



Written by [James Murphy](#) on June 30, 2021

Bill Cosby Released from Prison; Pennsylvania Supreme Court Overturns Conviction

On Wednesday, the Pennsylvania Supreme Court [overturned](#) the sentence of former television star Bill Cosby. According to a tweet from the Pennsylvania Department of Corrections, Cosby was released “just before 2:30 pm” Eastern time, having served over two years for his crimes.

The 83-year-old Cosby had been serving a three to ten-year sentence for drugging and sexually assaulting Andrea Constand, a former Temple University employee, at his home in 2004. He had been eligible for parole earlier this year but was turned down for it in May because of his refusal to participate in a therapy program for violent sexual offenders.



AP Images

The justices essentially ruled that the comedian had been denied a fair trial owing to an agreement Cosby had made with an earlier prosecutor in the case that had apparently prevented the actor from being charged for the crime.

Cosby was tried twice for the incident with Constand, with the first trial ending in a hung jury. Cosby’s conviction in 2018 was the first high-profile celebrity conviction for sexual assault in the #MeToo era.

“When an unconditional charging decision is made publicly and with the intent to induce action and reliance by the defendant, and when the defendant does so to his detriment (and in some instances upon the advice of counsel), denying the defendant the benefit of that decision is an affront to fundamental fairness, particularly when it results in a criminal prosecution that was foregone for more than a decade,” the Pennsylvania Supreme Court wrote.

Even though the agreement was made a decade before new evidence surfaced in 2015, the court ruled that District Attorney Kevin R. Steele, who most recently prosecuted Cosby, was still legally bound by the old agreement, meaning that the charges should not have been brought up again in 2015.

Four of the Pennsylvania Supreme Court’s justices voted in Cosby’s favor while three dissented either all or in part to the decision. In his dissent, Justice Thomas Saylor noted that a lower court had made an “explicit finding Castor (the original prosecutor) made no promise that the Commonwealth would never prosecute.”

According to Justice David N. Wecht, who wrote the opinion for the majority, vacating Cosby’s sentence was “the only remedy that comports with society’s reasonable expectations of its elected prosecutors and our criminal justice system.”

In a statement, the prosecutor, Steele, wrote that Cosby’s release “on a procedural issue that is irrelevant to the facts of the crime.”



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“I want to commend Cosby’s victim Andrea Constand for her bravery in coming forward and remaining steadfast throughout this long ordeal, as well as all of the other women who have shared similar experiences,” Steele wrote. “We still believe that no one is above the law — including those who are rich, famous and powerful.”

As of this writing, there has been no reaction from Constand. Cosby has not yet publicly commented either although his appeals lawyer Jennifer Bonjean commented that the actor never should have been prosecuted under the terms of the agreement made with the first district attorney.

“District attorneys can’t change it up simply because of their political motivation,” Bonjean said. According to Bonjean, the 83-year-old Cosby remains in excellent health, apart from being legally blind. Hollywood reaction is coming fast and furious.

Phylicia Rashad, Cosby’s co-star on the long-running *The Cosby Show* was ecstatic, tweeting, “FINALLY!!!! A terrible wrong is being righted — a miscarriage of justice is corrected!”

On the other hand, actress and director Amber Tamblyn, a co-founder of Time’s Up — an organization that advocates for victims of sexual assault tweeted, “I am furious to hear this news. I personally know women who this man drugged and raped while unconscious. Shame on the court and this decision. #TimesUp #MeToo.”

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It’s a bizarre ending to a bizarre case in which there are no real winners. Cosby gets to leave prison to live out the remainder of his now sad life, but there are few who believe that the actor once known as “America’s Dad” is innocent. The disgraced former star’s legacy is gone now, replaced with an image of a creepy guy putting drugs into the drinks of young women.



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