

# Deportation, Circular Migration and Organized Crime

## Jamaica Case Study

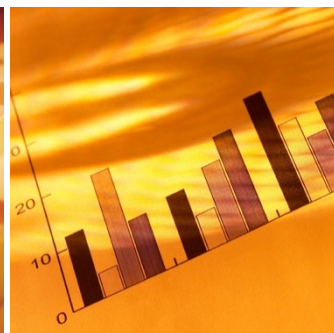
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RESEARCH REPORT: 2016–R007

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## **Abstract**

This report reviews the impact of forced deportations, criminal and otherwise, on public security and organized crime in Canada and Jamaica, with a focus on transnational connections between deportees, organized crime and Canada. Within Canada, non-criminal deportations should be considered in the context of their impact on Jamaican-Canadian families and communities, where deportation has become a sensitive and political issue. In Jamaica, criminal deportations from Canada, the United States and the United Kingdom have had a profound impact on public security. Caribbean security officials are adamant that criminal deportees are at least partly responsible for rising crime rates throughout the region. Even non-criminal deportees, who lack opportunities for successful reintegration, contribute to street-level crime. Recent law enforcement operations in Canada have revealed long-standing connections between organized crime groups in both countries. While deportation is not thought to have played a role in the genesis of these criminal linkages, it may be responsible for strengthening contemporary connections. The report concludes by discussing possible mitigation strategies in Canada and Jamaica to minimize the unwanted impacts of deportation on public security.

## **Authors' Note**

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## **Acknowledgements**

The authors would like to gratefully acknowledge the assistance provided by our colleagues at Public Safety Canada and the Canada Border Services Agency, who provided valuable data and insights for the research. We would also like to thank those experts in Canada, the United States and Jamaica who agreed to be interviewed as part of this research project.

## **Product Information:**

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Cat. No.: PS18-32/1-2016E-PDF

ISBN Number: 978-0-660-05184-0

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# Introduction

The international community recognizes the right of every state to determine who can enter and remain in its territory and under what conditions. If foreign nationals violate the laws of a host nation, they jeopardize any rights they may have had to remain as guests in that country. In Canada, the *Immigration and Refugee Protection Act (IRPA)* requires that non-citizen residents of Canada who are deemed inadmissible be removed from the country. Causes of inadmissibility range from visa violations to more serious offences such as involvement in organized crime, assault or murder. This report draws a distinction between the effects of criminal and non-criminal deportation, which should be approached as two separate issues requiring different responses. As a policy, the deportation of foreign criminals has a number of advantages. At a minimum, deportation can alleviate prison overcrowding and reduce the cost of incarcerating or otherwise supervising (through probation or parole) the foreign offender. It may have symbolic value by demonstrating to other would-be offenders the consequences of violating Canada's laws. Most importantly, it removes from Canadian society convicted offenders, who have been shown to have extremely high recidivism rates (Webster & Doob, 2012).

When serious criminality is not involved, it is important to weigh the advantages of deportation against its costs. Forced deportation can be a highly traumatic event for both the person forced to leave Canada and the family they leave behind. It has been described by some as a “social death” (Burman, 2011: 113). Forced deportation has a profound impact on families and communities, who lose breadwinners, parental figures and support systems. For most, deportation is a painful form of punishment that changes their life in a dramatically negative fashion. Beyond the human challenges associated with the forced separation, both the deported party and his or her family typically face financial and social hardships. Recognizing all of these factors, the decision to deport residents of Canada is never taken lightly by Canadian immigration officials (Keung, 2015a).

Although it is an experience shared by all of Canada's many immigrant communities, Jamaican Canadians have been subject to forced deportation in particularly large numbers. Since the 1990s, Jamaicans have been the most deported group of Caribbean nationals from the United States (U.S.), United Kingdom (UK) and Canada. For Canada's Jamaican community, deportation is associated with racism and prejudice, and has become a contentious and political issue. Any assessment of the effects of deportation on public safety in Canada must begin with its impact on Canada's Jamaican community, where deportations may fuel feelings of alienation from Canadian society and ultimately stoke delinquency and criminality among Jamaican-Canadian youth. Research by Scot Wortley has documented the impact of deportation on these communities and their attitudes toward Canadian society. When serious criminality is not the cause for deportation, these challenges may negate the intended protective impact of removals on Canadian public safety.

The forced deportation of foreign criminals has had a concrete and measurable impact on crime in Jamaica. Throughout the Caribbean, there is a widespread belief that criminal deportees from the U.S., Canada and the UK are responsible for a surge in drugs, organized crime and murder in the Caribbean. Indeed, few topics in Caribbean criminal justice and security are more contentious than the matter of criminal deportations. The presumptive relationship between deportation and crime—fostered in large part by Jamaican media, but also firmly held in circles of Caribbean officialdom—has resulted in a difficult path—characterized by stigmatization and rejection—for

all deported nationals seeking paths to redemption and reintegration back into their home societies, even those deported for non-criminal reasons. While several studies indicate that deportees have contributed to rising crime rates in the Caribbean, these statistics must be understood in the context of deportees' limited options for reintegration, and their inability to pursue gainful employment and secure adequate housing.

Organized crime linkages between Canada and Jamaica have existed since at least the 1970s, when members of the Shower Posse, a notorious Jamaican organized crime group, fled the country after Michael Manley's government took power (Wallace, 2010). These contemporary and historical connections are well established in the media and academic literature and were confirmed in interviews conducted with academics, policy researchers and Jamaican public security officials. The extent of the Shower Posse's influence in Canada was revealed following two major law enforcement operations in 2009 and 2010. The deportation of Jamaican nationals from Canada is not thought to have contributed to the genesis of these transnational organized crime links; rather, the migration to Canada of Jamaicans with organized crime links created these connections. While concrete evidence is lacking, it may be the case that deportations back to Jamaica have sustained these connections over time.

This report begins by outlining the nature and scale of criminal and non-criminal deportations from Canada to Jamaica, with a specific focus on the experience of the Jamaican-Canadian community. It will then offer an assessment of the available evidence on the relationship between deportation and both street-level and organized crime in Jamaica. Building on a discussion of the nature of organized crime in Jamaica, the report then examines the transnational relationship between organized crime in Jamaica and Canada, focusing on the trafficking of illegal narcotics and large-scale fraud targeting Canadians. In particular, the report focuses on the impacts of Project Fusion and Project Corral, two large-scale law enforcement operations that demonstrated the long-standing connections between the Shower Posse, Jamaica's most notorious organized crime group, and street gangs in Toronto and surrounding areas. The report concludes by offering potential policy options to mitigate the impacts of forced deportation on organized crime in Canada and Jamaica.

## Deportation and the Jamaican Community

### History and Politics of Jamaican Migration to Canada

Canada and Jamaica have long-standing migration ties, dating back to Canada's introduction of the Domestic Workers Scheme in 1955 (Calliste, 1991; Silvera, 1983; Salzman & Yates, 1988). The immigration scheme resulted in chain migration as the women who came to Canada as domestic workers sponsored their children and other family members. Beginning with the introduction of the Points System in 1967, a large number of middle class and professional Jamaicans migrated to Canada. Currently, Jamaicans are the fourth-largest group of non-European immigrants in Canada. Among Jamaican Canadians, 53 percent of the population is foreign born. Approximately 70 percent of the 230,000 Canadians of Jamaican origin live in the metropolitan Toronto area (Clark & Morrow, 2012).

A significant turning point in Jamaican migration to Canada came in 1994, when forced deportation began to take place in significant numbers, causing a pattern of circular migration to

develop. That year, an armed robbery at the Just Desserts restaurant and the shooting of police constable Todd Baylis (Cheney, 1999; D’Arcy, 2007), both involving Jamaican nationals, evoked an intense public outcry and motivated the passage of Bill C-44, also known as the *Danger to the Public Act* (which became Section 70, subsection 5 of the IRPA) (Burman, 2011). This law allowed the government to “deport a non-Canadian convicted of a crime for which a penalty of 10 years or more is available, if the person is also considered dangerous...(and) removes the right of appeal to the Immigration Appeal Board” (Tyler, 1998). Those affected by the new legislation were predominantly black Jamaican males (D’Arcy, 2007). In the two years following the passage of the bill, 40 percent of those deported were black Jamaican residents of Ontario, especially Toronto (Burman, 2011). Since that time, more legislation has been passed that expands the definition of “serious criminality” and limits the ability to appeal decisions. Bill C-43, or the *Faster Removal of Foreign Criminals Act* (FRFCA), which entered into law on June 20, 2013, redefined the criteria for inadmissibility on the grounds of serious criminality.

After FRFCA, any permanent resident committing an offence that carries with it a custodial sentence of six months or more can be deported without appeal. Members of the Jamaican-Canadian community tend to see deportation as part a broader trend involving the criminalization of young Jamaican men. It is important to consider deportation in light of these perceived related issues, including, for instance, the fact that members of the community feel targeted by zero tolerance policies (Davis, 2010), "stop and checks," and the practice of carding (Rankin, 2010).<sup>1</sup> These legislative changes contributed to a new migratory pattern between Jamaica, whereby large numbers of Jamaican nationals who were Canadian permanent residents, but not citizens, were forcibly deported back to Jamaica. This report considers the impact of this circular migration on organized crime in Canada and Jamaica.

## The Scale of Deportation in the Jamaican Community

To keep the deportation of Jamaican nationals from Canada in the proper perspective, a few points of clarification are needed. First, while the absolute number of deportations from Canada to Jamaica is large, it still represents a relatively small percentage of the total deportees Jamaica receives. Only a small proportion of persons deported to Jamaica on an annual basis come from Canada. Between 2000 and 2013, 41,061 persons were deported to Jamaica, of which 2,781, or 6.7 percent, came from Canada. The largest numbers of deportees came from the U.S. (19,987) and the UK (12,357), while 5,936 came from other countries (Thomas-Hope, 2014).<sup>2</sup> During the period from 1990 to 2005, the U.S. was responsible for 60 percent of total deportations, followed by the UK with 27 percent and Canada with 10 percent (Barnes, Chevannes & McCalla, 2006). Of Jamaican nationals living in the three countries, 70 percent reportedly live in the U.S., 16.4 percent in the UK and 13.6 percent in Canada (Glennie & Chappell, 2010:5). When factoring in the relative sizes of the Jamaican populations in the three countries, Canada is somewhat under-represented in terms of deportations, whereas the UK is significantly overrepresented.

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<sup>1</sup>Carding is an intelligence gathering technique of the Toronto Police Service, which involves a pretense for stopping, questioning and documenting individuals, even when no crime has been committed (see, for example, The Toronto Star, 2015).

<sup>2</sup>To give a sense of perspective, about 637,000 foreign born Jamaicans lived in the United States in 2008, with approximately 123,500 in Canada in 2006 and 150,000 in the United Kingdom in 2008, according to official statistical bureaus in each country (Glennie & Chappell, 2010:5).

Second, Jamaican nationals living in Canada are less likely to be deported due to criminality than those living in the U.S. and UK. A total of 4,719 Jamaican nationals were removed from Canada between 1997 and 2014, for reasons ranging from visa violations to organized crime (see Table 1). Between 1997 and 2015, 47 percent of all removals involving Jamaican Canadians were for criminal offences, averaging approximately 200 cases per year.<sup>3</sup> At 47 percent, the proportion of Jamaican nationals deported from Canada for criminal reasons was lower than the global figure of 71 percent of all deportees to Jamaica cited by Barnes, Chevannes & McCalla, (2006). Statistics provided by the Canada Border Services Agency (CBSA) indicate that in 2012, a total of 1,999 persons were deported from Canada for criminal offences; of those, 79, or 4 percent, were deported to Jamaica. From January to October 2013, 1,399 offenders were deported; of those 63, or 4.5 percent, were deported to Jamaica. Total non-criminal deportations in 2012 stood at 16,796; of those, 256, or 1.5 percent, were deported to Jamaica. From January to October 2013, non-criminal deportations totalled 10,783; of these, 108, or 1 percent, were deported to Jamaica. During that period, only 11 Jamaican Canadians were deported specifically for involvement in organized crime, as defined in the IRPA.<sup>4</sup> It is important to note that other deportees may have been engaging in transnational organized crime, but were deported for other reasons. Regardless, even a few persons engaged in transnational criminal networks between Jamaica and Canada can create serious threats for public safety.

Table 1: Cause of Removal, Jamaican Nationals—1997 to 2014

Removal Cause	Number of Removals
Criminality	1,609
Enforcement of removal order, no return unless authorized	100
Financial	76
Health	19
Human rights violations	2
Inadmissible	216
Inadmissible family member	60
Misrepresentation	102
Non-compliance with the Immigration Act	1,860
Organized crime	11
Security	1
Visa issues (none, or improper visa)	663
<b>Total removals</b>	<b>4,719</b>

Source: Data Provided by CBSA, November 2015.

<sup>3</sup>Author interview with CBSA official, October 16, 2015.

<sup>4</sup>Author interview with CBSA official, October 16, 2015. For a full definition of organized crime under the *Act*, see *Immigration and Refugee Protection Act*, S.C. 2001, c. 27, [accessed on 2016-01-13] at: <http://laws-lois.justice.gc.ca/eng/acts/I-2.5/FullText.html>



Third, while Canada's contribution to overall deportation figures is relatively small, the scale of deportation relative to Jamaica's population is overwhelmingly large. From Jamaica's perspective, from 2000 to 2010, nearly three times more Jamaicans were deported (34,199) than returned to Jamaica voluntarily (12,272) (Thomas-Hope, Knight & Noel, 2010). The scale of criminal deportation is particularly problematic for a small country like Jamaica. It is estimated that between 2000 and 2009, twice as many criminal deportees were returned to Jamaica as there were inmates released from Jamaican prisons (Barnes & Seepersad, 2009). The scale of the total return from all countries has never been more than 0.16 percent of Jamaica's population in any one year, but over the years of large-scale deportation the accumulated number of criminal deportees in Jamaica would have amounted to approximately two percent of the population.

## The Impact of Deportation on Crime in Canada

The deportation of foreign nationals who have committed serious crimes in Canada is an important element of Canada's public security strategy, and can be assumed to have a protective impact on Canadian public security. The removal of certain classes of offenders, for instance, those involved in organized crime, may have the additional benefit of disrupting transnational criminal networks. The impact of deportations on organized crime operations should not be overstated, however. While experts have noted that past law enforcement operations have succeeded in dismantling particular organized crime groups, the impact of these interventions tends to be short-lived; as long as the demand for illegal narcotics remains strong, they merely generate a void that is quickly filled by other organized crime groups (Dixon, 2009).

It is important to make a distinction between the impacts of criminal and non-criminal deportation on Canadian society. While a significant percentage of removals of Jamaican nationals involve criminality (47 percent), a slight majority do not. It is worth considering that in cases of non-criminal deportation, the negative consequences for remaining members of Canadian families and communities may negate any benefit to public safety. Several studies have noted the profoundly damaging impact of deportation. A study by Barnes, Chevannes & McCalla (2006) examined the impact of deportation on families remaining in the deporting country. Several data sources were utilized, including official crime data, deportation records and primary data collected from a sample of 214 persons who were deported to Jamaica. Interviews with deported persons revealed that the deportation of persons who had established permanent, long-term residence in other countries, created severe problems of dislocation that extend beyond the individual to his or her family. The findings revealed that deportation resulted in a general reduction in the level of communication between deported persons and their immediate families, and indicated that the majority of children left behind were unlikely to receive financial support from a parent who had been deported. In addition, many deported persons who were interviewed felt that their inability to provide emotional support and guidance to young children would lead to the onset of delinquent behaviour in their children. Barnes (2009:442) found that "deportation had resulted in severe damage to family relationships, and had negatively affected their family members who remained overseas... The deportation of parents was perceived as having contributed to behavioral problems in children who had been left overseas, leading in some instances to the onset of criminal behavior." This suggests that deportation may catalyze an increase in crime in the deporting country through the unintended effects of deportation on



families. Children, in particular, may become more vulnerable to victimization, and/or engaging in gang membership and criminal behaviour aimed at income generation.

Even in cases of criminal deportation, the families left behind in Canada often struggle with psychological, social and financial fallout from the removal. Another study, the Toronto Deportation Pilot Project, conducted between July 2003 and May 2006, focused on the experiences of the families of criminal deportees.<sup>5</sup> The research team conducted 107 interviews with the family members of criminal deportees who had been returned to Jamaica. Over half of the interviews (57 percent) were conducted with the parents of criminal deportees: 48 percent of the interviews were conducted with mothers and 9 percent were conducted with fathers. An additional 35.5 percent of interviews were conducted with the spouse or partner of a criminal deportee. Eight interviews (7.4 percent of the sample) were conducted with siblings. The majority of deportees (57.9 percent) captured by the sample had migrated to Canada as children (10 years of age or younger). An additional 30.1 percent had migrated in their teens (11–19 years of age). Only 11.2 percent had migrated to Canada as adults (20 years of age or older).

The age at time of deportation ranged from 21 years to 39 years (mean=27.2 years). On average, deportees had lived 17.2 years in Canada prior to their removal. Almost two-thirds of the deportees (61.7 percent) had been removed from Canada after being convicted of drug trafficking. A third (32.7 percent) were removed after being convicted of a violent crime: robbery (12.1 percent); aggravated assault (8.4 percent); murder/manslaughter (4.7 percent); illegal possession of a firearm (4.7 percent); and sexual assault (2.8 percent). An additional 6 deportees (5.6 percent of the sample) were removed after being convicted of fraud.

Almost all of the respondents (93.5 percent) indicated that the deportation of their family member had caused them great sadness, depression or grief. Many likened the deportation to a death in the family—or a death sentence. The vast majority of respondents (84 percent) reported that the deportation of their loved one had caused them considerable fear and anxiety. Most feared for the personal safety of the deportee or worried about how they would support themselves. Financial stresses were highlighted by nearly all respondents, with one in five respondents (21 percent) mentioning the legal costs associated with fighting the criminal case and the deportation order. Over half of the respondents (55 percent) reported that the deportation had caused a considerable drop in their household income. Finally, eight out of ten respondents (79 percent) reported that the deportation had caused them financial problems because they now had to send money to Jamaica in order to support the deported family member.

Worryingly, 70 percent of the respondents involved in this study stated that the deportation of their loved one had damaged their connection or commitment to Canadian society. Many felt that the practice of deportation is unfair, discriminatory and explicitly targets members of the Black community. Importantly, deportation is experienced as a form of bias or discrimination by many Jamaican Canadians. This, along with other forms of discrimination, has directly contributed to feelings of alienation and distrust within large segments of the Black community. A growing

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<sup>5</sup>Research findings were provided by Scot Wortley, one of the leaders of the Toronto Deportation Pilot Project.

body of research suggests that those who become alienated from mainstream social institutions and perceive high levels of discrimination and social injustice are more likely to justify involvement in crime, gangs and violence than those who have more optimistic views (see Burt & Simons, 2015; Burt, Simons & Gibbons, 2012; Wortley & Tanner, 2006; Brownfield, 2006; Sherman, 1993). It is quite possible that criminal deportation practices encourage or promote gang involvement among some segments of the Jamaican-Canadian population. These findings suggest that while deportation for serious and violent criminality or involvement in organized crime are likely to have a strong positive impact on Canadian public security, non-criminal deportations and criminal deportations for less serious offences may have a more mixed impact.

## The Impact of Deportation on Crime in Jamaica

Both criminal and non-criminal deportations to Jamaica stretch the country's scarce social and law enforcement resources. Even non-criminal deportees, by virtue of the challenging reintegration circumstances they face, have come to be associated with petty property crime, drug addiction and homelessness. This undoubtedly poses a challenge for Jamaican law enforcement officials and places a strain on Jamaica's social services. Most of the available literature, however, relates to the impact of criminal deportees on crime and organized crime in Jamaica. The prevailing wisdom in Caribbean society and among Caribbean law enforcement officials is that deportation has contributed to criminality in the region. The relation between deportation and crime in the Caribbean, and Jamaica in particular, has been understood, in the public domain at least, in terms of unsystematic and sentiment-driven media reporting (Miller, 2012). Popular opinion holds that Caribbean nationals who are deported are responsible for a disproportionate amount of crime when they return to their homeland. Such opinions are also echoed in law enforcement agencies. Results from the 2009 and 2012 Jamaican National Crime Victimization Surveys indicate that over 80 percent of Jamaicans believe that criminal deportation is a major cause of increased crime rates in Jamaica and 75 percent agree that reducing deportation would lower Jamaica's overall crime rate (see Wortley & Seepersad, 2013).

Empirical studies have found that the prevailing wisdom on criminal deportation has a basis in reality. A 2006 study found that between 1990 and 2005, a total of 33,268 persons were deported to Jamaica. Of these, 71 percent of total deportations (23,620) were in connection with a criminal offence, whereas 29 percent were broadly related to immigration violations. Persons deported for drug-related offences represented 72 percent of the 23,620 criminal offenders returned to Jamaica, with an average of almost 1,000 persons deported for drug offences annually. The second-most common reason for criminal deportation (7 percent) related to the illegal possession or use of firearms. Another 2 percent were deported for murder or manslaughter (Barnes, Chevannes & McCalla, 2006). The same report also found that deported criminal offenders were convicted of crimes in Jamaica at approximately the same rate as local criminal offenders. The rate of conviction for deported persons was 1 in 18, compared to 1 in 17 for the general population. This means that while deported persons were not necessarily overrepresented in criminal convictions, their influx in large numbers contributed to an increase in the overall number of crimes committed

Research into whether deported persons commit a disproportionate amount of crime has been conducted by Barnes, Chevannes & McCalla, (2006) and Barnes & Seepersad, (2008). Barnes, Chevannes & McCalla (2006) found that many of the problems associated with deportation, including separation from families, loss of material possessions, inability to find employment, loss of independence and reliance on others for basic support, contributed to serious psychological problems for deported persons.<sup>6</sup> It was also found that the practice of deporting persons who were not given an opportunity to properly settle their affairs created severe economic hardships for many individuals, resulting in heightened feelings of anger and frustration that helped to fuel further anti-social behaviour. All of these factors could foster criminogenic behaviour. Indeed, Barnes, Chevannes & McCalla (2006) found that 53 percent of the deported criminal offenders who were interviewed admitted to engaging in further criminal activities after their return to Jamaica. Women were more likely to have self-reported involvement in crime since their deportation. Sixty-five percent of women compared to forty-nine percent of men reported criminal involvement in Jamaica, with almost twice as many women (42 percent) as men (23 percent) involved in drug-related activity since their deportation. Of those reporting their involvement in crime in Jamaica, 78 percent reported that they had committed more than one crime, 35 percent were involved in drug-related offences and 37 percent had either threatened to seriously injure someone or had attacked someone with a weapon. An additional ten percent admitted to the illegal use or possession of a firearm.

Jamaica's National Intelligence Bureau (NIB), a division within the national police apparatus, selected a population of 1,000 persons deported from all countries to Jamaica between 2005 and 2012, which it then examined for the extent of re-offending that had occurred. The NIB found that there were 40 persons in this population who had been charged with a criminal offence subsequent to their return. This meant that 4 percent of that population of criminal deportees had re-offended in Jamaica—a relatively small, but still worrying, percentage (Thomas-Hope, 2014). Their crimes were mainly drug-related (19 cases), but also included assault (4 cases), robbery (2 cases), possession of an illegal firearm, and murder (1 case each) (Thomas-Hope, 2014). The relatively low recidivism rate found in the Thomas-Hope study seems to conflict with the earlier self-reported findings of Barnes, Chevannes & McCalla (2006), which indicated a much higher rate of involvement in criminality. The explanation may be that law enforcement officials had not apprehended the majority of those who reported committing crimes. A study by Madjd-Sadjadi & Alleyne (2007) found that 5 percent of murders and rapes in Jamaica could be directly attributed to criminal deportees.

Barnes, Chevannes & McCalla (2006) conducted interviews with key stakeholders who had insight into the relationship between deportation and crime in Jamaica. Law enforcement intelligence reports revealed connections between certain deported criminal offenders and an upsurge in incidents of gang violence, extortion, and drug- and gang-related murders in some areas of Jamaica. Local law enforcement officials indicated that the command structure of the top local gangs were dominated by deported persons, and pointed to direct links between deported criminal offenders and an increase in the number of local criminal gangs. Other studies concur

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<sup>6</sup>The difficulties faced by Jamaican deportees and their families was the subject of the 2012 Canadian film *Home Again*, a fictionalized account of three Jamaican deportees from the United States, Canada and the United Kingdom (see Silvera, 2013).

that persons who are deported to Jamaica continue to engage in criminal offending subsequent to their return (Williams & Roth, 2011). A Jamaican law enforcement official interviewed for this report noted that deported persons have regularly been found to be members in gangs and to commit violent acts.<sup>7</sup> In the absence of any robust local reintegration programs, Jamaican officials were not surprised that foreign offenders would return to a life of crime upon their return to Jamaica. According to one official, the Jamaica Constabulary Force is of the view that deportees have been responsible for murders, shootings and robberies following their return to Jamaica.<sup>8</sup>

Statistics on the cause of deportation suggest that criminal deportees from Canada are contributing to these security trends in Jamaica. As Table 2 shows, while a fairly large number of criminal deportees are removed for drug-related crimes, many others have committed violent crimes such as assault, assault with weapons, sexual assault, weapons possession, kidnapping, attempted murder, manslaughter and murder. Considering this data, it appears likely that criminal deportees from Canada have committed further crimes in Jamaica after being deported.

**Table 2: Deportee Criminal Convictions by Type, 2012 and 2013**

Crime Committed	Number
Assault (including causing bodily harm)	52
Assault with a weapon	16
Sexual assault/rape /interference	13
Uttering threats	9
Possession of a weapon/firearm	36
Obstructing police	30
Break, enter, theft/burglary/robbery	41
Drug importation	12
Drug trafficking	46
Drug possession	54
Kidnapping/forcible confinement	8
Murder	2
Manslaughter	5
Attempted murder	5
People smuggling	3
Personation/fraud document/misrepresentation	10
Other	104

Source: Data provided by CBSA, November 2015.

<sup>7</sup>One expert interviewed for this research described the impact of deportation on organized crime groups in Kingston, Jamaica. According to this expert, one of the potential impacts is the destabilization of local gang structures, resulting in violence associated with struggles for influence and leadership. Author interview with an expert, October 19, 2015.

<sup>8</sup>Author interview with Jamaican official, Ministry of National Security (MNS), November 2015.

# Organized Crime Connections

## Jamaica's Organized Crime Environment

Organized crime and politics have historically been related and mutually reinforcing in Jamaica. Interparty electoral violence has a long tradition in the country; in particular, the leaders of Jamaica's two major political parties, the Jamaica Labour Party and the People's National Party, have relied on gangs to clear neighbourhoods of opposition voters, with the aim of creating monolithic voting blocs capable of delivering electoral victories.<sup>9</sup> This created an enduring relationship between political power, patronage and organized crime. As one report noted, "elections turned into zero-sum games with one side scoring points through low-level jobs, paved roads, and improved housing, while the other side would risk government sanctioned retaliation, mass eviction, and deteriorating infrastructure" (Arias, 2013:221). Over the years, just as politicians have used gang structures to control electoral violence and marshal votes, they have delivered economic rents to gang leaders in the form of protection and access to government contracts, allowing gangs to deliver public goods to the communities they control.<sup>10</sup> As one report put it, "in return for delivering votes, [gang leaders] can act as channels for political patronage, cementing their status as community leaders" (IHS, 2015: Art. 1, p. 2). These politically affiliated gangs rose to prominence by "exchanging directed political violence for public works contracts" in Jamaica's garrison communities (Government of Jamaica, 2013:19).

Jamaica's Ministry of National Safety describes a spectrum of criminal enterprises operating in the country, ranging from highly organized, transnational groups to local gangs defending small patches of turf and engaging in opportunistic crime (Government of Jamaica, 2013:19). The transnational groups are involved in weapons and narcotics trafficking, money laundering and large-scale fraud schemes. They may also have domestic real estate and business interests, and collude with corrupt government officials to divert state resources (Government of Jamaica, 2013:19). A 2010 Small Arms Survey report estimated that there were 12 organized crime groups in the country (Leslie, 2010).<sup>11</sup> The same report cited estimates of as many as 268 active gangs in Jamaica, with 20,000 members (Leslie, 2010). A 2008 survey indicated that 34,000 Jamaicans were involved in gangs, while "5 percent of the population had friends or relatives who were gang members" (IHS, 2015:Art. 2, p. 3). The most prominent of these groups are the Shower Posse and the Spanglers, both of which are thought to regularly engage in international drug trafficking (Arias, 2013:226). The Government of Jamaica has taken measures to counter corruption and break the connection between politics and organized crime. One report found that "while political patronage towards certain gangs persists, the number of garrison communities has declined and most gang-related violence is no longer primarily political" (UK Home Office, 2013:13). In mid-2010, a major anti-gang operation targeting the Shower Posse in Tivoli Gardens resulted in the extradition of the country's premier drug and crime don, Christopher "Dudus" Coke to the U.S. Coke's extradition and the disruption of the Shower Posse led to an initial decrease in violence through 2011 and 2012, although the murder rate rebounded in 2013 (IHS, 2015:Art. 2, p. 4).

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<sup>9</sup>These party-affiliated communities are referred to as "garrisons."

<sup>10</sup>Author interview with a Professor at George Mason University, October 19, 2015.

<sup>11</sup>Leslie (2010) distinguishes between large gangs that are involved in transnational drug trafficking (referred to as organized crime groups), and smaller, more local groups referred to merely as gangs.

From a Canadian perspective, the most relevant organized crime group in Jamaica is the Shower Posse, which leveraged diaspora connections in North America (in particular, New York and Toronto) to establish a transnational drug trafficking network. The nature of this network, which uses local brokers to conduct business on the ground, makes it particularly resistant to deportation as a law enforcement strategy. As one report noted, “these major criminal groups maintain some autonomy vis-à-vis their international criminal partners. Deportation of collaborators in foreign countries is less likely to disrupt activities in Jamaica since their networks are broad enough to cover such contingencies” (Arias, 2013:226).

## Drug Trafficking Trends

Of particular concern for Canadian law enforcement officials is Jamaica’s return to prominence as a major transshipment point for cocaine originating in South America. Jamaica’s role in the hemispheric drug trade has fluctuated over time, mainly in response to law enforcement efforts in the region. Geographically, Jamaica is a prime candidate for the transshipment of cocaine from South America to markets in North America, with over 1,000 km of coastline and 100 unmonitored airstrips (Council on Hemispheric Affairs [COHA] 2007). However, the country’s relative importance as a transshipment point for cocaine reached its height in the 1970s and 1980s.<sup>12</sup> Subsequently, concerted law enforcement efforts caused Caribbean trafficking routes to be replaced by ones using Panama and the so-called Northern Triangle countries of Central America (Guatemala, Honduras and El Salvador), the Gulf of Mexico and the Pacific corridor (Bagley, 2012:6). By 2010, as a United Nations Office on Drugs and Crime (UNODC) report noted, most cocaine intended for North America was smuggled over the U.S./Mexico land border (UNODC, 2010). The 2014 UNODC World Drug Report noted that in 96 percent of seizure cases made in the U.S., the drugs transited either Mexico or Central America (UNODC, 2014:35). In 2012, the Caribbean as a whole accounted for approximately five percent of cocaine reaching the U.S. market (Bargent, 2013), with Jamaica in particular accounting for approximately one percent (U.S. Senate, 2012:18). Even as cocaine shipments declined, Jamaica remained a prominent source country for marijuana, which was often traded for guns with partners in the U.S.<sup>13</sup> The movement of drugs through Jamaica has in recent years tended to involve relatively small quantities of drugs being moved through airports as personal cargo.<sup>14</sup> Figures from U.S. Customs cited in a recent report found that “more than 63 percent of all arrests at U.S. airports for cocaine possession involved passengers on flights from Jamaica” (COHA, 2007), supporting the contention that airline cargo is a major source of drugs originating in Jamaica.

However, just as law enforcement efforts in the 1980s greatly diminished the viability of Caribbean trafficking routes, the same “balloon effect” phenomenon is now pushing traffickers out of Central America. Recent research suggests that Jamaica’s prominence as a transshipment point for cocaine is on the rise, as increased attention and law enforcement in Central America causes traffickers to revisit Caribbean trafficking routes. As one report noted, Jamaica’s return as a transshipment point has resulted from “the displacement of trafficking routes as a result of the strengthening of drug trafficking countermeasures in Latin America” (International Narcotics

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<sup>12</sup>Author interview with Professor at George Mason University, October 19, 2015.

<sup>13</sup>Author interview with Jamaican official, MNS, Jamaica, November 3, 2015.

<sup>14</sup>Author interview with Jamaican official, MNS, Jamaica, November 3, 2015.



Control Board, 2014:50). The report found that “Jamaican criminal groups are using the elaborate networks originally established to traffic cannabis, to traffic cocaine as well” (International Narcotics Control Board, 2014: 50). Cocaine seizures in Jamaica, which increased from 338 kg in 2012 to 1,230 kg in 2013, reinforce this analysis (International Narcotics Control Board, 2014: 51). William Brownfield, the U.S. State Department’s senior anti-drugs official, was quoted in one report as saying that 16 percent of cocaine entering the U.S. in 2013 transited the Caribbean, compared to 4 percent in 2011 (International Drug Policy Consortium, 2014). Brownfield reportedly told a group of Caribbean police commissioners in April 2014 that the drug trafficking situation was “likely to get worse before it gets better” (International Drug Policy Consortium, 2014). Jamaica’s return as a significant transshipment point for cocaine underscores the significance of the connection between Jamaican and Canadian organized crime groups.

## Evidence of Jamaican Organized Crime Groups in Canada

The academic literature on the size and composition of organized crime groups in Canada is limited.<sup>15</sup> Regardless, a combination of law enforcement data, records of criminal proceedings and media reports provides a clear picture of the extent of Jamaican organized crime in Canada. Canada’s principal criminal hubs are the Lower Mainland of British Columbia, southern Ontario and the greater Montreal region; these areas have the most active criminal market and the largest concentration of organized crime groups (Dixon, 2009). Toronto and surrounding areas are most directly connected with Jamaican organized crime. The extent of this connection was revealed following two large-scale law enforcement operations, Project Fusion (2009) and Project Corral (2010). Project Fusion targeted a firearms smuggling operation selling guns obtained in the US to two local organized crime groups, the 400 Crew and MNE gangs (Leuprecht & Aulhouse 2014, 62). It was later found that the primary client purchasing these weapons, Hubert Green, also purchased narcotics from Courtney Ottey, a key figure in the Shower Posse who was importing cocaine from Jamaica (Leuprecht & Aulhouse, 2014: 62).

Further connections between the Shower Posse and local gangs were revealed in 2010, when the nine-month operation known as Project Corral culminated in a series of early-morning raids across the province of Ontario and led to the arrest of 78 people (Wallace, 2010). Toronto police reportedly conducted extensive wiretaps, recording an estimated 200,000 conversations (CBC, 2012). These investigations revealed that two Canadian gangs, the Falstaff Crips and Five Point Generals,<sup>16</sup> were connected to the Shower Posse, which was said to supply drugs and weapons and exert some measure of control over the Canadian street gangs (Wallace, 2010). Reportedly, these arrests were the first time police had been able to directly link the Shower Posse to organized crime in Canada, although experts were aware that it had been operating in Canada for decades (Wallace, 2010).<sup>17</sup> The police investigation revealed that the Shower Posse was “responsible for a ‘significant part’ of the city’s drug trade and that its influence stretched as far

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<sup>15</sup> Author interview with a Professor at York University, December 1, 2015; Author interview with a Professor at Saint Mary’s University, November 30, 2015.

<sup>16</sup> The Falstaff Crips are reported to operate in high-rise apartments and a community centre along Falstaff Avenue, near Jane St. and Wilson Avenue. The Five Point Generals are located on Weston Road, between Lawrence Avenue West and Eglinton Avenue West (Powell, 2010).

<sup>17</sup> Author interview with a Security Sector Researcher and Expert, October 16, 2015.



north as Sault Ste. Marie, sweeping from Windsor in the west to Ottawa in the east” (Wallace, 2010). There were approximately a dozen alleged members of the Shower Posse arrested (Freeze, 2010). The Deputy Commissioner of the Jamaica Constabulary Force confirmed that Coke had a “franchise” in Canada (Baksh, 2012). A forthcoming paper by Christian Leuprecht, Andrew Aulthouse & Olivier Walther provides the best available analysis of the organized crime networks revealed by the Project Fusion and Project Corral investigations.

Until Project Fusion and Project Corral, the connection between organized crime in Jamaica and Canada had been difficult to prove, perhaps because members of the Shower Posse operating in Canada learned to take a lower profile after concerted law enforcement efforts in the U.S. resulted in the arrest and deportation of hundreds of their members. As one expert noted, when U.S. law enforcement hit the posses very hard in the late 1980s, they began to operate with a less violent modus operandi in North America.<sup>18</sup> Indeed, this expert noted that there are groups of criminals moving cocaine in Toronto who are not clearly identifying themselves as members of the Shower Posse, but if you look at the lines of communication, the connection is there.<sup>19</sup> Noting that members of the Shower Posse are typically in their 30s and 40s, a Canadian police officer was quoted as saying, “You’re not gonna notice them. You’re not gonna see them. They’re smart, they’re organized and they’ve been around a long time” (Wallace, 2010). Another report noted that “[Shower Posse members] are often quiet and sophisticated when compared to the street gangs that do their dirty work for them” (Baksh, 2012). In this case, “wiretaps collected by Toronto police reveal that leaders of the Toronto wing frequently chatted with a handful of Shower Posse leaders in Jamaica at the height of the country’s attempted takedown of the gang’s alleged kingpin, Christopher (Dudus) Coke” (Baksh, 2012).

Even before Project Fusion and Project Corral, the then Toronto Police Chief Bill Blair noted that there was “a significant movement [of criminals] back and forth between the two countries,” and that there are “strong roots and connections—family connections, neighbourhood connections—between some of the gangs operating down there and operating here” (Appleby, 2007). A Canadian police officer who spent six months in Jamaica as part of an intelligence-sharing exchange in 2006 later said that his trip was able to “confirm from an intelligence point of view what we’ve always known: transnational organized crime is active and the links between organized crime in North America—which includes us—and here in Jamaica are very, very active” (Appleby, 2007).

Statistics provided by the CBSA shed some light on the scale of the drug trafficking relationship between Canada and Jamaica. A total of 83 persons were deported to Jamaica in 2012 and 2013 for drug trafficking offences. Of these, 45 were involved in cocaine trafficking, 11 in marijuana or hashish trafficking, 1 in heroin trafficking, and 30 in trafficking of unknown substances.<sup>20</sup> Table 3 shows the numbers of cocaine and cannabis seizures originating in Jamaica from 2011 to 2013.

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<sup>18</sup>Author interview with a Security Sector Researcher and Expert, October 16, 2015.

<sup>19</sup>Author interview with a Security Sector Researcher and Expert, October 16, 2015.

<sup>20</sup>Statistics provided by CBSA, November 2015.

Table 3: Seizures of Cocaine and Cannabis from Jamaica

Year	Cocaine	Cannabis
2011	38	42
2012	40	41
2013	32	44

Source: Data provided by CBSA, February 2015.

The results of Project Corral, along with the major Jamaican law enforcement operations leading to Coke’s arrest and extradition as well as the deaths of 73 people during the raids, appear to have made an immediate and positive impact on public safety in both countries. In the 20 months following the arrests, gang-related homicides “significantly declined” in both countries (Baksh, 2012). Jamaican officials attribute a 32 percent decline in the country’s homicide rate to the crackdown, while in Toronto, “homicide rates dropped to a 25-year low last year following a two-year anti-gang campaign that disrupted the Posse” (Baksh, 2012). Blair noted that “the gang’s influence in the city has ‘diminished quite significantly’” (quoted in Baksh, 2012). It remains to be seen if these trends will continue. As one expert noted, notwithstanding Coke’s arrest, the networks are still in place, a certain level of marijuana and cocaine is still being moved and those connections are still there.<sup>21</sup>

An important consideration is whether it is merely migration (from Jamaica), or deportation (from Canada back to Jamaica), which has resulted in the establishment of these organized crime links. No evidence could be found indicating that deportation played a role in the generation of these organized crime links, which have been present for decades. The Shower Posse’s connections in Canada are thought to date to the 1970s, when members fled to Canada when Michael Manley’s government took power in Jamaica (Wallace, 2010). While the link between deportees and crime in Jamaica has been established by previous studies, there is no direct evidence that Canadian deportees have become involved in transnational organized crime after returning to Jamaica. Senior Jamaican law enforcement officials interviewed for this report indicated that they had no direct evidence of any systematic involvement of individuals deported from Canada in organized criminal activity.<sup>22</sup> Even in the absence of concrete evidence, the nature of crimes committed by Jamaican nationals deported from Canada suggests that a certain percentage had organized crime connections prior to their deportation and would be likely to maintain those links upon their return to Jamaica. After all, Jamaican officials interviewed by other researchers (for instance Barnes, Chevannes & McCalla, 2006) indicated that deported criminals occupied leadership positions in the country’s organized crime groups. While deportation may not have generated the organized crime connections between the two countries, it is plausible that it has played a role in maintaining or strengthening those linkages.

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<sup>21</sup> Author interview with a Security Sector Researcher and Expert, October 16, 2015.

<sup>22</sup> Author interview with Jamaican official, MNS, November 2015.

## Links with the United States

The Shower Posse has long-standing connections in the U.S. as well as Canada. Williams & Roth (2011) examined the rise to prominence of the Jamaican posses in the U.S. in the 1980s and 1990s. The posses were initially importers of marijuana in Florida and New York, and eventually had a national presence with the sale of marijuana and crack cocaine. The Shower Posse remains active in the U.S., Canada and the UK.<sup>23</sup> The U.S. appears to play a central role in both drug and weapons trafficking between the two countries. Project Corral revealed that “large quantities of cocaine and marijuana were being shipped from Jamaica to U.S. cities before being smuggled into Canada, where the drugs were repackaged and sold by street gangs in major cities” (Baksh, 2010). The U.S. connection is most indispensable in the trafficking of firearms. Project Fusion uncovered a group of arms traffickers moving weapons over the Canada-U.S. border. These traffickers were connected to Canadian organized crime groups with links to the Shower Posse (Leuprecht & Aulhouse, 2014). As one Jamaican law enforcement expert noted, the link between drugs and illegal firearms is strongest in the Jamaica-U.S. drug trade. There is a symbiotic relationship between U.S. and Jamaican organized crime, where drugs are exchanged for weapons. This kind of arrangement is likely facilitated by gang members residing in the U.S. who maintain links with their counterparts in Jamaica.<sup>24</sup>

Leuprecht & Aulhouse (2014) trace the connections between Shower Posse groups in Canada, the U.S. and Jamaica, including the flow of drugs, weapons and money among the three countries. They found that guns from the U.S. were being trafficked across the border into Canada and back to Jamaica, although the Shower Posse in the U.S. and in Canada were not in direct communication with each other; rather, the Shower Posse in Jamaica relayed information back and forth (Leuprecht & Aulhouse, 2014:63). Weapons trafficked into Canada from the U.S. were both supplied to affiliated gangs and sent back to Jamaica as partial payment for narcotics shipments (Leuprecht & Aulhouse, 2014:67).

## Lottery Scams Targeting Canadians

In Jamaica, the regional drug trade’s shift out of the Caribbean and into Mexico and Central America in the 1990s weakened local gangs, which began to engage in other activities like extortion, in turn increasing competition over local territory.<sup>25</sup> Since that time, other kinds of opportunistic organized crime activities have gained prominence. In Jamaica today, the organized crime landscape has expanded beyond drug trafficking and now includes lucrative lottery scams as a major feature.<sup>26</sup> These scammers pose as lottery officials, convincing their (mainly elderly) victims that they have won the “Mega Millions” Jamaican lottery, but need to make a small tax payment in order to release the funds (Better Business Bureau, 2014). As one report noted, the scammers will often acquire detailed information about their victim from collaborators working at hotels, credit card companies or call centres, and then use these personal details to gain their victim’s confidence (Bourne et al., 2013: 38).

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<sup>23</sup> Author interview with a Professor at George Mason University, October 19, 2015.

<sup>24</sup> Author interview with Jamaican official, MNS, Jamaica, November 3, 2015.

<sup>25</sup> Author interview with a Professor at George Mason University, October 19, 2015.

<sup>26</sup> Author interview with Jamaican official, MNS, Jamaica, November 3, 2015.

Canadians and Americans are being targeted directly by the Jamaican organized crime groups operating these scams. The scammers reportedly entice approximately 300,000 Americans per year to send an estimated USD 300 million annually to Jamaica (Drash, 2015). According to one report, many of the lottery scammers honed their skills while employed in customer service call centres set up by Canadian and U.S. firms (Stanger, 2015). In Jamaica, lottery scams have been classified as a highest-level Tier 1 threat, constituting a “clear and present danger” to national security, according to National Security Minister Peter Bunting (Drash, 2015). In Jamaica, lottery scams have been found to be associated with violent crime including robberies, assault and murder (Bourne et al., 2013:33). Jamaican authorities have begun to crack down on lottery scamming, passing a law in 2013 that made prosecution easier and working with law enforcement authorities in the U.S. (Stanger, 2015). This cooperation resulted in the first successful extradition to the U.S. of a Jamaican lottery scammer in February 2015 (Jamaica Observer, 2015).

## The Return of Previously Deported Persons

Immigration officials in Canada and Jamaica agreed that it is not uncommon for deportees to Jamaica to attempt to return to Canada. The CBSA found that in 2012 and 2013, a total of 24 previous deportees have returned to Canada, only to be re-deported. Of these, 4 have returned once, while 20 have returned 2 to 5 times.<sup>27</sup> As a senior Jamaican official noted, there are many cases of people being deported multiple times; indeed, deportees “strangely seem to find their way back out.”<sup>28</sup> Even though the incidence of deportees returning to Canada is relatively low, it is worth considering whether this group poses a serious security threat to Canada.

One study examined whether persons who were previously deported and who have returned to the country of deportation have a higher likelihood of engaging in criminal activity. Hickman & Suttrop (2010) followed a sample of 517 deportable aliens for one year after their release from jail to determine whether they reoffended. Of those, 139 had been previously deported and had returned to the U.S. after their deportation, while the remainder had not been previously deported. The research found that aliens who had been previously deported were more likely to re-offend, regardless of which measure was used. More specifically, 73 percent of the previously deported aliens were subsequently rearrested compared to 32 percent for the group that was not previously deported. In addition, 28 percent of previously deported aliens were rearrested three or more times during the follow-up period compared to 7 percent of the persons who were not previously deported. Previously deported aliens had a shorter time to re-arrest than persons who were not previously deported. While the sample used in this study was not limited to Jamaican nationals, it demonstrates that persons who were previously deported have a higher likelihood of engaging in criminal behaviour than other deportable aliens and offers evidence that when deported persons return to the country of deportation, there is a higher likelihood that they will engage in criminal offending.

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<sup>27</sup>Figures provided by CBSA, 2015.

<sup>28</sup>Author interview with Jamaican official, MNS, Jamaica, November 3, 2015.

# Possible Policy Options in Canada

## Raise Awareness of Citizenship and Deportation

The Canadian government has a number of potential avenues to mitigate the costs associated with forced deportation to Jamaica. This report suggests that in Canada, efforts should focus on community engagement with the Jamaican-Canadian community, including public education campaigns stressing the importance of securing citizenship.

One critical issue facing the Jamaican community is that at present large numbers of Jamaicans in Canada who fulfill the requirements of citizenship have nevertheless not become citizens. In particular, this refers to so-called 1.5 generation Jamaicans, who arrived in Canada as children. Naturalization is thus a key dimension of the deportation issue. As noted earlier, the deportation of Jamaican nationals for non-criminal reasons has a profound impact on Jamaican-Canadian families and communities, and may fuel alienation, delinquency and crime. While immigrants to Canada tend to become naturalized citizens in exceptionally high numbers—71 percent of immigrants who have been in the country for six to ten years become Canadian citizens and 89 percent become citizens within 20 years of arriving (Picot & Hou, 2011; Adams, Macklin & Omidvar, 2014)—a worrying trend is that new administrative barriers and costs to obtaining citizenship are causing fewer recent immigrants to seek out citizenship (Keung, 2015b). Stricter requirements on the immigration test have seen the pass rates for Caribbean applicants go down by 20 percent, while the fee for obtaining citizenship has increased from \$100 to \$530 (Keung, 2015b). Addressing the issue of Jamaicans who have lived in Canada since childhood is of particular importance to members of the Jamaican community, who have more trouble accepting the deportation of someone who has lived in Canada since they were three years old than someone who immigrated as an adult, in cases where the two have committed similar crimes. The experience of deportation is likely to be far more traumatic for those who arrived in Canada as children and have few personal or professional connections in Jamaica.

Regardless, there seems to be reluctance on the part of the Jamaican community to adopt Canadian citizenship. Henry (1994) stated that according to research done in the 1990s, reasons for this included the belief that one would have to give up Jamaican citizenship to gain Canadian, as well as a deep and fierce loyalty to Jamaica. An official at the Jamaican Canadian Association (JCA) in Toronto cited procrastination and the belief among members of the community that they would eventually go “home” to Jamaica as key reasons for not acquiring citizenship, even when they fulfilled the requirements for it.<sup>29</sup> Attempts to educate and inform the community often fell on deaf ears.<sup>30</sup>

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<sup>29</sup> Author interview with official at JCA, October 2015.

<sup>30</sup> As part of this research, the authors conducted interviews with three persons who had been deported from Canada to Jamaica. Two of the deportees had arrived as children in Canada. Both stated that up until the point of their deportation, they were under the mistaken belief that they were Canadian citizens (author interviews with Jamaican deportees at National Organization for Deported Migrants building, November 2015).

The JCA held awareness workshops on this issue, and in the opinion of the JCA official, there is a great need for this kind of outreach.<sup>31</sup> In these workshops, attendees were encouraged by the “each one teach one” model to disseminate information throughout their community. JCA emphasized the importance of voting and, therefore, need for citizenship. Some Jamaican Canadians do attempt to take out citizenship and can become the victim of unscrupulous immigration lawyers (Jeffords, 2013). Indeed, when Caribbean stakeholders were surveyed in a 2008 research report, they expressed the view that “there was a need for Caribbean nationals living overseas to be better informed about matters related to citizenship status, and factors that may lead to their deportation” (Barnes & Seepersad, 2008). However, the JCA official explained that federal funding for the organization had been cut, forcing it to rely solely on provincial funding, which has severely affected its ability to deliver programs and outreach to the Jamaican-Canadian community.

## Continue to Support a Research Agenda on Deportation

The impact of deportation on Canadian communities and society has not been adequately studied. Existing academic research is limited to a survey with the families of Jamaican deportees, the findings of which are presented in this report. This survey-based research provides a cross section of attitudes and perceptions at a particular point in time, and indicates that deportation has profoundly negative impacts on families left behind in Canada. However, there are no studies on the long-term impacts of deportation. Researchers could trace the impact of parental deportation on school performance, victimization and criminal behaviour.

Other avenues of research might include the long-term economic impact of deportation on Canadian families or the connection between deportation, alienation and crime. Such research would provide Canadian officials with more sound data with which to estimate the impact of policy changes. This research could be further expanded through collaboration with Jamaican researchers and government officials. A shared database to document the impact of deportation in both countries could be created. At a minimum, a shared classification system for deportees would allow researchers to track the experiences of criminal deportees after their return to Jamaica. This data would be useful for planning reintegration programming as well as informing the law enforcement approach to criminal deportees.

## Possible Policy Options in Jamaica

### Expand Information Sharing with Jamaican Authorities

In Jamaica, experts and law enforcement officials cited improved law enforcement coordination regarding criminal deportees as an area of need, in particular regarding those considered posing a threat to Jamaica or that are involved in organized crime. Canada and Jamaica have signed a Memorandum of Understanding that governs the sharing of information on deportees, along with other arrangements for securing travel and identity documents.<sup>32</sup> Every time the CBSA initiates a

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<sup>31</sup> Author interview with official at JCA, October 2015.

<sup>32</sup> Author interview with CBSA official, March 6, 2015.



criminal removal, they inform their Jamaican counterparts and provide limited medical and criminal information.<sup>33</sup> Jamaican authorities request reintegration assistance on an *ad hoc* basis, though Jamaican officials in the past have requested that this assistance become more formalized.<sup>34</sup> In the case of criminal deportees, the CBSA shares publicly available information, such as a list of offences. However, they are limited by the *Privacy Act* in terms of what kind of information they can share with foreign authorities.<sup>35</sup> The CBSA does not, for instance, provide any details of the cases themselves, or any information on sentencing, even in cases of serious organized crime.<sup>36</sup> While Canadian officials remain constrained by the *Privacy Act*, timelier, organized and useful ways to share information could be examined. The Royal Canadian Mounted Police (RCMP) has more freedom than the CBSA to share information with foreign law enforcement agencies.<sup>37</sup> The RCMP's Liaison Officers have a mandate to share information with partners abroad (RCMP, 2015). Accordingly, the RCMP liaison officer based in Jamaica would be a logical starting point for a more collaborative approach.

The Government of Jamaica's official position is that more information should be shared. The government's 2014 National Security Policy states that: "With regard to serious criminal deportations, it is critical to maintain and improve communications between law enforcement agencies in the departing countries and the authorities in Jamaica, so that serious criminals can be put under surveillance, if necessary, in case they try to re-establish their criminal connections or regain control over their former community in Jamaica" (Government of Jamaica, 2013:119). As a report by the U.S. Senate Caucus on International Narcotics Control noted, the U.S. currently only provides the reason for deportation, "therefore, even if a deportee has been convicted of a serious crime or has an extensive criminal record, the only information given to receiving country authorities is the reason the offender was deported" (U.S. Senate, 2012:6). One of the U.S. Senate report's three key recommendations is that the U.S. government should provide the full criminal histories of deportees so that law enforcement and justice officials in those countries can be better prepared to face future criminal activity (U.S. Senate, 2012:31).

## Provide Reintegration Assistance

Experts in Canada and Jamaica were adamant that the ability of deportees to access jobs, housing, education and healthcare was the key factor in their successful reintegration and thus largely determined whether they would continue to engage in criminal activity on returning to Jamaica. Deportees have repeatedly told researchers that they require three things: a less hostile, more accepting environment, one that stigmatizes and discriminates against them less; a permanent and decent place to live; and a chance at making a sustainable livelihood, whether hired or self-employed (Headley, 2010). The great difficulty with properly reintegrating criminal deportees has ultimately contributed to deportee-related problems with unemployment, homelessness, inadequate housing, property crime, mental health and addiction (see Miller, 2012; Williams & Roth, 2011; Barnes, 2009; Barnes & Seepersad, 2009; Madjd-Sadjadi & Alleyne, 2007; Barnes, 2007).

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<sup>33</sup> Author interview with CBSA official, October 16, 2015.

<sup>34</sup> Author interview with CBSA official, October 16, 2015.

<sup>35</sup> Author interview with CBSA official, October 16, 2015.

<sup>36</sup> Author interview with CBSA official, October 16, 2015.

<sup>37</sup> Author interview with RCMP officer, a former liaison officer, December 18, 2015



Deported persons who left Jamaica at a young age are often unfamiliar with the country and lack information about local service providers for housing, employment and health, which can be crucial for their short-term safety upon arrival (Georgetown Law Human Rights Institute, 2011:29). In particular, those with mental illnesses are at a heightened risk upon arrival and most urgently need to connect with Jamaican organizations providing reintegration assistance (Georgetown Law Human Rights Institute, 2011:30).<sup>38</sup> The Government of Jamaica has recognized the importance of deportees' early experiences, stressing that for those who have been deported for visa violations or petty crimes, this "should include establishing a short-stay hostel for those who arrive without friends or financial resources, and giving them access to HEART/NTA [Human Employment and Resource Training Trust, National Training Agency] training courses,<sup>39</sup>" two factors that the government believes will "reduce the risk that they will get involved in criminal activity in Jamaica" (Government of Jamaica, 2013:119).

There are a number of Jamaican organizations that provide reintegration services to deported persons. The first two organizations deportees typically encounter are Family Unification and Resettlement Initiative and 2nd Chance Services, which provide assistance finding shelter and adjusting to life in Jamaica. These organizations provide refreshments and phone cards to allow deportees to contact friends or relatives, and attempt to connect deported persons with mental health services, although "the lack of information available to service providers regarding who may require mental health services, and the fear of stigmatization...keeps many deported persons from seeking the help they need" (Georgetown Law Human Rights Institute, 2011:29).

One organization in particular supports the needs of deported persons in Jamaica. The National Organisation of Deported Migrants (NODM) is a registered not-for-profit entity founded by a group of Jamaicans deported from the US, with the assistance of faculty from the University of the West Indies. Its central mission is to assist in the reintegration of Jamaicans who were deported to their homeland. Through education and civic engagement, NODM aims to protect and advance the rights of all deported Jamaican citizens. NODM has worked successfully over the last five years under a grant arrangement with the British High Commission at helping to resettle Jamaicans deported from the UK—mainly transporting them from the airport to relatives or a shelter, and with obtaining birth certificates and other local identification. However, NODM is able to meet only a fraction of the demand for its services, from returnees as well as from the Jamaican government.

Canada provides reintegration assistance to Jamaican deportees on an ad hoc basis, rather than in a systematic, programmatic way. Canadian officials will often attempt to supply deportees with medicine or enough funds to support themselves for two weeks, but the country does not provide assistance for reintegration programming in Jamaica.<sup>40</sup> In some cases, the CBSA attempts to work with the local government to facilitate integration, medical treatment or housing; however, as one official noted, the CBSA's role is to deport those inadmissible to Canada, not to help them find a job when they are back in Jamaica, and the CBSA is trying to move away from providing that

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<sup>38</sup>The mentally ill face a particularly difficult path to reintegration in Jamaica, as they are returning to a society that stigmatizes both deportees and those with mental illnesses.

<sup>39</sup>These are technical vocations training programs designed to help job seekers.

<sup>40</sup>Author interview with CBSA official, March 6, 2015.

kind of assistance.<sup>41</sup> Indeed, pilot programs to provide reintegration assistance for non-criminal deportees have been relatively unsuccessful.

The 2012 Assisted Voluntary Returns and Reparations program, run in partnership with the International Organization for Migration (IOM) offered to provide services in education, housing and small business in Jamaica, but there was not a significant amount of uptake and the program ended two years into a three-year mandate.<sup>42</sup> The UK government's model for providing reintegration assistance is cited in one report as a particularly successful one. The Jamaica Reducing Re-Offending Action Plan is a project of the UK government carried out in partnership with the Jamaican MNS (Georgetown Law Human Rights Institute, 2011:69).

Jamaican law enforcement officials interviewed for the report had several specific ideas for how deporting countries could provide technical and financial assistance to build local capacity for effective community re-entry programming. These included: strengthening local capacities to assess risk of harm to the society, development of comprehensive case management for those in greatest need of assistance to enable successful re-entry, and marketing campaigns to reduce stigma and build a more enabling environment for re-entry.<sup>43</sup> Most importantly, the Jamaican government and non-governmental organizations in the field struggle to provide effective reintegration services to the thousands of deportees arriving each year from the U.S., UK and Canada. A more effective re-entry program aimed at improving the ability of deportees to support themselves would ultimately save costs by reducing criminality in Jamaica and removing the incentive of deportees to attempt to re-enter Canada.

## Conclusions

This report has examined the impacts of Canada's criminal deportation on organized crime in Canada and Jamaica. The deportation of foreign criminals is an important part of Canada's public security strategy. The removal of foreign nationals who have committed serious crimes in Canada has a number of important protective impacts on Canadian security. Chief among these is that the physical removal of former offenders greatly reduces the likelihood that they will reoffend in Canada. When organized crime is involved, there may be the additional benefits of disrupting criminal networks by removing key actors. These benefits are more difficult to prove.

With non-criminal deportations, the impact on Canadian security is less clear. In Canada, deportation has become a symbolic and highly politicized issue that, from the perspective of the Jamaican community, is inexorably bound up in questions of perceived prejudice and racism. It likewise has direct social and economic impacts on Canadian families and communities. With respect to non-criminal deportations of Jamaican nationals, the protective impact of deportation on Canadian public safety must be balanced with a consideration of these effects on delinquency, social alienation and crime.

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<sup>41</sup> Author interview with CBSA official, October 16, 2015.

<sup>42</sup> Author interview with CBSA official, October 16, 2015.

<sup>43</sup> Author interview with Jamaican official, MNS, November 2015.

In Jamaica, the flow of deported persons from the U.S., the UK and Canada has been so large and long-standing that as much as two percent of the island's current population consists of deportees. Criminal deportation creates a number of social, economic and public safety problems for Jamaica and other nations in the Caribbean region. Critics argue that the more developed deporting countries like Canada, the U.S. and the UK are guilty of downloading their own crime problems to poorer nations with even fewer resources and fewer opportunities for reintegrating offender populations. The difficult conditions facing both criminal and non-criminal deportees in Jamaica is thus an urgent priority for the country's government and international donors. Deportees frequently lack the ability to secure housing, education, healthcare or a sustainable livelihood. As one expert noted, there is no silver bullet to solve these problems; as long as deportees lack the opportunity to lead more productive lives in Jamaica, they will be prone to involvement in criminality and will continue to seek re-entry into the country that deported them.<sup>44</sup>

There is clear evidence of deep and long-standing organized crime linkages between Canada and Jamaica, particularly related to the regional trade in cocaine and marijuana. There is, however, no evidence that deportation played a role in the creation of these ties. Rather, migration from Jamaica resulted in the establishment of Canadian organized crime associated with the larger Jamaican operations. Jamaican law enforcement officials maintain that there is a link between deportation and crime in their country, particularly violent crime. The threat posed by criminal deportees to Canadian public security is more difficult to ascertain. While there is little direct evidence of the involvement of Canadian deportees in organized crime in Jamaica, the nature of the crimes that precipitated their removal from Canada suggests that these connections are likely to exist.

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<sup>44</sup>Author interview with a Security Sector Researcher and Expert, October 16, 2015.

# Acronyms

## Canada

CBSA	Canada Border Services Agency
FRFCA	<i>Faster Removal of Foreign Criminals Act (2013)</i>
JCA	Jamaican Canadian Association
IRPA	<i>Immigration and Refugee Protection Act (2001)</i>
RCMP	Royal Canadian Mounted Police

## Jamaica

COHA	Council on Hemispheric Affairs
MNS	Ministry of National Security
NIB	National Intelligence Bureau
NODM	National Organisation of Deported Migrants

## General

IOM	International Organization for Migration
UK	United Kingdom
UNODC	United Nations Office on Drugs and Crime
U.S.	United States

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