



JOHNETTA PAYE ESQUIRE

ENTERTAINMENT

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Social media incrimination and arrests: Chris Brown, Designer and you



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1

Attorneys have a love-hate relationship with social media. Of course it's usually a handy tool for marketing/promotion and providing everyday users with legal tips, but it can be a complex situation when it comes to clients themselves airing their opinions all over social media about a potential legal case.



Continued on page 2

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1

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Soulja Boy's Twitter bounty threats about ex-girlfriend Nia Riley and Skrillex Dilly are [one recent example](#) of a celebrity who has ruffled feathers for himself and gotten the attention of officers and attorney(s). But he's not alone.

Could your Instagram posts be incriminating you? (Photo credit: Instagram)

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TO TOP

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Using Chris Brown's latest run-in with the law as an example, social media may have helped media outlets with getting information that law enforcement hadn't already provided. On [Aug. 30](#), former beauty queen Baylee Curran accused the pop star of pulling a gun on her at his Tarzana home and saying she was trying to steal jewelry. In turn, Chris Brown released a [three-part Instagram](#) post explaining the standoff outside of his home.

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TO TOP

While social media onlookers speculated on who was telling the truth, an official statement from [Miss California Regional 2016 pageant team](#) confirmed that she was dethroned two months after she won for unrelated reasons but refused to give back the crown and sash. Although dethroned, Curran continued to post photos of herself with the Miss California attire on. She also made a point of posting a video giving her side in the Chris Brown debacle. Then there were the [grand larceny accusations](#) from 2003.

For a legal team, this may have been a gift in their lap showcasing proof of dishonesty. Brown's Sept. 20 trial has been delayed while police try to gather more evidence, according to [USA Today](#).

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TO TOP



In other recent news, Desiigner’s alleged road rage incident that lead to a felony gun charge on Sept. 8 luckily did not include any Instagram photos to tie him to the incident. Of course songs like “Timmy Turner” proudly boasting “All my killas said they with me” didn’t particularly help convince observers that he couldn’t possibly have a firearm in the car. Although the 302 steroid pills found inside of the vehicle may have lead to [Fabolous-like facial expressions](#), [L.A. Times](#) reported that these all belonged to the driver. Even under this kind of radar, like clockwork, yet another [social media video](#) was released from the “Panda” rapper, with Tyga and

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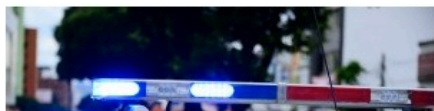


Desiigner showing off stacks of money.

Billboard Magazine reported that Desiigner was able to [dodge the drug and gun charge](#) because he accepted an “adjournment in contemplation of dismissal (ACD), or a negotiated settlement that can result in a case being sealed or dismissed.”

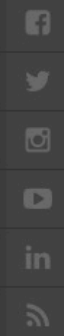
This doesn’t mean that Desiigner was found “not guilty” on the drug and gun possession charges. It simply means a judge decided to give the rapper the benefit of the doubt. The case against Desiigner has just been adjourned from the court calendar for six months. After six months, the case will be dismissed and sealed if Desiigner doesn’t get charged for any other legal infractions.

The case can be reinstated and the court process will continue where it left off if Desiigner is arrested again on a new criminal charge. Breezy’s case, on the other hand, looks weaker each day.



But these incidents still bring up a larger issue about the rights of celebrities and noncelebrities

CONNECT



↑
TO TOP



Do you know your rights? (Photo credit: Pixabay)

when they are arrested:

1. **Right to remain silent.** When arrested, the individual has the right to not say anything. Any statements made to the police during the arrest and while in custody can be used against that person in a court of law.

However, the potential arrestee still does have to speak up to explain he (or she) wants to exercise that right. The silent treatment won't cut it.

2. **Right to an attorney.** If an arrestee requests an attorney, the police officer legally has to refrain from asking further questions. However, if an arrestee continues to speak after requesting an attorney, all of those statements can be used against this person in a court of law.
3. **Consent to search.** Generally speaking, a police officer needs consent or a warrant to search each person and personal property. However, there are exceptions. One example would be a search

CONNECT



TO TOP



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incident to an arrest (ex. looking for drugs during a potential drug sale or a gun search for a 911-related call involving immediate gun threats). Traffic violations may also be eligible for searching the open areas of a car (ex. marijuana seeds clearly visible from a cup holder).

In addition to knowing basic legal rights, it's always a good idea to not incriminate oneself on social media accounts about what an officer (or lawyer) may find. General rule of thumb: If an arrestee wouldn't tell this same information to the officer standing in front of him, don't post it on Twitter, Facebook, Instagram, etc.

Have more questions about your legal rights when arrested? Contact [J. Paye & Associates](#) today.

Shamontiel L. Vaughn contributed to this blog. Find out more about her at [Shamontiel.com](#).

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TO TOP