

Opinion

Protecting judges and their families protects judicial independence and democracy | Opinion

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By Star-Ledger Guest Columnist

By **Julio Mendez**

Judges in America are under attack. Threats and acts of violence against judges and their families are exponentially increasing across the United States.

Politicization, contested elections, the pandemic, extreme political views, and easy access to personal information all contribute to the problem. Political leaders undermining judges to advance their political point of view adds fuel to the fire.

According to a 2018 National Judicial College survey, more than 90% of the 787 of judges sampled reported that threats and attacks are impacting their judicial independence.

The undermining of the judicial branch and concerns about the safety of judges is so troubling that U.S. Supreme Court Chief Justice Roberts dedicated his 2022 end-of-the-year message to draw attention to the trend.

Complete statement from Judge Esther Salas after son kill...



Judges perform an essential role in society upholding the rule of law and safeguarding democracy. Serving as a judge is a hard job, and it is becoming increasingly dangerous.

Retired Wisconsin Judge John Roemer was killed in his own home in June 2022 by a former litigant that he had sentenced 15 years earlier. Also in June of 2022, U.S. Supreme Court Justice Brett Kavanaugh was targeted for possible assassination. An assailant armed with a gun and knife was apprehended close to his home.

In July 2020, U.S. District Court Judge Esther Salas, was targeted at her northern New Jersey home. Tragically, her son was killed and her husband was seriously injured by a gunman. Judge Salas has become a national voice championing measures to protect judges.

Judges and their families are much more vulnerable in their homes. According to security expert John Muffler, a former U.S. Marshal, “almost all the incidents take place at the homes of judges.”

Nathan Hall, a court consultant with the National Center for State Courts, put it this way: “It doesn’t take a genius to figure out the easiest place to get someone is not in a hardened courthouse facility.”

In New Jersey and across the nation, there are rarely any security details for trial judges outside of the courthouse. Only when they are the subject of a direct threat.

With the expansion of virtual court proceedings, the home of a judge is an extension of the courthouse. Much more needs to be done to enhance security outside the courthouse.

Judges must be active participants in their own security and survival. For example, having a vanity license plate is a bull’s eye for a possible attack.

Keeping a low profile, protecting personal information, taking steps to secure their homes, discussing security with their families, coordinating with local law enforcement and becoming aware of surroundings are all key elements of safety.

It is much more than just reacting to a threat; in most instances, there is no advance notice.

Taking steps to prevent assailants from obtaining judges’ personal information from the internet and public sources is vital. The goal is to make it as difficult as possible for attackers harboring a twisted idea for vengeance against judges from planning their evil

acts.

The dark web is an unrelenting source of private information.

Judge Salas's advocacy led to the passage of Daniels Law, named after her son. The law protects judges' private information and prohibits publishing judges' personal information.

Daniel's Law is a critical positive step. It is now enacted in New Jersey as well as federal law. Providing federal grants and funding is the next critical step.

Court administrators responsible for securing the courthouse and protecting judges need to regularly update security planning, provide training, coordinate with local law enforcement and dedicate more resources to judicial security.

New Jersey's Judiciary security policy requires meaningful security meetings for all courts and security standards for facilities. New Jersey has also established a model reporting system for the collection and analysis of incident data to proactively address threats against judges.

Conducting a home security audit is important, but more is needed. More dedicated law enforcement for judicial security at the state level is needed.

To advance this important conversation, the Hughes Center for Public Policy at Stockton University is hosting an online forum, "[A Threat to Judges – and Judicial Independence](#)," on April 12 at 3 p.m.

Judge Salas will be the keynote speaker. A panel of nationally recognized judicial security experts will explore current trends, discuss recommendations, and provide take-away pointers for judges and court systems, including improvements to threat assessment programs and collection and sharing of data.

Protecting judges and their families enhances judicial independence. And that protects democracy.

Julio Mendez, retired Assignment Judge for the Atlantic-Cape May Vicinage, is a senior contributing analyst for the William J. Hughes Center for Public Policy at Stockton University. To view the April 12 online judge safety forum, [click here](#).

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