

# Harvey Weinstein gets 23-year prison sentence in his New York trial

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As soon as New York Supreme Court Judge James Burke said “20,” an audible gasp cut through the courtroom where Harvey Weinstein’s fate was being determined.

Tarale Wulff, who accused Weinstein of raping her in his Manhattan apartment in 2005, said she dropped her head to her hands as she realized what Burke was saying.

“I couldn’t believe what I was about to hear,” she told reporters later. “No one thought we’d be here today.”

For Wulff, the wait was 15 years. For others, it was longer. But accusations by more than 80 women in four countries came to a head Wednesday morning, when Weinstein was sentenced to 23 years in prison, potentially ensuring the former Hollywood titan will die as a resident of a New York state prison cell.

Weinstein, 67, was convicted last month of committing a criminal sexual act and third-degree rape. He faced a maximum of 29 years in prison. Burke handed down a 20-year sentence for a 2006 attack the mogul committed against former production assistant Mimi Haley. Weinstein must serve an additional three years in prison for raping aspiring actress Jessica Mann in a Manhattan hotel in 2013. The sentences will run consecutively.

The Miramax co-founder has denied all wrongdoing and plans to appeal.

“We thank the court for imposing a sentence that puts sexual predators and abusive partners in all segments of society on notice. We thank the survivors for their remarkable statements today and indescribable courage over the last two years,” Manhattan Dist. Atty. Cyrus Vance Jr. said in a statement. “Harvey Weinstein deployed nothing less than an army of spies to keep them silent. But they refused to be silent, and they were heard.”

Weinstein’s legal troubles may yet worsen. The Los Angeles County district attorney’s office said Wednesday that it would begin the process of extraditing him to California, where he is charged with multiple counts of sexual assault stemming from alleged attacks against two women in 2013. A court date in Los Angeles has not been set.

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Before he was sentenced, Weinstein spoke in court for the first time during the proceedings. He had declined to testify at trial, but Weinstein told Burke on Wednesday that

media scrutiny and the risk of earning scorn in Hollywood had actually silenced his defenders, not the victims.

“People losing their jobs over the fact that they testified for me,” he said, “or people being afraid they are going to lose their jobs, is not the right atmosphere for the United States of America.”

Sitting less than two miles from the site of the Sept. 11, 2001, terror attacks, Weinstein also reminded the gallery that he had led philanthropic efforts that raised millions of dollars for New York police and firefighters. He also downplayed his ability to use his Hollywood stature to silence his victims.

“I couldn’t blackball anybody,” he said, “cause if I said don’t use that actress, guys at Warner Bros. would have said, ‘I’m gonna use her just to spite that bastard.’”

Six women testified against Weinstein during the trial, describing interactions with him as both brutally violent and mentally draining. Mann, who said she had a consensual but abusive relationship with Weinstein that turned violent whenever she refused his advances, had to be helped from the stand and was led out of court sobbing in the midst of three days of marathon testimony last month.

Mann began her remarks at Wednesday’s proceedings by addressing that moment.

“The day my uncontrollable screams were heard from the witness room was the day my whole voice came back into my power,” she said, describing the howls as the cries she couldn’t make the day Weinstein attacked her.

Mann criticized Weinstein’s attorneys for trying to paint her relationship with him as “loving,” while imploring Burke to consider the long-term effects of Weinstein’s attack on her.

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“I live in a body that has become unsafe. ... The recurring nightmare of how I feel is just as real as the day it happened,” she said.

Haley said she “lived in fear and paranoia on a daily basis” after coming forward with accusations against Weinstein in 2017. She routinely suffered panic attacks, and a private investigator began questioning her friends after she came forward, she said.

In asking Burke to hand down the near-maximum sentence, the case’s lead prosecutor, Joan Illuzzi-Orbon, emphasized a narrative the prosecution sought to establish at every step of the trial: that Weinstein used his power first to entrap his victims and then to silence them.

“How did he use that power? He got drunk on the power,” she said. “He saw no authority

over him. No limit to what he could take. No desire he could not grant himself. The young, struggling dreamers were not even people to him.”

Weinstein was arrested and led into a New York City Police Department precinct in 2018. Prosecutors charged him with multiple counts of sexual assault involving Mann, Haley and actress Annabella Sciorra, who said Weinstein forced his way into her Manhattan apartment and assaulted her in the early 1990s.

Sciorra’s case was too old to prosecute on its own, but New York prosecutors used it as the basis for two counts of predatory sexual assault. If convicted of those counts, which would have required jurors to believe Weinstein raped Sciorra and either Mann or Haley, he would have faced a minimum of 25 years in prison and a maximum life sentence.

Weinstein was wheeled into court Wednesday morning wearing a light blue blazer and a white shirt, open at the collar. Over the course of the trial, he walked to and from court with the aid of a walker, the result of spinal decompression surgery last year. Shortly after Weinstein was convicted, his lead attorney, Donna Rotunno, told Burke that her client needed injections to prevent losing his eyesight. Weinstein was also hospitalized for heart palpitations the day the verdict came down, delaying his eventual trip to Rikers Island.

In an 11-page memo filed last week, prosecutors asked Burke to impose a sentence that would reflect the “total lack of remorse” Weinstein had shown for his crimes. The document outlined a litany of uncharged allegations against Weinstein, including 16 different claims of sexual assault and harassment, some of which were previously unknown.

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Weinstein’s attorneys pounced on the document in court Wednesday. Damon Cheronis asked Burke not to consider the memo, as it laid out allegations that hadn’t been scrutinized in court, marking a de facto due process violation for Weinstein. Burke seemingly agreed with that, though he appeared annoyed that three of Weinstein’s lawyers wanted to speak on their client’s behalf.

The defense team also argued that the average sentence for the top count Weinstein was convicted of was roughly 8 ½ years. Rotunno requested that Burke sentence her client to the minimum, given his deteriorating health and her assertion that no jury could be impartial given the years of intense media coverage around Weinstein.

“Mr. Weinstein came in with the forces of the media, the forces of the world, pushing against the chance to have a real, impartial, jury in this case,” she said.

After hearing Burke’s decision, Rotunno said she was “overcome with anger” and believed Burke had made up his mind long before Wednesday.

"I think it was very clear nothing we did or said today was going to make a difference," she said.

Illuzi-Orborn, the lead prosecutor, did not mince words about what fate she thought Weinstein deserved, reeling off a number of quotes from former employees and confidants of the mogul as if they were blurbs for an upcoming feature film.

Weinstein, Illuzi-Orborn said, had been described as a "frightening power addict," a liar and, bluntly, "the devil."