HNBA
HISPANIC NATIONAL BAR ASSOCIATION

RESOLUTION TO SUPPORT CRIMINAL JUSTICE REFORM

WHEREAS, the Hispanic National Bar Association (HNBA) represents the interests of over 78,000 Hispanic legal professionals, which includes attorneys, judges, law professors, legal assistants, and law students in the United States and its territories;[i]

WHEREAS, the HNBA has since its founding in 1972 advocated on criminal justice issues, borne out of its members' years of experience representing defendants and prosecuting on behalf of the state and federal government;

WHEREAS, the criminal justice system, whether it is on the state or federal level, disproportionately and negatively impacts the Hispanic community;[ii]

WHEREAS, the Hispanic community suffers high incidents of hate crimes; in 2020, the latest year the FBI released uniform data, hate incidents of Hispanics was reported as the third highest of any race/ethnicity/ancestry single-bias incident reported in 2020;[iii]

WHEREAS, Hispanics constitute nearly 19 percent of the U.S. population but make up nearly a 1/3rd (30.2%) of all incarcerated inmates in federal prisons;[iv]

WHEREAS, there are deep disparities for the Hispanic community in sentencing; in 2021, Hispanic adults, including immigrant and native-born American citizens, were incarcerated in prison at a rate that is 2.9 times higher than that of White adults;[v] and the Sentencing Project found that Hispanic juveniles were 28% more likely to be incarcerated than their white peers.[vi]

THEREFORE, BE IT RESOLVED, the HNBA urges the 118th United States Congress to support and pass comprehensive criminal justice legislation, seeking to:

- Develop national use-of-force standards for police;
- Support the use of diversion programs for juvenile offenders;
- Reduce sentencing disparity among racial and ethnic groups;
- Eliminate mandatory minimums;
- Enact programs aimed at reintroducing previously incarcerated individuals into society;
- Improve data collection methods on the state and local level for Hispanics, which may be vastly undercounted and as a result lead to large disparities in funding;
- Create programs that stop criminalizing mental health problems and focus on getting them the services they need to lead productive lives; and
- Focus on ending cash bail, phasing out for-profit prisons and focus on reducing recidivism by creating skills training and re-entry programs that will help the incarcerated stay out of prison.

Citations and Comments

[i] No Author. HNBA, *About Us*. https://hnba.com/aboutus/#:~:text=The%20Hispanic%20National%20Bar%20Association,United%20States%20and%20its%20territories.

[ii] This resolution follows guidance of the US Census Bureau to refer to Hispanic origin as the heritage, nationality, lineage, or country of birth or the person's or ancestors before arriving in the United States." People who identify as Hispanic, Latino, or Spanish may be of any race." No Author. United States Census Bureau, *Hispanic Origin*. https://www.census.gov/topics/population/hispanic-origin.html.

[iii] No Author. The United States Department of Justice, *2020 FBI Hate Crimes Statistics*. https://www.justice.gov/crs/highlights/2020-hate-crimes-statistics.

[iv] No Author. United States Federal Bureau of Prisons*, Inmate Ethnicity*. https://www.bop.gov/about/statistics/statistics_inmate_ethnicity.jsp. See also, No Author. United States Census Bureau, *Quick Facts*. https://www.census.gov/quickfacts/fact/table/US/RHI725221#qf-headnote-b.

[v] Vorpahl, Amelia. The Council of State Governments, *How Are Hispanic Individuals Represented in the Criminal Justice System?* https://csgjusticecenter.org/2021/10/12/how-are-hispanic-individuals-represented-in-the-criminal-justice-system/.

[vi] Rovner, Joshua. The Sentencing Project, *Latinx Disparities in Youth Incarceration*. https://www.sentencingproject.org/fact-sheet/latinx-disparities-in-youth-incarceration/.