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**Uncovering Evidence That
Border-Crossing Sanctions Worked
(IDA Research Summary)**

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John E. Whitley

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About This Publication

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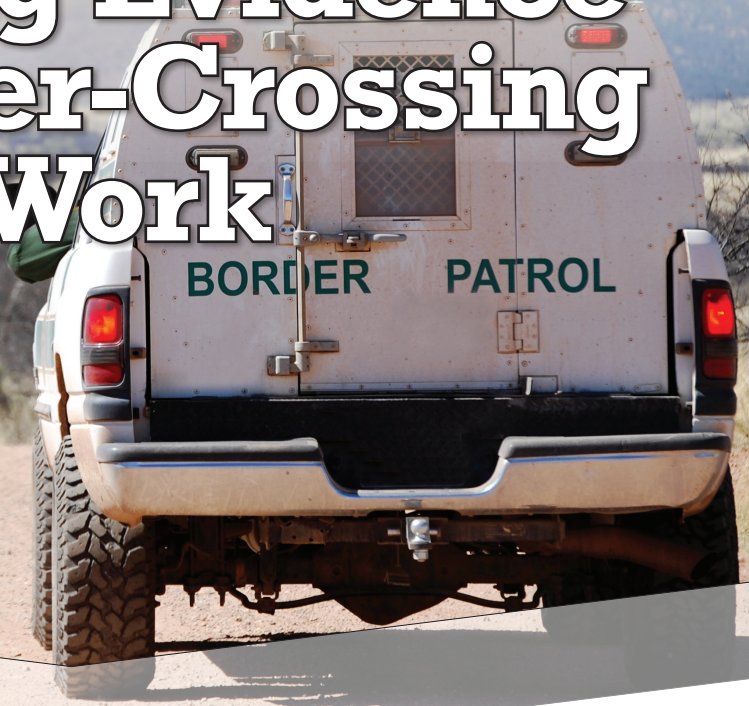
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Uncovering Evidence That Border-Crossing Sanctions Work



The 2022 winner of IDA's Larry D. Welch Award for Best External Publication is "Deterring Illegal Entry: Migrant Sanctions and Recidivism in Border Apprehensions," published in *American Economic Journal: Economic Policy*. The annual award is named for former IDA President and retired U.S. Air Force general Larry D. Welch.

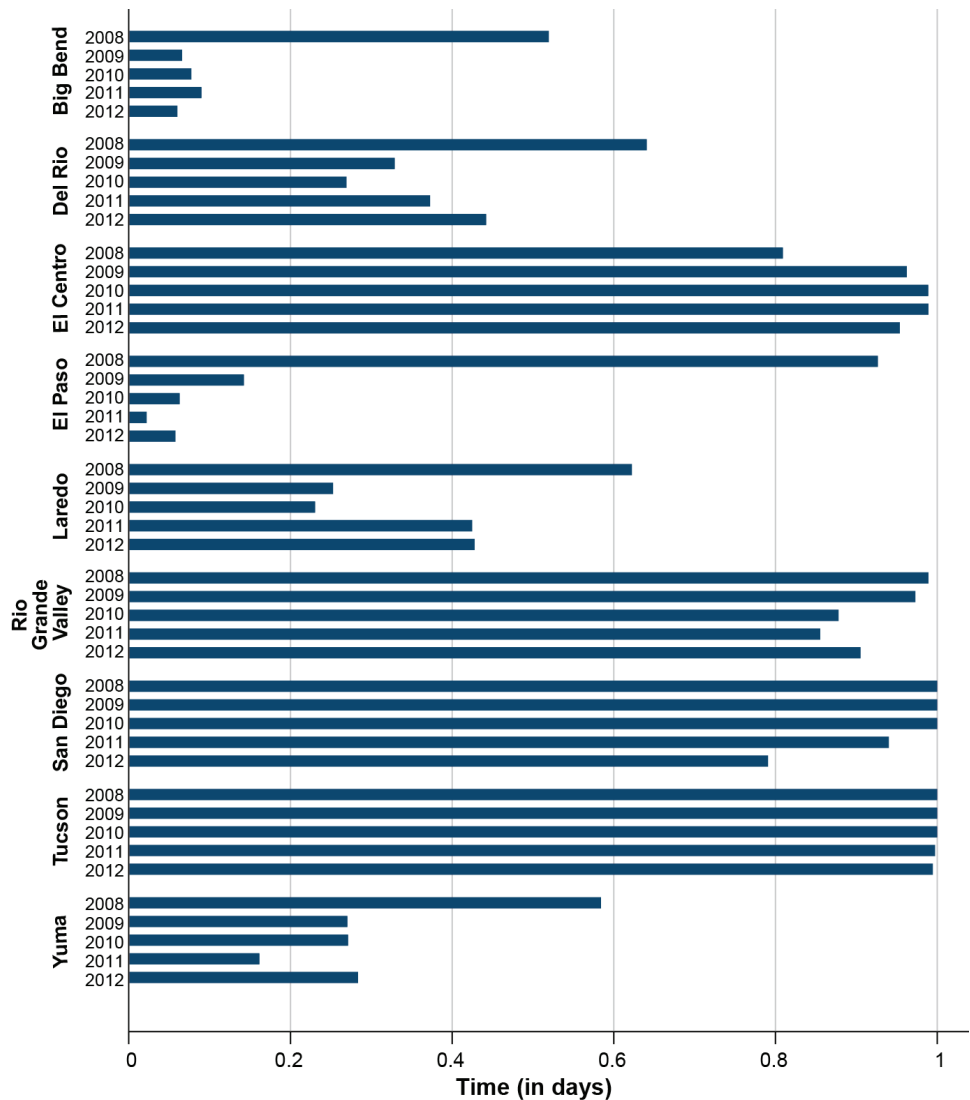
For decades until 2005, the U.S. Border Patrol operated under a policy where Mexican nationals apprehended for illegally crossing the U.S.-Mexico border agreed to return to Mexico in exchange for avoiding possible legal repercussions. This policy of voluntary return was expedient but did little to deter individuals from attempting to cross the border again in the future. In 2008, the U.S. introduced the Consequence Delivery System (CDS) aimed at preventing arrests for similar offenses. Under the CDS, the U.S. Border Patrol orders removal of apprehended individuals rather than offering voluntary return to Mexico. Removal orders prevent individuals from applying for legal entry visas for at least five years.

Four years after the CDS was implemented, the portion of apprehended Mexican nationals who voluntarily returned to Mexico had decreased from 95% to 15%. But processing removal orders took Border Patrol agents 90 minutes, whereas voluntary return took only 15 minutes, raising doubts about the system's efficacy. IDA researchers Sarah John, Bryan Roberts and John Whitley joined Samuel Bazzi of University of California, San Diego, and Gordon Hanson of Harvard Kennedy School to take advantage of records not available until 2015. The newly available records allowed them to determine if individuals who had been apprehended and penalized in 2008-2012 were apprehended later for trying again to cross the border illegally.

Border Patrol agents' ability to implement administrative consequences in place of voluntary return varied across sectors of the U.S.-Mexico border from California to Texas during 2008-2012. The graph shows that a sector's capacity to deliver sanctions was hampered by the amount of time officers had to do so.

The authors adapted a statistical method that exploited random hour-by-hour variation in Border Patrol agents' ability to administer consequences. The method yielded accurate estimates of repeat offenses that factored in the economic costs of executing the consequences.

By reducing the data sample to males age 16-50 who had been apprehended as many as six times during 2008-2012, the authors overcame the possibility of future offenses being correlated with an individual's age, gender or other personal characteristic. This group accounted for 80% of total apprehensions. The adult males (age 18 and up) from this group who had been subjected to administrative consequences were 6.6 percentage points less likely to be re-apprehended in the next 3 months. This finding implies that administrative consequences could account for 28% to 44% of the observed decline in recidivism in apprehensions of adult males during that time. Further results indicate that the drop in recidivism was associated with a reduction in attempted illegal entry. These findings suggest that sanctions may indeed be a cost-effective strategy for deterring illegal entry from Mexico to the U.S., an important step in designing viable immigration policy.



Additional time to process all apprehensions with administrative consequences instead of voluntary return, 2008-2012



Sarah John (sjohn@ida.org), an assistant director in the Cost Analysis and Research Division (CARD) of the Systems and Analyses Center (on the right in the photo), and **John Whitley**, an adjunct researcher in CARD (left), won the 2022 Welch Award for their article. Their co-authors are former CARD researcher Bryan Roberts; University of California, San Diego professor Samuel Bazzi; and Harvard Kennedy School professor Gordon Hanson.

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