

Weinstein prosecutors increased chance of guilty verdict: Cosby trial attorney

He called the prosecution's refusal to accept a partial verdict a "smart move."

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Is jury in blockbuster trial of Harvey Weinstein deadlocked on some of the charges?

Jury deliberations resume next week after jurors sent the judge a note suggesting they might be deadlocked on the most serious charges.

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After four days of deliberating, jurors in the [Harvey Weinstein](#) trial have yet to return a verdict and are recessed for the weekend.

On Friday, jurors asked Manhattan Supreme Court Judge James Burke about returning a partial verdict on the five counts against Weinstein.

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"We the jury request to understand if we can be hung on [counts] one and or three and unanimous on the other charges," they said on Friday afternoon. Counts one and three are the two top charges of predatory [sexual assault](#).



 Harvey Weinstein arrives at Manhattan criminal court house as a jury continues with deliberations on Feb. 21, 2020 in New York City. Weinstein, a movie producer whose alleged sexual... [more](#)

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The jurors were sent back to deliberate after the prosecution refused to accept a partial verdict, a smart move that may increase the likelihood of Weinstein being found guilty on all counts, Stewart Ryan, a former Montgomery County, Pennsylvania, prosecutor in both Bill Cosby trials, told ABC News.

"I think the logical conclusion, assuming [the jurors] are talking about counts one and three, is they have guilty verdicts on two, four and five, and some compromise is being struck," said Ryan, now with the Philadelphia-based firm Laffey, Bucci & Kent, LLP.

CHARGES HARVEY WEINSTEIN FACES

COUNTS	ACCUSERS	SENTENCE GUIDELINES
* 1 PREDATORY SEXUAL ASSAULT	HALEYI SCIORRA	10 - LIFE
2 CRIMINAL SEXUAL ACT IN THE FIRST DEGREE	HALEYI 2006	5 - 25 YEARS
** 3 PREDATORY SEXUAL ASSAULT	UNNAMED ACCUSER SCIORRA	10 - LIFE
4 RAPE IN THE FIRST DEGREE	UNNAMED ACCUSER 2013	5 - 25 YEARS
5 RAPE IN THE THIRD DEGREE	UNNAMED ACCUSER 2013	PROBATION UP TO 4 YEARS

***IF CONVICTED SKIP COUNT 2**

****IF CONVICTED SKIP COUNT 4 & 5**



Charges Harvey Weinstein Faces
ABC Photo Illustration

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"From a legal perspective, it made sense to send them back," Ryan continued, "but I think it can ultimately benefit them to give the jury the weekend. Sending them home increases the likelihood they come back with a full guilty verdict."

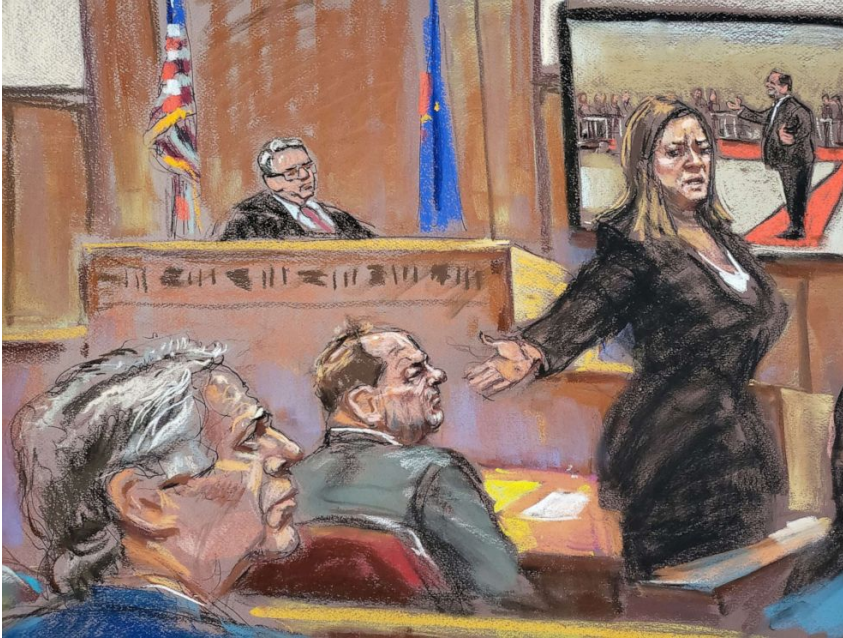
However, he cautioned, "You never know what a jury is thinking."


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For attorney Lara Yeretsian, the jury's question about a partial verdict may indicate it's deadlocked on the two charges of predatory sexual assault, which could be good news for the defense.

"It would be cause for celebration by the defense attorneys if he was acquitted on those charges or if it was a hung jury," Yeretsian, who has represented celebrities including Michael Jackson and Scott Peterson, said in a statement.

"This is a good sign for Weinstein," she added, "because it means the jury can't agree on the most serious charges, the ones that could be a life sentence. It also means they're not unanimous on at least one of the accusers or possibly both of them.



 Prosecutor Joan Illuzzi-Orbon gives her closing arguments in front of Judge James Burke at New York Criminal Court for Harvey Weinstein's sexual assault trial in the Manhattan borough of... [more](#)
Jane Rosenberg via Reuters

"If he's lucky, they'll acquit him on at least one of the women's charges, likely Jessica Mann. If they believed even one of the accusers' stories, they wouldn't have a hung jury -- unless it turned out to be Anabella Sciorra, the strongest witness, whose story they didn't believe. In any event, this looks like good news for the defense."

Weinstein has been charged with five counts of sexual assault related-crimes including predatory sexual assault and rape in the first degree, stemming from two women's allegations. He has pleaded not guilty to all charges and claims all sexual encounters were consensual.

The trial is scheduled to continue on Monday.