Chris Brown's Charges Reduced – Do Celebrities Receive the Same Justice as the Rest of Us?

Several months ago, Chris Brown’s charges were reduced from a felony to a misdemeanor, which we covered in this article on JD Journal. What does this case say about the American justice system, if anything? We asked lawyers and other experts across the country to share their thoughts about how celebrities are treated in court compared to the rest of us, and received some interesting responses. If you want to share your own thoughts about this, please feel free to do so in the comments below the article.

It is an anomaly when there are cheers in the courtroom, but that is exactly what happened on Monday when Chris Brown was released after serving 36-hours in custody.

The Grammy award winning R&B singer and his bodyguard, Christopher Hollosy, 35, were initially charged with felony assault after allegedly striking a 20-year-old man outside of the W Hotel in Washington D.C. According to court documents, Brown was taking photos with two women after a party at the Park at 14th night club when the alleged victim jumped in and tried to take a photo with the 24-year-old entertainer. According to several witnesses Brown said “I’m not with that gay s---” and “I feel like boxing” before punching the man in the face, after which the singer’s bodyguard also punched the man in the face. Another witness also told police that Brown chased the man and took a swing at him, although he could not say definitively if a punch was landed.

Celebrities are often accused of receiving special treatment from the justice system, lounging in posh rehab centers instead of cold jail cells. This is not usually an accurate perception, and many celebrities such Lindsay Lohan have received the same or harsher punishment for their numerous offenses.

However, in this case I am left to wonder if celebrity played a role. On Monday, Brown and Hollosy were released from custody after his felony assault charge was reduced to a misdemeanor. However, if the alleged victim’s nose was broken in this incident, as the police report indicates, that would certainly qualify as felonious conduct. There were several witness statements from impartial observers that attest to Brown throwing the first punch, establishing more than the requisite probable cause for prosecutors to target Brown as the perpetrator of an assault. The only witness statements telling a different version of the altercation were Brown, Holloway, and their friends, all of whom have motives to alter their story.

Brown also has a very public history of violence, which can be a significant factor in determining how prosecutors decide what charges to file. The singer is currently “on probation after pleading guilty in 2009 to attacking his then girlfriend Rihanna the night before the Grammy Awards. He was sentenced to 5 years’ probation and 1,400 hours of community service,” according to the Washington Post.

Since the 2009 attack Brown has had numerous run-ins with the police. In June 2012 he was investigated following a brawl and bottle throwing incident at a New York night-club involving members of his entourage and that of hip-hop star Drake. Los Angeles Sheriffs also investigated a reported parking spot dispute between Brown and R&B Artist Frank Ocean.

Brown was also accused this year of a hit-and-run following a minor traffic accident in Los Angeles, where he allegedly rear ended a Mercedes with his Range Rover before going “ballistic” on the female driver. Again, Brown was able to avoid jail time as his attorneys negotiated a settlement with prosecutors to add 1,000 hours of community service to avoid a probation revocation.

At 24-years-old, Brown already has a significant history of violence against both men and women, but has evaded jail time at every turn. He has very clearly not received the message. It is surprising that with the evidence available to prosecutors in this most recent incident, and if in fact the alleged victim’s nose was broken, that his charges were reduced from a felony to a misdemeanor.

However, the impact of this arrest on Brown’s California probation remains to be seen. Brown was ordered to report to his California probation officer in California within 48-hours. Under the terms of his probation Brown is required to stay out of all legal trouble, and a probation revocation could ultimately land Brown back in custody.

Alison Triessl

Triessl is a leading legal expert and attorney in Los Angeles. She is the former head of the County Criminal Courts Bar Association and exclusively works in criminal defense law. She has appeared in all national morning shows, and local shows.
Chris Brown—and his attorney—have once again managed to manipulate the legal system to get a ‘get out of jail free’ card, literally. Instead of a ‘get out of jail free card’, he needs a ‘get into psychiatric treatment’ card! He is still the violent loose cannon who battered Rihanna years ago.

He needs at least three years on a psychiatrist’s couch to get insight into the childhood experiences that continue to fuel his rage, and medication to calm him down until he gets it.

He not only used his charm on Rihanna, persuading her to give him a second chance, he apparently used his charm on this judge, and continues to charm his fans.

Carole Lieberman, M.D.
Beverly Hills Forensic Psychiatrist/Expert Witness

Yes, I think Chris Brown and other celebrities get preferential treatment.

Also, I think celebrities have access to better legal advice than the general public. Chris Brown has had legal troubles before, when it was alleged that he submitted fake documents to the courts for community service back in February 2013.

But Mr. Brown is just another example of celebrities avoiding jail time by getting professional services help like ‘angry management’ classes and ‘drug treatment’ programs.

This March, Lindsay Lohan received a plea deal of 90 day rehab rather than spend time in jail.

What’s the lesson? Be a celebrity, act badly, apologize, get treatment and write a tell all book, and act bad again.

Mel Brake
Springfield, PA

I work with people similar to Chris Brown and can speak to the family origin source & the cause of an alleged action, the legal ramifications and the long lasting wake for he, she and anyone involved with this incident and prior that were unreported. It takes something public before she was willing to report it. When her "image" was up for judgment, that’s when she acted.

The felony going to misdemeanor is likely a strategic play by the DA to increase his odds of conviction, as common statistics of convictions are frequently in the neighborhood of 50% for felonies vs. 85% for misdemeanors.

As for the celebrity status, deep pockets for high power lawyers (who can be far better than the DA Deputy assigned) and a public apology go a long way.

David Ament
CA State Certified DV Advocate
CA State Certified Batterer’s Intervention Facilitator
Human Needs Psychology Specialist

Mr. Brown’s release is not unusual for violent offenders. It is why we have a “Criminal” justice system and not a “Victim” Justice system. I think the question regarding Chris Brown might be better answered with a different question. What happens to people who are violent repeat offenders? The answer is "They usually end up murdering one or more people". Are there other “Stars” in prison who can be interviewed?

If you track high profile murder cases, where a single shooter killed multiple people, you will often find that it was done in an attempt to murder those who helped the shooters target victim, or in an attempt to get to a victim.

What really concerns me with Mr. Brown, and others like him, is the cry for help that no one hears. He needs a serious intervention before he kills someone. I used to work in Domestic Violence and I saw this all too often.

Karen Johnson

Singer Chris Brown recently had felony assault charges reduced to misdemeanor charges – which are less serious. In criminal court, this reduction means that he will face less severe punishment if convicted. In the court of public opinion, however, the reduction means far more.

Some people were up in arms as soon as the news went public. It’s not fair! They argued – often without knowing anything whatsoever about the case – except that the charges had been reduced. The allegations were familiar: Brown is being treated differently because he is famous. But is that true? Or was the reduction in charges actually supported by the evidence?

Celebrity defendants present a special case of what happens when a public figure transitions from the limelight to the spotlight. Criminal cases involving famous people are subjected to intense examination. Every move the lawyers make is scrutinized under a microscope. Major news networks bring on endless panels of experts to critique and second-guess every move made by lawyers on both sides of the case.

The reality, however, is that criminals are routinely prosecuted to the full extent of the law—whether they are famous or not.
There are countless examples of high profile criminal murder trials, which in recent years have included OJ Simpson, Robert Blake, Phil Spector, and many more. And celebrities don’t need to kill someone to be hauled into court. We have prosecuted a wide range of famous people for breaking the law in other ways. This parade of celebrity defendants includes the likes of the late Michael Jackson, an inebriated Mel Gibson, etiquette maven Martha Stewart, socialite Paris Hilton, and many others.

The issue raised by Brown’s charges being reduced, however, is not whether we go after celebrities, but whether they receive special treatment. When a famous person gets a break, critics claim that they are handled with kid gloves. But here is a newsflash: charges on non-celebrities are frequently reduced as well - when it is warranted under the circumstances. Those cases, of course, don’t make headlines.

Ironically, not only do reduced charges prompt accusations of extending leniency to famous people, when we throw the book at a celebrity criminal defendant, we get an equally vocal group of naysayers on the other side of the fence who claim that we treat celebrities more harshly – punishing them for being famous.

At the end of the day, regardless of whether celebrity defendants end up winning in criminal court, law enforcement often finds itself on the losing end in the court of public opinion.

I think we can all agree that celebrities, like anyone else, deserve to have the punishment fit the crime when they break the law. With that goal in mind, let us have a close look at the evidence in each case before rushing to judgment.

Dr. Wendy L. Patrick, JD, PhD

Wendy Patrick is a prosecutor who began her career as a criminal defense attorney. She also teaches business ethics at San Diego State University. The views expressed in this are her own.

I think what people have to understand is that a felony arrest does not necessarily mean that the prosecuting agency will file felony charges. At the time of Chris Brown’s arrest, I believe the reports were that he and his bodyguard attacked an individual and broke that individual’s nose. Based on those limited facts, it may warrant a felony arrest. However, as additional evidence is gathered, that felony arrest may be downgraded to a misdemeanor filing or no filing at all. It is the prosecuting agency, not the police, who make the ultimate decision on what and how charges will be filed. In this case, the gathering of additional facts likely led the prosecuting agency to file a lesser charge. For instance, Chris Brown claimed that it was self-defense because the alleged victim was attempting to board his bus without permission. Also, there have been reports that a secret service agent overheard the alleged victim tell a police officer that Chris Brown never hit him. At the end of the day, the prosecuting agency concluded that Chris Brown had some criminal culpability, but it did not warrant the filing of serious felony charges.

In my opinion, the question of whether celebrities get “special” treatment in court because of their wealth, fame, and power is a loaded one. I would like to think that celebrity plays no role in how cases get resolved in the courtroom. But, the reality is that it can be both a blessing and a curse. Everyone knows that celebrity garners media attention. We live in a day and age of social media and a 24-hour news cycle. Consequently, this continuous and immediate access has an impact on how certain cases are perceived, either positively or negatively. If, and when, these cases move on to a jury trial, the public perception becomes a hurdle that has to be overcome by one side or the other due to the fact that perception is not necessarily reality. Whether the media attention impacts a judge’s decision or a prosecutor’s position, no one really knows, but it should not hold sway. Justice should be meted out the same regardless of one’s status, or lack thereof.

I think if the celebrity status is based on an abundance of wealth and power, then there may be a perception of “special” treatment. However, one must realize that wealth and power means the ability to have the best resources available: attorneys, investigators, experts, etc. It is my belief that the best resources will get you the best outcome regardless of celebrity.

J. Christopher Smith

1. From Lindsay Lohan to Chris Brown, some people believe that while many celebrities are repeat offenders they are really never punished. Yes, they may get a slap on the wrist, but rarely incarceration.

2. Although highly unlikely because we are dealing with the California penal system, Chris could still face jail time because he may have violated the terms of his probation brought upon by the Rihanna assault where he still "must obey all laws."

3. The worst case scenario would be that Chris did violate his probation terms and will serve four years in jail. However, the most likely scenario is that Chris Brown would have to perform more community service and take more anger management classes and Chris Brown has already checked into rehab for his anger issues.

4. The LA County Probation Department is conducting its own investigation to determine if Chris violated his probation in the Rihanna assault case. Essentially, the probation department will look at mitigating and aggravating circumstances stemming from his recent D.C. arrest. For example, an aggravating factor would be whether or not Chris Brown initiated the assault. While mitigating factors would include whether or not Chris Brown acted in self-defense, the defense of another person, or prevented a trespass onto his tour bus. If the probation department determines that Chris Brown’s actions were conducted in self-defense, defense of another person or preventing a trespass, then his actions may be legally justified.

5. In the various Lindsay Lohan criminal matters, the court felt that Lindsay really needed rehabilitation for substance abuse rather than incarceration.

6. However, while there are instances of OJ Simpson and Robert Blake beating the rap, celebrities who are not so lucky include but are not limited to famous music producer Phil Spector (serving 19 years to life for 2nd degree murder), "Melrose Place" actress Amy Locane-Bovenizer (serving 3 years for a DUI vehicular homicide), "Prison Break’s" Lane Garrison (served 40 months for DUI vehicular homicide), Playmate Colleen Shannon (sentenced to 4 months), and Martha Stewart (served 5 months w/2 years of supervised release for corporate fraud). The celebrity criminal list is long and it’s really all about being guilty "Beyond a Reasonable Doubt."

7. Celebrities may be slapped on the wrist in California more than any other state because of California’s overcrowded prisons which resulted in the 2011 California Assembly Bill 109 (aka-Prison Realignment Program).
8. Just ask Dr. Conrad Murray, who was just released 2 years after being sentenced to 4 years for the involuntary manslaughter of celebrity Michael Jackson.

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