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By: Dominic Patten

## Jackson's Doctor Pleads Not Guilty to Manslaughter



Michael Jackson's personal physician, Dr. Conrad Murray, pleaded not guilty on Monday to one count of felony involuntary manslaughter in the pop star's death.

If found guilty, he could be sentenced to two to four years.

Judge Keith L. Schwartz also banned Murray from handling, prescribing or administering propofol or any other heavy sedative medication in any of the regions where he has a medical license, including California and Texas. The judge, however, did allow him to oversee a colleague administering the drug.

It was propofol that is primarily blamed for Jackson's death.

Bail was set at \$75,000. In addition, Murray's passport will be handed over to the Department of Justice, though he will have no travel restrictions within the U.S.

The government had asked to put bail at \$300,000 -- well above the usual \$25,000 in similar cases -- citing the fact that Murray's primary residence is Las Vegas, he was born in Grenada and travels frequently.

A preliminary scheduling hearing has been set for April 5, but it will be moved to downtown L.A. for security reasons.

Deputy District Attorney David Walgren of the Major Crimes Division will prosecute the case.

Arriving in a white Buick Enclave and looking extremely tired, Murray surrendered at 1 p.m. Monday at the Superior courthouse on La Cienega in L.A., where prosecutors had filed charges earlier in the morning.

In a glimpse of the inevitable circus to come, media, fans and members of Jackson's family swarmed the court building before his arrival.



Jackson's father Joe, mother Katherine, sister LaToya and brothers Tito, Jermaine and Randy arrived in black Cadillac Escalades to witness the arraignment.

Fans, some carrying handmade signs, chanted "justice for Michael!" as they awaited Murray's arrival.

Joe Jackson told reporters he was seeking "justice for Michael," adding that "manslaughter is not good." Jermaine told CNN cameras that the charge was "not enough."



During the trial, the Jackson family sat in the second row, behind the district attorney. Though he arrived separately and with his own entourage, Joe sat next to Katherine during the proceedings. The family members did not speak to each other.

After the hearing, the family exited into the hallway of the courthouse where they were mobbed by fans and deputies.

Speaking briefly to the media outside, a subdued Katherine Jackson called Murray "a monster."

At a press conference following the hearing, while Murray was being processed by the court, his attorney Ed Chernoff said the doctor would "be back in Vegas within the week with his family."

Asked if he thought it would be difficult finding an impartial jury, he said: "It's gonna be tough."

At 3:30 p.m., roughly 90 minutes after his arraignment, it was announced that Murray had left the courthouse.

Speculation had mounted since Jackson's death last June that Murray would be indicted for manslaughter. It's a risky course for prosecutors to take against a physician, given how difficult it is to win a conviction on the charge.

California's penal code defines manslaughter as "the unlawful killing of a human being without malice" and prescribes a maximum sentence of four years in state prison for involuntary manslaughter – that is, for a death resulting from "the commission of a lawful act which might produce death, in an unlawful manner, or without due caution and circumspection."

Los Angeles attorney Ronald Richards says that typically a doctor accused of causing a patient death might face a charge of criminal negligence.

"It's highly unusual to charge a doctor with involuntary manslaughter," says Richards, a veteran defense lawyer with experience in drug cases. "You can't convict a doctor for his medical judgement. Pain-management is a complex area to litigate and it'll be difficult to second guess [Murray's] medical opinion."

Murray, whose practice is in Houston, arrived in Los Angeles last weekend to await word from the District Attorney's office on his fate. He had mostly kept a low profile, with the exception of a personal visit over the weekend to Jackson's tomb at Forest Lawn in Glendale, which was caught in photos published by TMZ.

"He's going to be the poster child for doctors who play fast and loose and prescribe opiates for their celebrity patients," Richards says. "Especially out-of-state doctors."

Such a high-profile trial would probably not take place this year.

"Any DA is going to try to avenge the death of the King of Pop by going after his doctor," says Richards, who nevertheless says the trial would involve risk for prosecutors.

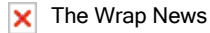
"They can get their asses kicked by a legion of medical professionals who'll testify that Dr. Murray was acting within his medical expertise," Richards says. "It would be a cauldron."

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**Category:** BIZ MOVES

**By:** Josh Dickey -

## Accused: Conrad Murray and the Hollywood Pill Pipeline



When Conrad Murray appeared before a judge on Monday to hear the criminal charge against him, an entire Hollywood culture of pliant doctors and needy celebrities stood accused, too.

Michael Jackson's case is an extreme one. Propofol injections are a long way from the semi-recreational Xanax or three.

But his example merely raises the stakes in what stands to be a landmark case pitting the law against the murky world of celebrity narcotics.

If Los Angeles prosecutors lose this one, they will have missed a rare opportunity to put a dent in Hollywood's pill pipeline.

If they succeed, Hollywood's Dr. Feelgoods will have good reason to think twice about writing that next prescription slip.



But history tells us that it would still be a major legal upset.

On Monday, in a courthouse surrounded by media and fans, Murray, wearing a light gray suit, sky-blue shirt and red tie, listened to the charges – and promptly denied them with a plea of not guilty. In so doing, he asserted what up until now has reliably held true: that criminal prosecution was an inappropriate response to a patient's death at the hands of his well-meaning physician.

But the state of California, weary of growing number of celebrity prescription drug deaths, is seeking some control over a festering doctor-patient dynamic that has taken bold-faced names from Heath Ledger to Anna Nicole Smith to Danny Gans.



Smith's death had already brought Attorney General Jerry Brown to the dais last March, when he declared that while Californians street dealers were bad, it was really "people in white smocks and pharmacies ... with their medical degrees who are a growing threat." (The attorney general's office did not immediately respond to TheWrap's request for comment Monday).

The state followed up by upgrading CURES (the Controlled Substance Utilization Review and Evaluation System), its system that offers doctors the ability to track online whether they're just another stop in a patients' prescription carousel.

But giving doctors that additional power also gave them greater responsibility. And it did little to solve the problem of physicians who -- for a brush with fame, a big payday -- are happy to fulfill the narcotic wishes of the rich and famous.

Prescription overdose deaths well more than doubled from 2001 to 2005, according to the most recent available data from the Centers for Disease Control. And the National Drug Intelligence Center, a division of the Justice Department, estimates that nearly 7 million Americans are now addicted nonmedical users of prescription drugs (keep in mind this doesn't include those addicts who have a legitimate reason for their prescriptions).

Despite the rapidly growing problem, even the most egregious cases of over-prescription have traditionally resulted in state board-certification headaches, reprimands and, at worst, license revocation.

"Doctors usually get prosecuted for giving narcotics without documentation and without examining their patients," veteran drug-case attorney Ronald Richards told TheWrap.

In that sense, for the Los Angeles District Attorney (whose track record on celebrity cases includes one Phil Spector conviction and a fair number of spectacularly public failures), going after Murray with a manslaughter charge is a long-shot.

Since the act of administering propofol is fairly hands-on, that will make conviction all the more challenging. The state's burden is to prove, beyond a reasonable doubt, that Murray's methods were wildly far from the norm.

And prescribing propofol for sleep deprivation may be highly unusual, but is it a crime?

"The state can't superimpose its own medical judgment," Richards said. "That's between the doctor and the patient."

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[Jailing Dr. Feelgood: Prescriptions-on-Demand Gets Riskier](#)

[Dr. Feelgoods and Their Celeb Patients: Who Needs Who? \(PART 2\)](#)

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