

Your Honor,

The day my uncontrollable screams were heard from the witness room was the day my full voice came back into my power.

Those were the screams that wanted to come out while Harvey was raping me. Those were the screams of a terrified young woman reliving experiences of horrific violence against her body. Those were the screams that will forever haunt those who witnessed me.

That, your Honor, is what the behavior of a rape victim looks like when facing their powerfully rich and famous rapist in court, as his lawyers twist the truth and even lie. I swore to come here and tell the whole truth, only to be limited by yes and no questions, and premises framed by the defense that were grossly misrepresented. There is still so much left unsaid about his abuse and manipulation – as well as my own coping mechanisms which are what I would call “victim behavior.”

I wasn't asked to testify about the aftermath of wreckage Harvey caused in my life. I was only questioned for having continued to mitigate the damage that was already done.

I ask you to consider a few things that are backed by real science and the studies of trauma, referenced in the Harvard Journal of Psychiatry, that are very deeply rooted in my case – when making the decision about the severity of the rape for which Harvey Weinstein is proven guilty of.

Tonic or Collapsed Immobility is one of six defense mechanisms the body illicitly under trauma and stress. Stress like rape. So many women, myself included have only been able to find words such as, “I gave up” or “I lost control” and like myself “I froze.” The majority of the public has not understood that these responses were not something we consciously choose under the duress. In fact, voices like myself repeatedly stress the confusion this response caused, for not having a bodily response that fought back. By believing we should have resisted more, we are prone to greater PTSD symptoms and depression – as well as guilt and shame. Because the truth about psychological defense mechanisms is something lawyers like the defense don't want entered into evidence so they can continue to capitalize on the broken. And predators like Harvey don't want the public to be educated on so that they can exploit a victim's shame to escape condemnation.

This rape induced paralysis is a natural response designed to activate under situations such as sexual abuse, or rape. When the brain assesses that flight or fight are not possible, sometimes after using another mechanism called freezing (the state in which those responses are put on hold to assess the situation) the immobility response is activated. Harvey at the time had every advantage over me. Given the immense physical stature of Harvey's weight, height, and ox-like strength – he used that physicality to trap me and prevent me from leaving. That was a powerful assessment that flight was not possible.

Fight was also not possible. His strength overpowered me trying to leave. His strength hurt my hands when he forced them on myself to start undressing. He had already physically hurt me in the past when I was unable to escape his grip at prior occasions.

Rape paralysis, or immobility is very real in humans. A good visual of this is when animals ‘play dead’ under stress. While they remain flexible, and aware, they are trapped in a survival response until the threat is removed. In people, this response can also be accompanied with fainting or blacking out. Such as what happened to me in a separate rape committed against me by Harvey Weinstein, which you heard in my testimony, as well as Annabella's testimony. Just like our heart's without our conscious awareness, it is critical that victims, and the courts understand that the ability to fight during rape can be out of the victim's control when this defense response is triggered unconsciously.

I ask you to consider the horrors of being rendered immobile by my own biological response, while I had to endure his penis, raping me on his time, as slow as he wanted while he pleased himself inside my body. I wish I had been able to fight him while he raped me. I could have walked away with a sense of

control over my body instead of a deeper shame. Please understand, that to show distress, especially while still in shock, would have been dangerous. I was not about to advertise that I was a weak and wounded prey and attract more potential violence. This is a response we see in nature, and should be of no surprise that hiding weakness is something every human being on this planet exercises.

Perhaps now it is easier to understand why showing distress after rape is a fantasy in relationships with power dynamics. How after my own body was completely dominated by him, my spirit and my emotions were the last thing I had left to control in my experience of existence as a human being under his influence.

I want to remind you I told Harvey No. Forgive me for assuming that in private, after being threatened to not embarrass him, I thought I would be able to force my No and assert my right to autonomy. However Harvey did not see me as someone with equal rights. Harvey knew through my verbal statements I did not want to undress, be in that room, much less do anything sexual of any sort of nature with him which is why he used intimidation, commands and force in a way so manipulative it would be hard to convict.

Harvey didn't need to use a physical weapon to make me live in fear of the invisible gun to my head ready to be pulled if he felt in the mood. Invisible weapons known as abuse of power, are still a life threatening aspect a victim has to endure. Harvey abused his power over the powerless, exploiting this system.

My life was especially impacted by this kind of invisible weapon, when in 2015, I had effectively distanced myself from him for quite awhile. Freedom from Harvey became a truly hopeless endeavor as I watched Ambra Battaliana be smeared, shamed and attacked before the world. Ambra's case solidified to me what I had always known was a possibility of how he could destroy my reputation before the whole world – and how that world would not care.

I also assessed Harvey's position of power, authority, wealth and fame in society. I had repeatedly witnessed him threatening individuals and getting what he wanted. This included high profile people with threats of blacklisting because "he had done it before" and a hotel staff's livelihood if they didn't open the kitchen for him after closing – and most disturbing to me – threaten my father with a old school mafia bat beat down – my father who was dying of cancer at that time. If you have any sympathy for the man you see before you – consider that Mr. Weinstein took joy in beating to a pulp a dying man, a man poorer than him, a man who was an extension of me. Whether that fantasy of his was executed or not – he offered it with a story to back up when he had done it once before.

Escape from the dynamic with him would come at a great personal injury. Given he was a man who increasingly escalated his violence, degradation and severity in raping me – the unknown effects of giving him the ultimate rejection through escape was terrifying. If A-listers and hotel managers bowed to this man's commands without question – how does one find courage under such a force without more consequence? I ask you this, what is left after rape when that person already increasingly violently rapes you multiple times?

It is documented publicly that Harvey had several NDA's hiding his past sexual assaults; whose only spanking was to take a slap on the wrist and pay a fine each and every time. My rape was preventable. This was a known offender whose crimes were covered up and documented in a paper trail. You see, the commodity Weinstein's companies produced was a very valuable commodity to the world. Society pays to be entertained, and the value to escape life to be lost in the magnitude of incredible films this man produced, was too valuable a commodity to be stopped by the women he trapped, raped and assaulted.

Many individuals may not understand why I had hoped that attempting human connection with the man who was sexually abusing me, humiliating me, using me, and pumping me into his world where he always controlled the script – was a long exhausting form of survival called Trauma Bonding.

The impact of being raped is profound. The body I live in became unsafe. It is impossible to translate the magnitude of such an experience to those who have never been violated internally. I am forced to carry

that experience until I die. It impacts daily activities, social interactions, intimacy both sexual and emotional, and is a recurrent nightmare that feels just as real as when it happened.

There are good days, and there are bad days, and I hide it as best I can.

The defense attempted to create their own diagnosis of my mental health, which they are in no way qualified to do. They took medical records I disclosed when I had a breakdown after the headlines broke about the serial predatory behavior of Harvey Weinstein. What defense didn't want the jury to know is how, as a recipient of Harvey Weinstein's violence, being emitted to the emergency room is powerful evidence of "victim behavior" as I realized Mr. Weinstein's crimes against humanity were not just crimes against me.

The effects of my health are invisible but it doesn't mean they are any less real. I could list for you all the effects on my health but that would take far too long and I am not here to give any more power over to the man who stole my body already.

12 people found Harvey unanimously guilty of raping me. 12. That is no easy task. It is completely preposterous to say that 12 people were pressured by society to come to this conclusion. Anyone who believes that to be the case, has never had to live with making a decision to completely altered another human beings life, in a way that may feel a type of death sentence. 12 people took away Harvey's freedom, in the end years of his life, as a crumbling senior citizen who literally was decomposing before their very eyes. No matter what someone had done that is horrific, Harvey is still a human being and the jury no doubt, felt that.

Harvey still denies his wrong doing towards me, Mimi, Annabella, the other women who testified and the plethora of other voices unable to be heard in the court of law. A man who had so many previous NDA's hiding his past sexual assaults, he baffled at finally being held accountable. A man who assumed with his money and presidential alliances, made him untouchable.

The man I know Harvey to be is a man hellbent of control, and obsessed with his legacy. Imagine he is still coming to terms with losing control of the legacy he scripted. However I hope that with the accountability of a maximum sentence, he finds the ability to leave behind a legacy to help create a better world for his family.

Behind bars Harvey can be given the chance to rehabilitate while being held accountable to his crimes, and perhaps even – help write the playbook of how predators operate so these dynamics are forever exposed.

Your Honor, I hope I have justly explained the horrors of immobility while being raped, which allows a predator to have an easier time raping. I hope I have justly explained the horrors of being raped by someone who has power. And hopefully you understand, it takes a very special kind of evil to distort human connection and use it to leverage rape. If someone who knows you is willing to rape you, the impact on the psyche is profound.

I ask, that you can contemplate that rape is not just one moment of penetration, it is forever. Whether that rape exposes a victim to a lifelong disease, a pregnancy, injury, mental disorders – the impact will last a lifetime. It baffles me that men can go to jail for a minimum of 5 years up to 20 for drug charges, yet in my case of rape, the maximum sentence is 4 years. How have we so devalued a human being's right to autonomy and the right to live in their own body free from violence? How am I not worth more than cocaine? The answer is, I am worth more. 3rd degree and 1st degree rape, having experienced both at the hands of Harvey Weinstein have forever equally altered my life.

I hope that today in sentencing I do not have to take any further detriment to my quality of life for Harvey's behavior. I ask to be given the gift of knowing exactly where Harvey is at all times so that I can truly live, and I ask that the public be given that gift as well. Do not devalue my life so much as to ask me to share

the time he deserves to serve for my body and my life, at the same time as his other victim Mimi. Her and I are two separate individuals that he exploited at separate times. This is a crime against individual human beings. Do not continue the course of history where women's lives matter less by grouping us into some cattle call, the same way Harvey herded his victims – as disposable.

I promise, if you value my life, I will spend every day getting better. I will take back my life and take a hold of my future with more energy than you can imagine. I will reclaim my time, I will regenerate my health, I will absolutely make you proud of me to see me go from the girl on the stand who talked about her shame and feeling like a lost cause – to becoming a woman who has found happiness, who can live in joy, who is free, who will go on to live a life so incredible no human will ever fear they are beyond redemption, or harnessed to the shame of their past. I want to set an example of our true potential as humans when it comes to our capabilities and innate worthiness. No matter the gender of someone who is sexually assaulted or raped – it is time people who rape other humans, pay with their life for the life they took.

Today I have no shame. I stand with gratitude and wholeness in my being. I stand here ready and willing and wanting to help others have the same wholeness and freedom that I now experience. I have found my voice and together we can have a future vision where monsters no longer hide in our closets. Your Honor, you have the ability to make that new world possible by sending a resounding message of new precedents and accountability by valuing our individual lives. I ask that you choose the new future over leniency and partake in the world me and this incredible team are here to build.

Thank you, Your Honor.

TMMZ

Your Honour,

I'm here to talk about how it's affected me, to have been sexually assaulted by Harvey Weinstein. To have been raped by Harvey Weinstein. I say raped because that is how I experienced it at the time. That is what I experienced was happening when he with physical force violated my trust, my body and my basic right to reject his sexual advances.

In the spring of 2006, I was at a very low and vulnerable point in my life. I was feeling drained and insecure, having recently almost lost my great friend, mentor and employer, to severe illness. He was like family to me and to almost lose him was devastating. His business collapsed, and as a result, I lost my job and my income. And with that I ended up losing my apartment. I also lost the foundation, support and encouragement that I had had to pursue projects and ideas under that company.

Everything had come crashing down that year and I knew I had to start from scratch, make new professional connections and create new opportunities.

So when Harvey Weinstein agreed to meet with me that one afternoon at the Cannes Film Festival, to talk about potential job opportunities, I felt elated and hopeful.

I presumed he wanted to help me because he respected the person who'd introduced us, who I'd been working for. I presumed he wanted to help me because he empathised with my situation.

Instead I was met with suggestions that we give each other massages. I was met with comments about my appearance and an attitude that made me feel he didn't for a second think I was of any professional value at all. I left that meeting in tears, feeling humiliated and deflated.

Nevertheless, Harvey Weinstein arranged for a small work opportunity - not a real, official job like I had originally hoped, nothing major, but it was something. And at that particular point in my life, something was better than nothing, so I was grateful.

Some time later I expressed that gratitude to him by email and what followed was a brief period where Harvey Weinstein treated me with surprising respect and normality. Until July 10th 2006, when he asked me to stop by his Soho apartment.

I had no reason not to go there. Harvey Weinstein wasn't a stranger. He knew people I knew. I had no reason to think that even if he made sexual advances towards me and I rejected him, that he wouldn't respect my rejection. I had no reason to believe that he would force an act of sexual violence on me. But that's exactly what he did.

I believe that when he attacked me that evening, with physical force, with no regard for anything I said, no regard for my cries and protests, my physical resistance, my panic and fear - it scarred me deeply - mentally and emotionally - perhaps irreparably, perhaps forever.

What he did not only stripped me off my dignity as a human being and as a woman, but crushed my confidence and faith in my professional future for a long time. It diminished my confidence and faith in people, and my confidence and faith in myself. I was confused, in distress and in disbelief. It was embarrassing and frankly incredibly hurtful, that this person, who I knew to some degree, but who had also for a long time known someone I loved and trusted, would do this to me.

Since I felt trapped in not being able to go to officials or out him publicly because of reasons I've shared in my testimony, I eventually buried it, minimised it - put on a brave face and carried on as usual. Because that was *my* coping mechanism.. and to be honest, I didn't want to feel like a victim nor be perceived as one. I preferred people thought this powerful guy that the industry fawned over, respected and liked me.

However, in reality, these incidents with Harvey Weinstein altered the course of my life significantly. I no longer felt the same positive confidence in my professional worth or the same optimism about a future in the film and TV industry. I tried for a while, as the court was shown, to

pursue some ideas, but he had crushed a part of my spirit and made me feel, well, awkward and insecure.

At the time this all happened, I thought I was alone in this. I had no idea there were others. I didn't realise the extent of Harvey Weinstein's manipulative and calculated predatory behaviour. I have since heard descriptions of encounters with Harvey Weinstein that are so strikingly similar to mine, they blow my mind. The pattern is obvious.

I'm in no doubt, that if Harvey Weinstein hadn't been convicted for sexual assault and rape by this jury, it would've happened again, and again, again. So I'm relieved to know he's not out there, feeling even more empowered, entitled and assured that he can do whatever he wants, to whoever he wants to do it to. I'm relieved he will now know he's not above the law. I'm relieved, that there are women out there who are safer because he is not out there.

Agreeing to become a witness in this criminal prosecution of Harvey Weinstein, simply because it was the right thing to do and my civic duty, has had further impact on me. It's affected so many aspects of my life.

On the one hand, it forced me to process what happened on a level I hadn't previously. It forced me to resolve and settle within myself feelings of self blame and shame that I was still holding on to. I couldn't have walked into this courtroom for my testimony and cross examination still carrying all of that. I let it all go, and I showed up, not as a perfect victim, but as a human being.

So in that way it's been healing.

But mostly, the past couple of years have been excruciatingly stressful. I've lived in fear and paranoia on a daily basis - in fear of retaliation, paranoid my every move was being tracked and monitored, having learnt of the methods Harvey Weinstein has used to intimidate and silence people. Having had a friend tell me his private investigator showed up at their door, asking questions about me. I've had panic attacks and nightmares. I've feared for my life.

And because of the public nature of all of this, I put myself in such a vulnerable position to be criticised, scrutinised, judged and targeted by (often misinformed) strangers.

I've worried I might lose work because potential employers might be put off by the discovery of this cringey information, since it's readily available on the internet.

I've avoided dating for that same reason. I didn't want to drag anyone into to it, embarrass them, or be hurt if they distanced themselves from me once they found out.

The list honestly could go on, the ways in which my life has suffered, been disrupted, infiltrated and inconvenienced, all as a result of Harvey Weinstein's actions.

I've never felt vengeful, and going into this, initially, I didn't even feel anger. I just felt sad. Sad for myself, sad for everyone he hurt and I even felt sad for him, for having done this to himself. But I have observed an indifference, a lack of remorse, a lack of acknowledgement, a lack of awareness and self awareness, by the defendant, throughout this process, that *has* made me feel anger. That *has* left me concerned he is completely disconnected from the gravity of the crime that he committed against me and the impact it's had. I can only hope, that whatever sentence the court sees fit, is long enough for Harvey Weinstein to acknowledge what he's done and to be truly sorry.

Thank you

Miriam Haley