

# Attorney: Deportation Directives Unevenly Applied

*By Suzanne Gamboa*

An Obama administration policy to prioritize criminals for deportation is being unevenly applied with parents still being whisked from their families, an attorney for an immigrant in deportation proceedings said Thursday.

In a call with reporters, attorneys and family told the story of Carlos Oliva-Guillen. The New Jersey father of three was detained on his way to work last month and was found to have violated a court hearing years before when he was a teen and had come in illegally. Despite the fact that doctors confirmed to immigration authorities that his 7-month-old son's medical issue required blood work from both parents, the family had not received Oliva-Guillen's blood sample and he was in deportation proceedings.

An inundation of calls and faxes to immigration in support of Olivia-Guillen led federal officials to personally call his attorneys. The lawyers have been able to file a motion and get Olivia-Guillen transferred from Louisiana to Elizabeth, New Jersey where he'll be closer to his family.

Attorney Matthew Archambeault said he considers the use of prosecutorial discretion as uneven throughout the U.S.

“We’ve had many cases where prosecutorial discretion has been granted in a favorable manner, we are really surprised it wasn’t exercised in a favorable manner,” Archambeault. “In this case we see a failure of prosecutorial discretion and a success of how it should be used.”

Without the support and pressure from the community, prosecutorial discretion would have failed Olivia-Guillen, Archambeault said.

The group sponsoring the call, [PICO National Network](#), made up of faith-based groups, is calling on the president to suspend deportations for immigrants who are not serious criminals or security threats. Their officials said prosecutorial discretion is a failure.

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