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NY woman questioned again and again over ID mix-up

By MICHAEL HILL, Associated Press Writer Michael Hill, Associated Press Writer – Sat Jul 10, 2010

SARANAC LAKE, N.Y. – Sylvie Nelson's border crossings are anything but routine. [Customs agents](#) sometimes order her out of her car. Twice, they handcuffed her in front of her young children. Once, agents swarmed her car and handcuffed her husband, too.

She tells them: It's not me you want, it's a man with the same birth date and a similar name. Agents always confirm that and let her go.

Then it happens again. And again.

"I can understand one missed identification," Nelson said. "But over and over and over again?"

Nelson, a 44-year-old white woman, keeps getting snared at the Canadian border because she apparently shares some key identifying information with a black man, possibly from Georgia, who is in [trouble with the law](#). While such cases of mistaken identity at border points and airports are not unique, Nelson's case is unusual in that only some of her crossings set off an alarm and because federal officials have not fixed the problem after almost two years.

U.S. Customs and [Border Protection officials](#) told The Associated Press they cannot discuss Nelson's case, and they have shared few details with her. Still, it's clear from their correspondence with Nelson and her congressman that they acknowledge the problem, saying they have taken "positive steps" to address it.

The nation's 4,000-mile boundary with Canada is tested regularly by people trying to smuggle cigarettes, drugs and illegal immigrants. In New York, the drive-through crossings also are kept busy by steady streams of shoppers, tourists and people with personal ties to both countries, like Nelson.

Nelson was born in Canada, married an American and lives with him, her 6-year-old daughter and 2-year-old son in Saranac Lake, where she runs the chamber of commerce. She became a U.S. citizen in 2008.

Nelson crosses the border several times a month to visit relatives, friends and her family's second home, using her Canadian passport to leave the country and her [U.S. passport](#) to get back in.

Her U.S. passport first triggered an alarm in August 2008. Agents told her the mix-up would be corrected, and she crossed without incident many times after that.

In December, she was ordered from her car and handcuffed as she came back from a Montreal shopping trip with her children. Nelson was mortified and melted into tears but was soon told she was free to go.

It happened again in February at a different New York crossing. Agents surrounded her car and her husband also was handcuffed. Again, she was let go.

"They never apologize," Nelson said. "They basically tell you that they're doing their job for the better good of the world."

Nelson has struggled to get information from [Homeland Security officials](#). They will not tell her who she is being confused with or why the problem persists. She doesn't know why her passport triggers alarms some days but not others.

Much of what she knows comes from bits of information gleaned at her border stops or from U.S. Rep. Bill Owens, who has been trying to help her.

There is no indication Nelson is on the terror "watch list" that makes headlines when babies or politicians are mistakenly entered into the database. She believes another agency's computerized index of criminal justice information may be at fault.

Nelson says the man appears to be wanted in DeKalb County, Georgia, though neither the county sheriff's office nor the [Georgia Bureau of Investigation](#) came up with a match for a man with Nelson's birth date and last name.

Owens said he was told the problem endures because of a "technology issue."

Customs spokeswoman Joanne Ferreira said the agency cannot discuss individual cases for legal and enforcement reasons. Ferreira wrote in an e-mail to the AP that "CBP strives to treat all travelers with respect and in a professional manner, while maintaining the focus of our mission to protect all citizens and visitors."

A customs official told Owens in a May 19 letter that there were "positive steps" in Nelson's case. She triggered an alarm since then, though her last two crossings were uneventful. Nelson now warns agents at the border about her problem before they scan her passport. She is no longer handcuffed.

"I think it's been reduced from embarrassing and nerve wracking to just frustrating," Owens said.

The head of New York's Champlain crossing gave Nelson his cell phone number so she can call before crossings so he can help. She refuses to call ahead, reasoning that the government should be responsible for fixing its own problem.

"Right now, I'm frustrated," she said, "but the terrifying could be right around the corner. Who knows?"