



Written by [R. Cort Kirkwood](#) on February 5, 2019

Report Busts Myth: Illegals More Likely To Be Jailed Than Citizens, Legal Immigrants

Illegal aliens are jailed at far greater rates than Americans and legal immigrants, a new study by the [Federation for American Immigration Reform \(FAIR\)](#) shows.

The study's data, culled from the federal State Criminal Alien Assistance Program (SCAAP) that reimburses states for the cost of incarcerating illegal aliens, definitively bury the myth that open-borders advocates peddle to maintain the influx of low-wage workers and Democratic voters.



That myth is this: Illegal aliens don't want to get caught and deported, and therefore, commit little crime.

As anyone with any sense would know, that is untrue.

Open-borders Crowd Uses Rigged Numbers

Before unwinding the data it assembled, [FAIR explains](#) how open-borders libertarians and Democrats paint a false picture of illegal-alien crime.

First, FAIR observes, [citing Peter Kirsanow](#), the data "conveniently and invariably steal a base by leaving out the millions of crimes committed by illegal immigrants related to procuring fraudulent social security numbers, obtaining false drivers' licenses, using fraudulent green cards, and improperly accessing public benefits." In other words, some studies purposely omit "broad classes of crimes for example, drug offenses."

As well, the report avers, "most federal, state and local government agencies do not collect data on the rates at which illegal aliens are convicted of crimes. Most likely, this is due to political correctness, and a desire to keep the truth about the number of crimes committed by illegal aliens from coming to light."

Last, "most researchers tend to ignore the few established sources that provide data on criminal acts by known illegal aliens. They point to all types of alleged, and typically baseless, 'flaws' in this data, ranging from "limited sample size" to an inability to determine whether illegal aliens are being counted more than once. In actuality, however, the only real flaw, from the perspective of mainstream research organizations, is that examinations of data on criminal activity by known illegal aliens tend to establish that those who enter the U.S. in violation of our immigration laws also commit other crimes at a higher rate."

That only makes sense, FAIR notes. Illegal aliens violated the law on entering the country and continue doing so. More than a few are unlikely to stop.

The Data

FAIR compared numbers from SCAAP to records from state and local prisons. The report focuses on the states with the largest illegal-alien populations: Arizona, California, Florida, Nevada, New Jersey, New



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Mexico, New York, Oregon, Texas, and Washington.

In Arizona, [FAIR reports](#), “a state where drug trafficking across the long and sparsely-protected border is widespread, nearly 3 percent of all illegal aliens” are in the slammer at any given time. “In comparison, roughly 0.7 percent of citizens and lawfully-present immigrants in Arizona are incarcerated — meaning illegal aliens are more than 4 times as likely to be incarcerated.”

Across the country in New Jersey, some 1.74 percent, or 9,783 of the Garden’s State’s 873,000 illegals, are jailed, and they are 440-percent more likely than citizens or legal immigrants to be imprisoned.

In Texas, illegals are 60-percent more likely to be jailed than citizens or legal immigrants. Of the state’s 1.86 million illegals, 22,477 are incarcerated.

The illegal-alien population in sanctuary California is 2.65 million, and 42,188 are in jail. Illegals in California are 231-percent more likely to be imprisoned that citizens or legal immigrants.

Anywhere from about one percent to three percent of illegal aliens are imprisoned in those 10 states. The percentage of citizens or legal immigrants imprisoned is anywhere from 0.322 percent in New Jersey to 0.754 percent in Texas.

[FAIR offers](#) a glimpse of the illegal-alien crime that Texas faces:

In Texas alone between June 2011 and July 2018, more than 175,000 illegal aliens were booked into state and local jails. Within this time period, they were charged with more than 273,000 criminal offenses. These crimes included 505 homicide charges, 30,408 assaults, 5,396 burglaries, 34,555 drug offenses, and 365 kidnapping charges. By simply doing the math based on this data alone, then comparing it with the number of illegal aliens residing in the state of Texas, it becomes clear that illegal aliens are incarcerated at a higher rate than U.S. citizens or lawfully-present aliens.

“This study should put to rest, once and for all, the notion that illegal aliens commit crimes at a lower rate than legal residents,” [concluded FAIR President Dan Stein](#). “Contrary to the popular myth, this analysis shows that when applied nationally, SCAAP data from key states suggest that illegal aliens are incarcerated at three times the rate of legal residents, on average.”

FAIR’s study tracks with those of the Government Accounting Office.

[As Kirsanow reported](#), “in 2011, GAO conducted a study on criminal aliens incarcerated in state jails and prisons.... 295,959 SCAAP criminal aliens, of whom approximately 227,600 are illegal aliens, were incarcerated in state jails and prisons. This is a 40 percent and 25 percent increase, respectively, in criminal-alien incarcerations in state jails and prisons since FY 2003.”





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