

# What is Inadmissibility?

If you have been arrested, charged or convicted of a criminal offense, you may be barred from entry into Canada. The inability to enter Canada on grounds of criminality is referred to as "inadmissibility."

Inadmissibility includes most offenses such as: DUI/DWI, reckless driving, drug possession, etc. A sample list of criminal charges is provided in this pamphlet.

Attention Pilots and Crew Members!

This pamphlet contains information about how a criminal record can impact your ability to enter Canada, and information on how to overcome it.

If you are a pilot or a crew member who is inadmissible to Canada, it is critical that you retain an experienced firm whose core practice area is admissibility.

Each year, we help hundreds of pilots and their crew members, including flight attendants, obtain entry relief in the form of a "waiver" (Temporary Resident Permit), or permanent relief in the form of a "pardon" (Criminal Rehabilitation).

Our firm is intensely familiar with the unique challenges faced by airline pilots and the airline industry as a whole. We use this knowledge to great effect when requesting a waiver.

Whether you are a veteran pilot with over 50,000 hours of flight time, or a new hire still in training, let our firm help you navigate your admissibility issue by reaching out to us at the numbers provided in this pamphlet.

## AIRLINE AND CREW MEMBERS



### Global Crossing Immigration Marc Laforce, RCIC

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### Call us today to schedule your one hour consultation!

#### *Due Diligence Corner:*

*There are three entities that may represent clients who need assistance with admissibility for a fee. These include licensed Quebec notaries, members of a Canada Law Society, and members of the Immigration Consultants of Canada Regulatory Council (ICCRC).*

*Our practitioner is a member of the latter group; commonly referred to as an RCIC (Regulated Canadian Immigration Consultant).*

*A US attorney is not licensed to represent a US citizen's application to enter Canada. A US law firm, however, may recommend the services of a Canadian licensed practitioner.*

*For more information about who can legally represent a client's entry to Canada, or any Canadian visa, consult the official Citizenship & Immigration Canada (CIC) web site here: [www.cic.gc.ca/english/information/representative/rep-who.asp](http://www.cic.gc.ca/english/information/representative/rep-who.asp) To view Mr. Laforce's license, click on the public page of ICCRC under "Consultant List": [www.iccrc-crcic.ca](http://www.iccrc-crcic.ca)*

# Flying to Canada, Eh?

If you have a

## **CRIMINAL CHARGE OR CONVICTION**

in your past, you may have a problem!

Border security in both Canada and the United States has heightened in recent years.

Today, just about any border officer can obtain criminal records of any person entering Canada. US travelers with past criminal charges or convictions may be refused entry if unprepared and without important paperwork.

If you are a pilot, flight attendant or a crew member in the transportation industry, you know that a misdemeanor or felony offense may have adverse consequences to your career. Global Crossing Immigration can help you secure the necessary permits to enter Canada, while working on a solution to permanently clearing your travel ban.

# Criminal Charges May Bar Your Entry to Canada

**A charge or conviction of any of the following offenses can render a traveler inadmissible to Canada without proper paperwork and preparation:**

- B & E (breaking and entering)
- Bad Check
- Domestic violence
- Drug possession (including marijuana)
- DUI / DWI / DWAI
- Immigration Violation
- Petty theft
- Public intoxication
- Reckless Driving
- Theft
- Wet Reckless Driving

**Does a charge (and no conviction) make me inadmissible?**

While the presumption of innocence till proven guilty is a core judicial principle in Canada, border officers are certainly not bound by this standard when determining if a person with pending charges (and no conviction) may enter the country. This firm has heard countless stories of applicants being turned away at the border despite the absence of a criminal conviction. For peace of mind, we recommend that all foreign nationals carry robust paperwork even if not formally convicted, and that includes if charges were subsequently dropped, dismissed or if the applicant “beat” the case. This added peace of mind when traveling is both critical to you and your career.

For more information about TRPs and admissibility, consult our website at the link below:

<http://globalcrossingimmigration.com/admissibility/>

## **PARDONS** (Criminal Rehabilitation)

A successful application for Criminal Rehabilitation in Canada permanently removes (“cures”) a traveler’s inadmissibility for the applicable offense(s); thus forever facilitating a hassle-free experience when visiting Canada (subject to no further arrests, obviously).

The assessment of a “rehab” application is generally made at the consulate such as the Canadian Consulate General of Los Angeles or New York in the United States, or Embassy or High Commission Office overseas. Occasionally, pending certain circumstances and criminal facts, a “streamlined” application for criminal rehabilitation may be made directly at the border saving precious time (and money).

The granting of a rehabilitation application is based on a wide range of criteria, including the applicant’s character, severity of their criminal background, and circumstances of the offense(s); to name a few of the relevant factors.

A successful application for rehabilitation is based on a well prepared argument to the issuing visa post that, on a balance of probabilities, the risk of criminal behavior in the future is infinitely small.



## **ADMISSIBILITY WAIVERS** (Temporary Resident Permit)

A TRP is a special waiver that allows travel to Canada for limited periods of time despite a criminal record. Waivers are reviewed and ultimately approved on grounds of “national interest,” “compassionate” or “involuntary work requirements” and other compelling situations.

If you are not eligible for a pardon (which cures your inadmissibility), or do not have the time to obtain a rehabilitation decision via a consulate, and have an urgent need to be in Canada, you may be eligible for an expedited TRP. Firm deliverables include:

- Cover letter, form preparation and assembly of all relevant information.
- Representation on your behalf in all government correspondences including the Canadian Embassy or Consulate, Immigration Canada (IRCC) and the Canada Border Service Agency (CBSA).
- Interview preparation prior to entry (including a Q&A and a Do’s and Don’ts session).
- Unlimited (but reasonable) access to the firm practitioner throughout the adjudication process until a decision is rendered.

## **ATTENTION PILOTS AND CREW MEMBERS!**

Do not jeopardize your aviation career by preparing a packet on your own or leaving it to an attorney with no experience, let alone license, in this very specialized practice.

An applicant generally has one shot at submitting a TRP or application for Criminal Rehabilitation. The refusal rates are reportedly close to 43 percent\*. As we file TRPs on a daily basis, we know exactly what visa officers are looking for when preparing a TRP/Rehab application. Consequently, our firm’s success rate is close to 99 percent.

If you have a criminal record and are seeking to enter Canada, we invite you to contact our Dallas Head Office at 214-295-6051 for a confidential one-on-one appointment. Be sure to mention this pamphlet for a discounted consultation (Discount Code: A01).

\* This number is derived by an opens record request at the Canadian Consulate General of Los Angeles.