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**STATEMENT OF ATTORNEY GLORIA ALLRED REGARDING THE APPEAL OF
HARVEY WEINSTEIN FROM HIS CRIMINAL CONVICTIONS IN NEW YORK**

Today Harvey Weinstein filed his appeal from his criminal convictions in New York. He filed his brief with the New York Supreme Court, Appellate Division – First Department. Among the brief’s many contentions is that Harvey Weinstein’s sexual conduct with Mimi Haley was consensual.

I represent Mimi Haley. Mr. Weinstein was convicted by a jury of criminal sexual assault of Ms. Haley for which he was sentenced to 20 years in prison. Obviously, the jury did not agree with the argument made by Mr. Weinstein that his sexual interaction with Ms. Haley was consensual. Had the jury agreed, they would not have convicted Mr. Weinstein of this serious felony.

Mr. Weinstein, in his appeal, also argues that the prosecution’s Molineaux witnesses should not have been permitted to testify. The prosecution called these witnesses (in other states sometimes called “prior bad act witnesses”) to prove a common plan, scheme or design by the defendant. Mr. Weinstein, however, contends that their testimony should have been excluded because, he argues, their testimony was introduced to prove that Mr. Weinstein had a propensity to engage in the conduct for which he faced charges.

I disagree. I represented two of those Molineaux witnesses, and I agree with the trial court's decision to allow them to testify. I believe that the jury was very careful and scrutinized the evidence of Mr. Weinstein's common plan and scheme, not his propensity to engage in some such conduct, and that is why they decided to convict him.

Further, Mr. Weinstein's brief criticizes the trial court's decision to allow the prosecution's expert, Dr. Ziv, to testify concerning "rape myths." I think that Dr. Ziv's testimony was very important and allowed the jury to understand that many preconceived notions about what rape and sexual assault victims do after they become the victims of gender violence are myths, and not the reality.

Mr. Weinstein's brief appears to encourage the Appellate Division to act as a "thirteenth juror" to reverse the conviction of Mr. Weinstein for the criminal sexual assault that he inflicted on Mimi. Mr. Weinstein's legal team argues that a new trial should be ordered in reference to this conviction. I disagree. The jury has spoken, and I believe that this conviction should not be reversed.

Finally, Mr. Weinstein argues that the sentence imposed upon him was unduly harsh and excessive. I disagree. Although Mr. Weinstein was ordered to serve a lengthy prison term (20 years) for his conviction of criminal sexual assault, I believe that this punishment fits the crime and that it also fits the defendant ordered to serve it.

Mimi was very courageous to have testified publicly as a witness in this criminal case. I hope that the judgment against Mr. Weinstein will stand and that his request for a new trial on the issue of criminal sexual assault of Mimi will not be ordered.

ATTORNEY GLORIA ALLRED

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