Illegal Immigration Leads to Higher Crime Rates

Illegal Immigration, 2012

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Most Americans equate illegal aliens with a higher incidence of crime. Some academic researchers have attempted to prove that is a misimpression. But, in fact, data show that the American public understands the facts better than the academics.

Adult illegal aliens represented 3.1 percent of the total adult population of the country in 2003. By comparison, the illegal alien prison population represented 4.54 percent of the overall prison population. Therefore, deportable criminal aliens were nearly half again as likely to be incarcerated as their share of the population.

Misleading Studies on Immigrant Crime

The misleading data produced by academics and think tank researchers that show a lower incidence of crime by aliens is based upon a comparison of data that include all foreign-born residents with data for the native-born population. Because these data compare all foreign-born residents to the native-born population, they are largely irrelevant to describing the illegal alien crime incidence.

A lower incidence of crime should be expected from a foreign-born population that is largely legal immigrants and long-term nonimmigrants. This population includes persons who are screened for any previous criminal activities before they can get a green card, persons who are again screened for criminal activity before they can become U.S. citizens, and persons such as foreign students and professional workers who are at the least required to state under oath whether they have any criminal history before they can get a visa. In other words, this is a population carefully screened to assure that they are unlikely to engage in criminal activity. Something would be very wrong with our visa screening process if research did not reveal that the foreign born were less likely to have committed crimes in the United States than the native-born population.

Deportable criminal aliens were nearly half again as likely to be incarcerated as their share of the population.

The same cannot, of course, be said for the illegal alien population. Their presence in the United States is based on their either illegally entering the country or entering under false pretenses. Those who sneak into the country undergo no form of screening for criminality or any other grounds for exclusion. Many in the illegal alien population end up incarcerated as a result of criminal activity at the time of their illegal entry, e.g. drug smuggling or alien smuggling. Other illegal aliens owe alien smugglers for assisting their
illegal entry and end up being co-opted into criminal activity, such as drug distribution or prostitution, to pay off the debt.

The Pattern of Crime in Arizona

The apparent linkage between illegal alien status and a higher incidence of crime was suggested in the data presented in a recent study of the costs of illegal immigration in Arizona. That study noted that Arizona in 2000 had the highest per capita rate of illegal aliens in the country and also ranked at the top of a number of crime indexes. It had the nation’s highest per capita rate of property crimes, the highest rate of vehicle theft, and the 2nd highest rate in the country of larceny theft. For burglaries, it ranked 5th, for murders 9th, and for robberies and aggravated assaults it ranked 15th in the country.

There is nothing about the population in Arizona that would appear to explain this pattern of crime incidence other than the illegal alien population and the proximity to the border with Mexico.

Reliable Data for Illegal Immigrant Crime

To obtain a valid view of the incidence of criminal activity by illegal aliens in comparison to the general population, it is necessary to focus just on that segment of the population. The only data that directly identify criminal illegal aliens depend on resources of the federal government. The federal State Criminal Alien Assistance Program (SCAAP) is administered by the federal government to reimburse states and local jurisdictions for costs incurred for the incarceration of criminal aliens. It offers the only reliable data for a valid assessment of the share of prisoners who are deportable aliens.

In that program, states and local jurisdictions may submit names and records of persons known or believed to be illegal aliens to the Department of Justice. Those records are vetted to eliminate persons who are U.S. citizens and any aliens whose incarceration does not make them deportable. Data reported in the SCAAP reimbursements were used in this study to determine the correlation between the size of the criminal alien population and the noncriminal alien population.

None of these aliens are in prison for simply being illegally in the country unless they illegally reentered after being deported. The vast majority of them will have been convicted of some crime while in the United States. A large share of them will have committed multiple crimes. A U.S. government study reported that, "In our population study of 55,322 illegal aliens, we found that they were arrested at least a total of 459,614 times, averaging about 8 arrests per illegal alien. Nearly all had more than 1 arrest."

Analyzing the Data

Data collected in the SCAAP reporting system were stated in terms of incarceration days. This eliminates any
distortion based on length of sentence. Nationwide there were nearly 600 million incarceration days reported, and the number of those days attributable to identified and suspected illegal aliens was about 24.5 million incarceration days. That suggests that one of every 21 prisoners is a deportable alien (4.54%).

The comparison of this prisoner population with the population at large requires identifying a comparable population. Clearly only adults or near adults are likely to be in this population. To obtain an estimate of adult illegal aliens, the INS [Immigration and Naturalization Service] estimates can be used, even though they probably understate the size of that population. To adjust those estimates to a population comparable to an adult population the only available resource is to reduce the INS estimate by an estimate of illegal alien school-age population. The estimate of illegal alien school-age children, done in an earlier study, provides a rough estimate of the K-12 population by state. Because of the age profile of this group, there will be some pre-K illegal aliens and post-grade 12 illegal alien teenagers included in the resulting estimate of a bit more than 7 million illegal aliens in 2000. The comparable adult national population in 2000 is about 230 million persons, and the comparison of these two data sets yields a 2.94 percent share of the adult national population that is composed of illegal aliens, i.e. [that is], one in every 31 residents in the country.

Thus the likelihood that an illegal alien will be among those incarcerated (1 in 21) is significantly greater than the share of adult illegal aliens in the country (1 in 31). It is this greater likelihood of being incarcerated that clearly demonstrates that illegal aliens are disproportionately involved in criminal activity.

The Pattern of Incarceration Nationwide

The data show a clear pattern both nationwide and in the states with the largest estimated illegal alien populations of a higher rate of incarceration of aliens than for the non-alien population. However, the pattern is not uniform. In five of the 13 states with estimated illegal alien populations of over 100,000 in 2000, the reverse was true. Those states were Georgia, Illinois, North Carolina, Texas and Virginia.

Looking at those 13 states as a whole, in 2000 they had about 54 percent of the country's adult population and more than 85 percent of the estimated adult illegal alien population. They also had about 61 percent of the total amount of total criminal incarceration reported in SCAAP and more than 85 percent of the deportable alien incarceration reported in that program.

Illegal aliens are disproportionately involved in criminal activity.

These calculations demonstrate that the rate of incarceration overall was both higher in these 13 states than in the country as a whole and much higher than in the remaining states and the District of Columbia taken together. Nevertheless, in the rest of the country, the average estimated adult illegal alien share was one percent and the related share of the incarcerated illegal alien share was 70 percent larger (1.7%).

The states that had the highest rates of incarcerated aliens above the share of the estimated illegal alien adult population were, in order, New York, Washington, Florida, Arizona, and California. In each of these states, the
alien prisoner population represented more than five percent of the total prisoner population, and in California, the share was higher than one in every nine prisoners.

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Further Readings

Books


**Periodicals and Internet Sources**


• *America* "Migration, the Larger Picture," January 7, 2008.

• David Bacon "Railroading Immigrants," *Nation*, September 17, 2008.


• Steven Malanga "Illegal in More Ways than One," *City Journal*, Spring 2008.


• Melissa Merrell "The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments," Congressional Budget Office, December 2007.


• Peter Schrag "Divided States," *Nation*, January 7, 2008.


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