

Outrage over Stanford rape case grows

The attacker's father apologizes for referring to the assault by his son as '20 minutes of action.'

By Brittny Meija

Less than a week after a Santa Clara County judge rejected a lengthy prison sentence for a former Stanford University swimmer convicted of sexual assault, the decision has fueled a roiling debate over gender equity and criminal justice.

Critics of the decision see yet another example of the transgressions of a promising college athlete treated lightly at the expense of a female sexual assault victim. But the judge and probation officials noted the defendant's youth and lack of a prior criminal history.

In January 2015, police arrested then-freshman Brock Turner after two men spotted him sexually assaulting an unconscious woman behind a Dumpster on the university's Palo Alto campus. In March, a jury found Turner guilty of three felony counts.

Prosecutors asked Santa Clara County Superior Court Judge Aaron Persky to sentence Turner to six years in prison, but the judge, a former prosecutor, instead imposed a six-month term in county jail.

Many on campus say the sentence was too lenient — and the anger has spread far beyond Northern California after an emotional 12-page statement from the rape victim detailing her psychological trauma was published. The woman's note contrasted with a letter to the judge penned by Turner's father, who argued that his son should not be imprisoned over "20 minutes of action."

Now, online petitions are calling for the judge's recall. Stanford University School of Law professor Michele Dauber launched a campaign to oust Persky from the bench. Dauber did not respond to requests for comment.

In a recent tweet, she said, "we need women judges who understand rape is not 'a mistake' and the law applies to athletes."

Persky, a Stanford alumnus who was appointed to the bench in 2003 by Gov. Gray Davis, is prohibited from commenting on the case because Turner is appealing the conviction, court spokesman Joe Macaluso said.

In handing down his decision, Persky said that a stiffer sentence would have a "severe impact" on Turner. According to a report released Monday by court officials, the judge's action largely adhered to the recommendations of the county's probation department for a "moderate" sentence.

A probation officer noted that Turner had no criminal history and said that he had expressed remorse and empathy toward the victim. The officer said Turner's intoxication level — about 0.13% blood-alcohol concentration — reduced the seriousness of the crime.

Prosecutors blasted the decision.

"The punishment does not fit the crime," Santa Clara County Dist. Atty. Jeff Rosen said in a statement after the sentencing. "The sentence does not factor in the true seriousness of this sexual assault, or the victim's ongoing trauma. Campus rape is no different than off-campus rape. Rape is rape."

Although critical of the sentence, Rosen said Monday that he does not believe Persky should be removed from his judgeship.

Alaleh Kianerci, the prosecutor in the case, said that the victim was "very disappointed and outraged" by the sentence, and that people worldwide had also expressed disappointment.

The anger over the sentence escalated when Dauber shared excerpts of the letter by Turner's father online. The Santa Clara County Superior Court later released the full letter.

Dan A. Turner wrote that his son's "every waking minute is consumed with worry, anxiety, fear, and depression." The verdicts had broken and shattered their family, he said, echoing letters from more than a dozen relatives and friends who urged the judge to keep Turner out of prison.

"His life will never be the one that he dreamed about and worked so hard to achieve," his father wrote. "That is a steep price to pay for 20 minutes of action out of his 20 plus years of life."

After some found his choice of words callous, Dan Turner sought to clarify his comments in a statement issued to the Huffington Post.

"My words have been misinterpreted by people," he said. "What I meant with that comment is a 20-minute period of time. I was not referring to sexual activity by the word 'action.' It was an unfortunate choice of words and I did not mean to be disrespectful or offensive to anyone."

In a moving letter read aloud in court and later released to the media, the victim called the probation officer's recommendation of a year or less in county jail "a soft time-out, a mockery of the seriousness of his assaults, and of the consequences of the pain I have been forced to endure."

Kianerci said the unidentified victim received an outpouring of support after her statement was released. The young woman ended the letter with a message to girls everywhere that she was with them.

"When people doubt you or dismiss you, I am with you, I fought everyday for you," she said. "So never stop fighting, I believe you."