

GAO

Report to the Honorable
Lawton Chiles, U.S. Senate

April 1988

INS' KROME DETENTION CENTER

Data Show No Felon Records



04792

General Government Division

B-230509

April 7, 1988

The Honorable Lawton Chiles
United States Senate

Dear Senator Chiles:

This report responds to your February 23, 1988, request and to subsequent discussions with your office. You asked us to determine if aliens who were convicted of felonies under state or federal law are being detained at the Immigration and Naturalization Service's (INS) Krome Detention and Processing Center in Miami, Florida. Public Law 100-202, the Continuing Resolution for Fiscal Year 1988, stated that unless the security at Krome was upgraded,¹ the INS appropriation would not be available to detain aliens who were convicted felons at the Center after February 28, 1988. On March 2, 1988, we briefed you and your staff on the results of our analysis. This report summarizes the information presented at the briefing.

Background

The Immigration and Nationality Act, 8 U.S.C. 1101 *et seq.*, authorizes INS to apprehend and deport an alien who enters the country illegally, violates a condition of entry, or is convicted of certain crimes, such as murder, manslaughter, or rape. INS apprehends aliens it believes may be deportable. After their apprehension, INS decides whether to (1) further detain the aliens, (2) release them on their own recognizance, or (3) release them on bond pending resolution of their cases. INS can detain apprehended aliens at one of its centers.

Objective, Scope, and Methodology

We visited Krome on February 29, 1988, and reviewed INS records for the aliens who were being detained. To determine INS compliance with Public Law 100-202, we

- established the number and identity of aliens at Krome on February 29, 1988, through use of an INS list of each alien's name and an INS booking control card which included the alien's name and photograph. We matched (1) the alien's photograph to the alien and (2) the name on the card to the name on the list.
- reviewed the records of the aliens at the Center to determine which, if any, had felony records.

¹According to a Miami district official, INS is planning to upgrade the security.

Attorney General, Department of Justice; the Commissioner, Immigration and Naturalization Service; and other interested parties.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Arnold P. Jones". The signature is written in a cursive style with a large, prominent initial "A".

Arnold P. Jones
Senior Associate Director

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- determined that the number of records matched the number of aliens at the Center by comparing the specific aliens we identified with their corresponding records.

Krome personnel entered the names of the aliens at the Center into the Federal Bureau of Investigation's National Crime Information Center (NCIC)² to determine if the aliens were convicted felons. This was done because even though an alien could be a convicted felon, INS files might not contain such information. Not finding a name in NCIC, however, does not rule out the possibility that an alien is a felon. The Bureau's system relies on data from state and local law enforcement agencies which may not always submit complete, timely, or accurate data to the Bureau. Krome personnel provided copies of the results from searching the system so we could verify that the search was made.

We also discussed Krome's operations with Krome officials and held discussions with INS Miami District Office officials. Our work was done in accordance with generally accepted government auditing standards.

Results

Krome has a capacity for 360 inmates. As of February 29, 1988, 129 aliens were detained at Krome. Our review of INS' records for the 129 aliens showed that none had felony convictions. Also, a check of each alien's name with NCIC did not identify any aliens at Krome who were convicted felons. Consequently, on the basis of our review of the records and information available on February 29, 1988, we found INS was in compliance with the law. According to INS officials, by February 27, 1988, 226 aliens convicted of felonies had been released or transferred to other federal or state facilities in order to comply with the law.

While we did not request official comments on the report, we discussed its contents with INS Miami District Office officials, who concurred with the information as presented. We are sending copies of this report to the

²NCIC is an automated data base system which provides federal, state, and local law enforcement agencies with computer access to information such as a person's criminal history record.

