

Biden Judges Vindicate Women's Rights Against Assault and Mistreatment

Biden appellate judges have cast critical votes that ensured women would have their day in court against perpetrators of rape, sexual assault and sex-based discrimination. The decisions, one of which drew a dissent from a Trump judge, will also help other survivors and could deter such misconduct in the future. They illustrate the important role that Biden judges are playing to help protect women's rights, and the importance of promptly confirming more fair-minded Biden judicial nominees.

Sex Trafficking

Biden Seventh Circuit judge Doris Pryor [cast](#) the deciding vote that allowed a sex trafficking victim and her mother to sue a corporation that participated in the awful scheme. A woman identified as GG fell into the hands of a sex trafficker when she was 13. He forced her to engage in "commercial sex" and advertised her availability on Backpage.com, a notorious website used for "sex trafficking and pimping." Backpage's work was significantly helped by the software company Salesforce.com, which designed Backpage's software and helped it grow exponentially before the Justice Department shut it down.



Under a law passed by Congress, GG and her mother sued Salesforce for damages for its participation in the sex trafficking. But the lower court and a dissenting Trump judge maintained that the corporation could not be sued because there was no allegation that it knew specifically that GG was a victim of the scheme. This would have "severely undermined" the law in "some of the most egregious cases." Judge Pryor cast the deciding vote in a 2-1 decision that reversed the lower court and allowed GG and her mother to get their day in court against Salesforce. The decision will also help other sex trafficking survivors and hopefully help deter corporations from participating in such egregious misconduct.

Sexual Abuse

Biden Second Circuit judge Allison Nathan [wrote](#) a unanimous opinion, joined by Biden judge Eunice Lee, that reversed a lower court and gave a survivor the opportunity to pursue a sexual abuse case against a former ICE agent who raped and abused her over a seven-year period. Identified as Jane Doe, the woman is a legal US resident from Honduras who was assaulted d by an ICE agent, treated as "his slave," and threatened with deportation and other abuse.



The sexual assaults caused the survivor to suffer numerous injuries, three pregnancies that were terminated via abortion, three attempted suicides, and emotional and psychological trauma. The agent kept her silent via physical violence and deportation threats, including a threat to kill her if she told anyone what had happened after he left ICE.



Doe finally overcame her fear and filed suit against the agent and the government about four years after the misconduct ceased. The lower court dismissed the case as untimely under the statute of limitations. Nathan and Lee’s opinion reversed and sent the case back for reconsideration, explaining that the district court should have specifically considered the very “plausible” conclusion that “years of violent sexual abuse and threats to her life constituted an extraordinary circumstance preventing Doe from sooner pursuing her claims.” In addition to giving Doe an opportunity to get justice, the decision sets an important precedent that will help other sexual assault survivors.

In another case involving sexual abuse, a Biden judge’s opinion reversed a lower court and gave a woman who was assaulted by a TSA screener her day in court to pursue claims against the government.

Gender Bias and Discrimination

Biden appellate judges have also played a crucial role in a number of other cases protecting women’s rights. These include, for example, a [deciding vote](#) by a Biden judge reversing a Trump district court ruling and giving a Vanderbilt professor her day in court to pursue a gender bias claim and another [deciding vote](#) by a Biden judge that authorized a Black woman to proceed with a Title VII retaliation claim despite a Trump judge dissent. Particularly in light of the continuing impact of right-wing Trump judges, confirming more fair-minded Biden judges is crucial to help protect women’s rights.

