

# GAO Highlights

Highlights of [GAO-20-596](#), a report to Congressional Committees

## Why GAO Did This Study

ICE is the lead agency responsible for providing safe, secure, and humane confinement for detained foreign nationals in the United States. ICE has established standards for immigration detention related to complaint processes, medical care, and other areas.

The joint explanatory statement accompanying the Consolidated Appropriations Act, 2019, includes a provision for GAO to review ICE's management and oversight of detention facilities and detention-related complaints. This report examines ICE and other DHS entities' mechanisms for (1) overseeing compliance with immigration detention facility standards and how ICE uses oversight information to address any identified deficiencies; and (2) receiving and addressing detainee complaints, and how ICE uses complaint information. GAO analyzed documentation and data on inspections and complaints at facilities that held detainees for over 72 hours during the last 3 fiscal years—2017 through 2019; visited 10 facilities selected based on inspection results and other factors; and interviewed officials.

## What GAO Recommends

GAO is making six recommendations, including that ICE ensures oversight data are recorded in a format conducive to analysis, regularly conducts trend analyses of oversight data and detention-related complaint data, and requires that ERO field offices record the resolutions of detention-related complaints. DHS concurred.

View [GAO-20-596](#). For more information, contact Rebecca Gambler, (202) 512-8777, [gablerr@gao.gov](mailto:gablerr@gao.gov).

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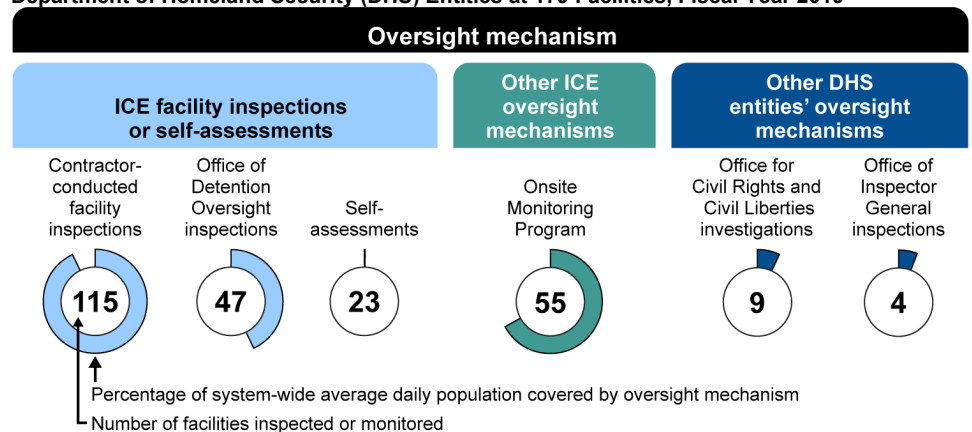
# IMMIGRATION DETENTION

## ICE Should Enhance Its Use of Facility Oversight Data and Management of Detainee Complaints

### What GAO Found

The Department of Homeland Security's (DHS) U.S. Immigration and Customs Enforcement (ICE) and other DHS entities use, in part, inspections to oversee detention facilities and address identified deficiencies. As shown below, in fiscal year 2019, most of ICE's 179 facilities that housed adults for over 72 hours underwent inspections by contractors or its Office of Detention Oversight, while smaller facilities conducted self-assessments. ICE also conducted onsite monitoring at facilities. Further, two DHS offices conducted inspections related to certain aspects of facilities. ICE collects the results of its various inspections, such as deficiencies they identify, but does not comprehensively analyze them to identify trends or record all inspection results in a format conducive to such analyses. By ensuring inspection results are recorded in a format conducive to analysis and regularly conducting comprehensive analyses of results, ICE would be better positioned to identify and address potential trends in deficiencies.

**Detention Facility Oversight by U.S. Immigration and Customs Enforcement (ICE) and Other Department of Homeland Security (DHS) Entities at 179 Facilities, Fiscal Year 2019**



Source: GAO analysis of DHS data. | GAO-20-596

ICE and DHS entities have various mechanisms for receiving and addressing detention-related complaints from detainees and others. However, while some of these entities conduct some analyses of the complaint data they maintain, ICE does not regularly analyze detention-related complaint data across all of its relevant offices. By regularly conducting such analyses, ICE could identify and address potential trends in complaints. Additionally, ICE does not have reasonable assurance that Enforcement and Removal Operations (ERO) field offices—which oversee and manage detention facilities—address and record outcomes of detention-related complaints referred to them for resolution, or do so in a timely manner. For example, GAO's analysis of data from one referring office—the Administrative Inquiry Unit—indicated that for certain noncriminal complaints the unit refers, ERO field offices did not provide resolutions back to the unit for 99 percent of referrals. Without requiring that ERO field offices record any actions taken on, and the resolutions of, detention-related complaints, ICE does not have reasonable assurance that field offices are addressing them.