

## BASIC IMMIGRATION CONSEQUENCES OF COMMON DUI CONVICTIONS

	<b>“Simple” DUI, ARS 28-1381</b>	<b>Agg. DUI – Recidivist, ARS 28-1383(A)(2)</b>	<b>Agg. DUI – Suspended license ARS 28-1383(A)(1)</b>	<b>Endangerment, ARS 13-1201</b>	<b>Reckless Driving ARS 28-693</b>
Crime Involving Moral Turpitude?	No	No	Actually driving – Yes  Physical control only - No	Yes	Likely - Avoid
Inadmissible?	One does not = inadmissible.	One does not = inadmissible  If Aggregate sentence for all convictions 5 years = inadmissible	Yes	Yes	Likely
Deportable?	No	No	Yes – one conviction w.in 5 years of admission to the U.S.  Yes – one Agg DUI suspended license conviction + one additional CIMT of any kind	Yes ( <i>see</i> Agg DUI suspended license)	Likely ( <i>see</i> Agg DUI suspended license)
Impact on Adjustment of Status?	Eligible, but may be more difficult than without	Eligible, but more difficult than simple DUI	Ineligible without discretionary waiver.	Ineligible w/out discretionary waiver.	Likely ineligible w/out discretionary waiver.

Crime Involving Moral Turpitude: class of crime that may have immigration consequences. Usually, *Malum in se*.

Inadmissibility: alien barred from entering the U.S. or obtaining a new immigration benefit if present \*\*\*

Deportable: alien lawfully present in the U.S. may be deported \*\*\*

Adjustment of Status: alien lawfully entered U.S. as non-immigrant, applies to become lawful permanent resident (or other lawful status) without leaving the U.S. \*\*\*