Immigration and Crime: A Public Policy Red Herring

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INTRODUCTION

Federal immigration policy remains at the forefront of national dialogue, but the debate is nothing new—it has been a constant throughout our nation’s history. Equally long-standing is the shared belief among some policymakers and voters that increases in immigration lead to increases in crime and that immigrants are more likely to commit crimes than native-born citizens. Indeed, the tendency to ignore overwhelming evidence to the contrary, and instead allow the polarized political debate to shape immigration policy decisions, can also be traced back throughout the history of the United States.¹

It is vital that policymakers, and the general public, utilize accurate, rigorous, and timely information as it relates to immigration and crime rates in order to prevent harmful, wasteful, and ineffective policy decisions. In this brief, we sought to aggregate and summarize the substantial literature on this issue—at both a national and local level—and interview a number of academic experts on immigration research.

OUR PRIMARY AND OVERRIDING FINDING IS THAT PUBLIC FEARS AROUND IMMIGRATION AS A DRIVER OF VIOLENT CRIME ARE UNFOUNDED.

Specifically, we created a thorough, balanced, and evidence-based overview of the relationship between immigration and crime. As with most complex social issues, some findings are very strong while others are more nuanced or incomplete. Our goal was to summarize that research in an understandable, non-partisan manner. We collected and reviewed all of the relevant literature, drawing almost exclusively on more recent peer-reviewed studies with a focus on those that met the most rigorous standards, such as looking at changes over time or including a comparison group. We made
an exception for studies related to undocumented immigration and crime—an area in which very little research exists—where we included studies from public-facing research and policy institutes if we believed they used credible methodologies and made sound conclusions. You can find more information in our supplementary table here.

**Our primary and overriding finding is that public fears around immigration as a driver of violent crime are unfounded.**

- Research largely shows that when immigration increases, violent crime rates generally go down, not up, and that areas with a high concentration of foreign-born people do not have more violent crime than areas with lower concentrations of foreign-born people.

- Immigrants in general, and particularly the undocumented, are likely to be victimized far more often than native-born U.S. citizens and are less likely to report their victimization to proper authorities—a significant public safety issue.

- Finally, a number of preliminary studies indicate that increased immigration may be more strongly associated with crime reduction when it is combined with certain social policies, such as greater political or business opportunities for immigrants.

**BACKGROUND AND STUDY METHODS**

The public debate around this issue has been found time and again to be substantially evidence-free.

For example, the U.S. Immigration Commission of 1907 to 1910, also known as the Dillingham Commission, found that an increase in immigration did not lead to an increase in crime, and, further, that immigrants were less likely than native born people to commit crime. Yet, the commission’s findings were used to push for stricter immigration policies—such as immigration quotas based on race, literacy tests, and other measures—for decades to come. During the Great Depression, policymakers and the public looked to immigration as a potential explanatory factor for the rise in violence, despite the substantial reduction in immigration in the early 1930s. In 1932, a comprehensive report on crime by the
Wickersham Commission, a federal commission responsible for studying and recommending policies regarding crime, found no relationship between immigration and crime. Yet, again, throughout the 1930s, policymakers used crime as a justification for mass deportations of people—many of whom were U.S. citizens or permanent residents—to Mexico.

This disconnect between the research and immigration policy and public discourse continues today. Despite higher quality and more comprehensive data on both immigration and crime, as well as substantial recent evidence finding no positive relationship between the two, policymakers have increasingly used this false narrative to push for anti-immigration policies. Public safety has been used as a justification for several proposed national restrictions on both authorized and unauthorized immigration, including banning travel from certain countries in 2017, deploying the National Guard to deter undocumented immigration more broadly, and adjusting policies to reduce the asylum eligibility of undocumented immigrants in 2018.

The unsubstantiated claim of a connection between immigration and crime has impact beyond public policy. A 2018 Pew study found that one in four Americans believe that undocumented immigrants are more likely to commit serious crimes than U.S. citizens, and U.S. media regularly show immigrants as criminals.

DEFINING AND MEASURING IMMIGRATION AND CRIME

There is no singular way to measure immigration or crime; however, popular accounts around these social issues tend to reduce them into singular phenomena and make blanket declarations about them. We provide basic information on how to both conceptualize and measure immigration and crime, in order to help people critically assess the narrative.

Broadly, immigration means travel to another country with the aim of permanent residence. There are many forms of authorized immigration to the U.S., such as long-term work or student visas, special visas for people who provided a service to the country, refugee status, temporary work visas most commonly given to farmworkers,
spousal visas, adoption visas, and more. The vast majority of immigration to the U.S. is through one of these authorized options. Similarly, there are many forms of unauthorized, or undocumented, immigration. For example, people may seek asylum after they have arrived in the country if they fear persecution in their country of origin. Some people may overstay the various visas listed above and then be considered unauthorized. Others may be brought here as children, known as childhood arrivals.

While some researchers looked specifically at one type of immigration (i.e. increase in people with refugee status in an area), most looked at the percent of foreign-born individuals in an area using U.S. Census Bureau American Community Survey (ACS) data. Historically, fewer studies looked specifically at unauthorized or undocumented immigration; however, more and more researchers are estimating the percent of undocumented people in a given area using a combination of ACS data and available estimates. Others use a proxy measurement by looking at the number of immigration arrests or the number of people detained by the Department of Homeland Security.

There is also no singular way to measure crime. While popular media, and at times public officials, conflate all crime with violent crime, in reality there are varying levels and effects of crime that should be considered. The majority of researchers use data from the Uniform Crime Reporting system, which collects data on specific types of charges that are categorized into property crimes and violent crimes. This data is collected from local law enforcement and only includes crimes that have been reported, meaning that crimes not reported to law enforcement are omitted. This is an important distinction, particularly when looking at the impact of crime, as immigrants may be less likely to report crime to law enforcement—and therefore the impact on these communities may be minimized. Some researchers choose to use self-reported victimization data, such as the National Crime Victimization Survey or other locally collected data. This also has its limitations, as it relies on personal reports and memories of crime and is not substantiated by law enforcement.

The public debate and popular narrative around both immigration and crime reduce both of these into singular issues. This reduction is both misleading and dangerous, and assessing research, public policy, and public discourse as it relates to immigration and crime requires us to allow for complexities in both of these areas.

Following are five findings that emerged from our research aimed at examining the relationship between immigration and crime, applying the nuanced, fact-based approach that the issues demand.
FINDING ONE
WHEN IMMIGRATION INCREASES, VIOLENT CRIME RATES GENERALLY GO DOWN, NOT UP.

Despite fears that more immigration leads to higher rates of violent crime, one of the most consistent findings among research on this topic is that increases in immigration are associated with decreases—not increases—in violent offenses. A systematic review of more than fifty studies examining the link between immigration and crime between 1994 and 2014 concluded overwhelmingly that if immigration had any impact on crime, it was a negative one. 9

This is also the case when you look at individual cities, both those that have been traditional destinations for immigration, such as Los Angeles, 10 New York, 12 Chicago, 13 Miami, 14 and San Antonio, 15 and non-traditional destinations like Cincinnati. 16 One national study even found that after taking into account factors such as city population size, poverty rate, residential mobility, and unemployment rate, growth in immigration explained around 9 percent of the drop in homicide rates and 22 percent of the drop in robbery rates between 1990 and 2000. 17

It should be noted that the relationship between immigration and violent crime reduction is particularly strong for the most serious types of offenses.

- A recent review of past research found that immigration was most strongly linked to lower homicide rates, compared to violent crime in general or property crime as a whole. 18

- A national study of large cities across the U.S. found that a 10 percent increase in immigration was associated with a 3 percent decrease in the homicide rate, and the effect was particularly marked for drug-related homicides. 19

- A second study that followed immigration and crime trends in metropolitan areas between 1970 and 2010 found that each one percent increase in foreign-born residents was associated with almost five fewer violent crimes and more than four fewer robberies per 100,000. 20

- A third, nationally representative study of counties across the contiguous U.S. found that the negative relationship between the proportion of foreign-born residents and homicide rates remained—even after taking into account immigration concentration in neighboring counties. 21
FINDING TWO

IMMIGRANTS ARE LESS LIKELY TO COMMIT CRIMES THAN NATIVE-BORN U.S. CITIZENS.

In addition to the fact that immigration has either a protective effect or no effect on violent crime rates in cities and counties, research also demonstrates that **individuals born outside the United States are less likely to commit crimes than people born in this country.** This finding holds up regardless of how criminal behavior is measured. People born outside of the U.S. are both less likely to enter the criminal justice system and less likely to self-report criminal activity.

With respect to system involvement, **studies have generally found that people born outside the U.S. are arrested, convicted, and incarcerated at lower rates than native-born citizens.** In fact, a recent, national Cato Institute study found that native-born citizens were 75 percent more likely to be incarcerated than documented immigrants; therefore, if people born in the U.S. were incarcerated at the same rate as documented immigrants, there would be an astounding 1.45 million fewer people in adult prisons and jails.22 In a separate, in-depth analysis of the Texas criminal justice system, the same institute found that criminal conviction rates were 50 percent lower for undocumented immigrants and 66 percent lower for documented immigrants than native-born U.S. born citizens (see page 10 for a breakout of the Cato study’s findings on arrest/conviction rates for undocumented defendants).23

The evidence from studies of self-reported criminal behavior among young people also consistently shows that **immigrants are less likely than U.S.-born peers to commit criminal and other delinquent acts.** A nationally representative survey that followed respondents from adolescence onward found that immigrants were substantially less likely than native-born respondents to commit any crimes between the ages of 12 and 24, and that they were less likely to become chronic offenders (i.e., people who engaged in criminal behavior at consistently higher rates than their peers).24 Another national study of antisocial behavior found that immigrants were less likely to be engaged in violent (e.g., getting into fights, using weapons) and nonviolent (e.g., shoplifting, reckless driving) antisocial behavior, despite a variety of risk factors, including lower than average levels of income and education, and a higher likelihood of residing in urban areas.25 This was the case whether researchers used self-reported measures or official arrest records.26
Researchers are still working to determine exactly why immigrants commit crimes at lower rates. It may have to do with their attitudes toward the criminal justice system and the U.S. legal system more broadly. Multiple studies of young people involved in the criminal justice system found that, compared with native-born youth, immigrants reported more positive views toward the law in general, were less cynical about the criminal justice system, and perceived more costs to be associated with punishment.27,28

WE FIND NO CREDIBLE EVIDENCE THAT EITHER IMMIGRANTS OR CHILDREN OF IMMIGRANTS ARE ANY MORE LIKELY TO COMMIT CRIME THAN THE REST OF THE U.S. POPULATION.

Compared to their parents’ generation, delinquency patterns of native-born children of immigrants begin to more closely resemble those of the rest of the U.S. population. As with people whose parents arrived in the U.S. three or more generations ago, second-generation immigrants generally commit crimes at higher rates than first-generation immigrants.29,30,31,32,33,34 This parallels other research indicating that becoming “more American” applies to both good and bad behaviors: Even among first-generation immigrants, those who have lived in the U.S. for five or fewer years are by far the least likely group to be incarcerated.35 A longitudinal study of children of immigrants in San Diego and South Florida found that by age 24, 90 percent of these second-generation immigrants had never been to jail or prison.36 Another representative study of youths across the U.S. found that while second-generation immigrants commit crime at higher rates than the first generation, the rates are similar to those whose parents were native-born.37 A neighborhood-based study of adolescents in Chicago found similar results: While second-generation immigrants were twice as likely as first-generation immigrants to report delinquent acts, they were still significantly and substantially less delinquent than native-born children of native-born parents.38

In sum, we find no credible evidence that either immigrants or children of immigrants are any more likely to commit crime than the rest of the U.S. population. The research actually points in the opposite direction.
FINDING THREE

UNDOCUMENTED IMMIGRATION IS ASSOCIATED EITHER WITH A DROP IN VIOLENT CRIME OR NO CHANGE IN VIOLENT CRIME.

There is considerably less research on how undocumented immigration might be associated with specific crime rates, largely because there is no reliable nationwide data on documentation status in the criminal justice system. However, the relatively few studies that do exist suggest that undocumented immigrants commit similar or, often less, violent crime than their counterparts who were born in the U.S. Recent research has tried to create more accurate, localized measures of undocumented immigration. The Pew Research Center found that metropolitan areas with more undocumented immigration saw no meaningful change in violent crime between 2007 and 2016.

Additionally, thanks to population estimates from the Migration Policy Institute (MPI), which identify undocumented status using two national surveys, new research has been able to track the relationship between undocumented immigration and crime rates across states while controlling for potentially confounding factors, such as poverty levels or the proportion of documented immigrants in a state. The first of these studies found that when measured at the same point in time, the proportion of undocumented immigrants in a state was in no way related to rates of violent crime, murder, or rape, though nonviolent drug crime rates were slightly higher. The second study, which looked at data over a number of years, found that states where undocumented immigration increased actually saw a substantial drop in violent crime.

To address the concern that undocumented immigrants are less likely to report their victimization to law enforcement, this second study also compared changes in undocumented immigration to rates of violent victimization reported in a nationwide, anonymous survey, and found equally strong evidence that states with growing undocumented populations have declining rates of violent victimization. In fact, the relationship was even stronger using self-reported victimization: While a one-unit increase in the proportion of undocumented immigrants in a state’s population resulted in a 5 percent drop in violent crime rates as reported to the police, it resulted in a 14 percent drop in self-reported violent victimization, as well as a 21 percent drop in self-reported assault.
Another way to explore whether undocumented immigrants commit more violent crimes is to examine the rates at which undocumented immigrants are arrested, convicted, and incarcerated, compared to native-born citizens. The Cato Institute recently published two studies using population estimates to obtain more nuanced measures of criminal justice involvement of people in the country illegally, not limited to those eligible for deportation. In March 2019, the Institute used Census data to estimate that undocumented immigrants in 2017 were incarcerated at substantially lower rates than people born in the U.S.\textsuperscript{45} Further, as the Texas Department of Public Safety (DPS) is one of few states able to differentiate legal status of arrestees, the Cato Institute was able to determine that from 2011 to 2017, those identified by the U.S. Department of Homeland Security (DHS) as being in the country illegally had 40 percent lower arrest and 50 percent lower conviction rates than people born in the country.\textsuperscript{46}

RESEARCH, REFUTED

A recent study of the Arizona prison system stoked fears that undocumented immigrants may commit more crime, despite significant questions raised about the study’s methodology and data. The Crime Prevention Research Center released a working paper that purported to find that, across 32 years of Arizona state prison data, undocumented immigrants were considerably more likely to be incarcerated than citizens.\textsuperscript{47} This study was cited by media commentators,\textsuperscript{48} conservative news outlets,\textsuperscript{49} a U.S. Representative,\textsuperscript{50} and then-Attorney General Jeff Sessions.\textsuperscript{51} However, the Arizona Department of Corrections (DOC), which provided data for the Crime Prevention Research Center, has since confirmed that the study’s methodology was flawed, as the DOC stated the study’s group of interest, “undocumented immigrants,” was not characterized correctly. Specifically, the DOC stated that the group identified as undocumented immigrants actually also included “deportable” immigrants more broadly, which could include people who are documented immigrants and deportable for more serious reasons. The DOC’s data do not (and cannot) differentiate undocumented immigrants from other “criminal aliens,” which include any non-U.S. citizen deportable for other reasons, such as being sentenced to prison for a felony conviction.\textsuperscript{52} These flaws make any finding from this study completely unreliable.
FINDING FOUR

IMMIGRANTS ARE MORE LIKELY THAN U.S.-BORN CITIZENS TO BE VICTIMIZED, BUT ARE LESS LIKELY TO REPORT THAT VICTIMIZATION TO AUTHORITIES.

While most research indicates that immigrants are less likely to commit crimes than native-born Americans, a number of studies indicate that immigrants in general, and undocumented immigrants in particular, are more likely to be crime victims and, troublingly, may be less likely to report crimes to legal authorities. A survey of Seattle households found that while foreign-born Latinxs were less likely to be violently victimized than U.S.-born Latinxs, they were more likely to be the victim of property crimes.  

However, studies focused on immigrant interviews reveal a more consistent trend in victimization among immigrants. In a recent interview for this brief, Rob Smith, a professor at Baruch College who studies Mexican immigration, noted that victimization was common among DACA recipients and their parents who participated in his research. In fact, 20 percent of undocumented youth and 22 percent of their parents reported being the victims of violent crime. A national study additionally found that the rate of immigration from Mexico, Cuba, El Salvador, and the Dominican Republic was positively related to anti-Hispanic hate crimes—meaning, the higher the immigration rate, the higher the rate of anti-Hispanic hate crimes.

Ethnographies of undocumented communities within the United States show even higher rates of victimization, both in terms of violent and property crime. In two recent studies, more than half of undocumented migrant workers reported having been the victim of a crime, most often theft or robbery, but many fewer of these victims (approximately one-quarter) reported these crimes to law enforcement agencies—often due to fear of retaliation or concern that reporting the crime would get the alleged perpetrator in trouble. School-based surveys also indicate that immigrant children are more likely to be bullied or physically hit during school than comparable peers who were born in the U.S. and are also more likely to be victimized due to their race and their religion. However, as with undocumented migrant workers, immigrant youth who were physically
victimized or bullied were also significantly less likely to tell an adult about the incident. Moreover, in a survey of Latina survivors of sexual assault, undocumented women were found to be victimized at the same rate as documented women yet were much less likely to seek formal help. Notably, it is possible that community factors might help (or discourage) crime reporting in immigrant communities. A recent, nationwide analysis of crime victimization found that residents of neighborhoods with high concentrations of immigrants were less likely to report violent crime; however, this was only true in counties where high immigrant concentration was a relatively recent phenomenon. In counties that had historically high proportions of immigrant residents, crime was reported at about the same rate as communities with few immigrants. The authors suggest that this discrepancy may be due to newer immigrant destinations having less capacity to incorporate immigrants into the greater community and being more likely to pass legislation restricting immigrants' rights.

**FINDING FIVE**

**IMMIGRANT SUPPORT, RATHER THAN INCREASED DETENTION, REDUCES VIOLENT CRIME.**

Perhaps unsurprisingly, as research indicates that immigration does not increase crime, several studies have found that immigration enforcement efforts have failed to meaningfully reduce violent crime. The most recent example is the Department of Homeland Security Secure Communities program, which rolled out county by county between 2008 and 2013. Under Secure Communities, local authorities forward to DHS the fingerprint information for all arrestees traditionally sent only to the Federal Bureau of Investigation, so that DHS can check those fingerprints against the department’s immigration databases. If an arrestee is revealed to be undocumented or removable for another reason, Immigration and Customs Enforcement can then take enforcement action.

A recent study reviewed data from nearly 2,985 U.S. counties and found that while burglary and motor vehicle theft rates dropped very modestly in
the years following the activation of Secure Communities, violent crime rates (i.e., homicide, robbery, rape, or aggravated assault) did not drop.\textsuperscript{66} This failure to reduce violent crime may be explained by the fact that many people detained via this policy were not dangerous in the first place; the authors reported that only one-third of all Secure Communities detainees in this timeframe had a prior conviction for an aggravated felony (e.g., assault), and one-third had no prior criminal convictions whatsoever. A second study using city-level crime and arrest data similarly found no changes in crime or arrest rates following the rollout of Secure Communities.\textsuperscript{67} Secure Communities was suspended in 2014 but was reinstated in January 2017; it remains active today and has resulted in the removal of over 363,400 people from the U.S. since its original inception.\textsuperscript{68}

While limited in scope, there has been some research on federal immigration enforcement policies beyond Secure Communities—in particular, one study on the impact of Obama-era guidelines to relax immigration enforcement. The study found that local counties that followed these guidelines saw no increase in crime, but did experience greater increases in rates of crimes cleared by arrest. This may suggest that a more targeted scope of enforcement allowed police to focus on solving more serious crimes, or that non-citizens were more encouraged to cooperate with police in counties where these guidelines were being followed.\textsuperscript{69}

While immigration enforcement may not always reduce crime, researchers have identified a number of contexts in which immigration is particularly likely to lead to crime drops. In general, it appears that this is most likely when cities include immigrants in business and politics, and when cities have established means by which to do so. For example, a recent national study found that while immigration resulted in significantly reduced homicide rates overall, immigration was even more effective at reducing violence in the areas offering more political opportunities for immigrants and people of color.\textsuperscript{70} Specifically, in cities with pro-immigration (i.e., “sanctuary city”) legislation, immigration had a much stronger relationship with falling homicide and robbery rates, and in cities employing more Asians and Latinx in municipal positions and more people of color in the police force, immigration was also linked to steeper declines in homicide rates. A second study found cities’ adoption of sanctuary policies was associated with an 11 percent decline in robberies,\textsuperscript{71} while a third study found no differences in crime levels between sanctuary and non-sanctuary cities.\textsuperscript{72}
Additionally, immigration may be associated with larger drops in violent crime in areas that have historically high immigration rates. A nationwide study found that the relationship between immigration and violence depended on a neighborhood’s immigration history. Namely, in “new destinations” that had only experienced substantial immigration recently, immigration had little impact on violent crime. However, in “established destinations” that had historically high immigrant populations, growing immigration was associated with significant drops in violent crime rates in some neighborhoods. The authors stated that they suspect that established immigrant destinations provide a more receptive and supportive environment for new arrivals.

CONCLUSION

In sum, our thorough review of past research underscores that immigration makes this country safer. As outlined in this report, rises in immigration rates are followed by drops in violent crime; immigrants themselves are less likely to commit violent crime; and children of immigrants are no more likely to be delinquent than native-born Americans. There is no reason to believe that immigration presents a public safety threat in the United States.

Moreover, the real public safety issue at the heart of immigration is not that immigrants are committing more crimes, but rather that they are particularly vulnerable targets for crime. In many cases, immigrants appear to be reluctant to report crimes to the authorities, posing a public safety risk in itself; namely, law enforcement agencies can only identify and pursue individuals who have committed crimes if they are aware that crimes have been committed. If a segment of the population is uncomfortable reporting crime, for whatever reason, it leaves all community members vulnerable to future victimization. In fact, a recent, albeit preliminary, analysis found that in three major cities, crime reporting by Latinxs fell at a greater rate than non-Latinxs in the first few months after President Trump took office.
Troublingly, despite these findings, the myth persists that immigrants commit more serious crimes than native-born Americans,\textsuperscript{75} and it has become more widespread in recent years with strong anti-immigrant rhetoric voiced by prominent political figures.\textsuperscript{76} The perpetuation of this myth has fueled the rollout of policies and programs that will not make our country safer and, if anything, will create risk by discouraging immigrants—who are just as likely to be victims—from reporting crime when it happens. For example, in January 2017, DHS resumed sharing data as part of Secure Communities,\textsuperscript{77} despite the evidence outlined in this report demonstrating that its nationwide implementation was not followed by any meaningful drop in violent crime,\textsuperscript{78} and other evidence showing that detaining and/or deporting immigrants can harm their U.S.-born children, whose health, early education, and social service needs are often unaddressed.\textsuperscript{79}

The perpetuation of the myth that immigrants commit more serious crimes than native-born Americans will not make our country safer and, if anything, will create risk.

These policy implications are significant and problematic—and history has shown that it will take more than a single election and shift in power to break the connection between misconception and public policy. The false premise often leads to significant spending of scarce taxpayer funds on policies enacted in the name of public safety—yet ultimately makes us less safe. Public safety is a vital concern that should be taken seriously, and these funds could and should be directed toward evidence-based policies and practices that we know are effective in protecting it. Limiting immigration is not one of them. It is critical that policymakers recognize this as they continue to make decisions on immigration reform.
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ENDNOTES


MPI used data from the 2012-16 ACS and the 2018 Survey of Income and Program Participation (SIPP).


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