

ASIA ARGENTO LAUNCHES “PHASE TWO” OF THE #METOO MOVEMENT

My client Asia Argento was one of the pioneers of Phase One of the #metoo movement, and her bravery in standing up to Harvey Weinstein, who she accused of raping her, inspired many other women who purported to have also been victims of Harvey Weinstein to come forward out of the shadows and bravely voice their unfortunate experiences.

This movement has evolved into a new Worldwide philosophy wherein victims of sexual assaults now no longer recoil nor feel stigmatized and afraid to spotlight their abusers because they are empowered by the unity of other victims and the newfound tolerance of society to accept their accusations without condemning them, the victims.

My client helped steer the course to propel a new dynamic conversation in society – A veritable Phase Two of the #metoo movement and she intends to speak out on the allegations and stand strong by her own example.

In the past victims of sexual abuse were deterred from coming forward because of their fear that the defense strategies would be to attack the victim’s credibility by drudging up any gray areas of their past and thereby besmirching their reputation.

Asia believes that all victims, whether or not they have led a blemish-less life, should have the courage to come forward and not be afraid that the abuse that they are complaining of will be colored by any negative dynamics in their history. In the absence of this, many sexual perpetrators would avoid prosecution because their victims would be afraid to come forward. Asia believes that no sexual predator should be granted a pass simply because the victim has some gray area in their background and therefore would be reluctant to seek redress against the perpetrator.

This is Phase Two of the #metoo movement. A victim who has some negative history should have the courage to come forward and say “me too, I was a victim of sexual assault” and whatever might color my past does not negate the truth of what happened to me.

Frequently, in the Court of Public Opinion, the Media conveys many incomplete and sometimes inaccurate facts that impact the Public’s opinion and this sometimes results in an unfair impression of the victim and an inaccurate presentation of the facts as they actually happened.

In Asia’s circumstance, although it was alleged in the August 20, 2018 New York Times article that she had initiated a sexual attack on Bennett, Asia at no time initiated a sexual encounter with Bennet and in fact as she stated in her response to the New York Times article, concerning their past history, “I have never had any sexual relationship with Bennet” – This is completely accurate. Her relationship with Bennett was never sexual, but rather the relationship was a long distance friendship over many years. As revealed in texts messages published by TMZ, Asia stated “The horny kid jumped me...I had sex with him it felt weird.” She went on to relate that she became “frozen” when he was on top of her and he told her that she had been his sexual fantasy since he was 12 years old. Asia chose at the time not to prosecute Bennett for sexually attacking her.

It was also inaccurately revealed that a \$380,000 settlement had been paid by Asia to Bennett in an attempt to preclude Bennett from making any allegations against Asia which would certainly create the impression that Asia was responsible for the alleged incident because why else would someone pay \$380,000 to an alleged accuser when the accuser was the perpetrator and not the victim. These aforesaid facts have apparently created a Public perception that falsely conveyed the impression that Asia initiated and engaged in intercourse with Bennett and was trying to avoid detection by making a \$380,000 payment. In fact, the payment agreement did not preclude Bennett from making any statements about the event or preclude him from filing a criminal complaint against Asia.

When Bennett learned of the romantic relationship between Asia and Anthony Bourdain and believing that Anthony Bourdain was wealthy and had an outstanding reputation to protect and that they were both vulnerable to embarrassment because they were recognized as early and prominent supporters of the #metoo movement, Bennett chose to intrude on that relationship and demanded a financial payment from Bourdain in consideration for not embarrassing Asia and indirectly Bourdain by virtue of Bourdain's relationship with Asia. Bourdain chose to protect Asia's and his reputation and to pay Bennett and allowed Bennett to extract payments from him. Asia was completely against this approach because she had done nothing wrong and especially since the incident was initiated and perpetrated by Bennett against her, but she respected Anthony's choice to avoid the potential intrusion into their relationship and the negative impact it might have against Bourdain and his high profile position in the Media community.

Now that Mr. Bourdain has passed away and is not able to comment on his desire to avoid potential scandal which resulted in his facilitating payment to Bennett, Asia will not permit any portion of the balance of the \$380,000 payment to be paid to Bennett who has already received \$250,000 from Anthony Bourdain. Asia recognizes that this may very well inspire Bennett to make further false allegations against her and attempt to besmirch her reputation and diminish her credibility in her accusations against Harvey Weinstein. However, Asia's courage to originally make the accusations against Harvey Weinstein has not waned and she believes that whether or not the Public finally realizes that she did nothing wrong and was herself a victim, that Phase Two of the #metoo movement dictates that the voice of a victim, even one with a history that may be in question, should be heard and she is hopeful that in the Court of Public Opinion it will ultimately be determined that Asia never initiated an inappropriate sexual contact with a minor, but rather she was attacked by Bennett and might even be suffering the fallback of a smear campaign by those already accused who may have a vested interest in their accusers being denied credibility.

It is also very relevant and most ironic to point out that Bennett himself was alleged to have been charged in 2014 at the Los Angeles Police Department with "unlawful sex with a minor," "stalking" and "child pornography" and "child exploitation" and it was alleged by the complaint in that matter that Bennett manipulated her "into sending him naked photos..." and it was alleged by that complainant that Bennett had a history of drug use.

Interestingly enough, despite this crazy tangled web of sexual interactions, Asia believes that pursuant to Phase Two of the #metoo movement Bennett's troubled history, be it true or false, should not preclude Bennett from making his allegations against her, any more than Asia's allegations against Harvey Weinstein should not be made. Asia believes that in Phase Two of the #metoo movement, everyone should come forward, tell their story regardless of their past, which in Asia's circumstances constitutes a misunderstood interaction between her and Bennett that was initiated by Bennett, perpetrated upon Asia, and resulted in her "freezing" and being placed in a "state of shock." Asia is hopeful that as both Phase One and Phase Two of the #metoo movement evolves that Society will understand that no one is perfect, that everyone has the right to be heard and that Justice will ultimately prevail under circumstances where Justice will be tempered with mercy, compassion, forgiveness and understanding. The mere indictment by Public Opinion is not enough to condemn a person of a crime and character assassination is no different than the scandalistic nature of what many decry in this era as purported "fake news."

Asia does not intend to prosecute Bennett for his conduct and recognizes that his unfortunate past, his stalled acting career, and a lawsuit against his own parents for allegedly misappropriating more than a million and a half dollars from his account might explain his desperation to seek money from Asia and Bourdain for this falsely alleged incident that took place more than five years ago.

Finally, Asia's position is that truth is the moral essence of what ignited the #metoo fire. A common desire to be heard, not silenced by shame, not to live in fear of judgment by the Media or Politics and potential manipulation of power dynamics. When the true facts are clarified, we know Asia will return to her International prominence as an award winning and acclaimed Actress, musician and Director. She will continue to work on behalf of the silenced, maligned and slighted victims who are afraid to speak out in the face of consequence. Her truth will promote and support both Phase One and Phase Two of the #metoo movement.