

Harvey Weinstein's 2020 rape conviction overturned by New York appeals court

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U.S.

Harvey Weinstein's 2020 conviction on rape charges has been overturned by the State of New York Court of Appeals, which ordered a new trial.

In the 2020 trial, Weinstein was found guilty of rape in the third degree for sexually assaulting an actress in 2013 and of committing a criminal sex act by forcing oral sex on a former production assistant in 2006. Weinstein was sentenced to 23 years in prison.

The court found that the judge who presided over the disgraced movie mogul's case had made a mistake by allowing prosecutors to call witnesses whose accusations were not part of the charges against him, according to the 4-3 decision. The text of the decision was released Thursday morning.

The decision to have women who were not part of the charges against Weinstein testify was made "erroneously" by the lower court, the appeals court said. The error was "compounded" when the lower court ruled that Weinstein could be cross-examined about those allegations.

The appeals court said these decisions diminished Weinstein's character before a jury.

Because prosecutors may not use "prior convictions or proof of the prior commission of specific, criminal, vicious or immoral acts" to establish a person's criminality, the decision to have alleged victims whose claims were not part of the charges against Weinstein meant that he was judged "on irrelevant, prejudicial, and untested allegations of prior bad acts," according to the appeals court.

Lawyer Douglas H. Wigdor, who has represented eight Weinstein accusers, including two of the witnesses in the New York trial, called Thursday's 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 intent, 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."

Manhattan prosecutors will now have to decide if they want to retry Weinstein, now 72.

"We will do everything in our power to retry this case, and remain steadfast in our commitment to survivors of sexual assault," a spokesperson for Manhattan District Attorney Alvin Bragg said just minutes after the appeals court decision was announced. Bragg was not in office during Weinstein's prosecution in the case.

The trial came after media reports began to surface in late 2017 of misconduct accusations against Weinstein, and dozens of women came forward and accused him of sexual assault. The scandal was a major spark for the #MeToo movement.

In a separate trial in Los Angeles, jurors found Weinstein guilty of one count of rape and two counts of sexual assault against an Italian model and actor during a 2013 film festival. He has been sentenced to 16 years in prison for those charges, which he was expected to serve after his New York sentence.

Two charges of indecent assault against Weinstein have also been authorized in the United Kingdom.

In January 2024, a woman filed a lawsuit accusing Weinstein and Madison Square Garden Entertainment CEO James Dolan of sexual assault. Dolan was also accused of trafficking. Both men have denied the allegations.

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