

Activist ordered out of country

Adjudicator rules U.S. anti-war protester may not return to Canada for two years

MARK HUME

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VANCOUVER

— An anti-war activist who has cast herself as a political victim in a battle with the Canada Border Services Agency was ordered to leave the country yesterday after an Immigration Board hearing concluded she had misled officials.

Alison Bodine, whose cause has generated street rallies, letter-writing campaigns by MPs and MLAs, and a petition containing 3,000 signatures, held back tears in the hearing room as she signed an exclusion order after the ruling by adjudicator Mark Tessler.

Then she went outside to meet her supporters and declared, "Justice comes on the street, not in a hearing room."

But what was said in the hearing room raised questions both about the actions of border officials and Ms. Bodine's motives.

The case began on Sept. 10, at about 2 a.m., when Ms. Bodine, a U.S. citizen and a central organizer with a Vancouver organization called Mobilization Against War & Occupation, presented herself at the Peace Arch border crossing, just north of Blaine, Wash.

Canadian Border Services officer Kelly Emmott refused Ms. Bodine entry after determining that she did not have proof of funds with her, that she had no evidence of ties to the U.S. and that her car was loaded with backpacks, a bike and what officials described as a wooden "hope chest" containing personal items.

Ms. Emmott suspected a move to Canada was in the works, although Ms. Bodine said she was coming for a short visit.

Ms. Bodine, 22, a recent University of British Columbia graduate who has a boyfriend in Vancouver and who had a possible job waiting for her at Simon Fraser University, said she was stopped because of anti-war pamphlets in her car.

Several hours after returning to the U.S., she approached the border again, with only one backpack in her car. The rest of her bags had been transferred to a vehicle being driven by her boyfriend, Andrew Barry, who was following her.

Ms. Bodine was quickly waved through. But when border officials questioned Mr. Barry, they saw the baggage in his car and identified it as being hers. When she subsequently returned to pick up that seized material, she was arrested - triggering the admissibility hearings and sparking a growing protest movement in Vancouver.

In his ruling, Mr. Tessler said there was little doubt Ms. Bodine deliberately misled border officials by off-loading her bags, and by failing to alert officials to the fact she'd been turned away earlier.

But he questioned the initial decision by border officials to refuse her entry.

"I am rather bewildered by that decision," he said, because there is nothing to stop someone from entering Canada for a dual purpose. That is, Ms. Bodine could have been coming to Vancouver for a short visit, but with several bags and plans of later applying to stay in the country.

He said, however, it was not within the hearing's scope to determine whether Canada Border Services Agency acted appropriately in initially turning Ms. Bodine away. The only issue at hand, he said, was the question of

whether Ms. Bodine had misrepresented herself.

He found that she had, saying she was "playing fast and loose" with border officials. He also said there was no evidence border officials acted because of her political views.

But Ms. Bodine remained defiant.

"They shouldn't have arrested me at all," she said outside. "What the Immigration adjudicator ruled on upstairs was completely a technicality that they've chosen to pursue based on the fact I'm a political organizer. ... I will not be allowed back in Canada for two years, for political organizing, for raising my voice, speaking out against war and occupation."

Asked if her numerous bags, her pending job interview and the presence of a boyfriend in Vancouver signalled a desire to move here, she replied, "Eventually yes, I do want to live here in Canada."

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