

# Immigration Policy Center (IPC)

*...providing factual information about immigration and immigrants in the United States.*

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This Week's Immigration *OnPoint* Highlights

## **New State-Level Research Debunks the Myth of Immigrant Criminality *Immigrant-Rich States Echo Same Story as National Trends***

*Immigration OnPoint: Facts at Your Fingertips for Frequently Asked Immigration Questions*

The persistent myth that immigrants are more prone to criminality than the native-born continues to circulate among politicians, commentators, and the public despite a century's worth of contrary evidence (see IPC's [Immigrants and Crime: Are They Connected?](#), December 2007). Recent data from New Jersey and California once again confirm what researchers have found repeatedly over the past 100 years: immigrants are *less* likely than the native-born to be in prison, and high rates of immigration are *not* associated with higher rates of crime.

### **Nationally, Immigrants are Five Times Less Likely to be in Prison Than the Native-Born**

- A [2007 study](#) by University of California, Irvine, sociologist Rubén G. Rumbaut found that the 3.5 percent incarceration rate for native-born men age 18-39 was five times *higher* than the 0.7 percent rate for immigrant men in 2000.
- Among native-born male high-school dropouts, 9.8 percent were behind bars in 2000, compared to only 1.3 percent of immigrant dropouts.

### **State Level Research in New Jersey and California Finds Immigrants Less Likely to be Behind Bars Than the Native-Born**

- An analysis of data from the New Jersey Department of Corrections and U.S. Census Bureau by New Jersey's *Star-Ledger* found that **"U.S. citizens are twice as likely to land in New Jersey's prisons as legal and illegal immigrants."** According to the *Star-Ledger*'s analysis, "non-U.S. citizens make up 10 percent of the state's overall population, but just 5 percent of the 22,623 inmates in prison as of July 2007" (Brian Donohue, "[Citizens twice as likely to land in NJ prisons as legal, illegal immigrants](#)," *The Star-Ledger*, April 12, 2008).
- The Public Policy Institute of California (PPIC) reports that foreign-born adults in California have lower incarceration rates than their native-born counterparts. Based on data from 2005, PPIC finds that "the incarceration rate for foreign-born adults is 297 per 100,000 in the population, compared to 813 per 100,000 for U.S.-born adults. **The foreign-born, who make up roughly 35% of California's adult population, constitute 17% of the state prison population, a proportion that has remained fairly constant since 1990**" ("[Immigrants and Crime](#)," Public Policy Institute of California, June 2008).

## Immigration Violations, Not Violent Acts, Account for Federal Prison Incarceration Rates

- Opponents of immigration are quick to point out that non-U.S. citizens are over-represented in the federal prison system. However, the [PPIC fact sheet](#) points out that this is “due in part to the fact that immigration violations are prosecuted under federal jurisdiction.”
- Even if an immigrant is detained for a non-violent offense, such as not filing a change-of-address form with U.S. Citizenship and Immigration Services (USCIS) or over-staying a visa, he or she enters the federal prison system. Moreover, refugees who do not file an application for adjustment of status (a “green card”) within one year of arriving in the United States can be detained until their green-card applications are approved. As a result, many non-citizens are in federal prison for violations of immigration law even if they have never committed a violent or even a criminal offense.
- The vast majority of prisoners in the United States are *not* in federal prisons. In 2005, the federal prison system contained *only 8 percent* of the nation’s inmates.

## The Myth of Immigrant Criminality Persists Among Both Policymakers and the Public

- The [PPIC fact sheet](#) notes that, despite the weight of the evidence, a 2006 national poll found that only 12 percent of adults correctly believed that immigrants were *less* likely than natives to be involved in crime.
- Ramiro Martínez, Jr., Professor of Criminal Justice at Florida International University, notes that “most scholars dispute assertions connecting surges in immigration to escalating violence.” Yet, “the contemporary immigration debate largely ignores research...contradicting stereotypes that immigrants are crime-prone” (“[The Impact of Immigration Policy on Criminological Research](#),” *Criminology and Public Policy*, vol. 7, issue 1, February 2008, pp. 53-58).
- Anne Morrison Piehl, a Professor of Economics at Rutgers University who researches immigration and crime, told the [Star-Ledger](#), “I first got into this because I heard all these terrible complaints that immigrants were a big part of the crime problem.” But she soon discovered that “when you look at incarceration rates, you find immigrants much less likely than the native born to be incarcerated.”

## Immigrant Experience Sheds Light on Less Crime-Prone Reality

- According to Piehl, because of the high levels of motivation and sacrifice that immigration requires, immigrants may be a “self selected” group of people who are less likely to become involved in crime, and may be especially motivated to not break the law once they get here so as not to risk deportation.
- As Kristin Butcher, an Associate Professor of Economics at Wellesley College, told *The Sacramento Bee*, “If you are coming to support your family, you don’t want to get sent back for some graffiti violations” (Susan Ferriss, “[Prison rates far lower for immigrants, study finds](#),” *The Sacramento Bee*, February 26, 2008)

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Immigration *OnPoint* is a project coordinated by the Immigration Policy Center to create and maintain an online catalogue of short documents and fact sheets that provide quick answers to commonly asked questions about immigrants and immigration. Immigration is a notoriously complex issue area, and the current immigration debate is filled with myths, misinformation, fear, and emotion, making reasoned decision-making difficult. *OnPoint* documents are meant to confront myths and provide factual information about immigrants and immigration policy.

Documents on the *OnPoint* website are meant to be widely distributed to the public, press, policymakers, and others in order to inject factual information into the immigration debate. Many different organizations have contributed their time and expertise to create these documents. *OnPoint* will continue to grow and be updated throughout the year.

OnPoint documents are organized by topic. Check back frequently to see if any new items have been added!

*IPC is a division of the American Immigration Law Foundation. Visit our website at [www.immigrationpolicy.org](http://www.immigrationpolicy.org).*