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# Beatty weighs deal with 90 days in jail

## With 2 days left, offer from Worthy could change; Mayor's former aide would pay 6-figure restitution in scandal

BY JOE SWICKARD AND M.L. ELRICK • FREE PRESS STAFF WRITERS • SEPTEMBER 9, 2008

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With the clock running out, Christine Beatty has to weigh accepting a deal that would give her a permanent felony record and send her to jail or else taking her chances at trial, the Free Press has learned.



Christine Beatty

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People familiar with the negotiations said the Wayne County Prosecutor's Office was offering Beatty a deal Tuesday that would include a guilty plea to two felonies, a 90-day jail term followed by 5 years of probation and a low six-figure restitution.

The sources cautioned that any deal could change up to the last minute or collapse entirely.

Beatty, who was Mayor Kwame Kilpatrick's chief of staff and lover before becoming his codefendant in the text message scandal, is scheduled to appear Thursday afternoon in front of Wayne County Circuit Judge David Groner for what's labeled a docket conference.

If Beatty does not strike a deal with prosecutors Thursday, Groner will select a trial judge by blind draw and all negotiations could be suspended.

The deal on the table is probably the best Beatty can do and it's unlikely she could have ever avoided jail, said Richard Krisciunas, a University of Detroit Mercy law professor and a former high-ranking Wayne County prosecutor.

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"Jail is reasonable -- she's a public official who allegedly perjured herself," said Krisciunas, who was chief of the prosecutor's trial division for three years and a docket attorney in the office, overseeing thousands of pleas a year for 18 years.

"As a prosecutor, you make a stand so other officials know you take these things seriously," he said.

Krisciunas, who also does criminal defense work, said the prosecution's case was apparently so strong that Beatty could not have bargained out of a jail term by offering to cooperate early in the investigation.

"If you're confident in your case, you don't have to deal," he said. "If she had come in first," before Kilpatrick and early in the proceedings, "she would have probably gotten less time, but she wouldn't have walked."

Beatty is charged with seven felonies, including perjury, obstruction of justice and misconduct in office, stemming from testimony at a police whistle-blower trial last year.

The Free Press obtained copies of her text messages sent on a city-issued paging device showing that she and Kilpatrick lied when they denied having an extramarital affair and tried to mislead jurors about their roles in the ouster of Deputy Chief Gary Brown. She resigned her city office soon after the messages became public in January.

If Beatty is convicted of two or more felonies, her record can't be expunged.

In hardball negotiations with Kilpatrick last week, sources said, Prosecutor Kym Worthy threatened to increase the penalties the longer he delayed and said all deals were off the table if he didn't plead at his docket conference. Even so, it took last-minute wrangling to save the plea.

Kilpatrick pleaded guilty to two felonies in taking a deal that will send him to jail for 120 days. He will be on probation for 5 years, a span in which he cannot run for office. He also will turn over his state pension to the city and pay \$1 million in restitution. The plea cost him his job as mayor and his law license.

Beatty's lawyer Mayer Morganroth declined to comment Tuesday on his client's situation or possible deals.

Worthy's spokeswoman, Maria Miller, said her office doesn't discuss negotiations or talks with defendants.

"We'll wait till Thursday and see what takes place in court," Miller said.

Meanwhile, divorce attorney Henry Baskin said if Beatty goes to jail, that could give her ex-husband, Lou Beatty, an opportunity to gain custody of their two young daughters -- but it's not a slam dunk.

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"A felony in and of itself does not preclude your rights to parenting," he said. "Whether or not she's going to retain physical custody depends on her spouse's attitude."

Baskin said Lou Beatty could ask the court to let the children move in with him; stay with him while his ex-wife is in jail, or do nothing.

"In her case, even if she becomes a felon and is sentenced to 60 days in the county jail, that's only one of the elements the court uses to determine the appropriate parent," Baskin said. "Usually what happens is the grandparents or the aunts or uncles will come in and watch the children."

If Beatty avoids going to jail -- either because she cuts a deal with prosecutors or prevails at trial -- Baskin said her chances of withstanding a potential challenge to her custody are much better than if she spends any time behind bars.

Contact **JOE SWICKARD** at 313-222-8769 or [jswickard@freepress.com](mailto:jswickard@freepress.com).

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**Detroitbob** wrote:

Replying to gerrybass:

*Either that or we done settin her up for a comeback!*

Yeah, I love that line! Uhm, cleaning the lot at McDonald's would be considered as a comeback from jail, isnt it? I guess anything has got to be a step up from his next occupation as convicted felon.

09/10/2008 11:33:08 a.m. EDT

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**Detroitbob** wrote:

Replying to Rademacher1537:

*Beatty is a foolish person. She stood by her man who couldn't throw her in the sludge soon enough. The moment he said 'her quitting was the right thing to do' while he stalled his own departure for months, she should have jumped up and told Howie Mandel 'deal' and pushed the red button and thrown that thug under the bus. But, she didn't. And her reward for her loyalty? Sister Sludge.*

Wasnt her man at home watching the kids? I thought that they were both having an affair at the time, not just kwame.

09/10/2008 11:24:33 a.m. EDT

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**autoacct628** wrote:

Can anyone say Oprah book deal? Don't worry for Chrissy.....18 months after she's out of jail, her book will be out and some up and coming young singer will be playing her role in the Lifetime movie...

09/10/2008 9:05:14 a.m. EDT

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**autoacct628** wrote:

And this woman was supposed to be so intelligent? A role model for all the young sisterhood in Detroit? Hmm.

Another prime example of rootless, amoral, cynical, power hungry people, for whom faith is a veneer to put on when it serves their purpose For whom ethics is a concept for the little people, For whom conscience is something they were never taught to have.

I can not fathom why this woman didn't roll on KK, but people like her and KK demonstrate repeatedly that they choose to do what they believe is in their immediate best interest. If I were the Feds, I would be constantly showing her video and stills of Carlita hanging all over KK....hell hath no fury like a woman scorned. If other posters are right in their not-so-subtle corruption hints, she still has info which would damage him. Probably mean the witness protection plan, and adios to her kids, forever. maybe that is the hangup....

09/10/2008 9:03:40 a.m. EDT

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therealcheckyorego wrote:

I actually have some compassion for her. How many women fall blindly for a man and are used by them? She doesn't have the family connections that he has and rebuilding her life will be much more difficult.

09/10/2008 8:56:02 a.m. EDT

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