

'No stopping this movement now': Even with split verdict, Weinstein accusers say it's a win

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When a New York jury Monday found Harvey Weinstein guilty of two out of five charges in his rape trial, his stunned accusers started sending rapid-fire group texts.

"Holy s---," one text read. "I'm shaking," read another, according to Louise Godbold, who used to work in commercial production and has alleged that Weinstein attacked her twice in 1991.

It was a day many of Weinstein's dozens of accusers never thought would come: "That this case got to trial at all, considering the massive clout that Harvey had and the years of blackmailing and paying people off to make sure this never happened, I think that shows that he is no longer invincible," Godbold said.

And although Weinstein was not found guilty of all the counts he was charged with, his accusers consider his partial conviction a victory.

"It validates our experience, the harm that was done to us, everything we've been through," said Caitlin Dulany, an actress who has said Weinstein sexually assaulted her in a hotel room during the 1996 Cannes Film Festival. "Any jail sentence is a reckoning for Harvey Weinstein and absolutely speaks to the crimes he's committed and the damage he's done to the lives and careers of so many women."

Weinstein has denied all allegations of nonconsensual sex and pleaded not guilty in his trial, which was based primarily on allegations from two women: former "Project Runway" production assistant Mimi Haley, who says Weinstein forced oral sex on her in 2006, and then-aspiring actress Jessica Mann, who says Weinstein raped her in 2013.

The jury found Weinstein guilty of third-degree rape of Mann and guilty of one count of first-degree criminal sexual act against Haley. Jurors also weighed testimony from actress Annabella Sciorra, who accused Weinstein of rape in the 1990s — an allegation that had fallen outside of the statute of limitations, but that prosecutors had presented to bolster their case that he was a serial sexual predator.

Weinstein was acquitted of the most serious criminal charges he faced — two counts of predatory sexual assault, each of which carried a sentence of up to life in prison — and a count of first-degree rape of Mann.

During the five days that jurors deliberated, many of Weinstein's accusers felt overwhelmed with anxiety, unable to sleep or concentrate on anything else. They worried jurors would be swayed by Weinstein's defense attorneys, who during the trial presented victims' interactions with the Hollywood titan as choices made to benefit their own careers.

"The fact that the jury saw through all of that to convict him on those two counts really shows that maybe we've turned a corner in our legal system," said Lauren Sivan, a Los Angeles-based freelance journalist who says Weinstein masturbated in front of her in a empty restaurant he owned in Manhattan more than a decade ago. "These women really sacrificed a lot to go up there on the stand and to go forward with these charges."

Still, the three counts that Weinstein was acquitted of frustrated his accusers.

"I feel predatory assault was his typical behavior, so the fact that it wasn't found guilty in a criminal case, I think there's still probably more evidence of those tactics," said Dominique Huett, an actress and model who is suing the Weinstein Co. for its alleged awareness of Weinstein's years of misconduct. The status of the case is pending.

Godbold agreed.

"This shows the flaws in our criminal justice system, if 100 women have come forward and they can't get him on predatory," she said.

The case was closely watched by #MeToo advocates. Actress and activist Alyssa Milano, who sent the tweet in 2017 that turned the hashtag into a rallying cry by revealing how prevalent sexual assault and harassment are, wrote in a text to NBC News after the verdict, "With the cards historically stacked against survivors in our existing legal system, this is a win for survivors everywhere, and a testament to the progress our movement has made."

The split verdict shows that more needs to be done, though, to clear up misconceptions about sexual misconduct, said Laura Palumbo, communications director for the National Sexual Violence Resource Center.

"Some accountability is of course better than no accountability, but we are disappointed that justice was not served for all the survivors who came forward," she said.

Weinstein is scheduled to face a separate trial in Los Angeles, where he is charged with raping one woman and sexually assaulting another in separate incidents in 2013. He has not yet entered a plea in that case but he has denied all accusations of nonconsensual sexual activity.

Dulany said even without a guilty verdict on the predatory sexual assault counts, she was "thrilled" by jurors' recognition of the harm Weinstein did to both of the accusers central to the New York trial.

"The fact that he was convicted of harming both Mimi and Jessica speaks to the fact that he is a predator," Dulany said. "He was found guilty of harming both of the women. That makes him a repeat offender."

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Arthur Aidala, one of Weinstein's attorneys, told reporters outside the courthouse that Weinstein plans to appeal the verdict.

Dulany added that she thought Monday's verdict would embolden other survivors of sexual assault and harassment to come forward in the future.

"There is no stopping this movement now," Dulany said. "With the guilty verdict, I think women will understand that they can be heard in court, that their voice matters, and that they can see justice for the crimes against them."