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Stanford University sexual assault case prompts backlash

Anger over sentence student received leads to recall effort for judge, demonstration plan at graduation

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Former Stanford University student Brock Turner was sentenced to six months in county jail and three years of probation last week for sexually assaulting an unconscious woman on campus. But for many Stanford students and faculty, the case is far from closed.

A coalition led by a Stanford faculty member launched an effort this week to recall the California judge in the case. A student-led protest is planned during graduation ceremonies Saturday.

Meanwhile, Mr. Turner's defense team filed a notice after the sentencing Thursday "preserving Mr. Turner's right to appeal," according to Dennis P. Riordan, a San Francisco appeals lawyer who was at the court. The team hasn't yet decided whether to pursue the appeal, or who would represent Mr. Turner if the appeal proceeds, he said.

If an appeal does go forward, it could lead to a new trial — and, potentially, a new sentence.

Mr. Turner, a Stanford freshman and competitive swimmer at the time of the attack, was found guilty in March of three felony counts of sexual assault. The victim, who hasn't been identified and wasn't a Stanford student, was found behind a dumpster after visiting the campus for a fraternity party in January 2015.

The case ignited an uproar after the sentencing and after the victim, known as Emily Doe, read a 12-page statement in court Thursday about the impact of her rape.

"I was the wounded antelope of the herd, completely alone and vulnerable, physically unable to fend for myself, and he chose me," she wrote. She criticized the court for taking Mr. Turner's lost swimming scholarship into account in his sentencing: "How fast he swims does not lessen the impact of what happened to me."

Her statement was circulated widely over the internet, and read in full by a CNN anchor. "There has been a lot of outrage, especially online," said Victor Xu, a junior and managing editor of news for the Stanford Daily newspaper, which has been following the case closely. "People are upset, confused that he got only six months."

This is normally a quiet time of year on Stanford's sprawling campus south of San Francisco, with students focused on final exams. Instead, students and faculty say, news of the lenient sentence has rocked the community.

Members of a closed Facebook page dubbed #20MIN planned a protest during commencement Saturday. The page's name refers to a statement in court from Mr. Turner's father, who said six months was a "steep price to pay for 20 minutes of action."

The Stanford Association of Students for Sexual Assault Prevention circulated a letter supporting the victim and launched a petition demanding that the school issue her a public apology and provide counseling services. "The university should have come out as supportive of the victim before this went viral," said sophomore Alexis Kallen, who participates in a task force dedicated to addressing safety issues.

The online petition, which also calls for Stanford to enhance its sexual assault prevention resources and conduct a thorough survey to better gauge how often incidents of sexual violence occur at the school, has gathered nearly 11,000 signatures.

Lisa Lapin, a Stanford spokeswoman, said the university had been proactive in addressing sexual assault, an issue that colleges across the country have faced.

“It has had the top attention of university, well prior to the Brock Turner case. We are a leader in this space,” she said.

Freshman Rachel Savage said many students have been sharing personal stories of sexual assault online in the wake of the sentencing, and that many were concerned that Mr. Turner’s swimming skills and privilege spared him a harsher sentence.

Saunders Hayes, a senior who wrote an opinion piece for the student newspaper last month calling for Stanford students to focus on “empathy and love” rather than vengeance in demanding a harsh sentence, said Tuesday that he initially received supportive feedback from students.

His piece was circulated more broadly after the sentencing, and the online comments section for the letter “quickly devolved into a virulent cesspool of internet hatred,” he said in an email to the Journal on Tuesday. The story currently has more than 430 comments online.

“Nobody is just the crime they committed,” Mr. Hayes said, adding that the negative comments underlined his argument about the absence of compassion on all sides. “We are all much more than the worst thing we have done.”

Much of the fury over the case has been focused on Santa Clara County Superior Court Judge Aaron Persky, who said during sentencing that a longer prison term “would have a severe impact on [Mr. Turner].” A Change.org petition urging Mr. Persky’s recall had garnered more than 262,000 signatures by Tuesday. The judge couldn’t be reached for comment.

Translating that online support into an actual recall vote is a long shot, experts say, and it could take months to even begin.

Successful judicial recalls happen “almost never,” according to Joshua Spivak, a senior fellow at the Hugh L. Carey Institute for Government Reform at Wagner College in New York and author of the Recall Elections blog. Mr. Spivak said a judge last faced a recall vote in the U.S. in 1982; the last time one was actually removed through the recall process was nearly 40 years ago.

Michele Dauber, a Stanford law and sociology professor, said Tuesday that Progressive Women Silicon Valley, a registered California political action committee, is leading the effort to recall Judge Persky. The PAC has a website and fundraising campaign.

Stanford law professor Mark Lemley said Tuesday that he was “outraged” by the sentence and worries it sends a message that what happened to the young woman “isn’t real rape” because she was intoxicated.

Mr. Persky is running for re-election this year and state laws provide a grace period of six months before his current term ends, as well as three months after a new one begins, during which a recall can’t be pursued, Mr. Spivak said. That means that if Mr. Persky is re-elected — he currently is running unopposed — a recall effort couldn’t begin in earnest until April. California’s primary contest was held Tuesday but Mr. Persky’s name didn’t appear on the ballot since he had no opponent.

“The timing is unfortunate,” Mr. Lemley said. If the sentencing was two months earlier, he said, “My guess is someone would have popped up to run against him.”