



IMMIGRATION POLICY CENTER

...providing factual information about immigration and immigrants in America

Immigration Fact-Check

IMMIGRANTS AND CRIME: ARE THEY CONNECTED?

A Century of Research Finds that Crime Rates for Immigrants are *Lower* than for the Native-Born

Numerous studies by independent researchers and government commissions over the past 100 years repeatedly and consistently have found that immigrants are *less* likely to commit crimes or be behind bars than the native-born. In the early decades of the 20th century, during the previous era of large-scale immigration, various federal commissions found lower levels of crime among the foreign-born than the native-born. More recently, the U.S. Commission on Immigration Reform reached a similar conclusion in a 1994 report, as have academic researchers using data from the 1980, 1990, and 2000 Census; the National Longitudinal Study of Adolescent Health; and the results of community studies in Chicago, San Diego, El Paso, and Miami.¹

The problem of crime in the United States is not “caused” or even aggravated by immigrants, regardless of their legal status. This is hardly surprising since immigrants come to the United States to pursue economic and educational opportunities not available in their home countries and to build better lives for themselves and their families. As a result, they have little to gain and much to lose by breaking the law. Undocumented immigrants in particular have even more reason to not run afoul of the law given the risk of deportation that their lack of legal status entails.

Violent and Property Crime Rates *Fell* as the Undocumented Population *Doubled* in Size

- Although the undocumented immigrant population *doubled* to about 12 million from 1994 to 2005, the violent crime rate in the United States *declined* by 34.2% and the property crime rate fell by 26.4%.² This decline in crime rates was not just national, it also occurred in border cities and other cities with large immigrant populations—such as San Diego, El Paso, Los Angeles, New York, Chicago, and Miami.
- The decline in crime rates was due in part to the success of new crime-fighting strategies such as community policing that have helped to build cooperative relationships between police and their communities. In immigrant communities, the success of these cooperative approaches to law enforcement depends on the willingness of crime victims and witnesses to come forward to the police regardless of their legal status or the legal status of their family members.³
- Although data released in September 2007 by the Federal Bureau of Investigation (FBI) indicates that the violent crime rate has increased for two consecutive years since 2004 (while the property crime rate has continued to fall), it remains to be seen if this is the beginning of a new, longer-term trend.⁴ Nevertheless, the fact that crime rates declined significantly over the previous ten years at the same time the undocumented population increased dramatically indicates that the recent upswing in violent crimes is not related to immigration.

¹ See Rubén G. Rumbaut & Walter A. Ewing, *The Myth of Immigrant Criminality and the Paradox of Assimilation: Incarceration Rates among Native and Foreign-Born Men*. Immigration Policy Center, American Immigration Law Foundation, Spring 2007.

² U.S. Department of Justice, Bureau of Justice Statistics—Data Online, “Reported Crime in United States—Total, 1960-2005” {<http://bjsdata.ojp.usdoj.gov/dataonline/Search/Crime/State/statebystaterun.cfm?stateid=52>}.

³ See testimony of David Harris before the U.S. Senate, Committee on the Judiciary, Subcommittee on Immigration, regarding “State and Local Authority to Enforce Immigration Law: Evaluating a United Approach for Stopping Terrorists,” April 22, 2004.

⁴ Federal Bureau of Investigation, *Crime in the United States, 2006*, September 2007.

Immigrants are Five Times *Less* Likely than the Native-Born to be in Prison

- In 2000, among men age 18-39 (who comprise the vast majority of the U.S. prison population), the incarceration rate for the native-born (3.5%) was five times *higher* than the rate for immigrants (0.7%).
- In California, the state with the greatest number of both undocumented and legal immigrants, the incarceration rate for native-born men age 18-39 (4.5%) was more than 11 times the rate for immigrants (0.4%).

Immigrants from Nations that Account for Most of the Undocumented Have Lower Incarceration Rates than the Native-Born

- The incarceration rate also is lower for the immigrants from Mexico, El Salvador, and Guatemala who account for the majority of undocumented immigrants in the United States and who tend to have low levels of education. In 2000, 0.7% of foreign-born Mexican men and 0.5% of foreign-born Salvadoran and Guatemalan men were in prison.
 - Similarly, 0.7% of foreign-born Mexican men without a high-school diploma and 0.6% of foreign-born Salvadoran and Guatemalan men without a high-school diploma were behind bars in 2000.

Focusing on the Immigrant Share of Inmates in Federal Prison Distorts the Real Story

- In stereotyping immigrants as criminals, some anti-immigrant activists have pointed to estimates by the U.S. Government Accountability Office (GAO) that one quarter of all federal prisoners in the United States are “criminal aliens.”⁵ However, these estimates are highly misleading for two reasons:
 - Only about 8% of the 2.2 million persons behind bars in the United States at the end of 2005 were in federal prisons. The majority of inmates are in state prisons (57%) or local jails (34%).⁶
 - Undocumented immigrants are likely to be transferred into the much smaller federal prison system simply on the basis of their immigration status even if they have not committed a criminal offense, or have committed an offense that is relatively minor.

The Skinny on the SCAPP Sound-Bite: SCAPP Data Cannot Be Verified

- Anti-immigrant activists claim that data from the State Criminal Alien Assistance Program (SCAAP) shows undocumented immigrants are more prone to crime and incarceration than the native-born.⁷ However, SCAAP data is highly unreliable and likely over-counts the number of undocumented immigrant prisoners.
- According to an assessment of SCAAP data by the White House Office of Management and Budget (OMB), “States/localities often do not know with certainty the citizenship and/or immigration status of inmates.” In fact, vetting by the former Immigration and Naturalization Service (INS) of state and local data on supposedly undocumented inmates was only “able to identify, on average, about 30% of the submitted aliens as verified, with another 50% in the unknown category...” Many of the inmates classified as undocumented by states and localities were actually “naturalized U.S. citizens or lawfully in the U.S.”⁸

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⁵ U.S. Government Accountability Office, *Information on Criminal Aliens Incarcerated in Federal and State Prisons and Local Jails* (GAO-05-337R), April 7, 2005, p. 2.

⁶ Paige M. Harrison & Allen J. Beck, *Prisoners in 2005* (NCJ 215092). Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, November 2006, p. 2.

⁷ Federation for American Immigration Reform, *Illegal Aliens and Crime Incidence*. Washington, DC: March 2007.

⁸ ExpectMore.gov, “Detailed Information on the State Criminal Alien Assistance Program Assessment,” <http://www.whitehouse.gov/omb/expectmore/detail/10001096.2003.html>.

Resources on Immigrants and Crime

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