dangerous. That is, the criminalization of the Latino/a population drives the expansion of the use of formal social control. Second, this theory aligns with LatCrit's view that institutions discriminate and are designed to protect White interests, marginalizing racialized minorities.

Although the lion's share of racial threat research has been on the threat posed by the Black population, an emerging line of research centers on the Latino/a/x population. Arguably, the mobilization of the police at the macro level has been a central focus when applying racial threat to the study of Latino/a/xs. This small body of work seeks to understand the relationship between the relative size of the Latino/a/x population and the resources of the police. Results are inconsistent (Holmes & Painter 2021, Stults & Swagar 2018). For instance, Stults & Baumer (2007) found no relationship between percent Latino/a/x and police size for sampling units that approximate counties. To make sense of this finding, Stults & Baumer (2007) suggest that the uneven geographic distribution of Latino/a/xs means small sizes for many counties thwarting their ability

to detect a relationship. Furthermore, Holmes et al. (2008) found no relationship between percent Latino/a/x and the number of police officers in a sample of Southwestern cities.

Other work finds support for a linear or nonlinear relationship between percent Latino/a/x and police resources (Holmes 2000, Holmes & Painter 2021, Jackson 1989, Kane 2003, Kent & Jacobs 2005, Smith & Holmes 2014). For example, in one of the earliest studies, Jackson (1989) found that percentage Latino/a/x increases general police expenditures and police salaries and operations per capita; however, the influence of percentage of Latino/a/x diminishes precipitously in Southern and Western cities. In contrast, Jackson (1989) found that percentage Latino/a/x is negatively related to general police expenditures in Northern cities. Kane (2003) explores the impact of percentage Latino/a/x on police deployment at the precinct level, which is found to be nonlinear. Specifically, Kane (2003) found that in precincts in which the Latino/a/x population makes up less than 23%, the relationship between police deployment and percentage Latino/a/x was negative. However, when precincts reached 23% Latino/a/x, its relationship with police deployment became positive (see also Kent & Jacobs 2005). Holmes et al. (2008) found that percentage Latino/a/x initially increases police expenditures but the relationship becomes negative when percentage Latino/a/x reaches approximately 27% in a sample of Southwestern cities. In a recent study, Holmes & Painter (2021) assessed the percentage of Latino/a/x that are native born and found that it increases police strength across a sample of cities. Smith & Holmes (2014) found that percentage Latino/a/x translates into more excessive force complaints, although in an earlier study Holmes (2000) found the influence of percentage Latino/a/x on police brutality to be statistically limited in its influence in Southwestern cities in the sample. A promising area of work attempts to specify racial threat more directly by assessing punitive attitudes, which are what motivates action against marginalized groups. For example, in a study of general punitiveness, Welch et al. (2011) found that state-level measures of Latino/a/x concentration are positively associated with punitive attitudes.

LatCrit offers a valuable line of thinking for understanding the mixed findings, and it lies in challenging conflict theory's focus on White perceptions of threat, as it represents a "one-way, top-down path to crime control" (Smith 2021, p. 258). Perhaps this unidirectional conceptualization is due to the historical moment in which Blalock (1967) developed his theory; he did not fully account for the possibility that in certain contexts the racialized minority is an empowered majority that can change the conversation about the allocation of resources for formal social control. That is, the theory does not imagine that although percent minority might increase perceptions of threat at certain levels, it may not when the threatening population is in the majority and wields political power. Applying this to the case at hand, this unidirectional approach means racial threat theory has overlooked the role played by the Latino/a/x population in resisting the expansion of crime control. In certain places in the United States, Latino/a/xs are the dominant group numerically but also politically and thus have the potential to contest the expansion of crime control. However, the machinery of social control may surge as Blalock (1967) expected even in places of increasing Latino/a/x population or where Latino/a/xs are a long-standing population. Focusing on the mobilization of Latino/a/xs alongside that of Whites should provide insight into the dynamic and bidirectional nature of formal social control. LatCrit also would seek to understand how the mobilization against formal social control is perceived to be a racial threat itself, amplifying criminalization processes.

In sum, racial threat theory expects the growing Latino/a/x population to be linked to increasing crime control. Yet as of now, the work indicates that this relationship is not always detected and seems to be contingent on geographic location and regional histories of Latino/a/x settlement and growth, which tap into variations in Latino political empowerment. As the United States becomes

less White in its transformation into an increasingly majority racial/ethnic minority nation, this theory tradition will need to grapple with what racial threat means in this new racial landscape.

Although we see important utility in integrating LatCrit into core criminological theories, as shown above, we would be remiss if we did not discuss its blind spots. For instance, LatCrit prioritizes the roles of racialized social structures and institutional processes in understanding Latino/a/x outcomes. In doing so, it can miss the role of agency and individual choice in a variety of outcomes. We think that bringing in micro-level theories like general strain theory or social control theory can help address this limitation. Furthermore, LatCrit paints the importance of institutional and historical racism with broad strokes, not fully appreciating the variability in how discrimination and racism operate across the United States for the Latino/a/x population. By connecting patterns of racism to contexts like neighborhoods, political jurisdictions, and regions, LatCrit can more fully trace the heterogeneity in how crime and criminal legal systems operate. Moreover, LatCrit also often lacks a clear view of Latino/a/x identity and what it is composed of, often prioritizing it as a pan-ethnic term and overlooking subgroups and their varying histories. This creates a real challenge for criminological research because Latino/a/x history and identity construction as Latino/a/x have distinctly different roots across the United States. For example, the history of the Latino/a/x population in California as predominantly indigenous, Mexican, Mexican-American, and/or Chicana/o/x is different than the Latino/a/x population in Florida, which is predominantly driven by immigration and migration from the Caribbean and Latin America (Haney-López 1997, Kubrin et al. 2012, Martinez 2014). Work needs to be sensitive to these differences in settlement and migration. Finally, the dominant approach to studying LatCrit has been qualitative, particularly employing critical qualitative and historically grounded approaches—often termed counter storytelling (Solorzano & Yosso 2001). Although insightful and richly descriptive, much of the LatCrit literature has been less able to specify causal mechanisms and generalizability. By integrating LatCrit with core criminological theories that are often quantitatively tested, it can more effectively round out its methodological approaches.

## CONCLUSION

The racial patterning of crime and criminal legal system involvement has long occupied the interests of criminologists. The vast majority of this work focuses on Blacks and Whites. This review sought to situate the Latinx population into this conversation, as it provides a strategic site to broaden our understanding of race, crime, and criminal legal system involvement. The Latinx population is a fast-growing group, now the largest racial/ethnic minority population, and is geographically dispersed throughout the United States. In this review, we had three goals. First, we provided a descriptive snapshot of Latinx crime and criminal legal system involvement, providing levels and comparisons to Whites. Second, we provided an overview of what it means to center race by drawing on LatCrit to spotlight the ways racism metes out discrimination, cultural and linguistic devaluation, criminalization, and racial profiling that in turn shape and are shaped by levels of Latinx crime and system involvement. Third, we brought these insights and applied them to core criminological theories (i.e., general strain, social control, procedural justice, opportunity, social disorganization, and racial threat). We make the case in this review that doing so will invigorate these theories by infusing them with a scaffolding to center racism and attendant apparatuses to better understand Latinx crime and system involvement. We argue that these core theories have entry points that are amenable to LatCrit, making it unnecessary to develop a Latinx-specific theory. Nonetheless, we apply a critical lens; these theories must reckon with the notion that racism is endemic within US society, which then plays out in racially unequal ways. Criminology needs to bring to the forefront that the outcomes it studies are shaped deeply by historical and current manifestations of structural racism that fuel the contexts in which Latinxs are embedded.

We have charted a path forward to study the Latino population but to do this well we need to build our data infrastructure. A fundamental problem that undermines our ability to fully understand the nature and scope of system involvement is the lack of counting Latinos in a systematic way by state, county, and local agencies. As an example, in an audit of state agencies, the Urban Institute found that 40 states reported race, which includes White, Black, or other, but only 15 states included information on ethnicity, the category that encompasses Latinos (Eppler-Epstein et al. 2016). The Urban Institute concludes that there is “an alarming lack of data on Latinos in the criminal justice system” (Eppler-Epstein et al. 2016). As a result, Latinos are often missing or mislabeled as White, making it difficult to track their criminal legal system involvement and attendant racial inequalities. In an excellent discussion of this problem, the Vera Institute interrogates the rise in White jail incarceration rates, which went up by 88% from 1991 to 2013 (Subramanian et al. 2018). They asked if this rise was due to Latinos being misidentified as Whites. To explore this issue, they drilled down to the jurisdictions of Dallas and Miami-Dade counties, where they found inconsistent labeling of Latinos within the same jurisdiction from year to year, yielding fluctuations in the number of Latinos incarcerated (Subramanian et al. 2018, figure 8). The rise appears to be due to a statistical artifact of data collection. They also note that in other jurisdictions local officials unexpectedly stop collecting Latino data at a given time point even in places with large Latino populations. Counting Latinos as a race rather than an ethnicity should facilitate efficiently enumerating and tracking them with an eye toward tracking racial inequalities.

We suggest that at the very least agencies follow the Office of Management and Budget’s definition of measuring race. In this way, Latinos would be classified separately from other groups. Although federal agencies are expected to follow these guidelines, state and local agencies do not—but they should. We encourage measures to be based on self, not observer, choices and that more dynamic conceptualizations of race be adopted, such as including identity questions. We should move toward a research agenda that thinks of race as a multidimensional concept that captures lived race, perceived race, street race, self-reported race, and skin color. Doing so will go a long way toward understanding discrimination and racism in crime and the criminal legal system. We should also collect data in a way that allows for the unpacking of the Latino category so that Latinos who report being Black or White or Indigenous can do so, allowing more nuance in our analyses.

An important theme in this review was shedding light on the assets and resiliencies within Latinx communities. Key assets included ethnic identity, community organizations, religion, familismo, and strong ties among neighbors and fictive kin. These assets help to counteract the inequalities faced by these communities. Data collection efforts should strive to capture these assets and resiliencies that serve to mitigate the marginalization faced by the Latinx community. Ideally, this would take place with surveys that focus more deeply on neighborhood dynamics and also use ethnographies to document and understand how Latinx communities thrive despite structural hardships and discrimination. Investigations should be grounded in the daily experiences of Latinxs to maximize understanding of community resilience. In this pursuit, researchers should aim to “square more accurately with minorities’ experiences” and center Latinx voices (Delgado & Stefancic 2017, pp. 11, 25).

Guided by LatCrit, we call on researchers, advocates, and policymakers to recommend data collection that illuminates Latino/a/x crime and legal system involvement. To understand the nature and scope of Latino/a/x criminal behavior, we need within-group data collection to understand the heterogeneity of experiences among Latino/a/xs. We also need to prioritize data collection efforts that track Latino/a/xs over time so that we can better understand and address vulnerabilities, turning points, and justice interventions (Piquero 2015). Another important step is for Congress to appropriate funding for a model pilot program, administered by a national Latino/a/x-based organization, to develop and implement a unified standard model of accurate race/ethnicity data



collection in several states, especially in states with a predominant Latino/a/x population (Diaz et al. 2020). This program ensures consistency with racial/ethnic categories across the federal, state, and county levels as well as across all agencies with regard to surveys but also more importantly across the legal system at each stage of processing from arrest to pre- and post-sentencing outcomes. This program would set the stage for data collection to be systematic and thorough across the United States and stimulate a new generation of research on Latino/a/x crime and system involvement. To make sure these newly created systems are accountable and informed by Latino/a/x constituents, efforts should be made to consult with community stakeholders who can assess on-ground racial and ethnic labeling procedures and data collection methodologies. In addition, there should also be community stakeholder oversight to examine state and federal agency compliance with data collection mandates as well as evaluate racial data reporting trends across state agencies and, where appropriate, report accurate data counts. These data should be publicly available, ideally at the county level but at a minimum at the state level. Another innovation should be that local agency demographic data are reported to state-level jurisdictions so that they can be compiled in an accessible manner for researchers and policymakers to analyze. Building this data infrastructure will enhance data accountability within and across criminal legal systems and help provide footing for policymakers to make informed decisions about crime and system involvement by Latinos and make effective comparisons with other racialized groups.

Throughout this review, we have argued that racism and discrimination are historic, persistent, and currently evident in crime and criminal legal system involvement for Latino/a/x individuals and communities. A key way to incorporate these insights into criminology is to center racism and discrimination in criminological thinking. Thus, we conclude by strongly encouraging criminologists to incorporate LatCrit tenets when investigating crime and criminal legal system involvement for the Latino/a/x population. Doing so will equip criminology for the twenty-first century and its increasingly Latino/a/x racial landscape.

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