

From Lockup to Lap of Luxury: Hilton's Release Sparks Questions of Fairness

Hotel Heiress's House Arrest Opens Door to Criticism

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Paris Hilton has gone from serving her sentence in a 12-by-8-foot jail cell to her \$3 million mansion in Hollywood — a home complete with a closet several times bigger than that cell.

The Los Angeles County Sheriff's office announced Tuesday that Hilton was sent home because of an unnamed medical condition, and will serve out her sentence under house arrest.

Her release ignited a simple question: Is that fair?

"Ridiculous, outrageous, unbelievable," said defense attorney Dana Cole. "There are so many poor people who don't have the types of resources and the types of clout that apparently she must have to be able to convert a 23-day sentence to mere hours, or at least a few days."

No Hospitality for Hotel Heiress

Thousands of ABCNEWS.com readers were clearly not pleased with Hilton's release.

An informal survey — posted along with this story — shows an overwhelming number of respondents say Hilton should still be in the slammer.

And the comments on ABCNEWS.com weren't much kinder.

"Goes to show you what money can buy," one reader posted. "How is 40 days confined to a mansion with all the amenities punishment? If it were anybody else, their 'medical condition' would have been handled by the prison staff."

Another wrote: "If it had been any of my friends, there is no way that they would have gotten off so easy."

"The rich and famous have received preferential treatment due to race, gender and social status since the beginning of time," another poster added.

One poster offered some advice: "Take a page from Martha Stewart, Paris. She went to prison gracefully and came out a better person. You went for two days, whined and came out a bigger joke than when you went in. Grow up, Paris!!"

Crime and Punishment

Hilton was arrested last September for driving while under the influence. She was ordered to 23 days in jail after she failed to enroll in an alcohol education course and after two more traffic violations — including driving with a suspended license.

But some legal experts say Hilton should not have been put in the crowded Los Angeles jail system in the first place.

Former Los Angeles Assistant District Attorney Decio Rangel noted that though Hilton's offenses "were blatant violations," they were regulatory in nature.

"Based upon that, it's a nonviolent offense. It's not the type of situation people generally go to jail for," he said.

"Miss Hilton is benefiting from what many people are benefiting from, which is the overcrowding of the L.A. County jail system," Rangel continued.

Special Treatment?

But Justice Department statistics suggest there are a lot of nonviolent offenders in crowded jails who have medical conditions and are not getting similar treatment.

There are more than 2.1 million people in the nation's prisons and jails. A 2006 government survey showed that a third of all inmates reported a medical problem -- 229,000 had illnesses other than a cold or virus.

In 2004, more than 6,000 prisoners incarcerated had AIDS. That year, 204 people with the disease died in prison.

The Case of Jonathan Magbie

Three years ago, Jonathan Magbie's family pleaded with a Washington, D.C., judge to allow him to serve a 10-day sentence for marijuana possession at his home. The reason was that they believed Magbie, a quadriplegic since an accident at age 4, would need constant medical care that the jail was simply not equipped to provide.

But the judge was not swayed, and Magbie headed to the city's jail.

He died five days into his sentence.

Like Hilton, Magbie was a first-time offender.

His mother was heartbroken.

"I don't think he deserved to die because he admitted to smoking marijuana," Mary Scott told ABC News the year after her son's death.

And the question persists: Are there degrees of justice in America?