

Illegal Immigrant Incarceration Rates, 2010–2024

The Demographics of American Imprisonment

BY ALEX NOWRASTEH AND MICHELANGELO LANDGRAVE

People commonly assume that immigrants are more likely to commit crimes than native-born Americans, especially illegal immigrants. Tragic individual murders by immigrants seem to support this perception, and it affects the public debate over immigration policy. However, this perception is not supported by the facts. Although the number of illegal immigrants and the crimes they commit are notoriously difficult to measure, available evidence shows that they are less crime-prone than native-born Americans.

We estimate illegal and legal immigrant incarceration rates in the United States by using the 2024 American Community Survey Public Use Microdata Sample from the US Census. We also provide detailed incarceration data on immigrants and native-born Americans by race and ethnicity, region of birth, country of birth, sex, education, age, the number of years present in the United States, and age of arrival.

All immigrants, both legal and illegal, are less likely to be incarcerated than native-born Americans. The 2024 native-born American incarceration rate of 1,195 per 100,000 natives is the highest of the three groups analyzed. Legal immigrants have the lowest incarceration rate, at 303 per 100,000 legal immigrants in 2024. Illegal immigrants have an incarceration rate of 674 per 100,000 illegal immigrants, higher than legal immigrants but also lower than native-born Americans.

BACKGROUND

According to a recent poll by Gallup, 47 percent of Americans believe that immigrants increase crime in the United States and only 5 percent think that immigrants reduce it.¹ There's little doubt that many of the respondents who blamed immigrants for higher crimes are specifically



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thinking of illegal immigrants. This briefing paper is the latest in a series that attempts to answer whether that perception is true by estimating illegal immigrant incarceration rates in the United States by using the 2024 American Community Survey (ACS) Public Use Microdata Sample (PUMS) from the US Census. The data show that all immigrants are less likely to be incarcerated than native-born Americans relative to their shares of the population. By themselves, illegal immigrants are less likely to be incarcerated than native-born Americans and legal immigrants are the least likely of all.

We published the first nationwide estimates of the incarcerated illegal immigrant population in 2017, followed by updates in 2018, 2019, 2020, and 2025.² The 2017 brief analyzed incarceration rates for 2014, the 2018 brief analyzed incarceration rates for 2016, the 2019 paper analyzed incarceration rates for 2017, the 2020 paper estimated incarceration rates using an updated methodology for the entire 2010–2018 period, and the 2025 policy analysis analyzed the 2010–2023 period. This paper updates the estimates using the most recent 2024 inmate data from the ACS.

The illegal immigrant incarceration rate is an important indicator of that population’s criminality, but different measures of criminality used in other studies are valid too.³ They generally find that immigrants do not increase crime rates in small communities, are less likely to cause crime than their native-born peers, and are less likely to be incarcerated, convicted, and arrested than native-born Americans.⁴ Immigrant criminality does vary based on whether they are legal or illegal immigrants, probably because the two groups are distinct demographically, socioeconomically, and on other margins that could make one group more or less crime-prone than the other.⁵ Illegal immigrant incarceration rates, criminal conviction rates, arrest rates, and broader impacts on crime are not well studied because most jurisdictions, law enforcement agencies, state corrections departments, and other organizations in the criminal justice system do not systematically record data on the immigration statuses of those arrested, convicted of crimes, or incarcerated. The three major exceptions are Texas, Georgia, and Oklahoma. Texas has been keeping data on arrests and convictions by immigration status since 2011, Georgia has been publishing

data on illegal immigrants incarcerated in that state beginning in 2024, and Oklahoma in recent years.⁶

Cato Institute analysis of the conviction, arrest, and incarceration data in those states found that illegal immigrants had a lower criminal conviction rate and a lower arrest rate in Texas relative to the native-born population, a lower incarceration rate in Georgia relative to the non–illegal immigrant population, and a slightly lower incarceration rate in Oklahoma too. The finding held for all crimes, including the various types of homicide that are the most serious offenses.⁷ Data for the other 47 states are unavailable, so Cato scholars have estimated the illegal immigrant and legal immigrant incarceration rates for the entire country and have found it to be lower than for native-born Americans.⁸

Recent peer-reviewed empirical studies have found no link between violent crime and illegal immigration, a negative relationship between the number of illegal immigrants and most types of nonviolent crime, and lower illegal immigrant criminal conviction and arrest rates in Texas compared to other subpopulations.⁹ Results vary somewhat based on the methods and data, but there is convincing evidence that a larger number of illegal immigrants present in an area increases the rate of identity theft, and there is also some evidence of a small but statistically significant relationship between the size of the illegal immigrant population and drug arrests.¹⁰

Our estimates of a low illegal immigrant incarceration rate are consistent with other research that finds that increasing immigration enforcement and deporting more illegal immigrants does not reduce the crime rate, which we would expect to occur if illegal immigrants were more crime-prone than natives.¹¹ Our research is also consistent with work that finds crime rates either do not increase to a statistically significant extent when states create sanctuary jurisdictions that limit the scope of immigration enforcement, or that the rates for some crimes actually fall, which we would not expect to occur if illegal immigrants were more crime-prone than the rest of the population.¹² However, the difference in immigrant criminality would have to be extremely large or their population would have to be a significant share of the local area to affect the local crime rates to the point where their effect would show up. Thus, comparative arrest, conviction, and incarceration rates

are better calibrated to identifying the relative criminality of immigrant subpopulations. For methodological and data limitation reasons mentioned above, these studies are not the final word on the matter.

METHODOLOGY

In this policy analysis we use ACS data to estimate the incarceration rate and other demographic characteristics for all immigrants, legal and illegal immigrants separately, and native-born Americans ages 18–54 in 2024. The ACS inmate data are reliable because they are ordinarily collected by, or under the supervision of, correctional institution administrators; however, the quality of the data for the population that includes the incarcerated was not always as reliable. In the 2000 census, the data were for a subpopulation who live in facilities that are owned and managed by others, which includes prisoners incarcerated in correctional facilities, and the response rate to the census was low. Recognizing the problem with data collection, the Census Bureau substantially resolved it in the 2010 census and the ACS, making several tweaks over the years that have continually improved the size and quality of the group quarters sample.¹³

The ACS counts the incarcerated population by their nativity and naturalization status, but local and state governments rarely record whether prisoners are illegal immigrants.¹⁴ As a result, we have to use common statistical methods to identify incarcerated illegal immigrant prisoners by excluding those with characteristics that illegal immigrants are unlikely to have.¹⁵ In other words, we can identify likely illegal immigrants by looking at prisoners with individual characteristics that are highly correlated with being an illegal immigrant.

We identified likely illegal immigrants using a modified residual method developed by economist Christian Gunadi. Our modified method makes larger adjustments for the estimated undercount of the immigrant population and relaxes assumptions about employment and Medicaid access because of legal changes since Gunadi first published his methods.¹⁶ Gunadi's method imputes legal immigrant status first and then identifies those remaining foreign-born residents as illegal immigrants, which is different from other residual statistical methods that identify illegal immigrants

first and then count the remaining foreign-born residents as legal immigrants.¹⁷ Our modified estimation method counts people as legal immigrants if they meet any of the following criteria as recorded in the ACS: is a US citizen; arrived in the US before 1982; served in the armed forces; was born in Cuba and immigrated prior to 2017; received welfare benefits such as Social Security, Supplemental Security Income, Medicaid (with some adjustment based on states extending Medicaid access to illegal immigrants), Medicare, or military insurance; resided in public housing or received rental subsidies or was the spouse of someone who resided in public housing or received rental subsidies; had occupational licenses; and/or had a spouse who was a legal immigrant or US citizen.¹⁸ The number of legal immigrants estimated using this method includes those present in the United States on temporary nonimmigrant work visas and those who have naturalized and earned American citizenship.

A limitation of the ACS data is that they include prisoners in correctional facilities and other types of facilities. Although most inmates in the public-use microdata version of the ACS are in correctional facilities, the data also include those in mental health and elderly care institutions and in institutions for people with disabilities.¹⁹ These inclusions add ambiguity to our findings about the illegal immigrant population but not to our findings about the immigrant population as a whole, because the ACS releases macrodemographic snapshots of inmates in correctional facilities, which allows us to check our work.²⁰

The above-mentioned ambiguity in illegal immigrant incarceration rates prompted us to narrow our analysis to those who are ages 18–54. This range excludes most inmates in mental health and retirement facilities. Few prisoners are under age 18, many in mental health facilities are juveniles, and many of those over age 54 are in elderly care institutions. Additionally, few illegal immigrants are elderly, whereas those in elderly care institutions are typically over age 54.²¹ As a result, narrowing the age range does not exclude many individuals from our analysis. We identified 1,742,385 prisoners in the 18–54 age range in adult correctional facilities in 2024, compared to approximately 1,591,028 identified by the ACS in the same year and age ranges. Winnowing the age range reduces our estimated number of incarcerated individuals in the 18–54 age range to about 8.7 percent below that of the ACS 2024 snapshot.²²

Natives in our results are those born as American citizens, and the group includes both those born in the United States and those born abroad to American parents.

Controlling for the size of the population is essential to compare relative incarceration rates between the native-born, illegal immigrant, and legal immigrant subpopulations. Thus, we report the incarceration rate as the number of incarcerations per 100,000 members of that particular subpopulation, just as most government agencies do.²³

INCARCERATIONS

An estimated 1,605,032 native-born Americans, 79,825 illegal immigrants, and 57,528 legal immigrants between the ages of 18–54 were incarcerated in 2024. The incarceration rate for native-born Americans was 1,195 per 100,000; 674 per 100,000 for illegal immigrants; and 303 per 100,000 for legal immigrants in 2024 (Figure 1). Illegal immigrants are about 44 percent less likely to be incarcerated than native-born Americans. Legal immigrants are 75 percent less likely to be incarcerated than natives. If native-born Americans were incarcerated at the same rate as illegal immigrants, about 701,000 fewer native-born Americans would be incarcerated. If native-born Americans were incarcerated at the same rate as legal immigrants then there would be 1.2 million fewer incarcerations.

The ACS data include illegal immigrants incarcerated for immigration offenses and those in Immigration and Customs Enforcement’s (ICE) detention facilities.²⁴ Those individuals are not detained for violent or property crimes but only for immigration violations. If we were to remove the 37,684 people in ICE detention facilities at the end of fiscal year 2024, that would lower the illegal immigrant incarceration rate to 356 per 100,000—17 percent above the incarceration rate for legal immigrants.²⁵

Figure 1

Incarceration rates by immigration status, 2024

Subgroup incarceration rate per 100,000 residents, ages 18–54



Source: Authors’ analysis of the American Community Survey, 2024.

Robustness Checks for Counting the Illegal Immigrant Population

The results of the modified residual method we used to estimate the number of illegal immigrants is sensitive to the specific ACS variables chosen. Thus, we decided to use a robustness check to alter some of the variables to see whether the results significantly changed. First, we loosened the identifications for illegal immigrants, counting some of those who lived in households with users of means-tested welfare benefits as illegal immigrants. Illegal immigrants do not have access to those benefits, but US citizens and some lawful permanent residents in their households do. This adjustment increased the illegal immigrant population and their incarceration rate to 759 per 100,000, reduced the legal immigrant incarceration rate to 221 per 100,000, and did not affect the native incarceration rate.

Our second robustness check excluded all immigrants who entered the United States after 2009. Immigrants on lawful permanent residency can apply for citizenship after five years, guaranteeing that most of the lawful permanent residents who are able to naturalize have done so, which decreases the pool of potential illegal immigrants in our sample. This robustness check shrinks the size of the nonincarcerated illegal immigrant subpopulation relative to those incarcerated and, thus, slightly raises the rate of illegal immigrant incarceration to about 957 per 100,000 and the legal immigrant rate to 390 per 100,000. These variable changes did not alter our results enough to undermine confidence in the findings.

Illegal Immigrant Incarceration Rates Over Time, 2010–2024

Figure 2 shows how incarceration rates for native-born Americans, illegal immigrants, and legal immigrants have

changed during the 2010–2024 period. In every year, the illegal immigrant incarceration rate is between 31 percent and 56 percent below that of native-born Americans. In every year, the legal immigrant incarceration rate is between 65 percent and 75 percent below that of native-born Americans. Furthermore, the incarceration rate has declined for every group. From 2010 to 2024, the native-born incarceration rate fell by 25 percent, the legal immigrant incarceration rate fell by 41 percent, and the illegal immigrant incarceration rate fell by 30 percent.²⁶ However, recently there was an increase in the illegal immigrant incarceration rate of 25 percent from a low of 538 per 100,000 in 2022 to 674 in 2024.

Demographic and Social Characteristics

Incarceration rates vary widely by race and ethnicity in the United States, even within each immigrant category (Table 1). Legal and illegal immigrants have a lower incarceration rate than native-born Americans of the same race or ethnicity. For instance, the incarceration rate for black native-born Americans is 9.5 times that of black legal immigrants, and the incarceration rate for white native-born Americans is 5.1 times higher than it is for white legal immigrants. The incarceration rate for all illegal immigrants is 6.5 percent lower than the incarceration rate for white native-born Americans.

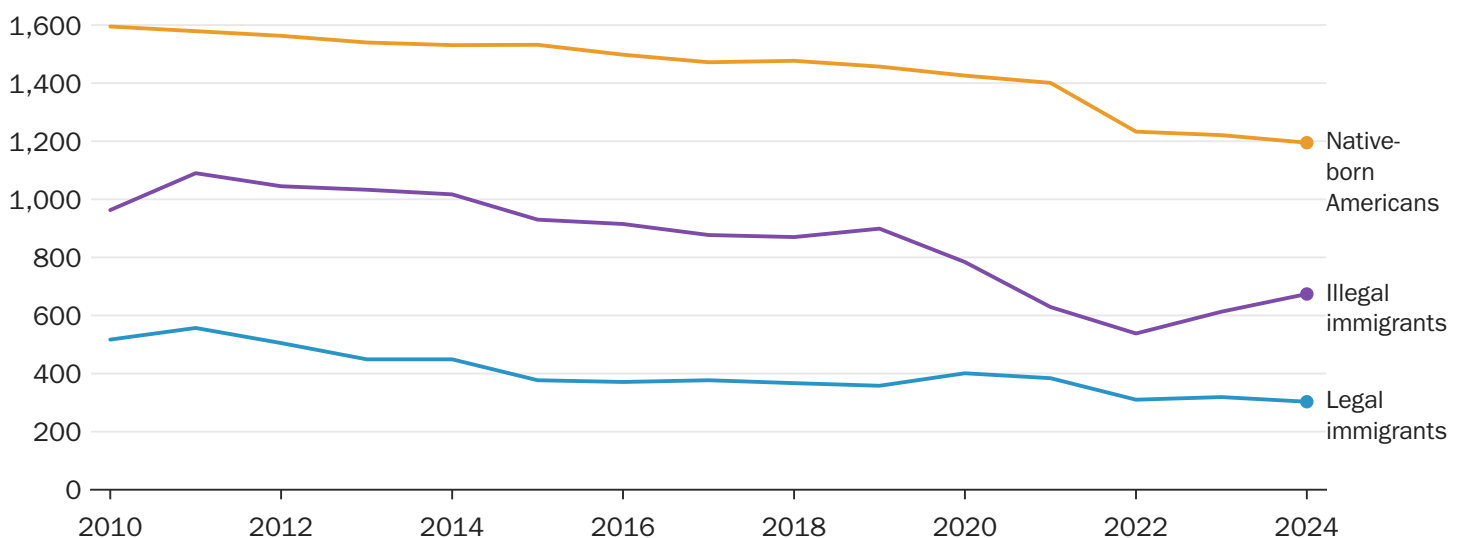
Immigrants from some parts of the world are more likely to be incarcerated than others (Table 2).²⁷ Legal immigrants from Oceania have the highest incarceration rates, followed by legal immigrants from Latin America, but both are substantially below the incarceration rate for native-born Americans. For illegal immigrants, those from Latin America have the highest incarceration rates, followed by those from Africa. Again, all groups of illegal immigrants have lower incarceration rates than native-born Americans.

More than 72 percent of all immigrants in the United States come from the top 20 countries of origin for the foreign-born population.²⁸ Illegal immigrants from Jamaica and legal immigrants from Guatemala have the highest incarceration rates; these are likely exacerbated by their presence in immigration detention facilities for immigration offenses for Guatemalans, and by the small sample sizes for Jamaicans (Table 3). The distribution of prisoners by their immigration status and region of origin shows that 7 percent of all those incarcerated are immigrants from Latin America; 1 percent each from Europe, East Asia, and Africa; and 91 percent are native-born Americans regardless of their location of birth (Table 4).

On January 6, 2023, the Biden administration created a parole program to allow American residents to sponsor up

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Figure 2
Incarceration rates by immigration status, 2010–2024
Subgroup incarceration rate per 100,000 residents, ages 18–54



Source: Authors' analysis of the American Community Survey, 2024.

Table 1

Incarceration rates by race, ethnicity, and immigration status, 2024

Subgroup incarceration rate per 100,000 residents, ages 18–54

Race/ethnicity	Native-born Americans	Legal immigrants	Illegal immigrants	All
Asian	321	117	110	181
Black	3,349	351	976	2,945
Hispanic (any race)	1,278	486	957	1,050
White	720	141	374	696
Other	1,574	220	164	1,418
All races/ethnicities	1,195	303	674	1,055

Source: Authors' analysis of the American Community Survey, 2024.

Table 2

Incarceration rates by region of birth, 2024

Subgroup incarceration rate per 100,000 residents, ages 18–54












Region of birth	Native-born Americans	Legal immigrants	Illegal immigrants	All
USA	1,204	N/A	N/A	1,204
Oceania	589	737	695	699
Latin America	679	453	944	672
Africa	2,232	284	727	503
Other	—	946	—	362
Other Asia	—	319	301	288
Europe	526	201	302	287
Other North America	369	241	77	223
East Asia	480	128	204	172
Middle East	298	101	252	155
Indian subcontinent	—	73	64	68
All regions	1,195	303	674	1,055

Source: Authors' analysis of the American Community Survey, 2024.

Table 3

Top 20 countries by highest incarceration rate, 2024

Subgroup incarceration rate per 100,000 residents, ages 18–54

	Country of birth	Legal immigrants	Illegal immigrants	All immigrants
	Honduras	586	1,403	1,115
	Mexico	553	1,157	843
	Jamaica	535	1,928	789
	Guatemala	691	794	754
	El Salvador	425	831	622
	Dominican Republic	381	1,595	621
	Colombia	463	630	527
	Ecuador	285	579	412
	Haiti	304	641	406
	Cuba	440	224	386
	Vietnam	247	1,027	362
	Venezuela	218	309	277
	Nigeria	52	584	209
	Korea	146	316	196
	Canada	247	80	192
	Ukraine	158	167	160
	Brazil	37	184	107
	China	46	143	87
	Philippines	97	—	80
	India	72	30	49

Source: Authors' analysis of the American Community Survey, 2024.

to 30,000 Cubans, Venezuelans, Nicaraguans, and Haitians (CVNH) to come to the United States legally through a parole sponsorship program.²⁹ As of November 2024, 531,670 Cubans, Venezuelans, Nicaraguans, and Haitians arrived lawfully in the United States and were granted parole. Although the incarceration data in this paper only go through 2024, the incarceration rate for immigrants from the CVNH countries could indicate how criminally inclined the parolees from there will end up being. The incarceration rate for all immigrants from the CVNH countries in the 18–54 age range was 387 per 100,000 in 2024, well below the incarceration rate for all immigrants of 446 per 100,000. Venezuelans had the lowest incarceration rate, at 277 per 100,000, while Nicaraguans had the highest, at 634 per 100,000. Haitians and Cubans had incarceration rates of 440 and 406, respectively. Incarceration rates for CVNH countries, whether separately, combined, or divided by immigration status, had incarceration rates substantially below those of native-born Americans and all immigrants.

Whereas only 11.6 percent of all prisoners are women, 88.4 percent are men (Table 5). Legal and illegal immigrant women are a smaller share of prisoners in their respective subpopulations at 9.9 percent and 3.4 percent, respectively. Native-born American women are significantly more likely to be incarcerated than immigrant women.

Prisoners in every subpopulation are less educated than their total subpopulation (Table 6). About 66.6 percent of all native-born adults have some college education, which can include a community college course or above, whereas 18.7 percent of native-born prisoners have the same level of education.³⁰ A total of 22.7 percent of legal immigrant prisoners and 12.5 percent of illegal immigrant prisoners have some college education or above; these percentages are lower than the percentages of their subpopulations with the same level of education, which are 55.8 percent and 46.4 percent, respectively. Both highly educated native-born Americans and highly educated immigrants tend to avoid incarceration.

Native-born Americans, illegal immigrants, and legal immigrants all have higher incarceration rates when they

Table 4

Percentage of all prisoners by region of birth, 2024

Percentage of incarcerated population by subgroup

Region of birth	Native-born Americans	Legal immigrants	Illegal immigrants	All
USA	99.21%	N/A	N/A	91.4%
Latin America	0.24%	71.64%	86.71%	6.56%
Africa	0.18%	7.51%	4.62%	0.62%
Europe	0.22%	6.75%	2.53%	0.54%
East Asia	0.1%	7.75%	3.49%	0.51%
Indian subcontinent	0%	2.49%	1.27%	0.14%
Oceania	0.01%	1.28%	0.62%	0.08%
Middle East	0.01%	0.92%	0.54%	0.07%
Other North America	0.02%	1.15%	0.12%	0.06%
Other Asia	0%	0.26%	0.1%	0.01%
Other	0%	0.05%	0%	0%
Total	100%	100%	100%	100%

Source: Authors' analysis of the American Community Survey, 2024.

are younger (Figure 3). Native-born American and illegal immigrant incarceration rates peak in the 35–39 age range at 1,596 and 833 per 100,000, respectively. Legal immigrant incarceration rates peak younger, in the 18–24 age range. The incarceration rates for legal and illegal immigrants generally increase with the amount of time they have spent in the United States, with minor variations in the different age ranges (Table 7).

Illegal and legal immigrants who immigrate at a younger age are more likely to be incarcerated, which is related to the amount of time those immigrants have spent in the United States—but it is still distinct (Table 8). Illegal immigrants who arrive between ages 0 and 17 are almost 180 percent more likely to be incarcerated than those who arrive between 18 and 24, suggesting that illegal immigrants

who were old enough to choose to come here illegally are more law-abiding than those who were brought here as minors. The pattern is less pronounced, albeit still notable, for legal immigrants. Those who immigrated between the ages of 0 and 17 were 150 percent more likely to be incarcerated than legal immigrants who came at older ages. This again suggests that those who were old enough to choose to come to the United States legally are more law-abiding regardless of their legal status.

At least two non-mutually exclusive theories can explain why those who immigrated in their youth have higher incarceration rates. First, spending part of one’s childhood in the United States could assimilate some immigrants to a relatively high-crime culture. A second theory is that those who decide to come here by choice as adults have

Table 5

Percentage of prisoners by sex and immigration status, 2024

Percentage of incarcerated population by subgroup

Sex	Native-born Americans	Legal immigrants	Illegal immigrants	All
Female	12%	10%	3%	12%
Male	88%	90%	97%	88%

Source: Authors’ analysis of the American Community Survey, 2024.

Table 6

Percentage of prisoners by education and immigration status, 2024

Percentage of incarcerated population by subgroup

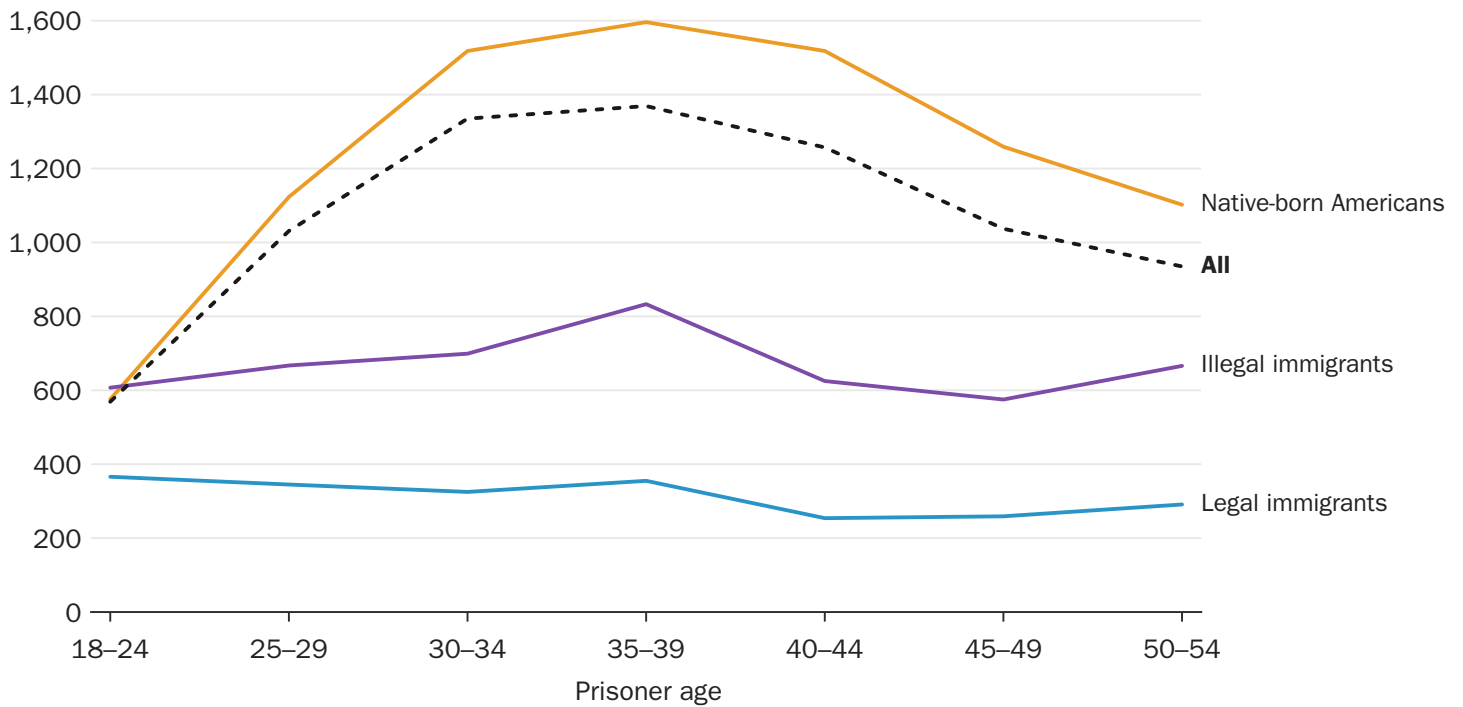
	Native-born Americans	Legal immigrants	Illegal immigrants	All
Less than high school	26%	36%	42%	27%
High school graduate	55%	41%	45%	54%
Some college	16%	15%	10%	16%
College graduate	2%	6%	1%	2%
Postgraduate	1%	2%	1%	1%

Source: Authors’ analysis of the American Community Survey, 2024.

Figure 3

Incarceration rates by age and immigration status, 2024

Subgroup incarceration rate per 100,000 residents



Source: Authors' analysis of the American Community Survey, 2024.

Table 7

Incarceration rates for immigrants by their time in the United States and immigration status, 2024

Subgroup incarceration rate per 100,000 residents

Time in US	Legal immigrants	Illegal immigrants	All immigrants
0-4 years	260	573	486
5-9 years	199	408	306
10-14 years	138	554	278
15-19 years	318	804	456
20-24 years	325	957	512
25-29 years	295	958	453
30-34 years	270	1,151	436
35-39 years	491	1,929	681
40+ years	725	3,161	794
All (0-40+ years)	303	674	446

Source: Authors' analysis of the American Community Survey, 2024.

systematically different characteristics from the people who remain in their countries, whereas those who are too young to make the decision to immigrate do not. For instance, victims of crime in Latin America are more likely to consider immigrating to the United States.³¹

POLICY IMPLICATIONS

A substantial percentage of the American public believes that immigration increases crime and that illegal immigrants disproportionately contribute to the problem.³² However, the evidence presented here shows that the addition of a less crime-prone immigrant population to the United States mechanically reduces the overall incarceration rate in the country. The facts uncovered in this paper should point the government toward immigration policies that would reduce crime further.

For instance, federal officials should stop their efforts to convince so-called sanctuary cities to fully abandon those policies because such cooperation will likely have no effect on violent and property crime rates nationwide. Illegal immigrants have a lower incarceration rate than native-born Americans, so scarce law enforcement resources should not be spent on identifying and deporting a subpopulation with such a low crime rate. If the purpose of law enforcement is to

deter crime and to punish criminals, their resources would be inefficiently allocated if targeted at illegal immigrants. However, the federal government should convince sanctuary jurisdictions and others to turn over any noncitizen guilty of committing a violent or property-related offense for removal from the United States. Immigration and Customs Enforcement should be a pickup and delivery service for convicted illegal immigrant criminals, nothing more.

Second, the federal government already has effective programs to identify illegal immigrant criminals who have been arrested, convicted, or incarcerated. The federal government should continue those policies and make the removal of illegal immigrant criminals a priority, but it should not widen its reach to include illegal immigrants who have not committed criminal offenses or have not otherwise put Americans at risk.³³

Third, the government should collect better data on illegal and legal immigrant criminality. Incarceration rates are just one measurement of criminality that are used to fully understand relative crime rates in the United States. Unfortunately, the paucity of data means that we must estimate the number of illegal immigrants who are incarcerated, which adds some uncertainty to our final numbers. Every state should collect—and make available—data on the immigration statuses of those

Table 8

Incarceration rates for immigrants by their age of arrival in the United States and immigration status, 2024

Subgroup incarceration rate per 100,000 residents

Age at arrival	Legal immigrants	Illegal immigrants	All immigrants
18–24	439	1,193	612
25–29	288	668	454
30–34	134	468	278
35–39	164	435	290
40–44	131	570	354
45–49	213	391	311
50–54	210	678	502

Source: Authors' analysis of the American Community Survey, 2024.

convicted and arrested for crimes, just like Texas does, as well as those who are incarcerated, as Georgia and Oklahoma do.³⁴ To be clear, this proposal would only require documenting the immigration status of people who are arrested for crimes, convicted of crimes, or incarcerated for crimes. There is no excuse for the lack of data on this important public policy issue.

CONCLUSION

Legal and illegal immigrants were less likely to be incarcerated than native-born Americans in 2024, and even going back to 2010. Those who were incarcerated do not represent the total number of immigrants who can be deported under current law or the complete number of convicted immigrant criminals who are in the

NOTES

1. “Immigration,” Gallup.
2. Michelangelo Landgrave and Alex Nowrasteh, “Criminal Immigrants: Their Numbers, Demographics, and Countries of Origin,” Cato Institute Immigration Research and Policy Brief no. 1, March 15, 2017; Michelangelo Landgrave and Alex Nowrasteh, “Incarcerated Immigrants in 2016: Their Numbers, Demographics, and Countries of Origin,” Cato Institute Immigration Research and Policy Brief no. 7, June 4, 2018; Michelangelo Landgrave and Alex Nowrasteh, “Criminal Immigrants in 2017: Their Numbers, Demographics, and Countries of Origin,” Cato Institute Immigration Research and Policy Brief no. 11, March 4, 2019; Michelangelo Landgrave and Alex Nowrasteh, “Illegal Immigrant Incarceration Rates, 2010–2018: Demographics and Policy Implications,” Cato Institute Policy Analysis no. 890, April 21, 2020; and Alex Nowrasteh and Michelangelo Landgrave, “Illegal Immigrant Incarceration Rates, 2010–2023,” Cato Institute Policy Analysis no. 994, April 24, 2025.
3. Marc R. Rosenblum, “Understanding the Potential Impact of Executive Action on Immigration Enforcement,” Migration Policy Institute, July 2015, p. 11.
4. See Charis E. Kubrin and Graham C. Ousey, *Immigration and Crime: Taking Stock* (Springer, 2023); Ran Abramitzky et al., “Law-Abiding Immigrants: The Incarceration Gap Between Immigrants and the US-Born, 1870–2020,” National

United States, but merely those who are incarcerated. The younger that immigrants are upon their arrival in the United States, and the longer that they are here, the more likely they are to be incarcerated as adults. This analysis provides numbers and demographic characteristics to better inform the public policy debate over immigration and crime. The government should expeditiously remove violent and property criminals who are noncitizens, whether they are legal immigrants or illegal immigrants, but a general mass deportation policy indiscriminately targeted at all illegal immigrants will not reduce crime rates, nor will reductions in legal immigration. Lastly, we recommend that governments at all levels in the United States focus on collecting better data so that we can more precisely understand how illegal immigrants and legal immigrants contribute to crime in the United States.

- Bureau of Economic Research Working Paper no. 31440, July 2023; Graham C. Ousey and Charis E. Kubrin, “Immigration and Crime: Assessing a Contentious Issue,” *Annual Review of Criminology* 1 (2018): 63–84; Kristin F. Butcher and Anne Morrison Piehl, “The Role of Deportation in the Incarceration of Immigrants,” in *Issues in the Economics of Immigration*, ed. George J. Borjas (University of Chicago Press, 2000), pp. 351–86; Kristin F. Butcher and Anne Morrison Piehl, “Why Are Immigrants’ Incarceration Rates So Low? Evidence on Selective Immigration, Deterrence, and Deportation,” NBER Working Paper no. 13229, National Bureau of Economic Research, July 2007; Alex Nowrasteh, “Immigration and Crime—What the Research Says,” *Cato at Liberty* (blog), Cato Institute, July 14, 2015; and Francesco Fasani et al., *Does Immigration Increase Crime? Migration Policy and the Creation of the Criminal Immigrant* (Cambridge University Press, 2019).
5. Charis E. Kubrin and Graham C. Ousey, *Immigration and Crime: Taking Stock* (Springer, 2023), p. 71.
6. Alex Nowrasteh, “Illegal Immigrant Murderers in Texas, 2013–2022: Illegal Immigrant and Legal Immigrant Conviction and Arrest Rates for Homicide and Other Crimes,” Cato Institute Policy Analysis no. 977, June 26, 2024; Alex Nowrasteh, “Illegal immigrants in Georgia Have a Low Incarceration Rate,” *Cato at Liberty* (blog) Cato Institute, January 6, 2025; and Alex Nowrasteh (@AlexNowrasteh), “525 illegal immigrant criminals incarcerated in Oklahoma, equal to 2.3% of prisoners in the state. Illegal immigrants are

2.6% of Oklahoma's population. Illegal immigrants are less crime prone in Oklahoma. For those keeping track: that's the third state where it's true, X post, February 7, 2025, 4:58 p.m.

7. Alex Nowrasteh, "Criminal Immigrants in Texas: Illegal Immigrant Conviction and Arrest Rates for Homicide, Sex Crimes, Larceny, and Other Crimes," Cato Institute Immigration Research and Policy Brief no. 4, February 26, 2018; and Alex Nowrasteh, "Criminal Immigrants in Texas in 2017: Illegal Immigrant Conviction Rates and Arrest Rates for Homicide, Sex Crimes, Larceny, and Other Crimes," Cato Institute Immigration Research and Policy Brief no. 13, August 27, 2019; Alex Nowrasteh, "Criminal Immigrants in Texas in 2019: Illegal Immigrant Conviction Rates and Arrest Rates for Homicide, Sex Crimes, Larceny, and Other Crimes," Cato Institute Immigration Research and Policy Brief no. 19, May 11, 2021; Alex Nowrasteh et al., "Illegal Immigration and Crime in Texas," Cato Institute Working Paper no. 60, October 13, 2020; Alex Nowrasteh, "Illegal Immigrant Murderers in Texas, 2013–2022: Illegal Immigrant and Legal Immigrant Conviction and Arrest Rates for Homicide and Other Crimes," Cato Institute Policy Analysis no. 977, June 26, 2024; and Alex Nowrasteh, "Illegal Immigrants in Georgia Have a Low Incarceration Rate," *Cato at Liberty* (blog), Cato Institute, January 6, 2025.

8. Michelangelo Landgrave and Alex Nowrasteh, "Criminal Immigrants: Their Numbers, Demographics, and Countries of Origin," Cato Institute Immigration Research and Policy Brief no. 1, March 15, 2017; Michelangelo Landgrave and Alex Nowrasteh, "Incarcerated Immigrants in 2016: Their Numbers, Demographics, and Countries of Origin," Cato Institute Immigration Research and Policy Brief no. 7, June 4, 2018; Michelangelo Landgrave and Alex Nowrasteh, "Criminal Immigrants in 2017: Their Numbers, Demographics, and Countries of Origin," Cato Institute Immigration Research and Policy Brief no. 11, March 4, 2019; and Michelangelo Landgrave and Alex Nowrasteh, "Illegal Immigrant Incarceration Rates, 2010–2018: Demographics and Policy Implications," Cato Institute Policy Analysis no. 890, April 21, 2020.

9. Michael L. Light and Ty Miller, "Does Undocumented Immigration Increase Violent Crime?," *Criminology* 56, no. 2 (May 2018): 370–401; and Michael T. Light et al., "Undocumented Immigration, Drug Problems, and Driving Under the Influence in the United States, 1990–2014," *American Journal of Public Health* 107, no. 9 (September 2017): 1448–54; and Michael T. Light et al., "Comparing Crime Rates Between Undocumented Immigrants, Legal Immigrants, and Native-Born US Citizens in Texas," *PNAS* 117, no. 51 (December 7, 2020): 32340–47.

10. Bianca Bersani et al., "Investigating the Offending Histories of Undocumented Immigrants," *Migration Letters* 15, no. 2

(April 2018): 147–66; Richard J. Cebula and James Koch, "The Impact of Undocumented Immigration on ID Theft in the United States: An Empirical Study," in *Open Economics Journal* 1, no. 1 (September 2008): 37–46; and David Green, "The Trump Hypothesis: Testing Immigrant Populations as a Determinant of Violent and Drug-Related Crime in the United States," *Social Science Quarterly* 97, no. 3 (September 2016): 506–24.

11. Thomas J. Miles and Adam B. Cox, "Does Immigration Enforcement Reduce Crime? Evidence from Secure Communities," *Journal of Law and Economics* 57, no. 4 (November 2014): 937–73; Elina Treyger et al., "Immigration Enforcement, Policing, and Crime," *Criminology & Public Policy* 13, no. 2 (September 2014): 285–322; and Andrew Forrester and Alex Nowrasteh, "Do Immigration Enforcement Programs Reduce Crime? Evidence from the 287(g) Program in North Carolina," Cato Institute Working Paper no. 52, April 11, 2018.

12. David K. Hausman, "Sanctuary Policies Reduce Deportations Without Increasing Crime," *PNAS* 117, no. 44 (October 19, 2020); Charis E. Kubrin and Bradley J. Bartos, "Sanctuary Status and Crime in California: What's the Connection?," *Justice Evaluation Journal* 3, no. 2 (2020): 115–33; Daniel E. Martínez et al., "Providing Sanctuary or Fostering Crime? A Review of the Research on 'Sanctuary Cities' and Crime," *Sociology Compass* 12, no. 1 (2018); Ricardo D. Martínez-Schuldt and Daniel E. Martínez, "Sanctuary Policies and City-Level Incidents of Violence, 1990 to 2010," *Justice Quarterly* 36, no. 4 (2019): 567–93; R. D. Martínez-Schuldt et al., "Immigrant Sanctuary Policies and Crime-Reporting Behavior: A Multilevel Analysis of Reports of Crime Victimization to Law Enforcement, 1980 to 2004," *American Sociological Review* 86, no. 1 (2021): 154185; and Loren Collingwood and Benjamin Gonzalez O'Brien, *Sanctuary Cities: The Politics of Refuge* (Oxford Academic, 2019), pp. 118–52.

13. Constance F. Citro and Graham Kalton, eds., *Using the American Community Survey: Benefits and Challenges* (National Academies Press, 2007), pp. 170–3.

14. Sarah Flood et al., "Integrated Public Use Microdata Series, Current Population Survey: Version 6.0," (University of Minnesota, 2018); this study includes incarceration rates and characteristics of immigrants incarcerated in the United States who are between ages 18 and 54 for the years 2008–2014 (Figure 1).

15. Enrico A. Marcelli and David M. Heer, "The Unauthorized Mexican Immigrant Population and Welfare in Los Angeles County: A Comparative Statistical Analysis," *Sociological Perspectives* 41, no. 2 (1998): 279–302; Robert Warren, "Democratizing Data About Unauthorized Residents in the United States: Estimates and Public-Use Data, 2010 to 2013,"

Journal on Migration and Human Security 2, no. 4 (2014): 305–28; and Pia M. Orrenius and Madeline Zavodny, “Do State Work Eligibility Verification Laws Reduce Unauthorized Immigration?” *IZA Journal of Migration* 5, no. 5 (2016): 1–17.

16. Christian Gunadi, “On the Association Between Undocumented Immigration and Crime in the United States,” *Oxford Economic Papers* 73, no. 1 (January 2021): 200–24; Bryan Baker, “Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2015–January 2018,” Population Estimates, Department of Homeland Security, January 2021; Robert Warren, “2020 American Community Survey: *Use with Caution*, an Analysis of the Undercount in the 2020 ACS Data Used to Derive Estimates of the Undocumented Population,” *Journal on Migration and Human Security* 10, no. 2 (2022): 134–45; and Alex Nowrasteh, “Illegal Immigrant Murderers in Texas, 2013–2022: Illegal Immigrant and Legal Immigrant Conviction and Arrest Rates for Homicide and Other Crimes,” Cato Institute Policy Analysis no. 977, June 26, 2024.

17. “State-Level Unauthorized Population and Eligible-to Naturalized Estimates: Texas,” Center for Migration Studies, 2022; and Alex Nowrasteh, “Illegal Immigrant Murderers in Texas, 2013–2022: Illegal Immigrant and Legal Immigrant Conviction and Arrest Rates for Homicide and Other Crimes,” Cato Institute Policy Analysis no. 977, June 26, 2024.

18. Justin Giovannelli and Rachel Schwab, “States Expand Access to Affordable Private Coverage for Immigrant Populations,” *To the Point* (blog), Commonwealth Fund, February 8, 2024.

19. Kristin F. Butcher and Anne Morrison Piehl, “The Role of Deportation in the Incarceration of Immigrants,” in *Issues in the Economics of Immigration*, ed. George J. Borjas (University of Chicago Press, 2000); and Kristin F. Butcher and Anne Morrison Piehl, “Why Are Immigrants’ Incarceration Rates So Low? Evidence on Selective Immigration, Deterrence, and Deportation,” NBER Working Paper no. 13229, National Bureau of Economic Research, July 2007.

20. American Community Survey, “Characteristics of the Group Quarters Population by Group Quarters Type (3 Types),” US Census Bureau, Table S2602 1-Year Estimates, 2024.

21. Jeffrey S. Passel and D’Vera Cohn, “A Portrait of Unauthorized Immigrants in the United States,” Pew Research Center, April 14, 2009.

22. American Community Survey, “Characteristics of

the Group Quarters Population by Group Quarters Type (3 Types),” US Census Bureau, Table S2602 1-Year Estimates, 2024.

23. “Crime and Justice in the United States and in England and Wales, 1981–96,” Bureau of Justice Statistics, US Department of Justice.

24. “American Community Survey and Puerto Rico Community Survey: 2021 Code List,” US Census Bureau; “2023 American Community Survey/Puerto Rico Community Survey Group Quarters Definitions,” US Census Bureau; and “Code Lists, Definitions, and Accuracy, 2023 Code Lists,” US Census Bureau.

25. US Immigration and Customs Enforcement, *Fiscal Year 2024: ICE Annual Report* (Department of Homeland Security, 2024), p. 23.

26. US Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2018 Congressional Justification* (Department of Homeland Security, 2017), p. 14; US Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2020 Congressional Justification* (Department of Homeland Security, 2019), p. 6; *U.S. Department of Homeland Security Annual Performance Report Fiscal Years 2012–2014* (Department of Homeland Security, 2013), p. 7; and *U.S. Department of Homeland Security Annual Performance Report Fiscal Years 2011–2013* (Department of Homeland Security, 2014), p. 37.

27. The birth regions “Other Asia” and “Other” are excluded because of the small number of individuals in each. The “Native-Born Americans” columns in Tables 2, 3, and 4 may be confusing because they show the United States and other countries of birth. Most Americans are born in the United States, but there are small numbers of native-born Americans born to American parent(s) overseas who are citizens at birth through the legal doctrine of *jus sanguinis*.

28. American Community Survey, “Place of Birth for the Foreign-Born Population in the United States,” Table B05006 1-Year Estimates, 2024.

29. “Processes for Cubans, Haitians, Nicaraguans, and Venezuelans,” US Citizenship and Immigration Services, July 17, 2023; and David J. Bier, “Parole Sponsorship Is a Revolution in Immigration Policy,” Cato Institute Briefing Paper no. 165, September 18, 2023.

30. American Community Survey, “Selected Characteristics of the Native and Foreign-Born Populations,” Table S0501 1-Year Estimates, 2024.

31. Charles H. Wood et al., “Crime Victimization in Latin America and Intentions to Migrate to the United States,” *International Migration Review* 44, no. 1 (2010): 3–33.

32. “Immigration,” Gallup; and Francesco Fasani et al., *Does Immigration Increase Crime? Migration Policy and the Creation of the Criminal Immigrant* (Cambridge University Press, 2019), pp. 13–14.

33. Office of Inspector General, *U.S. Immigration and Customs*

Enforcement’s Criminal Alien Program Faces Challenges (Department of Homeland Security, February 18, 2020).

34. Alex Nowrasteh, “Illegal Immigrant Murderers in Texas, 2013–2022: Illegal Immigrant and Legal Immigrant Conviction and Arrest Rates for Homicide and Other Crimes,” Cato Institute Policy Analysis no. 977, June 26, 2024; and Alex Nowrasteh, “Illegal Immigrants in Georgia Have a Low Incarceration Rate,” *Cato at Liberty* (blog), Cato Institute, January 6, 2025.



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