

### Los Angeles Criminal Threats Defense Lawyer Tracy M. Grayson

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Tracy Grayson is the recognized go-to lawyer for criminal threats cases, which often arise in a domestic violence context (for example, two spouses arguing and saying things they really don't mean). Mr. Grayson has an outstanding trial and settlement track record with respect to criminal threats cases. He has never lost such a case at trial, and most of the cases he has handled have been dismissed. Otherwise, the few remaining clients where Mr. Grayson has not been able to get a dismissal have been granted probation.

Mr. Grayson rarely allows his clients to plead guilty or no-contest to a criminal threats charge (Penal Code section 422) because the DA's case is often weak, and more importantly, a felony conviction of this charge counts as a strike under California's Three Strikes law AND as a five-year prior, which together mean if you get convicted of another felony in the future, you will easily be looking at doing more than ten years in prison.

Often the DA or prosecutor will seduce defendants not represented by Mr. Grayson into pleading guilty or no-contest to a criminal threat charge by offering them probation. These defendants may later become Mr. Grayson's clients, who learn, for example, that unfortunately a previous lawyer or public defender has pled them to two counts of criminal threats and now the client is looking at 25-years-to-life in prison because of the Three Strikes Law.

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### **The Law**

A criminal threat occurs when an accused intentionally and willfully threatens to kill or do great bodily injury to a person or their immediate family. The accused must intend that the person threatened take the threat seriously, but it does not matter that the accused didn't actually intend to carry out the threat. The threat must be fairly immediate, not far-off into the future. The victim must actually fear for their safety or their family's safety. The threat can be made verbally, in writing, or electronically (for example, by email or text). The penalty when the crime is charged as a misdemeanor is up to one year in county jail and a fine of up to \$2,000. If convicted of a felony, you face serving up to three years in state prison.

Also, the DA or prosecutor may be able to add enhancements or special allegations to the main charge, for example, if the evidence shows that you used a gun, a knife, a baseball bat, or other weapon. Such enhancements include personal use of a weapon or causing serious bodily injury to the victim (GBI). When enhancements are added, you risk spending a lot more time in prison.

### **Possible Consequences**

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- County jail or state prison
- Probation or parole
- Having a criminal record (which may or may not be later expunged, reduced, or dismissed)
  - Fines and fees involving hundreds or even thousands of dollars
  - Anger management or domestic violence classes for up to a year (your time and money)
  - Community service or work (your time and money)
  - Restitution or reimbursement to the victim for medical bills related to mental suffering, etc.
- For felonies, have to provide DNA sample which goes into nationwide database
- Felony constitutes a strike, which could result in a longer prison sentence if you commit a future felony
  - Five-year prior allegation can later add five years to prison sentence if you commit a future felony
    - Possible deportation or other immigration consequences
    - No longer able to own, use or possess a gun or weapon
    - Could affect current job, future employment or professional license
    - Could affect your driver's license
    - Restraining or protective order will be issued
    - May have to move out of you and your spouse's home (domestic violence)
    - May not be able to have contact with your own children (domestic violence)
    - Could affect voting, jury service, and holding public office

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### **Defenses**

In sports it is often said that the best defense is a good offense. This is especially true with domestic violence cases, where it is extremely important to immediately hire an experienced, skilled, and aggressive attorney like Tracy Grayson early on, preferably the day you are arrested. Realize that once you are arrested, your spouse, as the victim, has no control over pressing charges because once the police and the DA or prosecutor are involved, they have

complete control over whether charges will be filed against you. It does not matter if your spouse wants to drop the charges.

Nevertheless, Mr. Grayson has been very successful in convincing the DA or prosecutor to dismiss the charges, and has otherwise employed various legal tactics to ensure a great outcome for his clients in criminal threats and domestic violence cases.

Barring a dismissal, lack of intent, lack of evidence, witness credibility, the fact that the witness did not take the threat seriously (i.e., wasn't threatened), are all common defenses and issues which have come up during Attorney Grayson's 15 years of successfully fighting criminal threats and domestic violence cases. Also important is the fact that you have witnesses who were present during the incident and can corroborate your story; or that during the incident there were no witnesses at all, which means it is the victim's word against your's.

When you are facing criminal or terrorist threat charges, you need an experienced, skilled, and aggressive attorney like Tracy Grayson, who will thoroughly review, investigate and prepare your case, interview prosecution and defense witnesses, obtain additional discovery, research complexities in the law, prepare motions, appoint or hire experts, aggressively fight for your freedom in court, and make certain that we do everything possible to win your case.

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If you want to beat your Criminal or Terrorist Threats case, [contact attorney Tracy Grayson now!](#)