

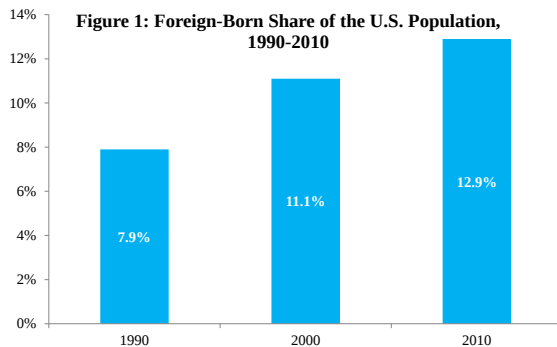
July 2013

FROM ANECDOTES TO EVIDENCE: Setting the Record Straight on Immigrants and Crime

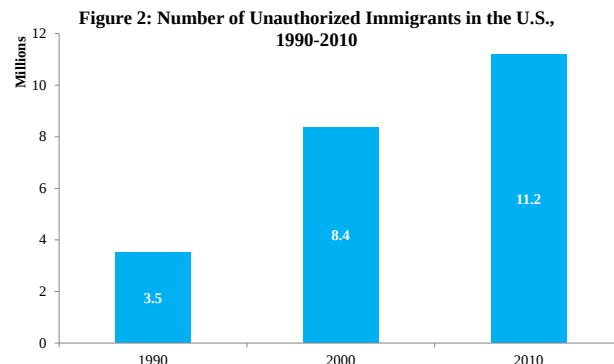
Anti-immigrant activists and politicians are fond of relying upon anecdotes to support their oft-repeated claim that immigrants, especially undocumented immigrants, are dangerous criminals. This mythical claim is usually based on rhetorical sleight of hand in which individual stories of heinous crimes committed by immigrants are presented as “proof” that we must restrict immigration or “get tough” on the undocumented in order to save the lives of U.S. citizens. While these kinds of arguments are emotionally powerful, they are intellectually dishonest. There is no doubt that dangerous criminals must be punished, and that immigrants who are dangerous criminals should not be allowed to enter the United States or should be deported if they already are here. But harsh immigration policies are not effective in fighting crime because—as numerous studies over the past [100 years](#) have shown¹—immigrants are *less* likely to commit crimes or be behind bars than the native-born, and high rates of immigration are *not* associated with higher rates of crime. This holds true for both legal immigrants and the undocumented, regardless of their country of origin or level of education.

Crime Rates in the United States *Fell* as the Size of the Immigrant Population (Including the Unauthorized) *Increased* Dramatically.

- Between 1990 and 2010, the foreign-born share of the U.S. population [grew](#) from 7.9 percent to 12.9 percent {Figure 1}² and the number of unauthorized immigrants [tripled](#) from 3.5 million to 11.2 million {Figure 2}.³

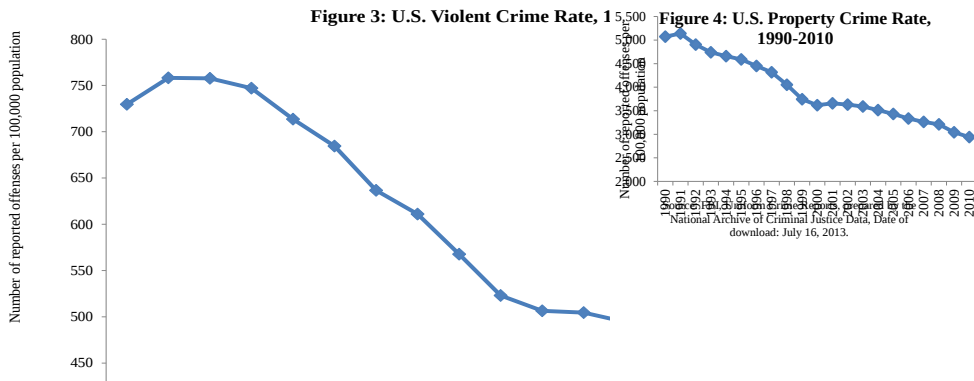


Source: Elizabeth M. Grieco, et al., *The Size, Place of Birth, and Geographic Distribution of the Foreign-Born Population in the United States: 1960 to 2010* (Washington, DC: U.S. Census Bureau, October 2012), p. 19.



Source: Jeffrey S. Passel and D'Vera Cohn, *Unauthorized Immigrant Population: National and State Trends, 2010* (Washington, DC: Pew Hispanic Center, February 1, 2011), p. 23.

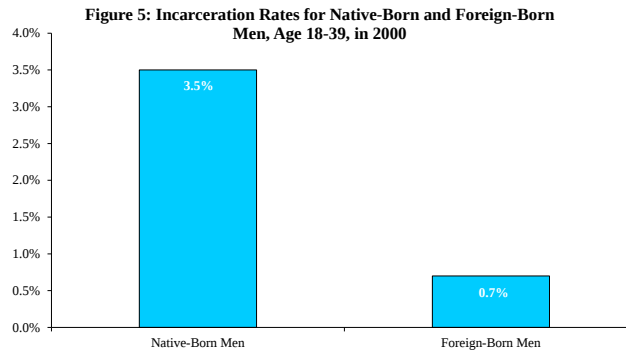
- During the same period, [FBI data](#) indicates that the violent crime rate declined 45 percent {Figure 3} and the property crime rate fell 42 percent {Figure 4}.⁴



- The decline in crime rates was not just national, but 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.⁵
- According to a 2008 [report](#) from the conservative Americas Majority Foundation, crime rates are *lowest* in states with the *highest* immigration growth rates.⁶
 - 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.

Nationwide, 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 for every ethnic group, without exception, incarceration rates among young men are lowest for immigrants, even those who are the least educated. This holds true especially for the Mexicans, Salvadorans, and Guatemalans who make up the bulk of the undocumented population.⁷
 - 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{Figure 5}. Among male high-school dropouts, 9.8 percent of the native-born were behind bars in 2000, compared to only 1.3 percent of immigrants.⁸
 - In 2000, 0.7 percent of foreign-born Mexican men and 0.5 percent of foreign-born Salvadoran and Guatemalan men were in prison. Among male high-school dropouts, 0.7 percent of foreign-born Mexicans and 0.6 percent of foreign-born Salvadorans and Guatemalans were behind bars in 2000.⁹



Source: Rubén G. Rumbaut and Walter A. Ewing, *The Myth of Immigrant Criminality and the Paradox of Assimilation: Incarceration Rates Among Native and Foreign-Born Men* (Washington, DC: Immigration Policy Center, American Immigration Law Foundation, Spring 2007), p. 6.

- Economists Kristin Butcher and Anne Morrison Piehl used data from the 1980, 1990, and 2000 Censuses to [demonstrate](#) that the lower incarceration rate for immigrants could not be explained away with the argument that there are so few immigrants in prison because so many of them are deported, or by the argument that harsher immigration laws are deterring immigrants from committing crimes because they are afraid of getting deported.¹⁰
 - Instead, Butcher and Piehl conclude that, during the 1990s, “those immigrants who chose to come to the United States were less likely to be involved in criminal activity than earlier immigrants and the native born.”¹¹

Research in New Jersey and California Found Immigrants Less Likely to be in Prison

- 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, released in April 2008, “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.”¹²
- A June 2008 [report](#) from the Public Policy Institute of California found that foreign-born adults in California have lower incarceration rates than their native-born counterparts. Based on data from 2005, the report found 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.”¹³

Immigration Violations, Not Violent Acts, Account for Most Immigrants in Federal Prison

- In an attempt to get around low immigrant incarceration rates, many anti-immigrant activists turn to a frequently cited estimate that over one quarter of inmates in federal prisons are “criminal aliens.”¹⁴ This is highly misleading for two reasons:

- Many of the immigrants in federal prison are being criminally charged with an immigration violation and nothing more. In other words, they may be in federal prison even though they have not committed a violent crime or even a property crime. Their only crime might be entering the country without permission. The federal government has chosen to prosecute more and more unauthorized immigrants for “unlawful entry” rather than simply deporting them, which means that they end up in federal prison.
- 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 [data](#) from the Bureau of Justice Statistics, *only about 9 percent* of the U.S. prison population was in federal prisons as of 2011.¹⁵ 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.

Conclusion

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. Public policies must be based on facts, not anecdotes or emotions. And the fact is that the vast majority of immigrants are *not* criminals.

Endnotes

¹ See Rubén G. Rumbaut and Walter A. Ewing, [The Myth of Immigrant Criminality and the Paradox of Assimilation: Incarceration Rates among Native and Foreign-Born Men](#) (Washington: DC: Immigration Policy Center, American Immigration Law Foundation, Spring 2007), pp. 12-14.

² Elizabeth M. Grieco, et al., [The Size, Place of Birth, and Geographic Distribution of the Foreign-Born Population in the United States: 1960 to 2010](#) (Washington, DC: U.S. Census Bureau, October 2012), p. 19.

³ Jeffrey S. Passel and D’Vera Cohn, [Unauthorized Immigrant Population: National and State Trends, 2010](#) (Washington, DC: Pew Hispanic Center, February 1, 2011), p. 23.

⁴ FBI, [Uniform Crime Reports](#), prepared by the National Archive of Criminal Justice Data, Date of download: July 16, 2013.

⁵ Ramiro Martínez, Jr., Matthew T. Lee and A. L. Nielsen, “Segmented Assimilation, Local Context and Determinants of Drug Violence in Miami and San Diego: Does Ethnicity and Immigration Matter?,” *International Migration Review* 38(1), March 2004: 131-157; Matthew T. Lee, Ramiro Martínez, Jr. and Richard B. Rosenfeld, “Does Immigration Increase Homicide? Negative Evidence from Three Border Cities,” *Sociological Quarterly* 42(4), September 2001: 559–580.

⁶ Richard Nadler, [Immigration and the Wealth of States](#) (Overland Park, KS: Americas Majority Foundation: January 2008), p. 9.

⁷ Rubén G. Rumbaut and Walter A. Ewing, [The Myth of Immigrant Criminality and the Paradox of Assimilation: Incarceration Rates among Native and Foreign-Born Men](#) (Washington: DC: Immigration Policy Center, American Immigration Law Foundation, Spring 2007), pp. 6-10.

⁸ Ibid.

⁹ Ibid.

¹⁰ Kristin F. Butcher and Anne Morrison Piehl, [*Why Are Immigrants' Incarceration Rates So Low? Evidence on Selective Immigration, Deterrence, and Deportation*](#), Working Paper 2005-19 (Chicago, IL: Federal Reserve Bank of Chicago, November 2005).

¹¹ Ibid.

¹² Brian Donohue, "[Citizens twice as likely to land in NJ prisons as legal, illegal immigrants](#)," *The Star-Ledger*, April 12, 2008.

¹³ Public Policy Institute of California, [*Immigrants and Crime*](#) (San Francisco, CA: June 2008).

¹⁴ See, for instance, U.S. Government Accountability Office, [*Criminal Alien Statistics: Information on Incarcerations, Arrests, and Costs*](#), GAO-11-187, March 2011.

¹⁵ Lauren E. Glaze and Erika Parks, [*Correctional Populations in the United States, 2011*](#) (Washington, DC: Bureau of Justice Statistics, November 2012), p. 8.