

# Inadmissibility Grounds for Mandatory Detention Under INA § 236(c)



Statute	Criminal Grounds of Inadmissibility*
INA § 212(a)(2)(A)(i)(I)	Conviction/sufficient admission of a crime involving moral turpitude (CMT) * Juvenile offense exception * Petty offense exception
INA § 212(a)(2)(A)(i)(II)	ANY controlled substance offense conviction (no exceptions)
INA § 212(a)(2)(B)	Multiple criminal offenses with aggregate sentence of over 5 years
INA § 212(a)(2)(C)	Drug trafficking
INA § 212(a)(2)(D)	Prostitution/commercialized vice
INA § 212(a)(2)(E)	Certain aliens involved in serious criminal activity who assert immunity to prosecution
INA § 212(a)(2)(G)	Foreign officials who engaged in particularly severe violations of religious freedoms
INA § 212(a)(2)(H)	Human trafficking
INA § 212(a)(2)(I)	Money laundering
INA § 212(a)(3)(B)	Terrorism grounds (any terrorist involvement whatsoever, including incidental, that DHS “knows or has reasonable grounds to believe” is true)

\*The criminal grounds of inadmissibility described above will subject an immigrant to mandatory detention in immigration custody pursuant to INA 236(c), with no eligibility for release on bond.

# Deportability Grounds for Mandatory Detention Under INA § 236(c)



Statute	Criminal Grounds of Deportability*
INA § 237 (a)(2)(A)(i)	Conviction of 1 CIMT committed within 5 years of admission, if sentence of 1 year or more
INA § 237(a)(2)(A)(ii)	Conviction of 2 or more CIMTs arising from different criminal schemes
INA § 237(a)(2)(A)(iii)	Conviction of an aggravated felony
INA § 237(a)(2)(B)(i)	Any controlled substance conviction, EXCEPT for 1 simple possession of less than 30g of marijuana
INA § 237(a)(2)(B)(ii)	Admission to habitual drug abuse/addiction
INA § 237(a)(2)(C)	Conviction of firearms offense
INA § 237(a)(2)(D)	Miscellaneous national security-related offenses (sabotage, sedition, espionage, treason, aiding foreign military against US ally, violating Military Selective Service Act, procuring entry to the US via fraud or trafficking)
INA § 237(a)(4)(B)	Terrorism grounds

\*The criminal grounds of deportability described above will subject an immigrant to mandatory detention in immigration custody pursuant to INA § 236(c), with no opportunity for release on bond.