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N.Y. Appeals Court Overturns Harvey Weinstein Rape Conviction

The court ruled that the judge in the New York County trial prejudiced Weinstein with improper rulings, including allowing women to testify about allegations that were not part of the case.



Harvey Weinstein *ETIENNE LAURENT/POOL/AFP via Getty Images*

The New York state Court of Appeals has overturned Harvey Weinstein's 2020 rape conviction.

The court, in a 4-3 ruling, ruled that the judge in the New York County trial prejudiced Weinstein with improper rulings, including allowing women to testify about allegations that were not part of the case.

The court — the highest court in New York state's judicial system — ruled that a new trial must take place.

“Under our system of justice, the accused has a right to be held to account only for the crime charged and, thus, allegations of prior bad acts may not be admitted against them for the sole purpose of establishing their propensity for criminality. Nor may the prosecution use ‘prior convictions or proof of the prior commission of specific, criminal, vicious or immoral acts’ other than to impeach the accused’s credibility,” wrote Judge Jenny Rivera in her ruling. “It is our solemn duty to diligently guard these rights regardless of the crime charged, the reputation of the accused or the pressure to convict.”

In February of 2020, Weinstein was found guilty of criminal sexual assault in the first degree, based on the testimony of former *Project Runway* production assistant Miriam Haley, and rape in the third degree, based on the testimony of onetime aspiring actress Jessica Mann. He was acquitted on three other charges, and was sentenced to 23 years in prison.

“Defendant was convicted by a jury for various sexual crimes against three named complainants and, on appeal, claims that he was judged, not on the conduct for which he was indicted, but on irrelevant, prejudicial and untested allegations of prior bad acts,” Judge Rivera continued. “We conclude that the trial court erroneously admitted testimony of uncharged, alleged prior sexual acts against persons other than the complainants of the underlying crimes because that testimony served no material non-propensity purpose. The court compounded that error when it ruled that defendant, who had no criminal history, could be cross examined about those allegations as well as numerous allegations of misconduct that portrayed defendant in a highly prejudicial light. The synergistic effect of these errors was not harmless.”

Judge James Burke oversaw the 2020 trial.

Weinstein’s lawyer in the appellate case, Arthur Aidala, said, according to the Associated Press, “We all worked very hard and this is a tremendous victory for every criminal defendant in the state of New York.”

Douglas H. Wigdor, who represented eight of Weinstein’s accusers, including two Molineux witnesses at the New York criminal trial, called the decision “a major step back in holding those accountable for acts of sexual violence.”

“Courts routinely admit evidence of other uncharged acts where they assist juries in understanding issues concerning the modus operandi or scheme of the defendant,” Wigdor said. “The jury was instructed on the relevance of this testimony and overturning the verdict is tragic in that it will require the victims to endure yet another trial.”

Weinstein also went to trial in Los Angeles, where he was convicted in December 2022 of rape. That conviction means that Weinstein will remain in prison even if a new New York trial gets established.

In a statement, the group of Weinstein accusers who call themselves the Silence Breakers said, “The news today is not only disheartening, but it’s profoundly unjust. But this ruling does not diminish the validity of our experiences or our truth; it’s merely a setback. The man found guilty continues to serve time in a California prison. When survivors everywhere broke their silence in 2017, the world changed. We continue to stand strong and advocate for that change. We will continue to fight for justice for survivors everywhere.”

A spokesperson for the Manhattan D.A.’s office told *The Hollywood Reporter*: “We will do everything in our power to retry this case, and remain steadfast in our commitment to survivors of sexual assault.”

The convictions in New York and Los Angeles shut the door on Weinstein’s career as an entertainment titan. The film producer and Miramax co-founder was at one point arguably the most powerful man in Hollywood, rising from a concert promoter to a mogul.

At Miramax and later The Weinstein Company, which he founded with his brother Bob, the producer was responsible for a slew of critically acclaimed films and TV shows. A pair of investigative reports, from *The New York Times* and *The New Yorker*, however, explored years of abuse and sexual assault that Weinstein was ultimately found guilty of in both New York and Los Angeles.

In a stinging dissent, judge Madeline Singas argued that the ruling will have a corrosive impact on other crimes of sexual violence.

“With today’s decision, this Court continues to thwart the steady gains survivors of sexual violence have fought for in our criminal justice system,” Singas wrote. “Forgotten are the women who bear the psychological trauma of sexual violence and the scars of testifying again, and again. This erosion of precedent, born from a refusal to accept that crimes of sexual violence are far more nuanced and complex than other crimes, comes at the expense and safety of women.”

The ruling Thursday means that the charges in New York will go back to square one.

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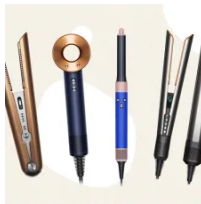
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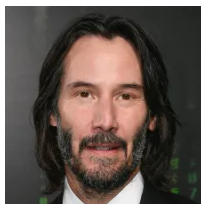
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