

[Update] Harvey Weinstein Found Guilty Of Two Counts Of Rape & Sexual Assault

 gothamist.com/news/harvey-weinstein-found-guilty

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Harvey Weinstein has been found guilty of two counts of rape and sexual assault in his rape trial. After a week of deliberations, the seven-man, five-woman jury found Weinstein guilty of a criminal sexual act in the first degree against Miriam Haley, and rape in the third degree against Jessica Mann.

A criminal sexual act in the first-degree carries a minimum sentence of 5 years in prison and a maximum of 25; third-degree rape carries a maximum sentence of four. Weinstein has been remanded straight to jail to await sentencing on March 11th.

Weinstein was found not guilty of the two highest charges: predatory sexual assault in connection to the accusations by both women and actress Annabella Sciorra. Those charges carried a life sentence.

"Rape is rape whether it's committed by a stranger in a dark alley or an intimate partner in a working relationship," Manhattan DA Cy Vance said at a press conference this afternoon. "It's rape despite the complicated dynamics of power. It's rape even if there is no physical evidence and it happened a long time ago."

"Weinstein did everything he could to silence the survivors," he added. "You broke silence to hold him accountable." He added that Weinstein will face a prison sentence of no less than five years and max sentence of 25 years.

Weinstein, 67, had been charged with five counts of rape, criminal sexual act, and predatory sexual assault, stemming from accusations by Mann and Haley (formerly Haley). During the six-week trial, both women testified, along with four other women, including Sciorra; some of them were called as "prior bad acts" witnesses to help prosecutors prove Weinstein had an alleged pattern as a serial predator.

Haley, a former *Project Runway* production assistant, had testified that Weinstein forcibly performed oral sex on her in 2006. She also said that he called her a "bitch" and a "whore" while he raped her. Mann, a former actress, testified that Weinstein engaged in forced oral sex and raped her in 2013. During her testimony, she described Weinstein's genitalia in detail, and claimed he appears "intersex."

Sciorra, who starred in *The Sopranos*, testified that Weinstein raped her in the early 1990s after showing up to her apartment unannounced. "My body shut down," she said. "It was so disgusting my body started to shake in a way that was unusual. It was like a seizure or something." Weinstein did not face a rape charge for the alleged attack on Sciorra because of the statute of limitations, but her testimony was presented to support the predatory sexual assault charges, which requires serious sex crimes against at least two victims.

Aspiring actress Dawn Dunning testified that Weinstein sexually assaulted her in the mid-2000s, sticking his hand up her skirt during a business meeting and then propositioning her for a threesome, in exchange for roles in his movies. Another aspiring actress and model, Tarale Wulff, testified that Weinstein masturbated in front of her at her place of work, and held her down and raped her on another occasion. Lauren Young, also an aspiring actress, claimed Weinstein trapped her in a bathroom, groped her breast and masturbated in front of her. None of them could press charges due to the statute of limitations.

Weinstein's defense attorneys argued that the sexual encounters with all the women were consensual; they argued that both Haley and Mann had sex with Weinstein after the alleged attacks, and continued to have friendly contact with him for years afterward.

The trial was beset with attempts by the defense to get it moved out of Manhattan, or to get Judge James Burke kicked off the case. Right when jury deliberations began on Tuesday, Burke placed a gag order on Weinstein's defense team until the verdict was read, after defense lawyer Donna Rotunno wrote an op-ed in Newsweek magazine. Assistant District Attorney Joan Illuzzi-Orbon said Rotunno spoke directly to the jury, which she called "completely 100 percent inappropriate behavior. It borders on tampering with a jury...it was in direct violation of your direct orders."

On Friday, the jury sent a note to the judge indicating that they are deadlocked on the two most serious charges.

BREAKING: A New York jury has found Harvey Weinstein guilty on two counts - criminal sexual act in the first degree and rape in the third degree.

The following is a statement in response from 23 #Silencebreakers:
pic.twitter.com/fXtoZ3Evzc

— TIME'S UP (@TIMESUPNOW) February 24, 2020

Douglas H. Wigdor and Kevin Mintzer, attorneys who represent multiple alleged victims of Weinstein, said in a statement: "While we cannot undo the harm that Weinstein has caused to so many victims, hopefully today can bring about some sense of healing. We are thrilled that the jury has found Weinstein guilty and are confident that our client Tarale Wulff played a significant role in that outcome. All of the survivors who participated in the criminal trial

should be applauded for bringing about some sense of justice...We are now even more confident that Weinstein and his enablers will be found liable in the civil courts and we will continue to object to the one-sided civil settlement that has been proposed."

Ambra Gutierrez, a former model who participated in a police sting to prove Weinstein groped her in 2015, talked about the verdict outside of court today:

.@AmbraBattilana reacts outside the courtroom following Weinstein verdict.
pic.twitter.com/sRI2mIpz1J

— Gwynne Hogan (@GwynneFitz) February 24, 2020

Rotunno told reporters that Weinstein's attorneys plan to appeal his conviction "immediately." She added, "Harvey's unbelievably strong. He took it like a man."

His other attorney, Arthur Aidala, echoed that: "The words he said over and over again to me is, 'I'm innocent, I'm innocent, I'm innocent. How could this happen in America?'" he told Variety and other reporters outside the courthouse.

Weinstein has also been charged in Los Angeles with one felony count each of forcible rape, forcible oral copulation, sexual penetration by use of force and sexual battery by restraint. He faces up to 28 years in prison if convicted.