

Harvey Weinstein Sentenced To 23 Years In Prison As Rape Accusers Fill Two Rows In Courtroom

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Harvey Weinstein, his handcuffs temporarily removed and likening himself to Hollywood's blacklisted Dalton Trumbo, was sentenced to 23 years in prison today, with New York Supreme Court Judge James Burke dismissing pleas from the former Hollywood mogul and newly convicted rapist for the minimum five-year hitch.

The judge delivered the sentence to a packed courtroom, with accusers who testified during the trial — Jessica Mann, Miriam “Mimi” Haley, Annabella Sciorra, Tarale Wulff, Lauren Young, and Dawn Dunning — filling the first two rows of the courtroom. They, along with supporter and witness Rosie Perez and attorney Gloria Allred, entered the courtroom as a group, prior to Weinstein's arrival.

“The sentence just handed down by this court was obscene,” Weinstein's attorney Donna Rotunno told reporters outside the courthouse. “That number was obnoxious. There are murderers who will get out of court (sic) faster than Harvey Weinstein will. That number spoke to the pressure of movements and the public. That number did not speak to evidence, nor did it speak to justice. I am overcome with anger at that number. I think that number is a cowardly number to give. I think the judge caved, just as I believe the jury caved, and I am not happy.”

Weinstein left the courtroom immediately after the sentence was handed down.

Before the sentence was read, Weinstein's accusers and a courtroom packed with reporters witnessed — if not always heard — a remarkable, long and rambling monologue of self-defense and self-justification delivered in a low, rumbling, sometimes inaudible voice by the man about to be sent to prison. “I really feel remorse in this situation,” Weinstein said at one point. But he also bemoaned the state of a country in which “thousands” of men and women are losing due process for behavior about which “they are confused.” He said: “I'm totally confused. I think men are confused about all of this.”

Judge Burke expressed no such confusion, saying that although Weinstein's recent conviction was the ex-mogul's first, it was not his first offense. He ordered Weinstein to register as a sex offender, then passed a sentence of 20 years in prison for Weinstein's conviction on first-degree sexual assault and three years for third-degree rape, to be served consecutively.

Harvey Weinstein's 23-Year Prison Sentence Gives "Hope To Survivors Of Sexual Violence," Say Manhattan D.A

Before Weinstein's statement, lead prosecutor Joan Illuzzi read a lengthy plea requesting the maximum sentence and consecutive sentences. In a dramatic she quoted people who knew or worked with Weinstein, offering brief descriptions of Weinstein they provided: *He is the devil. A liar. Very bad temper. Bragged that he would kill people. Power addict, Extremely temperamental. Predatory behavior. Gets off asserting power. Overwhelmingly ruined my life and my career. Temper would get worse and worse as he became more famous. Brutal and vicious. Working with him was a nightmare. Frightening being around him. He is a rapist. A screaming bully. He told me he would kill me and my entire family* ("this was a young assistant, by the way," said Illuzzi). *Seemed sociopathic. Joy in demeaning people, he was a monster.*

Weinstein later countered the comments by noting his friends and supporters who were afraid to testify for fear of losing their industry jobs, as well as the beneficiaries of charitable works he spearheaded after 9/11 and Hurricane Sandy. "Ask the guy in Coney Island, ask the guy in Far Rockaway," Weinstein said. "He lost his business and we walked in there and were able to save his business."

In her victim impact statement, Haley described attending her first professional meeting with Weinstein feeling elated about her career prospects, only to leave the meeting "in tears, feeling humiliated and depleted" after Weinstein asked for a massage and crudely commented on her appearance. Still, she said, she was grateful for the job he subsequently offered, and when she agreed to meet him again had "no reason to believe he would force an act of sexual violence on me."

Her sexual assault by Weinstein, Haley said, affected her "mentally and emotionally, perhaps forever." She added that the assault "diminished my confidence and faith in people and confidence and faith in myself."

In beseeching Judge Burke to order Weinstein to serve a maximum sentence, Haley said, "There are women out there who are safer because he is not out there."

Mann's impact statement detailed the helplessness she felt during her rape and thereafter, Weinstein's physical threats against her ailing, elderly father, and the many years that Weinstein was enabled by protectors who believed his movies were "too valuable a commodity" to risk. "My rape was preventable," she said.

Rape, Mann said, "is not for the moment of penetration, it is forever, the impact is for a lifetime."

Weinstein's defense attorneys also addressed the court, pointing out once again and among other things Weinstein's history of charitable works, his professional accomplishments

("He's been thanked by everyone from Meryl Streep to Martin Scorsese for their careers", "he's tied with God in the number of thanks he's had at awards"), "more than 80-plus Oscars, and that is not a small feat," his "multitude of medical issues," his age (68), discrepancies in the pre-sentence witness statements and their courtroom testimony and examples of minimum sentences handed down in other rape cases.

Rotunno asked that the judge take into account Weinstein's family (three grown daughters, two younger children ages 6 and 9). Rotunno said that while the prosecution painted Weinstein as someone who "has it all – fame and fortune and money and the world at this fingertips," that life also carries intense scrutiny and public evaluation "as you can hear by the keyboards clicking behind me." She indicated that such scrutiny made an impact.

The sentencing followed two emotionally raw victim impact statements from Mann and, the two women whose allegations of rape and sexual assault, respectively, were the core of Weinstein's trial and the source of his two felony convictions.

Weinstein was convicted of a first-degree criminal sexual act for forcibly performing oral sex on Haley, a former *Project Runway* production assistant, in 2006 at the then-producer's Soho apartment. The crime carried a possible sentence of four-25 years in prison.

The third-degree rape conviction involved an assault against former hairstylist and aspiring actress Mann, who said Weinstein raped her on March 18, 2013 at the DoubleTree Hotel in Midtown Manhattan. The crime, which indicates sexual intercourse without consent, carries a potential sentence of up to four years in prison. A first-degree conviction would have required the use of physical force or the threat of death or physical injury, which Mann did not allege.

Even with the emotional statements made by the women – sometimes interrupted by their tears – Weinstein's stream-of-consciousness speech stood out for sheer surprise. At one point, as Weinstein seemed to ramble about his recent hospital stay, hiding years of unfaithful behavior from his two wives, and how he wanted to testify during his trial, the convicted rapist was halted by his attorney Arthur Aidala. When Aidala rested his hand on Weinstein's shoulder and whispered something to his client, Weinstein said aloud, "I lost my train of thought."

Weinstein began his address by expressing his accusers, saying, "To all the women who testified, we may have different truths, but I have great remorse for all of you."

"I was the first and now thousands of men are accused," he said. "I think none of us understood the impact." He said he believed that he had "serious friendships" with Mann and Haley, noting the favors he did for them and the "missing you, hugging you" emails he received from them.

"I'm not going to say these aren't great people," he said of Mann and Haley. "I had wonderful times with these people."

At one point, Weinstein seemed to compare the current #MeToo era with the Hollywood communist blacklist of the 1950s, name-dropping screenwriter Dalton Trumbo.

He then segued to the issue of his previous status in the film industry, downplaying his "power."

"I wasn't about power," he said. "I was about making great movies." He insisted that Miramax "at the height of its fame" was smaller than major studios such as Disney and Paramount. "I had no great powers in this industry," he insisted. "I couldn't blackball anybody."

Weinstein then expressed regret over his family affairs, saying that he has not had contact with his three adult daughters since the publication of The New Yorker and New York Times articles that exposed his abuses. "That, for me, is hell on earth," he said.

Weinstein also spoke of his two younger children, expressing his fears that he "may never see my children again."

"If I could do it over I would care less about movies and more about my children, my family and others in my life," he said.

At his trial last month, Weinstein was acquitted on two charges of predatory sexual assault, which carry possible life sentences. Those charges involved allegations by actress Annabella Sciorra that she was raped by Weinstein in her Gramercy Park apartment during the winter of 1993-1994; a Weinstein juror later said in an interview that the alleged 27-year-old incident was not proven beyond a reasonable doubt.

Weinstein has been an inmate of Rikers Island's North Infirmery Command since March 5. His arrival there followed a 10-day stay at New York's Bellevue Hospital where he underwent minor surgery – a stent implant – for a heart ailment.

With the sentencing in New York behind him, Weinstein now faces multiple felony counts in Los Angeles for allegedly raping one woman and sexually assaulting another in separate incidents over a two-day period in 2013.

Immediately following the Feb. 24 conviction, one of Weinstein's defense attorneys, Arthur Aidala, told reporters that grounds for an appeal were so strong that "four great appellate judges would overturn this case in five minutes." The attorney insisted that Weinstein had been the target of "a calculated campaign" since 2017, and that "the jury felt that pressure."

On Monday, Aidala along with co-counsel Rotunno and Damon Cheronis made a formal request to Judge Burke that Weinstein be sentenced to the minimum five years. They cited Weinstein's age of 68 and his ill health in asserting that "any additional term of imprisonment above the mandatory minimum – although the grave reality is that Mr. Weinstein may not even outlive that term – is likely to constitute a de facto life sentence."

The defense attorneys also insisted that Weinstein's trial "did not fairly portray who he is as a person," and that his many charitable works, his "first-time offender" status and his "life story, his accomplishments, and struggles are simply remarkable and should not be disregarded in total because of the jury's verdict."

The Manhattan District Attorney's office has argued the opposite. In an 11-page letter to Judge Burke, lead prosecutor Illuzzi urged the court to impose "a sentence that reflects the seriousness of defendant's offenses, his total lack of remorse for the harm he has caused, and the need to deter him and others from engaging in further criminal conduct."

Though the New York trial involved criminal charges stemming only from the Mann, Haley and Sciorra cases, three other accusers – Dunning, Wulff and Young – testified as Molineux witnesses about their alleged past abuse by Weinstein. Molineux witnesses can be used to bolster the cases of the named accusers, but are not permitted to submit victim impact statements to the court.

One of the Molineux witnesses, Tarale Wulff, published an open letter on Medium yesterday. Wulff, who said she intends to be present at the sentencing today, wrote, "As I was not one of the named victims in this trial, I am not permitted under the laws of New York to give a victim impact statement. It is important for me, however, that my voice is heard.

"After I was raped by Weinstein in 2005, I was confused," she continued. "Why didn't I scream? Why didn't I fight? I thought I was stronger and I hated myself for being weak. That self-hate turned into shame and guilt. Shame that I never should have felt and guilt that was not mine to own. I didn't know that at the time. I didn't realize it for 12 more years."

In the open letter, Wulff expressed her hope "that Judge Burke will hold Weinstein accountable by imposing a prison sentence that reflects what he has done to us and knowing that whatever sentence he renders, it will never undo what has happened. Those events will continue to haunt me and the other survivors for the rest of our lives."

Today's sentencing also follows a dirty laundry mega-dump late on March 9 with the unsealing of thousands of pages of documents related to the Weinstein investigation. The unvarnished case files revealed self-pitying PR statements that were never released as well

as Weinstein's Red Flag enemies list including Ben Affleck and Megan Ellison. There's also a particularly asinine email from October 31, 2017 ranting about how "Jen Aniston should be killed" because of a never published National Enquirer story accusing Weinstein of groping the *Friends* actress, a claim that reps for *The Morning Show* star say she never made.

Additionally, the now public files detail correspondence with the likes of Amazon founder Jeff Bezos, Apple boss Tim Cook, Netflix's Ted Sarandos and a pre-presidential candidate Michael Bloomberg, with Weinstein begging for help from his powerful friends to thwart the eventually successful move of The Weinstein Company board to toss him. "If you could write this letter backing me getting the help and time away I need and also stating your opposition to the board firing me, it would help me a lot," the once powerful movie mogul pleads on October 8, 2017, a mere three days after the initial *New York Times* expose that began Weinstein sudden downfall. "With all due respect, I need the letter today if you can — I so appreciate it," the form letter to power brokers asked.

The latest well-timed drop of investigation files covered more than friends too. "U have been a sexual predator and abusive person for over fourty [*sic*] years," brother Bob Weinstein wrote to his sex addiction rehabbing brother on November 2, 2017. "F*ck u Harvey Weinstein. I pray there is a real hell. That's where u belong."

Dominic Patten contributed to this report