

Criminalization and Victimization in the Migrant Population

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Abstract. This systematic review aimed to analyze the criminalization and victimization of immigrants in socially significant crimes and to examine the methodologies used in these studies. A total of 25 articles were selected from 100 initially identified through searches in Scopus and Web of Science, covering publications from 1993 to 2025. The methodological approaches included both primary and secondary analyses, using quantitative and qualitative designs. The findings reveal that the criminalization of immigrants—especially those with irregular status—leads to social stigmatization and restricts access to justice, increasing their vulnerability to victimization. Fear of deportation and lack of trust in law enforcement discourage crime reporting among immigrant communities. The review concludes that immigration does not lead to higher crime rates. However, securitization discourse and exclusionary policies perpetuate negative stereotypes, reinforcing immigrants' marginalization. It is recommended that future research expand beyond the U.S. context and include Latin American countries, where empirical studies remain scarce. Practically, this review highlights the urgent need to reform policies that criminalize migration, in order to protect fundamental rights and promote social inclusion.

1. INTRODUCTION

Migration flows have presented various challenges and significant repercussions in the economic, political, and social spheres of host countries. Immigrants are often perceived from a problematic lens, frequently associated with irregularity, criminality, and insecurity (Groeger et al., 2024).

From an economic and financial perspective, migration waves can significantly impact the macroeconomy of a receiving country. International studies typically focus on three key elements to assess these effects: (i) the magnitude of the migratory phenomenon, (ii) the duration of immigrants' stay in the host country, and (iii) their level of qualification (Central Bank of Chile, 2019).

On the social front, misguided narratives about migration have proliferated, linking it to criminality. This social stigma has fostered widespread rejection and hatred toward immigrants. Such stigmatization is rooted in several factors, including political rhetoric, the administrative status of immigrants, interpretations of official crime data, and even the penal system, which often labels undocumented immigrants first as "illegal" or "irregular" and, ultimately, as criminals (Rodríguez, 2021). The use of terms such as "undocumented immigrants" or "illegal immigrants" directly contributes to social labeling and marginalization (Peña et al., 2021). Labeling someone as a criminal inherently places them in a position of inferiority within the social order (Pérez Correa, 2013).

Various authors argue that the penalization of undocumented immigration has led to a phenomenon known as criminalization (Stumpf, 2006; Franko & Bosworth, 2013; Menjívar et al., 2018). This process involves the social construction of a situation or phenomenon as a crime, resulting in legal consequences, including punitive sanctions. In the context of undocumented migration, criminalization has been both a social and political process, transforming irregular migration into an illegal act with penal implications (Franko & Bosworth, 2013).

Criminalizing immigrants prevents them from being seen as potential victims, thereby increasing their vulnerability to crimes. Victimization refers to the process by which individuals become susceptible to criminal activities (Carballo & Topalli, 2021). For immigrants, this vulnerability often stems from their precarious status, where being undocumented is strongly associated with social risks and structural vulnerabilities (Comino et al., 2020).

The perception of an immigrant lacking legal documentation can activate the "Deportation Threat Dynamic", a cycle of exploitation where migrants are labeled as "illegal" by employers or criminals, leading to their victimization. This dynamic assumes that, out of fear of repercussions due to their migratory status, immigrants are unlikely to report abuse to authorities (Fussel, 2011; Comino et al., 2020; Carballo & Topalli, 2021).

Given the abundance of studies and research on this topic, a comprehensive literature review is essential to deepen our understanding and pave the way for new investigations.

2. METHOD

To ensure the proper development of this research, the electronic scientific databases Web of Science and Scopus were consulted. For the collection of studies, the following descriptors were used: "Criminalization and victimization of migrants in crimes of greater social significance" AND "vulnerability analysis" OR "crimes against migrants" OR "undocumented migrants and criminalization" OR "social impact of migrant criminalization" OR "stereotypes of illegal immigrants and exploitation."

The search and extraction of articles were conducted starting in August 2023. The review included all articles published in English and/or Spanish between 1993 and 2023. From an initial pool of 100 articles, a screening process was applied, narrowing the selection to 70 articles.

Table 1. Inclusion and Exclusion Criteria.

Inclusion Criteria	Exclusion Criteria
- Articles related to the research topic	- Articles unrelated to the research topic
- Articles of significant relevance on immigration	- Articles with limited information or outdated content on immigration

Table 2. Second Search Results.

Database	Total Articles	Relevant Articles	Overall Precision
Scopus	60	0	16%
Web of Science	5	0	0.4%

Table 3. Extraction Matrix.

Systematic Review Objectives	Column Title	Description of the Criteria Used for Extraction
Describe the approach used in studies addressing topics related to the criminalization and victimization of immigrants in crimes of social significance.	Country and Year	Location where the study was conducted and year of publication.
	Study Objective Study Design	General objective of the research / Summarized in the Method section. 4.1 Theoretical, instrumental, methodological, and empirical. 4.2 Primary or secondary analysis. 4.3 Quantitative/Qualitative.
	Sample	Type of sample and its characteristics: 5.1: N: Sample size. 5.2: CD: Condition. 5.3: Sample type: DOC (Analyzed documents, such as newspaper articles and topic-relevant articles), DAT (Secondary data sources).
Describe the main findings regarding the criminalization of immigrants in crimes of social significance.	Results	Key findings related to the main objective / Found in the summary or conclusion.
Describe the main findings regarding the victimization of immigrants in crimes of social significance.		

Table 4. Methodological Characterization of Selected Articles.

Authors	Country and Year	Objective	Design	Source or Sample
Comino, S., Mastrobuoni, G., & Nicolo, A.	USA, 2020	Analyze the relationship between immigrant reporting behavior (1973–1992) and the 1986 amnesty.	Secondary analysis of empirical data. Quantitative.	DAT: National Crime Victimization Survey (NCVS) from 1973 to 1992.
Caraballo, K., & Topalli, V.	USA, 2021	Explore critical elements in offenders' decision-making processes to target immigrants.	Primary analysis. Empirical. Qualitative.	N = 25, CD: Active offenders.
Negi, N. J., Siegel, J., Calderon, M., Thomas, E., & Valdez, A.	USA, 2020	Examine victimization experiences and their social and psychological costs for a sample of Latino day laborers.	Empirical/Ethnography. Primary analysis. Qualitative.	N = 25, CD: Latino day laborers.
Xie, M., & Baumer, E. P.	USA, 2021	Explore the relationship between citizenship status and risk of victimization.	Secondary analysis of empirical data. Quantitative.	DAT: National Crime Victimization Survey (NCVS) 2017–2018.
Dhingra, R., Kilborn, M., & Woldemikael, O.	USA, 2021	Examine the relationship between immigration law enforcement and undocumented immigrants' and Hispanic communities' willingness to report crimes.	Secondary analysis of empirical data. Quantitative.	DAT: FBI Uniform Crime Reporting (UCR) and National Crime Victimization Survey.
Light, M. T., & Miller, T. Y.	USA, 2018	Analyze the relationship between undocumented immigration and violent crimes across 50 states and Washington, DC (1990–2014).	Secondary analysis. Empirical. Quantitative.	DAT: Multiple sources of crime and sociodemographic reports (FBI, Migration Studies, Census, PEW).
Messing, J. T., Becerra, D., Ward-Lasher, A., & Androff, D. K.	USA, 2015	Examine the impact of deportation fear and trust in procedural fairness on Latinas' willingness to report violent crimes in the U.S.	Primary analysis. Empirical. Quantitative.	N = 1049, CD: Latinas in the U.S.

2.1. Social Labeling of Immigrants and the Effects of Police Actions

Most studies conclude that the enforcement of immigration laws operates through repression. For instance, U.S. policies legitimize violence by labeling Latinos as criminals (Fujiwara, 2005b). Additionally, police officers often create chaos through the forced detention of undocumented immigrants. Emerging research also suggests that restrictive immigration policies are the primary mechanism through which Latinos are excluded and racialized in the United States (Aranda et al., 2014). Moreover, there is a notable indifference toward Latinos labeled as "illegal." The criminalization of "illegality" stigmatizes Latinos as a racialized group, placing them near the bottom of the social stratification system in the United States.

A 2004 study in the United States revealed that Latinos were victims of stereotypes such as being overcrowded "illegals." They were accused of overpopulating schools, taking jobs from "true" citizens, overburdening public services, and engaging in criminal activities.

2.2. The Criminalization of Immigrants and Cruel, Inhumane Repressions

Some countries take a harsh stance on immigration. One notable example is the United States, where, during the Trump administration, a series of measures were implemented against immigrants, often labeling them as criminals or undocumented offenders. According to Arango et al. (2019), these measures represented acts of cruelty and inhumanity. Specifically, the deportation procedures involved the separation of children from their families and their detention under inhumane conditions.

Benson (2010) also highlights the significant role of media in shaping public perception on immigration. In some cases, the media has contributed to the criminalization of immigrants by labeling them as "vandals" or "murderers," which quickly escalates into widespread discrimination against immigrant communities.

Table 5. Results.

Authors	Findings
Comino, S., Mastrobuoni, G., & Nicolo, A.	Due to fear of deportation, undocumented immigrants are less likely to report crimes compared to natives (17% vs. 40%).
Caraballo, K., & Topalli, V.	Immigration policies increase the likelihood of migrants becoming crime victims, as they are positioned in vulnerable situations with fewer rights protections. Offenders target migrants because they carry cash and avoid reporting crimes.
Negi, N. J., Siegel, J., Calderon, M., Thomas, E., & Valdez, A.	Latino day laborers experience physical abuse, violence, assaults, and theft in public spaces. These incidents often go unreported due to lack of knowledge on how to report and negative experiences with law enforcement.
Xie, M., & Baumer, E. P.	Foreign-born individuals have lower victimization rates compared to U.S. citizens. Those with ambiguous citizenship status, such as undocumented individuals, face higher victimization rates.
Dhingra, R., Kilborn, M., & Woldemikael, O.	Collaboration between local police and federal immigration authorities reduced crime reporting. Federal immigration enforcement may hinder undocumented individuals and their communities from accessing the criminal justice system.
Light, M. T., & Miller, T. Y.	Undocumented immigration in the U.S. does not increase violence. The relationship between undocumented immigration and violent crime is generally negative but not significant across all contexts.
Messing, J. T., Becerra, D., Ward-Lasher, A., & Androff, D. K.	Fear of deportation significantly influenced Latinas' perceptions of procedural justice. However, their perceptions of fairness were not associated with their willingness to report crimes.
Barboza, G., Dominguez, S., Siller, L., & Montalva, M.	14% of U.S.-born Mexican citizens support using local police to enforce federal immigration laws. U.S.-born Mexican citizens are 2.7 to 1.8 times more likely to support immigration criminalization than foreign-born citizens (11%).
Andrews, A. L.	Migrants self-regulate through hard work, political deference, and cultural assimilation to be perceived positively by the dominant culture. They often internalize blame for their immigration status, reducing state accountability.
Xie, M., & Baumer, E. P.	In traditional immigrant counties, violence reporting rates in immigrant neighborhoods are similar to other areas. In contrast, new immigrant destinations report significantly lower violence rates in high-immigrant neighborhoods.
Rodríguez, R. M., Torres, J. R., Sun, J., & Anderson, E.	Latino undocumented immigrants fear reporting crimes due to deportation concerns, lack of trust in police, and fear of retaliation from perpetrators. Non-Latino residents primarily fear retaliation and lack of police seriousness.
Barranco, R. E., & Shihadeh, E. S.	Higher population density increases robbery rates, as robbery requires interpersonal contact. However, higher rates of Latino residents decrease robbery rates, suggesting Latinos do not increase crime rates in these areas.
Menjivar, C.	Media portray migrants as criminals, terrorists, or welfare abusers, spreading negative narratives about migrants through public discourse, policies, and laws.
Aliverti, A.	Minor offenses remain the most common cases in criminal courts, with over 60% involving immigration-related charges, as these are easier for the judicial system to prosecute.
Phipps, R., Stivers, R., Dawson, V., & Harris, J.	Participants reported experiencing assaults and xenophobia. Common experiences among children included family separation, illness, death, violent victimization, and interpersonal difficulties.
Maphosa, F., & Ntau, C.	Immigrants are viewed as risks to the state rather than as individuals deserving protection. Xenophobia has led to actions that violate human rights to punish foreigners.
Zadnik, E., Sabina, C., & Cuevas, C. A.	No significant differences were found between legal status and reported victimization rates. However, Latinas were less likely to seek formal help compared to those with permanent status.
Martinez, D., & Slack, J.	By criminalizing migration and assigning prison sentences, the penal system creates conditions for criminal cartels to recruit migrants with criminal records into drug cartels.
Sung, H., Delgado, S., Pena, D., & Paladino, A.	Undocumented workers experience high levels of victimization but are unlikely to report crimes. However, they are eager to contact police for information and assistance in non-legal contexts.

3. DISCUSSION

The findings of this study can be explained through the phenomenon of propensity for victimization (Carballo & Topalli, 2021). Migratory status, particularly the condition of being undocumented, has a strong connection to structural vulnerabilities and high-risk social interactions (Comino et al., 2020).

The mere perception of an unauthorized status can trigger the "Deportation Threat Dynamic," a cycle of exploitation where a migrant is stereotyped as illegal by an employer or criminal, subsequently leading to victimization. This occurs under the assumption that the migrant will not report the crime to the authorities due to fear of immigration-related consequences (Fussell, 2011; Comino et al., 2020; Carballo & Topalli, 2021).

The findings regarding the methodological characterization of the studies analyzed primarily highlight the use of secondary data analyses and the description of immigrant victimization experiences. However, the objectives of the reviewed studies lack a comprehensive scope of the phenomenon. As a result, they fail to address how the various variables and aspects of the phenomenon interact within a complex explanatory framework.

The main limitations of the study are centered on the inability to conduct an analysis of the victimization and criminalization of immigrants based on empirical research carried out in Latin America. This limitation stems from the complete absence of such studies in the selected databases. This is despite the ongoing migration crisis driven by economic hardships, lack of life prospects, unemployment, poverty, limited access to healthcare, low levels of education, crime, and other factors that motivate Latin American populations to migrate (Leonova, 2019) within the region.

There is a clear need for future research to focus on the victimization and criminalization of immigrants outside the U.S. context.

4. CONCLUSIONS

Immigration is a global phenomenon that, according to studies, is not linked to an increase in violent crime rates. In the United States, a country that has been the focus of numerous studies, it has been demonstrated that large waves of migration do not affect crime rates (Bell et al., 2013).

In contrast, in Latin America, migration—particularly irregular migration—has been associated with organized crime, terrorism, and drug trafficking. This perception has led to the "securitization of migration" (Barrera-Rodríguez, 2019), a process in which society adopts the notion that migration is a threat to national security. Studies in this region have focused on how states control and regulate migratory flows, often portraying migrants as sources of disorder and threats to national stability (Ramírez, 2018).

Furthermore, there is a correlation between negative attitudes, racism toward immigrants, and the perception of immigrants as criminals (Martínez et al., 2004). Racism, as a severe form of discrimination, places immigrants at risk of becoming victims of crimes, including hate crimes, which are often unreported and contribute to the "dark figure of crime" (Pezzella et al., 2019). Groups such as African Americans and Hispanics are frequent victims and often have strained relationships with law enforcement (Pezzella et al., 2019).

Exclusionary policies reinforce the stigmatized image of immigrants, depicting them as dangerous or inclined toward criminality (Anderson, 2013; Melossi, 2013; Sigona & Trehan, 2011). Despite evidence to the contrary, the criminalization of immigrants persists, and laws that define migration as a criminal act expose immigrants to vulnerability, restricting their civil rights due to their informal status (Brandariz, 2008).

Historically, migrants have been viewed in receiving countries as risky subjects, linked to criminal activity and rising crime rates. This perception is rooted in the challenges faced by migrants, such as cultural adaptation, social exclusion, lack of job opportunities, and residence in marginalized neighborhoods characterized by poverty and ethnic diversity (Martínez & Lee, 2004).

The criminalization of immigrants is a critical and complex issue. Despite contrary evidence, many countries have adopted policies that treat immigration as a crime punishable by imprisonment or deportation. These laws fail to consider the individual circumstances of immigrants. As a result, immigrants face a lack of state protection as these policies and discourses, both direct and indirect, limit their civil rights due to their informal status in the host country. This situation increases their vulnerability to becoming victims of crime and other forms of discrimination and marginalization.

In this regard, the punitive experiences of migrants are also examined through the lens of "segmented detention," understood as a specific form of immobility within the migratory process. This concept seeks to standardize the experience of confinement as a transnational condition shared by migrants "in transit." Such experience arises in response to control mechanisms that turn their bodies into profitable commodities, operating under shifting dynamics of racial, political, and institutional immobilization of their movements. (Trabalón, 2025).

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Ethical Compliance:

This study is a systematic review and did not involve human participants, personal data, or any form of human subject intervention. Therefore, ethical approval was not required.

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