



Highlights of [GAO-07-875](#), a report to congressional requesters

Why GAO Did This Study

The total number of aliens detained per year by the Department of Homeland Security's (DHS) U.S. Immigration and Customs Enforcement (ICE) increased from about 95,000 in fiscal year 2001 to 283,000 in 2006. The care and treatment of these detained aliens is a significant challenge to ICE. GAO was asked to review ICE's implementation of its detention standards for aliens in its custody. GAO reviewed (1) detention facilities' compliance with ICE's detention standards, (2) ICE's compliance review process, and (3) how detainee complaints regarding conditions of confinement are handled. To conduct its work, GAO reviewed DHS documents, interviewed program officials, and visited 23 detention facilities of varying size, type, and geographic location.

What GAO Recommends

GAO is making several recommendations, including that ICE take actions to ensure that the pro bono phone system in alien detention facilities is operating effectively, and to explore current and future options to obtain recourse for contractor nonperformance. DHS stated that it agreed with our seven recommendations and identified corrective actions that it has planned or are under way to address the problems identified by GAO.

www.gao.gov/cgi-bin/getrpt?GAO-07-875.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Richard M. Stana at (202) 512-8777 or StanaR@gao.gov.

ALIEN DETENTION STANDARDS

Telephone Access Problems Were Pervasive at Detention Facilities; Other Deficiencies Did Not Show a Pattern of Noncompliance

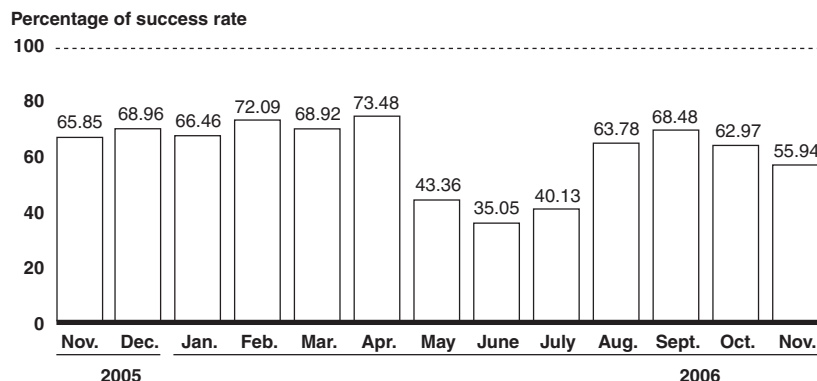
What GAO Found

GAO's observations at 23 alien detention facilities showed systemic telephone system problems at 16 of 17 facilities that use the pro bono telephone system, but no pattern of noncompliance for other standards GAO reviewed. At facilities that use the ICE detainee pro bono telephone system, GAO encountered significant problems in making connections to consulates, pro bono legal providers, or the DHS Office of the Inspector General (OIG) complaint hotline. As shown in the figure below, monthly performance data provided by the phone system contractor indicate the rate of successful connections through the detainee pro bono telephone system was never above 74 percent. ICE officials stated there was little oversight of the telephone contract. In June 2007, ICE requested an OIG audit of the contract, stating that the contractor did not comply with the terms and conditions of the contract. Other instances of deficiencies GAO observed varied across facilities visited but did not appear to show a pattern of noncompliance. These deficiencies involved medical care, use of hold rooms, use of force, food service, recreational opportunities, access to legal materials, facility grievance procedures, and overcrowding.

ICE annual compliance reviews of detention facilities identified deficiencies similar to those found by GAO. However, insufficient internal controls and weaknesses in ICE's compliance review process resulted in ICE's failure to identify telephone system problems at most facilities GAO visited. ICE's inspection worksheet used by its detention facility reviewers did not require that a reviewer confirm that detainees are able to make successful connections through the detainee pro bono telephone system.

Detainee complaints may be filed with several governmental and nongovernmental organizations. Detainee complaints mostly involved legal access, conditions of confinement, property issues, human and civil rights, medical care, and employee misconduct at the facility. The primary way for detainees to file complaints is to contact the OIG. OIG investigates the most serious complaints and refers the remainder to other DHS components.

Percentage of Successful Calls through ICE's Detainee Pro Bono Telephone System, November 2005 through November 2006



Source: GAO analysis of ICE contractor provided data.