

Why GAO Did This Study

Aliens awaiting removal proceedings or found to be removable from the United States are detained in ICE custody or released into the community under one or more options, such as release on bond and under supervision of the ATD program. Within the Department of Homeland Security (DHS), ICE is responsible for overseeing aliens in detention and those released into the community. In 2004 ICE implemented the ATD program to be a cost-effective alternative to detaining aliens. ICE administers the program with contractor assistance using case management and electronic monitoring to ensure aliens comply with release conditions—including appearing at immigration court hearings and leaving the United States if they receive a final order of removal. The Joint Explanatory Statement to the 2014 Consolidated Appropriations Act mandated that GAO evaluate ICE's implementation of the ATD program.

This report addresses (1) trends in ATD program participation from fiscal years 2011 through 2013 and the extent to which ICE provides oversight to help ensure cost-effective program implementation, and (2) the extent that ICE measured the performance of the ATD program for fiscal years 2011 through 2013. GAO analyzed ICE and ATD program data, reviewed ICE documentation, and interviewed ICE and ATD contractor officials.

What GAO Recommends

GAO recommends that ICE analyze data to monitor ERO field offices' implementation of guidance and require the collection of data on the Technology-only component. DHS concurred with the recommendations.

View [GAO-15-26](#). For more information, contact Rebecca Gambler at (202) 512-8777 or gablerr@gao.gov.

ALTERNATIVES TO DETENTION

Improved Data Collection and Analyses Needed to Better Assess Program Effectiveness

What GAO Found

From fiscal year 2011 through fiscal year 2013, the number of aliens who participated in the U.S. Immigration and Customs Enforcement's (ICE) Alternatives to Detention (ATD) program increased from 32,065 to 40,864, in part because of increases in either enrollments or the average length of time aliens spent in one of the program's components. For example, during this time period, the number of aliens enrolled in the Full-service component, which is run by a contractor that maintains in-person contact with the alien and monitors the alien with either Global Positioning System (GPS) equipment or a telephonic reporting system, increased by 60 percent. In addition, the average length of time aliens spent in the Technology-only program component, which offers a lower level of supervision at a lower contract cost than the Full-service program component and involves ICE monitoring of aliens using either telephonic reporting or GPS equipment provided by a contractor, increased by 80 percent—from about 10 months to about 18 months. In 2011, ICE recommended practices in guidance to its Enforcement and Removal Operations (ERO) field offices to better ensure cost-effective implementation of the program. For example, ICE recommended that field officers move aliens who have demonstrated compliance under the Full-service component to the less costly Technology-only component. GAO's work showed differences in ERO field offices' implementation of the guidance. However, ICE headquarters officials said that because of limitations in how they collect and maintain program data, they do not know the extent to which field officers have consistently implemented this guidance. ICE plans to institute new data collection requirements to address these limitations and use these data for a variety of purposes; however, ICE has not considered how to analyze these data to monitor the extent to which ERO field offices are implementing the guidance. Analyzing these data, once collected, could help ICE better monitor the extent to which ERO field offices are implementing the practices in its guidance intended to ensure more cost-effective program operation.

ICE has established ATD program performance measures to, among other things, assess alien compliance with requirements to appear in court and leave the country after receiving a final order of removal, but it has not collected complete data for assessing progress against these measures. Specifically, ICE's ATD contractor collected data for the Full-service component, and from fiscal years 2011 through 2013, these data showed that over 99 percent of aliens with a scheduled court hearing appeared in court as required. However, ICE did not collect similar performance data to report results for aliens enrolled in the Technology-only component—which composed 39 percent of the overall ATD program participants in fiscal year 2013—because when the program was first created, ICE officials stated that they envisioned that most aliens would be in the Full-service component with data tracked by the contractor. ICE plans to expand the contractor's role in data collection but does not plan to require collection of performance data for aliens enrolled in the Technology-only component; rather ICE plans to leave it to the discretion of field officials as to whether to require the contractor to collect these data. Without requirements to collect these data, ICE may not have complete information to fully assess program performance.