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Offending Behavior, Drug Use, and Mental Health among Foreign-Born versus U.S. Born Latino Criminal Justice Clients

Gladys E. Ibañez^{1,3}, Michelle Agudo², Steve S. Martin², Daniel J. O'Connell², Rehab Auf¹, and Diana Sheehan¹

¹Florida International University, Robert Stempel College of Public Health and Social Work, Department of Epidemiology, Miami, Florida. 33199

²Center for Drug and Health Studies, University of Delaware, Newark, Delaware

Abstract

Little is known about the offending behavior and recidivism factors of Latinos by nativity (U.S. born, foreign-born). The present study focused on Latinos in community corrections ($n=201$) in Miami, Florida, and examined differences in criminal activity, drug use, and mental health by nativity. Data were collected utilizing convenience sampling between June 2014 and December 2015. The research question was: what are the offending, drug use, and mental health histories of Latinos involved in community corrections? Participants were mostly male ($n=120$; 59.7%), White ($n=105$; 52.2%), and Cuban ($n=97$; 48.3%). U.S. born community corrections clients ($n=141$) were more likely to report more lifetime and recent criminal activity; and more likely to report lifetime and recent drug use behavior than foreign-born Latinos ($n=60$). No differences were found in recent mental health. Correctional healthcare should tailor services such as substance abuse treatment differently toward U.S. born and foreign-born Latinos.

Keywords

Hispanic; Latino; criminal justice; foreign-born; U.S. born

Introduction

The United States has the world's largest incarcerated population at approximately 2.2 million in both federal and state prisons and jails; and about 6.8 million in total under some type of community correctional supervision [1], which include probation, parole, and jail diversion programs. Racial and ethnic disparities are evident within the criminal justice system with criminal justice clients of color accounting for 60% of people in prison [2]. Latinos are disproportionately represented in the correctional system. If current rates continue, 1 out of 6 Latino males will spend time in the criminal justice system [3]. Racial

³Corresponding Author, Florida International University, Robert Stempel College of Public Health and Social Work, Department of Epidemiology, AHC-5, Room 478. Miami, Florida 33199. Phone: (305) 348-4920. gibanez@fiu.edu.

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disparities are also seen among female criminal justice clients with 1 out of 45 Latina women incarcerated versus 1 out of 111 white women [3,4,5]. The Latino population in the United States is projected to grow until 2060, when almost one out of three people in the U.S. will be Latino [6]. The Latino population is very diverse including differences in nativity. Currently, almost 35% of all Latinos in the U.S. are foreign-born [7]. Latinos are the fastest growing minority group in the prison system [8]; and represent 22% of all persons incarcerated, 14% of all probationers, and 17% of parolees [9]. Yet, little is known about the specific offending behaviors, recidivism factors, and health needs of Latino criminal justice clients, both foreign-born and U.S. born. A better understanding of the association between criminal justice involvement and Latinos, including both U.S. and foreign-born, can potentially decrease the racial health disparities within the criminal justice system [10], by leading to interventions that are best tailored to the needs of particular Latino offender profiles.

Immigration and Crime

The belief of many Americans that immigration leads to more crimes emerged in the 2016 presidential election campaign [11]. In general, however, most studies on immigration find the opposite [12,13,14]. Immigrants commit fewer crimes than the general population, and immigration may actually prevent crimes. One study found that immigration did not lead to more homicides but rather reduced or had no effect on homicide offending across several ethnic and racial groups [15]. Another study found a similar trend across white, black, and Latino neighborhoods, reporting that areas with high concentration of immigrants have lower crime rates and actually show a decrease in both violent and property crimes [16].

Much of the recent political rhetoric around immigration and crime has centered on Latino immigrants. Few studies have focused on criminal behavior among immigrant and U.S. born Latino criminal justice clients. These studies primarily report differences in offending behavior by assessing nativity (foreign born versus U.S. born), generational status, acculturation, or years living in the U.S. [12,17,18,19]. The general consensus in the literature is that the longer Latinos live in the U.S., the more offending behavior is reported [18,19]. In fact, for every year an immigrant resided in the U.S., there was a 1.9 and .9 percent increase in non-violent and violent offenses respectively [18]. Even when controlling for Latino concentration, more immigrants did not lead to more homicides and this was true across time and place [20]. One exception was a study that found the percent of Latinos was related to gang-related homicides [21]. It is less clear whether this pattern of lower criminal activity for immigrants is true for all crimes other than homicide or violent offenses.

Most studies on Latinos and crime do not look at specific offenses per se, but rather examine overall criminal behavior, aggregate offenses into a few categories, or focus on only certain types of offenses such as felonies versus misdemeanors, or violent versus non-violent offenses [17,18]. One exception is a study on retail theft among Latino youth, which found non-immigrant and immigrants who entered the U.S. before the age of 5, were more likely to report retail theft [22]. Some interesting studies recently reported on the trajectory of offending behavior among Latinos by nativity or generational status [12,13,23,24]. However, most of these studies focused on adolescents and/or young adults [10,13,15], utilizing either

official court data and/or self-report criminal involvement [12,13,24]. The trajectories of Latino criminal justice clients show that foreign-born Latinos have low criminal involvement throughout their lives, whereas the U.S. born Latinos seem to “catch up” to their U.S. born non-Latino counterparts and report higher criminal involvement [12,13]. These studies were limited in that they did not examine specific criminal activities, and were focused only on youth or young adults. One exception was a study that, although focused on youth, did examine 16 specific criminal offenses and found U.S. born Latino youth more likely to report involvement in 10 of the 16 offenses than the foreign-born youth, including theft, robbery, and possession of marijuana [25]. Another study found similar findings among adults, with foreign-born criminal justice clients displaying a trajectory characterized by lower levels of criminal involvement compared to U.S. born criminal justice clients [26]. However, this study did not focus on specific criminal activities and only included males. To the author’s knowledge, there are no studies that examine nativity by specific crimes for Latina adult women.

Gender and Incarceration

Although there are more men than women in the criminal justice system, the number of women is increasing. Between 1980 and 2014, the number of incarcerated women increased by 700% [27]. There are 1.2 million women under some type of criminal justice supervision [28, 29]. Latina women are incarcerated 1.2 times the rate of white women [30], and the number of Latina women incarcerated has increased 7% since 2000 [27]. The increase in women who are involved in the criminal justice system is due mainly because of drug use and drug-related offenses [31,32]. There is heterogeneity among Latinas including characteristics that are important to take into account in tailoring any services, such as nativity, immigration status, language, acculturation, and discrimination [33]. For example, one study found that second-generation Latina youth had the highest risk of delinquency during early adolescence [34]. No studies were identified that examined specific criminal activity by nativity for Latina adult women. The present study contributes to the scant literature on Latina female offenders, which accounts for only 0.3% of the criminal justice literature [35].

Drug Use and Mental Health

Drug use behavior and mental health conditions are common among criminal justice clients; and are two of the leading causes of recidivism, or reoffending [36, 37]. However, there seems to be more literature on the drug use behavior and mental health of Latinos in the general population and in youth than among incarcerated adult populations. Surprisingly few studies specifically examine drug use and mental health among Latino criminal justice clients. These studies show mixed results. Lower prevalence of post-traumatic stress disorder (PTSD), mental illness, alcohol use, and substance use among Latino criminal justice clients compared to other incarcerated populations has been reported [38,39]; whereas another study on incarcerated veterans show Latino criminal justice clients are more likely to have a drug dependency than white criminal justice clients, and to be incarcerated on a drug offense more than other criminal justice clients [40]. Almost 75% of female inmates with a severe mental health disorder also reported a substance use disorder. Latina inmates who had a mental illness reported higher rates of both alcohol and drug disorders than White women

with mental illness [38]. One recent study examined formerly incarcerated Latino men for mental health needs and found a high level of depression, a sense of loneliness, and alcohol use [41]. To the authors knowledge, there are no studies that compare drug use behavior and mental health between foreign-born and U.S. born Latino community correction clients. However, in the general population, drug use seems to be higher among U.S. born than foreign-born Latino youth [42], and U.S. born Latinos also have a lower perception of drug use as a risky behavior [43].

Learning the differences between immigrant and U.S. born Latino criminal justice clients is important in tailoring effective services for this population. Studies on a range of health outcomes have emphasized the importance of culturally competent services [44]. Health interventions that take culture into account, which include nativity, have been found effective in addressing various health outcomes such as smoking [45], HIV prevention [46], and weight loss [47]. Few intervention or health service studies exist that focus on Latino criminal justice clients. One exception found important differences regarding tuberculosis (TB) and HIV testing among immigrant and U.S. born Latinos [48]. Foreign born Latino inmates in both state and federal prisons were less likely to be tested for TB compared to white inmates; and foreign born Latinos were also less likely to be tested for HIV in state prisons [48]. Given the disproportionate number of Latino criminal justice clients and the dearth of intervention studies, research that examine the different segments of the Latino population and their needs will be critical in developing culturally appropriate, effective interventions.

Theoretical perspectives

Several theories have been proposed to explain the difference in offending behavior among foreign-born and U.S. born Latinos. One theory, the *Latino Paradox*, describes how foreign-born Latinos display more positive outcomes than their U.S. born counterparts [49]. One explanation for the Latino Paradox could be the strong social ties and networks that are common in Latino immigrant communities [50]. Therefore, according to the Latino Paradox, the longer Latinos live in the U.S. the more criminal behavior is likely to occur. The Latino Paradox was used to guide informal and preliminary development of hypotheses. Based on the Latino paradox, it is expected that criminality, drug use, and mental health would be more common among U.S. born Latinos compared to foreign-born Latino criminal justice clients.

The Present study

The present study addresses these gaps in the literature by reporting on specific offending behaviors for Latino adults, regardless of arrest, and for both men and women. It also attempts to describe the drug use and mental health history of Latino community correction clients, which are correlates of offending behavior. The present study utilizes baseline data from a larger intervention study that pilot-tested an HIV prevention intervention for Latino criminal justice clients. Therefore, it is a cross-sectional study that examines the sociodemographic, criminal history, drug use history, and mental health of Latino criminal justice clients by nativity (U.S. born versus foreign-born) in Miami, Florida.

The research questions posed by the present study are exploratory: 1) what is the offending, drug use, and mental health histories of Latino community corrections clients; and 2) is there any difference between U.S. born and foreign-born Latinos on offending, drug use, and mental health? Because this is an exploratory study, we do not have formal hypotheses. However, based on previous literature, we do expect U.S. born Latinos to report more negative outcomes than foreign-born.

Method

Participants

The target population was Latinos involved in community corrections. Data presented is from a larger study that pilot tested an HIV prevention intervention for Latinos in community corrections. Data was collected from June 2014 through December 2015. Only the baseline assessment data is presented in this study. Participants were recruited from several local jail diversion and substance abuse service agencies in the Miami-Dade County area that serve court mandated clients. All participants were either on probation/parole, or had a case opened or recently opened. Recruitment was done via flyers posted in waiting rooms, word of mouth, research staff introducing the study to agency clients prior to group classes at the community agencies, and through referrals from the community agency staff. Eligibility criteria included the following: must self-identify as Hispanic/Latino, age 18–49, report heterosexual preference or behavior, currently or recently involved in the criminal justice system (within the last 3 months); and current or recent drug use (within the last 3 months). Heterosexual preference was a criteria because: 1) the majority of criminal justice involved clients identify as heterosexual; and 2) because interventions that target non-heterosexual individuals would be qualitatively different from one targeting heterosexual populations. All interested individuals would call the study phone number in order to be screened for eligibility; or if research staff were present at the community agencies, the individual would be screened in person. During the brief screening process, the research staff would explain the study, emphasize that all information was confidential, and then proceed to ask a few questions to determine eligibility. Screening questions were based on the eligibility criteria (e.g., how old are you; do you identify as Hispanic or Latino; do you identify as heterosexual, bisexual, or gay/homosexual; are you or have you been in the last 3 months been involved in the criminal justice system; and have you used any drug in the last 3 months. The screening process would last less than 5 minutes in total. A total of 493 individuals were screened, with 243 found eligible (50.7% eligibility rate). Of the 243, 201 participants were enrolled and completed the baseline assessments.

Measures

Demographic information was collected on age, gender (male=1, female=2), country of origin (“where are you from originally?”), education level (e.g., did not attend high school=1 to Professional degree = 8), and income level (“less than \$20,000” = 1 to “over \$100,000 = 7). Crime history and drug use history data were collected using the Criminal Justice Drug Abuse Treatment Studies (CJ-DATS) assessment tool [51]. The crime history tool asks the participants whether they have ever been involved in 24 different types of criminal activity regardless of arrest (e.g., “have you ever been involved in public intoxication”, “have you

ever been involved in possession with intent to sell”). Recent criminal activity was assessed by asking participants if they had been involved in these same 24 criminal activities in the last 90 days. The Drug Use History tool assesses lifetime use of 17 different types of drugs (“have you ever used alcohol”, “have you ever used marijuana”, etc.). Recent drug use was assessed by asking participants whether they had used any of these 17 drugs in the last 90 days. Mental health and abuse items were adapted from the Global Appraisal and Individual Needs Scale [52]. Specifically, the two abuse items in the GAIN are continuous and assesses how many days in the last 90 days they experienced abuse. We adapted the item to be dichotomous and assess whether or not they experienced the abuse in the last 90 days (yes/no). Lifetime experience of mental health problems (e.g., “have you ever experienced depression”; “have you ever experienced anxiety”), and recent experiences of mental health problems within the last 90 days (“have you experienced depression in the last 90 days”; “have you experienced anxiety in the last 90 days”) was also assessed. Two items assessed any abuse in the last 90 days (e.g. “During the last 90 days were you attacked with a weapon, beaten or sexually abused”; “during the last 90 days, did you have an argument in which you physically or verbally threatened someone”). Except for the demographic variables, all variables were dichotomous.

Procedures

Once the participants were deemed eligible, they were scheduled for a baseline interview. Baseline interviews were conducted at either the research field office, at one of the study community partner agencies, or a private location convenient to the participant. Research interviewers were trained and bilingual. At the interview, research staff provided participants with a detailed explanation of the study, and an informed consent form to sign. The research staff would allow time for the participants to read the informed consent form, then they would summarize the key points, and ask participants if they had any questions regarding the consent form. Participants signed the consent form for all three phases of the larger intervention study. Baseline interviews assessed for demographic information, criminal history, drug use history, mental health, acculturation, and other cultural and intervention related factors. Interviews lasted approximately 90 minutes and were administered using the computer assisted personal interviewing (CAPI) method by a trained, bilingual research assistant. For the present study, and based on the research questions, we only focused on participants’ demographic, crime history, and drug use history, and mental health data at baseline. At the end of the baseline interview, participants were provided a \$30 monetary incentive for their participation. This study was approved by the Institutional Review Boards (IRB) of the University of Delaware and Florida International University.

Data Analysis Plan

First, descriptive statistics were conducted with the total sample for all sociodemographic variables. Second, sociodemographic differences by nativity were obtained through chi square and t tests. Cross-tabulations provided percentages; t tests provided mean, standard deviation, and t value for all continuous sociodemographic variables by nativity (i.e., foreign-born = 0; U.S. born = 1). Third, bivariate analyses utilizing cross tabulations were conducted to determine significant associations between – each of the offending behaviors and nativity. Percentages, odd ratios, and 95% confidence intervals were obtained. Fourth,

we conducted bivariate analyses utilizing cross-tabulations to examine the association between each drug used and nativity. Percentages, odd ratios, and 95% confidence intervals were obtained. Fifth, we conducted bivariate analyses utilizing cross-tabulations to examine the association between each mental health and abuse items and nativity. Percentages, odd ratios, and 95% confidence intervals were obtained. Lastly, we conducted multivariate analyses to determine the unique effects of nativity on offending behavior, drug use, and mental health; above and beyond the background variables that were significant at the bivariate level. For these analyses, we conducted a series of binary logistic regression models using each of the lifetime and recent offending behaviors significant at the bivariate level as the dependent variable. Background variables were entered in step 1; arrest related variables in step 2; and nativity in step 3. This model was also repeated for each of the drug use and mental health variable significant at the bivariate level separately.

Result

Demographics

As shown in Table 1, the majority of the total sample ($n = 201$) were men (59.7%; $n = 120$) and U.S. born (70.1%, $n = 141$). Of those who were foreign-born, countries of origin reported were Cuba ($n=23$), South America ($n = 10$), Puerto Rico ($n=11$), Central America ($n = 9$), and others ($n = 7$). Mean age was 29.9. Sociodemographic characteristics were compared for foreign-born versus U.S. born. Those who reported having a South American background were less likely to be U.S. born than those who reported coming from a Cuban background; and those who described their ethnic background as 'other' were more likely to be U.S. born than Cubans. The 'other' category included countries such as Spain, the Dominican Republic, and when the participants provided combination of ethnicities (e.g., Nicaraguan and Panamanian). U.S. born criminal justice clients were more likely to report having less than a high school education compared to foreign-born criminal justice clients. The U.S. born Latino criminal justice clients also tended to be younger, and reported more number of lifetime arrests and an earlier age of first arrest than foreign-born criminal justice clients.

Offending Behavior

There were several differences in lifetime offending behavior between foreign-born and U.S. born criminal justice clients (Table 2). U.S. born criminal justice clients were more likely to report a lifetime of criminal activities than foreign-born including, driving under the influence (OR=2.3 [1.2, 4.3], $p < .01$), possession with intent to distribute (OR=2.2[1.2, 4.2], $p < .01$), possession of drug paraphernalia (OR=3.1[1.6, 6.3], $p < .001$) sale/distribution of drugs (OR=2.1[1.1, 3.9], $p < .05$), illegal gambling (OR=3.3[1.1, 9.9], $p < .05$), prostitution/pimping (OR=3.0[1.1, 8.0], $p < .05$), burglary/attempted burglary (OR=2.2[1.1, 4.5], $p < .05$), assault/aggravated assault (OR=4.5[1.9, 10.8] $p < .001$), weapons offenses (OR=2.8[1.1, 7.8], $p < .05$), and probation/parole (OR=2.3[1.2, 4.7], $p < .05$). In the last 90 days, U.S. born criminal justice clients were also more likely to report public intoxication (OR=2.2[1.2, 4.1], $p < .01$), possession with intent to distribute (OR=2.1[1.1, 4.1], $p < .05$), possession of drug paraphernalia (OR=2.3[1.2, 4.3], $p < .01$), sale/distribution of drugs (OR=3.0[1.4, 6.4], $p < .01$),

and assault/aggravated assault (OR=7.8[1.8, 34.0], $p<.001$) than foreign-born criminal justice clients.

Drug Use and Mental Health

U.S. born criminal justice clients were more likely than foreign-born criminal justice clients to report lifetime tobacco (OR=4.3[1.6, 11.7], $p<.01$), hallucinogens (2.2[1.2, 4.1], $p<.05$), other opiates (OR=4.1[2.1, 7.9], $p<.001$), and methamphetamine use (OR=3.9[1.3, 11.7], $p<.01$; see Table 3). As for recent drug use, U.S. born criminal justice clients were more likely to report marijuana (OR=2.2[1.1, 4.2], $p<.01$) than foreign-born criminal justice clients. There was little difference between U.S. born and foreign born criminal justice clients regarding mental health and recent abuse history. The only difference found was that U.S. born criminal justice clients were more likely to report lifetime depression than foreign-born criminal justice clients (OR=2.1[1.1, 3.8], $p<.05$). There were no differences in terms of recent mental health or abuse history (see Table 4).

Multivariate Analyses of Lifetime and Recent Offending Behavior, Drug Use, and Mental Health. Once background and arrest-related variables were taken into account, nativity was not significantly related to any offenses. Yet, ethnicity remained significant for some offenses. Those who reported being Central American were less likely than Cubans (reference group) to report lifetime (OR=.3[.1, .8], $p<.02$) and recent possession of paraphernalia (OR=.3[.1, .9], $p<.02$); and Puerto Ricans were more likely than Cubans (reference group) to report lifetime weapons offenses (OR=3.7[1.3, 10.7], $p<.02$).

Nativity had a unique effect above and beyond background and arrest variables on lifetime opiate use as well as recent marijuana use. Specifically, participants who reported being Puerto Rican (OR=3.1[1.1, 8.8], $p<.03$), and being U.S. born (OR=2.6[1.1, 5.9], $p<.03$) reported more lifetime opiate use. For recent marijuana use, being younger (OR=.8[.7, 1.2], $p<.001$), having lived more years in the U.S. (OR=1.2[1.1, 1.3], $p<.001$), and being foreign-born (OR=.3[.1, .9], $p<.05$) were significant predictors. Nativity was not significantly related to mental health in any multivariate model.

Discussion

Summary of Findings

The present study found that U.S. born Latino criminal justice clients are more likely to report an array of different criminal activity in their lifetime and in the last 90 days than foreign-born criminal justice clients. Although nativity was found to not have a unique effect on offending behaviors above and beyond background variables, the findings from the multivariate analyses should be interpreted with caution due to our small sample size and the large number of variables included in the multivariate model. Therefore, we will focus our discussion mainly on the bivariate analysis. Findings regarding offending behavior are congruent with previous studies that have found a lifetime trajectory of criminal activity more likely for U.S. born criminal justice clients than foreign-born [12,13]. Whereas previous studies may have focused on only violent offenses [18], the present study focused on specific criminal activity and both violent as well as non-violent offenses. In their

lifetime, U.S. born criminal justice clients reported more violent offenses which is congruent with previous studies [18,19], but they are also more likely to report non-violent crimes such as prostitution, drug-related offenses, and probation violation. Although all participants were drug-involved, the U.S. born criminal justice clients reported more recent drug-related offenses such as possession with intent to distribute and possession of drug paraphernalia than foreign-born criminal justice clients. The findings support the Latino Paradox Theory, which suggests there may be some cultural factors such as strong family ties and a less acculturated lifestyle common for immigrants that serve as protective factors for Latinos [49]. This may be especially true for immigrant Latina women who have complex social networks of family and friends. On the other hand, there may also be a sense of ‘othering’ [53] that leads to criminal activity among U.S. born Latinos. According to Viruell-Fuentes (2007) [31], this ‘othering’ refers to U.S. born Latinos feeling that they are different or do not belong in this country even though they were born in the U.S. Some studies have shown that acculturation is related to crime [17], but future studies could examine acculturative stress, or the stress of adapting to a new host culture, and specific offenses among Latinos. Future studies examining ethnic identity as a protective factor would also contribute to the literature regarding the Hispanic Paradox and criminal behavior.

A few studies have focused on immigrant concentration or neighborhood composition as important in understanding Latinos and crime (54,55). Recent studies have found criminal behavior among immigrant Latinos may vary by the type of immigrant community [54]. For example, immigrant enclaves report having low violent crime rates [54]. Other studies report recent Latino immigration is related to less violence in a traditional destination city, but increases slightly in a new, non-traditional destination city [55]. Our findings may be related to the fact that Miami is a traditional destination city for immigrants, and may not generalize to new destination cities.

U.S. born criminal justice clients were also more likely to report both lifetime and recent drug use than foreign born criminal justice clients. Our findings regarding drug use is also similar to previous studies of the general population that found U.S. born Latinos report more drug use than foreign born Latinos [42]. Although the U.S. born criminal justice clients were more likely to report lifetime drug use than foreign-born criminal justice clients, there were few differences in recent drug use. This could be because the sample needed to have some drug use to be eligible for the study. In other words, drug-involved foreign-born and U.S. born criminal justice clients may be similar in the type and amount of drugs used. However, the multivariate analyses found the opposite trend. Foreign born Latinos reported more recent marijuana use than U.S. born even after controlling for years living in the U.S. It could be that U.S. Latinos are using other drugs besides marijuana and are more connected to other drug sources than foreign born Latinos; whereas foreign-born Latinos, if they are to use drugs, would primarily be open to using marijuana. A higher percentage of U.S. born Latinos did indeed report using each of the drugs examined in the present study than did foreign born Latinos. Findings from the multivariate analyses should be taken with caution. Future studies should utilize larger data sets to examine other correlates that may interact with nativity and drug use.

In the case of mental health and recent abuse history, U.S born and foreign born criminal justice clients reported very few differences. The only difference found was U.S. born criminal justice clients reporting more lifetime depression than foreign-born criminal justice clients. Surprisingly, there are few studies that examine mental health or abuse history among only Latino criminal justice clients; and none that compare U.S. born versus foreign-born criminal justice clients. One study found that lifetime traumatic stressors were more common among older Latino criminal justice clients than Caucasian and African-American criminal justice clients, but less likely to have mental health issues [56]. Future studies need to examine mental health needs further among Latino criminal justice clients and how cultural factors such as familism (i.e., the importance of family relationships) or fatalism (i.e., a cultural norm similar to having an external locus of control) may be a risk or protective factor. This finding could have practical implications for agencies providing transitional or reentry services for Latino criminal justice clients. For example, agencies might focus more on substance abuse needs for their U.S. born criminal justice clients than foreign born clients whereas mental health services may not have to be tailored by nativity. In addition, given that drug use and mental health issues are two of the main reasons offenders return to the criminal justice system, these findings could also benefit programs that target recidivism prevention. One study, for example, examined immigrant and U.S. born Latinos and recidivism, and found that Mexican immigrants were more likely to be rearrested in the first 6 months after release than whites or U.S. born Latinos (57). More research on the different characteristics of foreign-born versus U.S. born Latinos can help inform these types of interventions.

Limitations

The study has some limitations worth noting. First, the data presented is from the baseline assessment of a larger intervention study and therefore is cross-sectional. Delinquency behavior may vary across the life-span [58]. Second, the sample was a convenience sample from jail diversion programs. Findings may be different for those who are incarcerated or for those criminal justice clients not actively participating in their jail diversion program. However, our sample is representative of Miami-Dade County with Cubans making up almost half of all Latinos in the County. Our sample is also unique in that multiple Latino subgroups can be examined. Third, there might have been some social desirability bias due to the nature of the questions especially regarding drug use, and that the data was self-reported. Interviewers were well trained, bilingual, and bicultural to help participants feel comfortable answering questions in order to minimize this bias. Finally, findings from the multivariate analyses should be taken with caution due to the small cell size for foreign born participants and the number of variables entered in the model. We may not have had enough power to find a unique nativity effect. The study's strengths include examining specific criminal activities regardless of arrest, and focusing on an understudied population such as Latino criminal justice clients especially female Latina criminal justice clients. In fact, only 1.3% of published criminological research focused primarily on Latinos [35].

Conclusion

The present study is important for several reasons. First, it lends continued support of previous literature that show immigration does not increase crime. Second, it describes the

profile of the Latino offender in order to provide prevention interventions and programs tailored to their unique needs, particularly drug use and mental health services. Third, it contributes to the scant literature on Latino criminal justice clients by focusing on a variety of specific offending behaviors regardless of arrest, by focusing on adult male and female criminal justice clients, and by assessing drug use behavior and mental health among this understudied population. This is especially true of Latina female criminal justice clients.

Future studies should examine correlates of nativity that may also be important in distinguishing Latino criminal justice clients such as generational status (second and third generation), years living in the U.S., acculturation, acculturative stress, and ethnic identity. In sum, U.S. born Latino criminal justice clients report more negative outcomes including criminal activity and drug use. There was no difference between foreign born and U.S. born criminal justice clients in mental health and abuse history. Services, including transitional or reentry services, provided to Latino criminal justice clients need to take into account the diversity within the Latino population including country of origin.

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Table 1

Sociodemographic Characteristics of Latino Criminal Justice Clients in Miami, Florida by Nativity, 2014–2015.

Characteristic	Overall (N=201) No (%) or Mean (SD)	Foreign-born (N=60) No (%) Mean (SD)	US born (N = 141) No (%) Mean (SD)	chi-square or t value
Gender				0.01
Male (ref)	120 (59.7)	36 (60.0)	84 (59.6)	
Female	81 (40.3)	24 (40.0)	57 (40.4)	
Race				0.87
White (ref)	105 (52.2)	31 (51.7)	74 (52.5)	
Black	11 (5.5)	2 (3.3)	9 (6.4)	
Other	85 (42.3)	27 (45.0)	58 (41.1)	
Ethnic Background *				13.28
Cuban (ref)	97 (48.3)	23 (38.3)	74 (52.5)	
Puerto Rican	27 (13.4)	11 (18.3)	16 (11.3)	
Central American	20 (10.0)	9 (15.0)	15 (10.6)	
South American	18 (9.0)	10 (16.7)	16 (11.3)	
Other	39 (19.4)	7 (11.7)	20 (14.1)	
Education *				7.84
< High school (ref)	45 (22.4)	9 (15.0)	36 (25.5)	
High school/GED	68 (33.8)	22 (36.7)	46 (32.6)	
Some college	51 (25.4)	12 (20.0)	39 (27.7)	
Associate degree +	37 (18.4)	17 (28.3)	20 (14.2)	
Income ^a				1.88
< 20K (ref)	108 (60.7)	36 (67.9)	72 (51.1)	
20 – 29.9K	26 (14.6)	7 (13.2)	19 (15.2)	
30 – 74.9K	29 (16.3)	7 (13.2)	22 (17.6)	
75K and over	15 (8.4)	3 (5.0)	12 (9.6)	
Age **	29.9 (8.4)	32.3 (8.8)	28.9 (8.1)	2.6
Year Living in the US ***	25.5 (10.1)	18.7(10.6)	28.5 (8.3)	–6.4
Lifetime arrests *	7.1 (8.6)	5.4 (6.6)	7.9 (9.3)	–1.9
Arrests due to drugs	5.3 (7.7)	4.1 (5.9)	5.8 (8.4)	–1.4
Age of first arrest ***	19.9 (6.6)	23.3 (7.9)	18.5 (5.3)	4.3
# arrests before 18	3.3 (3.4)	3.1 (3.5)	3.3 (3.4)	–0.2

*
p < .05;

**
p < .01;

p < .001;

^a
missing data (n=23)

Table 2
Lifetime and Recent Offending Behavior by Nativity among Latino Criminal Justice Clients in Miami, Florida, 2014–2015

	Lifetime Offending			Recent Offending		
	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]
Public Intoxication			1.6 [0.8, 3.2]			2.2 [1.2, 4.1]**
No	31.7	22.0		46.7	28.4	
Yes	68.3	78.0		53.3	71.6	
Driving under the influence			2.3 [1.2, 4.3]**			1.4 [0.8, 2.6]
No	40.0	22.7		50.0	41.1	
Yes	60.0	77.3		50.0	58.9	
Use/possession of illegal drugs			1.9 [0.5, 7.5]			1.5 [0.5, 4.8]
No	6.7	3.5		8.3	5.7	
Yes	93.3	96.5		91.7	94.3	
Possession with intent to distribute			2.2 [1.2, 4.2]**			2.1 [1.1, 4.1]*
No	61.7	41.8		75.0	58.9	
Yes	38.3	58.2		25.0	41.1	
Possession of drug paraphernalia			3.1 [1.6, 6.3]***			2.3 [1.2, 4.3]**
No	36.7	15.6		43.3	24.8	
Yes	63.3	84.4		56.7	75.2	
Manufacture or growing of drugs			1.4 [0.6, 3.2]			1.4 [0.5, 4.0]
No	85.0	80.1		91.7	88.7	
Yes	15.0	19.9		8.3	11.3	
Sale/distribution of drugs			2.1 [1.1, 3.9]*			3.0 [1.4, 6.4]**
No	65.0	46.8		83.3	62.4	
Yes	35.0	53.2		16.7	37.6	
Forgery/Fraud			1.1 [0.5, 2.1]			1.2 [0.5, 2.8]
No	75.0	73.8		85.0	82.3	
Yes	25.0	26.2		15.0	17.7	
Fencing (buying/selling of stolen goods)			1.7 [0.8, 3.4]			1.8 [0.8, 4.0]
No	78.3	68.1		85.0	75.9	

	Lifetime Offending				Recent Offending			
	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]		
Yes	21.7	31.9		15.0	24.1			
Illegal gambling			3.3 [1.1, 9.9] *				2.1 [0.6, 7.6]	
No	93.3	80.9		95.0	90.1			
Yes	6.7	19.1		5.0	9.9			
Prostitution/pumping			3.0 [1.1, 8.0] *				2.7 [0.9, 8.3]	
No	91.7	78.7		93.3	83.7			
Yes	8.3	21.3		6.7	16.3			
Burglary/attempted burglary			2.2 [1.1, 4.5] *				2.0 [0.7, 5.7]	
No	80.0	64.5		91.7	84.4			
Yes	20.0	35.5		8.3	15.6			
Shoplifting/larceny			1.4 [0.8, 2.5]				1.9 [1.0, 3.9]	
No	55.0	46.8		78.3	65.2			
Yes	45.0	53.2		21.7	34.8			
Auto theft/car jacking			2.1 [0.9, 5.2]				2.9 [0.6, 13.5]	
No	88.3	78.0		96.7	90.8			
Yes	11.7	22.0		3.3	9.2			
Robbery/attempted robbery			2.0 [0.8, 5.0]				2.3 [0.6, 8.1]	
No	88.3	78.7		95.0	89.4			
Yes	11.7	21.3		5.0	10.6			
Assault/aggravated assault			4.5 [1.9, 10.8] ***				7.8 [1.8, 34.0] ***	
No	88.3	62.4		96.7	78.7			
Yes	11.7	37.6		3.3	21.3			
Weapons Offenses			2.8 [1.1, 7.8] *				2.3 [0.6, 8.1]	
No	91.7	79.4		95.0	89.4			
Yes	8.3	20.6		5.0	10.6			
Vandalism/property damage			2.4 [1.0, 5.5]				2.2 [0.7, 6.7]	
No	86.7	73.0		93.3	86.5			
Yes	13.3	27.0		6.7	13.5			
Probation/Parole			2.3 [1.2, 4.7] *				2.3 [0.9, 6.5]	

	Lifetime Offending			Recent Offending		
	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]
No	76.7	58.2		91.7	82.3	
Yes	23.3	41.8		8.3	17.7	

* p < .05,
** p < .01,
*** p < .001

Table 3
Lifetime and Recent Drug Use Behavior by Nativity among Latino Criminal Justice Clients in Miami, Florida, 2014–2015.

	Lifetime Drug Use		Recent Drug Use (last 90 days)		OR [CI]	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]
	Foreign-born (n=60) %	U.S. Born (n=141) %	Foreign-born (n=60) %	U.S. Born (n=141) %							
Alcohol					4.9 [0.9, 27.8]						1.7 [0.8, 3.8]
No	6.7	1.4				20.0	12.8				
Yes	93.3	98.6				80.0	87.2				
Tobacco					4.3 [1.6, 11.7]**						2.0 [0.9, 4.1]
No	18.3	5.0				26.7	15.6				
Yes	81.7	95.0				73.3	84.4				
Inhalants					2.1 [0.9, 5.2]	---	---				
No	88.3	78.0									
Yes	11.7	22.0									
Marijuana					3.1 [0.8, 12.0]						2.2 [1.1, 4.2]**
No	8.3	2.8				38.3	22.0				
Yes	91.7	97.2				61.7	78.0				
Hallucinogens					2.2 [1.2, 4.1]*						4.0 [0.9, 17.8]
No	63.3	44.0				96.7	87.9				
Yes	36.7	56.0				3.3	12.1				
Cocaine					1.2 [0.7, 2.4]						1.0 [0.6, 1.9]
No	11.7	12.1				42.0	40.4				
Yes	88.3	87.9				58.3	59.6				
Crack					1.2 [0.6, 2.3]						1.1 [0.6, 3.1]
No	68.3	63.1				80.0	78.0				
Yes	31.7	36.9				20.0	22.0				
Cocaine & Heroin					1.3 [0.5, 3.0]						1.5 [0.5, 4.9]
No	86.7	83.7				93.3	90.1				
Yes	13.3	16.3				6.7	9.9				
Heroin					2.2 [1.0, 4.7]						1.9 [0.7, 5.4]
No	83.3	69.5				91.7	85.1				
Yes	16.7	30.5				8.3	14.9				

	Lifetime Drug Use			Recent Drug Use (last 90 days)		
	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]
Other Opiates			4.1 [2.1, 7.9] ***			2.1 [0.9, 4.6]
No	71.7	38.3		85.0	73.0	
Yes	28.3	61.7		15.0	27.0	
Methamphetamine			3.9 [1.3, 11.7] **			2.2 [0.5, 10.4]
No	93.3	78.0		96.7	92.9	
Yes	6.7	22.0		3.3	7.1	
Alprazolom/minor tranquilizers			1.6 [0.9, 3.0]			1.7 [0.9, 3.3]
No	43.3	31.9		70.0	57.4	
Yes	56.7	68.1		30.0	42.6	
Barbiturates/Sedatives			1.9 [0.6, 6.0]			1.3 [0.1, 12.6]
No	93.3	87.9		98.3	97.9	
Yes	6.7	12.1		1.7	2.1	
Club drugs/Ecstasy			1.4 [0.7, 2.7]			1.8 [0.9, 4.0]
No	35.0	27.7		83.3	73.0	
Yes	65.0	72.3		16.7	27.0	

*

p<.05,

**

p<.01,

p<.001

Table 4

Mental Health and Abuse History by Nativity among Latino Criminal Justice Clients in Miami, Florida, 2014–2015.

	Lifetime History			Recent History		
	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]	Foreign-born (n=60) %	U.S. Born (n=141) %	OR [CI]
Depression			2.1 [1.1, 3.8]*			1.7 [0.9, 3.2]
No	51.7	34.0		65.0	51.8	
Yes	48.3	66.0		35.0	48.2	
Anxiety			1.3 [0.7, 2.7]			1.7 [0.9, 3.1]
No	28.3	22.7		43.3	31.2	
Yes	71.7	77.3		56.7	68.8	
Hallucinations			0.8 [0.3, 1.9]			0.9 [0.3, 3.2]
No	85.0	87.9		93.3	93.6	
Yes	15.0	12.1		6.7	6.4	
Trouble understanding, or concentrating			0.9 [0.5, 1.8]			1.0 [0.6, 1.9]
No	41.7	41.8		50.0	49.6	
Yes	58.3	58.2		50.0	50.4	
Trouble controlling violent behavior			0.8 [0.4, 1.5]			1.1 [0.5, 2.3]
No	58.3	63.8		80.0	78.7	
Yes	41.7	36.2		20.0	21.3	
Ever thought of suicide			1.0 [0.5, 1.9]			0.5 [0.2, 1.1]
No	73.3	73.8		83.3	91.5	
Yes	26.7	26.2		16.7	8.5	
Attacked with a weapon, beaten						0.7 [0.3, 1.7]
No	-----	-----	-----	85.0	88.7	
Yes				15.0	11.3	
You threatened someone						2.1 [1.0, 4.4]
No	-----	-----	-----	80.0	65.2	
Yes				20.0	34.8	