

## **Debunking The Myth Of Immigrant Criminality: Imprisonment Among First- And Second-Generation Young Men**

*by Rubén G. Rumbaut, et al.*

The past few decades have seen the confluence of two eras in the United States: an era of mass immigration and an era of mass imprisonment. A great deal has been said and written about each, reinforcing age-old popular stereotypes about immigration and crime (a Google search for "immigration +crime" immediately returns 57.2 million hits). But rarely are carefully researched connections made between the two, based on rigorous evidence.

The new era of mass immigration, accelerating since the 1970s and coming chiefly from Latin America and Asia, has transformed the ethnic and racial composition of the US population and the communities where they settle. Today, nearly 70 million persons are of foreign birth or parentage (that is, first or second generation) — about 23 percent of all Americans, including 76 percent of all "Hispanics" and 90 percent of all "Asians" (two pan-ethnic categories officially constructed during this period that lump together dozens of diverse nationalities) — composing an "immigrant-stock" population with a young age structure. This population is growing rapidly in an otherwise aging society as a result both of sustained migration and the higher fertility of immigrant women.

The Mexican-origin population dwarfs all others in both the first and second generations; it already accounts for 27 percent of the country's total immigrant-stock population. The first generation of Mexican immigrants now totals more than 10 million persons — much larger than the next sizable immigrant groups (the Filipinos, Chinese, Indians, and Vietnamese, with more than 1 million each, followed by Cubans, Koreans, Salvadorans and Dominicans, with less than 1 million each).

Indeed, the Mexican total is larger than all other immigrant groups from Latin America combined, and of all Asian countries combined. Except for the rapidly dwindling remnants of the "old second generation" of Europeans and Canadians, US-born children of immigrants today are still very young — in fact, they mostly consist *of* children, with median ages ranging from 9 to 15 for almost all the Latin American and Asian-origin groups — a telling marker of the recency of the immigration of their parents.

Immigrants and their children are heavily concentrated in metropolitan areas, are predominantly nonwhite, speak languages other than English, reflect an extraordinarily wide range of national origins and class, religious, and cultural backgrounds, and arrive with a mix of legal statuses, socioeconomic skills, and resources. By far, the most and the least educated adults in the United States today are immigrants. Their incorporation has coincided with a period of economic restructuring and rising inequality, during which the returns to education have sharply increased.

The era of mass immigration has also coincided with an era of mass imprisonment in the United States, which has further transformed paths to adulthood among young men with low levels of education. Indeed, the US incarceration rate has become the highest of any country in the world. In California alone, there are more people imprisoned than in any other country in the world except China.

The number of adults incarcerated in federal or state prisons or local jails in the United States skyrocketed during this period, quadrupling from just over 500,000 in 1980 to 2.2 million in 2005, according to the Department of Justice. Two-thirds of those are in federal or state prisons and one-third

in local jails; the vast majority are young men between 18 and 39. An estimated 80 percent of them either violated drug or alcohol laws, were high at the time they committed their crimes, stole property to buy drugs, or had a history of drug and alcohol abuse and addiction — or some combination of those characteristics. Adding those on parole or probation to the incarcerated population, nearly 7 million adults are currently under correctional supervision, 3.2 percent of all US adults 18 or older.

The official statistics are not kept by nativity or generation, but they show that imprisonment rates vary widely by gender (93 percent of inmates in federal and state prisons are men, although women are now being imprisoned faster than men); by racial categories (there were 4,834 black male prisoners per 100,000 black males in the United States, compared to 1,778 Hispanic males per 100,000, and 681 white males per 100,000, although since 1985 Hispanics have been the fastest group being imprisoned); and by level of education (those incarcerated are overwhelmingly high school dropouts).

Among some racial minorities, becoming a prisoner has become a modal life event in early adulthood: As sociologists Becky Pettit and Bruce Western have noted, a black male high school dropout born in the late 1960s had a nearly 60 percent chance of serving time in prison by the end of the 1990s, and recent birth cohorts of black men are more likely to have prison records than military records or bachelor's degrees.

Today's children of immigrants — both the first (foreign-born) and second (US-born with at least one foreign-born parent) generations — confront a complex set of circumstances that shape their incorporation. Many are progressing exceptionally well, as evidenced by a variety of educational and socioeconomic indicators. For a smaller but not insignificant segment of this population, there is a strong pull from the streets, where violence and gangs make up a large part of the realities of central cities. By the time these children of immigrants reach adulthood, the impediments and opportunities faced as adolescents solidify.

For those with troubled pasts, the transition to adulthood can be an especially rough process. Those who lack adequate education, requisite job skills, and family safety nets, are hard put to find steady work and a stable source of income. Moreover, for some, a pattern of delinquency during adolescence signals deeper future involvements in the adult criminal justice system.

In this article, the aim is to examine empirically the role of ethnicity, nativity, and generation in relation to crime and imprisonment, and to test assumptions that are widely held among contemporary scholars and policymakers alike.

The analysis will be elaborated at two levels. First, at the national level, the focus will be on the incarceration rates of young men 18 to 39, comparing differences between the foreign born and the US born by national origin and by education, and, among the foreign born, by length of residence in the United States.

Then, at the local level, the latest results from the Children of Immigrants Longitudinal Study(CILS) will be explored. CILS is a decade-long panel study that has followed the progress of second-generation children from early adolescence to early adulthood, focusing on the trajectories of the sample originally drawn in San Diego, California.

### **Background: The Conflation of "Immigrant" and "Crime"**

In the absence of rigorous empirical research, myths and stereotypes about immigrants and crime often

provide the underpinnings for public policies and practices, are amplified and diffused by the media, and shape public opinion and political behavior. Periods of increased immigration have historically been accompanied by nativist alarms and pervasive pejorative stereotypes of newcomers, particularly during economic downturns or national crises (such as the "war on terror" of the post-9/11 period), and when the immigrants have arrived *en masse* and differed substantially from the natives in such cultural markers as religion, language, phenotype, and region of origin.

In the past, such were the prevailing perceptions that variously met the Catholic Irish in the mid-19th century; later the Chinese, the Jews, and the Italians; and, more recently, Cuban Marielitos, Colombians, and others. Popular movies like *The Godfather* and *Scarface*, and television series from *The Untouchables* to *Miami Vice* and *The Sopranos*, project the enduring concern with the presence of foreign criminal elements.

The present period is no exception. California's Proposition 187, which was passed with 59 percent of the statewide vote in 1994 (but challenged as unconstitutional and overturned by a federal court), asserted in its opening lines that "the people of California ... have suffered and are suffering economic hardship [and] personal injury and damage caused by the criminal conduct of illegal aliens in this state." [For the full text of the proposed law, [click here](#)]

In 2000, the General Social Survey interviewed a nationally representative sample of adults with a newly developed module to measure attitudes and perceptions toward immigration in a "multi-ethnic United States." Asked whether "more immigrants cause higher crime rates," 25 percent said "very likely" and another 48 percent "somewhat likely" — that is, about three-fourths (73 percent) believed that immigration was causally related to more crime. That was a much higher proportion than the 60 percent who believed that "more immigrants were [somewhat or very] likely to cause Americans to lose jobs," or the 56 percent who thought that "more immigrants were [somewhat or very] likely to make it harder to keep the country united."

Such attitudes find confirmation at the highest levels of political leadership. For instance, in his address to the nation on May 15, 2006, President George W. Bush asserted, "Illegal immigration puts pressure on public schools and hospitals, it strains state and local budgets, *and brings crime to our communities*" [emphasis added].

Two days later, CNN anchor Lou Dobbs, taking President Bush to task for what he termed "woefully inadequate" proposals, framed the issue as follows in his televised commentary: "Not only are millions of illegal aliens entering the United States each year across that border, but so are illegal drugs. More cocaine, heroin, methamphetamine, and marijuana flood across the Mexican border than from any other place, more than three decades into the war on drugs... If it is necessary to send 20,000 to 30,000 National Guard troops to the border with Mexico to preserve our national sovereignty and protect the American people from rampant drug trafficking, illegal immigration and the threat of terrorists, then I cannot imagine why this president and this Congress would hesitate to do so."

About the only point of agreement between the president and Dobbs seemed to be the equation of "illegal immigration" and "crime."

The belief that immigration leads to increased crime is not solely an American phenomenon; similar trends are evident at the international level. Sociologist Kitty Calavita's recent study in southern Europe, for example, reports that a national poll in Spain, conducted in 2002, found that 60 percent of respondents believed immigrants were causing increases in the crime rate, while a survey conducted in

Italy found that 57 percent of Italians agreed that "the presence of immigrants increases crime and delinquency."

These notions, in turn, were fanned by media accounts. A content analysis of newspapers in southern Italy found that 78 percent of the articles regarding immigration were crime related, while another study found that 57 percent of television reports on immigrants dealt with crime.

### Foreign-Born vs. Native-Born Men: Who Are More Likely to be Incarcerated?

Inasmuch as conventional theories of crime and incarceration predict higher rates for young adult males from ethnic minority groups with lower educational attainment — characteristics which describe a much greater proportion of the foreign-born population than of the native born — it follows that immigrants would be expected to have higher incarceration rates than natives. And immigrant Mexican men — who comprise fully a third of all immigrant men between 18 and 39, and who have the lowest levels of education — would be expected to have the highest rates.

Data from the 5 percent Public Use Microsample (PUMS) of the 2000 census were used to measure the institutionalization rates of immigrants and natives, focusing on males 18 to 39, most of whom are in correctional facilities. Of the 45.2 million males age 18 to 39, three percent were in federal or state prisons or local jails at the time of the 2000 census — a total of over 1.3 million, in line with official prison statistics at that time.

Surprisingly, at least from the vantage of conventional wisdom, the data show the above hypotheses to be unfounded. In fact, the incarceration rate of the US born (3.51 percent) was four times the rate of the foreign born (0.86 percent). The foreign-born rate was half the 1.71 percent rate for non-Hispanic white natives, and 13 times less than the 11.6 percent incarceration rate for native black men (see Table 1).

**Table 1. Percent of Males 18 to 39 Incarcerated in the United States, 2000, by Nativity and Level of Education, in Rank Order by Ethnicity**

Ethnicity	Males, ages 18 to 39:		Percent incarcerated, by nativity and by education:			
	Total in US N	Percent incarcerated %	Nativity:		High school graduate?	
			Foreign-born %	US born %	No %	Yes %
Total:	45,200,417	3.04	0.86	3.51	6.91	2.00
Latin American Ethnicities:						
Salvadoran, Guatemalan	433,828	0.68	0.52	3.01	0.71	0.62
Colombian, Ecuadorian, Peruvian	283,599	1.07	0.80	2.37	2.12	0.74
Mexican	5,017,431	2.71	0.70	5.90	2.84	2.55
Dominican	182,303	2.76	2.51	3.71	4.62	1.39
Cuban	213,302	3.01	2.22	4.20	5.22	2.29

Puerto Rican (a)	642,106	5.06	4.55	5.37	10.48	2.41
Asian Ethnicities:						
Indian	393,621	0.22	0.11	0.99	1.20	0.14
Chinese, Taiwanese	439,086	0.28	0.18	0.65	1.35	0.14
Korean	184,238	0.38	0.26	0.93	0.93	0.34
Filipino	297,011	0.64	0.38	1.22	2.71	0.41
Vietnamese	229,735	0.89	0.46	5.60	1.88	0.55
Laotian, Cambodian	89,864	1.65	0.92	7.26	2.80	1.04
Other:						
White, non-Hispanic	29,014,261	1.66	0.57	1.71	4.64	1.20
Black, non-Hispanic	5,453,546	10.87	2.47	11.61	21.33	7.09

Note: (a) Island-born Puerto Ricans, who are US citizens by birth and not immigrants, are classified as "foreign born" for purposes of this table; mainland-born Puerto Ricans are here classified under "US born."

Source: 2000 U.S. Census, 5% PUMS. Data are estimates for adult males, ages 18 to 39, institutionalized at the time of the census.

*The advantage for immigrants vis-à-vis natives applies to every ethnic group without exception.*

Almost all of the Asian immigrant groups have lower incarceration rates than the Latin American groups (the exception involves foreign-born Laotians and Cambodians, whose rate of 0.92 percent is still well below that for non-Hispanic white natives).

Tellingly, among the foreign born, the highest incarceration rate by far (4.5 percent) was observed among island-born Puerto Ricans, who are not immigrants as such since they are US citizens by birth and can travel to the mainland as natives. If the island-born Puerto Ricans were excluded from the foreign-born totals, the national incarceration rate for the foreign born would drop to 0.68 percent.

Of particular interest is the finding that the lowest incarceration rates among Latin American immigrants are seen for the least educated groups: Salvadorans and Guatemalans (0.52 percent), and Mexicans (0.70 percent). These are precisely the groups most stigmatized as "illegals" in the public perception and outcry about immigration.

### *Second Generation*

Incarceration rates increase significantly for all US-born coethnics without exception. That is most notable for Mexicans, whose incarceration rate increases more than eightfold to 5.9 percent among the US born; for Vietnamese (from 0.46 to 5.6 percent among the US born); and for the Laotians and Cambodians (from 0.92 percent to 7.26 percent, the highest of any group except for native blacks). Almost all of the US born among those of Latin American and Asian origin can be assumed to consist of second-generation persons, with the exception of Mexicans and Puerto Ricans, whose numbers may include a sizable number (around 25 percent) of third-generation individuals. (Since 1980, when the questions on parents' country of birth were dropped, the decennial census has not permitted the precise identification of second vs. third or higher generations.)

Thus, while incarceration rates are found to be extraordinarily low among immigrants, they are also seen to rise rapidly by the second generation. Except for the Chinese and Filipinos, the rates of all US-born Latin American and Asian groups exceed that of the referent group of non-Hispanic white natives.

*Education and Incarceration Rates*

For all ethnic groups, as expected, the risk of imprisonment is highest for men who are high school dropouts (6.91 percent) compared to those who are high school graduates (2.0 percent). However, the differentials in the risk of incarceration by education are observed principally among native-born men, and not immigrants (see Table 2). Among the US born, 9.76 percent of all male dropouts 18 to 39 were in jail or prison in 2000, compared to 2.23 percent among those who had graduated from high school.

But among the foreign born, the incarceration gap by education was much narrower: Only 1.31 percent of immigrant men who were high school dropouts were incarcerated, compared to 0.57 percent of those with at least a high school diploma.

The advantage for immigrants held when broken down by education for every ethnic group. Indeed, nativity emerges in these data as a stronger predictor of incarceration than education. As noted, native-born high school graduates have a higher rate of incarceration than foreign-born, non-high school graduates (2.2 percent to 1.3 percent).

**Table 2. Percent of US-Born and Foreign-Born Males 18 to 39 Incarcerated in the United States, 2000, by Completion of a High School Education, in Rank Order by Ethnicity**

	Males, ages 18 to 39:	Percent Incarcerated, by education by

Chinese, Taiwanese	439,086	0.28	0.91	0.07	4.71	0.36
Korean	184,238	0.38	0.58	0.24	2.05	0.82
Filipino	297,011	0.64	1.73	0.23	4.73	0.81
Vietnamese	229,735	0.89	0.85	0.32	16.18	2.85
Laotian, Cambodian	89,864	1.65	1.72	0.52	9.11	5.80
Other:						
White, non-Hispanic	29,014,261	1.66	1.63	0.43	4.76	1.23
Black, non-Hispanic	5,453,546	10.87	7.08	1.32	22.25	7.64

Note: (a) Island-born Puerto Ricans, who are US citizens by birth and not immigrants, are classified as "foreign born" for purposes of this table; mainland-born Puerto Ricans are here classified under "US born."

Source: 2000 U.S. Census, 5% PUMS. Data are estimates for adult males, ages 18 to 39, institutionalized at the time of the census.

Among US-born men who had not finished high school, the highest incarceration rate by far was seen among non-Hispanic blacks, an astonishing 22.25 percent of whom were imprisoned at the time of the 2000 census; that rate was triple the 7.64 percent among foreign-born black dropouts.

Other high rates among US-born high school dropouts were observed among the Vietnamese (over 16 percent), followed by Colombians (over 12 percent), Cubans and Puerto Ricans (over 11 percent), Mexicans (10 percent), and Laotians and Cambodians (over nine percent). Again, almost all these can be assumed to consist of second-generation persons, as can the large majority of Mexicans and Puerto Ricans.

#### *Length of Time in the United States and Incarceration Rates*

The data examined thus far suggest that the process of "Americanization" leads to downward mobility and greater risks of involvement with the criminal justice system among a small but significant segment of this population. Therefore, the question of what happens to immigrant men over time in the United States was explored.

*For every group without exception, the longer immigrants had resided in the United States, the higher were their incarceration rates* (see Table 3). Here again, the rates of incarceration for island-born Puerto Ricans are significantly higher — regardless of how long they have lived on the US mainland — than the rates for all the immigrant groups listed in Table 3, underscoring their unique status.

**Table 3. Percent of Foreign-Born Males 18 to 39 Incarcerated in the United States, 2000, by Length of US Residence, in Rank Order by Ethnicity**

	Total foreign-born	Percent incarcerated by years in the
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Latin American Ethnicities:					
Salvadoran, Guatemalan	407,147	0.52	0.37	0.46	0.88
Colombian, Ecuadorian, Peruvian	234,834	0.80	0.46	0.66	1.12
Mexican	3,082,660	0.70	0.46	0.66	1.12
Dominican	144,387	2.51	1.48	2.49	3.40
Cuban	127,399	2.22	1.28	1.99	3.07
Puerto Rican (a)	240,713	4.55	2.57	4.01	6.06
Asian Ethnicities:					
Indian	343,834	0.11	0.05	0.11	0.27
Chinese	347,029	0.18	0.07	0.22	0.27
Korean	152,785	0.26	0.10	0.15	0.50
Filipino	205,167	0.38	0.31	0.35	0.45
Vietnamese	210,331	0.46	0.46	0.41	0.51
Laotian, Cambodian	79,489	0.92	†	0.33	1.19
Other:					
White, non-Hispanic	1,266,100	0.57	0.36	0.41	0.88
Black, non-Hispanic	441,263	2.47	1.64	2.10	3.80

Note: (a) Island-born Puerto Ricans are classified as "foreign born" for purposes of this table.

† There are too few cases for an accurate estimate.

Source: 2000 U.S. Census, 5% PUMS. Data are estimates for all foreign-born males, ages 18 to 39, institutionalized at the time of the census, regardless of age at arrival in the United States.

In contrast, foreign-born Mexican men 18 to 39, by far the largest group (at over 3 million), have a lower incarceration rate than many other ethnic and racial groups — even after they have lived in the United States for over 15 years. Thus, the Mexican incarceration story in particular can be very misleading when the data conflate the foreign born and the native born, as official statistics on "Latinos" or "Hispanics" routinely do.

### *Case Study: California*

Also examined were the census results for California, the state with both the greatest number of immigrants — over a quarter of the national total, including the largest concentrations by far of Mexicans, Salvadorans, Guatemalans, Vietnamese, Filipinos, and many other immigrant groups — and with the greatest number of people in prisons and jails.

Overall, native-born men 18 to 39 in California have *higher* incarceration rates than the rest of the United States, while the foreign-born have *lower* rates in California compared to the rest of the country.

The total incarceration rate for the native born is more than one percentage point higher in California than in the rest of the country (4.5 percent to 3.4 percent). In contrast, the incarceration rate for the

foreign born in California was less than half the foreign-born rate in the rest of the country (0.4 percent to 1.0 percent).

### **The CILS Study: Ethnicity, Family, Socioeconomic Status, and Education**

To explore patterns of crime and incarceration among these populations in more depth, data from the Children of Immigrants Longitudinal Study (CILS), a decade-long panel study whose last phase of data collection ended in 2003, were used. The CILS study conducted three major surveys to follow the progress of a large sample of youths representing 77 different nationalities in Southern California (San Diego) and South Florida (Miami and Ft. Lauderdale).

The principal nationalities represented in the San Diego sample, the focus for this article, were Mexicans, Filipinos, Vietnamese, Laotians, Cambodians, Chinese, and smaller groups of other children of immigrants from Asia, Latin America, and the Caribbean.

In the third and last wave of surveys carried out during 2001-2003, the respondents were in their mid-20s (the mean age was 24.2, ranging from 23 to 27), and although the majority had remained in the city and the region, the rest were located in 27 different states plus the District of Columbia and a few military bases overseas. The survey, which included questions about arrests and/or jail time, was supplemented with a complete check of federal prison, California State Department of Corrections, and local county jail records against all of the original respondents in the baseline sample.

The San Diego baseline sample (drawn in 1991) was divided evenly by gender. By nativity, 56 percent were foreign born and 44 percent were native born (second generation). Between two-thirds and four-fifths of the foreign-born children from Mexico, Vietnam, Laos, and Cambodia had fathers and mothers who never completed secondary-level schooling; but 38 percent of Filipino mothers had college degrees, as did a third of Chinese fathers and mothers — well above US norms at that time.

Neighborhood poverty rate differentials were wider still: The proportion of children growing up in inner-city neighborhoods of concentrated poverty (where more than 50 percent of all residents were below the poverty line) ranged from over three-fifths (62 percent) of the Cambodian and Laotian children, about half of the Mexican children (48 percent), and 28 percent of the Vietnamese, to only four percent of the Chinese and two percent of the Filipinos.

Overall, 16 percent of the males in the CILS sample but less than three percent of the women had ever been arrested by the police, and 12 percent of the men but less than two percent of the women had been imprisoned. In most cases, imprisonment involved being convicted and sentenced for committing a crime, although the survey did not ask respondents to specify the nature of the violation or the circumstances.

The Mexicans were about *twice* as likely to report having been arrested and incarcerated as all of the other groups (as well as reporting that family members had been arrested and incarcerated). Given the huge size of the Mexican-origin second generation compared to all other groups in the United States, this is a finding fraught with implications for the future.

Specifically, 28 percent of Mexican-origin men in the sample reported having been arrested and 20 percent reported having been incarcerated in the years since 1995 — i.e., between the ages of 18 and 24 — a much higher proportion than the Vietnamese men, who came next at 17 percent arrested and 15 percent incarcerated, as well as the smaller samples of other Asians and other Latin Americans, with

rates of arrest and incarceration approximating the latter.

Even the reported degree of arrest and incarceration among the Laotians and Cambodians (just under 10 percent) was substantial. Moreover, among males who were arrested and incarcerated, the native born were significantly more likely to have become ensnared with the criminal justice system than the foreign born, reflecting the national-level data presented earlier on adult men between the ages of 18 and 39.

Family structure, academic GPA, school suspensions, inactive status, education attained, and being physically threatened and offered drugs in high school — data gathered from the first and second surveys in the study (in 1992 and 1995) — all showed strong linear relationships with arrest and incarceration, especially among males. That is, respondents from single-parent families, with low GPAs, a history of multiple school suspensions and inactive school status, who were physically threatened or offered illegal drugs more than twice in high school, and with no high school diploma, were much more likely to be arrested and incarcerated.

More consequential still, given the importance for public policy of the Mexican case, the effect of Mexican ethnicity, which is initially strongly associated with incarceration when the demographic and socioeconomic measures are considered, washes out when the measures of school status are subsequently entered in multivariate analyses (especially suspensions, school inactivity, and lower GPA). This suggests that measures of school status — and not ethnicity as such — "explain" the Mexican case.

These results are enlightening up to a point. While they highlight significant patterns and predictors of criminal justice outcomes, and depict the segmentation of socioeconomic mobility trajectories between and within ethnic groups and generational cohorts, they are nonetheless constrained in depicting the complex mechanisms and contexts through which those outcomes are produced.

### **Discussion: Confirmatory Results from Other Studies, Now and Then**

These results from the 2000 census confirm an earlier study by economists Kristin Butcher and Anne Morrison Piehl based on data from the 1980 and 1990 censuses. A new analysis by those authors demonstrates that the results cannot be dismissed as a function of deportations, deterrence, or artifacts of the data (and point instead to self-selection factors in immigration to the United States). Taken together, they provide consistent and compelling evidence over a period of three decades, raising significant questions about conventional theories of acculturation and assimilation.

The finding that incarceration rates are much lower among immigrant men than the national norm, despite their lower levels of education and greater poverty, but increase significantly over time in the United States for those who arrived as children and especially among the second generation, suggests that the process of "Americanization" can lead to downward mobility and greater risk of involvement with the criminal justice system for a significant minority of this population.

Other scholars, such as sociologist Robert J. Sampson and colleagues, have addressed similar questions concerning immigration and crime and conclude that increased immigration is actually a major factor associated with *lower* crime rates. Sampson's Chicago study revealed that Latin American immigrants are less violent and less likely than the second and third generations to commit crimes even when they live in dense communities with high rates of poverty. Studies by sociologists Matthew Lee and Ramiro Martínez of homicides in three high-immigration border cities (San Diego, El Paso, and Miami), and of

drug violence in Miami and San Diego, have come to similar conclusions. Their findings further refute putative linkages between immigration and criminality.

Relevant data from the National Longitudinal Study of Adolescent Health (known as Add Health) has further facilitated the analysis of intragenerational and intergenerational differences in health characteristics and risk behaviors among a nationally representative sample of adolescents.

Studies by sociologist Kathleen Mullan Harris, and by sociologists Hoan Bui and Ornuma Thingniramol, have found that second-generation youth were more prone to engage in risk behaviors (delinquency, violence, and substance abuse) than foreign-born youth. Among foreign-born youth, the longer their time in and exposure to the United States, the greater was their propensity to engage in each of the risk behaviors measured. Controlling for socioeconomic status, family structure, degree of parental supervision, and neighborhood contexts actually *increased* the protective aspects of the immigrant first generation on both health and risk behavior indices. In their analyses, every first-generation nationality had significantly fewer health problems and engaged in fewer risk behaviors than the referent group of native non-Hispanic whites.

In a sense, these systematic findings should not come as news, for they are not new —merely forgotten and overruled by popular myth. In the first three decades of the 20th century, during another era of mass immigration, three major government commissions came to much the same conclusions.

The Industrial Commission of 1901, the [Dillingham] Immigration Commission of 1911, and the [Wickersham] National Commission on Law Observance and Enforcement of 1931, each sought to measure how immigration resulted in increases in crime. Instead each found lower levels of criminal involvement among the foreign born but higher levels among their native-born counterparts, noting that a disproportionate number of the incarcerated had foreign-born parents. If there was an "immigrant crime problem" it was not found among the immigrants, but among their US-born sons, who had a different frame of reference than their parents and faced an entirely different set of circumstances.

## **Conclusions and Implications**

Because many immigrants, especially labor migrants from Mexico and Central America and refugees from Southeast Asia, are young men who have arrived with very low levels of education, conventional wisdom — both in the form of nativist stereotype as well as standard criminological theory — tends to associate them with high rates of crime and incarceration. The unauthorized entry and visa overstays of many, framed as an assault against the "rule of law" by pundits and politicians (most notoriously by a House of Representatives bill, passed in December 2005, which would make felons of all "illegal" immigrants and criminalize those who assist them), reinforces the stereotypical association of immigration and criminality in much public discourse. This association flourishes in a post-9/11 climate of fear and ignorance where "terrorism" and "losing control of our borders" are often mentioned in the same breath, if without any evidence to back them up.

But correlation is not causation. In fact, immigrants have the lowest rates of imprisonment for criminal convictions in American society. Both the national and local-level findings presented here turn conventional wisdom on its head and present a challenge to criminological theory as well as to sociological perspectives on "straight-line assimilation."

For every ethnic group without exception, the census data show an *increase* in rates of criminal incarceration among young men from the foreign-born to the US-born generations, and over time in

the United States among the foreign born — exactly the opposite of what is typically assumed both by standard theories and by public opinion on immigration and crime.

Paradoxically, incarceration rates are lowest among immigrant young men, even among the least educated and the least acculturated among them, but they increase sharply among the US born and acculturated second generation, especially among the least educated — evidence of downward assimilation that parallels patterns observed for marginalized native minorities.

What is more, these patterns have now been observed consistently over the last three decennial censuses, a period that spans precisely the eras of mass immigration and mass imprisonment — and they recall similar findings reported by three major commissions during the first three decades of the 20th century, a previous era of mass migration and crime concerns.

Nativity emerges in this analysis as a stronger predictor of incarceration than education. When immigration and generational status are taken into account, the association between (lower) education and (higher) crime and incarceration rates is complicated in ways not anticipated by canonical perspectives.

It is in the context of the study of immigrant groups and generational cohorts that such paradoxes are revealed, further underscoring the importance of connecting the research literatures on immigration and on crime and imprisonment, which have largely ignored each other — to the impoverishment of both and to the enrichment of popular prejudice.

Given the limitations of both criminal justice statistics and cross-sectional national data, including the fact that nativity and generation are not taken into account in official statistics (which instead lump all such variables into one-size-fits-all racial categories), the longitudinal CILS data set was used to probe the determinants and dynamics of arrest and incarceration outcomes in a panel of young adult children of immigrants observed across the span of a decade, from ages 14 to 24 on average. The results are clearly patterned, interrelated, and cumulative, and suggest that much of the determination of arrest and incarceration outcomes in early adulthood can be traced to specifiable factors, events, and contexts observable and measurable in early to mid-adolescence.

In the process, although the findings presented here must be considered preliminary, they underscore the value of comparative longitudinal studies and of mixed-methods research, combining quantitative and qualitative approaches across a significant span of the life course, from early adolescence to early adulthood.

They also indicate the importance of bringing criminological research into the study of the incorporation of immigrants and their children born or raised in the United States. Serious efforts along these lines would add significantly to our store of empirical knowledge and help to develop both better social science and more informed public opinion about two highly consequential and highly charged areas of American national life.

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## **Sources**

Bui, Hoan N., and Ornuma Thingniramol. 2005. "Immigration and Self-Reported Delinquency: The Interplay of Immigrant Generations, Gender, Race, and Ethnicity." *Journal of Crime and Justice* 28, 2.

Butcher, Kristin F., and Anne Morrison Piehl. 1997. "Recent Immigrants: Unexpected Implications for Crime and Incarceration." NBER Working Paper 6067. Cambridge, MA: National Bureau of Economic Research.

\_\_\_\_\_. 2005. "Why Are Immigrants' Incarceration Rates So Low? Evidence on Selective Immigration, Deterrence, and Deportation." WP 2005-19. Chicago: Federal Reserve Bank of Chicago.

Calavita, Kitty. 2005. *Immigrants at the Margins: Law, Race, and Exclusion in Southern Europe*. Cambridge: Cambridge University Press.

Chávez, Leo R. 2001. *Covering Immigration: Popular Images and the Politics of the Nation*. Berkeley: University of California Press.

Hagan, John, and Alberto Palloni. 1999. "Sociological Criminology and the Mythology of Hispanic Immigration and Crime." *Social Problems* 46: 617-32.

Harris, Kathleen Mullan. 1999. "The Health Status and Risk Behavior of Adolescents in Immigrant Families." In *Children of Immigrants: Health, Adjustment, and Public Assistance*, edited by Donald J. Hernández. Washington, DC: National Academy of Sciences Press.

Laub, John H., and Robert J. Sampson. 2003. *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press.

Lee, Matthew T. 2003. *Crime on the Border: Immigration and Homicide in Urban Communities*. New York: LFB Scholarly Publishing.

Lee, Matthew T., Ramiro Martínez, Jr., and Richard B. Rosenfeld. 2001. "Does Immigration Increase Homicide? Negative Evidence from Three Border Cities." *Sociological Quarterly* 42:559-580.

Martínez, Jr., Ramiro, Matthew T. Lee, and Amie L. Nielsen. 2004. "Segmented Assimilation, Local Context and Determinants of Drug Violence in Miami and San Diego: Does Ethnicity and Immigration Matter?" *International Migration Review* 38, 1: 131-157.

National Center on Addiction and Substance Abuse (CASA). 1998. *Behind Bars: Substance Abuse and America's Prison Population*. New York: CASA, Columbia University.

Petersilia, Joan. 2003. *When Prisoners Come Home: Parole and Prisoner Reentry*. New York: Oxford University Press.

Pettit, Becky, and Bruce Western. 2004. "Mass Imprisonment and the Life Course." *American Sociological Review* 69:151-169.

Portes, Alejandro, and Rubén G. Rumbaut. 2006. *Immigrant America: A Portrait*. 3rd ed. Berkeley: University of California Press.

\_\_\_\_\_. 2001. *Legacies: The Story of the Immigrant Second Generation*. Berkeley and New York: University of California Press and Russell Sage Foundation.

Rumbaut, Rubén G. 1997. "Assimilation and Its Discontents: Between Rhetoric and Reality."

*International Migration Review* 31, 4: 923-960.

\_\_\_\_\_. 2004. "Ages, Life Stages, and Generational Cohorts: Decomposing the Immigrant First and Second Generations in the United States." *International Migration Review* 38, 3: 1160-1205.

\_\_\_\_\_. 2005. "Turning Points in the Transition to Adulthood: Determinants of Educational Attainment, Incarceration, and Early Childbearing among Children of Immigrants." *Ethnic and Racial Studies* 28, 6 (2005): 1041-1086.

Rumbaut, Rubén G., and Alejandro Portes, eds. 2001. *Ethnicities: Children of Immigrants in America*. Berkeley and New York: University of California Press and Russell Sage Foundation.

Sampson, Robert J. "Open Doors Don't Invite Criminals." *New York Times*, March 11, 2006.

Tonry, Michael. 1997. "Ethnicity, Crime, and Immigration." In *Ethnicity, Crime, and Immigration: Comparative and Cross Research Perspectives*, edited by M. Tonry. Chicago: University of Chicago Press.

U.S. Department of Justice, Bureau of Justice Statistics. 2005. "Adult Correctional Populations in the United States, 1980-2004." **Available online.**

Western, Bruce. 2002. "The Impact of Incarceration on Wage Mobility and Inequality." *American Sociological Review* 67:1-21.

Western, Bruce, Jeffrey R. Kling, and David F. Weiman. 2001. "The Labor Market Consequences of Incarceration." *Crime and Delinquency* 47:410-427.

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