

Harvey Weinstein's lawyers point to dozens of friendly emails from accuser Jennifer Siebel Newsom

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The prosecution in the trial of former producer Harvey Weinstein, on trial in Los Angeles on two charges of rape and five counts of sexual assault, rested its case Thursday. The defense will begin its arguments November 28.

Weinstein's lawyers raised serious questions about the conduct of the most prominent accuser this week, Jennifer Siebel Newsom, the wife of California governor Gavin Newsom.

In her testimony, Siebel Newsom alleged that Weinstein raped her in his room at the Peninsula Hotel in Beverly Hills in 2005 shortly after she first met him at the Toronto Film Festival.

Weinstein and his attorneys insist that the sexual relationships Weinstein had with Siebel Newsom and other industry actresses and entertainment figures were purely "transactional," i.e., sex in exchange for career advancement.

In a 2017 *Huffington Post* article posted soon after the launch of the #MeToo campaign, Siebel Newsom claimed that Weinstein had been sexually inappropriate with her, but stopped short of claiming rape. During subsequent 2020 grand jury testimony detailing the 2005 incident, she stated that Weinstein was not physically coercive during the encounter and that she did not verbally reject his advances. "He [Weinstein] didn't drag me. I didn't scream. I didn't know I could scream. It's like I lost my voice."

Asked during cross-examination at the Los Angeles trial as to why she remained in the hotel room nonetheless, she stated "Because you don't say no to Harvey Weinstein. He could make or ruin your career. I thought I was going to discuss my projects."

Weinstein's attorneys also highlighted details of the

alleged assault that Siebel Newsom introduced in the Los Angeles trial but that weren't provided in the grand jury testimony. Pressed on the discrepancies between the two accounts, Siebel Newsom responded that the earlier testimony was "what I was comfortable sharing then of my truth."

As was the case in the New York trial in 2020 in regard to the efforts of Weinstein's lawyers, the US media has generally given only brief glimpses of the Siebel Newsom cross-examination. To its credit, *Variety* on Tuesday provided a more detailed account.

Weinstein's attorney Mark Werksman, *Variety* pointed out, "took out a binder of emails when questioning" Siebel Newsom. Werksman "spent at least two hours displaying dozens of emails for the jury that showcased Siebel Newsom arranging business meetings with Weinstein, asking him for producing advice and seeking political donations for her husband, Calif. Governor Gavin Newsom." All of this in *the aftermath* of Weinstein having allegedly sexually assaulted her.

As Werksman went through the pages of emails, Siebel Newsom, remarkably, "repeatedly said that she did not recall sending any emails, but acknowledged that she likely did. 'It's so funny. My life is so full. I don't remember,' she said. 'I send so many emails, I have so many friends, so many acquaintances. This is just business. This is just networking.'"

"I have sent hundreds of thousands of emails to people all around the world," Siebel Newsom added. Werksman responded, "But only one is accused of despicable acts."

At one point, "Werksman brought up Weinstein's political donations to Newsom ... asking why her

husband took money from somebody who had done ‘something despicable’ to her.”

Variety reported that in various emails sent in the months “after the alleged assault in 2005, Siebel Newsom sent Weinstein messages to ask about meeting up for business purposes. In an email sent in 2006, she said she would ‘love to catch up’ at the Toronto International Film Festival. Later, she emailed to arrange a meeting at the Cannes Film Festival. In another email sent in 2007, she thanked Weinstein for having her and her husband at an Oscars party. She also invited Weinstein to a screening of one of her films and asked him to ‘keep your eyes and ears open for any roles.’”

“I was just hustling [and] networking,” Siebel Newsom said. Weinstein’s attorney “shot back,” according to *Variety*, “You were ‘hustling’ with the man you claimed violently raped you?”

The behavior, at the very least, raises questions about Siebel Newsom’s accusations.

In her testimony this week, Siebel Newsom also provided extensive and gratuitously demeaning descriptions of Weinstein’s genitalia and other physical characteristics. The effort to turn Weinstein into a monster is a repulsive operation.

At the request of the prosecutors, the court ruled that the accuser known as Jane Doe #5 would not be testifying in the Los Angeles trial. This reduces the charges against Weinstein from 11 to 7 and also lowers the maximum possible sentence from 140 years to 60. The prosecution did not explain its action.

Mel Gibson, actor and director of the odious 2004 film *The Passion of the Christ*, had also been scheduled to testify in the case to support allegations made by Jane Doe #3, a massage therapist. However, prosecutors cancelled his testimony on Wednesday. Judge Lisa Lench had previously ruled against a defense motion that would have allowed it to raise Gibson’s past anti-Semitic, racist and sexist statements, but it’s possible that given the actor’s notoriety and the impact of his taking the stand to condemn a once powerful Jewish Hollywood studio executive, the defense may not have needed to do so.

Weinstein was found guilty of raping two women in a 2020 New York trial, resulting in a 23-year sentence, which he is presently serving. His attorneys are currently appealing that conviction.

Prosecutors are relying on California’s anti-democratic evidence rule 1108, allowing for so-called “prior bad acts” to be presented in court cases involving sexual assault. The rule was put in place in the 1990s by Republican state legislators to allow a defendant’s past sex crimes to be introduced into evidence. In the Weinstein case, four additional women are testifying that the producer raped them, even though their allegations have never been tested in court.

As the *World Socialist Web Site* has previously explained, the Weinstein trial in particular and the #MeToo movement in general have nothing to do with the rights of women, but are designed to whip up a lynch-mob atmosphere and destroy the presumption of innocence and legal due process. Moreover, the resultant toppling of rich and powerful figures and subsequent elevation of upper middle class figures into their vacated positions presents an irresistible prospect for such layers.



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