



Why Wasn't Michael Jackson's Doctor Charged With Murder?

Mon., Feb. 8, 2010 10:24 PM PST

Why wasn't Michael Jackson's doctor charged with murder? What does *involuntary manslaughter* even mean? He deserves everything he gets!
—Wanda, New York, via the Answer B!tch inbox



Frederick M. Brown/Getty Images

Just because fans were screaming "murderer" as Conrad Murray entered the courtroom today—and just because the Jackson royal family has decreed that **Michael Jackson** was "murdered"—doesn't mean the doctor is a homicidal maniac in the eyes of Lady Justice.

When it comes to the law, you need to put aside the fan hysteria and look at the facts.

And there's a big reason why prosecutors are going with an involuntary manslaughter charge—to which Conrad has pleaded "not guilty." Which is...

They aren't seeing the kind of evidence they'd need to pin a murder on Murray. For murder charges, the law needs to prove *intent to kill*—and prosecutors don't seem to think that was the case.

"You would have to show that Murray's providing Michael Jackson with propofol was done for the purpose of killing him," criminal defense attorney Joseph DiBenedetto tells me. "That would be a tremendous stretch. And prosecutors would have to show a reason why he'd want to kill Michael Jackson."

In other words, where's the motive?

Prosecutors do believe there was some recklessness going on, however. The state penal code describes involuntary manslaughter as "most common in the case of professionals who are grossly negligent in the course of their employment."

"It was done without malice," criminal defense attorney Alison Triessl posits. "They'd have to prove that he intended to kill Michael Jackson [for a murder charge]. In the information that I have and the information that has been disseminated, that's pretty much improbable. However, he knew better. He knew that this was a dangerous drug."

The punishment in California for involuntary manslaughter ranges from two to four years. However, because the charge isn't considered as serious as murder, people convicted of involuntary manslaughter generally only serve about half of their sentences, Triessl says.

—Additional reporting by Whitney English

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by **Leslie Gornstein**



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