

Fairfax Woman Won't Be Deported

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Body

Mi-Choong O'Brien, a Korean immigrant from **Fairfax** County who was facing **deportation** for embezzling money from her employer, was released from an Arlington jail Friday and has been told she can remain in this country.

O'Brien, 50, who has been detained since January and was informed Thursday that her appeal to stay in the country had been denied, was picked up by her husband, Joseph O'Brien, 54, and taken to their home in Centreville, family members said.

Mi-Choong O'Brien had been sentenced to three years, with all but one suspended, after she pleaded guilty last year to stealing several thousand dollars from her employer.

She had been detained for several months under a 1996 immigration law that allows the United States to **deport** noncitizens with criminal convictions and sentences of a year or more.

"We've gone through the blackest of nights to the brightest of days in a matter of hours," Joseph O'Brien said Friday evening. He said he had been working furiously to secure his wife's release.

Russ Knocke, a spokesman for Immigration and Customs Enforcement, confirmed that Mi-Choong O'Brien had been released and that the agency was not pursuing her **deportation**. "We did exercise our discretion based upon the merits of the case," he said.

Rep. Frank R. Wolf (R-Va.), who had pushed for O'Brien's release for several months, said he was pleased with the decision.

"I am happy for Mi-Choong and her family," he said in a statement. "I know the past several months have been extremely difficult for her, her husband and her children."

In a letter to the immigration agency Friday, Wolf said that Mi-Choong O'Brien was an example of the "unintended consequences" of current laws on immigration and **deportation**. He pointed out that the O'Briens have been married for 25 years, that they have four children who are U.S. citizens and that this was her first offense in 19 years in the country. He also pointed out that the public defender who represented O'Brien was unaware of the consequences of her guilty plea.

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"I don't believe the intent of the law was to detain and deport individuals like Mi-Choong," Wolf said. Mi-Choong O'Brien had appealed the decision Thursday.

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