



IMMIGRATION POLICY CENTER

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

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Immigrants and Crime: Setting the Record Straight

During the current contentious and highly emotional national debate over U.S. immigration policy, many pundits and policymakers have tried to draw a connection between undocumented immigrants and high rates of crime and incarceration. For instance, some have attempted to back up the claim of immigrant criminality by citing an estimate from a [2005 report](#) from the U.S. Government Accountability Office (GAO) that 27 percent of all inmates in federal prisons are “criminal aliens.” However, the use of this figure as “evidence” that undocumented immigrants are prone to criminality is not only highly misleading—it is simply wrong.

Immigrants in federal prison: Why are the numbers so high?

- **All immigration violations fall under the federal system:** Even in cases where an immigrant has not committed a criminal offense, or has committed an offense that is relatively minor, immigration violations are automatically prosecuted under the federal system. As a result, undocumented immigrants in federal prisons *may* have committed a criminal offense, or they may simply be imprisoned in the federal system because of their lack of immigration status.
- **The federal prison population is a small share of the total prison population:** One cannot make generalizations about the incarceration rates of immigrants based on the immigrant share of the federal inmate population since, according to a [2006 report](#) from the U.S. Bureau of Justice Statistics, *only about 8 percent* of the U.S. prison population is in federal prisons.
- **At the state and local level, where most U.S. prisoners are held, the incarceration rates for immigrants are LOWER than for the native-born.**

The “27 percent” number does NOT refer only to undocumented immigrants.

- It is false to claim that the GAO found 27 percent of all federal prisoners to be “illegal.” The term “criminal aliens” includes immigrants who are in the United States legally as well as those who are undocumented.

Immigrants are five times LESS likely than the native-born to be in prison.

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

A DIVISION OF THE AMERICAN IMMIGRATION LAW FOUNDATION

918 F STREET, NW, 6TH FLOOR • WASHINGTON, DC 20004 • TEL: (202) 742-5600 • FAX: (202) 742-5619

www.immigrationpolicy.org

Undocumented immigration is NOT associated with higher crime rates.

- Although the undocumented immigrant population doubled from 1994 to 2005, the violent crime rate in the United States declined by 34.2 percent and the property crime rate fell by 26.4 percent during the same period. Border cities and other cities with large immigrant populations also experienced decreasing crime rates.

Crime is lowest in the states with the MOST immigrants.

According to a [2008 report](#) from the conservative Americas Majority Foundation, crime rates are *lowest* in states with the *highest* immigration growth rates.

- From 1999 to 2006, the total crime rate declined 13.6 percent in the 19 highest-immigration states, compared to a 7.1 percent decline in the other 32 states.
- In 2006, the 10 “high influx” states—those with the most dramatic, recent increases in immigration—had the lowest rates of violent crime and total crime.

For more information on immigrants and crime, see IPC’s *Immigration Fact-Check*, [“Immigrants and Crime: Are They Connected?”](#)