

# Illegal Migrants Less Likely to Commit Crime? Guess Again.

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A file photo of a crime scene in Orange, Calif., on April 2, 2021. John Fredricks/The Epoch Times



By John R. Lott Jr.

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*Commentary*

In June, Victor Martinez-Hernandez was charged with the murder of Rachel Morin, a mother of five in Maryland. Police in Oklahoma tracked the accused repeat offender down with a sample of his DNA recovered from a Los Angeles home invasion in which a nine-year-old girl and her mother were assaulted. Police say he came to the U.S. illegally to escape prosecution for at least one other murder in his native El Salvador in December 2022.

“That should never have been allowed to happen,” said Sheriff Jeffrey Ahler, referring to the numerous missed red flags the case presented. His office **apprehended** Hernandez in Tulsa, Oklahoma.

Like the **member** of the Venezuelan gang Tren de Aragua **sentenced to life in prison last week** for the murder of Laken Riley in Georgia, Hernandez’s case is shining a light on the federal government’s failure to properly vet and keep track of lawless migrants.

These gaps have led to broad claims that illegal immigrants have less involvement with the criminal justice system than native-born Americans. A review of the available data, however, shows that the criminal records of millions of migrants—the ones President-elect Trump vows to prioritize for deportation—remain unknown due to illegal crossings, lax enforcement, and lax data collection by federal and “sanctuary” jurisdictions.

In addition, an analysis of the available statistics by RealClearInvestigations suggests that the crime rate of noncitizens is vastly understated. A separate RCI analysis based on estimates developed by the U.S. Department of Justice’s National Institute of Justice (NIJ) suggests that crime by illegal aliens who entered the U.S. by July 21, 2024 cost the country some \$166.5 billion. These criminals disproportionately entered the U.S. during the Biden administration.

The problem begins with incomplete initial vetting by the U.S. Immigration and Customs Enforcement (ICE). The criminal histories of migrants from far-flung countries with often shoddy record-keeping are somewhat hard to determine. It is also impractical to hold each person until they have passed a rigorous background check. As a result, ICE routinely releases many illegals into the country on their



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own recognizance and then discovers afterward that many had criminal records in their home countries.

In response to a request from Republican Rep. Tony Gonzales of Texas, ICE reported this summer that it has [released 7.4 million such “non-detained” noncitizens](#) into the U.S. during the last four decades or so. ICE reports that these include 662,566 noncitizens with criminal histories—[435,719 individuals with criminal convictions in their home countries and another 226,847 with pending criminal charges](#). These precise figures, however, do not say whether the crimes of the latter group were committed in the accused’s home country or the U.S.

In the July 21 letter to Rep. Gonzales, ICE reported that 13,099 of these non-detained individuals have convictions for homicide, with 1,845 facing criminal homicide charges. Another 9,461 have convictions for sex offenses (not including assault or commercialized sex), and 2,659 face pending charges. The convictions include other crimes such as assault (62,231), robbery (10,031), sexual assault (15,811), weapons offenses (13,423), and dangerous drugs (56,533).

These figures are only suggestive of the extent of crime because they only list the most serious crime committed by each individual. A murderer, for example, who also committed a sex offense, is only counted as a murderer. It does not include the fact that millions of migrants are violating the law because of their presence in the U.S. It also does not account for the lawbreaking involved in working without proper authorization or the widespread use of stolen Social Security numbers to secure employment.

The 662,566 convicted and likely criminals make up 9 percent of the 7.4 million released noncitizens.

The statistics miss much of the relationship between crime and illegal aliens. Noncitizens in the “national docket data” either surrendered to border agents or were apprehended at the border. Those who avoid surrender likely have reasons to evade authorities, such as a criminal background. But there are others who avoided being caught and won’t be in these numbers. That group includes “gotaways”—individuals

observed crossing the U.S. border illegally but not apprehended or turned back. With up to 38 percent of border agents shifted from monitoring to processing duties and 30 percent of surveillance cameras not functioning, millions more likely entered the U.S. undetected, potentially including the most dangerous individuals.

The Customs and Border Protection Agency estimates that some two million such “gotaways” have entered the country since 2021.

The data on migrants who have been processed also understates the problem. Criminals rarely commit just one crime. For example, from 1990 to 2002, in the 75 most populous U.S. counties, 70 percent of those convicted of a violent felony had a prior arrest, and 56 percent had a prior criminal conviction. In 2023 in Washington, D.C., the average homicide suspect had been arrested 11 times before committing a homicide. Data for 30 states shows that 60.1 percent of criminals released from prison in 2005 had been arrested again within two years, and 73.5 percent had been arrested within four years. The ICE data set provides a single entry for each individual.

Most violent crimes don’t result in an arrest, so looking at arrests or convictions in these other countries will underestimate whether illegal aliens are criminals. Across all U.S. cities in 2022, only 35.2 percent of violent crimes resulted in an arrest. While 50.6 percent of murders resulted in an arrest, just 24.1 percent of rapes produced an arrest, 22.7 percent of robberies, and 39.9 percent of aggravated assaults.

As the Laken Riley and Rachel Morin murder cases make clear, it is difficult to calculate all the victimization costs of crime to families and society.

Using tools developed by the National Institute of Justice (NIJ), RCI did estimate what is likely the bare minimum economic costs of illegal alien crime. It arrived at its estimated cost to victims in dollar terms by assuming that each of the 662,566 “non-detained” noncitizen offenders on ICE’s list committed just once in the U.S. the crime for which they have been previously accused.

ICE presented Rep. Gonzales with numbers on 42 different types of crime, but the NIJ only calculated the cost to victims for [eight types](#) of crime. Professor Mark Cohen at Vanderbilt University, who co-authored the original NIJ report, [updated the list](#) with 15 of the crime categories reported by ICE: murder, sexual assault, sexual offenses, robbery, assault, arson, burglary, larceny, motor vehicle theft, weapon offenses, drugs, fraud, liquor offenses, gambling, and stolen property. Cohen's updated numbers provide estimates for the damage from child abuse, drunk driving, and vandalism, but ICE did not collect numbers on those crimes.

NIJ's estimated losses from crime victimization include: medical care/ambulances, mental health care, police/fire service costs, social/victim services, property loss/damage, reduced productivity (at work, home, and school), and nonmonetary losses (fear, pain, suffering, and lost quality of life).

Murders account for almost \$153.8 billion of the \$166.5 billion in estimated criminal victimization costs (a breakdown of the costs of crime for each type of crime is [available here](#)). Another \$6 billion involves sexual assaults/offenses, and an additional \$5.2 billion comes from sexual assaults and sexual offenses.

Half of the crimes these non-detained individuals commit don't have cost estimates. These crimes include kidnapping, embezzlement, extortion, smuggling, traffic offenses, and weapon offenses.

These criminal illegal aliens entered the U.S. under multiple administrations, but the size of the problem was likely larger under the Biden administration. That isn't just because so many more illegal aliens were entering the country. Under the Trump administration's remain-in-Mexico policy, the U.S. Citizenship and Immigration Services (USCIS) performed background checks on immigrants. That included contacting immigrants' countries of origin.

ICE agents cannot access the same databases to check on the immigrants, and they don't contact the immigrant's home country. Plus, the massive inflow of immigrants has overwhelmed the system. The Deputy Director for ICE blames the "[enormous workload](#)" agents

face, so they haven't been able to do even the limited background checks they are doing. There are so many coming in that the government can't house these immigrants until their backgrounds are properly checked.

ICE has been processing criminals as they enter the country, but without identifying them as criminals. So, under the Biden administration, they have simply been released into the country. Now, they are walking freely in the United States, and no one knows where they are.

As bad as these numbers are, the reality may be even worse. The Biden-Harris administration is accused of presenting the border crisis so that it does not look as bad as it is. In mid-September, retired San Diego Border Patrol Chief Aaron Heitk [testified](#) how the Biden administration ordered him not to publicize the arrests of illegal border crossers who they identified as having terrorist ties.

The American Immigration Council, which [strongly opposes President-elect Donald Trump's deportation policies](#), estimates that it could cost [\\$88 billion](#) to deport one million illegal immigrants. But if we accept its estimate and ignore [the various government benefits](#) that these individuals might be receiving, ICE's number of 662,556 illegal criminal immigrants implies a cost of \$58.3 billion to remove them—just over one-third of the conservative estimate given here of the cost of the crimes by these criminals.

The estimate of over \$160 billion in costs from criminal illegal aliens is very likely an underestimate of the true costs. It assumes the average criminal coming into the country commits only one offense similar to what he committed in his home country. We are also not counting the costs of half of criminal illegal aliens.

*From [RealClearWire](#)*

*Views expressed in this article are opinions of the author and do not necessarily reflect the views of The Epoch Times.*

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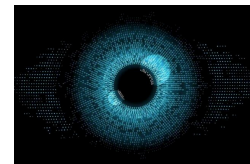
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