Additional Actions Needed to Strengthen DHS Management of Short-Term Holding Facilities

What GAO Found

The Department of Homeland Security’s (DHS) U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) have standards for short-term holding facilities—which are generally designed to keep individuals in custody for 24 hours or less—and some processes to monitor compliance with the standards. For example, each component has policies governing the operation of holding facilities, and CBP has an annual Self-Inspection Program, which is designed to assess internal controls in all CBP operations, including holding facilities. However, U.S. Border Patrol, within CBP, and ICE do not have a process to fully assess data on the amount of time individuals are held in custody. Such a process could help these agencies in better understanding issues that GAO identified, such as data quality, level of compliance with agency standards, and factors impacting time in custody. For example, GAO identified potential irregularities with Border Patrol’s fiscal year 2014 to 2015 time in custody data, due to, among other things, delays in agents recording individuals’ “book-out” from holding facilities. In addition, although Border Patrol officials from 10 holding facilities GAO visited stated that time in custody rarely exceeds 72 hours, GAO noted that approximately 16 percent of Border Patrol’s cases with complete data in fiscal years 2014 to 2015 exceeded this threshold. Developing and implementing a process to assess time in custody data, consistent with internal control standards, would provide Border Patrol and ICE with more visibility into the quality of their data, facility compliance with time in custody guidelines, and the factors impacting time in custody.

DHS has various mechanisms to obtain and address complaints related to holding facilities. Specifically, individuals can submit complaints directly to holding facilities or to one of various DHS entities, including the DHS Office of Inspector General (OIG) and Joint Intake Center (JIC). However, DHS and its components have not consistently communicated information to individuals in CBP and ICE holding facilities on these mechanisms. For example, during site visits to DHS holding facilities, GAO observed that the posters used to communicate DHS complaint mechanisms varied in their coverage. Providing guidance to holding facilities on which of DHS’s various complaint mechanisms they should communicate to individuals in custody, consistent with internal control standards, would help DHS have better assurance that individuals in custody within holding facilities have received information on how to submit a complaint. DHS complaint mechanisms maintain data in various systems; however, most of these systems do not have a classification code for holding facilities. Creating a classification code and conducting trend analysis on holding facility complaints, consistent with internal control standards, would provide DHS with useful information for management decisions, including targeting areas for compliance monitoring.