

Canada Arrests Worker Aiding Refugees

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Body

An American **refugee aid worker** accompanying Haitians seeking asylum in **Canada** was charged by Canadian authorities this week with immigrant trafficking.

Canadian lawyers said it was the first time that a 2002 immigration law, intended to prosecute organized criminal smugglers, had been used against someone working for an immigrant assistance organization.

The **aid worker**, Janet Hinshaw-Thomas, is the founder and director of Prime -- Ecumenical Commitment to **Refugees**, a two-decade-old **refugee** resettlement organization in Pennsylvania. Ms. Hinshaw-Thomas, 65, was **arrested** on Wednesday at the Canadian border station at Lacolle in Quebec. She was arraigned in a court near Montreal on Thursday and released on \$5,000 bail.

The Canadian prosecutor said in court on Thursday that the office of the attorney general, Robert Nicholson, had approved the charges, as required by the law. The crime carries a maximum life sentence.

"She is not running some kind of covert murky operation at all," Eric Sutton, Ms. Hinshaw-Thomas's lawyer, said in a telephone interview yesterday from Montreal. "She was doing this on a purely humanitarian basis to assist **refugees** who are seeking asylum in a country where they have a right to present their claims."

The Department of Justice for **Canada** referred questions about Ms. Hinshaw-Thomas's **arrest** to the Canadian Border Services Agency. Erik Paradis, a spokesman for the Quebec regional office of the agency, said that its officers had applied the law as they understood it.

This month, **Canada** has faced a surge of immigrants, primarily Haitians and Mexicans, traveling to border stations to present claims for asylum. At least 200 immigrants requesting asylum, mostly Mexicans, turned up in recent weeks at the station in Windsor, Ontario, across from Detroit. Many were sent by a group in Naples, Fla., the Jerusalem Haitian Community Center, that collected fees from some immigrants.

Ms. Hinshaw-Thomas said yesterday that she had not been aware of the border dispute brewing in Ontario. In an interview by cellphone as she drove back from **Canada** to her office in Landsdowne, Pa., she said that her group had made 19 trips to the Canadian border in the last five months, taking immigrants, primarily Haitians, who had despaired of obtaining legal status in the United States and feared deportation.

"We want to help people who are in really very dire need, who might even face death upon return to their home countries," she said.

She said her trip this week was only the second time she had accompanied immigrants to **Canada**. She arrived at the Lacolle border station on Wednesday with the Haitians, five adults and seven children from four families. Following a procedure her group had used on previous trips, Ms. Hinshaw-Thomas said, she advised Canadian

Canada Arrests Worker Aiding Refugees

border authorities five days ahead of time by e-mail when she would arrive and how many asylum-seekers she would bring.

In her e-mail message, she said, she included information showing that her organization was a nonprofit assistance group, not a business. "I wanted to clarify that I am really not doing this for profit," she said.

Ms. Hinshaw-Thomas said that during her first trip, on Aug. 22, a Canadian immigration officer warned her that she could be prosecuted for trafficking if she was making any profit from the refugee trips. She said she told the officer that she collected fees, about \$250 per family, to defray travel expenses. Mr. Paradis, the Border Services Agency spokesman, confirmed the warnings. "If a person has been notified that this method of working is illegal and they continue, we're going to take action," he said.

Opposition lawmakers and immigrant advocates in Canada protested the arrest. Marlene Jennings, a member of the opposition Liberal Party, accused Mr. Nicholson of "attempting to criminalize good Samaritans."

Ms. Hinshaw-Thomas, a granddaughter of John Foster Dulles, the secretary of state in the Eisenhower administration, and a niece of Cardinal Avery Dulles of New York, is scheduled to return to court on Nov. 30.

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Graphic

PHOTO: Janet Hinshaw-Thomas helps Haitian immigrants get to Canada to seek asylum. (PHOTOGRAPH BY AARON HOUSTON FOR THE NEW YORK TIMES)

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Canada Arrests Worker Aiding Refugees

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