

Harvey Weinstein guilty of 3rd degree rape, taken to Bellevue Hospital instead of Rikers

 [usatoday.com/story/entertainment/celebrities/2020/02/24/harvey-weinstein-verdict-guilty-2-charges-not-](https://www.usatoday.com/story/entertainment/celebrities/2020/02/24/harvey-weinstein-verdict-guilty-2-charges-not-)

NEW YORK – Harvey Weinstein, the movie mogul whose sexual misconduct jump-started the #MeToo movement, was convicted of two sex crimes after a historic weeks-long trial featuring graphic testimony from six tearful accusers. Weinstein was found guilty of criminal sexual act in the first degree related to accuser Miriam "Mimi" Haley and rape in the third degree related to accuser Jessica Mann.

Weinstein was immediately handcuffed and taken into custody. His lawyers initially said he would be taken to an infirmary unit at Rikers Island, New York's main jail complex in the East River, for medical supervision. But his ambulance was rerouted to Bellevue Hospital, rep Juda Engelmayer confirmed to USA TODAY.

His lawyer, Donna Rotunno, told USA TODAY it was for high blood pressure. "He's fine," she said. Engelmayer confirmed to USA TODAY Weinstein remained at Bellevue overnight and was still there as of early Tuesday morning.

Weinstein is scheduled to be sentenced March 11.

Earlier, Rotunno and fellow Weinstein lawyer Arthur Aidala told reporters outside the courthouse that they planned to appeal. "As sure as I am bald," Aidala declared.

The split verdict was rendered during the fifth day of deliberations by a jury of seven men and five women who deliberated a total of more than 24 hours.

The verdict was a partial win for the prosecution: Weinstein escaped the two most serious charges of predatory sexual assault, plus one charge of rape in the first degree, which spared him the possibility of a sentence that included life in prison.

Manhattan District Attorney Cyrus Vance Jr. hailed the verdict as a win and a "good day" for sexual assault survivors, labeling Weinstein as a "vicious serial sexual predator." He said Weinstein faces a prison sentence of at least five years and possibly as long as 25 years. He especially praised the accusers who testified for their bravery and for enduring challenging cross-examination.

Vance said he was "not dissatisfied" with the verdict despite not convicting Weinstein on the most serious counts. He said sex-crime cases are difficult and complicated but the trial outcome suggests accusers have greater hope that their allegations will be believed.

"Rape is rape and assault is assault, whether it's committed by a stranger in a dark alley or a domestic partner in a working relationship," Vance said at a news conference following the verdict.

Tarana Burke, the woman who created the #MeToo hashtag and helped found the movement, issued a statement praising the verdict and condemning "unjust laws."

"Today, a jury confirmed what we all know: Harvey Weinstein committed sexual assault," her statement said. "This jury worked with an incredibly narrow and unjust set of laws governing sexual assault, and though he was not convicted on all counts, Harvey Weinstein will have to answer for his crimes."

Weinstein's mouth was agape as the verdict was read, and his defense attorney Donna Rotunno shook her head. The jury reached the verdict around 11:30 a.m. ET Monday.

During the trial (Monday was the 23rd day) each of the six accusers testified, sometimes for hours, and cried often as they recounted in graphic detail what they said Weinstein did to them, described the appearance of his body and genitals, his intimidating bulk and trigger temper.

Two accusers quoted him saying shocking or outrageous things, testifying that he told them the way to get ahead in Hollywood is to trade sexual favors and that A-list actresses had done the same.

Weinstein, 67, who was indicted in Manhattan in May 2018, was charged with five sex crimes, including rape and predatory sexual assault, involving two women: Haley, 42, who accused Weinstein of forcing oral sex on her in his New York apartment in July 2006, and Mann, 34, who accused Weinstein of raping her in a New York hotel room in March 2013.

He pleaded not guilty.

Weinstein has denied all allegations of nonconsensual sex since media exposés were published in October 2017. He has been accused by more than 80 women of sexual misconduct, ranging from harassment to rape, over decades and in multiple jurisdictions around the world.

Besides the two accusers whose allegations were central to the case, Weinstein's trial also featured testimony from four other accusers who testified that Weinstein sexually assaulted them in New York or California as far back as 1993 and as recently as 2013.

Three of these women, Dawn Dunning, 40, Tarale Wulff, 43, and Lauren Young, 30, were the "Molineux witnesses," whose accusations were either too old or out of jurisdiction to prosecute but were intended to help prosecutors prove that Weinstein was a serial predator with a recognizable pattern.

A fourth witness, "Sopranos" star Annabella Sciorra, 59, who testified that Weinstein raped her in her New York apartment in the winter of 1993-94, was intended to help bolster the prosecution's argument about the "predatory" nature of Weinstein's behavior, thus enhancing his sentence if convicted.

The not-guilty verdict on those counts suggests the jury did not believe Sciorra's story, or that it was too old to believe beyond a reasonable doubt.

Gloria Allred, the women's rights attorney who represents three of the accusers at the trial, including Haley, said she was "very happy" with the verdict.

"The jury took its time, they asked thoughtful questions, and we thank them for their verdict," she told reporters outside the courthouse. "It was a carefully considered verdict which I believe is the just result. Harvey Weinstein will now have to face serious consequences for his criminal behavior."

Allred said Haley will submit a victim's impact statement at sentencing if she is available.

Scott Berkowitz, president of the Rape, Abuse & Incest National Network, the leading anti-sexual-violence organization, said he was "grateful" that Weinstein would be punished.

"We thank the survivors for their strength and resilience in the face of appalling treatment by the defense, which attempted to shift blame to anyone but Weinstein, the perpetrator," Berkowitz's statement said. "We hope that survivors everywhere will feel encouraged to come forward knowing that juries – and society – will believe them."

Initial reaction from some activists was tinged with some dismay.

"The split verdict in today's Weinstein trial speaks volumes about the complicated and difficult process that survivors face in seeking justice and holding abusers accountable," said Ebony Tucker, executive director of Raliance, another national organization dedicated to fighting sexual violence. "We stand with the women who came forward to share their story and are immensely disappointed that justice was not served for all of them."

Weinstein's reckoning with accusers is not over. He faces multiple civil suits from dozens of accusers; a proposed settlement in the civil cases is on hold and at least some of the plaintiffs have rejected it as not good enough in terms of either money or punishment.

"Weinstein may have been able to avoid testifying in the criminal trial, but he will not be afforded that right in his civil trials," said Douglas Wigdor, an attorney for civil plaintiffs who have rejected the proposed settlement. "I relish the day when I get to cross-examine him and ask him to answer for the wrongs he has committed against so many women."

More ominously, on the day the Weinstein trial opened on Jan. 6, prosecutors in Los Angeles County charged him with raping one woman and sexually assaulting another in separate incidents over two days in 2013.

He was charged with four sex crimes, including one felony count each of forcible rape, forcible oral copulation, sexual penetration by use of force and sexual battery by restraint.

The latter charge involves Young, who testified in New York as a Molineux witness. In Los Angeles she will be a complaining witness. She testified that in February 2013, Weinstein cornered her in a Beverly Hills hotel bathroom and masturbated while groping her.

The other complaining witness in Los Angeles is an Italian model whose name has not been disclosed.

The Los Angeles case is on hold – Weinstein has not yet been arraigned – until the New York case is resolved.