

Horror at U.S. border



Kerry Diotte

Being allowed to visit the U.S. is no longer easy for scores of ordinary Canadians.

Just ask Christine Handford.

In September she and husband Gary embarked on an 18-day dream vacation to Disneyland in California with their kids, aged six, 12 and 14.

The couple bought a new van for the journey, spent hundreds of dollars

on games and supplies and had shelled out money to book a hotel in California.

But 11 hours after driving from Edson to Coutts at the Montana border, their dream vacation turned into a nightmare.

Gary was grilled by U.S. border guards for 2½ hours, then told he couldn't enter the U.S.

His crime? He'd been busted as an 18-year-old some 20 years ago over a minor theft rap in Canada. Two buddies had pulled some B&Es and tossed their stolen booty into his truck. Gary got lumped in as an associate and was fined \$100 and sentenced to 18 hours of community work.

Said Christine: "After he was interrogated at the border and fingerprinted, he came out of the customs office and said, 'We can't go. You guys go.' It was heartbreaking.

"I burst into tears and the kids burst into tears. They said they didn't want to go to Disneyland without him. They said it wouldn't be any fun without their daddy."

They all headed home. Christine said the experience was mind-boggling because Gary had frequently travelled to the U.S. prior to that, always admitting he had a minor record.

When Gary told these customs officers about all those trips, one of them said, 'Yeah, well your luck ran out.'

He's now seeking a criminal pardon from the Canadian government. He's also applying for a waiver of inadmissibility from the U.S., since Americans will keep his criminal record on file there regardless of a Canadian pardon.

"For me it was almost like planning a wedding and having the groom run out on me," said Christine.

Shane Bowen, who owns Edmonton-based Alberta Pardons, said Gary's story is common these days.

"Ever since 9-11 it's been far tougher to get into the U.S.," said Bowen, whose firm deals with about 1,000 such files a year. "They think everyone's a terrorist or something."

He estimates at least two Canadians per airline flight get denied entry to the U.S. now because of criminal records - even if it was a minor infraction.

Bowen said it's currently common for any passengers boarding a plane for the U.S. to have their names run through CPIC to check for criminal records.

Those who do apply for pardons from the Canadian government most often receive them, he said.

But U.S. officials can still ban you from the States whether you've got a pardon or not - if a person has admitted to American customs to having a criminal record.

A person's only option then is to apply for a waiver of inadmissibility from the U.S. government. If someone is warned to stay away from the U.S. and tries to enter without a waiver of inadmissibility, they take a big chance.

Bowen said they can be charged with illegal entry, have their vehicle seized and be held in

jail for up to three weeks without a lawyer. "That sort of thing happened to a client of ours. He was jailed three days and when he was released they'd already sold his truck at an auction."

Jill, a marketing consultant, found out the hard way that Americans now often play hardball at the border. She's using Alberta Pardons in hopes of being allowed into the U.S.

In June 2004 she was trying to cross the border at Blaine, Washington, with her American boyfriend.

After a computer check, U.S. officials asked if she'd been in trouble with the law. Jill - who doesn't want her last name published - admitted she was fined \$100 in 1990 for possession of less than an ounce of pot.

Despite the fact that she'd travelled to the U.S. dozens of times since 1990, she was suddenly a persona non grata.

Since her denied entry she's had to stop doing business in the U.S. and pass up on any holidays there.

"Besides that, my relationship with my boyfriend essentially dissolved because I couldn't go there."

The U.S. takes a hard line these days with drug convictions and considers someone with one inadmissible. It's among a string of sins that'll keep you out of the U.S., including being a Communist party supporter or being HIV-positive.

Jill, meanwhile, remains hopeful she'll one day be allowed back into the States.

"My frustration is now more directed at the Canadian government. I'm very disappointed my government would breach my privacy that way and give away such conviction information to a foreign government."

(Kerry's column appears Tuesday, Thursday, Friday and Sunday. E-mail: kdiddle@edmsun.com)