

Operation Streamline: No Evidence that Criminal Prosecution Deters Migration

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Fact Sheet

Summary

In April 2018, Attorney General Jeff Sessions issued a memo announcing a “zero-tolerance” policy that directed federal prosecutors to criminally prosecute all immigrants found entering the country without authorization. The memo portrayed this policy, aimed at deterring unauthorized immigration, as an “updated approach” to immigration enforcement. In fact, vast resources had already been directed to the federal criminal prosecution and incarceration of immigrants apprehended entering the country without authorization through a program known as Operation Streamline, which began in 2005 and operated along the Southwest border of the United States as recently as 2014.

As evidence that the program achieved its intended effect of deterring unauthorized immigration to the United States, the U.S. Department of Homeland Security (DHS) points to statistics showing that apprehensions of immigrants crossing the border without authorization declined for several years after Operation Streamline was launched. Analysis by the Vera Institute of Justice and Dr. Jonathan Kringen of the University of New Haven, however, found no evidence to support this claim. Instead, the analysis suggests that the decline in border crossings seen after the introduction of Operation Streamline was part of a longer downward trend that had started several years earlier.

The Study

Researchers collected data from Customs and Border Protection on the number of apprehensions in the nine Border Patrol sectors in the Southwest border region from 1992 to 2014. The researchers looked for evidence of any deterrent effect of Operation Streamline using a form of time series analysis. This statistical technique allows researchers to isolate the effects of an intervention from other short- and long-term variations in the data. While Operation Streamline technically began in 2005, implementation dates varied among sectors, with three sectors never implementing the

initiative at all. The researchers conducted the analyses at the sector level, taking into account each sector’s unique implementation date.

The Findings

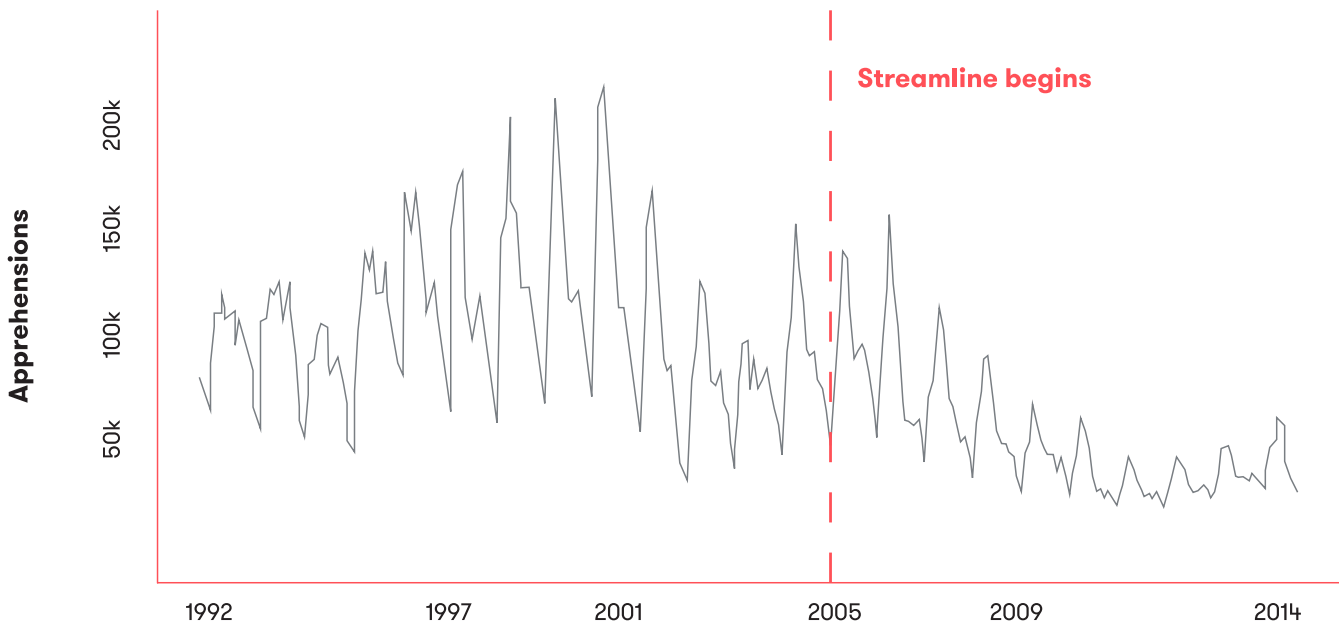
This analysis found no evidence of a deterrent effect in any sector, suggesting that the change in apprehension numbers seen after Operation Streamline was implemented was instead the result of a longer term downward trend in immigration and short-term volatility. (See Figure 4 at page 2.) These short- and long-term trends were most likely caused by underlying push and pull factors, such as the U.S. economy or the weather, for example. The analysis suggests that, as measured by apprehensions, the criminal prosecution of immigrants under Operation Streamline was not an effective means of deterring unauthorized immigration.

Conclusion

The effects that Operation Streamline had on immigrants’ lives and the federal judicial system have been well documented. Federal judges along the Southwest border saw their courts clogged with thousands of Streamline cases and often conducted hearings with dozens of Streamline defendants at a time, raising serious due process concerns. Federal prosecutors were forced to devote time and resources to Operation Streamline prosecutions instead of focusing on more complex or serious cases. Those being prosecuted were rushed through a process in which they had little opportunity to defend themselves, and nearly all of them were incarcerated and then deported.

Figure 4

Monthly apprehensions for all sectors since 1992



For more information

For more information about this report, see <https://www.vera.org/publications/operation-streamline>. For more information about Vera's immigration work, contact Oren Root, director, Center on Immigration and Justice, at oroot@vera.org. The Vera Institute of Justice is a justice reform change agent. Vera

produces ideas, analysis, and research that inspire change in the systems people rely upon for safety and justice, and works in close partnership with government and civic leaders to implement it. Vera is currently pursuing core priorities of ending the misuse of jails, transforming conditions of

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