

# Bear spray attacker gets maximum sentences

**Ken Levy**

TVN staff

A repeat felon who admitted in court Tuesday of spraying bear spray at point-blank range into his partner's face got the maximum jail time and other punishments for his offenses from Judge Gregory Moeller.

Darrell Scott Brown, 45, who said he's had a serious issue with methamphetamine, entered into a plea agreement with Teton County Prosecutors in December to have the



**Darrell Scott Brown**

aggravated battery charge related to the bear-spray attack reduced to a misdemeanor battery charge. Additional charges of grand theft and two counts of writing checks without sufficient funds, a felony, were reduced to a single count of the latter in the agreement.

On that charge, Moeller sentenced Brown to the maximum three years in prison, with a fixed sentence of 1.5 years and the balance indeterminate, along with a

\$500 fine. On the battery charge, Moeller sentenced the defendant to six months jail plus \$1,000 in fines, the maximum allowed by law. The sentences are to be served consecutively.

Brown still has to finish time he's serving in Teton County on an unrelated matter. He has about a month left on that sentence.

Moeller said he had to deter Brown, but a lesser sentence is not going to do that.

"Deterrence is going to require something that's going to get your attention. I

also have to deter the public, and send a message on whether [a bear spray attack] will be tolerated. This was a very violent act not acceptable in this court."

Brown will also have to pay \$750 for his court-appointed attorney, additional court costs, pay into the victim relief fund and pay full restitution — as yet undetermined — to the victims of the check-writing felony, and to have no contact with the bear-spray attack victim.

"This isn't your first rodeo, Mr. Brown," Moeller said. Given his prior record, prison

**Brown** continued on A12

was the most appropriate sentence, he said.

Chris Lundberg, assistant prosecutor for the Teton County Prosecutors Office, said Brown's record goes back to 1985, and demonstrates deep-seated issues that need to be addressed.

Lundberg's recommendations included the court retaining jurisdiction because "people have been victimized over and over and over again by Mr. Brown"

"He has demons, methamphetamine," Eddins said. His prior convictions were mostly in California, and those were taken care of, and when he came to Idaho in 2010 he was clean and sober "but had a

relapse."

A bad relationship, the meth and financial struggles led to his writing bad checks to buy gas and food, he said.

"I can make better choices now," said Brown. "Being 46 offers me a vaster tool of life experiences" to move forward and be helpful to society.

But Moeller asked whether the court shouldn't hold an older defendant more accountable.

Brown, who has master's degrees in psychology and nursing, said that "clinical data show that maturation stops when [someone] starts using. I started using

at 17. For all intents and purposes, my maturation is at 17 years old."

Brown said he was never afforded treatment for his methamphetamine and other issues in California because he was "able to function."

Moeller assured him that, regardless of what California does, Brown will get treatment for his issues while in jail.

"You're lucky you weren't charged as a persistent violator," said Moeller. Brown's record indicated he was a likely candidate for that, which carries a minimum sentence of five years in jail and a maximum of life in prison.

## **TVN en Español**

*Un delincuente que repitió los crímenes admitió en el corte el martes de rociar spray de oso a quemarropa en la cara de su compañero consiguió de juez Gregory Moeller el tiempo máximo de cárcel y otros castigos por sus ofensas. Darrell Scott Brown, 45, quien dijo que ha tenido un problema grave con la metanfetamina, entró en un acuerdo con los fiscales de Condado de Teton en diciembre. La carga de la batería agravada relacionada con el ataque de oso-spray se redujo a un delito menor. Cargos adicionales de gran robo y dos cargos por cheques sin fondos suficientes, un delito grave, se redujeron a una carga.*