

# Harvey Weinstein's attorney says she's 'sickened' by the verdict and blames 'public pressure' for the jurors' decision

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**Harvey Weinstein's lead attorney Donna Rotunno exits NY Criminal court. On the fifth day of jury deliberations Harvey Weinstein, the former Hollywood producer was found guilty of third degree rape which carries between 5 to 25 years in prison.** John Lamparski / Echoes Wire/Barcroft Media via Getty Images

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- Harvey Weinstein’s attorney told Insider she’s “sickened” by the verdict against her client and denounced the public pressure she believed the jury faced.
- She said she didn’t believe the jurors felt that they could “go back to their own lives and be the people that said ‘not guilty on all counts.’”
- Weinstein was convicted of the 2006 sexual assault of Mimi Haley and the 2013 rape of Jessica Mann.
- Rotunno’s team intends to appeal the conviction, and will likely bring up previous disputes in court over the trial’s location, their efforts to remove one of the jurors, and a complicated verdict sheet that may have confused the jury.
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Harvey Weinstein’s lead attorney, Donna Rotunno, said she’s disappointed by Monday’s verdict convicting her client of sexual assault and rape and thinks it was likely impossible for the Hollywood mogul to get a fair trial in New York City.

“I’m sickened by it,” she told Insider. “Whatever you think of Harvey Weinstein, whatever you think of rape victims, whatever you think of the system – the evidence in this case did not support that finding.”

Weinstein was convicted on one count of criminal sexual act for forcing oral sex on the former production assistant Mimi Haley in 2006, and one count of third-degree rape against the hairstylist Jessica Mann in 2013.

Rotunno’s team fruitlessly tried throughout the trial to prove to jurors that the encounters between Weinstein and the women were consensual, digging up a trove of evidence showing the women pursued friendly relationships with him even after he attacked them.



**Weinstein and his lawyers, Rotunno and Damon Cheronis, leave court after the start of his sex assault trial on January 22, 2020 in New York City.** Getty Images/John Lamparski

But prosecutors pushed back against that narrative, emphasizing to the jury that sexual assault victims don't always behave in ways they're expected to, and indeed many seek to normalize their trauma by preserving their relationships with their attackers.

Though Weinstein was acquitted of the two most serious charges he faced, of predatory sexual assault, he could still spend up to 29 years in prison for the criminal sexual act and rape convictions.

Rotunno told Insider her team plans to appeal the convictions after Weinstein's sentencing on March 11. She said she also hopes to get Weinstein released on bail pending the appeal.

Her client remains in Bellevue Hospital, where he was taken by ambulance shortly after the verdict due to high blood pressure and heart palpitations

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## Rotunno said the media coverage makes it impossible to find a fair jury

Rotunno said her team was fighting against much more than just the prosecution's arguments. They were forced to defend Weinstein against an entire social movement intended to vilify men accused of sexual misconduct, she said.

"I don't know if it's #MeToo, I don't know if it's public pressure, I don't know if it's just the vast writing about this. I mean you can't, you can't turn on a TV without seeing backlash," she said.

She denounced the intense publicity and media coverage of the trial, as well as protests and stunts outside the courthouse that she believed intimidated the jurors.

"The question was were we ever going to find 12 people who could go back to their own lives and be the people that said not guilty on all counts? Was that possible? I don't know. Probably not," Rotunno said. "How do you come into a courtroom with flash mobs outside? It makes people feel nervous and scared and like there's danger around them."



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**Harvey Weinstein enters a Manhattan court house with his lawyer Donna Rotunno (L) as a jury continues with deliberations in his trial on February 24, 2020 in New York City.** Getty Images/Spencer Platt

One juror has already spoken publicly about the trial, [telling Inside Edition](#) she hadn't actually known much about the Weinstein allegations before the trial started.

"I didn't know who he was until someone actually broke it down for me," the juror said.

But Rotunno said she believed it was unlikely that the jurors simply went home each day from the courthouse without being exposed to incessant news coverage of the trial.

"I went into this saying, 'I think jurors want to get it right.' I think they do. But I think in cases like this there's more pressure," she said.

## **A 'confusing' juror sheet could factor into an appeal**

Rotunno declined to discuss her plans for Weinstein's appeal in detail, but it's likely her team will demand a review of the countless motions both before and during the trial that were denied by Judge James Burke, including a request to move the trial out of New York City, efforts to remove one of the jurors, and a complicated verdict sheet that may have confused the jury during deliberation.

The sheet listed five felony counts against Weinstein but issued a number of intricate instructions on how the jury should proceed, including which charges the jury should skip or continue onto based on their verdicts for the predatory sexual assault charges.



**Harvey Weinstein and his lawyer Donna Rotunno arrive at New York City Criminal Court on January 21, 2020 in New York City.** Getty Images/Jeenah Moon

Rotunno said she believed the verdict sheet would have been far less confusing if the jurors had been instructed to consider Haley's and Mann's individual charges first, before moving on to the more complex predatory sexual assault charges.

"Lawyers are confused by it," Rotunno said. "I think it should've been, 'If you believe Miriam, then move to this. If you believe Jessica, then move to this.'"

Lara Yeretsian, a California-based criminal-defense attorney who was not involved in the trial, [told Insider](#) that the form was "confusing to me as an attorney, let alone a jury."

"The defense should raise that on appeal because the jury may have been confused into thinking that they had to find him guilty on the two charges they found him

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