

Judge in Brock Turner Case Writes Anti-Recall Letter



Summary: Judge Aaron Persky defends his rulings amidst an effort to remove him from his position.

Last year, Judge Aaron Persky found himself in hot water when he sentenced Stanford swimmer Brock Turner to only six months in jail for rape. The case drew national attention because of Persky's seemingly biased favoritism towards the blonde young man, and angry petitioners called for the Santa Clara County Superior Court Judge to be recalled.

Persky did not give an official statement about the recall effort until Friday, according to *Buzzfeed*. On Friday, he filed a letter with the Santa Clara County Registrar of Voters, defending his decisions while not directly addressing the Brock Turner case.

The Turner case was widely discussed online because of the rape's disgusting details and Persky's seemingly lax judgment towards the defendant. The rape victim was passed out behind a dumpster when Turner had intercourse with her, and Turner was discovered by two bystanders who stopped and detained him before the police arrived.

During the trial, the victim gave a tearful recollection of what had happened, and the bystanders described how Turner had taken advantage of the woman while she was unconscious.

With such a clear-cut and emotional case, Persky's decision to give Turner six months in jail instead of the prosecutor's requested six years baffled and horrified many. Persky's critics believed that he was a rape apologist who gave Turner an easy pass because the Stanford swimmer had a bright future ahead of him.

However, in Persky's letter, the judge stressed that he made his decision based upon California law regarding first-time offenders, not because of biases.

"California law requires every judge to consider rehabilitation and probation for first-time offenders," Persky says in the letter published by *The Mercury News*. "It's not always popular, but it's the law and I took an oath to follow it without regard to public opinion or my opinions as a former prosecutor."

After Turner's sentencing, a recall campaign was launched, and Persky was removed from a similar criminal case. He later asked to be transferred to civil court.

Persky's recall will be considered by voters in June 2018 if the recall proponents can collect over 58,000 signatures, according to *Buzzfeed*. Michele Dauber, chair of the recall campaign, wrote in a statement that Persky must be removed because he is biased.

"The single biggest threat to judicial independence is a biased judge like Judge Persky, because bias diminishes public confidence in the justice system ...," Dauber wrote. "The recall is a democratic process that is provided for by our Constitution and is designed to hold elected officials accountable to the people they serve. It is entirely appropriate in cases, like this one, of judicial bias. The legal community should be united — along with other citizens — in seeking to replace this biased judge with an unbiased one."

In Persky's letter, he said that as a judge he has always followed probation department recommendations when sentencing, and the *Associated Press*' fact-check effort supported this argument that Turner did not in fact receive special treatment.

"As a prosecutor, I fought vigorously for victims," Persky wrote in his letter. "As a judge, my role is to consider both sides."

If the recall effort receives enough signatures, Persky's letter along with his opponent's statement will appear alongside the ballot.

- [Brock Turner released after three months of jail](#)
- [Stanford Rape Judge Removed from New Sex Assault Case](#)

What do you think of Judge Persky? Let us know in the comments below.

