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STATEMENT OF ATTORNEY GLORIA ALLRED

Today, Cuba Gooding Jr. appeared in Criminal Court in New York City. Mr. Gooding had previously been charged with criminal acts against three alleged victims. Reportedly, more than 30 women had contacted the Manhattan D.A.'s office and made accusations against him. Many had indicated that they were willing to testify in this criminal case if the prosecution wished to call them and if the judge permitted them to testify as Molineux witnesses, called colloquially prior bad act or "me too" witnesses.

Instead of facing trial, however, Mr. Gooding was offered and accepted a plea in lieu of trial.

The plea that he was offered was to enter a plea of guilty to one count of forcible touching, a misdemeanor.

At the end of six months, if he had no new arrests and if he complied with treatment, he would be allowed to withdraw his plea and replead to harassment (which is not a criminal act, but simply a violation) and he would be sentenced to time served. In addition, he would no longer have a criminal record.

All three of the alleged victims for whom charges were filed would be permitted to make victim impact statements, although only one, Kelsey Harbert, chose to make a statement.

She did make that statement at the last hearing but was interrupted and undermined by Mr. Gooding's defense attorney. As a result, she asked that she be permitted to give her victim impact statement once again today regarding what she alleged Mr. Gooding Jr. did to her on June 9, 2019, at Magic Hour in the Moxy Hotel in New York.

At the last hearing, Mr. Gooding admitted on the record to non-consensual physical contact of Ms. Harbert and apologized to her.

Both Ms. Harbert and I felt that the plea agreement reached between the defense and the prosecutor providing Mr. Gooding with the opportunity to avoid trial and avoid having any criminal record was not, in our opinion, an outcome that was in the interests of justice.

I represented a number of accusers who contacted law enforcement, were interviewed by them, and who were willing to testify at Mr. Gooding's trial if there was one.

In fact, the Court decided that one of my clients could testify as a Molineux witness, but she and another Molineux witness could only testify on rebuttal.

In my experience as a victim's rights attorney, the decision of Manhattan District Attorney Alvin Bragg to allow Mr. Gooding Jr. to walk away with a deal which allows him to avoid trial and erase any criminal record is an insult to many of his accusers, and in my opinion, it appears to be a prosecutorial gift to a celebrity who is undeserving of such an outcome.

Many accusers who invested their time and reached out to law enforcement because they wanted to assist in the cause of justice and

were willing to testify, do not deserve to have been treated in such a cold, callous, and insulting manner. They had faith in the system of justice, but now to their great disappointment find that there is no justice for them.

Many feel that under D.A. Alvin Bragg there are two standards of justice – one for a celebrity and none for them.

This month marks the 5-year anniversary of what has been called the “Me Too” movement, named after a hash tag on the internet.

Because many women have been brave enough to come forward either to law enforcement or in civil cases or both, there has been accountability and just consequences for many who violated the rights and bodily integrity of women.

I hope that others will not be deterred by what I consider to be an unjust outcome in this case.

It is important to know that my co-counsel, Casey Wolnowski, and I still have a civil case pending in federal court against Mr. Gooding Jr. on behalf of our client, Jane Doe. In her lawsuit, Ms. Doe alleges that she was a victim of gender-motivated violence by Mr. Gooding Jr.

Some of Mr. Gooding’s accusers have also provided declarations in that case, and we will continue to fight for justice for our client in the civil justice system.

Finally, I would like to commend Kelsey Harbert for having spoken her truth to power twice in this criminal case in a court of law.

She refused to tolerate the insulting remarks of the defense, and the decision of the prosecution to allow Mr. Gooding Jr. to enter a plea and walk away with no criminal record, rather than going to trial.

Kelsey stood up to Cuba Gooding Jr.'s attorney, Frank Rothman, when he demonstrated lack of respect for her at the prior hearing six months ago after his client entered a plea and Kelsey provided her victim impact statement.

She asked the court to allow her to give her victim impact statement again without the insults and interruptions that she experienced the first time. As a result, the Court allowed her that second opportunity today.

Kelsey felt that the outcome in the criminal case was a travesty of justice and she was determined to tell what she alleged was her truth in a court of law.

I now represent Kelsey, and we will closely examine what other options she may have as a result of the lack of justice that she has been forced to suffer.

Attorney Gloria Allred
Representing Kelsey Harbert
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