IMMIGRATION AND CRIME IN EARLY 20TH CENTURY AMERICA

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NBER Working Paper No. 13576
November 2007
JEL No. J01,K4,N3

ABSTRACT

Research on crime in the late 20th century has consistently shown that immigrants have lower rates of involvement in criminal activity than natives. We find that a century ago immigrants may have been slightly more likely than natives to be involved in crime. In 1904 prison commitment rates for more serious crimes were quite similar by nativity for all ages except ages 18 and 19 when the commitment rate for immigrants was higher than for the native born. By 1930, immigrants were less likely than natives to be committed to prisons at all ages 20 and older. But this advantage disappears when one looks at commitments for violent offenses.

Aggregation bias and the absence of accurate population data meant that analysts at the time missed these important features of the immigrant-native incarceration comparison. The relative decline of the criminality of the foreign born reflected a growing gap between natives and immigrants at older ages, one that was driven by sharp increases in the commitment rates of the native born, while commitment rates for the foreign born were remarkably stable.

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"The theory that immigration is responsible for crime, that the most recent "wave of immigration," whatever the nationality, is less desirable that the old ones, that all newcomers should be regarded with an attitude of suspicion, is a theory that is almost as old as the colonies planted by Englishmen on the New England coast."

Edith Abbott in the report of the National Commission of Law and Enforcement (1931: 23)

Concerns about the criminality of the foreign born were prominent in the public debate that led the Federal government to become involved in regulating immigration in 1882, as they had been in the courts and in state legislatures prior to that time (National Commission of Law and Enforcement 1931). A common charge in the Congressional debates was that foreign countries actively encouraged convicts to emigrate to the United States. The issue of crime became increasingly interwoven with immigration in the public debate in the early 20th century. In its 1911 report, the Federal Immigration Commission, known as the Dillingham Commission, concluded that federal regulation was not effectively excluding criminal aliens and proposed strengthening restrictions. Revisions to immigration law in 1910 and 1917 expanded the grounds for deportation to include some criminal acts taking place in the U.S. after lawful immigration. Even after the flow of immigrants had been sharply curtailed by the National Origin Quota Act of 1924, immigrants were still blamed for driving up the crime rate. In the early 1930s, the National Commission on Law and Enforcement, also known as the Wickersham Commission, devoted an entire volume of its final report to the examination of the links between immigration and crime.

The view that immigration increases crime is pervasive and, as Edith Abbott's quote indicates, quite persistent, but is there any evidence to support it? Research on immigration and crime today provides no support for this view. The Dillingham Commission, despite its policy recommendations, found "no satisfactory evidence" that crime was more prevalent among the

foreign born than the native population (U.S. Senate 1970b: 1). The Wickersham Commission likewise did not find evidence supporting a connection between immigration and increased crime. However, these early assessments of the connections between immigration and crime have been challenged by social scientists at the time, who questioned the quality and interpretation of the data, as well as by historians, who have linked trends in violent crime to the arrivals of certain immigrant groups to the U.S.

The objective of this paper is to re-evaluate the evidence on the links between crime and immigration in the early 20th century to determine whether or not immigrants increased the crime rate. Our findings contrast with the findings of the Dillingham and Wickersham Commissions, as well as with the findings of the research on immigration and crime in the U.S. in the recent period.

Theory and Evidence on the Link from Immigration to Crime

The connection of higher crime rates to immigration fits well with several theories of crime (Martinez and Lee 2000; Butcher and Piehl 2006). Theories about the causes of crime operate at several different levels: individual-level causes; family, peer or neighborhood effects; and macro-level effects such as labor market conditions, law enforcement and social influences of alcohol, drugs, guns and gangs. Some explanations emphasize the interactions of potential offenders and potential victims, as well as the built environment in which the crimes occur.[1] For many of these types of causes, immigrants would be predicted to have elevated rates of criminal activity.

Among the individual-level factors, some of the most important predictors are gender, age, education, and poverty. These factors invariably predict a substantial portion of the

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[1] Chapters on each of these topics can be found in Tonry (1998).

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variation in criminal activity in the general population, regardless of whether the outcome is self-reported acts, arrests, incarceration, or recidivism. Age is so consistently and highly correlated with criminality that a branch of criminology is dedicated to understanding the "age-crime" curve through the life course (Laub and Sampson 2003). Immigrants, particularly recent arrivals, tend to be disproportionately represented in the demographic groups with the highest rates of crime: males in their late teens and twenties. Immigrants to the United States have also tended to have high rates of poverty, which would tend toward greater involvement in crime.

Immigrants rate high on other well-known criminogenic factors, including living in socially disorganized neighborhoods in large cities (Taft 1933). The correlation of urbanization with crime and other social problems greatly influenced the development of sociology, especially in the early 1900s (Wikstrom 1998).[2] As with other social science outcomes, a central focus in the empirical research literature has been to tease out individual from community effects. For the present purposes, it is sufficient to note that both mechanisms operate in the same direction – leading toward relatively higher crime rates for immigrants.

Several theories about crime are particular to immigrants. Sellin (1938) emphasized the "culture conflict" faced by immigrants as they adjust to a new set of behavioral norms. At the aggregate level, it is possible that immigration would increase the criminal activity of the native born by displacing natives from work, promoting urbanization, and increasing "the variety of patterns of behavior" (Sutherland 1924: 128). At the same time, some mechanisms would lead immigration to reduce, rather than increase, crime. Sutherland (1924: 124) noted such an effect: that immigrants may have developed strong respect for the law in their home countries, formed in their "homogenous and stable groups" before migrating to the more disorganized American

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[2] These correlations held until recently (Glaeser and Sacerdote 1999), but (depending on the crime measure used) may have moderated during the recent dramatic crime declines in large cities.

city. Changes in policy may also play a role. Over time the legal environment increasingly

discouraged criminal activity among immigrants, by adding screening before entry and

deportation for criminal activity after immigration.

A growing research literature about crime and immigration in late 20th century United

States is finding, using a variety of data and methods, that immigrants today generally have

lower rates of crime than natives. Immigrants are much less likely to report involvement in

criminal activity. A survey of individuals 8 to 25 in Chicago found that immigrants were much

less likely than natives to be involved in violent offenses. The odds of violence for first

generation Americans were approximately half those of the third generation; the odds for second

generation members were about three-fourths of those of the third generation (Sampson,

Morenoff, and Raudenbush 2005). Butcher and Piehl (1998a), using a nationally representative

sample and a measure that included property crime, also found immigrants less likely to be

criminally active. Several studies have also shown that immigration does not increase the crime

rate more generally.[3]

In addition, immigrants are much less likely than natives to be incarcerated. Using data

from the U.S. Censuses of 1980, 1990, and 2000 on young adult males, Butcher and Piehl

(1998b, 2006) show that immigrants have much lower institutionalization rates than the native

born — on the order of one-fifth the rate of natives.[4] More recently arrived immigrants have the

lowest relative institutionalization rates, and this gap increased from 1980 to 2000.

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[3] Butcher and Piehl (1998a, 2006) compare cities with a large share of new immigrants to cities with fewer new immigrants and find no statistically significant relationship between immigration and crime. Similarly, comparisons of border to non-border cities reveal that border cities (with larger immigrant populations) do not have higher crime rates (Hagan and Palloni 1999). And analyses of neighborhoods in Miami, El Paso, and San Diego have shown that, controlling for other influences, immigration is not associated with higher levels of homicide among Latinos and African Americans (Martinez and Rosenfeld 2001).

[4] In 1990 and 2000, the U.S. Census provides information on whether a respondent is in an institution, but not whether that institution is a correctional one. Butcher and Piehl (1998b) documented that for men aged 18-40, the

What we know about the connection between immigration and crime in the early 20th century is much more limited. Like today, the topic was the subject of much popular discussion. Most of the efforts to gather data and examine the issue empirically, however, were conducted by governmental commissions which had political agendas that influenced how they presented and interpreted the data. It is significant, for instance, that the Dillingham Commission stated its conclusion as there being "no satisfactory evidence" that crime was more prevalent among immigrants than the native population. The failure to find a clear difference between immigrants and natives in overall criminal activity led the Commission to focus on nativity differences in the types of crimes committed. The findings on this subject are stated in a much more certain tone: "From the data gathered it is evident that immigration has had a marked effect upon the nature of the crimes committed in the United States. This effect has been to increase the commission of offenses of personal violence" (U.S. Senate 1970b: 2). The Commission singled out immigrants from Southern Europe, and especially those from Italy, for their involvement in homicides. The data underlying these claims, however, undermine the assuredness in which they are presented. The Commission did not find that immigrants were more likely than natives to commit or to be convicted for committing violent crimes. Rather, it found that *within the incarcerated population*, a higher fraction of immigrants than natives had been convicted of violent crimes. As Oscar Handlin pointed out in his scathing review of the Dillingham Commission reports, such evidence only tells us that violent crimes represented a greater share of criminal behavior for immigrants than for natives. It tells us nothing about the relative or absolute criminality of immigrants (U.S. Senate 1970a: xxxv-xxxvi). By 1931 and the Wickersham Commission, the

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vast majority are in correctional institutions so that for this demographic group institutionalization approximates incarceration.

pendulum had swung to the other side, and critics accused the Commission of presenting its findings in such a way as to portray immigrants in the best possible light (Taft 1933).

Even absent the problem of political agendas, contemporary investigations of immigration and crime suffered from having limited or poor quality data. Only a select number of jurisdictions regularly compiled data on police and court records, and the nativity information in these data was often suspect (Sutherland and Van Vechten 1934). The most complete data came from special censuses of the population in penal institutions conducted by the Census Bureau, the so-called Prison Censuses. However, analysis of these data was complicated by the fact that most of the special censuses did not occur in the same year as a population census. In order to assess the relative criminality of the foreign born, we would like to look at crime rates – the ratio of the number of crimes committed by a particular group to the number of individuals in that group in the population. For a relatively stable population, like the native born, a difference of a few years in the timing of measurement of the numerator and the denominator will not bias the constructed crime rate very much if at all. But such a timing difference could substantially bias the constructed crime rates for immigrants, especially in the early decades of the century when immigrant inflows were high. The Census Bureau was very concerned about this issue and for the most part shied away from presenting crime rates. Instead the Census reports presented comparisons of the percentage of the foreign born in the general population at the last census to the percentage of foreign born in the incarcerated population, accompanied by warnings that the population data may understate the immigrant population at the time of the Prison Census.

Another problem with most of the early investigations of immigration and crime is that they did not adequately deal with differences in the age distributions between the immigrant and native-born populations. The Census Bureau, as well as other researchers at the time, were

sensitive to the fact that the relatively small fraction of young children in the immigrant population would inflate the perception of criminality for the foreign born. The solution was to compare the percent foreign born in the incarcerated population to the percent foreign born in the adult population, most often defined as the population 15 and older. This solution, however, led them to fall into the trap of aggregation bias in just another guise. This problem was pointed out most convincingly by C.C. Van Vechten, the Chief of the Institutional Section of the Census Bureau, who was writing in the aftermath of the finding of the Wickersham Commission that the natives were twice as likely as were immigrants to be imprisoned. Van Vechten argued that this "2 for 1" advantage was primarily due to the aging of the immigrant population relative to the native population.

The age distribution of immigrants is strongly influenced by the size of inflows of new migrants, who tend to be in their late teens and early twenties. If the inflow is high, the immigrant population will tend to be younger; when the inflow is low, as it was during World War I and then again after the National Origins Quota Act of 1924, the immigrant population will be older. Figure 1, which presents the age distributions for the foreign-born and native white male populations in 1930, illustrates this point most starkly. The impact of the change in immigration law in the 1920s can be seen in the small fractions of the immigrant population in the 15 to 19 and 20 to 24 year old categories. The bulge in the distribution at ages 35 to 50 reflects the large inflows of immigrants in the early 1910s and 1920s. Since crime rates tend to peak in the early twenties and decline rather precipitously thereafter, it is easy to see how comparisons of native and immigrant crime rates in 1930 that do not control for these differences in age distributions will necessarily bias the results in favor of immigrants.

Such aggregation bias also plagues any consideration of the changes over time in the relative criminality of immigrants and the native born. One interpretation of the contrasting findings of the Dillingham Commission and the Wickersham Commission is that the crime rate among immigrants was falling relative to that of the native born between 1900 and 1930. But the discussion in the previous paragraph offers an alternative interpretation: the immigrant population was simply getting older over the first few decades of the century. Figure 2 presents the age distributions of the native- and foreign-born white male populations in 1910. Here the bulge in the foreign-born population is in the late 20s and 30s, reflecting the large immigrant inflows between 1900 and 1910. Even if there had been no change in age-specific crime rates over the period, we would expect to see the crime rate of the foreign born population as a whole decrease because, over time, a smaller fraction were in the high-crime age groups.

The historical analyses of crime and immigration have been fairly limited to date. Our review of the literature has not found any current reanalysis of the data used by the Dillingham and Wickersham commissions, for instance. The one area in which there has been a fair share of work is the involvement of immigrants in violent crime (Gurr 1989). Monkkonen (1989), using data from newspaper accounts and coroners' records from the 1850s, claimed that New York City's homicide rates would have been a third or possibly even two-thirds lower had it not been for the city's large immigrant population (p. 91). Lane (1989) likewise found that Italian immigrants were disproportionately involved in homicides in Philadelphia in the early 20th century. Between 1899 and 1928, almost 20 percent of all men and women convicted of murder or voluntary manslaughter in Philadelphia and consigned to three local prisons were born in Italy, whereas no more than 5 percent of the Philadelphia population as a whole was Italian born during this period (pp. 70-72). It is difficult, however, to discern what these studies tell us more

generally about the relative criminality of immigrants. First, these studies only provide data on a limited number of jurisdictions. Second, they only tell us about the involvement of immigrants in homicides. Homicides are the most grave criminal offense, but they account for a very small fraction of all crime.

The objective of this paper is to examine the relative criminality of immigrants between 1900 and 1930 using the same data that served as the basis of the Dillingham and Wickersham Commissions: the Prison Censuses. We carefully assemble population denominators from census data tabulations and microdata samples of census records, adjusting for mortality and other demographics to provide the best estimates for the prison census numbers, taking advantage of the fact that we have much richer population data available to us than the Commissions had at the time. We pay special attention to the impact on measured criminality of the differences in the age distributions of immigrants and natives and the aging of the immigrant population over the period.

The Prison Censuses

The basic question we ask is, were immigrants more or less likely than the native born to commit crimes? We can never, however, address this question directly, because we cannot observe criminality per se, but rather crime as defined by things that are recorded, like crime reports, arrests, and convictions. Crime measured by any of these types of data will necessarily be an understatement of criminal activity. But for our research agenda what is most vital is how the crime measure allows us to compare the experiences of the native and foreign born. There are reasons to believe that all of these types of data may over- or under-state relative immigrant involvement in crime: immigrants may have been less likely to report victimization, or, racial

prejudice on the part of the police or courts may have made them more likely to be arrested and convicted of crimes. The degree and even the direction of the biases created by these issues are difficult to evaluate, even in modern crime data. So our selection of data is based on the perceived quality of the nativity information.

We use prison population data collected by the Census Bureau because of the quality of the information on nativity and related factors. The prison censuses were designed to collect data on the characteristics of the prison populations. Police records were designed for a very different purpose, a purpose for which the accurate recording of place of birth and time in the U.S. was not vital.[5] The Census Bureau collected some data on prisoners in the nineteenth century in conjunction with the decennial population censuses. These early data collection efforts were hampered, however, by the failure to define clearly the population of interest. Terms like "crime," "criminal," "prison," and "convicted" were not defined on the census schedules. In 1880 and 1890, the Census provided special supplemental schedules which defined these terms, but the returns were "incomplete and fragmentary" (U.S. Department of Commerce 1926: 5).

In 1904, the Census Bureau conducted its first special enumeration of prisoners separate from the population census. Data were collected on the population in penal institutions on June 30, 1904 as well as on all commitments to these institutions between January 1, 1904 and

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[5] A study of police records in the 1930s, in fact, found that street cops often confused religion and country of birth (Sutherland and Van Vechten 1934). Moreover, the prison census data may suffer less from the impact of racial and ethnic prejudice than arrest records, as the prison censuses only included individuals who had been sentenced to penal institutions. These individuals therefore had been charged and convicted by a court of committing an offense. Judges and juries surely were swayed by nativist views, but such views likely had a larger impact on arrests since arrests are dominated by low-level incidents with wide discretion. We do not have direct evidence on bias in punishment, but some suggestive support comes from a number of studies that find that court outcomes did not vary by nativity. A study of data from Chicago police and court records for 1925 and 1929 conducted as part of the Wickersham Commission found that the ratio of convictions to arrests was the about the same for native whites and the foreign born (National Commission on Law and Enforcement 1931: 171). Roger Lane (1989) likewise found that among those charged with killing someone in the Philadelphia courts in the early 20th century, the degree of charge and conviction rate did not vary significantly by race or ethnicity (p. 71). The one study we could find regarding pre-trial treatment by nativity is for the more recent period. Using data from El Paso and San Diego from the 1980s, Hagan and Palloni (1998) found that immigrants were more likely than natives to be detained pre-trial, even after controlling for factors like age and offense (pp. 376-8).

December 31, 1904. The Census Bureau did similar special enumerations in 1910 and again in 1923. Starting in 1926, the Census Bureau began annual counts but limited their scope to state and federal facilities.[6]

Despite being commonly referred to as "prison censuses," the focus of the data collection, as well as the bulk of the analysis by the Census Bureau, was on commitments to prisons, rather than on the prison population at a given moment in time. All of the censuses did collect and present data on the what we might call the "stock" of prisoners on particular date, but most of the detailed tables and breakdowns pertain to commitments, or the "flow," into prisons over a given time period. This focus became more pronounced over time; by the 1930 prison census only one of the 54 tables pertained to the prison population on a given date and one more reported the average daily prison population.

Some explanation for this focus is given in the report of the 1923 prison census. Data on the incarcerated population on a given date, it was argued, was useful for assessing the costs of institutional care for different types of offenders, but not for studying criminality. It was pointed out that an increase in the prison population could occur without an increase in the number of crimes being committed; longer sentences would increase the number of individuals incarcerated on any given date. Commitments over a specified period of time were viewed as a better index of criminality. Increases or decreases in commitments may not be exactly proportional to increases and decreases in criminal activity, but "other things being equal," an increase in the number of commitments for a particular offense was directly related to an increase in convictions

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[6] All of these censuses were restricted to individuals who had been "sentenced." Individuals who were detained in facilities awaiting trial or sentencing were not included in the enumeration of the prison population or commitments.

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for that offense, which was likely related to the frequency that offense was committed (U.S. Department of Commerce 1926: 4-5).[7]

This focus on the flow rather than the stock of prisoners contrasts sharply with studies on incarceration in the current period. The flow measure "new commitments from the courts" may give the best approximation for crime rates. However, flows are dominated by more common, but less serious, crimes. One might prefer the stock measure instead, as it gives a weighted average of all of the sources of flow, with the weights based on sentence length as well as inmate behavior (through its effect on release decisions). The 1910 data allow us to analyze the differences between the "stock" and "flow" of inmates across jurisdiction level and across crime types. The top panel of Table 1 shows how the number enumerated in an institution differs from the flow of new commitments in 1910 for several demographic groups. Overall, the 479,787 commitments are 4.3 times the 111,498 present at a point in time in prisons, jails, and workhouses. Looking across demographic groups, the results show that women have a much higher ratio of flow to stock than men (7.6 to 4.1), and foreign-born whites have a higher rate than native-born whites (5.1 to 4.6). Similar patterns are evident for the flow out (discharges) relative to the stock.[8] These numbers indicate that the criminality of the foreign born will generally look relatively worse using a flow measure than with a stock measure.

The bottom panel of Table 1 reports the enumerated population and the commitment flow for 1910 by offense (offenses with fewer than 1000 enumerated were suppressed in the table). Commitment numbers are dominated by less serious crimes of disorderly conduct and vagrancy,

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[7] The question remains, though, why was the Census Bureau interested in measuring the extent of crime? The answer seems to be that the Census Bureau, or at least some of those working at the Bureau, viewed itself as the agency responsible for providing national statistics. The writers of the 1923 report note that in a number of other countries national statistics on crime were regularly compiled from police and court records. In the U.S., however, such statistics were compiled only locally and in general remained quite sparse and unstandardized (U.S. Department of Commerce 1926: 5).
[8] Results available from the authors.

which comprise 65 percent of all commitments. Homicides, which are 13 percent of the enumerated population, are less than 1 percent of the flow into this broad set of institutions. Thus, when one considers commitments to all penal institutions, the conclusions will be driven by high-volume offenses that tend to be punished by short stays in confinement. These lesser crimes may be treated quite differently in different states. Also note that commitment data may have more measurement error, as the rates of "unknown nativity" and "offense unknown" are much higher in the commitment data than in the enumerated data.

The picture changes when we narrow our focus to commitments to state and federal prisons, the final column on Table 1. State and federal prisons generally housed the most serious offenders. Although state laws varied, typically only those sentenced to a year or more would be placed in a state, rather than local, facility. Accordingly, state and federal prisons accounted for the majority of the sentenced inmate population at any given moment in time. For instance, 53 percent of the population incarcerated on January 1, 1910 was in state or federal prisons.

Commitments to prisons were dominated by more serious offenses. The distribution of offenses for such commitments was, in fact, very similar to the distribution of offenses for the enumerated population. The only notable difference between these two distributions is the much smaller share in prison commitments of less serious offenses like disorderly conduct. The data on prison commitments are also of higher quality than those of commitments more generally. In fact, the percent of observations with missing information on nativity is smaller for prison commitments than for the enumerated population.[9]

We focus our analysis on commitments to prisons or commitments for more serious offenses. This focus, we believe, makes our findings more comparable to studies of the recent

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[9] The analysis presented in the paper treats missing data on nativity as being random. This likely leads us to disadvantage the foreign born relative to the native born since some prison officials may have just left the nativity information for natives blank, viewing that as the "default."

period which look at the prison population at a given moment in time. But we would also argue that commitments for more serious offenses are a better measure of "criminality" as usually perceived. These are the offenses that impose the greatest costs to society. Moreover, convictions for minor offenses like disorderly conduct reflect, to a much greater extent than those for serious offenses, the choices made by law enforcement officials. For instance, prosecution of these offenses was much more common in urban areas where most immigrants lived. Anecdotal evidence also suggests that in many cities immigrants were more likely than natives to be arrested and prosecuted for these minor offenses. We do examine nativity differences in commitments for minor offenses, but most of our discussion and analysis focuses on commitments for more serious crimes.

Another challenge for our analysis, particularly for examining changes in the relative criminality of immigrants over time, is the tremendous variation across the published prison census reports in how the data are presented and even how population subgroups are defined. Our strategy is to exploit the strengths of each prison census. Ideally, we would like to have data on prison commitments by gender, age, nativity, and offense. But such detailed breakdowns are only available for the annual prison censuses starting in 1926 and these only provide data on state and federal prisons. The 1923 Prison Census, however, does provide breakdowns by gender, age, nativity, and jurisdiction, allowing us to compare state prisons to municipal and county jails. As shown in Table 1, the breakdown by jurisdiction roughly coincides with the division between more serious and less serious offenses. The 1904 Prison Census does not provide breakdowns by jurisdiction, but it does separate commitments for "major" and "minor" offenses by gender, age, and nativity. "Major offenses" included "all crimes that are universally held to be of a grave nature," and included all person offenses, the most aggravated offenses

against chastity, perjury, counterfeiting, arson, burglary, forgery, embezzlement, and serious cases of larceny and other offenses when punished by imprisonment of more than one year (U.S. Department of Commerce and Labor 1907: 28).[10] We treat commitments for major offenses in 1904 as roughly comparable to commitments to prison in the later censuses. Unfortunately, the 1910 Prison Census, despite presenting more tables than any other prison census report, does not provide data separately by gender, age, and nativity that specifies type of offense or jurisdiction. So for the most part, we leave the 1910 data out of our analysis.

Although the data would allow us to consider the experiences of females and juveniles, we limit our attention to males ages 18 and over. As can be seen in Table 1, females during this period had very low incarceration rates. Most commitments of females were for prostitution and generally involved short sentences. Juveniles, too, had very low rates of incarceration. But more problematic for this study, the treatment of juveniles in the criminal justice system varied greatly across states and over time. A 15 year-old convicted of robbery might be committed to a juvenile facility in one state but to a jail in another state. Although some of the prison censuses do provide information on commitments to juvenile facilities, many of these commitments are for minor, juvenile-specific offenses like truancy, as well as for other non-crime reasons, like having deceased or incapacitated parents.

Commitment Rates by Age, Race, and Nativity

To compare the criminal activity of natives and immigrants, we want to calculate commitment rates – the ratio of the number of commitments of a particular group to the number of that group in the population. As noted above, these calculations require having accurate

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[10] The Census Bureau drew the "major" vs. "minor" distinction because of the variation across jurisdictions in the definition of "felony" and "misdemeanor."

population data that correspond with the timing of the Prison Censuses. Although all of the

annual censuses of state and federal prisons starting in 1926 present similar data, we choose to

use the 1930 prison data so that we can use the data from the 1930 federal population census to

construct the denominators. In order to examine the 1904 and 1923 prison data, we must

construct population estimates. The writers of the 1923 prison census report simply used data

from the 1920 population census. However, the 1920 data understate the size of the foreign-born

population relative to that of the native born in 1923, particularly in the younger age categories.

Immigrant arrivals jumped dramatically in the early 1920s in the aftermath of the first World

War and the scramble to enter the U.S. before it changed its immigration laws. In order to

capture this inflow of new immigrants before 1923, we construct population estimates for 1923

using microdata from the 1930 population census made available through the Integrated Public

Use Microdata Series.[11] The 1930 census collected data on the year of immigration which we

use to identify the foreign born who had arrived in the U.S. by 1923. We then age the population

backward to 1923 and adjust for mortality to construct population estimates by age and

nativity.[12] Using these population estimates rather than the 1920 population data lowers the total

commitment rate for 18 to 20 year olds by 17 percent. Taking into account the immigration

flows of the early 1920s, therefore, significantly alters the constructed age profile of the

incarceration rates of the foreign-born population. We use the same procedure to construct

population estimates for 1904 using the 1910 IPUMS dataset.[13]

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[11] IPUMS data and supporting documentation is available on-line at: www.ipums.umn.edu.

[12] We adjust for mortality using the age-specific death rates for white males in 1930 in Death Registration States presented in Linder and Grove (1947) Table 9, p. 186. We also constructed population estimates using the nativity-specific mortality rates presented in the same table. Using these alternative population estimates had little effect on the results. For no age category did it change the sign of the difference between the commitment rates of natives and the foreign born.

[13] For the 1904 estimates, we adjust for mortality using the age-specific death rates for white males in 1910 in Death Registration States as presented in Linder and Grove (1947) Table 9, p. 186.

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In Table 2, we present commitment rates per 100,000 population by age, race, and nativity. Note that the age categories are not of consistent width; because of the importance of age in the study of crime outcomes, we report age at the lowest level of aggregation available. The data for 1904 are commitments are for "major offenses, and the data for 1923 and 1930 are commitments to state and federal prisons. In 1923, data on commitments were collected for only the first 6 months of the year whereas the data for 1904 and 1930 were collected for the entire calendar year. We doubled the numbers reported in the census in our calculations of the rates in Table 2 to make them comparable.[14]

The highest commitment rates, by far, are among black Americans. This phenomenon persists today, and is the subject of a long literature. The consideration of disproportionate incarceration of blacks is beyond the scope of this paper. Besides the issue of potential racial bias in enforcement and conviction rates, the comparison of the incarceration patterns of blacks and the foreign born in this period is complicated by the very different geographical distributions of these populations. The immigration-crime debate in the early 20th century was framed in terms of the comparison of foreign-born to native-born whites. We choose to emphasize the same comparison. However, as is easily seen by looking at the last column in Table 2, if the comparison group were all natives instead of native whites, the relative performance of immigrants would appear much better.

Figure 3 graphs the age-specific commitment rates by nativity in 1904. For native-born white males, the commitment rate peaks at the early 20s, falling steadily thereafter. This "age-crime" curve is familiar to criminologists. For foreign-born white males, the relationship is similar, but with a higher and earlier peak (ages 18-19). By age 30, the rates are quite

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[14] We are unaware of any studies of seasonality in prison commitments during this time period. Seasonality in crime rates in more recent times is well established, but processing time through the courts may dampen these patterns in commitment rates.

comparable across both nativity groups. In 1923, the foreign born had higher commitment rates to state and federal prisons than natives for younger ages, but lower rates at older ages, age 35 in this case.

In contrast, in 1930 the commitment rates of foreign born white males are lower at each age than for the native born, in some cases substantially lower. Detailed results are in the bottom panel of Table 2, with the main comparison graphed in Figure 4. However, the comparison of native-born to foreign-born whites as presented in the 1930 data is potentially misleading, especially if one wants to make comparisons over time. In both the 1930 population census and prison census, people born in Mexico or of Mexican descent were classified simply as "Mexican" without regard to nativity. In previous population censuses and the special enumerations of penal institutions, Mexicans were classified as "whites."[15] Therefore, Mexican immigrants are excluded from the 1930 data on "foreign-born whites" in spite of forming a sizable part of the foreign-born.[16] Individuals of Mexican descent who were born in the U.S. were also excluded from the "native-born white" category, but the impact of this exclusion is smaller given the size of this group relative to the size of the native-born population as a whole. Given the constraints of how the prison census data were reported, the only way we could include those of Mexican descent was to substantially broaden the definition of foreign born. The category "foreign-born white plus all other races" includes Mexicans as well as Native Americans, Chinese, Japanese, and all others deemed not white and not black. Mexicans account for the vast majority of this "other race" group. But about a third of all males over the age of 15 identified as "Mexican" in the population census were born in the U.S. Adding this group to the

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[15] Mexicans were separated out from whites in the penal institution data starting with the 1926 census of state and federal prisons.

[16] Mexican-born males accounted for approximately 5 percent of the foreign-born male population in 1930 (U.S Department of Commerce 1933: Table 8, p. 577 and Table 15, p, 586).

foreign born muddles the comparison by nativity, but it at least can give us a sense of the degree to which the exclusion of Mexicans influences the incarceration patterns we observe.

Adding "other races" to the foreign-born category generally increases the commitment rate by 30%. This substantially narrows the difference between native and foreign-born commitment rates, but does not change the sign of this difference. In 1930 the age-adjusted rates of prison commitment are quite similar for the native and the (broadly defined) foreign born at younger ages, but by age 20 the foreign born appear to be somewhat less likely to be committed to state or federal prison.

The picture that emerges from Table 2 contrasts with that pieced together from the Commission and Census Bureau reports of the period. The general pattern of immigrants improving relative to natives over time is the same, but the starting and ending points are different. In 1904, young immigrants had higher rates of commitments for serious offenses than did natives of the same ages. Moreover, the change in commitment rates over time for this group was also much smaller than for older immigrants. The relative decline of the criminality of the foreign born is really a story about a growing gap between natives and immigrants at older ages.

Age-specific commitment rates clearly tell us more than could aggregated rates about how criminal behavior differed between natives and immigrants, but they cannot tell us how differences in the age distributions of the two groups affected the perceptions of the relative criminality of the two groups. Table 3 summarizes the impact of the different and changing age distributions of the foreign- and native-born populations on aggregate commitment rates. Using our population estimates, the overall commitment rate for the native born is 76/100,000 in 1904, and nearly double that in 1930 at 140/100,000. For the foreign born, the rate is somewhat lower in 1904 at 69, falling to 52 by 1930.

To report the aggregate rates on equal footing, we recalculate them for a consistent age distribution, choosing the 1930 distribution of native-born whites as the benchmark. As seen in the bottom of Table 3, this change makes little difference for the native born. However, the shift in the estimate for the foreign born is dramatic. In 1904, the age-standardized commitment rate for immigrants is higher than the unstandardized value and in fact, is higher than that of the native born. Even in a period of large inflows of immigrants, the age distribution of the foreign born advantaged them in aggregate commitment rates. The age-standardized commitment rates for immigrants in 1923 and 1930 are basically the same as that of 1904. All of the decline in the overall commitment rate for immigrants observed in the top panel of Table 3 is due to the aging of the foreign-born population. From these calculations, it is clear that the improvement of the foreign born relative to the native born comes from the doubling of the commitment rate of the native born over this time period.

Commitment Rates by Offense Type

Violent and property crimes frequently have different time trends, age patterns (with involvement in property crimes peaking at younger ages than for violent crimes), and geographical distributions. In addition, inmates convicted of property crimes have somewhat different criminal histories and post-release outcomes compared to those convicted of violent crimes (Langan and Levin 2002). Although all of the prison censuses we examine collected data on offense, only the 1930 census reports data that allows us to look at nativity differences in commitment rates for particular offenses controlling for age. Even within commitments to prison, a measure that captures the more serious offending, violent crimes are a minority. But for the foreign born, violent crime represents a larger share of overall offenses (36% for those

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age 18-24 and 28% for those 25 to 34) than among the native whites (24% and 20%, respectively). The top panel of Table 4 shows the commitment rates for white males at the least aggregated level available. Here, the foreign-born white rate (excluding Mexicans) is almost identical to that of native whites at ages 18 to 24, then slightly lower than that of native whites at older ages. Using the broader definition of the foreign born in order to include Mexican immigrants narrows the gap between immigrants and natives even more.

The bottom panel of Table 4 shows the commitment rates for homicide, the most serious of the violent crimes. Foreign-born white males under age 35 have homicide commitment rates that are substantially below those of native whites of the same ages when the narrower definition is used. But the broad definition of foreign born is used the homicide rate for the younger age groups exceeds that of natives. It is interesting to note that the age-crime curve is much flatter for homicide than for the other crimes.[17]

Although the foreign born in 1930 had much lower overall prison commitment rates than natives, commitment rates for violent offenses were very similar across the two nativity groups. This is perhaps most easily seen in the rows reporting the aggregate rate using the native-born age distribution.

These findings for violent crime contrast with those measuring lesser offenses. Table 5 reports commitment rates for "minor" offenses for 1904 and 1923. In both years, the commitment rates of the foreign born exceed those of native born whites when minor offenses are considered. The gap in commitment rates for minor offenses is particularly large for males in their 40s and 50s. Note, too, that the age-crime curve is quite flat for the minor offenses. The

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[17] One piece of evidence that has been used to link the large immigrant inflows around the turn of the 20th century to trends in violent crimes is the surge in the measured homicide rate during this period. Eckberg (1995) has shown, however, that this surge is due primarily to the changing geographic composition of the vital statistics data on homicides between 1900 and 1933. He constructs estimates of the homicide rate over this period controlling for the changing geographic coverage of the data and finds a smaller increase (from 6.4 to 9.5 per 100,000).

age of highest offending rate is in the 40s! These findings are also consistent with the higher "commitment to enumerated" ratio for the foreign born observed in 1910 (Table 2).

Higher commitment rates for minor offenses, however, may not be evidence of greater criminality among the foreign born. Imprisonment for minor offenses depends greatly on law enforcement choices. The writers of the report on the 1904 prison census attributed the relatively large numbers of commitments for minor offenses among the foreign-born population to its concentration in major urban centers where such offenses were more likely to be punished (U.S. Department of Commerce and Labor 1907: 28). The level of enforcement of these kinds of offenses varied greatly across jurisdictions. A study of city-level data from 1900 found that the arrest rate for drunkenness was positively correlated with the number of police per capita and the number of years the police department had had a merit system in place (Brown and Warner 1995: 90).

But the higher commitment rate for such offenses among immigrants likely also reflects prejudicial enforcement even within particular jurisdictions. The decision to arrest someone for disorderly conduct or drunkenness is a discretionary one. There is ample anecdotal evidence that immigrants, especially those who did not speak English, were more likely to be arrested and convicted for such offenses. Maldwyn A. Jones (1976) recounted such a story in his popular history of the experiences of immigrants in America, *Destination America*. An Italian immigrant bought a candy bar and put it in his pocket. He was stopped by police because they assumed it must be a gun or a knife. Even after the police discovered it was just a candy bar, they arrested the man because being unable to speak English, he could not explain how he got the candy bar (p. 213).[18]

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[18] Paul Livingstone Warnshuis documented similar incidents in his study of Mexican immigrants and the criminal justice system in Illinois (National Commission on Law and Enforcement 1931: 291-2).

Assimilation? Time in the U.S. and 2nd Generation

The much higher commitment rates for more serious offenses for the foreign born under age 30 appear to support the notion that at least young immigrants were more likely to be involved in criminal activity than natives their same age. The question is, were the foreign born committed for major offenses more likely to be recent arrivals in the U.S. or individuals who had been in the U.S. for a number of years? Table 6 contrasts the distribution of time in the U.S. of those committed to penal institutions to the distribution in the civilian population of foreign-born white males in 1904. While 3.4 percent of the civilian population had been in the U.S. for one year or less, a full 8.7 percent of those committed for major offenses had arrived that recently. This is a huge proportion of the population, especially considering that enforcement actions generally take some time to complete. In the distribution of time in the U.S. we again see a dramatic difference between major and minor offenses. More than half of those committed for minor offenses had been living in the U.S. for 15 years or more. A final view of this issue is presented in Figure 5, a graph of the percent "recent" among all foreign born males, by age, where "recent" is defined as having been in the country for five or fewer years. For those under age 30 – the ages with the highest commitment rates relative to the native born – a substantial fraction (30 percent or more) were recent immigrants. In contrast, fewer than 5 percent of those over 40 arrived recently. These patterns suggest that two different mechanisms explain the earlier results: one mechanism that emphasizes more serious crime among young recent immigrants, and one that leads to high levels of vagrancy and disorderly conduct among older immigrants who have been in the country many years.

The discussion of time in the U.S. leads naturally to a consideration of the outcomes for the children of the foreign born, a topic of great concern to the Dillingham and Wickersham

Commissions. Figures 6 and 7 show the commitment rates for major and minor offenses by parentage. These rates were calculated using population estimates constructed from the 1900 population census.[19] In these graphs, those born to two native parents are compared to those with one or more foreign-born parent. For the major offenses, the commitment rates for the latter group are generally somewhat higher than for the children of native-born parents. The gap is not usually large, and both groups show the same age-crime curve with a peak in the early 20s. For minor offenses, the pattern is very different. Here the children of foreign parents have very high commitment rates, particularly in the 40s and 50s, mimicking the patterns of the foreign born themselves.

Country of Origin

We now turn to the final "hot" issue in the study of immigrant criminality, that of relative criminality across countries of origin. Both of the Commissions concluded that the composition of offenses varied greatly across immigrant groups. The Dillingham Commission had singled out the Italians for their involvement in violent crimes. Roger Lane (1989) likewise singled out the Italians as being disproportionately involved in homicides in Philadelphia in this period. None of these studies, however, considered the impact of age on the crime experiences of different immigrant groups. The age distributions varied quite a lot by country of origin, just as they differed between immigrants and natives. Figure 8 gives an indication of this variation by

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[19] To construct these population estimates, we used published data from the 1900 census (U.S. Department of Commerce 1902: Table XVI, pp.xxxvi-xxxix). We aged the population forward to 1904, making adjustments for mortality. The mortality adjustments were made using the age-specific death rates for white males in 1900 in Death Registration States as presented in Linder and Grove (1947) Table 9, p. 186. We also calculated commitment rate data for natives by parentage using population estimates constructed from the 1910 IPUMS as for the previous analyses of the 1904 data. These data exhibited the same patterns and yield the same conclusions as those presented in the paper.

plotting the age distributions for the Germans, Irish, and Italians in 1904.[20] The Germans and

Irish were part of the "old stock" of immigrants, and by 1904, these populations were quite old,

with nearly half of the population 50 years of age or older. By contrast, the Italians, part of the

"new stock" of immigrants, look young, with the bulk of the population in the 20s and 30s.

Given what we have shown about the age distribution of crime, one would expect these

differences to be observable in crime outcomes.

Ideally, we would like to be able to look at commitment rates by age for the different

immigrant populations. But none of the prison censuses reported commitment data broken down

by both country of origin and age. So instead we predict commitment rates for each immigrant

group based on the age distribution in the general population and the propensities for

commitment by age from the foreign born population overall. These predicted commitment rates

give us a sense of how much of the variation in commitment rates by country of origin can be

explained by variation in the age distributions alone.

Table 7 reports the 1904 actual and predicted commitment rates to penal institutions, in

total and separately for major and minor offenses, by country of origin. One interesting result of

the simulation is the distribution of predicted rates across countries of origin. For minor

offenses, the predicted rate barely fluctuates, due to the flat age-crime curve. But for major

offenses, the predicted rate varies greatly across countries. This fluctuation should raise a big

red flag regarding any comparisons of criminality across immigrant groups that do not account

for age.

The data in Table 7 demonstrate that at least some of the differences in commitment rates

by country of origin can be attributed to differences in age distributions. For instance, the

commitment rate for major offenses for Russian immigrants, one of the "new" immigrant groups

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[20] These age distributions were constructed from the 1910 IPUMS dataset as described above.

of the period, was high relative to those of the English, Germans, and Irish, but it was close to what was predicted given the age distribution of this group. But differences in age distributions cannot explain all of the differences in crime involvement across immigrant groups. For some groups, the predicted rates far exceed the actual, meaning that the group is "outperforming" what would be expected given the age distribution of that immigrant group. For example, Hungarians and Swedes were committed for major offenses at half the rate that would be expected based on age alone. For the Irish, the predictions are lower than the actual experience. But while this difference is small for major offenses, it is huge for minor offenses.

The results are also dramatic for Mexicans. But there are reasons to believe that this may reflect, at least in part, problems in both the population and commitment data for this group. The seasonal migration of the Mexican immigrant population may make the census date count an understatement of the population "at risk" to be committed to a penal institution in a given year. At the same time, the commitment data may overstate the number of Mexican born if institution administrators tended to classify those of Mexican ancestry simply as "Mexicans."[21]

The Italians merit special note given the attention this group has received in previous studies. While Italian immigrants had a very low commitment rate for minor offenses, their commitment rate for major offenses was high – more than twice that of Irish immigrants and three times that of German immigrants. This higher commitment rate, however, can in part be explained by the much younger age distribution of Italians. The predicted commitment rate for Italians was almost twice those of Germans and the Irish. Nonetheless, the predicted commitment rate falls short of the actual rate by a considerable degree. Even taking the younger

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[21] Paul Taylor raised such concerns relating to the data on Mexicans presented in the Wickersham Commission report. Taylor argued that the tendency of prison officials to classify persons of Mexican ancestry as simply "Mexicans" likely would have been offset by foreign-born individuals falsely claiming U.S. nativity to avoid deportation. However, given immigration law in 1904, foreign-born individuals would not have had such an incentive to misreport their nativity (National Commission on Law and Enforcement 1931: 200-201).

age distribution into account, Italian immigrants appear to have been disproportionately involved in more serious crimes.

Commentators at the time frequently attributed differences in criminality by ethnicity to difference in cultural predispositions (Bingham 1908). But before taking the data in Table 7 as confirming this view, it is important to keep in mind that immigrant groups differed in characteristics other than age that would also be expected to affect criminal involvement. Reflecting differences in population characteristics in the countries of origin and the self selection of migrants from those populations, immigrant groups in this U.S. varied greatly in skill and education levels and, more generally, economic resources. Table 8 presents data on manufacturing wages, literacy, English proficiency, time in the U.S., and percent urban by country of origin. The data on manufacturing wages come from a survey conducted in 1908 as part of the Dillingham Commission. The other data were calculated using the 1910 IPUMS dataset. The countries are listed in descending order by the ratio of the actual commitment rate for major offenses by the predicted commitment rate.

Mexico is at the top of this list with an actual commitment rate nearly 8 times that predicted given the age distribution of Mexican immigrants. But Mexicans are also at the extremes of the distributions of the other presented characteristics. They had the lowest average wages in manufacturing, the lowest literacy rate, and lowest rate of English proficiency. Italian immigrants, for whom the ratio of the actual to predicted commitment rate was 1.5, had the second lowest rates of literacy and English proficiency as well as the second lowest level of manufacturing wages. At the bottom of the list are the Scandinavian countries. Immigrants from these countries, in contrast to those from Mexico and Italy, were highly skilled and had among the highest average wages in manufacturing. Consistent with standard theories of crime, the

criminality of immigrant groups, at least as measure by commitment rates, was strongly

correlated (in ranks and in levels) with the economic opportunities of those groups.

Conclusions

Whether immigrants were more prone to crime than the native born depends on how one

defines crime. This paper relies on data from those punished for criminal activity, not direct

observation of crime. The foreign born were more likely than natives to be incarcered for

minor offenses. We see this directly in the 1904 prison census data but it is also supported by the

much higher rates of commitments to municipal and county jails in the 1923 prison census. It is

unclear, however, whether this should be interpreted as evidence of more criminal activity on the

part of the foreign born. Most commitments for minor offenses are for things like vagrancy and

drunkenness, and arrests and prosecutions of such offenses depend greatly on the choices made

by law enforcement officials. These choices will vary greatly across jurisdictions and even

within jurisdictions across population groups. Whether these offenses result in incarceration will

also depend on the economic and social resources of the offender.

The age profile of incarceration for minor offenses runs counter to the standard

adjustment and "culture conflict" theories as to why immigrants would have higher crime rates.

The prison commitment rates for these offenses are highest for men in their 40s, most of whom

were not recent arrivals to the U.S. The higher rates of incarceration for minor crimes carried

over to the so-called 2nd generation of immigrants who were born and raised in the U.S.

When the focus turns to major crimes, the gap between the native and foreign born

narrows dramatically. For 1904, the prison commitment rates by age for the two nativity groups

are quite similar with the exception of 18 and 19 year olds. This exception is noteworthy,

though, because of the foreign born in this age group, almost half were recent arrivals in the U.S. This, together with the finding that recent arrivals were disproportionately represented among prison commitments for major offenses, is at least suggestive evidence that adjustment or culture conflict issues were a factor in this period.

By 1930, the foreign born were less likely than natives to be incarcerated for more serious crimes as evidenced by their lower commitment rates at every age to state and federal facilities. This change from 1904 may reflect the impact of changes in immigration law and its impact on the selection of immigrant arrivals, or perhaps more likely, the sharp drop off in the numbers of those arrivals and hence the much smaller share of recent arrivals in the foreign-born population. A particularly interesting finding, though, is that the lower rate of incarceration for the foreign born is due entirely to this group's lower rate of incarceration for non-violent crimes. Incarceration rates for violent crimes were very similar for the two nativity groups for all ages.

Aggregation bias and the absence of accurate population data meant that analysts at the time missed these important features of the immigrant-native incarceration comparison. With the more complete population data available to us today, we have shown that the relative decline of the criminality of the foreign born is really a story about a growing gap between natives and immigrants at older ages. This growing gap was driven by sharp increases in the commitment rates of the native born, while commitment rates for the foreign born were remarkably stable. None of these features were apparent in the aggregate crime rates that provided the empirical basis for the policy debate at the time.

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Figure 1.—Age Distributions of Foreign-born and Native-born White Males, 1930
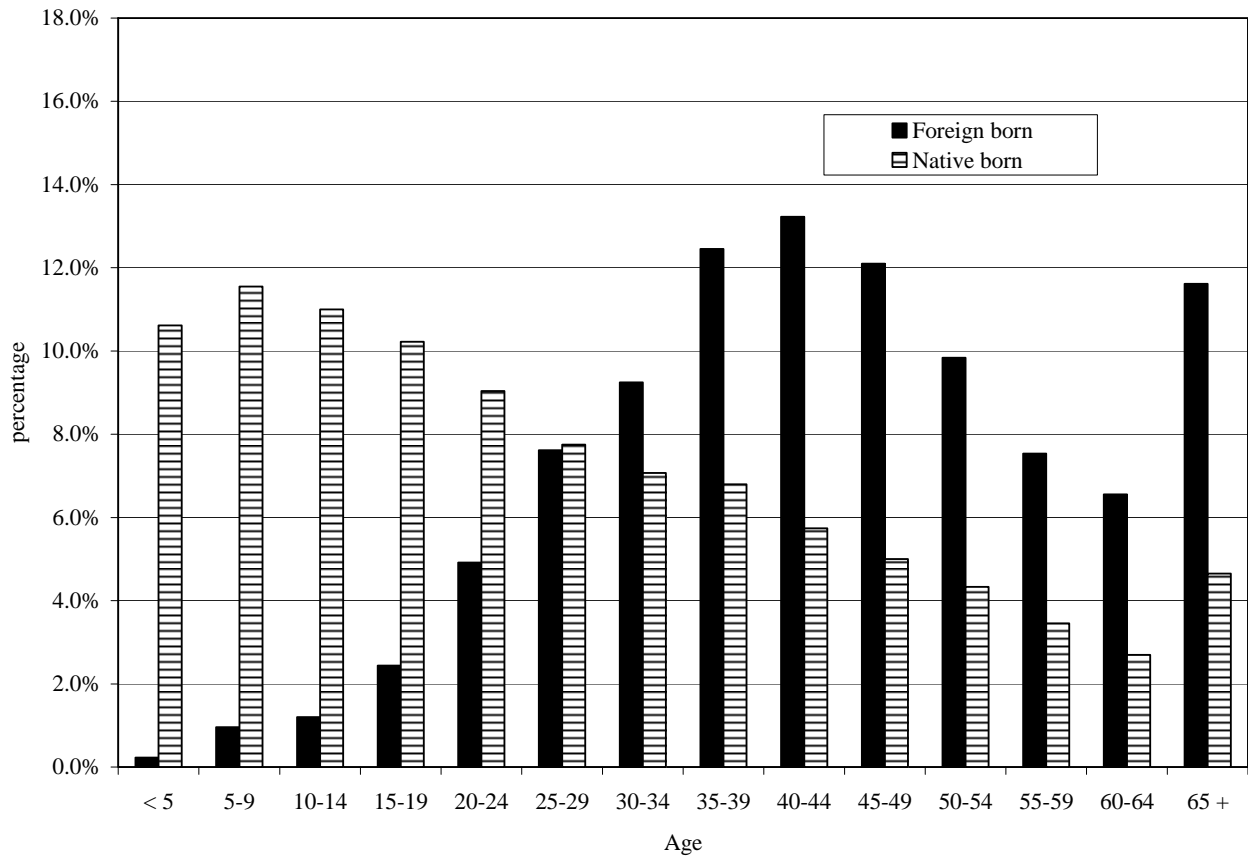
Sources: Haines (2006).

Figure 2.—Age Distributions of Foreign-born and Native-born White Males, 1910
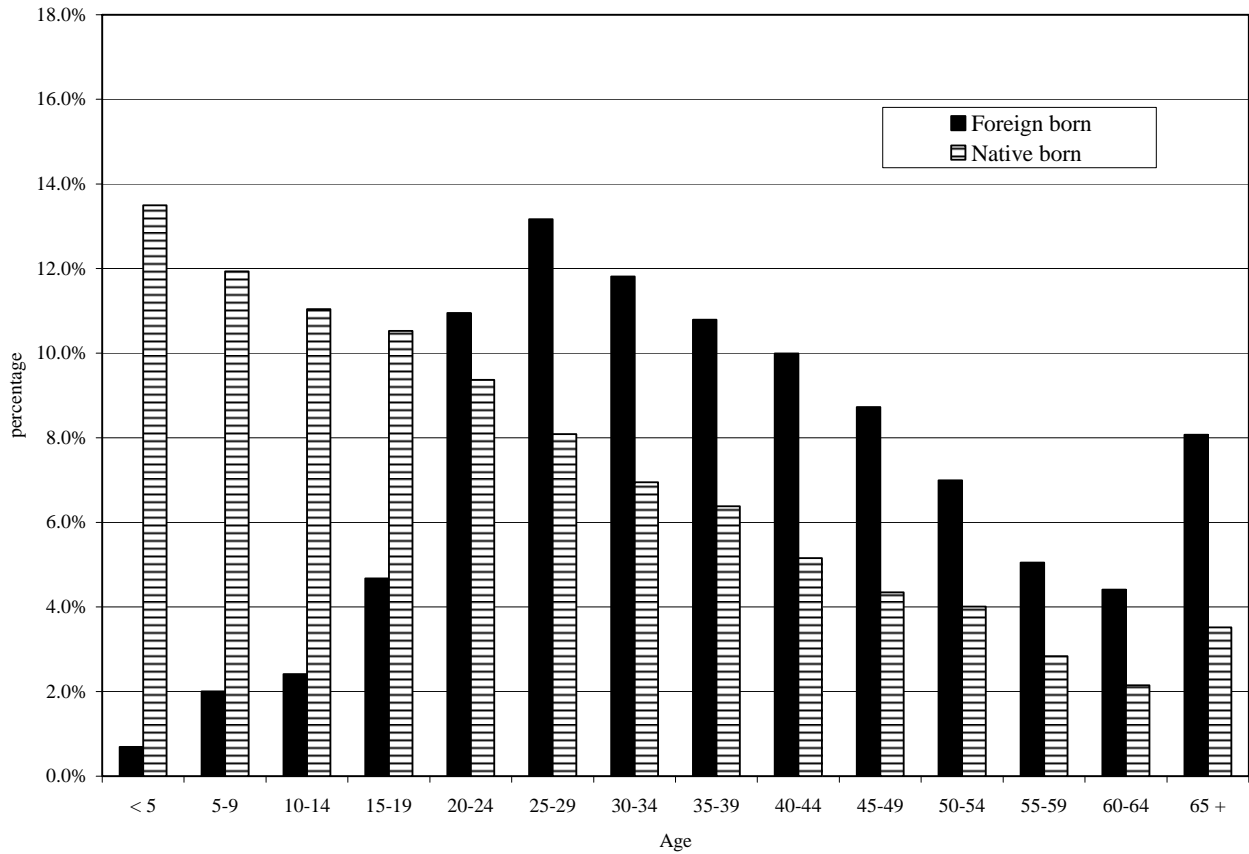
Sources: Haines (2006).

Figure 3.—Commitment Rates for Major Offenses, Foreign-born and Native-born White Males, 1904
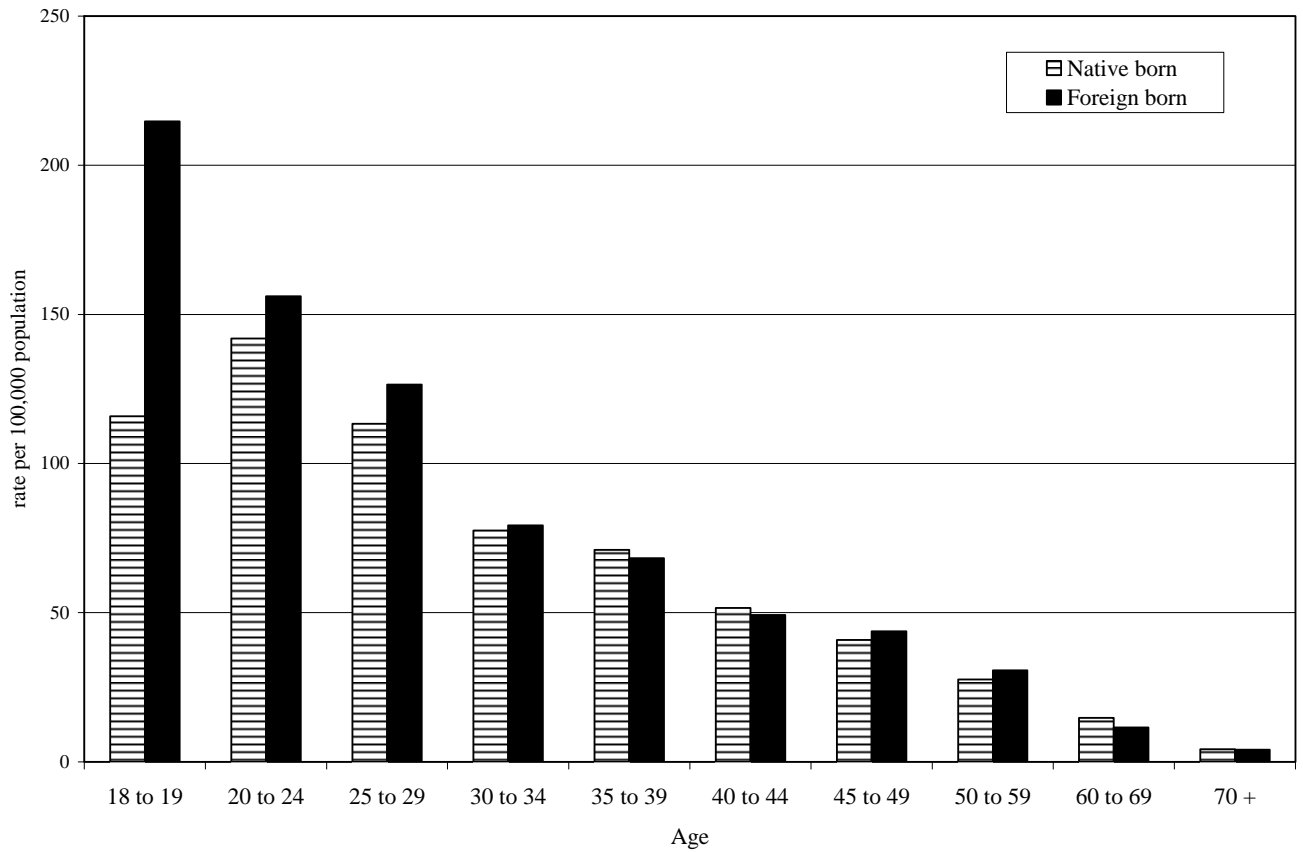
Notes: "Major" offenses include all person offenses and the most serious property and "chastity" offenses. All other offenses are classified as minor offenses. Population data were estimated from the 1910 IPUMS sample. See text for details.
Sources: U.S. Department of Commerce and Labor (1907: Table 32, pp. 182-5).

Figure 4.—Commitment Rates to State and Federal Prisons Foreign-born and Native-born White Males, 1930
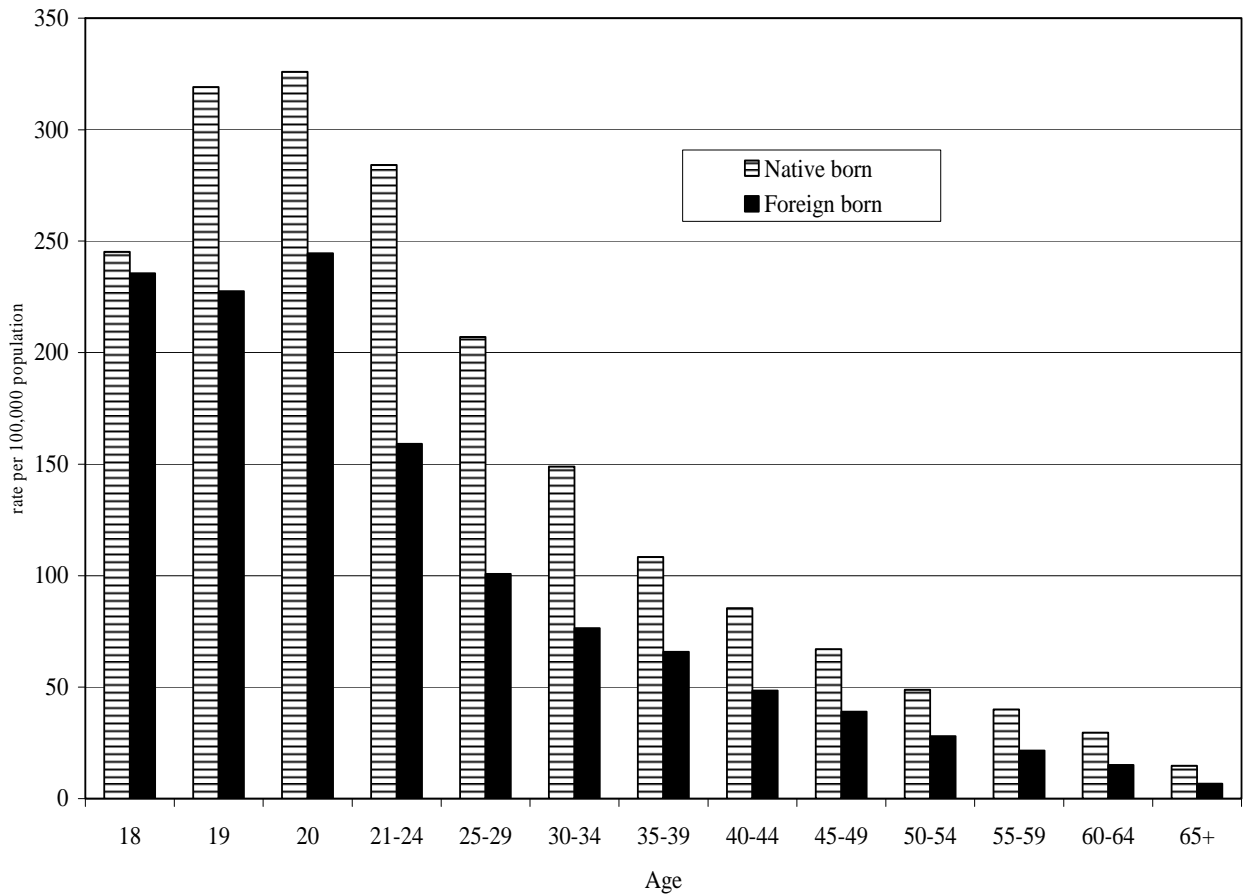
Notes: "Whites" as defined in the 1930 population and prison censuses excluded Mexicans who were classified as a distinct racial group. See text for more discussion.
Sources: U.S. Department of Commerce (1932: Table 44a, pp. 72-3); U.S. Department of Commerce (1933: Table 8, p. 572, and Table 21, pp. 595-6).

Figure 5.—Recent Immigrants as a Percentage of the Male Foreign-born Population by Age Group, 1904
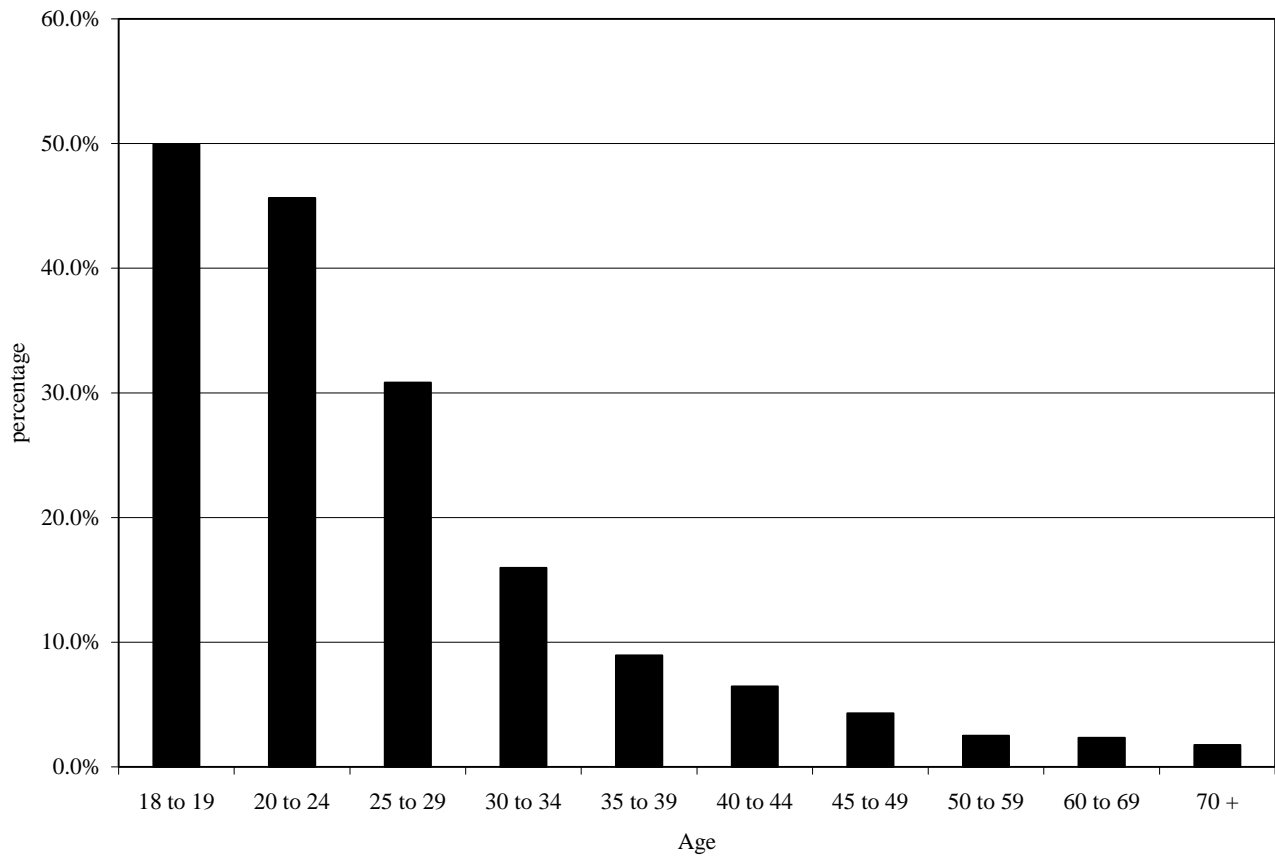
Notes: "Recent" immigrants are defined here as those who had arrived in the U.S. after 1899 and had been in the U.S. less than 5 years.
Sources: Estimates constructed from the 1910 IPUMS data. See text for details.

Figure 6.—Commitment Rates for Major Offenses Native-born White Males by Parentage, 1904
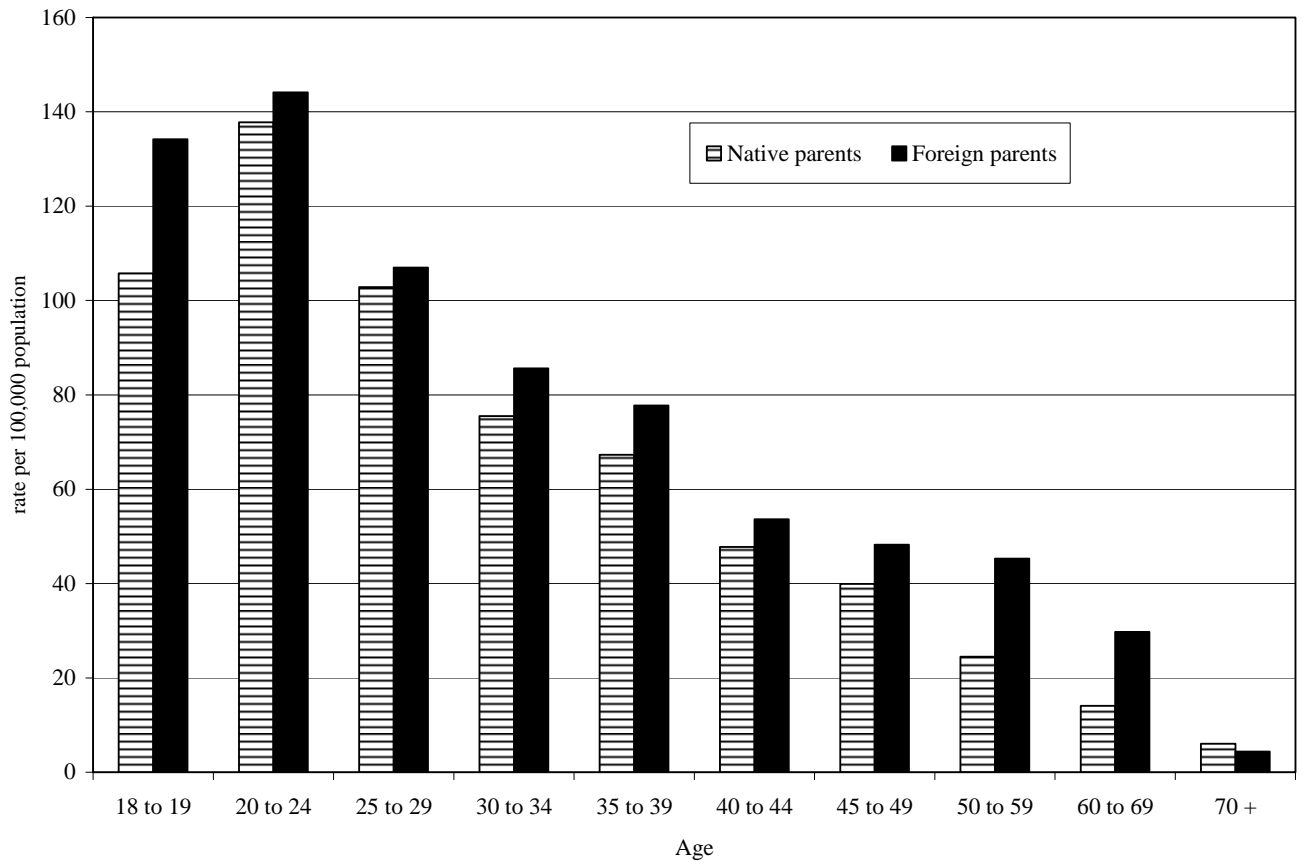
Notes: "Foreign parents" here means that one or both parents were foreign born. "Native parents" means both parents were native born. Population data were estimated using the published data from the 1900 Census. See text for details.
Sources: U.S. Census Office (1902: Table XVI, pp. xxxvi-xxxix); U.S. Department of Commerce and Labor (1907: Table 32, pp. 182-5).

Figure 7.—Commitment Rates for Minor Offenses Native-born White Males by Parentage, 1904
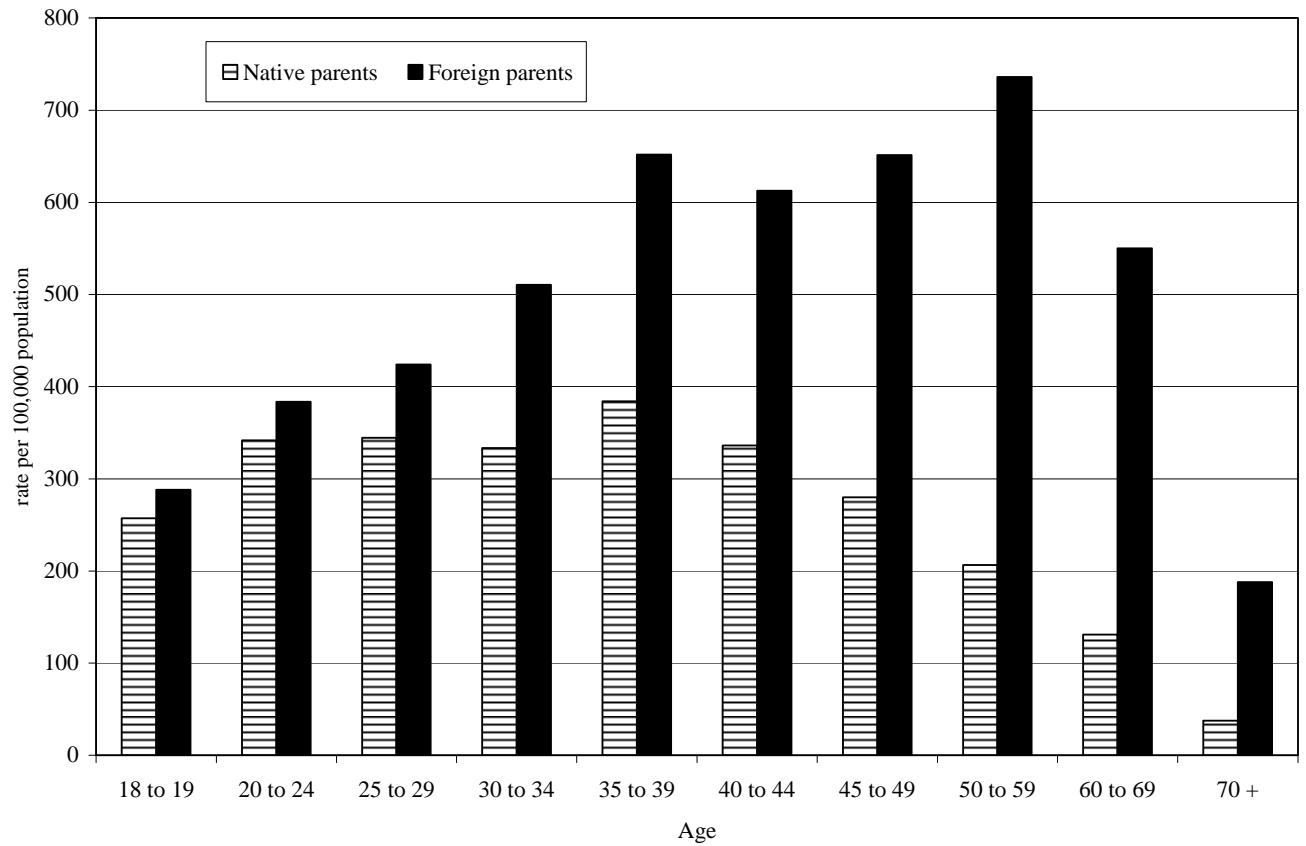
Notes: See notes and sources for Figure 6.

Figure 8.—Age Distributions of the Irish, Italian, and German Male Immigrant Populations, 1904
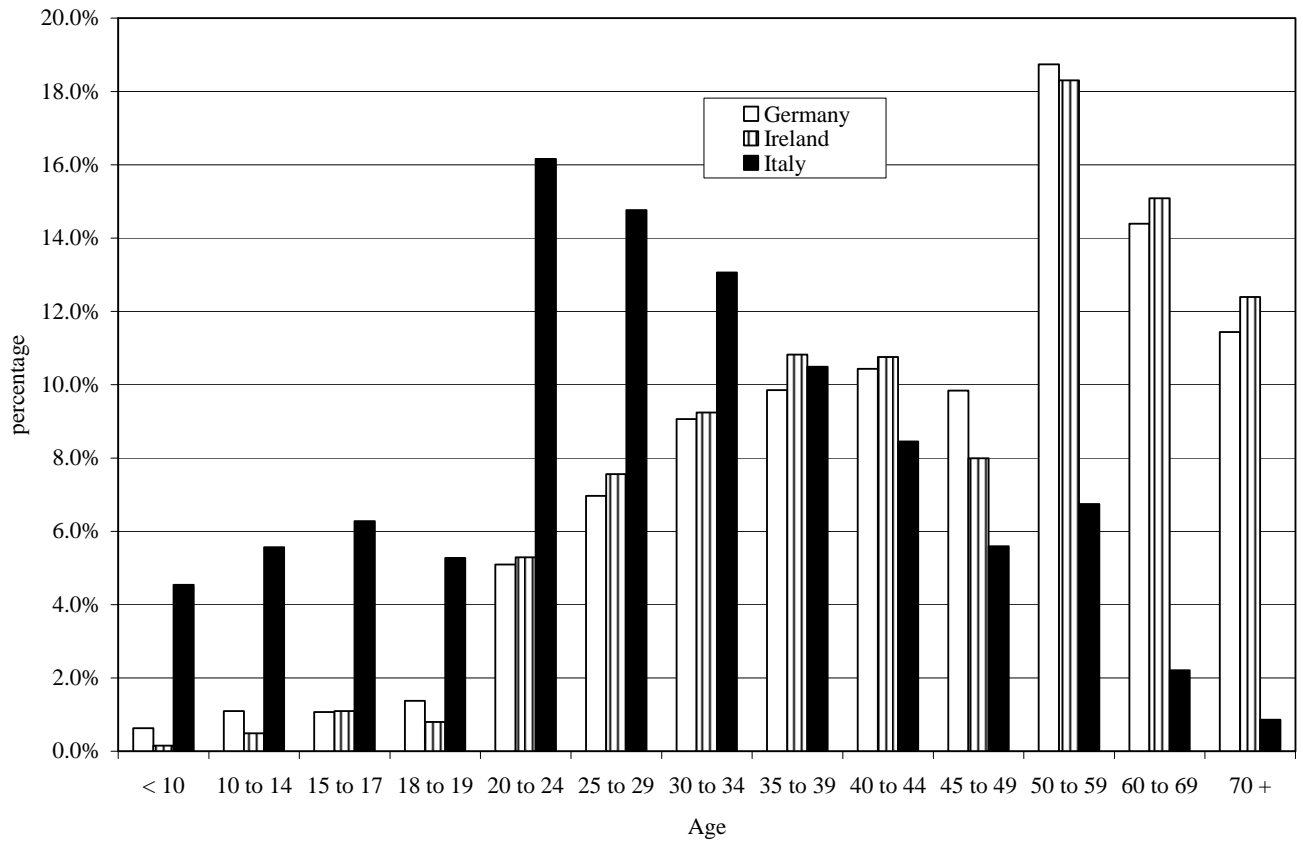
Sources: Estimates constructed from the 1910 IPUMS data. See text for details.

Table 1.—Stock vs. Flow in Prisons, Jails, and Workhouses by Demographic Group and Selected Offenses, 1910

	Enumerated	Commitments	Commitments to prison
Total	111,498	479,787	21,968
Male	105,362	433,460	21,040
Female	6,136	46,327	928
Native White	52,473	243,053	10,119
Foreign born White	19,438	98,536	3,000
Nativity Unknown	886	28,430	19
Offense			
Grave homicide	6,890	964	914
	(0.06)	(0.00)	(0.04)
Lesser homicide	7,367	1,912	1,687
	(0.07)	(0.00)	(0.08)
Assault	9,719	22,509	2,391
	(0.09)	(0.05)	(0.11)
Robbery	4,729	1,657	1,055
	(0.04)	(0.00)	(0.05)
Rape	4,465	1,406	905
	(0.04)	(0.00)	(0.04)
Burglary	16,268	8,105	4,591
	(0.15)	(0.02)	(0.21)
Larceny	21,397	39,338	5,025
	(0.19)	(0.08)	(0.23)
Fraud	1,481	8,924	469
	(0.01)	(0.02)	(0.02)
Forgery	3,145	2,063	1,292
	(0.03)	(0.00)	(0.06)
Disorderly conduct	13,704	262,788	103
	(0.12)	(0.55)	(0.00)
Vagrancy	6,004	49,670	159
	(0.05)	(0.10)	(0.01)
Liquor	2,148	7,713	323
	(0.02)	(0.02)	(0.01)
Unknown	213	7,758	194
	(0.00)	(0.02)	(0.01)

Notes: The terms in parentheses represent the offense numbers as a fraction of the column total.
Source: U.S. Department of Commerce (1918: 204, 312, 328-330, 419-421).

Table 2.— Commitment Rates for More Serious Offenses by Race, Nativity, and Age, Males 1904, 1923, and 1930 (per 100,000 population)

Age	Native-born whites	Foreign-born whites	Foreign-born whites with other races	Blacks	All natives
1904					
18-19	116	215		451	164
20-24	142	156		541	199
25-29	113	126		471	159
30-34	78	79		215	96
35–39	71	68		225	88
40–44	52	49		114	60
45–49	41	44		88	46
50–59	28	31		60	32
60–69	15	11		46	18
70 +	4	4		18	5
1923[a]					
18-20	166	188		350	189
21-24	169	185		431	202
25-34	98	96		309	122
35-44	62	52		182	77
45-54	36	32		108	44
55-64	21	14		67	25
65 +	8	5		19	9
1930[b]					
18	245	236	260	575	282
19	319	228	318	714	361
20	326	245	294	656	363
21-24	284	159	233	647	325
25-29	207	101	157	560	249
30-34	149	76	101	449	182
35-39	108	66	79	282	128
40-44	85	48	54	219	100
45-49	67	39	44	156	78
50-54	49	28	31	103	55
55-59	40	21	24	93	45
60-64	29	15	18	52	32
65 +	15	7	9	39	17

[a] The 1923 Prison Census only collected data on commitments for a six month period, January 1, 1923 to June 30, 1923. The 1923 commitment numbers have been multiplied by two.
[b] In 1930 population census and prison census, individuals of Mexican heritage were designated as "Other races" instead of "white" as they had been in the previous censuses.

Notes: Commitments for "more serious offenses" are defined in the 1904 data as commitments for "major offenses." In the 1923 and 1930 data, they are defined as commitments to a state or federal prison. "All natives" includes native-born whites and blacks.
Sources: U.S. Department of Commerce and Labor (1907: Table 32, pp. 182-5); U.S. Department of Commerce (1926: Table 140, pp. 266-271); U.S. Department of Commerce (1932: Table 30, p. 37); U.S. Department of Commerce (1933: Table 8, p. 572, and Table 21, pp. 595-6).

Table 3.— Commitment Rates for More Serious Offenses for Population 18 years and older, Actual versus Standardized Age Distributions, White Males 1904, 1923, and 1930 (per 100,000 population)

	Native-born whites	Foreign-born whites
Actual age distribution		
1904	76	69
1923	79	57
1930	140	52
1930 native-born age distribution		
1904	73	84
1923	81	81
1930	140	83

Notes and sources: See notes to Table 2.

Table 4.—Commitment Rates to State and Federal Prisons for Violent Crimes by Nativity and Age, Males 1930
(per 100,000 population)

Age	Native-born whites	Foreign-born whites	Foreign-born whites with other races
Violent Crimes			
18 to 24	68	66	71
25 to 34	36	24	33
35 to 44	15	12	14
45 +	7	6	7
18 + actual age distribution	29	14	18
18 + 1930 native-born age distribution	29	25	29
Homicides			
18 to 24	7	4	8
25 to 34	7	5	9
35 to 44	4	4	5
45 +	2	2	2
18 + actual age distribution	5	3	4
18 + 1930 native-born age distribution	5	4	6

Notes: "Violent crimes" include homicide, assault, rape, and robbery.
Sources: U.S. Department of Commerce (1932: Table 28, p. 36 and Table 44a, pp. 72-3); U.S. Department of Commerce (1933: Table 8, p. 572, and Table 21, pp. 595-6).

Table 5.— Commitment Rates for Minor Offenses by Nativity White Males 1904 and 1923
(per 100,000 population)

Age	Native born	Foreign born
1904		
18-19	285	419
20-24	378	452
25-29	423	499
30-34	398	451
35–39	481	535
40–44	446	560
45–49	371	582
50–59	298	484
60–69	167	389
70 +	36	125
18 + actual age distribution	357	463
18 + 1930 native-born age distribution	356	471
1923		
18-20	505	828
21-24	731	1005
25-34	590	883
35-44	668	943
45-54	531	791
55-64	311	389
65 +	100	148
18 + actual age distribution	532	726
18 + 1930 native-born age distribution	539	783

Notes: In the 1904 data, commitments for minor offenses are defined as commitments for all offenses other than those categorized as major offenses – all person offenses and the most serious property and chastity offenses. For the 1923 data, they are defined as commitments to a municipal or county jail. Also see notes to Table 2.
Sources: See notes to Table 2.

Table 6.—Time in the U.S.: General Population and Commitments to Penal Institutions for Foreign-born White Males, 1904

Years in U.S.	Population 18+	Prison commitments		
		Total	Major offenses	Minor offenses
1 year or less	3.4	4.4	8.7	3.8
2 years	3.3	3.2	5.4	2.9
3 years	2.5	2.7	4.6	2.4
4 years	4.1	2.2	4.1	2.0
5 years	1.4	2.5	4.2	2.3
6 to 9	6.6	6.4	9.5	6.0
10 to 14	13.7	11.9	15.6	11.4
15 or more	58.2	50.7	36.2	52.6
Not reported	6.7	16.1	11.8	16.6

Notes: Population data were estimated from the 1910 IPUMS sample. See text for details.
Sources: U.S. Department of Commerce and Labor (1907: Table XXVII, p. 48).

**Table 7.—Actual and Predicted Commitment Rates of the Foreign-born Population
by Country of Origin, 1904
(per 100,000 population)**

Country of Origin	Total commitments		Major offenses		Minor offenses	
	Actual	Predicted	Actual	Predicted	Actual	Predicted
Austria	345	573	75	90	269	483
Canada	566	544	84	68	482	476
Denmark	199	553	34	68	165	484
England	508	516	58	59	450	457
France	496	456	98	54	398	402
Germany	309	499	49	52	260	446
Hungary	344	586	56	103	288	484
Ireland	1516	494	61	52	1456	442
Italy	527	583	149	98	377	486
Mexico	1460	538	561	71	899	467
Norway	235	536	35	65	200	471
Poland	351	569	65	93	286	475
Russia	392	582	91	99	301	484
Scotland	802	519	79	57	723	462
Sweden	283	548	28	71	255	477
Switzerland	273	530	36	62	237	468
Others	536	559	113	85	424	474

Notes: "Actual" commitment rates calculated using data from the 1904 Prison Census on commitments
and population estimates constructed from the 1910 IPUMS dataset. "Predicted" commitment rates were
calculated using the age distributions by country of birth constructed from the 1910 IPUMS and applying
the commitment rates by age for the foreign-born population as a whole presented in Tables 2 and 5.
Sources: U.S. Department of Commerce and Labor (1907: Tables 19 and 20, pp. 156-7).

Table 8.—Ratios of Actual to Predicted Commitment Rates for Major Offenses and Other Population Characteristics of Immigrant Groups 1904

Country of origin	Ratio of actual to predicted commit rate for major offenses	Ave. weekly wage in manufacturing	1904 male population 18 to 49:			
			Literate	English speaking	< 5 years in U.S.	Urban
Mexico	7.90	$ 8.57	54%	17%	34%	12%
France	1.81	12.92	97	92	15	58
Italy	1.52	10.29	71	69	47	64
Scotland	1.39	15.24	100	100	10	53
Canada	1.24	11.11	93	98	14	48
Ireland	1.17	13.01	97	100	11	71
England	0.98	14.13	99	100	10	51
Germany	0.94	13.63	98	96	9	54
Russia	0.92	11.01	89	87	34	77
Austria	0.83	12.12	83	76	33	55
Poland	0.70	11.06	78	69	39	62
Switzerland	0.58	13.96	98	96	13	37
Hungary	0.54	11.46	90	68	50	49
Norway	0.54	15.28	99	98	18	29
Denmark	0.50	14.32	100	99	18	36
Sweden	0.39	15.36	99	98	14	41
Correlation with Ratio of Actual to Predicted Commitment Rate						
Pearson's correlation coefficient		-0.59	-0.75	-0.81	0.18	-0.51
(significance level)		(0.02)	(0.00)	(0.00)	(0.50)	(0.05)
Spearman rank correlation		-0.52	-0.41	-0.12	-0.11	0.32
(significance level)		(0.04)	(0.12)	(0.66)	(0.70)	(0.23)

Notes: Ratios calculated using the data presented in Table 7. Manufacturing wages come from survey of workers in manufacturing and mining conducted in 1908 as part of the Dillingham Commission. The average for Mexican immigrants is based on a small number of observations (14), but is in line with the wage data presented by Feliciano (2001) from other data collected as part of the Dillingham Commission. The 1904 population data were calculated using the 1910 IPUMS dataset.
Source: U.S. Senate (1911: Table 22, p. 367).