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Stephen Miller's claim that 'thousands of Americans die year after year' from illegal immigration

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"This is a deep intellectual problem that is plaguing this city, which is that we've had thousands of Americans die year after year after year because of threats crossing our southern border."

— Stephen Miller, senior adviser to President Trump, in an interview with "Fox News Sunday," Feb. 17, 2019

Miller slipped this line in the final seconds of his contentious interview with host Chris Wallace over President Trump's emergency declaration to fund a wall along the southern border, so some viewers might have missed it. But it's an astonishing statement, suggesting that undocumented immigrants kill thousands of Americans every year.

The White House did not respond to a query concerning Miller's math, but other anti-immigration advocates have made similar claims. Rep. Mo Brooks (R-Ala.) claimed in December that there are "thousands of Americans who are dead each year because [of] the Democrats' refusal to secure our borders." President Trump claimed in 2018 that 63,000 Americans have been killed by illegal immigrants since the Sept. 11 attacks, which works out to about 3,700 a year.

But there is no evidence these claims are true. In fact, the available evidence suggests these claims are false. This is a good example about how a paucity of data allows political advocates to jump to conclusions.

The Facts

First, some context: There is no nationwide data set on crime committed by undocumented immigrants, so researchers have tried to tease the answer from less-than-complete data. Yet study after study shows that illegal immigration does not lead to increased crime, violence or drug problems. In fact, the studies indicate that undocumented immigrants commit crimes at lower rates than native-born Americans.

A 2018 study published in the peer-reviewed journal *Criminology*, led by Michael Light, a criminologist at the University of Wisconsin at Madison, examined whether places with higher percentages of undocumented immigrants have higher rates of violent crime such as murder or rape. The answer: States with larger shares of undocumented immigrants tended to have lower crime rates than states with smaller shares in the years 1990 through 2014. Similar results were found in another peer-reviewed study by the same researchers that looked at nonviolent crime, such as drug arrests and driving under the influence (DUI) arrests.

Similarly, the libertarian Cato Institute in 2018 looked at 2015 criminal conviction data among undocumented immigrants in Texas — one of the few states to record whether a person who has been arrested is in the country illegally or not. Researcher Alex Nowrasteh found that criminal conviction and arrest rates in Texas for undocumented immigrants were lower than those of native-born Americans for homicide, sexual assault and larceny.

“As a percentage of their respective populations, there were 50 percent fewer criminal convictions of illegal immigrants than of native-born Americans in Texas in 2015,” Nowrasteh wrote. “The criminal conviction rate for legal immigrants was about 66 percent below the native-born rate.”

In 2015, there were 785 total homicide convictions in Texas in 2015. Of those, native-born Americans were convicted of 709 homicides (a conviction rate of 3.1 per 100,000), illegal immigrants were convicted of 46 homicides (2.6 per 100,000), and legal immigrants were convicted of 30 homicides (1 per 100,000). In other words, homicide conviction rates for illegal and legal immigrants were 16 percent and 67 percent below those of native-born Americans, respectively.

Some advocates of restraining immigration have sought to make the case that undocumented immigrants commit more crimes by relying on data from State Criminal Alien Assistance Program (SCAAP), a federal program that offers states and localities some reimbursement for the cost of incarcerating certain criminal non-U.S. citizens. The Government Accountability Office (GAO) in July issued an updated report on SCAAP data, but GAO (and SCAAP) only counts total incarcerations, not individuals. Thus the numbers are not helpful for drawing conclusions about the criminality of undocumented immigrants.

In other words, the available research indicates that, when compared with U.S. citizens, illegal immigrants commit fewer crimes. But we understand that some people might argue that any crime committed by an illegal alien is one too many. Miller is involved in a counting exercise — thousands of deaths that in theory would not otherwise have happened if the undocumented immigrant had not set foot on U.S. soil.

But the available evidence does not support a count of thousands of deaths a year, either.

Nowrasteh pointed The Fact Checker to the Texas data. For the five years from 2014 through the end of 2018, there were 200 homicide convictions of illegal immigrants. We’ll assume each conviction represents one person, although, of course, someone could have been convicted of multiple murders.

According to the Department of Homeland Security Estimate of the Illegal Alien Population Residing in the United States in January 2015, there are 1.9 million illegal residents in Texas, or about 16 percent of 12 million undocumented immigrants estimated by the agency. If one assumes that the homicide conviction rate is the same across the country — admittedly a big assumption — then that adds up to 1,250 homicide convictions over a five-year period, or 250 a year.

In the same five-year period, there were about 75,000 murders in the United States. The United States has a 70 percent conviction rate for murder, according to the Bureau of Justice Statistics, so that translates to illegal immigrants accounting for about 2.3 percent of homicide convictions from 2014-2018 while accounting for about 3.8 percent of the population.

Miller said “thousands of Americans” die each year. People tend to murder who they know and live with, so odds are many of these 250 or so murders are of other illegal immigrants, not Americans.

While the White House did not respond to a query about where Miller got his calculation, we should note that Brooks has justified his figure by citing people “murdered by illegal aliens, vehicular homicides by illegal aliens, or the illegal narcotics that are shipped into our country by illegal aliens and their drug cartels.”

That slippery wording that can be used to justify just about any American death from heroin. While 90 percent of the heroin sold in the United States comes from Mexico, virtually all of it comes through legal points of entry. “A small percentage of all heroin seized by [Customs and Border Protection] along the land border was between Ports of Entry (POEs),” the Drug Enforcement Administration said in a 2018 report.

Miller spoke vaguely about “threats crossing our southern border,” adding: “We have families and communities that are left unprotected and undefended. We have international narco terrorist organizations.” The clear implication, especially with the use of the word “terrorist,” was that people were being murdered. Adding drug deaths to the total is not justifiable given that Trump’s proposed wall would not stem the flow of drugs.

There’s a website of victims that says it’s “in honor of the thousands of American citizens killed each year by Illegal Aliens.” There are entries as recently as January, but there are fewer than 300 people listed even though entries date as far back as 1994. The anecdotal stories are moving, but one would expect a much longer list if thousands of people were really killed each year.

The Pinocchio Test

Miller is the senior presidential adviser responsible for immigration policy in the White House, so it’s especially important for him to stick to verifiable facts on such an important issue. There’s no evidence that thousands of Americans are killed by undocumented immigrants, especially in light of credible studies showing they commit lower rates of crime than native-born Americans. He earns Four Pinocchios.

Four Pinocchios

