

# Criminal Convictions Such as DWI or DUI Don't Always Keep U.S. Citizens From Traveling to Canada

## New Rule Offers Relief for Some

Excerpted from the Nature and Outdoors Tourism Ontario Website

Canada and the United States share criminal record databases so Canada has access to the FBI's-National Crime Information Center (NCIC) and U.S. citizens are inadmissible to Canada if they have committed a criminal offense that is documented in the NCIC. For years, that has meant that, if one of your members has a DUI or DWI, they could not participate on your club's Canadian ski trip. Most U.S. citizens who have committed any kind of criminal offense have long been aware of this law and they would simply not sign up for a Canadian trip -- but there have been changes in the Canadian law. There are now sometimes ways round the rule.

Effective March 2012, if a U.S. citizen has only one criminal offense on their record and the sentence (or license revocation in the case of a DUI) was completed more than 10 years earlier, they're deemed rehabilitated and eligible for entry into Canada and no paperwork is required! See <http://www.cic.gc.ca/english/resources/manuals/bulletins/2012/ob389.asp>.

If the U.S. citizen has only one criminal conviction and it was over five years ago, but less than ten years ago, they may still enter

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Canada -- but they must apply to the Canadian border officials for a temporary residency permit (TRP) when crossing the border one time -- but they may not apply for a TRP a second

time. Granting the permit is at the discretion of the border officials who have broad discretionary authority and a \$200 fee may or may not apply -- again, this is at the discretion of the border official.

A more permanent and secure solution to entering Canada five years after the end of a second or subsequent sentence or license revocation is to apply for "rehabilitation" to the Canadian government at either their New York or Los Angeles offices. The cost will be between \$200 and \$1,000. This should be done as soon as possible as the process will often take up to one year to complete. The application form is available at <http://www.cic.gc.ca/english/information/applications/rehabil.asp>.

As the website for the Nature and Outdoors Tourism Ontario (NOTO) states it; "These changes are a very positive step forward and will make life easier for many guests. They are not, however, a "magic bullet". We urge you to advise your guests to check carefully the details of their individual situation."



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