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## R. Kelly faces federal charges that carry harsh potential sentences



In this courtroom sketch, R&B singer R. Kelly, center, appears before U.S. Magistrate Shelia M. Finnegan, left, in U.S. District Court for the Northern District of Illinois on July 12 in Chicago. (Tom Gianni / AP)

By AUGUST BROWN  
STAFF WRITER

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The singer R. Kelly is facing new and unprecedented legal jeopardy after federal prosecutors in New York and Illinois charged him with a wide slate of criminal counts, including racketeering and

production of child pornography.

Though the singer already faces lengthy state charges in Illinois, the [sweeping new federal indictments](#) carry potential sentences that could ensure Kelly spends most of or all of his life in prison.

“His life is on the line now,” said Lou Shapiro, a state and federal criminal law attorney in Los Angeles. “There are mandatory sentencing minimums in the federal arena; that’s why this is so dangerous.”

Late Thursday, Kelly [was arrested on federal sex trafficking charges](#). He had been free on \$1 million bond from state charges filed earlier this year, but is now being held at the Metropolitan Correctional Center in Chicago. Usually, an offender facing federal charges could be allowed to remain free before trial, but Shapiro said, “I think he’ll be kept in. Ordinarily, he would be released, but the charges are so egregious, and he has every reason to flee.”

Kelly, 52, will face those charges in both Brooklyn and Chicago courts, where the allegations depict an organized effort from him and his business and personal associates to recruit and transport underage girls over state lines for illegal sexual purposes, including the production of child pornography, and to coerce them from testifying against him.

[In Brooklyn](#), federal prosecutors indicted Kelly on five counts, including a racketeering charge and four violations of the Mann Act (which prohibits crossing state lines for illegal sexual purposes).

“It goes without saying that with the new federal charges, R. Kelly is not in a position that would cause any envy,” said Lara Yeretsian, a criminal defense attorney and founder of Yeretsian Law in Glendale. “He is facing up to 20 years for each racketeering count, while the Mann Act violations each have at least 15 to 21 months for each count. This doesn’t even include the decades he is facing in Chicago.”



R. Kelly pleaded not guilty to a indictment before Judge Lawrence Flood at Leighton Criminal Court Building in Chicago, on June 6, 2019. (E. Jason Wambsgans / TNS)



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By Deloitte

The racketeering charge alleges that Kelly committed sex crimes as part of an organized scheme that operated under threat of intimidation. Racketeering, a charge most often associated with organized crime, carries a maximum sentence of up to 20 years.

“This is not a typical federal racketeering case. You don’t often see this involving an A-List celebrity,” Shapiro said. “Racketeering is a crime done through coercion, and when it’s a group of people, it’s more intimidating. These people would invite girls backstage and wouldn’t let them out. They’d tell them how to dress and how to act and tell them ‘This is how it’s going to be.’”

The indictment asserts that the girls Kelly coerced “were required to wear baggy clothing when they were not accompanying Kelly to an event or unless otherwise instructed by Kelly.” They were “told to keep their heads down” in the presence of other men, and when addressing Kelly, “the women and girls were required to call Kelly ‘Daddy.’”

In Chicago, Kelly faces thirteen federal charges, including seven child pornography charges, five counts of enticement of a minor to engage in criminal sexual activity, and an obstruction of justice charge. The production of child pornography carries a federal mandatory minimum sentence of fifteen years if Kelly is convicted.

Kelly attorney Steve Greenberg said Thursday, in part, that “the conduct alleged appears to be largely the same as the conduct previously alleged against Mr. Kelly in his current State indictment and his former State charges that he was acquitted of. Most, if not all, of the conduct alleged was decades old.”

Kelly had previously been acquitted of state child pornography charges in 2008. The federal charges in Chicago could be seen as a fresh effort to convict Kelly after the state failed to do so, Shapiro said. He cited the recent [Jussie Smollett case](#) as one that potentially gave federal investigators doubts about the state’s ability to successfully prosecute Kelly.

“The feds in Chicago are saying, ‘You had him in the palm of your hand and you couldn’t convict him,’” Shapiro said. “They’re fed up with too many stories about states not getting people the first time. The feds don’t trust the state to do their job with this guy.”

All the federal charges are on top of the lengthy list of state charges Kelly currently faces. Taken together, they represent the most dire legal threat Kelly has faced in decades of speculation about the depth of his alleged sex crimes. Federal mandatory minimums would ensure a decades-long prison sentence if Kelly were convicted.

“It is one thing to be facing state charges, but another to be feeling the ominous and heavy weight of the federal government while fighting charges on three fronts,” Yeretsian said.

The federal effort was likely influenced by the wave of investigations into Kelly’s alleged sex crimes. The documentary [“Surviving R. Kelly,”](#) a popular and critical sensation, likely played a role in reviving interest in the case and encouraged federal prosecutors to pursue new charges.

“You’re seeing prosecutions rise from a documentary that caused public anger and pressure,” Shapiro said. “It’s a day of reckoning for people who have gotten away in the arena of sex offenses.”

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August Brown has covered pop music and nightlife at the Los Angeles Times since 2005.

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