**Who Can Be Deported?**

While the public tends to think of deportations as affecting only unauthorized immigrants, lawfully present immigrants who have not become U.S. citizens can become removable under certain conditions (which is why this explainer uses the term “noncitizen,” which encompasses all categories of potentially removable individuals).

The following groups of people are deportable:

* Migrants who crossed a U.S. border illegally or who overstayed a visa.
* Immigrants on a temporary visa who have violated the terms of their visa, for example by getting a job on a visa that does not permit work.
* Legal permanent residents (also known as green-card holders) or temporary visa holders who have been convicted of a wide range of crimes, including driving under the influence, firearm or drug possession, theft, or a violent crime.

Unauthorized immigrants who have a valid form of temporary protection such as Temporary Protected Status (TPS), humanitarian parole, or deferred action (including Deferred Action for Childhood Arrivals, or DACA) are generally not deportable. But because these statuses are granted on a temporary or discretionary basis, they could potentially be revoked, thus making individuals removable.

The U.S. government must issue a removal order before a noncitizen can be deported. Individuals can contest their removal by proving that they are eligible for a form of protection such as asylum.

**How ICE Identifies People for Arrest**

Interior enforcement starts when ICE locates and arrests a deportable noncitizen. While ICE enforcement operations at worksites or in the community (known as “at-large arrests”) often grab headlines, most ICE arrests occur through a transfer from local sheriff’s or police departments.

When local authorities arrest someone, they check the individual’s fingerprints against national security and immigration databases. Potential matches with immigration databases are forwarded to ICE, which checks for known violations of immigration laws or prior removal orders and decides whether to make a detainer request (in other words, ask local law enforcement to hold the noncitizen for up to an additional 48 hours for immigration purposes). If someone arrested is found to have a prior removal order or is known to be in the country without authorization, ICE can take custody and begin processing them for removal. ICE also interviews noncitizens who are serving sentences in federal and state prisons and local jails so they can be readily removed upon release, if removable.

These “custodial” arrests resulting from the criminal justice pipeline have typically significantly outpaced at-large arrests, which are far more labor- and resource-intensive for ICE and bring greater danger as armed agents go to homes, workplaces, or elsewhere in the community. At-large arrests can also occur when unauthorized immigrants not in immigration detention go to an ICE office for a scheduled check-in.

ICE accesses numerous databases—including commercial databases, motor vehicle and driver’s records, and utility records—to locate removable noncitizens.

At-large arrests have constituted a minority of all ICE arrests in most years, for example comprising just 29 percent of arrests in FY 2024. The arrests of groups of people at their workplace typically garner substantial media attention and create fear in immigrant communities. While recent data on worksite arrests are not available, historically, arrest numbers were low, peaking at under 7,000 in FY 2008.

ICE does not need a warrant to enter public spaces such as building lobbies and waiting areas. But in spaces not open to the public, including homes, schools, and areas labeled “private,” ICE needs to obtain consent to enter or have a judicial warrant signed by a federal judge. ICE may arrest a noncitizen if it has probable cause—a “reason to believe”—that the person may be deportable and is likely to escape if not taken into custody.