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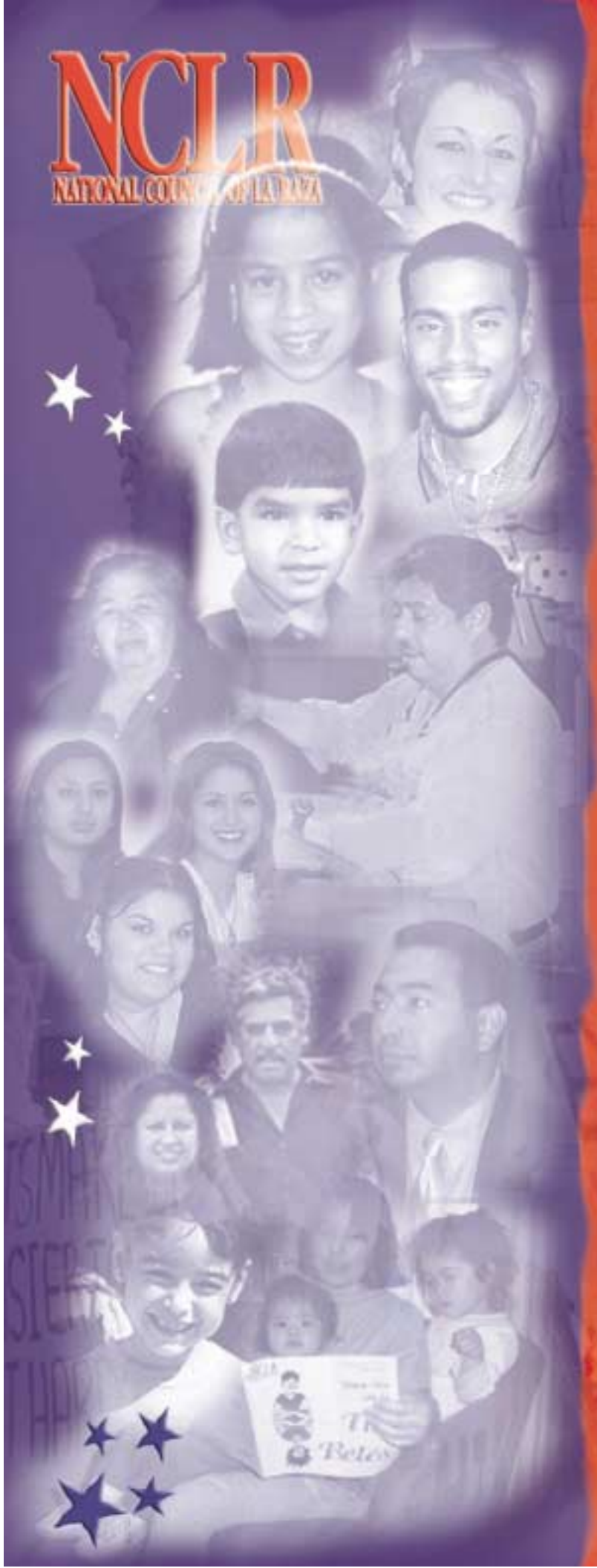

STATE OF HISPANIC AMERICA 2004

Latino Perspectives on the American Agenda

The National Council of La Raza – the largest national constituency-based Hispanic organization and the leading voice in Washington, DC for the Hispanic community – was founded in 1968 to reduce poverty and discrimination and improve life opportunities for Hispanic Americans. Four major functions provide essential focus to the organization's work: capacity-building assistance; applied research, policy analysis, and advocacy; public information efforts; and special and international projects. These functions complement NCLR's work in five key strategic priorities – education, assets/investment, economic mobility, health, and media/image/civil rights. Through its network of more than 300 affiliated community-based organizations, NCLR reaches over four million Latinos each year in 41 states, Puerto Rico, and the District of Columbia.

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Latino Perspectives on the American Agenda

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FOREWORD*

One of the most positive outcomes of the Census Bureau's announcement in 2003 that Latinos are now the nation's largest minority is increased attention to, and interest in, the Latino community. There is no truer indication of that than my recent experience browsing in a bookstore where I saw a copy of a new book, *Latinos for Dummies*, for sale.

Thirteen years ago, when NCLR created the *State of Hispanic America* series, many questioned whether in fact an Hispanic America truly existed. It is one of the most gratifying developments in my career to see that, in 2004, we are closer than ever to a national Latino community with a shared past, a common agenda, and a united future.

One consequence of our growing numbers will inevitably be an increase in political and economic power. But if we are to be heard and, more importantly, be effective, we must define what we stand for. This task will not be accomplished in one day or perhaps in even one generation, but we must be bold enough to begin the discussion.

Stereotypes about our community abound, but invisibility is even more pervasive. For most Americans, Hispanics are a dimly-blurred and often contradictory image. There are those who see us only as supplicants and not as decision-makers, as consumers and not as producers, as lawbreakers and not as law enforcers, as tax beneficiaries and not as tax contributors.

As we celebrate the growing political power of our community, it is appropriate to ask: Power to do what? I believe that we seek power to help this nation fulfill its destiny, to live up to its ideals, and to go beyond the sometimes too narrow definition of what it means to be an American.

I believe that we as Latinos should be about not only demanding our rights, but fully preparing to shoulder our responsibilities. We want to build a nation where opportunity and fairness abound, where families are rewarded for playing by the rules, and where people are judged by their actions and not by their accents.

We believe that civil rights are the birthright of every American and not the exclusive domain of any group or either gender.

We believe that the promise of America comes from embracing many of the world's races, cultures, and religions. We believe that Hispanics share with all other peoples of the world a common heritage and destiny, and that Latinos provide an example of a world in which traditional concepts of race can be transcended.

* Adapted from a speech to the Congressional Hispanic Caucus Institute, September 24, 2003.

We believe that as a sovereign nation we have the right to protect our borders, to decide who has the right to enter our country and, also, the conditions that govern immigration into our nation. But we also believe that as a nation of immigrants and as a wise and humane people we must choose policies that are consistent with our own economic self-interest and that honor our history with our neighbors. Above all, we recognize the shared humanity that we have with those who risk their lives for freedom and opportunity.

We believe in the sanctity of the heritage of language and culture and we treasure these gifts. We reject the false dichotomy between preserving our language and becoming first-class Americans. Cherishing our ancestral languages and cultures does not mean rejecting our common language of English. We believe in more language competency, not less, and we believe that we will become more relevant in the world when we learn to view the globe through the prisms of other languages. When it comes to language, more is better.

We believe in the work ethic, patriotism, the importance of families, the free enterprise system, and the value of faith. Moreover, we not only pay verbal homage to these values, we live them day in and day out.

Above all, we have an unshakable belief that this nation's best days are ahead of us – that this nation will continue to rise and that Latinos will continue to climb. My life's work has convinced me that there is a direct correlation between these realities. So, we welcome this attention to Latinos – from Rogers, Arkansas to Boise, Idaho – and look forward to using our values, our beliefs, to build on and expand the American agenda.

Raul Yzaguirre
Washington, DC

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Introduction

Four years into the 21st century, demographic changes and increasing racial/ethnic diversity show that we cannot afford to talk about Latinos* on the one hand and the rest of Americans on the other. Indeed, as the Hispanic population increases its visibility in every sector of American life, it has become clear that the state of Hispanic America cannot be distinguished from the state of America itself. One in eight Americans is of Latino origin and half of Latinos are under 25 years old.** The nation's priorities and overall well-being will soon reflect the issues that matter to Latinos and how well the community fares.

The merging of increasingly-defined Latino interests with the direction of public policy and accurate public images of the Hispanic community is occurring with mixed success. In one sense, the National Council of La Raza (NCLR) has long asserted that "the Hispanic agenda is an American agenda," and public opinion research increasingly demonstrates that aspirations of Latinos are highly congruent among all Latino subgroups, as well as with those of their fellow Americans. In particular, the Hispanic community's core values – a consistently solid work ethic, personal responsibility, high priority on family, patriotism, and spiritualism – are shared by the majority of Americans. Moreover, the Hispanic community's rapid population growth and heavy concentration in "battleground" states, the large proportion of Latino voters who are not tied to either political party, and the prospect of a close presidential election with a sharply divided electorate have combined to produce a "perfect storm" of conditions resulting in unprecedented attention by the media and political candidates to this community and its potential voting power.

But in another sense, the Latino community and those truly interested in improving the socioeconomic status of Hispanic Americans find this current wave of attention often frustrating, sometimes dangerous, and always challenging, for two reasons.

First, Latinos understand that increased media and candidate attention to the Hispanic community does not necessarily translate into either more accurate portrayals of Latinos or responsiveness to the issues that they care about. Instead, for those interested in exploiting natural tensions associated with demographic change to advance their agendas, this attention provides opportunities to smear

* The terms "Latino" and "Hispanic" are used interchangeably by the U.S. Census Bureau to identify persons of Mexican, Puerto Rican, Cuban, Central and South American, Dominican, and Spanish descent; they may be of any race.

** Hispanic/Latino data do not include residents of Puerto Rico.

Latinos as divisive, unpatriotic, or un-American. Additionally, the political extremists intent on scapegoating, slandering, and punishing the Latino community at every turn, whether the issue relates to the economy, crime, housing, or immigration, further impede meaningful policy-making on these issues.

Second, the Latino community is also skeptical, since its experience in the past suggests that the life span of this type of attention tends to equal the length of an election season, with no substantive follow-up on important community concerns in post- or non-election years. Indeed, much of this recent campaigning has demonstrated that the attention the community is receiving is superficial at best, and patronizing at worst, and appears to be based on the assumption that symbolic appeals – throwing a few Spanish phrases into a speech or translating some materials into Spanish – ought to be sufficient to attract Latino support.

However, as many Latino advocates have argued, the growth of the Hispanic population has been accompanied by a rise in interest on issues; like other voters, Latinos care deeply about substance, and even well-intentioned gestures such as these are not enough.

An American Agenda

This report represents the most recent effort by NCLR and others to highlight and underscore the major issues that concern Hispanic families and voters, address the knowledge gaps regarding Latino interests, and contribute to an accurate portrayal of the Hispanic community's socioeconomic status. As noted by NCLR's President in the Foreword to this report, despite its diversity the Hispanic community shares key elements of a common agenda.

For example, a series of polls of Hispanics commissioned by entities across the political spectrum shows a remarkable convergence around key issues, including education, economic concerns, and immigration. Specifically, a poll from the Republican-leaning The Latino Coalition (TLC) revealed that the top six issues identified by Latinos in August 2003 were: jobs/economy, education, immigration, health care, language/integration into U.S. life, and discrimination.

Similarly, the Democratic-leaning New California Media's "Flash" Poll of Latinos conducted in January 2004 shows that the top five issues were: education, jobs and the economy, health care, terrorism, and immigration.

Furthermore, a previous NCLR synthesis of polls conducted of different segments of the Latino population over the past five years showed that:

- Education was the first or second priority issue in nearly half of polls.
- Jobs/Economy ranked among the top two issues in 41% of polls.
- Health concerns were viewed as a "major" issue in nearly every poll.
- Discrimination/civil rights were noted as important concerns.

NCLR's review of Latino polling data also revealed a high interest in crime and police-community relations, and a belief that government has an important role to play in ensuring fairness and safety for all Americans. With the exception of immigration policy, which understandably is of great interest to the Latino population given that about 40% of Hispanics are foreign-born, in varying degrees these issues closely mirror results of polls of the general public regarding major societal concerns requiring policy-maker attention.

In addition to the aspirations and values that Latinos share with all Americans, there are several other concerns that directly and

distinctively affect Hispanics, and relate to their specific characteristics, experiences, and history. For example, the unique occupational characteristics and concentration in certain segments of the labor market of Latino workers require specific policy responses. Similarly, the youthfulness and overall inadequate educational outcomes of Hispanics explain the strong interest of the community in education policy. Additionally, the presence of a significant number of Hispanic immigrants not only increases the salience of immigration policy, but also has implications for education and housing policy.

Although these particular conditions and experiences may require policy-makers to work with Hispanic advocates to forge new and distinctive paths to address these gaps, in the end these new strategies simply represent an expansion of avenues that will allow additional generations of Americans to achieve the American Dream.

The Latino Perspective: An Eight-Piece Agenda

In the following sections of this report, NCLR has outlined specific priorities that together help to inform policy-makers, public officials, candidates, and the public about what matters to the Latino community and why. The discussion focuses on the following eight issues: counterterrorism policies, criminal justice, education, employment, farmworkers, health, homeownership, and immigration.

NCLR believes that promoting and advancing the specific recommendations that follow can help to ensure that Latinos and all other Americans are safe, are treated fairly, receive a high-quality education, are able to achieve and maintain economic security for their families, have access to health care, and can create and sustain strong communities. While there are surely other concerns of merit that are not included in this report, the issues that are included were selected based on two policy-relevant criteria:

- The issue is **actionable**. There are one or more serious policy proposals pending before the Administration or Congress which Latinos can reasonably expect will be acted upon in the next few years.
- The issue has significant **impact** on the community. Enactment of specific proposals or provisions would produce important benefits or harms, which are not simply symbolic, to a large segment of the community.

Moreover, the report's recommendations with respect to program investments and policy decisions ride on NCLR's understanding that all Americans stand to gain from shaping bright outcomes for the 40 million Latinos whose well-being is directly tied to the nation's future.

Counterterrorism Policies

By Michele Waslin, Senior Immigration Policy Analyst

Overview

Like all Americans, Latinos support measures that strengthen and protect national security. As a result of the tragic events of September 11, 2001, they share the nation's desire to ensure safety and prevent future atrocities.

Over the past three years, however, efforts to thwart potential terrorist attacks and the development of policies to identify individuals who pose a threat to our nation have alienated and marginalized segments of the Latino community, and immigrant populations as a whole, with little evidence that these steps are effective. In particular, immigration and national security are now intermingled in the U.S. in unprecedented ways, and immigrants – or those perceived to be immigrants – have taken the brunt of many new policies intended to increase national security. The government's counterterrorism efforts have had the most negative effects on American Muslims and Arab Americans. However, many of the newly-enacted policies have had a detrimental effect on noncitizen Latinos, and even Hispanic U.S. citizens have been affected because they are mistaken for immigrants or because their immigrant family members have been targeted.[1] As a result, the rights of noncitizens have been seriously undermined,[2] and many observers have also documented the infringements on the civil rights of all Americans since September 11.[3]

Data and Research Highlights

Several policies and practices intended to reduce terrorist threats have, instead, contributed to less safe communities, and the following issues are of particular concern:

Enforcement of federal immigration law by state and local police. In recent years there have been increasing efforts by the federal government to enlist state and local law enforcement officers in the enforcement of federal immigration law. In June 2002, Attorney General John Ashcroft declared that state and local police have the authority to enforce civil and criminal immigration laws.[4] In the months since that announcement, state and local police have been called upon to aid in immigration enforcement through the use of the National Crime Information Center (NCIC) database, a database that all law enforcement officers can access and that now contains an unknown quantity of names of certain immigration violators.[5] Additionally, legislation has been introduced in both the House of Representatives and the Senate which would authorize state and local police to enforce all federal criminal and civil immigration laws and allow for the entry of additional immigration violators into the NCIC database.

This is troublesome because it has the potential to undo efforts that have sought to strengthen relationships, based on outreach and trust, between state and local

police and communities. In fact, evidence shows that community policing efforts, in cities such as Durham, North Carolina, Fort Worth, Texas, and Los Angeles, California, have resulted in positive relationships between police and Latino communities.[6] According to the U.S. Department of Justice, violent crime against Latinos dropped by 56% during the 1990s,[7] and law enforcement officials attribute this drop in crime, in part, to increased trust between local police officers and Latino communities.[8] While the most important component of outreach to the Latino community is an assurance that the police will not harass individuals about their immigration status, the Ashcroft announcement and the introduction of these bills have contributed to increased fear in Latino and immigrant communities, leading to an unwillingness to cooperate with law enforcement, to report crimes, and to come forward as witnesses.[9] As a result, police departments lose the trust of the communities they aim to protect, communication between the police and large segments of the community is lost, and all Americans are less safe. In fact, many police departments across the country have stated that they will not involve themselves in immigration enforcement because they recognize the detrimental effects that the loss of community trust can have.[10] Even U.S. citizens and lawfully-present immigrants will cease to cooperate with police if they sense that the police are viewing them with suspicion because of their ethnicity or the language they speak. Strong community-police relations result in safer neighborhoods for all residents.

Issuance of driver's licenses. Driver's licenses are necessary for participation in many facets of daily life, including driving legally, banking, renting an apartment, and establishing service for utilities. New restrictions on driver's licenses and state-issued identification cards have made it difficult for many immigrants to obtain identity documents, one of the most important and broadly-felt problems for the Latino community. Prior to September 11, there were efforts in many states to improve road safety by broadening access to driver's licenses to undocumented immigrants who live and work in the community, so that they might obtain proper driver training and vehicular insurance. However, the revelations that some of the 19 terrorists had state-issued driver's licenses caused many states to propose and enact restrictions on immigrant access to driver's licenses despite the fact that that all of the 19 had other valid documents, such as passports, that could serve as identification.[11]

In 2003, approximately 117 driver's license bills were introduced in 39 states, compared to 63 in 2002. Thus far, ten restrictive bills have been passed in the past two years. In addition, several expansive driver's license bills have been passed in five states, allowing persons to use alternative identity documentation and obtain driver's licenses regardless of immigration status.[12] Not only do restrictive practices prohibit many undocumented immigrants from getting licensed, but many legal residents and even U.S. citizens have been affected by the restrictions because of harassment and discrimination, or because poorly-conceived policies deny licenses to lawful residents.[13]

Acceptance of foreign-issued identification documents. Although the Mexican government has issued identity documents to its nationals in the U.S. since the 19th century (*matrículas consulares*) and other governments are now following suit, these foreign government-issued identifications (IDs) have recently come under attack.

Matrículas are identification documents only and do not bestow any immigration benefits on the individual. The Mexican government has gone to great lengths to update the security measures on the card and in the issuance process. Over 800 police departments around the country now accept the Mexican consular ID as an identification document. Moreover, over 100 banks now accept *matrículas* and, as a result, immigrants can open accounts and deposit money safely, establish credit lines, and send remittances to their home countries without paying exorbitant fees. Access to valid identification documents encourages trust between Latinos and public officials and institutions, reduces the market for fraudulent documents, and increases overall public safety.

Racial Profiling. For years, immigration officials have used race to determine who to stop and detain for immigration law enforcement purposes. Prior to September 11, there were many examples of the use of selective enforcement of immigration laws, undermining the rights of citizens and legal residents.[14] Latino citizens, legal immigrants, and undocumented people have been stopped and their immigration papers demanded, solely on the basis of race, ethnicity, national origin, language, or accent.[15] Along the U.S.-Mexico border, even Latino federal judges have been stopped and required to produce immigration documents upon demand.[16] The new proposals to involve state and local police in the enforcement of immigration laws discussed above only increase the probability of the use of racial profiling.

Since immigration functions have been transferred to the Department of Homeland Security (DHS) in 2003, racial profiling has become an even greater issue as all immigrants or those who "appear" to be immigrants have been targeted by counterterrorism measures. For example:

- **Many Latinos have been caught up in enhanced worksite enforcement efforts in places considered to be important to national security**. With the implementation of "Operation Tarmac," the immigration enforcement agencies and U.S. Attorneys' offices throughout the country arrested over 350 individuals at 13 airports mainly for presenting false information regarding their immigration status or using false documentation to obtain employment.[17] Hundreds more immigrants lost their jobs as a result of the raids. The federal government has not been able to connect any of those arrested at the airports with terrorism or terrorist activities.
- **In the Southeast, where the Latino population is growing significantly, there have been increasing incidences of highway patrols stopping Latinos**, especially new immigrants. This type of racial profiling occurs at checkpoints as well as through normal highway patrols, which stop and harass individuals based on race/ethnicity and then check their immigration status.[18] The Mexican American Legal Defense and Educational Fund (MALDEF) recently settled a racial profiling case against the city of Rogers, Arkansas where the police violated Latinos' civil rights and engaged in racial profiling.[19]
- **The U.S. Department of Justice's 2003 "Guidance Regarding the Use of Race by Federal Law Enforcement Officials"** asserts that the DHS can utilize racial profiling at the border and whenever national security is implicated.[20] This could result

in increased, government-sanctioned, civil rights violations. Furthermore, although it prohibits racial profiling by federal law enforcement officials, it does not address state and local authorities, leaving room for confusion and perhaps even more racial profiling of those who "look like" immigrants.[21]

Recommendations

To promote public safety, strengthen overall national security, and protect the basic rights of all Americans, NCLR recommends:

- **Opposing efforts to involve state and local police in enforcing federal immigration laws**. In particular, the CLEAR Act (H.R. 2671) and the Homeland Security Enhancement Act (S. 1906), currently under consideration by Congress, contain provisions that affirm the inherent authority of state and local police to enforce federal civil and criminal immigration laws and criminalize minor civil immigration violations. They authorize entering the names of millions of immigration violators into the NCIC, but call for minimal training requirements for police officers and grant immunity to police officers and agencies that violate civil rights.
- **Supporting the issuance of driver's licenses and state IDs to all state residents regardless of immigration status and opposing efforts to restrict the use of consular identification cards as a valid form of identification**.

Notes

1. See Waslin, Michele, *Counterterrorism and the Latino Community Since September 11*. Washington, DC: National Council of La Raza, May 2003.
2. See, "Executive Actions Threaten Fundamental Freedoms." Washington, DC: American Immigration Lawyers Association, 2002.
3. See *Insatiable Appetite: The Government's Demand for New and Unnecessary Powers After September 11*. Washington, DC: American Civil Liberties Union, 2002; *Presumption of Guilt: Human Rights Abuses of Post-September 11 Detainees*. New York, NY: Human Rights Watch, 2002; Schulhofer, Stephen J., *The Enemy Within: Intelligence Gathering, Law Enforcement, and Civil Liberties in the Wake of September 11*. New York, NY: Century Foundation Press, 2002; *A Year of Loss: Reexamining Civil Liberties Since September 11*. New York, NY: Lawyers Committee for Human Rights, 2002; *America's Challenge: Domestic Security, Civil Liberties, and National Unity After September 11*. Washington, DC: Migration Policy Institute, 2003.
4. For more information see Waslin, Michele, *Immigration Enforcement by Local Police: The Impact on the Civil Rights of Latinos*, NCLR Issue Brief Number 10. Washington, DC: National Council of La Raza, January 2003.
5. *Ibid.*
6. *Ibid.*
7. "Crimes Against Latinos Decrease," *Los Angeles Times*, April 8, 2002.
8. *Ibid.*
9. See "State and Local Police Enforcing Immigration Laws: Stories from around the Nation." Washington, DC: National Immigration Forum, 2002. For examples see Turnbull, Lornet, "Deportation on the rise in central Ohio; Minor traffic violations earn illegal immigrants a quick ticket home," *The Columbus (Ohio) Dispatch*, May 5, 2003, and Gregoire, Natasha, "Police Appeal For Clues In Slaying Of Mom, Son," *Tampa Tribune*, July 22, 2003.
10. See "The CLEAR Act: Dangerous Public Policy According to Police, Local Governments, Opinion Leaders, and Communities." Washington, DC: National Immigration Forum, 2003.
11. See Waslin, Michele, *Safe Roads, Safe Communities: Immigrants and State Driver's License Requirements*, NCLR Issue Brief Number 6. Washington, DC: National Council of La Raza, May 2002.
12. *2003 Driver's License Proposals*. Washington, DC: National Immigration Law Center, 2003. http://www.nilc.org/immspbs/DLs/2003_DL_proposals_12-03.pdf.
13. *Safe Roads, Safe Communities: Immigrants and State Driver's License Requirements, op. cit.*

14. See Joge, Carmen and Sonia M. Pérez, *The Mainstreaming of Hate: A Report on Latinos and Harassment, Hate Violence, and Law Enforcement Abuse in the '90s*. Washington, DC: National Council of La Raza, 1999.
15. *Statement on Terrorism, Immigration, and Civil Rights* presented by Charles Kamasaki, National Council of La Raza, before the United States Commission on Civil Rights, Washington, DC, Oct. 12, 2001.
16. *Ibid*.
17. Wald, Matthew L., "Officials Arrest 104 Airport Workers in Washington Area," *New York Times*, April 24, 2002.
18. *The Latino Agenda on Immigration Issues* (working title). National Hispanic Leadership Agenda, forthcoming 2004.
19. *Lopez v. the City of Rogers*, U.S. District Court Case No. 01-5061.
20. U.S. Department of Justice, Civil Rights Division "Guidance Regarding the Use of Race by Federal Law Enforcement Officials," June 2003.
21. *The Latino Agenda on Immigration Issues, op. cit*.

Criminal Justice

By Angela M. Arboleda, Civil Rights Policy Analyst

Overview

Like all Americans, Hispanics are concerned about crime and the effects it has on youth and families. A related issue is that some Latinos have experienced an unfair, arbitrary criminal and juvenile justice system. Moreover, violent crimes, public offenses, and ineffective responses to substance abuse, coupled with the disproportionate number of Latinos serving long and, in some cases, unjust prison sentences for nonviolent offenses, contribute to the negative perception that Latinos have of the criminal justice system[1] and hurt the nation as a whole.

There are many factors associated with the overrepresentation of Hispanics in the criminal justice system, including inadequate education levels and high poverty. Another factor especially relevant for Latino and African American youth is that they tend to live in urban areas with few resources, and often lack sufficient opportunities for sports, recreation, or other activities that would deter them from involvement in those activities that lead to interacting with the criminal and juvenile justice systems. Additionally, one of the most important contributing factors for the overrepresentation of Latinos in the criminal justice system is racial profiling.[2] Moreover, certain broad policies, including "tough on crime" and "the war on drugs," have clear, disproportionate, negative effects on Hispanics and other minorities. In general, public policy has not adequately addressed the factors that lead to criminal activity, nor has it responded to the injustices of the current criminal justice system. All of these dynamics have a direct correlation with the increased likelihood of Latinos coming into contact with the criminal justice system.

Data and Research Highlights

There are several reasons for the Latino community to be concerned about the U.S. criminal and juvenile justice systems:

Disproportionate incarceration of Latinos. Overall, between 1985 and 1997, minorities accounted for approximately 70% of new inmates admitted into the prison population.[3] Data show that Latinos constituted almost one in five (19.9%) of all those incarcerated in the U.S. in 2002,[4] while in federal prison alone they constituted nearly one in three (31.9%).[5] Latinos also represent the fastest-growing segment of the U.S. prison population, and Latino men are almost four times as likely as non-Hispanic White males to be sentenced to prison during their lifetime.[6]

Overrepresentation among types of convictions. Although Latinos are no more likely than other racial/ethnic groups to use illegal drugs, and less likely to use alcohol,[7] they are disproportionately likely to be convicted for drug offenses.[8] According to data provided by the United States Sentencing Commission, Hispanics accounted for 43.4% of the total drug offenders convicted in 2000 – more than three times the

proportion of Latinos in the general population.[9] Nearly three-quarters of Latino federal prison inmates are incarcerated for drug offenses, the largest proportion of any group.[10] Moreover, in 1999, one-quarter of defendants charged with a drug offense in the federal system were identified as noncitizens.[11]

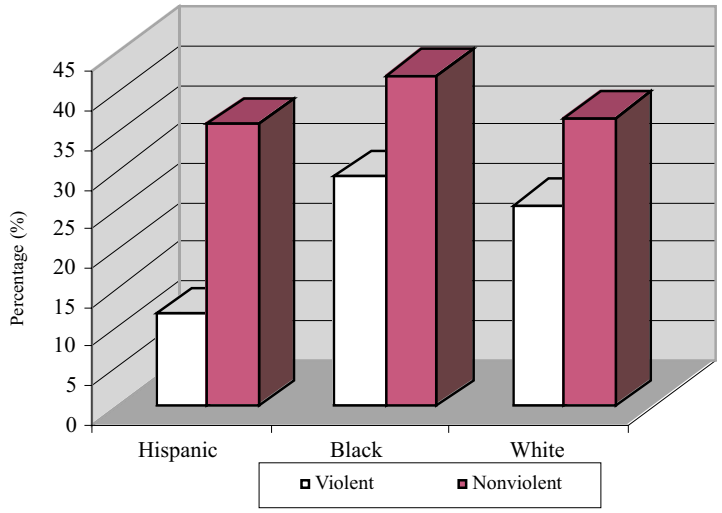
Stereotypes regarding Latinos in the criminal justice system. While there is a perception that Latinos are more likely than Whites to commit crimes or that those in the system are more likely to be involved in violent crimes, data suggest otherwise.

- **Among the federal prison population, the overwhelming majority of incarcerated Latinos are convicted for relatively minor, nonviolent offenses, are first-time offenders, or both**.[12] In 2001, Hispanics represented 7.2% of violent offenders and 13.1% of property offenders, compared to non-Hispanics representing 92.8% of violent offenders and 86.9% of property offenders.[13]
- **Hispanic federal prison inmates were the least likely to re-offend**. As Figure 1 shows, in 1997, 11.7 % of Hispanic federal prison inmates committed another violent crime, compared to 29.1% of their Black and 25.5% of their White counterparts. About one in three Latinos (35.8%) relapsed to commit a nonviolent offense, compared to 42.1% of Blacks and 36.7% of Whites.

Harsh treatment. Hispanics are treated more harshly and receive longer sentences than non-Hispanic Whites, even when they are charged with the same types of offenses. Hispanic defendants were about one-quarter (22.7%) as likely as non-Hispanic

FIGURE 1

Violent and Nonviolent Repeat Offenders Among the Federal Prison Inmate Population, by Race/Ethnicity, 1997*



*Date for which most recent data are available.
Source: *Correctional Populations in the United States, 1997.* Washington, DC: U.S. Department of Justice, November 2000.

defendants to be released before trial,[14] even though Hispanic defendants were the least likely of all ethnic/racial groups to have a criminal history.[15] For those convicted of violent offenses, Hispanics served prison sentences that were 14 months longer, on average, than their non-Hispanic counterparts.[16] Treatment of youth is a particular concern. As described in a 1993 report from the National Council on Crime and Delinquency,[17] among youth with no prior admissions to state facilities, Latinos received more severe sentences than Whites in several crime categories. For example, Latino youths are admitted at a rate 13 times that of White youth for drug sentences.[18] Furthermore, regarding violent offenses, the rate of admissions for Latino youth was more than five times the rate of White youth.[19]

Significant and discriminatory sentencing disparities in the current sentencing guidelines for drug offenses. The current powder-crack sentencing disparity shows blatant discrimination;[20] minority communities are disproportionately represented among crack cocaine offenders, compared to powder cocaine offenders. For example, a conviction for possessing five grams of crack cocaine triggers a five-year mandatory minimum sentence, while it takes 500 grams of powder cocaine possession to trigger the same sentence. And while possession of 50 grams of crack cocaine triggers a ten-year mandatory minimum sentence, the law requires possession of 5,000 grams of powder cocaine to trigger the same sentence. In other words, a person has to have in his/her possession 100 times more cocaine than crack to receive the same sentence.

Unequal prison releases. Racial/ethnic data show that, in 1999, 42.4% of prisoners released from prison were Hispanic and 73.3% were White.[21] Moreover, Hispanic adults were less likely than other racial/ethnic groups to be on probation in 2000.[22]

Unreliable or inaccurate data collection. Some data exist regarding Latinos in the criminal justice system. However, many agencies do not collect data based on ethnicity, so Hispanics are counted with the "White" population or may be considered "other." The inconsistent or incorrect compilation of data on the race and ethnicity of those in the criminal justice system suggests that there is not a comprehensive understanding of the experience of Latinos in the system, and that there may also be underreporting. Consequently, Latinos may be shortchanged with respect to relevant programs and funds.[23]

Other Concerns

There are three other issues related to the criminal justice arena which need to be addressed:

Racial profiling. The tendency among some law enforcement officials to rely on race, ethnicity, or national origin to establish a cause for suspicion of a crime has played a dominant role in the rise in the share of Latinos in prison. Racial profiling is carried out in the streets and in the workplace through traffic and pedestrian stops, search and seizures, and workplace raids. For example, in the early 1990s, an investigation of the practices of the Volusia County, Florida Sheriff's Department revealed that, although Hispanics and Blacks accounted for only 5% of the drivers on a portion of Interstate 95 that ran through the county, they constituted nearly 70% of drivers stopped on that stretch of highway. Hispanics and Blacks were not only stopped more than Whites, they were stopped for longer periods of time than Whites.[24]

Latinos have been systematically targeted for "dragnet" tactics by local and state law enforcement officers, and those same tactics

have been applied and used, as a matter of formal policy, by some federal law enforcement agents.[25] NCLR has received reports from Latino individuals who have been victimized by police and federal agents overstepping the bounds of the Constitution in the name of drug and immigration enforcement. The vast majority of cases, however, go unreported. Even fewer actually result in successful civil rights litigation or investigation by agencies responsible for enforcing civil rights.[26]

Lack of access to treatment programs in prison. A Justice Department study has estimated that about 70% to 80% of state prison inmates are in need of substance abuse treatment, but only about 15% complete treatment programs before they are released. Furthermore, Hispanic federal prison inmates in 1997 were the least likely of all racial/ethnic groups to receive any type of substance abuse treatment; only 36.4% of Hispanic federal prison inmates received substance abuse treatment or participated in a program to address their substance abuse dependency.[27] Language barriers represent an important factor responsible for the lack of access to treatment programs for Latinos. Since prison personnel do not correctly identify Latino offenders requiring treatment, those needing such services never receive them. Moreover, the lack of adequate bilingual services makes it difficult, if not impossible, to communicate about justice system procedures, potential treatment programs, counseling services, and aftercare plans with family members who do not speak English. In addition, the criminal justice system's lack of resources to respond to the needs of its prison population also affects its ability to provide sufficient treatment services.

Alternatives to incarceration. The use of drug treatment programs and other prevention programs has been found to reduce crime rates. Researchers found that, all else being equal, drug treatment programs reduced drug-related crime rate by 54%.[28] Drug courts, which place nonviolent drug offenders into intensive, community-based treatment, rehabilitation, and supervision programs, have shown significant results. For example, Texas drug court participants have significantly lower two-year recidivism rates for arrest (19.5%) and incarceration (1%) compared to offenders not participating in the drug court program (46.9% for arrest and 19.7% for incarceration).[29] Prisons cannot make the same claims.

The latest report on drug courts from the Office of Justice Programs at the U.S. Department of Justice shows that recidivism rates continue to be significantly reduced (by 2% to 20%) for graduates of substance abuse treatment programs. Interestingly, recidivism is reduced even for individuals who begin but do not complete treatment programs.[30] As these data indicate, substance abuse treatment programs are a step toward ending the cycle of recurrent crime.

Community-level treatment and prevention programs have been proven especially effective. Community-based organizations that provide family-based treatment and prevention services – including substance abuse, mental health, and parental interaction programs – are more likely to report faster recovery rates and a decreased likelihood of returning to crime,[31] suggesting that a personal setting and a focus on community/family assistance provide a better support system for recovering drug offenders than the prison population.

Recommendations

NCLR and the Latino community believe that people should be held accountable for the crimes they commit, but also believe that the punishment received should fit the crime committed. NCLR seeks to promote a criminal justice system that not only fights criminals, but is also guided by the principles of fairness and equality. To that end, NCLR supports crime prevention policies, diversion and substance abuse treatment programs, and appropriate prison sentences for those individuals who pose a real threat to society. To address the key concerns outlined above, NCLR recommends:

- **Efforts requiring the mandatory collection and publication of disaggregated data by each state's prosecutor's office**. The data would disclose the charging, sentencing practices, and outcomes in those offices, and the racial/ethnic impact of those outcomes. Thus, for each case, the prosecutor should be required to document the race/ethnicity of the victim and defendant, the basis for the initial charging decision, the basis for the prosecutor's bail recommendation, each plea offer made (accepted or rejected), and the basis for the prosecutor's sentencing recommendations.
- **Legislation to end racial profiling**. Legislation is needed at the federal, state, and local levels to ban the practice of racial profiling by law enforcement agencies. Additionally, legislation should require the collection of data about racial profiling and should establish procedures for receiving, investigating, and responding to claims of racial profiling. Furthermore, legislation should require training of law enforcement agents and mechanisms to hold them accountable for engaging in racial profiling. One specific proposal, the "End Racial Profiling Act of 2004," would ban the practice of racial profiling by federal law enforcement agencies and provide incentives to state and local law enforcement agencies to eliminate this practice.
- **Moving away from mandatory minimum sentences, particularly for minor drug offenses**. For example, NCLR urges that the crack/powder cocaine sentences be equalized as much as possible by raising to the greatest allowable extent the level that triggers penalties for crack cocaine. However, NCLR believes that the only proper way of equalizing the ratio is by raising the crack threshold, and not by lowering the powder threshold.
- **Increased resources for substance abuse treatment, prevention, and research**. Three sets of enhancement are needed:
  - **Funding and outreach to Latino community-based organizations**. The Substance Abuse and Mental Health Services Administration's (SAMHSA) federal block grant funding enables states to maintain and enhance substance abuse and mental health services and to help improve the quality and availability of substance abuse prevention, addiction treatment, and mental health services nationwide.
  - **Grants for comprehensive state and local prison drug treatment programs**. NCLR calls for widespread civil voluntary substance abuse treatment, education, and

reentry programs that would prepare inmates to function in society and prevent recidivism. Additional programs for former inmates are also needed to help them find jobs, housing, drug treatment, emotional counseling, and other critical services in their neighborhoods.

- **Funds for alternative methods of punishment for nonviolent, low-level drug offenders**. Drug courts – for individuals who do not pose a threat to society – offer one alternative that not only encourages treatment and lower recidivism rates, but also alleviates the workload faced by judges, prosecutors, and other court staff.

Notes

1. Latinos generally feel that the justice system is not "in touch" with their community. In 1999, 54% of Hispanics agreed with the statement, "Courts are out of touch with their community," compared to 66% of Blacks and 39% of Whites. *How the Public Views the State Court – A 1999 National Survey*. Williamsburg, VA: National Center for State Courts, 1999.
2. Weich, Ron H. and Carlos T. Angulo, *Justice on Trial*. Washington, DC: Leadership Conference on Civil Rights, July 2000.
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4. Harrison, Paige M. and Jennifer C. Karberg, *Prison and Jail Inmates at Midyear 2002*. Washington, DC: Bureau of Justice Statistics, April 2003.
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10. *Testimony on Drug Sentencing and its Effects on the Latino Community*, presented by Charles Kamasaki, National Council of La Raza, before the United States Sentencing Commission, Washington, DC, February 25, 2002.
11. U.S. Department of Justice, Office of Justice Programs, *Federal Drug Offenders, 1999, with Trends 1984-99*. Washington DC: Bureau of Justice Statistics, August 2001.
12. *Testimony on Drug Sentencing and its Effects on the Latino Community, op. cit*.
13. *Compendium of Federal Justice Statistics, 2001*. Washington, DC: Bureau of Justice Statistics, November 2003.
14. *Compendium of Federal Justice Statistics, 1999*. Washington, DC: Bureau of Justice Statistics, May 2000.
15. *Federal Pretrial Release and Detention, 1996*. Washington, DC: Bureau of Justice Statistics, February 1999.

16. *Compendium of Federal Justice Statistics, 1999, op. cit*.

17. *The Juveniles Taken into Custody Research Program: Estimating the Prevalence of Justice Custody Rates by Race and Gender*. Washington, DC: National Council on Crime and Delinquency, 1993.

18. Villarruel, Francisco A., and Nancy E. Walker, *¿Dónde Esta La Justicia?* Washington, DC: Building Blocks For Youth, 2002.

19. *Ibid*.

20. *Testimony on Drug Sentencing and its Effects on the Latino Community, op. cit*.

21. *Compendium of Federal Justice Statistics*, 1999, *op. cit*.

22. *Probation and Parole in the United Sates, 2000*. Washington, DC: Bureau of Justice Statistics, August 2001.

23. Walker, Nancy E., J. Michael Senger, and Francisco A. Villarruel, *Lost Opportunities: The Reality of Latinos in the U.S. Criminal Justice System* (Working Title). Washington, DC: National Council of La Raza, forthcoming 2004.

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25. Joge, Carmen T. and Sonia M. Pérez, *The Mainstreaming of Hate: A Report on Latinos and Harassment, Hate Violence, and Law Enforcement Abuse in the '90s*. Washington, DC: National Council of La Raza, 1999.

26. *Testimony on Racial Profiling*, submitted by Raul Yzaguirre, National Council of La Raza, before the Senate Judiciary Subcommittee on the Constitution, Federalism, and Property Rights, Washington, DC, August 1, 2001.

27. *Correctional Populations in the United States, 1997, op. cit*.

28. Jofre-Bonet, M. and J. L. Sindelar, "Drug Treatment as a Crime Fighting Tool," cited in *Racial Disparities in the Texas Criminal Justice System*. Austin, TX: Steward Research Group, May 2002.

29. *Racial Disparities in the Texas Criminal Justice System, op. cit*.

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31. Arboleda, Angela, *Treatment for Nonviolent Drug Offenders Makes Sense for Latinos, and All Texans*, Fact Sheet. Washington, DC: National Council of La Raza, June 2003.

Education

By Miriam Calderón, Education Policy Analyst; Raúl González, Legislative Director; and Melissa Lazarín, Education Policy Analyst

Overview

The portrait of Hispanic education today is mixed. While there have been some gains in school completion rates, college enrollment, and overall achievement, compared to other racial/ethnic groups Latinos are more likely to start school later and leave school earlier. The resulting – and persistently large – education gap between Latinos and their peers continues to be the most critical issue facing the Hispanic community. It is particularly troubling at a time when the economy demands greater levels of educational attainment and specific skill preparation. Moreover, it is worrisome since, after Whites, Latinos are the second-largest segment of the U.S. school population.

There are many factors associated with the poor status of Latino education, including high poverty rates of Hispanic families and their propensity to live in segregated communities that tend to have poorly-funded, overcrowded schools, poor facilities, and teachers with inadequate preparation. Additionally, Latino students are not always exposed to rigorous coursework or placed on a college preparatory track. In some cases, Latino parents lack the resources to help their children in school or need support to be effective advocates for their children's education. From a policy perspective, lack of political will and insufficient attention have contributed to stagnating Latino education trends. To exacerbate this, programs with the potential to improve schooling for Latinos have not been funded adequately, do not serve Latinos effectively, or are not receiving sufficient support from Congress and the Administration.

Data and Research Highlights

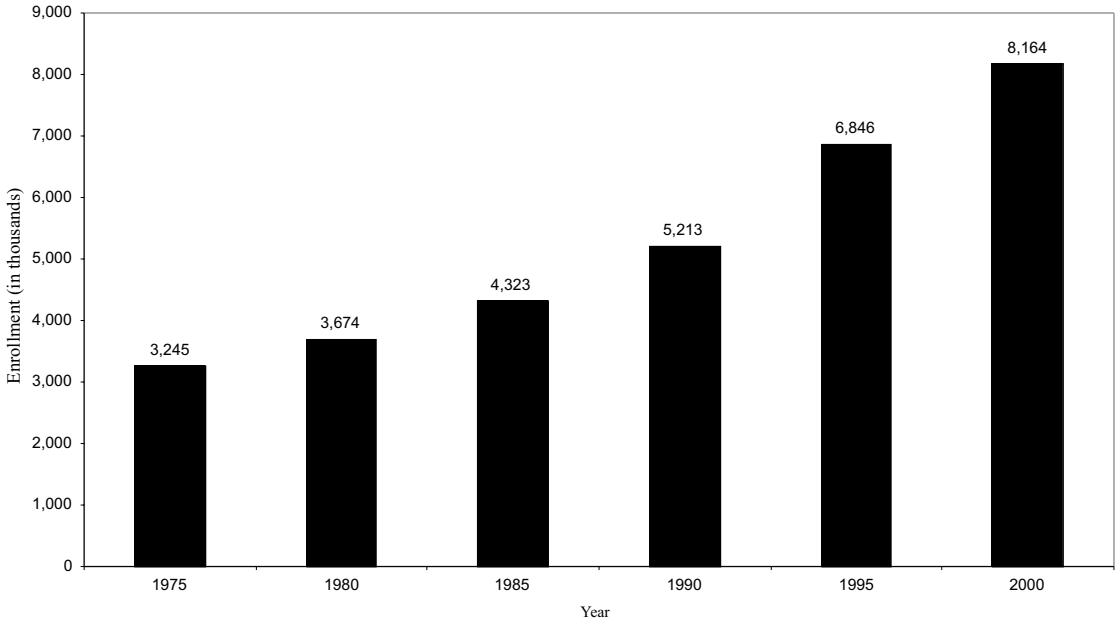
There are several critical issues relevant to the status of Latino education, as discussed below.

Increase in Latino share of the U.S. school-age population. U.S. Census data confirm that, in the next ten years, a significant share of America's schools will be largely composed of Hispanic children. Hispanic children under 18 years of age are now the second-largest group of students, after non-Hispanic Whites. Between 1990 and 2000, the population of Hispanic children and youth under 18 reached 12.3 million.[1] Furthermore, the number of Latino children attending U.S. schools has grown significantly over the last 25 years. In 1975, three million Latinos were attending public and private schools. By 2000, more than 8.1 million Latinos were enrolled in K-12 schools, as Figure 2 illustrates.[2]

Although Latinos continue to be concentrated in five states (California, Texas, New York, Florida, and Illinois), the Latino population has also expanded to new areas of the country and, as a result, Hispanic students are a growing presence in schools in every region of the U.S. For example, the proportion of Hispanic K-12 public school

FIGURE 2

K-12 Public and Private School Enrollment, Hispanic Students, 1975-2000



Source: U.S. Census Bureau, Current Population Survey, 1975-2000.

students in the West, in states such as Arizona, California, Colorado, Idaho, and Oregon, grew from 14.8% in 1975 to 31.6% in 2000. During that same period, the Hispanic public school student population also increased in states in the South (from 6.6% to 16.0%), including Arkansas, Georgia, Kentucky, North Carolina, Tennessee, Virginia, and the District of Columbia; in the Northeast (from 6.1% to 11.4%), in places such as Connecticut, Massachusetts, New York, and Pennsylvania; and in the Midwest (from 1.6% to 5.5%), including Illinois, Indiana, Iowa, Kansas, Nebraska, and Wisconsin.[3]

Disparities in Hispanic educational experiences. Unfortunately, a large share of Hispanic children attends schools with myriad, interrelated problems. For example:

- **Inadequate funding**. Schools serving Hispanic and other disadvantaged students spent on average $966 less per student in 2000 than did schools with few children from low-income homes.[4]
- **Poor teacher quality**. The underfunding of schools serving Hispanics makes it difficult to recruit and retain qualified teachers, which heavily influences the quality of instruction these students receive. For example, minority eighth-grade math students are more likely than White students to have teachers who do not have an undergraduate degree in mathematics.[5] In California, the state with the largest Hispanic student population, nearly nine in ten (89%) schools in which 20% or more of the teachers are "underqualified" serve a student body that is majority students of color.[6]

- **Undemanding coursework**. Schools attended by Hispanic and other economically disadvantaged students are less likely to provide rigorous education coursework that prepares these students to pursue postsecondary opportunities.[7] Latino and African American students are less likely than Whites to be placed in education tracks with rigorous curricula that adequately prepare them to meet performance and content standards and go on to college.[8] For example, about one in five Latino and African American eighth-grade students takes algebra, compared to more than one in four of their White peers.[9] Among 17-year-olds, only 8% of Hispanics and 4% of Blacks have taken precalculus or calculus, compared to 15% of Whites.[10]

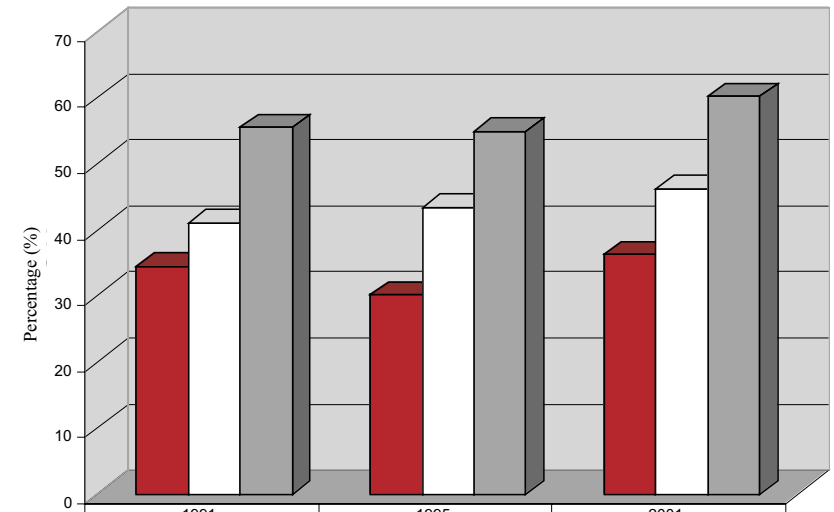
Inadequate investments in Hispanic children have produced enormous achievement and attainment gaps. Current achievement and attainment data bear this out. For example, 2000 data show:

- **Hispanic fourth-graders scored at 197 on the National Assessment of Educational Progress (NAEP) reading test** (on a scale of 0-500). In comparison, White fourth-graders scored at 225 on the NAEP reading test that year.[11] Similarly, Hispanic fourth-graders scored at 209 on the NAEP math test compared to 235 for White fourth-graders on a scale of 0-500.[12]
- **About six in ten (64.1%) Hispanics ages 18 through 24 have completed high school**. By comparison, more than eight in ten Blacks (83.7%) and nine in ten Whites (91.8%) of the same age group completed high school.[13]
- **Among 16- to 24-year-olds, the proportion of young adults who were not in school** and who had not graduated (regardless of when they last attended school) was 27.8% for Hispanics, more than twice that for Blacks (13.1%) and more than four times that for Whites (6.9%). Moreover, in 2000, Hispanics accounted for 38.6% of all dropouts.[14]
- **Hispanics composed 15.1% and Whites accounted for 65.3% of the total U.S. population aged 16 through 24**.[15] However, among students of the same age group enrolled in college in 2000, less than one in ten (9.4%) was Hispanic and more than seven in ten (71.0%) were non-Hispanic White.[16]
- **Only one in ten (10.8%) Hispanics ages 25 years and over had received a bachelor's degree or higher**. In comparison, almost three in ten Whites (27.7%) of the same age group had obtained a bachelor's degree or higher.[17]

Early childhood education. Research has consistently shown that access to high-quality early childhood education can have a positive impact on the school careers of children, particularly those from low-income households. Unfortunately, Latinos are less likely than their African American and White peers to participate in early childhood education programs. For example, in 2001, fewer than four in ten (36.2%) poor Hispanic children ages three to five were enrolled in early childhood care and education programs, while 60.1% of poor Black and 46.1% of poor White children of the same age group were enrolled in these programs, as shown in Figure 3.[18] In addition, while 30% of poor children under age five were Latino in 1999,[19] that year Latinos represented only 23.7% of

FIGURE 3

Percentage of Low-Income Children Ages 3-5 Enrolled in Center-Based Early Childhood Care and Education Programs, by Race/Ethnicity, 1991, 1995, 2001



	1991	1995	2001
Hispanic	34.4	30.1	36.2
White	41	43.4	46.1
Black	55.4	54.9	60.1

Source: National Center for Education Statistics. National Household Education Surveys Program,"Parent Interview" Survey, selected years, U.S. Department of Education.

children in Head Start, the nation's premier federally-funded early childhood education program that provides economically disadvantaged children and families with education, health, and other support services.[20]

English language learners (ELLs). During the 2000-2001 school year, there were a reported 4.7 million ELL students enrolled in public schools, representing 9.8% of the total K-12 public school enrollment. This represents a 95% growth since the 1991-92 academic year.[21] Latinos make up nearly eight in ten (79%) of all ELLs.[22] In the past several fiscal years, federal funding for bilingual education has neither been adequate for or consistent with the growing number of ELLs. For example, the annual appropriation for bilingual education grew from $188 million in fiscal year (FY) 1990 to $398 million in FY 2000.[23] While the No Child Left Behind Act (NCLB)[24] authorizes bilingual education programs at $750 million, these programs only received $685 million in FY 2003. Moreover, the Bush Administration asked for a $20 million cut in bilingual education for FY 2004. Thus, while the number of ELLs increased by more than 2.2 million students over this period, funding for bilingual education has risen by about $258 million, providing only $87 per ELL child. Education experts estimate that $361 per child is necessary to develop and implement programs for ELLs.

In 2000, there were about 47 million students in U.S. schools in grades K-12;[25] 16.6% were Latino. That year, there were 3,598,451 Spanish-speaking ELLs and 7,810,466 Latino students in total. Therefore, we can estimate that 46% of Latino students are ELLs.[26]

Immigrant students. According to estimates by the Urban Institute, 65,000 immigrant students who have grown up in the United States, attended the same elementary and secondary schools as native-born students, and excelled at the same academic requirements as their classmates are unable to pursue a higher education.[27] Many of these young people are accepted into postsecondary institutions, but cannot afford to attend because they have to pay out-of-state or

PARENTAL INVOLVEMENT

There is agreement that parent participation is important to ensure the success of reform efforts, such as standards-based reforms embodied in the NCLB.[a] Given that Latino students are concentrated in low-performing schools that will be required to raise standards, Latino parents and communities should be included in the development of standards-based reforms. In fact, 83% of Latinos, compared to 74% of Americans overall, strongly believe that parents should be able to compare local academic standards to national recommendations.[b]

While the heart of the NCLB is its system of accountability and assessments, parents are the backbone of this legislation. Under the NCLB, schools are required to assess student progress, give parents information about test scores, and provide parents of students in underperforming schools with options, including the right to transfer to another school and the opportunity to obtain extra tutoring for their children. More importantly, the NCLB assumes that parents, "armed with information and options," will force schools to improve.[c] However, it is unclear that parents are receiving sufficient information about their schools to hold schools accountable or to exercise various options. For example, although 96% of Americans with school-aged children believe that parents should be familiar with the academic standards in their children's schools, only 38% of Latino parents believe that schools are adequately providing this information.[d]

To help prepare parents to meet their obligations and take advantage of their options, Congress authorized in the NCLB Local Family Information Centers (LFICs). LFICs are community-based centers that provide parents of economically disadvantaged students, including ELLs, with information about their children's schools so that they can hold their local and state school officials accountable and exercise options available under the NCLB. Unfortunately, since enactment of the NCLB, the Bush Administration has never requested a single dollar for LFICs, severely weakening implementation of the NCLB.

As the Latino student population increases, Latino parents will play a larger role in ensuring that the nation's public schools are successful. Many of these parents are immigrants who hold high hopes for their children's education.[e] Unfortunately, Hispanic parents are often underrepresented in parental involvement programs.[f] Moreover, immigrant parents are undemanding and seldom critical of the schools their children attend.[g] Thus, it is vital that new models of parental involvement are identified and used in schools, including models that utilize community-based organizations with a track record of providing services to Latinos.

a. Johnson, Joseph, "Assessment as a Tool for Improving Student Achievement," Support for Texas Academic Renewal (STAR) Center at the Charles A. Dana Center website: http://www.starcenter.org/products/articles/assessmentool.html.

b. *Ibid*.

c. Paige, Rod, "It's Not About the Money," *Wall Street Journal*, October 29, 2003.

d. *Findings From the Council for Basic Education's National Poll of Public Attitudes Toward Rigorous Academic Standards*. Washington, DC: Council for Basic Education, 1998.

e. Ruiz de Velasco, Jorge, Michael Fix, and Beatriz Chu Clewell, *Overlooked and Underserved: Immigrant Students in U.S. Secondary Schools*. Washington, DC: Urban Institute, December 2000.

f. *National PTA Quick Facts, Hispanic Outreach Initiative*. Washington, DC: National PTA, 2003 (available on the web: http://www.pta.org/aboutpta/pressroom/quick.asp)

g. *Overlooked and Underserved, op. cit*.

international tuition rates; the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) makes it difficult for states to provide its residents who are undocumented immigrants with in-state tuition rates and other postsecondary benefits. The impact of current policies is immense: lack of access to college contributes to the already high Hispanic dropout rate,[28] and tax revenues lost by state and federal governments due to an undereducated workforce are enormous. In fact, an analysis by the Texas House Research Organization on legislation to provide immigrant students with in-state tuition rates shows that the cost of not educating these children is $319 billion.[29]

Recommendations

NCLR seeks to increase the achievement and attainment levels of Latino children, reduce the persistent and significant disparities between them and their peers, and ensure educational opportunity for all Latino youth. Several key measures and policies throughout the "education pipeline" address these concerns, including:

- **Full funding in the FY 2005 education appropriations legislation for No Child Left Behind Act programs that can have a significant impact on Latino students**. Additional funding would translate as follows: $1.2 billion for Language Assistance State Grants would amount to $255 for each ELL child in U.S. schools, an increase of about $110 per child over the FY 2003 amount; $100 million for Parent Assistance programs would allow community-based LFICs to help parents understand their rights and responsibilities under the NCLB; and $100 million represents less than half of 1% of overall funding for NCLB, but would greatly increase the likelihood that this massive federal law will be properly implemented at the local level.
- **Head Start Act reauthorization proposals that seek to increase Hispanic participation**. This includes strengthening the "Community Assessment" provision of the law to hold grantees accountable for serving eligible children in their communities. In addition, while Head Start is a successful program, it can be improved for ELLs.
- **Legislation at the state and federal levels, which would facilitate access to higher education and legalization for U.S.-raised immigrant students**. Specifically, support of the "Development, Relief, and Education for Alien Minors (DREAM) Act of 2003" (S. 1545) in the Senate and the "Student Adjustment Act" (H.R. 1684) in the House of Representatives is critical.

Notes

1. U.S. Census Bureau, *Differences in Population by Race and Hispanic or Latino Origin, for the United States: 1990 to 2000*, April 2001.
2. National Center for Education Statistics, *The Condition of Education 2002*. Washington, DC: U.S. Department of Education, 2002.
3. *Ibid.*
4. Brennan, Jean, ed., *The Funding Gap: Low-Income and Minority Students Receive Fewer Dollars.* Washington, DC: The Education Trust, August 2002.
5. Haycock, Kati, *Thinking K-16: Good Teaching Matters…A Lot*. Washington, DC: The Education Trust, 1998.
6. Harris, Louis, *Survey of the Status of Equality in Public Education in California: A Survey of a Cross-Section of Public School Teachers*, prepared for Public Advocates, March 2002.
7. Haycock, Kati, Craig Jerald, and Sandra Huang, *Thinking K-16, Closing the Gap: Done in a Decade*. Washington, DC: The Education Trust, Spring 2001.
8. *Ibid.*
9. *Education Watch: The Education Trust 1998 State and National Data Book*. Washington, DC: The Education Trust, 1998.
10. National Center for Education Statistics, *NAEP 1999 Trends in Academic Progress: Three Decades of Student Performance.* Washington, DC: U.S. Department of Education, August 2000.
11. National Center for Education Statistics, *The Nation's Report Card: Reading Highlights 2003*. Washington, DC: U.S. Department of Education, November 2003.
12. National Center for Education Statistics, *The Nation's Report Card: Mathematics Highlights 2003*. Washington, DC: U.S. Department of Education, November 2003.
13. National Center for Education Statistics, *Dropout Rates in the United States: 2000.* Washington, DC: U.S. Department of Education, November 2001.
14. *Ibid.*
15. *Ibid.*
16. U.S. Bureau of the Census, *Current Population Survey*, "School Enrollment – Social and Economic Characteristics of Students." Washington, DC: U.S. Department of Commerce, 2000.
17. *Ibid.*
18. U.S. Bureau of the Census, *October Current Population Survey*, 1975-2000. Washington, DC: U.S. Department of Commerce.
19. American FactFinder, U.S. Census Bureau, 2000.

20. Head Start Fact Sheet, Administration for Children and Families, 2000. NCLR excludes all Puerto Rico Head Start enrollees in its calculations to compare with national poverty statistics that do not take into account Puerto Rico when measuring Latino child poverty.
21. *The Growing Number of Limited English Proficient Students: 1991/92-2001/02.* Washington, DC: National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs, October 2002.
22. *Language Backgrounds of Limited English Proficient (LEP) Students in the U.S. and Outlying Areas, 2000-2001*. Washington, DC: National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs, May 2002.
23. *Education Department Budget History Table*, U.S. Department of Education Website: www.ed.gov/about/overview/budget/history/index.html?src=rt
24. NCLB, signed into law in 2002, contains provisions that strengthen the federal program for ELL students, now called Language Instruction for Limited English Proficient and Immigrant Students. Specifically, the NCLB requires schools to help ELLs make strides in acquiring English and improving their reading and math skills.
25. *The Condition of Education 2002, op. cit*.
26. *The Growing Number of Limited English Proficient Students: 1991/92-2001/02, op. cit*.
27. Urban Institute, *Further Demographic Information Relating to the DREAM Act*, October 21, 2003 (unpublished).
28. For example, more than 50 communities in 34 states participated in a "National Week of Action" in April 2003 by holding press conferences, rallies, and vigils in support of the DREAM Act. At a "Back-to-School" event in September 2003, more than 30 students from 25 states traveled to Washington, DC to meet with Members of Congress and advocate for passage of the DREAM Act.
29. Texas House Research Organization Bill Analysis of HB 1403, April 18, 2001.

Employment

By Sue Liu, Workforce Development Policy Analyst; and
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Overview

One of the most significant contributions Latinos make to the U.S. is their participation in the labor force. Over the past several decades, Latino men consistently have been the most likely of all Americans to be working or looking for work. Moreover, demographic shifts mean that Latinos represent an increasing share of workers and taxpayers. Unfortunately, the employment status of a significant segment of Latinos is characterized by low-skilled jobs at inadequate wages with few benefits. Moreover, these jobs are often vulnerable to displacement resulting from changes in the economy.

The heavy concentration of Latino workers in these types of jobs results from several factors, including poor educational attainment and insufficient or incorrect preparation for the current labor market, poor employment networks through which to seek other opportunities, geographic location in regions of the country that have suffered economic downturns and economic restructuring, and employment discrimination.[1] The combination of these dynamics has relegated a sizeable share of Latinos to the bottom of the economic ladder. The consequences for these Hispanic workers and their families have been unstable employment, low wages, limited economic mobility, slow accumulation of assets, and high poverty, especially among working families with children.

Data and Research Highlights

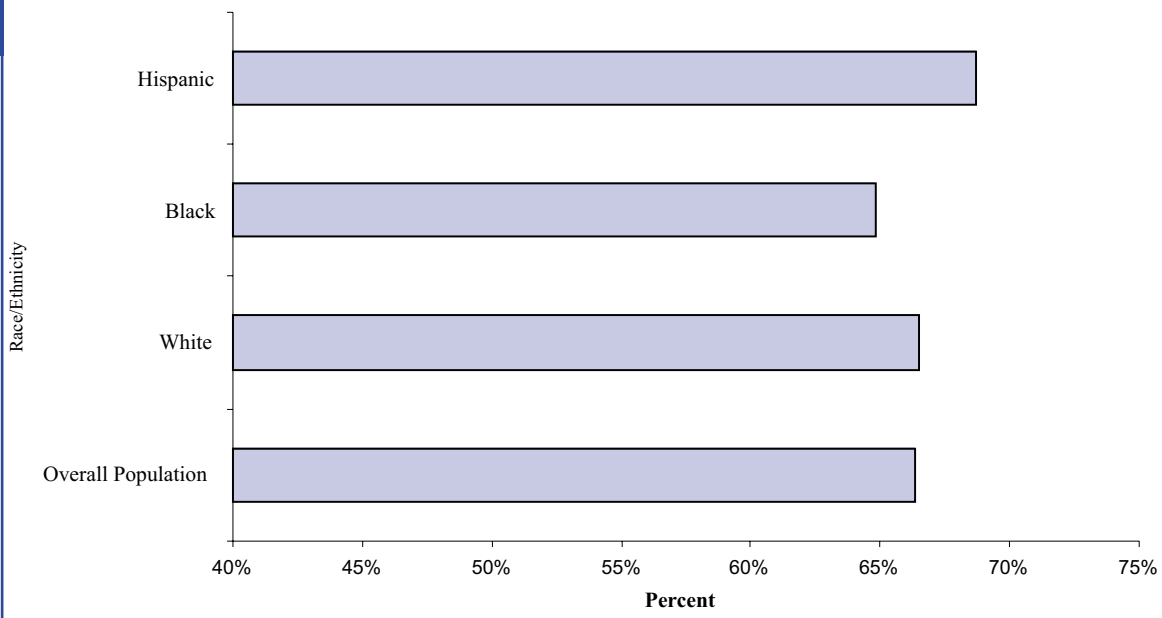
The following issues are central to discussions related to Latino employment:

A growing share of Latino workers. There are over 16 million Hispanic workers in the U.S., and the overall Latino labor force participation rate (68.7%) continues to be higher than the national average (66.4%), as shown in Figure 4.[2] In the next decade and beyond, when the 35% of Latinos currently under 18 years of age enter the labor force, Latino workers will become even more integral to the U.S. economy, not only in terms of labor force productivity but also in taxes paid to support government services and in consumer spending. For example, the latest Department of Labor Bureau of Labor Statistics' projections show that the number of Latino workers will grow by 36.3% this decade.[3] Additionally, other data show that Hispanic purchasing power has now reached over $575 billion and is projected to grow to over $900 billion by 2007.[4]

High unemployment. Given their high labor force participation in low-wage and low-skilled sectors – such as the households segment of the service industry where, in 2001, nearly one in three employees (31.3%)[5] was Hispanic – Latinos are very vulnerable to economic downturns. Since the beginning of the most recent recession in March 2001, the number of unemployed Hispanics has increased by 16% to 1.25 million as of January 2004.

FIGURE 4

Labor Force Participation Rates, by Race/Ethnicity, 2003



Source: Bureau of Labor Statistics, *The Employment Situation: May 2003,* Tables A-1, A-2 and A-3. U.S. Department of Labor.

Currently, the Latino unemployment rate stands at 7.3% compared to 4.9% and 10% for White and Black workers, respectively.

Level and range of skills demanded by the current market. Despite their invaluable contributions to the U.S. economy, Latino workers face a range of challenges in the labor market that prevent many from realizing fully the fruit of their labor and climbing the economic ladder. A disproportionate number of Latino workers lack sufficient academic and skills training preparation – key predictors to economic success. As a result, they have fewer opportunities for advancement into higher paying careers. For example, in 1998, more than two in five Latinos did not graduate from high school, and only one in ten Latinos attended college.[6] In addition, for a disproportionately large number of Latino adults, language barriers pose a significant challenge to their career advancement opportunities. Over one-quarter (27.8%) of the working-age (18 to 64 years old) Latino population speaks English less than "well."[7] Studies have shown that English fluency, independent of vocational qualifications, corresponds to earnings that are 24% higher than for those who lack fluency in oral and written English.[8]

Training for the nation's workers. The Workforce Investment Act (WIA) of 1998, the major source of funding for this nation's skills training and English acquisition, does not adequately address the training needs of the Latino workforce, and implementation of current law has been problematic for Latinos. For example:

- **Training services are often offered to clients based on a "work first" philosophy**. Because clients are offered

services only if they cannot find employment, the "work first" system makes it challenging to gain meaningful skills or increase their language acquisition. Additionally, this approach often creates limited access to training services, especially for Latino immigrants because language instruction and training are often accessible only if other services have been exhausted.

- **Data show that there is not a match between Latino clients and access to training**, considering the nationwide demographic changes related to the presence of Hispanics in the labor force during the past decade. According to U.S. Department of Labor (DOL) 2000 program data, 20,990 out of 102,663 adults' training slots were offered to Hispanics (20.4%), compared to 21,955 slots for Blacks (21.4%) and 54,229 (52.8%) for Whites.[9] Additionally, despite Congressional allocations in FY 2000 of nearly $2.5 billion in WIA Title I funds for job skills training to state and local areas, the DOL's program data show only 7% of all limited-English-proficient (LEP) adults (around 11,000 persons) received services through WIA.

- **The best approaches combine training for specific jobs and English skills, but are inadequately funded**. Research has shown that such programs have remarkable outcomes – increasing the skills, English fluency, and earnings of immigrant workers – but are inadequately funded in the workforce system.[10] English acquisition services, with explicit employment and learning outcomes, including job-specific training, are essential for moving LEP workers up the economic ladder.

- **Current funding for Adult Basic Education, including English-as-a-Second-Language, does not match current demographic changes and demand nationwide**. The Adult Basic Education (ABE) program, which funds English-as-a-Second Language (ESL), civics, and other crucial adult education services, helps Latinos, many of whom are LEP, gain invaluable language and other job readiness skills. Despite the effectiveness of ESL and other adult education services that help Latino immigrants learn English and increase their literacy levels, demand for ESL in communities nationwide has outweighed the existing supply.[11] In particular, states with traditionally large Latino populations, such as Illinois, New York, California, Florida, and Texas, as well as states experiencing new Latino population growth, such as North Carolina, Tennessee, Georgia, and Iowa, face challenges in addressing service gaps that are not accounted for in current funding.

- **Community-based organizations (CBOs) serving Latinos are shut out of the WIA system**. Many CBOs provide a wide range of linguistically and culturally appropriate services, such as ESL and other adult literacy instruction. Such services are critical to improving the employability of Latinos and LEP persons. Many CBOs have linguistically knowledgeable staff and are more accessible to immigrants with lower English proficiency than other local agencies. However, CBO programs do not have adequate access to funding from WIA. For instance, a survey of CBOs

indicated that the majority of clients served by CBOs do not access the federally-funded workforce system.

Recommendations

NCLR supports specific provisions in the reauthorization of WIA that:

- **Increase the ability of all job seekers, including persons with limited English proficiency, to enroll in any type of training services based on their specific job training needs**. Job seekers in the WIA system are required to access services in order, with training and ESL often being offered as a last resort. Job seekers should be able to enroll in any type of training services based on their specific needs.
- **Fund integrated workforce training programs including an evaluation component**. Integrated programs have promising outcomes but are rarely funded out of the WIA system. The availability of integrated programs will assist local areas in meeting the individual needs of employers and LEP workers in communities nationwide.
- **Support increases to education-related job training funding for states with large numbers of LEP persons and with high growth rates of LEP persons**. Current funding for ESL and other Adult Basic Education services are disproportionate to the needs of states with large numbers of LEP persons and high LEP growth.
- **Strengthen provisions that foster "direct and equitable access" to ensure that all eligible providers – including CBOs – have equal opportunities to compete and apply for, and win, proposals to provide adult literacy services to communities with LEP populations**. Many Latino-serving CBOs provide essential adult literacy services but are challenged in accessing funding opportunities. Direct and equitable access provisions will level the playing field for all eligible providers.

Notes

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Farmworkers

By Miriam Calderón, Education Policy Analyst; and Michele Waslin, Senior Immigration Policy Analyst

Overview

There are an estimated 1.6 to 1.8 million farmworkers in the U.S., and over 70% of America's farmworkers are Latino.[1] While a large percentage (52%) of all farmworkers are undocumented workers,[2] many are legal immigrants and U.S. citizens. Today, countless Americans of Mexican descent trace their roots back to the *Bracero* program of the 1940s through the 1960s, in which four million Mexican farm laborers came to work in U.S. agricultural fields. While this program serves as an important reference point for one segment of the Latino community, it also represents an example of the abuses of guestworker programs, since *braceros* had limited workers' rights, were required to turn in their work permits and return to Mexico when their contracts expired, and experienced harassment and racism.

The entire Latino community remains firmly committed to the plight of farmworkers – which has been ignored by the federal government for far too long – and is appalled by the conditions in which these members of our community are expected to live and work.

Data and Research Highlights

The status of the U.S. farmworker community is influenced by several sets of conditions in multiple arenas, and is particularly worrisome with respect to children.

Poor living and working conditions. There is sufficient evidence to suggest that U.S. farmworkers and their families live under appalling conditions. Agriculture ranks as one of the three most dangerous occupations in the U.S. In the period 1980-1994, the combined category of agriculture, forestry, and fishing experienced a fatality rate of 20.5 deaths per 100,000 workers, which was second only to mining.[3] Moreover, in 20 states, the agricultural category topped the list with the highest rate of work-related deaths and, in 11 states, the agriculture category had the largest number of work-related deaths.[4] In addition, there are many health risks including muscle, joint, and skin problems, heat stroke, cancers, birth defects, and neurological damages.[5] The use of dangerous pesticides in the agricultural industry is also of serious concern.[6] Unfortunately, many of our nation's farmworkers are still denied the most basic amenities including toilets, drinking water, and hand-washing facilities.

Poverty-level wages. In terms of income, the National Agricultural Workers Survey found that one-half of all individual farmworkers earned less than $7,500 per year and that one-half of all farmworker families earned less than $10,000 per year.[7] Three in five (61%) farmworkers had below poverty-level incomes,[8] making farmwork one of the most poorly remunerated occupations in the U.S.

Limited employment rights. The majority of farmworkers are foreign-born (81%), and 77% are

Mexican-born.[9] Immigrant farmworkers encounter additional problems. For undocumented farmworkers, the lack of a legal immigration status makes them especially vulnerable to poor wages and working conditions. While guestworkers under the H-2A visa program have more workplace rights than undocumented workers, they are still not covered by the Migrant and Seasonal Agricultural Worker Protection Act (AWPA), the principal federal employment law for farmworkers. As temporary nonimmigrants, H-2A workers are dependent on one employer for their ability to remain in the U.S., they lack economic and political bargaining power, and they have few avenues for taking legal action to enforce the rights they do have.[10]

The children of farmworkers. Children of farmworkers are among the most vulnerable children in our nation. They are often forced to accompany their parents in the fields while they work picking the fruit and vegetables that make their way to our supermarkets and dinner

FIGURE 5

Number of Head Start Eligible Migrant and Seasonal Farmworker Children, and Number and Percentage of Those Served, in the U.S. and by Selected States, 2001

	ELIGIBLE	SERVED	
		NUMBER	PERCENTAGE
Total U.S.	161,639	31,400	19%
Arizona	5,545	684	12%
California	46,972	4,872	10%
Florida	11,191	4,814	43%
Georgia	2,970	270	9%
Idaho	4,103	732	18%
Illinois	3,085	520	17%
Iowa	1,491	0	0%
Kansas	1,539	0	0%
Michigan	3,317	1,565	47%
New Mexico	1,546	0	0%
North Carolina	2,419	821	34%
Ohio	2,729	712	26%
Pennsylvania	1,856	313	17%
Texas	15,730	5,200	33%
Washington	13,946	2,604	19%

Source: Head Start Bureau, *Descriptive Study of Seasonal Farmworker Families*. Washington, DC: U.S. Department of Health and Human Services, September 2001. Percentages calculated by NCLR.

tables. While in the fields, these children are often exposed to harsh weather conditions, dangerous pesticides, and other occupational hazards that threaten their health and physical safety.[11]

Unfortunately, the children of migrant workers do not have sufficient access to existing programs that can help minimize their exposure to dangerous conditions and provide them with education. The Migrant and Seasonal Head Start (MSHS) program provides Head Start services to the children of migrant and seasonal farmworkers and takes these children away from the dangers of the fields and places them in classrooms. However, as Figure 5 shows, according to a study by the U.S. Department of Health and Human Services (HHS), although 161,639 children are eligible to participate in the MSHS program, only 31,400 (19%) are served due to lack of federal funds. In contrast, regular Head Start programs reach 60% of eligible children.[12] The 1998 Head Start Act reauthorization provided the Secretary of HHS with the authority to provide increased funding for MSHS programs. However, MSHS programs have never received more than 4% of overall Head Start funding.

Recommendations

NCLR believes that our nation's farmworkers have endured difficult conditions for far too long and that major reforms are necessary. Specifically:

- **Grant legal status to currently undocumented farmworkers and revamp the current H-2A visa program**. Granting legal status to farmworkers is necessary to grant them additional labor protections. One concrete recommendation is to support the Agricultural Job Opportunity, Benefits, and Security Act of 2003 (AgJOBS – S. 1645/H.R. 3142). This bipartisan legislation marks an important historical moment for U.S. farmworkers and is the result of years of intense negotiations between growers and farmworkers. It highlights the status of farmworkers in the U.S. and is the first major improvement in the status of farmworkers in nearly 20 years.
- **Support Head Start Act reauthorization legislation that increases funding for MSHS programs**. Currently, MSHS receives less than 4% of the annual Head Start appropriation. A modest 1% increase (approximately $69 million) would allow approximately 10,000 farmworker children to exit the fields and enter the classroom.

Notes

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Health

By Marcela Urrutia, Senior Health Policy Analyst

Overview

From the lack of health insurance and inadequate access to health care, to the high costs of prescription drugs, health issues have become one of the top priorities for the Hispanic community. The Hispanic population is the largest minority in the U.S. and Hispanic men are more likely to be in the labor force than any other group of American workers. Yet, Latino adults and children have the highest rates of uninsurance in the nation. In part because of their lack of health insurance, the Latino community faces a number of significant health challenges that could be prevented or more effectively managed if Hispanics had access to quality health care; these include disproportionately high rates of diabetes, asthma, HIV/AIDS, tuberculosis, and heart disease.

In addition to lack of insurance, Latinos are further denied access to this country's health system by the high costs of health care, a lack of linguistically and culturally competent health providers, and a lack of outreach efforts targeted toward enrolling eligible Latinos in public health programs.

Data and Research Highlights

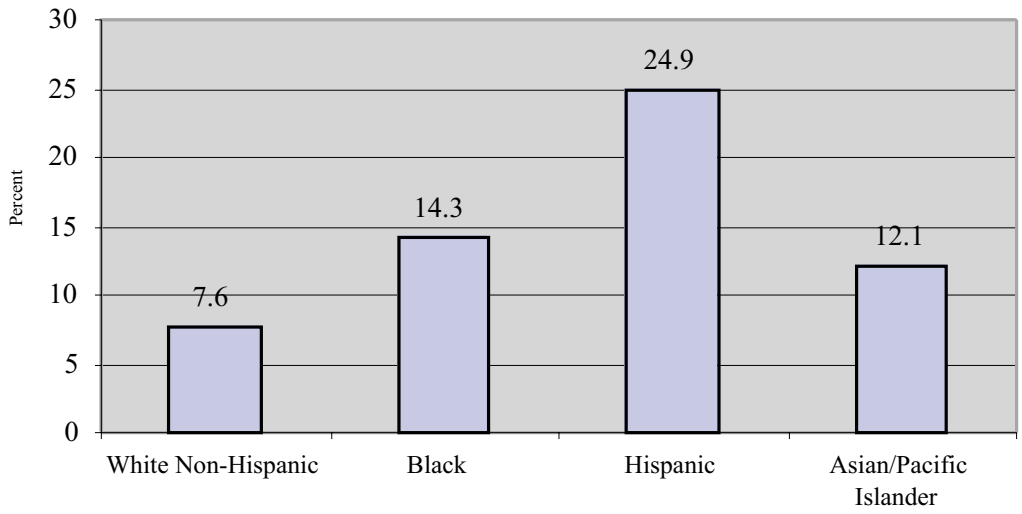
There is sufficient evidence to demonstrate that Latino health care is in crisis. Two of the most pressing issues in the health arena for Latinos are health insurance and the health safety net. Moreover, there is a great need for additional research and data regarding specific areas of health care in the Hispanic community and their consequences.

Lack of health insurance. According to the Kaiser Family Foundation's most recent analysis from the 2000 Census, 34% of Hispanics are uninsured compared to 22% of African Americans, 20% of Asian/Pacific Islanders, and 12% of Whites. While Latinos have high work participation rates and are the cornerstone of our nation's low-wage workforce, among low-wage workers 63.2% of noncitizens of Hispanic origin and 36.3% of citizens of Hispanic descent are uninsured.[1] Further, despite significant national efforts to provide health insurance to children through the implementation of the State Children's Health Insurance Program (SCHIP), according to the Current Population Survey, 24.9% of Latino children are uninsured compared to 7.6% of White non-Hispanic children, 14.3% of Black children, and 12.1% of Asian/Pacific Islander children, as Figure 6 shows.[2]

Employment-based insurance. A major contributing factor to Hispanics' low insurance rate is that, unlike most Americans, Hispanics often do not receive health coverage through their jobs despite high rates of employment. In fact, an overwhelming majority of uninsured Latinos (87%) come from working families.[3] In 2001, of children covered by health insurance, 40.5% of Latino children were covered by employment-based insurance,

FIGURE 6

Proportion of Children without Health Insurance in the U.S., by Race/Ethnicity, 2001



Source: U.S. Census Burreau, Current Population Report, *Children With Health Insurance: 2001.* August 2003.

compared to 74.1% of non-Hispanic White children and 49.6% of Black children.[4] Thus, the lack of insurance among Latinos is not related to unemployment but, rather, to their position in the workforce. Latinos tend to have jobs that support the infrastructure of our nation – such as those in the construction, agriculture, and service industries – which do not offer health coverage or other benefits, even for full-time work.[5]

Health status. Access to health insurance coverage dramatically influences both the way people utilize health services and their health outcomes. People who lack health insurance are less likely to obtain needed services, such as a doctor's visit or a filled prescription and, as a result, they are more likely to have poor health. The following examples are illustrative:

- **Uninsured diabetics are less likely than those with insurance to receive preventive care**, such as eye exams, foot exams, and careful monitoring of blood glucose levels. They are also less likely to have good blood glucose control.[6]
- **Health insurance promotes access to timely prenatal care** and to Caesarean-section deliveries for high-risk births for pregnant women, as well as neonatal intensive care for high-risk babies. Evidence also suggests that uninsured babies have poorer survival than the privately insured.[7]
- **A recent study found that in inner-city areas where significant numbers of Puerto Ricans live, children with persistent or severe asthma do not use the recommended treatment of inhaled anti-inflammatory medicine on a daily basis**, in part because of lack of insurance and access to

health care.[8] In another study, Latino preschoolers hospitalized for asthma were less likely than White children to have received maximal preventive therapy prior to hospital admission or to obtain equipment to help manage asthma after discharge.[9] The rate of asthma-induced emergency room visits was nearly twice as high for Latinos (35%) as for Whites (18%).[10] These data suggest that for a greater proportion of Latinos, the emergency room is the only accessible source of care, and that asthma is more likely left untreated until it escalates to emergency levels.

The health safety net. Lacking access to job-based and costly private insurance, Latino families have few options when trying to secure health coverage for their families. While Medicaid and SCHIP often represent the last remaining recourse for low-income Latinos, many are not eligible for these programs due to legal and eligibility barriers, as well as income threshold requirements. Further, many aspects of the public health system actively undermine the ability of uninsured and underinsured Latino families to secure coverage, despite their eligibility. As described below, a complex set of factors continues to make health insurance inaccessible for Latinos.

- **Citizenship barriers to eligibility**. The policies that govern legal immigrant access to health programs were enacted as part of the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), commonly known as welfare reform. According to these laws, legal immigrants who arrive in this country after August 1996, including children, are banned from enrolling in programs such as Medicaid and SCHIP for five years after their entry, and have to meet additional eligibility requirements that often render them ineligible despite need. These immigrants are denied coverage despite residing legally in this country and paying taxes that support the very programs from which they are banned. In addition to the PRWORA restrictions on legal immigrants, undocumented immigrants are banned from Medicaid and SCHIP.

- **Language barriers to health programs**. According to the 2000 Census, 23.6% of Latinos over the age of five speak English less than "well,"[11] which suggests that they are limited English proficient (LEP). While LEP Latinos are eager to learn English and recognize the importance of becoming proficient in English, learning the language as an adult is a lengthy and sometimes costly process. During the time LEP individuals become proficient in English, LEP families are often denied access to health care services because of language obstacles. According to a report from the Kaiser Commission on Medicaid and the Uninsured, nearly one-half (46%) of Spanish-speaking parents were unable to enroll their children in Medicaid because forms and information were not translated into their language.[12] Another half (50%) said the belief that application materials would not be available in their language discouraged them from even trying to enroll their children.[13] The lack of translation services and materials available to LEP families helps to explain why low-income Latino children who live in Spanish-speaking families are twice as likely to be uninsured compared to low-income Latino children

who live in English-speaking families (43% and 21%, respectively).[14] The consequences of limited or no language access to health programs is also reflected in the large percentage of Spanish-speaking Latinos (31%) who report themselves to be in fair or poor health.[15]

Recommendations

NCLR believes that the following measures would increase the proportion of Latino children and adults with health insurance, and promote access to health care and positive health outcomes:

- **Current measures that improve health access and equity for Latinos**. NCLR supports both the Hispanic Health Improvement Act (H.R. 2258/S. 1159) and the Health Care Equality and Accountability Act (H.R. 3459 and S. 1833), which comprehensively address health care access barriers and prioritize measures that improve the health status of Latinos. Both bills broadly seek to improve upon health disparities by implementing several provisions including restoring levels of equity to legal immigrants banned from Medicaid and SCHIP, providing additional resources for language access, supporting avenues for improved cultural competence and increased number of minority health professionals, and recognizing the need for data collection and reporting that identifies Latinos and other minorities.
- **Lift the bar excluding low-income legal immigrants from federal Medicaid and SCHIP**. Current policy specifically excluding individuals based on their status as legal immigrants has had a profound negative impact on access to health care for children, pregnant women, and other immigrants who would otherwise be income-eligible for Medicaid. NCLR supports proposals that restore equity to legal immigrants, including the Legal Immigrant Children's Health Improvement Act which gives states the option to allow legal immigrant children and pregnant women who arrived after August 22, 1996 access to federal Medicaid and SCHIP, if they are otherwise eligible.
- **Implementation and monitoring of strong limited-English-proficient (LEP) guidance by the U.S. Department of Health and Human Services**. Language barriers are often cited as a main reason impeding access to health care and services. Due to a pervasive lack of translated materials and interpreter services at health entities – despite legal obligations requiring attempts to provide language access – children are frequently placed in the position of serving as interpreters for their families which leads to their being pulled out of school and into inappropriate medical situations. The implementation of strong LEP guidance ensures that individuals who are learning English have equitable access to the health care system they support with their tax dollars.

Notes

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Homeownership

By Janis Bowdler, Housing Policy Analyst

Overview

For most American families, a home is their primary asset and homeownership represents their single greatest wealth-building vehicle, allowing households to leverage equity to send children to college or start a business. Homeownership is also the foundation to build strong and stable communities.

For more than two decades, Latinos have been significantly less likely than other Americans to be homeowners. Several factors have contributed to the large gap in homeownership rates between Latinos and other Americans, including lack of education regarding the homebuying process; the combination of low Latino incomes and savings and soaring housing costs; lack of a strong or solid credit history, especially for immigrant households who are more familiar with cash-driven economies; housing discrimination; and the unresponsiveness by the housing industry to engage in sufficient outreach and to accommodate language and cultural differences.

A desire to reduce housing disparities between Latinos and others, coupled with Latino population growth, a strong attachment to the labor force, and a purchasing power estimated at $575 billion,[1] have made increasing Latino homeownership a priority for many financial institutions across the country.[2]

Data and Research Highlights

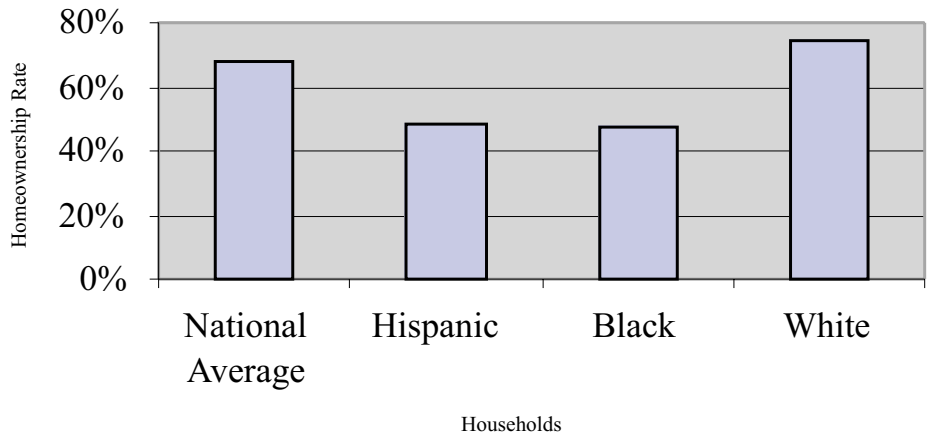
The following discussion provides a snapshot of the key issues related to Latinos and homeownership:

Homeownership levels. Today more than four million Hispanics are homeowners in the United States. According to the U.S. Bureau of the Census, in October 2001 the Hispanic homeownership rate (48.1%) surpassed that of African Americans (47.5%) for the first time. While Hispanics accounted for more than 16% of new homeowner growth between 1995 and 2000,[3] the Hispanic homeownership rate of 48.1% continued to lag significantly behind the nation's overall rate (67.9%), as well as of that of non-Hispanic Whites (74.5%), as Figure 7 illustrates.[4] The insufficient proportion of Latino homeowners – and the lack of this important asset – also helps to explain the huge wealth gap between White and Hispanic families; the median net worth of White families ($81,700 in 1998) is 27 times that of Hispanic families ($3,000 in 1998).[5]

Lack of affordable housing and low incomes. The federal affordability standard assumes that households spend about one-third of their income on housing. Recent data show that more than two out of every five Hispanic households spend more than the federal affordability standard, and more than one in six spends at least half of their income on housing.[6] Lack of affordable for-sale and rental units, especially in "hot" market areas where many Latino families are concentrated, is a major challenge. Several studies document the loss of

FIGURE 7

Homeownership Rates by Race/Ethnicity 2002



Source: *U.S. Housing Market Conditions*. Washington, DC: U.S. Department of Housing and Urban Development, August 2003.

decent and affordable rental units and the impact this has on local rents.[7] Further, incomes have not kept pace with these increases in rent. The National Low Income Housing Coalition estimates that a family has to earn at least $15.21 per hour to afford an average-priced two-bedroom apartment, which is more than $10 per hour over minimum wage.[8]

Transportation costs. The lack of affordable for-sale units in their communities, or within reasonable traveling distance from their jobs, has kept many otherwise mortgage-ready Latino families from becoming homeowners. According to the Consumer Expenditure Survey, in 2001 Latino households spent 21% of their income on transportations costs. Further, debt from automobile loans makes it difficult for families to qualify for home loans. Increased commuting time and costs, and the lack of public transportation, directly affect where many families are able to live and what they can afford.

Rigidity of the mortgage industry. The mortgage lending and financial services markets have not served Latinos well, and many industry policies and business practices have created more barriers to, rather than opportunities for, homeownership and wealth accumulation. According to the Joint Center for Housing studies, age, income, and family composition only account for approximately 15 percentage points of the 25% homeownership gap between White and Black and Hispanic households.[9] Based on this estimate, approximately 1,451,000 more Hispanic households are mortgage-ready.[10] However, the mortgage industry is ill-prepared to accommodate the irregular circumstances presented

by many Latino families, such as thin or no credit history or extended families involved in the purchase. As a result, many otherwise mortgage-ready families are underserved and given low priority in a commission-based industry. Unwillingness on the part of the industry to reach out to low-income families has contributed to a certain amount of mistrust and unfamiliarity with the homebuying process, which has also kept many Latino families from even attempting to qualify for home mortgages.

Discrimination. A recently-released HUD Discrimination Study found that, for the first time, Hispanics faced more discrimination than Blacks when seeking rental or for-sale housing. Hispanic homeseekers experienced discrimination in almost 20% of the paired tests, compared to 17% of African American homeseekers. In fact, the study found that Hispanic renters were the only group to experience the same amount of discrimination when seeking housing as they did in 1989, while discrimination among all other groups declined over this 15-year time period (25.7% in 2002, compared to 21.6% of African Americans).[11]

Predatory lending and subprime financing. A solid body of research documents the concentration and growth of predatory lending and subprime financing in minority neighborhoods.[12] These practices push loans with higher interest rates and higher fees, inflate the price of a loan, making it unaffordable to repay, and are deceptive because they conceal the true nature of the loan from borrowers who have limited information about the mortgage process. As a result, even those prospective homebuyers who do qualify for homeownership often accept less favorable mortgage terms than those for which they should be able to qualify. While not all subprime loans are predatory, the vast majority of predatory loans are made in the subprime market; for this reason the concentration of subprime lending in minority communities is often used as a research proxy for unfair or predatory lending. In a study commissioned by the Center for Community Change (CCC), Latino homeowners were more than two times as likely to receive subprime financing than White families with a similar income. Moreover, simply living in a Latino neighborhood made any family one and a half times more likely to receive a subprime loan than living in a White neighborhood.[13] Further, many Latino families unfamiliar with mainstream mortgage products rely on dubious and risky products such as a Land Contract (also known as contract for deed), which can cost the family their savings, even leave them homeless.

Recommendations

Rising levels of homeownership and net worth for Latinos can be achieved through several measures, as outlined below:

- **Increase the pool of affordable housing**. Efforts are needed both nationally and at the state level to promote and facilitate the supply of affordable housing. Two avenues are promising. First, enactment of the Community Homeownership Tax Credit would build on the success of the Low-Income Housing Tax Credit by helping to leverage private dollars that will provide the necessary capital to subsidize the cost of building units affordable to families living in low-income census tracts and who are at 80% of area median income or below. Second, the enactment of the National Housing Trust Fund will

provide a dedicated funding source for producing affordable housing units, as well as create an economic stimulus in local communities.

- **Enhance investments to community-based organizations (CBOs)**. CBOs are often the first point of contact for Hispanic families, especially immigrants, are uniquely positioned to assist first-time homebuyers through the homebuying process, and are in the best position to deliver development and homeownership services. Community-based housing counseling agencies also reduce the probability of delinquency. Congress, state legislatures, and HUD must facilitate increased opportunities for training and capacity-building to support the work of existing counseling and community development organizations, as well as expand existing funds for housing counseling at the local level.

- **Take measures against predatory lending, including**:
  - **A HUD-commissioned study** and other research on the presence and impact of predatory lending in Hispanic and other minority neighborhoods.
  - **Strong consumer protection standards** against predatory lenders. Federal standards on predatory lending need to be expanded and strengthened, and properly enforced. In addition, private business can begin to adopt strong best practices and business models to avoid instances of predatory lending or the purchase of predatory loans.
  - **Work to create public-private partnerships** that offer better quality and tailored intervention or loss mitigation programs, in the event of mortgage delinquency. Such partnerships can result in innovative strategies for preventing foreclosures, especially for those who are victims of the most egregious predatory loans.

Notes

1. Humphreys, Jeffrey M., "The Multicultural Economy 2002: Minority Buying Power in the New Century," *Georgia Business and Economic Conditions*, Vol. 62, No. 2, 2002.
2. In 1997 NCLR created the NCLR Homeownership Network (NHN) to address the homeownership gap between Whites and Hispanics. Originating with seven community-based organizations, the network has grown to 35 groups that provide pre-purchase homebuyer education and one-on-one homeownership counseling. In addition to funding from the Department of Housing and Urban Development, NHN partners with several private industry partners to sustain and augment services delivered. NHN counsels more than 17,000 families and averages 2,500 loan originations annually.
3. Masnick, George, *The New Demographics of Housing*. Cambridge, MA: Joint Center for Housing Studies of Harvard University, 2001.
4. *U.S. Housing Market Conditions*. Washington, DC: U.S. Department of Housing and Urban Development, November 2003.
5. Study by Edward Wolf using data from the Federal Reserve's Survey of Consumer Finance (SCF).
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7. See *Meeting Our Nation's Housing Challenges Report of the Bipartisan Millennial Housing Commission*. Washington, DC: May 30, 2002; Cushing N. Dolbeare, *Perspectives on Rental Income and Affordable Units*. Washington, DC: National Low Income Housing Coalition, 2001.
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9. *State of the Nation's Housing: 2003*, Joint Center for Housing Studies of Harvard University, 2003.
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Immigration

By Michele Waslin, Senior Immigration Policy Analyst

Overview

The majority of Latinos in the U.S. are native-born citizens – 60% according to the 2000 Census – but, like most Americans, many Latinos have parents or other family members who emigrated from other countries to the U.S. In addition, many U.S. Latinos live in mixed-status families and communities, meaning that U.S. citizens, legal immigrants, and undocumented immigrants often are part of the same household. One in ten children in the U.S. lives in a mixed-status family in which at least one parent is a noncitizen and one child is a citizen.[1] Moreover, many U.S.-born Hispanics are mistaken for immigrants because of their ethnicity, appearance, or accent. Therefore, issues affecting immigrants have a disproportionate effect on U.S. Latino families; as a result, Hispanics care deeply about the nation's policies toward immigrants and vigorously support fair and respectful treatment of immigrants under the law.

The nation's views concerning immigration policy and immigrants often reflect attitudes toward, and impressions of, the broader Latino community. Often, these policies and aspects of overall immigration strategy have not treated Latinos fairly and have not been in tune with economic and security needs, underscoring the great and growing demand for comprehensive reforms to our nation's immigration system.

Data and Research Highlights

There are four sets of issues that represent the most pressing aspects of the U.S. immigration arena for Latinos:

Immigrant workers. The current immigration system does not provide a sufficient number of workers to fill the needs of the U.S. economy. As a result, millions of undocumented immigrants are working in the U.S., filling vital jobs, and contributing to our economy. While estimates vary, most researchers calculate that there are approximately 9.3 million undocumented immigrants living in the U.S., representing 26% of the total foreign-born population.[2] Unauthorized urban workers, a subset of the total undocumented population, number approximately six million, or 5% of all U.S. workers.[3] Nearly all undocumented men are in the labor force (96%) – exceeding the labor force participation rate of legal immigrants or U.S. citizens.[4] While updated figures based on new estimates of the number of undocumented immigrants are not available, in 2001 an estimated 620,000 undocumented workers worked in the construction industry, 1.2 million worked in manufacturing, 1.4 million worked in wholesale and retail trades, and another 1.3 million worked in the service industry (See Figure 8).[5]

These immigrants make tremendous contributions to the U.S. economy. According to the National Academy of Sciences, immigrants and their children

FIGURE 8

Unauthorized Workers in the Urban Labor Force, 2001 (in thousands)

INDUSTRY GROUP	TOTAL UNAUTHORIZED	U.S. LABOR FORCE
Construction	620	9,670
Manufacturing	1,190	20,830
Durable	580	12,670
Non-durable	610	8,150
Wholesale and Retail Trades	1,410	29,850
Restaurants	700	7,720
Others	720	22,130
Services	1,320	41,960
Business	390	2,350
Private Household	250	1,050
Other	690	38,570
Other Industries*	350	37,990
Total Workers	5,300	143,640

* Other industries include transportation, communication, finance, insurance, real estate, mining, and public administration.

Source: Lowell, B. Lindsay and Roberto Suro, "How Many Undocumented: The Numbers Behind the U.S.-Mexico Migration Talks." Washington, DC: The Pew Hispanic Center, March 21, 2002.

bring long-term economic benefits to the U.S. as a whole. Immigrants add approximately $10 billion each year to the U.S. economy. Immigrant households paid an estimated $133 billion in direct taxes to federal, state, and local governments in 1997, the latest year for which such data are available. The typical immigrant and his or her descendants pay an estimated $80,000 more in taxes than they receive in government benefits over their lifetimes.[6] Yet, undocumented workers live in the shadows, are unable to obtain health care benefits, other basic social services, or driver's licenses, are fearful of coming forward to report poor working conditions, and are unable to become full members of the U.S. economy and society.

Labor practices. When unscrupulous employers hire vulnerable, exploitable, undocumented workers, wages and labor conditions for all workers suffer. To illustrate, in March 2002, the Supreme Court issued a decision that overturned the long-standing precedent that all workers are covered equally by labor laws, regardless of their immigration status. In the *Hoffman Plastic Compounds v. National Labor Relations Board (NLRB)* decision, the Court decided that employees working in the United States with false documents are not entitled to

back pay from employers, even if they are fired illegally.[7] By denying a remedy to one group of workers, the *Hoffman* decision undermines the status of all workers and strengthens employers' incentive to hire unauthorized workers because they can fire these employees when they engage in any activity deemed unfit without suffering any legal ramifications. The *Hoffman* decision hurts all American workers because it lowers wages, reduces working conditions, and discourages organizing, and it also harms law-abiding employers who receive unfair competition from unscrupulous employers who take advantage of undocumented labor.

The human costs of immigration. Enforcement of immigration laws is ineffective. Although the amount of money spent each year by the federal government on border enforcement has more than quintupled from $740 million in 1993 to $3.8 billion in FY 2004,[8] the number of undocumented immigrants has not decreased, and the length of stay in the U.S. has increased.[9] Instead, increased but ineffective enforcement has had an effect on:

- **The price charged by smugglers to bring immigrants into the U.S.** Migrants are paying tremendous sums to smugglers (*coyotes*) to assist them in crossing the border. According to Doug Mossier, spokesperson for the Border Patrol's El Paso Sector, *coyotes* charge between $100 and $500 to cross people from Ciudad Juárez, Mexico to El Paso, Texas. A move from the interior of Mexico into the U.S. costs $1,500 to $5,000. The Border Patrol approximates that at least 20 networks of *coyotes* are active in the Ciudad Juárez region.[10] Often, migrants are indebted to these *coyotes* for years after they arrive in the U.S., sometimes working as indentured servants until the fees are paid. [11]
- **The overall danger of making the journey**. Immigrants continue to pay large sums to risk their lives because they want to work and reunite with their families. Data show that the number of border deaths has increased dramatically in recent years, now reaching nearly one death per day. In 2000, 311 undocumented immigrants died while crossing the U.S.-Mexico border; in 2001 the figure rose to 491. In 2002, the number of deaths dropped to 371. However, in the first seven months of 2003, Mexico's Secretariat of Exterior Relations reported that 282 Mexicans died while attempting to enter the U.S., which is a 20% increase in the number of deaths when compared to the same period in 2002. Similarly, the U.S. Border Patrol counts that more than 225 migrants have died along the U.S.-Mexico border since June 3, 2003.[12]

Family reunification backlogs. Millions of close family members remain in visa backlogs for years, waiting to be reunited with their families. A January 2004 General Accounting Office report claims that 6.2 million applications for immigration benefits are pending as of September 2003 – a 59% increase in the last two years.[13] U.S. citizens who petition for unmarried children over 21 years old from Mexico must wait as long as nine years to be reunited. Legal permanent residents from Mexico who petition for their immediate family members (spouses and minor unmarried children) may wait as long as seven years. Because of the strict laws regarding issuance of temporary visas, many spouses and children do not qualify for tourist visas to the U.S. because immigration officials fear they will

overstay the visa and remain in the U.S. Rather than endure long waiting periods, some family members choose to risk their lives and come to the U.S. without a visa to be reunited with loved ones, thereby adding to the undocumented population. The current allocation of visas in the family preference system is clearly inadequate to account for the millions of immigrants attempting to play by the rules and enter the U.S. legally.

Recommendations

NCLR believes that immigration policy, enforcement, and effectiveness can be improved through:

- **Comprehensive immigration reform**. A three-part reform must include:
  1. An earned adjustment through which undocumented immigrants who can prove they have lived and worked in the U.S. and pass extensive background checks can receive legal status
  2. A reduction in the family backlogs
  3. The creation of legal channels for future flows of immigrant workers
- **Repeal the *Hoffman Plastic Compounds v. National Labor Relations Board* decision**. This Supreme Court decision is harmful to all workers in the U.S. regardless of immigration status.

Notes

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11. Shirk, David and Alexandra Webber, "Slavery Without Borders: Human Trafficking in the U.S.-Mexican Context," *Hemisphere Focus*, Volume XII, Issue 5. Washington, DC: Center for Strategic and International Studies, Americas Program, January 23, 2004.
12. Letter from Claudia Smith, California Rural Legal Assistance Foundation to Customs and Border Protection Commissioner Robert C. Bonner, November 10, 2003.
13. General Accounting Agency, "Immigration Application Fees: Current Fees Are Not Sufficient to Fund U.S. Citizenship and Immigration Services' Operations," GAO-04-309R. Washington, DC: GAO, January 05, 2004.

Conclusions

The recommendations outlined in this report are not arguments for altruism; they are essential investments aimed at strengthening a population whose well-being is vital to the nation's future. As a significant and growing presence in school systems, the workforce, the electorate, and the broader fabric of American economic and social life, the Latino community's prospects are inextricably linked to those of the nation as a whole.

On the preceding pages, NCLR has identified and articulated the leading priorities that can enrich and strengthen those prospects, underscoring that the challenges facing us as Americans are not intractable; improvements in education, employment, health, and housing, as well as in the criminal justice and immigration systems, are easily within the nation's grasp. In that sense, these Latino perspectives on the American agenda are intended as a demonstration that the kinds of reforms that can accomplish key results are both desirable and achievable, as well as a call to action – for Latino communities and individuals, for policy-makers and public officials, and for the private sector.

Latino Communities and Individuals

In the past, Latinos have experienced periods of intensified policy-maker and media attention, only to be followed by inaction and disregard with respect to the priorities of the Hispanic community. But such cycles have only reinforced the will, efforts, and strong sense of self-reliability that guide the Latino community to craft solutions to the challenges outlined in this report. For those Latino youth in Texas who do not complete school, there are community-based educational programs established and operated by Latinos to offer an alternative. For those elderly legal immigrants in California who face hunger because the law denies them food stamps, there is a local Latino agency ready to step in with nutritional assistance. For those Latino children in North Carolina who lack health insurance, there are programs that provide access to basic medical care. For those prospective Latino homebuyers in the Bronx who have been turned away from major banks, there is a community development organization ready to guide them through the mortgage application and qualification process.

In addition to the thousands of Latino community-based organizations across the country that take the lead daily and demonstrate their willingness to accept responsibility for addressing disparities between Hispanics and other Americans, there is great potential for Latino individuals to be the force that accomplishes the kinds of reforms recommended in this report. In 2000, over 5.9 million Latinos participated in the presidential election. In a report on the Latino electorate published in 2002, NCLR projected that, even if there were no change in rates of

voter registration and turnout, population growth alone would account for a net increase of 1.9 million Latino voters in 2004, to a total of 7.8 million voters. If efforts to close the registration and turnout gap between Latinos and other groups were to be successful, NCLR projects that the Latino electorate could grow to over nine million voters this year – a growth rate of more than one-third compared to the 2000 election.

These data strongly suggest that Latinos themselves hold the key to focusing policy-maker attention on priority issues, and insisting on results. However, presence in the electorate alone will not translate into policy change unless the community is able to leverage the considerable attention it receives from those seeking Latino votes into meaningful policy proposals that can achieve positive impacts over time. In particular, the Latino community can:

- **Insist on specifics, not just on Spanish**. Election campaigns and the media that cover them tend to spend Latino-focused dollars and attention on Spanish-language media and the candidates' facility in Spanish, rather than on the message candidates are attempting to communicate to attract Latino voters, the vast majority of whom – as it happens – speak English. While many in the community appreciate the use of Spanish as a sign of respect, the language of the campaign message is no substitute for its substance; Latinos must evaluate political candidates on the basis of their goals for improving the status of the community as an essential strategy for strengthening the nation.
- **Participate at every level of the electoral process**. Some of the most promising strategies for increasing Latino civic participation have included organizing immigrants who are not yet eligible to vote to knock on doors and encourage eligible voters to be a voice for the larger community, and community-based campaigns aimed at low-propensity voters. Community-based organizations also play an essential role in assisting immigrants with the naturalization and voter registration processes. Similarly, with significant numbers of young Latinos reaching voting age each year, special attention must focus on strengthening the voice of young Latinos and encouraging them to vote.
- **Focus on accountability and results**. At the end of the day, the strength of the Latino voice in leveraging policy change is measured in the results that affect individuals' lives in the community itself. Policy-makers who campaign on key issues like education and health care must be held accountable, and the community itself must engage in the process of building support for essential reforms and implementing those that are enacted.

Additionally, Latinos must figure prominently in national and state-level policy debates that are essential to the future of all Americans, both as a force in shaping the issues, through research and public information efforts, and in moving the agenda forward, through advocacy and organizing.

Policy-makers and Public Officials

Almost a decade ago, NCLR cited research from a Rand Corporation report which showed that if we could increase the college completion rate of today's

Hispanic 18-year-olds by as little as three percentage points, projected payments into social insurance programs that benefit all Americans would increase by $600 million. Yet, as this report documents, there are still large, worrisome, and unacceptable disparities between the proportion of Latino and other American children who participate in *preschool*.

In a similar vein, the Hispanic housing market represents a huge potential source of new mortgage loans, estimated to be about two million households, translating into approximately $182 billion in potential loan originations. Moreover, research shows that communities with high homeownership rates benefit substantially, through higher home values, better educational performance from children, and greater stability. Yet, one in five Latinos faces discrimination when seeking housing.

As the preceding discussion shows, there are similar arguments with respect to strategies for improving access to health care, gaining advancements in civil rights, or advancing the skills of our nation's workforce. These goals are all consistent with the broader objective of strengthening society as a whole, but they have not equally enjoyed the political support needed to achieve them.

Given the increased interest in the Latino vote, this upcoming election season represents another opportunity for candidates, public officials, and policy-makers to demonstrate their concern for, knowledge of, and alignment with these issues. This attention is welcome – and warranted – given that the Latino vote is likely to be a major factor in elections at every level, including local- and state-level races, as well as in key electoral battleground states in the presidential contest. While the Hispanic community itself shoulders the bulk of the responsibility for mobilizing and participating in key elections, it is also true that candidates, organizers, and pollsters should focus attention and resources on Latinos and their issues in a way that could stimulate participation and strengthen the democratic process. In particular, political parties and candidates should:

- **Invest in those who haven't turned out…yet**. NCLR pointed out in its 2002 analysis of the Latino electorate that political campaigns tend to focus their resources on voters who have previously participated, developing policies, messages, and strategies aimed at gaining support and mobilizing those who have already engaged in the process. These tactics run the risk of failing to identify barriers to participation for those who are eligible to vote, but fail to participate. Similarly, by failing to focus on Latino voters the kind of sophisticated polling and message development that is aimed at segments of the mainstream electorate, such as elderly White voters, "soccer moms," or "GenXers," political parties and candidates may be missing opportunities to shape issues, agendas, and messages toward those who may feel that the current process – and its candidates – are out of touch with their concerns.
- **Go beyond immigration**. The emphasis on Spanish-language messages and media, which has been demonstrated by both political parties and trumpeted by the media, suggests the possibility that efforts to appeal to Latino voters are still relatively shallow appeals focused on language and culture, as opposed to more sophisticated, issue-oriented arguments. The notable exception to this may be

immigration policy, which President Bush placed squarely on the election-year agenda with his January 2004 announcement of principles for immigration reform. Oddly, the focus by both parties on immigration reform when appealing to the Latino electorate serves to underscore the larger problem. Latinos care deeply about immigration and the treatment of immigrants; Latino voters have turned out in record numbers in recent elections against candidates perceived to be anti-immigrant. However, while immigration policy is one Latino concern worth addressing, it tends to rank lower in polls that ask Latino voters about their primary concerns other than education, health care, and jobs. The more candidates assume that they've "covered" the Latino electorate with their positions regarding immigrants, the less likely they are to pay attention to the issues that loom much larger for the well-being of the community, and the nation. This is a mistake for which the community – and the nation – pays a very large price.

- **Remember Latinos after the election**. What will truly resonate with Latinos will be those who give life to this agenda after the elections, those who will refer to this and other documents, ask questions, meet with Latinos, listen to the community's concerns, and support these goals when the outcome will not be measured by one vote, but by increases in educational attainment, employment status, and homeownership, and by decreases in racial profiling, juvenile offenders, and discrimination.

The Private Sector

Both private philanthropy and private business also have a stake in the well-being of the nation's Latino communities and can play a role in investing in strategies that can lead to positive outcomes for Hispanics.

As a leader in identifying and promoting effective program innovations in arenas from education to criminal justice, the philanthropic community should expand its support for local, Latino-controlled community efforts that demonstrate measurable gains in education, employment, homeownership, and other areas. Funders and grantmakers can make a difference by supporting rigorous program- and policy-oriented research that addresses the challenges outlined in this report and by encouraging widespread adoption of effective programs through collaborative efforts with Latino community-based organizations, institutions, and advocates.

In addition, private industry, corporate leaders, and employers can make two contributions. First, they can ensure that their business practices and policies strengthen the ability of hardworking Latinos to realize fully the fruit of their labor and achieve economic success. The behaviors and policies of firms and employers can stimulate work opportunity, provide access to quality jobs, and promote programs and practices, including health, pensions, and savings vehicles, that result in benefits for all workers. Second, the private sector should seek to partner with Latinos, who represent one in nine workers and a community with an annual purchasing power of over $575 billion, beyond their roles as good corporate citizens who want to work to achieve the goals outlined in this report because it is the right thing to do.

From a purely financial perspective, Latinos represent a market of investors, homeowners, and consumers that American business will need to sustain their profits in the decades to come.

The types of reforms recommended in this report are largely within our reach; the benefits of investing in them are likely to be great, just as the consequences of inaction are likely to be grave. Just as the nation's failure to provide education, health, and economic opportunities to the nation's largest minority group has negative implications for tomorrow's students, workers, and taxpayers, it is also true that investments in achieving key outcomes are possible, and can pay valuable dividends for society as a whole. In the long term, the state of the nation depends very much on looking at, and taking steps to improve, the state of Hispanic America.