

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

SECRET

The People of the State of California,
Plaintiff,

CASE NO. **BA484270**

v.

INDICTMENT


HARVEY WEINSTEIN

COUNT 1

The said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE ORAL COPULATION**, in violation of **Penal Code Section 288a(c)(2)(A)**, a Felony, committed prior to the finding of this Indictment, and as follows:

On or about February 18, 2013, in the County of Los Angeles, the said **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 or fear of immediate and unlawful bodily injury to said victim.

A TRUE BILL


Foreperson of the Grand Jury

Presented by the Foreperson of the Grand Jury in the presence of the Grand Jury, in open Superior Court of the State of California, within and for the County of Los Angeles, and filed as a record in said Court this 15th day of March, 2021

SHERRI R. CARTER, Executive Officer/Clerk

Bail Recommended

By _____ Deputy

\$ NO Bail

GEORGE GASCON, District Attorney

Bail

By  Deputy

\$ _____

“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 you 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 2

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforestated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **SEXUAL PENETRATION BY FOREIGN OBJECT**, in violation of **Penal Code Section 289(a)(1)(A)**, a Felony, committed prior to the finding of this Indictment, and as follows:

On or about February 18, 2013, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who committed an act of sexual penetration against the will of **Jane Doe #1** by means of force, violence, duress, menace or fear of immediate and unlawful bodily injury on **Jane Doe #1**.

“NOTICE: Conviction of this offense will require you 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).”

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COUNT 3

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforestated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE RAPE**, in violation of **Penal Code Section 261(a)(2)**, a Felony, committed prior to the finding of this Indictment, and as follows:

On or about February 18, 2013, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did unlawfully accomplish an act of sexual intercourse with a person, to wit, **Jane Doe #1**, not his spouse, against said person's will, by means of force, violence, duress, menace or fear of immediate and unlawfully bodily injury on said person.

"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 you 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

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforestated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **SEXUAL BATTERY BY RESTRAINT**, in violation of **Penal Code Section 243.4(a)**, a Felony, committed prior to the finding of this Indictment, and as follows:

On or about February 19, 2013, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did willfully and unlawfully touch an intimate part of **Jane Doe #2**, while said person was unlawfully restrained by said defendant, Harvey Weinstein, against the will of said person and for the purpose of sexual arousal, sexual gratification or sexual abuse.

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

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COUNT 5

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforestated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **SEXUAL BATTERY BY RESTRAINT**, in violation of **Penal Code Section 243.4(a)**, a Felony, committed prior to the finding of this Indictment, and as follows:

On or about May 11, 2010, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did willfully and unlawfully touch an intimate part of **Jane Doe #3**, while said person was unlawfully restrained by said defendant, Harvey Weinstein, against the will of said person and for the purpose of sexual arousal, sexual gratification or sexual abuse.

“NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 290 et. Seq. Willful failure to register is a crime.”

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COUNT 6

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforesated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE ORAL COPULATION**, in violation of **Penal Code Section 288a(c)(2)**, a Felony, committed prior to the finding of this Indictment, and as follows:

Between or about September 1, 2004 and September 30, 2005, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did unlawfully accomplish an act of oral copulation with **Jane Doe #4** and did accomplish said act against said victim's will by force, violence, duress, menace or fear of immediate and unlawful bodily injury to said victim.

“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 you 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

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforesated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE RAPE**, in violation of **Penal Code Section 261(a)(2)**, a Felony, committed prior to the finding of this Indictment, and as follows:

Between or about September 1, 2004 and September 30, 2005, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did unlawfully accomplish an act of sexual intercourse with a person, to wit, **Jane Doe #4**, not his spouse, against said person's will, by means of force, violence, duress, menace or fear of immediate and unlawfully bodily injury on said person.

“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 you 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

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforesated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE ORAL COPULATION**, in violation of **Penal Code Section 288a(c)(2)**, a Felony, committed prior to the finding of this Indictment, and as follows:

Between or about November 3, 2009 and November 9, 2009, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did unlawfully accomplish an act of oral copulation with **Jane Doe #5** and did accomplish said act against said victim’s will by force, violence, duress, menace or fear of immediate and unlawful bodily injury to said victim.

“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 you 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 9

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforesated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE RAPE**, in violation of **Penal Code Section 261(a)(2)**, a Felony, committed prior to the finding of this Indictment, and as follows:

Between or about November 3, 2009 and November 9, 2009, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did unlawfully accomplish an act of sexual intercourse with a person, to wit, **Jane Doe #5**, not his spouse, against said person's will, by means of force, violence, duress, menace or fear of immediate and unlawfully bodily injury on said person.

"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 you 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

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforestated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE ORAL COPULATION**, in violation of **Penal Code Section 288a(c)(2)**, a Felony, committed prior to the finding of this Indictment, and as follows:

On or about November 5, 2010, in the County of Los Angeles, the said **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 or fear of immediate and unlawful bodily injury to said victim.

"NOTICE: Conviction of this offense will require you 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: 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

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in the aforesated Count hereof, the said **HARVEY WEINSTEIN** is accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of **FORCIBLE RAPE**, in violation of **Penal Code Section 261(a)(2)**, a Felony, committed prior to the finding of this Indictment, and as follows:

On or about November 5, 2010, in the County of Los Angeles, the said **HARVEY WEINSTEIN**, who did unlawfully accomplish an act of sexual intercourse with a person, to wit, **Jane Doe #5**, not his spouse, against said person's will, by means of force, violence, duress, menace or fear of immediate and unlawfully bodily injury on said person.

“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 you 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) 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 (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) or Penal Code §288a(c)(2)(A), or (3) Penetration by 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.

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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 §§ 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.

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