



## IWLC Opposes the Nomination of Judge Sarah Netburn

May 30, 2024

Chairman Dick Durbin  
711 Hart Senate Building  
Washington, D.C. 20510

Ranking Member Lindsey Graham  
211 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman Durbin, Ranking Member Graham, and Members of the Senate Judiciary Committee,

I am the Director of the Independent Women's Law Center, writing in opposition to the nomination of Magistrate Judge Sarah Netburn for the U.S. District Court for the Southern District of New York. She lacks an understanding of and respect for our Constitution and does not share the values that Americans require our judiciary to hold, including protecting vulnerable women.

It would be devastating enough if Magistrate Judge Netburn simply applied a law that created gender-identity-based prisons. But that's not what happened. Magistrate Judge Netburn invented a provision in the Constitution to match her progressive politics. Judge Netburn unrecognizably twisted the Eighth Amendment's prohibition of cruel and unusual punishment into a mandate that transgender-identifying males be given access to women's prisons. This type of judging leads the public to lose faith in the rule of law, because the law becomes the whim of a judge, rather than the hard-earned end result of a democratic process.

Worse still, the progressive Constitution Magistrate Judge Netburn invented is deeply harmful to our values as a nation. In this country, we respect and protect women. As Independent Women's Forum's **mini-documentary series**

exposes, placing biological males in women's prisons puts both incarcerated women and their female prison guards at risk.

Many incarcerated women have experienced sexual trauma and abuse, indeed many are in prison due to abusive relationships. To physically lock them in small, dark rooms with criminal males is cruel and a violation of their rights. This is obvious to the vast majority of Americans. That it is not obvious to Judge Netburn shows her judgment has been horribly manipulated by activism. While activism has a place in this country, that place is not the federal judiciary.

The Senate Judiciary Committee must reject President Biden's nomination of Judge Netburn.

Sincerely,

A handwritten signature in black ink that reads "May Mailman". The signature is written in a cursive, flowing style.

May Mailman

*Director*

*Independent Women's Law Center*