

Honorable Christina Argyres  
Bernalillo County Courthouse  
PO Box 488  
Albuquerque, NM 87103-0488

November 19, 2015

Dear Honorable Christina Argyres,

I am writing to urge you to stop using prisoner rape a scare tactic in your courtroom. At a recent sentencing hearing, you told Isaiah Gay that if he were put in prison “he would probably be raped every day.” You went on to say that Gay’s crime — robbery — was “almost like rape,” implying that sexual abuse would be fair punishment.

As a survivor of prisoner rape and an advocate, I found your remarks not only offensive but also dangerous. Rape is not part of the penalty — nor is it a tool to be used by judges to frighten defendants. While widespread, this violence is not inevitable. My abuse was not included in the sentence handed down by my judge; rather, it happened because prison staff failed to keep me safe.

Fortunately, many people who work in the criminal justice system are starting to embrace their duty to stop prisoner rape. They include corrections officials, advocates, and many prominent judges. Indeed, it was a Supreme Court Justice, David Souter, who wrote that rape “is not part of the penalty” in his decision in the landmark *Farmer v. Brennan* case.

We still have a long way to go to stop prisoner rape. Our success will largely depend on whether elected officials, like you, recognize that the government has a duty to end this violence. I hope that you will use your position as a judge to ensure that every person in your courtroom, regardless of the crime that person may have committed, is kept safe from sexual abuse.

Sincerely,



Jan Lastocy

JDI Board member  
JDI Survivor Council member

and the following signatories:

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