

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

FILED
2020 OCT -2 AM 9:13

THE PEOPLE OF THE STATE OF CALIFORNIA, ANGELES CENTRAL CRIMINAL COURT
CASE NO. BA483663

Plaintiff,

v.

01 HARVEY WEINSTEIN (DOB: 03/19/1952)

Defendant(s).

**AMENDED
FELONY COMPLAINT**

The undersigned is informed and believes that:

COUNT 1

On or about February 18, 2013, in the County of Los Angeles, the crime of ORAL COPULATION BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY, in violation of PENAL CODE SECTION 288a(c)(2)(A), a Felony, was committed by HARVEY WEINSTEIN, who did unlawfully participate in an act of oral copulation with JANE DOE #1 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

COUNT 2

On or about February 18, 2013, in the County of Los Angeles, the crime of **SEXUAL PENETRATION BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY**, in violation of **PENAL CODE SECTION 289(a)(1)(A)**, a Felony, was committed by **HARVEY WEINSTEIN**, who committed an act of sexual penetration against the will of **JANE DOE #1** by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on **JANE DOE #1** and another person.

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

COUNT 3

On or about February 18, 2013, in the County of Los Angeles, the crime of RAPE BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY, in violation of PENAL CODE SECTION 261(a)(2), a Felony, was committed by HARVEY WEINSTEIN, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, JANE DOE #1, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

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COUNT 4

On or about February 19, 2013, in the County of Los Angeles, the crime of SEXUAL BATTERY BY RESTRAINT, in violation of PENAL CODE SECTION 243.4(a), a Felony, was committed by HARVEY WEINSTEIN, who did willfully and unlawfully touch an intimate part of JANE DOE #2, while said person was unlawfully restrained by said defendant(s), HARVEY WEINSTEIN, and an accomplice, against the will of said person and for the purpose of sexual arousal, sexual gratification, and sexual abuse.

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

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COUNT 5

On or about May 11, 2010, in the County of Los Angeles, the crime of **SEXUAL BATTERY BY RESTRAINT**, in violation of **PENAL CODE SECTION 243.4(a)**, a Felony, was committed by **HARVEY WEINSTEIN**, who did willfully and unlawfully touch an intimate part of **JANE DOE #3**, while said person was unlawfully restrained by said defendant(s), **HARVEY WEINSTEIN**, and an accomplice, against the will of said person and for the purpose of sexual arousal, sexual gratification, and sexual abuse.

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

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COUNT 6

On or between September 1, 2004 and September 30, 2005, in the County of Los Angeles, the crime of **ORAL COPULATION BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY**, in violation of **PENAL CODE SECTION 288a(c)(2)**, a Felony, was committed by **HARVEY WEINSTEIN**, who did unlawfully participate in an act of oral copulation with **JANE DOE #4** and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

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COUNT 7

On or between September 1, 2004 and September 30, 2005, in the County of Los Angeles, the crime of RAPE BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY, in violation of PENAL CODE SECTION 261(a)(2), a Felony, was committed by HARVEY WEINSTEIN, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, JANE.DOE #4, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

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COUNT 8

On or between November 2, 2009 and December 1, 2009, in the County of Los Angeles, the crime of ORAL COPULATION BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY, in violation of PENAL CODE SECTION 288a(c)(2), a Felony, was committed by HARVEY WEINSTEIN, who did unlawfully participate in an act of oral copulation with JANE DOE #5 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

COUNT 9

On or between November 2, 2009 and December 1, 2009, in the County of Los Angeles, the crime of RAPE BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY, in violation of PENAL CODE SECTION 261(a)(2), a Felony, was committed by HARVEY WEINSTEIN, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, JANE DOE #5, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

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COUNT 10

On or about November 5, 2010, in the County of Los Angeles, the crime of ORAL COPULATION BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY, in violation of PENAL CODE SECTION 288a(c)(2)(A), a Felony, was committed by HARVEY WEINSTEIN, who did unlawfully participate in an act of oral copulation with JANE DOE #5 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

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COUNT 11

On or about November 5, 2010, in the County of Los Angeles, the crime of RAPE BY USE OF FORCE, VIOLENCE, DURESS, MENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY, in violation of PENAL CODE SECTION 261(a)(2), a Felony, was committed by HARVEY WEINSTEIN, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, JANE DOE #5, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

It is further alleged, within the meaning of Penal Code section 667.61(b), (c) and (e), as to defendant, HARVEY WEINSTEIN, as to count(s) 1, 2, 3, 6, 7, 8, 9, 10 and 11 that the following circumstances apply: The defendant has been convicted in this case of (1) Rape by Use of Force, Violence, Duress, Menace or Fear of Immediate and Unlawful Bodily Injury in violation of Penal Code §261(a)(2), (2) Oral Copulation by Use of Force, Violence, Duress, Menace or Fear of Immediate and Unlawful Bodily Injury in violation of Penal Code §288a(c)(2), and (3) Penetration by a Foreign Object by Use of Force, Violence, Duress, Menace or Fear of Immediate and Unlawful Bodily Injury in violation of Penal Code §289(a)(1)(A) against more than one victim.

* * * * *

NOTICE: Conviction of this offense will require the defendant to provide DNA samples and print impressions pursuant to Penal Code sections 296 and 296.1. Willful refusal to provide the samples and impressions is a crime.

NOTICE: The People of the State of California intend to present evidence and seek jury findings regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b) and *Cunningham v. California* (2007) 549 U.S. 270.

NOTICE: A Suspected Child Abuse Report (SCAR) may have been generated within the meaning of Penal Code §§ 11166 and 11168 involving the charges alleged in this complaint. Dissemination of a SCAR is limited by Penal Code §§ 11167 and 11167.5 and a court order is required for full disclosure of the contents of a SCAR

NOTICE: Any allegation making a defendant ineligible to serve a state prison sentence in the county jail shall not be subject to dismissal pursuant to Penal Code § 1385.

NOTICE: Conviction of this offense prohibits you from owning, purchasing, receiving, possessing, or having under your custody and control any firearms, and effective January 1, 2018, will require you to complete a Prohibited Persons Relinquishment Form ("PPR") pursuant to Penal Code § 29810.

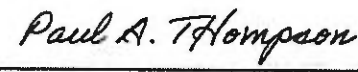
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER BA483663, CONSISTS OF 11 COUNT(S).

Executed at LOS ANGELES, County of Los Angeles, on October 2, 2020



JOSHUA BYERS
DECLARANT AND COMPLAINANT

.....
JACKIE LACEY, DISTRICT ATTORNEY

BY: 

PAUL THOMPSON, DEPUTY

AGENCY: LAPD - ROBBERY/HOMICIDE
DR NO.: 180819992
I/O: JOSHUA BYERS
OPERATOR: PT
ID NO.: 35673
PHONE: (213) 486-6910
PRELIM. TIME EST.: 2 DAY(S)

<u>DEFENDANT</u>	<u>CH NO.</u>	<u>DOB</u>	<u>BOOKING NO.</u>	<u>BAIL RECOM'D</u>	<u>CUSTODY R'TN DATE</u>
WEINSTEIN, HARVEY		3/19/1952		\$5,000,000	

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

FELONY COMPLAINT – ORDER HOLDING TO ANSWER – P.C. SECTION 872

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

HARVEY WEINSTEIN

<u>Ct.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
1	PC 288a(c)(2)(A)	3-6-8 State Prison	PC 667.61(b)/(e)	15 to Life State Prison
2	PC 289(a)(1)(A)	3,6,8 Yrs. State Prison	PC 667.61(b)/(e)	15 to Life State Prison
3	PC 261(a)(2)	3-6-8* State Prison	PC 667.61(b)/(e)	15 to Life State Prison
4	PC 243.4(a)	2-3-4 State Prison		
5	PC 243.4(a)	2-3-4 State Prison		
6	PC 288a(c)(2)	3-6-8* State Prison	PC 667.61(b)/(e)	15 to Life State Prison
7	PC 261(a)(2)	3-6-8* State Prison	PC 667.61(b)/(e)	15 to Life State Prison
8	PC 288a(c)(2)	3-6-8* State Prison	PC 667.61(b)/(e)	15 to Life State Prison
9	PC 261(a)(2)	3-6-8* State Prison	PC 667.61(b)/(e)	15 to Life State Prison
10	PC 288a(c)(2)(A)	3-6-8 State Prison	PC 667.61(b)/(e)	15 to Life State Prison
11	PC 261(a)(2)	3-6-8* State Prison	PC 667.61(b)/(e)	15 to Life State Prison

I order that the defendant(s) be held to answer therefore and be admitted to bail in the sum of:

HARVEY WEINSTEIN _____ Dollars

and be committed to the custody of the Sheriff of Los Angeles County until such bail is given. Date of arraignment in Superior Court will be:

HARVEY WEINSTEIN _____ in Dept _____

at: _____ A.M.

Date: _____

Committing Magistrate