

Note to 'Empire': Jussie Smollett Was Not Exonerated of All Charges

I wish no ill to Jussie Smollett. As for *Empire*, I've never seen the show (as I'm not much of a TV watcher) and have no feelings about it, positive or negative. But I despise falsehood and duplicity, and as the Smollett case has turned into a complete fiasco, the truth meter inside me stirs me to write.

In the aftermath of the shocking news that all charges against Smollett were being dropped, an executive producer at *Empire* tweeted: "You've just watched a truly good person get dragged through the gutter. I am so happy he's been exonerated before any more damage was done, but make no mistake. Damage was done."

Sorry, but Smollett was not exonerated. Hardly.

First, Tandra Simonton, a spokesperson for the Chicago prosecutor who decided to drop the charges said this: "We did not exonerate Mr. Smollett."

Come again?

"We did not exonerate Mr. Smollett," Simonton said. "The charges were dropped in return for Mr. Smollett's agreement to do community service and forfeit his \$10,000 bond to the City of Chicago. Without the completion of these terms, the charges would not have been dropped. This outcome was met under the same criteria that would occur for and is available to any defendant with similar circumstances."

In other words, Smollett cut a deal.

Second, even without the statement from the prosecutor, an

innocent victim does not do community service or forfeit \$10,000 to the city. Obviously.

Could you imagine this?

A woman claims to be raped and beaten by four male assailants.

The police then claim that she set the whole thing up, and charges are brought against her.

All charges are then dropped against her after she does community service and pays a fine to the city.

That is not being exonerated. That is striking a deal. The guilty, not the innocent, strike deals. If the woman had been raped and beaten, do you think she would have been required to do community service and pay a fine? Of course not.

How is this not obvious to all? How could anyone still believe Smollett was somehow exonerated?

If he was, in fact, assaulted by nefarious strangers, where are they? Where's the investigation to find his attackers?

You say, "That's easy. Those two brothers confessed to being paid by him to attacking him."

So, either they're telling the truth (in which case the prosecutor did the city a real disservice by dropping the charges with a mere slap on the wrist) or they're lying about being paid by Smollett.

If the latter, why aren't they being charged for the assault? (I apologize for raising such ridiculously obvious questions, but these days, truth can hit some people between the eyes without them realizing it.)

And this whole affair has nothing to do with racism and homophobia (the very allegations that brought this to national attention).

Chicago's Police Superintendent Eddie Johnson is outraged and is not backing down at all. And he is African-American. In his words, "But again, at the end of the day, it's Mr. Smollett who committed this, this, this, this hoax."

Those are strong words from a high-level, career officer. Police don't lightly issue their own guilty verdicts in public.

And it was none other than Rahm Emmanuel, the very pro-gay mayor of Chicago, who said, "Without a doubt this is a whitewash of justice and sends a clear message that if you are in a position of influence and power, you'll be treated one way. It is wrong."

He added, "Mr. Smollett is still saying that he is innocent, still running down the Chicago Police Department. How dare he?!? How dare him?!? How dare him after everybody saw. Is there no decency in this man?"

Note also that in this same speech, Emmanuel mentioned the name of the gay icon Matthew Shephard and then spoke of how the Smollett fiasco could make things more difficult for gays who were real victims of hate crimes. ("Gay men and women who will come forward and one day say they were a victim of a hate crime now will be doubted.")

He even got in a backhanded attack on President Trump, saying, "I cannot stress that in a time when you have people bringing a moral equivalency in Virginia between bigots and those fighting bigotry, and you have a person using hate crime laws that are on the books to protect people, who are minorities, from violence, to then turn around and use those laws to advance your career and your financial reward. Is there no decency in this man?"

To repeat: No one can accuse either Mr. Johnson or Mr. Emmanuel of being racist or homophobic. And in case you missed the news conference, neither of them was wearing a MAGA hat.

Yet they both spoke against the outrage of all charges being dropped in the strongest possible terms. Rightly so.

Again, I wish no ill for Jussie Smollett or the people involved in *Empire*. I simply write to give voice to the frustration experienced by many when truth and justice are mocked in the public square.

I would have been fine if Smollett had said, "I'm terribly embarrassed by what happened and incredibly grateful to the mercy of the court. I got off with far less than I deserved, and I'll be meeting with the police and the mayor to find out what I can do that would help bring healing for the pain I have caused. And I will be seeking professional help to get to the root issues that caused me to lie in such a public and ugly way. Please forgive me and allow me to regain your trust in the years ahead."

That would have been glorious.

But that is not what happened. And that is a loss for all involved. And Smollett's legacy will remain deeply muddled.

I polled my Twitter followers, asking, "What's your take on the dropping of all charges against Jussie Smollett? (I'm not trying to determine truth; just getting your take.)"

The choices were: 1) He's obviously innocent! 2) Chicago is corrupt! 3) Something else.

Only 1 percent believed Smollett was innocent. And that will be hard to shake.