



## New York Overturns Weinstein Conviction

Disgraced Hollywood producer Harvey Weinstein's New York rape conviction and 23-year prison sentence were overturned by the New York Court of Appeals today. [In the opinion released today](#), Judge Jenny Rivera wrote that the trial court admitted testimony that served "no material non-propensity purpose":

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. 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. The only evidence against defendant was the complainants' testimony, and the result of the court's rulings, on the one hand, was to bolster their credibility and diminish defendant's character before the jury. On the other hand, the threat of a cross-examination highlighting these untested allegations undermined defendant's right to testify. The remedy for these egregious errors is a new trial.



Bruce Detorres/Flickr  
Harvey Weinstein



Written by [D. Michael DeRidder](#) on April 25, 2024

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Following the news of the conviction being overturned, Representative Marjorie Taylor Greene (R-Ga.) [pointed out](#) former President Donald Trump's New York criminal trial involving Stormy Daniels, and the New York civil trial involving E. Jean Carroll:



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