RESEARCH REPORT

BRENNAN CENTER FOR JUSTICE

Protecting Judges from Rising Threats

By Alicia Bannon, Gowri Ramachandran, Yasmin Abusaif, Celina Avalos Jaramillo, Eliazar Chacha, and Stephen Spaulding AUGUST 2026

Brennan Center for Justice at New York University School of Law

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Introduction

In a recent interview with the Brennan Center for Justice, a federal district judge described receiving more than 700 threatening phone calls to their chambers after hearing a case related to immigration enforcement by the second Trump administration. The judge, who asked to remain anonymous, also recounted intense online harassment — including having their home's floor plan posted on the internet. Fearing for their and their family's safety, the judge said that they ultimately spent a substantial amount of their own money to build a safe room and take other steps to fortify their home.

The judge described how the experience left the whole family in a state of constant vigilance. They had "to drill what we're going to do if someone enters the house." The judge added, "I can't leave my house at the same time or take the same routes. . . . When someone gets behind me, I just pull over and let them pass. It's not the car you see — it's the car you don't see. . . . My [child's] school has been made aware, as well as the local police." As a result of the threats, the judge said, "the school had to increase [active] shooter trainings."

This report draws on Brennan Center interviews with 35 sitting and retired federal judges about judicial security and threats against judges. The interviewees represent 10 of the 12 regional circuits and include judges appointed by every president since Jimmy Carter. Of the interviewed judges, 17 were serving on the bench at the time of their interviews. Eight of these 17 judges agreed to be identified in the report, as did 11 retired judges. The remaining interviewees asked to remain anonymous.

Federal judges today operate in an increasingly hostile landscape of threats, harassment, and intimidation. Chief Justice John Roberts dedicated part of his *2024 Year End Report on the Federal Judiciary* to the danger of violence directed at judges.[1] Two years later, the threats persist and are growing in number. According to the federal judiciary's fiscal year (FY) 2027 congressional budget summary, published in March 2026, "security incidents of significant concern," as reported by the U.S. Marshals Service (USMS), "increased for judges by 57 percent in FY 2025 and are on pace to rise again in FY 2026" — making security efforts "more urgent than ever."[2] Justice Elena Kagan testified before the U.S. Senate in July 2026 that the Supreme Court Police expected a 38 percent increase in threats against Supreme Court justices in 2026, following a 25 percent increase in 2025.[3]

The current threat environment endangers not just judges' safety but the rule of law.

This report analyzes the causes and ramifications of increased threats against judges, shares interviewees' assessments of the existing security infrastructure, and recommends policies to improve judicial security. Unless specifically attributed, the conclusions and recommendations in this report are those of the authors and do not necessarily reflect the views of any interviewee.

I. Overview

Judges have always carried out their duties under the specter of potential harm. In 1889, Supreme Court Justice Stephen J. Field narrowly escaped assassination during a circuit court visit in California.[4] Six decades later, after the Supreme Court declared the "separate but equal" doctrine unconstitutional in *Brown v. Board of Education* (1954), federal judges enforcing the ruling faced threats of violence.[5] In 1979, U.S. District Judge John H. Wood Jr. was killed by a hitman hired by a defendant scheduled to appear before him — the first murder of a federal judge in the 20th century.[6] In the 1980s, disgruntled litigants assassinated two federal judges, Richard Daronco and Robert Vance.[7]

More recently, in 2020, a self-proclaimed anti-feminist lawyer attempted to assassinate New Jersey District Judge Esther Salas. Posing as a FedEx delivery driver, the assailant arrived at her home to carry out the attack. When her son, Daniel Anderl, answered the door, the gunman opened fire, killing Daniel and severely injuring Judge Salas's husband, Mark Anderl, who was standing behind his son.[8] As Judge Salas later told the Brennan Center in an interview for this report, the attack "changed the world as I knew it."

Threats to federal judges' safety have always existed, but their scope, frequency, and intensity have sharply increased over the past decade alongside the nation's deepening political divisions. In a special report examining threats against judges handling cases related to President Donald Trump or his supporters, Reuters found that from June 2015 to the fall of 2022, the average number of threats and hostile communications directed at judges had more than tripled.[9] During roughly the same period, the U.S. Marshals Service documented nearly 27,000 threatening or harassing communications targeting members of the federal judiciary, a number it described to Reuters as "unprecedented."[10]

In February 2024, then–USMS Director Ronald Davis testified before Congress that the number of verified threats against federal judges (i.e., threats deemed sufficiently serious to trigger an investigation) had "doubled in the last three years."[11] And, as noted above, the federal judiciary reported a 57 percent rise in "security incidents of significant concern" involving judges in FY 2025, with further increases expected in FY 2026.[12]

A number of high-profile judicial security incidents have also been publicly reported in recent years.[13] In 2022, soon after a draft Supreme Court opinion in *Dobbs v. Jackson Women's Health Organization* leaked to the press, a person traveled from California and attempted to assassinate Justice Brett Kavanaugh at his home over concern that the Court would overrule *Roe v. Wade*.[14] The person, who turned herself in to the police before carrying out the plan, was sentenced to more than eight years in prison after pleading guilty to attempted assassination.[15]

Reports also document a pattern of threats against judges who have heard cases related to Trump administration policies since the president began his second term. At least a dozen such threats involved so-called pizza-doxing, a disturbing new trend in which antagonists have unsolicited pizzas delivered to judges' homes to signal that their addresses are known and that they are being watched. The deliveries have often arrived in the name of Judge Salas's murdered son, Daniel Anderl, a reference apparently intended to maximize intimidation.[16]

In March 2025, Justice Amy Coney Barrett experienced a pizza-doxing incident after she and Chief Justice Roberts joined a decision against the Trump administration.[17] Around the same time, Justice Barrett's sister was the target of a bomb threat.[18] Testifying before Congress in July 2026 in support of the federal judiciary's request for increased security funding, Justice Barrett also recounted a recent swatting incident at her home.[19] (Swatting is when someone anonymously calls emergency services to falsely report a crisis and elicit an armed police response.) In Justice Barrett's case, her teenage son opened the door to find numerous police vehicles responding to a false report of gunfire.[20] She credited the Supreme Court Police with quickly coordinating with local law enforcement to defuse the incident.[21]

Social media provides another data point. A May 2025 study found that violent threats against members of the federal bench spiked across social media platforms during the early months of President Trump's second term.[22] Posts containing violent language or impeachment calls targeting judges surged 324 percent between May 2024 and March 2025.[23] In one instance, after a federal district judge's February 2025 ruling blocking an executive order, X (formerly Twitter) users posted statements including "Arrest the judge, throw him in prison, charge him with treason. . . . Problem solved" and "Death penalty for the judge. Death. Penalty."[24]

Interviews conducted for this report echoed many of these accounts and portray a harrowing environment for judges — along with widespread concerns about existing

judicial security infrastructure. They reveal pressures that have altered the practical realities of judging and threaten to undermine the independence of the judicial branch.

Some of the safety concerns raised during these interviews predate the current political moment. Nearly all the interviewed judges reported having personally experienced intimidation, threats, or harassment at one point or another during their judicial careers, ranging from disturbing letters and phone calls to credible death threats. Most, both sitting and retired, described feeling worried about their family members' safety while serving as judges.

Yet every sitting and retired judge interviewed for this report expressed the view that the dangers judges face are more serious today than in the past. Several sitting judges specifically noted that judicial threats have surged since President Trump took office again in 2025 and identified litigation resulting from the January 6, 2021, attack on the U.S. Capitol, along with legal challenges to Trump administration policies, as contributing to the threat environment.

Among the interviewees, nearly half the sitting judges and most of the retired judges also expressed concern that baseless claims of bias and other forms of extreme rhetoric about judges from political leaders — including the president, members of Congress, and senior executive branch officials — had contributed to elevated threats. Judge William G. Young, a senior judge in the District of Massachusetts appointed by President Ronald Reagan, told the Brennan Center that "in 40 years of judicial service, I have never experienced an executive branch that is so overtly hostile to the federal judiciary — top to bottom." Judge Young added, "Never have I experienced or seen anything like this — never — including [from] this president's prior administration."

A majority of the sitting judges interviewed pointed to social media as another factor contributing to today's increasingly hostile judicial security climate. Nearly every sitting judge expressed concerns about their addresses and other personally identifiable information being published online.

The interviewees also detailed the harmful effects of today's threat environment, both on individual judges and on the judiciary. Many of the sitting judges spoke vividly about feelings of anxiety related to security threats. Some described paying out of pocket for additional security for themselves and their families. Nearly every interviewee was firm in their belief that threats have not influenced any federal judicial rulings, but many acknowledged that they worry about whether judges will be willing to accept these risks in the long run.

Indeed, some of the judges expressed that they had agreed to be interviewed in part out of concern that the judiciary's independence could eventually be undermined if this growing problem persists unaddressed. As retired Judge Royal Furgeson of the Western and Northern Districts of Texas told the Brennan Center, "In a monarchy, the king is law. In a democracy, the law is king. You cannot have a free society without the protections the law provides, and you cannot have the rule of law without an independent judiciary."

The interviewees also discussed the existing security infrastructure for judges. Many of the judges, both sitting and retired, described extant judicial security as inadequate and expressed the view that courthouse security and USMS protections are routinely underfunded. While most judges noted their gratitude for the marshals' work, a majority of interviewees, including more than half the sitting judges, also expressed concern that the executive branch could interfere with the USMS's judicial security function given that the agency sits within the Department of Justice (DOJ). Judge Young also observed that the Trump administration had reassigned some marshals from their judicial security duties to fulfill immigration enforcement and other priorities.

Many of the interviewees, including nearly half the retired judges, also called for a louder and more unified defense of judicial independence from leadership within the judiciary, and many discussed the importance of educating the public about the role of judges. Several sitting judges expressed gratitude toward the retired judges who have spoken publicly about these issues.

Despite the escalated risks that now accompany judicial service,[25] many interviewees expressed a profound sense of pride in their work, describing it as a reaffirmation of the judiciary's constitutional role at a time when it finds itself most tested. Stating that he has "never been more proud to be a United States district judge than I am right now," Judge Young pointed to other "brave, courageous, independent judges who continue to do their work under extraordinary pressure." He added, "I could not be more proud to be in their company." In that sense, many of the interviewed judges described this intensely challenging period not as a time to retreat but as one that calls for renewed dedication to the ideals of impartiality, restraint, and constitutional fidelity that define the judicial office.

This report offers federal and state policymakers, judicial leadership, bar associations, legal organizations, academic institutions, and media organizations concrete recommendations on how to bolster judicial security and mitigate threats so that judges can continue to administer justice independently and safely, and so that the public can continue to disagree, debate, and resolve differences peacefully and fairly — by speaking out, voting, and, when necessary, litigating in a court of law.

Summary of Policy Recommendations

>> Adequately fund judicial security and clarify tax liability.

- Congress should fully fund judicial security requests and ensure that appropriations keep pace with evolving threats.
- Congress should establish clear guardrails to ensure that appropriated funds are not misdirected.
- Congress and the Treasury Department should clarify through legislation or interpretive guidance that judges who require additional security will not be taxed for the service.
- Congress should appropriate funding to support judicial security efforts carried out by state and local law enforcement agencies that assist in protecting federal judges and courthouses.
- The Judicial Conference of the United States and the U.S. Marshals Service, in consultation with Congress, should assess whether existing judicial security protocols, resource allocations, and eligibility standards should be updated, including with respect to protection for judges' immediate family members.

>> Strengthen federal and state programs to protect the personally identifiable information of judges and their families.

- Congress should continue funding the Daniel Anderl Judicial Security and Privacy Act's state and local grants program and strengthen the law to establish automatic, nationwide protections for covered individuals.
- States should fortify data privacy protections for judges by leveraging infrastructure and safeguards that already exist for domestic violence survivors.

>> Establish a blue-ribbon commission to evaluate options for housing judicial security within the judicial branch.

- The Administrative Office of the U.S. Courts, in consultation with bipartisan leaders of relevant House and Senate committees, should establish a commission of experts to evaluate and recommend options for bolstering security protections within the judicial branch.

>> Increase security training and operational support for judges.

- U.S. marshals and judicial security officials should assess the adequacy of existing training and operational support for judges and implement uniform protocols for timely threat updates, structured judicial security briefings, and notifications coordinated with local law enforcement.

>> Improve online safeguards against threats and harassment of judges.

- Social media companies should work with external experts, including judicial representatives, free press advocates, and civil society groups, to address efforts to intimidate judges without suppressing dissent and criticism.

>> Uphold the value of judicial independence.

- Political leaders have every right to criticize judges and rulings, including by expressing harsh critiques, but they should do so responsibly, including by repudiating the use of violent imagery, doxing, and baseless claims of bias or corruption.

>> Improve civic education about the role of courts.

- Sitting and retired members of the judiciary, along with academic institutions, media organizations, bar associations, and political and community leaders, should help improve civic education about the role of courts in American democracy.

II. Methodology

This report draws on interviews highlighting the personal experiences and observations of 35 sitting and retired federal circuit and district judges. Interviewees included 23 district and 12 circuit judges serving in urban, suburban, and rural communities alike and representing 10 of the 12 regional circuits. Eight were appointed by a Republican president; 17 were sitting on the bench at the time of their interviews and 18 were retired.

To assemble this cohort, the Brennan Center relied on a combination of public records and professional networks. The report's authors sought broad representation across professional experience, ideological viewpoints, demographic backgrounds, jurisdictions, and leadership roles within and beyond the federal courthouse. The cohort included retired judges among the interview sample to provide context that sitting jurists may be constrained from discussing and to broaden the set of experiences represented. Interviews took place from September to December 2025.

After conducting the interviews, the authors thoroughly reviewed and analyzed the information provided to identify trends and evaluate responsive policy recommendations. Prior to publication, interviewees were offered the opportunity to have a follow-up conversation to ensure up-to-date information. Where applicable, the authors also considered other relevant studies and publicly reported information.

An informed consent procedure assured voluntary participation, and participants were permitted to remain anonymous to encourage candor. Ultimately, 19 judges agreed to be named in the report; the rest chose to participate anonymously.

Each interview lasted between 30 and 60 minutes. Judges could choose to skip questions, and some questions were omitted owing to time constraints. The interviews focused on three themes: threats, harassment, and safety concerns; the effects of threats, harassment, and safety concerns on judges and on the rule of law; and policy recommendations.

The interviews were designed to comport with sitting judges' ethical obligations under the Code of Conduct for United States Judges. Canon 4 of the code permits judges to speak out about judicial threats and other forms of harassment lodged at individual judges and the judiciary as an institution.[26] Such commentary is an extrajudicial activity that implicates the administration of justice and is meant to protect judicial independence and the safety of court personnel.

In February 2026, the Judicial Conference's Committee on Codes of Conduct issued new ethics guidance further clarifying that Canon 4 and previous advisory opinions "leave room, in at least some circumstances, for the measured defense of judicial colleagues from illegitimate forms of criticism and attacks that risk undermining judicial independence or the rule of law."[27] In his *2024 Year End Report on the Federal Judiciary*, Chief Justice Roberts identified four areas of "illegitimate activity" that "threaten the independence of judges on which the rule of law depends: (1) violence, (2) intimidation, (3) disinformation, and (4) threats to defy lawfully entered judgments."[28]

III. Background on Judicial Security

Federal judges hear a diverse set of cases across 94 district courts, 13 circuit courts, and the U.S. Supreme Court.[29] Because this broad docket exposes them to a wide range of contentious cases, enhanced protections are necessary to safeguard their independence and personal security.

With the exception of the Supreme Court, security for federal courts is handled by the executive branch, primarily through two federal agencies — the U.S. Marshals Service, which is housed under the Department of Justice, and the Federal Protective Service (FPS), which is housed under the Department of Homeland Security.[30]

Each of the 94 judicial districts has a U.S. marshal, and the USMS has roughly 5,500 deputy marshals, criminal investigators, administrative employees, and detention enforcement officers.[31] The USMS director and each U.S. marshal are appointed by the president and confirmed by the Senate. The USMS oversees the security of federal judicial proceedings and the protection of federal judges and court personnel.[32] It is also responsible for apprehending fugitives, transporting federal prisoners, and executing court orders and warrants.[33]

The Supreme Court has a separate agency, the Supreme Court of the United States Police Department, which is charged with providing security for the Supreme Court building, the justices, and their immediate families.[34] The marshal of the U.S. Supreme Court heads this agency, which reports to the Supreme Court and is housed under the judicial branch.[35] 40 U.S.C. § 6121 authorizes the Supreme Court marshal and the Supreme Court Police to make arrests in carrying out these duties. The Supreme Court Police has long coordinated with the USMS, the State Department, international police, and state and local authorities to protect justices traveling to jurisdictions outside the District of Columbia.[36]

Every federal courthouse has physical security infrastructure and strict screening and entry requirements. FPS provides perimeter security, which includes entry screening (including property and mail screening) for federal courthouses across the country.[37] All visitors to federal courthouses must go through screening stations staffed by a court security officer (CSO), a contractual officer specially deputized by the USMS.[38] CSOs typically oversee stations equipped with X-ray machines and metal detectors.[39]

State and local law enforcement also support and protect federal judges, assisting with monitoring, assessing, and helping investigate potential threats when the USMS lacks capacity. These partnerships allow the U.S. marshals to ensure the safety and security of the judiciary inside and outside the courtroom.

Concerns about the adequacy of judicial security have been raised in the past. In a March 2004 report, the DOJ's Office of the Inspector General (OIG) found significant deficiencies in the U.S. Marshals Service's response to judicial threats.[40] At a subsequent congressional hearing, the inspector general testified that of the 2,443 threats recorded in the USMS's system between fiscal years 2000 and 2003, barely a quarter were assessed within the agency's prescribed time frame.[41] A 2007 follow-up OIG report confirmed that threats against the federal judiciary remained a serious issue despite earlier security reforms.[42] A more recent OIG audit of the USMS's judicial security activities, released in June 2021, found that the agency "does not have the resources or proactive threat detection capabilities that the USMS has determined it needs to meet its protective services obligations for USMS-protected persons, including judges."[43]

The judiciary itself has also formed internal task forces and working groups to confront judicial security threats. Examples include the Judicial Security and Independence Task Force, established by the Administrative Office of the U.S. Courts in March 2025, and the Judicial Conference's Committee on Judicial Security.[44] These bodies assess risks, identify vulnerabilities in courthouse and residential security, and recommend operational changes to better protect judges and their families.

Judges too have increasingly voiced public concerns relating to judicial security — for example, by urging Congress to enact measures such as the Daniel Anderl Judicial Security and Privacy Act, which was passed in 2022.[45] Named after Judge Salas's murdered son, the law limits the public disclosure of federal judges' personally identifiable information.[46]

IV. Factors Contributing to Threats

Every judge interviewed for this report, both sitting and retired, stated that the threats federal judges face today are more serious than in the past. The causes of this heightened threat environment are complex, and they correspond with increases in threats against members of Congress and state and local officeholders.[47]

However, several contributing factors with respect to judges were repeatedly identified during the interviews: a spate of high-profile cases during a period of sharp social division and polarization, including cases relating to the January 6 insurrection and to Trump administration policies; political rhetoric, including from high-ranking officials, that targets individual judges and in some instances attempts to influence or intimidate them; and online intimidation tactics such as social media harassment and doxing — the act of publicly exposing an individual's personally identifiable information.

"It's different than what I've seen in the past," one sitting judge observed. "It's never been like this before." Another sitting district judge stated, "I used to be a prosecutor and did cases with conflict and potential danger," but security was never a serious concern of his until the first Trump term. The judge observed that threats against judges had "exponentially exploded" during Trump's second term.

The interviewees emphasized that expressing disagreement with judges and judicial rulings is wholly appropriate. None of the currently sitting judges believed that the risks they face had affected their rulings. But the majority of both sitting and retired judges interviewed expressed concern that without mitigation, the level and intensity of threats could ultimately undermine judicial independence.

Contentious, High-Profile Cases

The majority of the sitting judges interviewed for this report pointed to a proliferation of contentious cases attracting significant public attention — including litigation resulting from January 6 and legal challenges to Trump administration policies — as a factor contributing to spiking judicial threats. Several interviewees, including six sitting judges, specifically observed that the intensity of threats had increased since the beginning of the second Trump term, as federal courts have repeatedly been asked to place legal limits on expansive policy changes and assertions of executive power.

More than 850 lawsuits challenging administration policies have been filed since the president returned to office in January 2025, and in more than 150 cases, courts have at least partially halted those policies.[48] Such litigation has often been the impetus for inflammatory political rhetoric against judges; yet even absent such rhetoric, the profile and visibility of these cases have frequently garnered public attention that has led to threats.[49] Notably, the judges who expressed these concerns were appointed by both Democratic and Republican presidents.

In an interview with the Brennan Center, one circuit judge who has adjudicated high-profile Trump administration–related cases described experiencing pizza-doxing incidents several times at their home, sometimes addressed to their child or to the marshal assigned to the judge's court. The USMS was unable to identify who was behind the deliveries, so the judge received additional surveillance protection.

When asked during an interview if judicial independence is most at risk in any particular types of cases, another federal judge replied, "There was a while for us where January 6 cases were at the epicenter. Those are now gone." Now, the judge explained, immigration cases have become a focal point for threats against the judiciary. "[The] executive branch really cares about [immigration cases]. It's discussed as if the fate of the world hangs on it. Whether it does or not, it's what the perception is."

Threats against judges often take a significant personal toll. The same interviewee, who has heard high-profile cases related to the executive branch, described feeling "under the microscope" and that danger is "omnipresent." He continued, "Every judge thinks about it quite a bit [and] is sensitive to the very legitimate fears and concerns that their colleagues have when handling a case in the public sphere [that] can elicit a reaction."

Other judges have echoed these concerns. In an interview with Reuters, U.S. District Judge Royce Lamberth, a Reagan appointee, described how his chambers were inundated with threatening voicemails, including death threats, in 2022 after he sentenced a woman who pleaded guilty for her role on January 6. Reflecting on the changing nature of judicial service, Judge Lamberth remarked, "We had never even contemplated that one of us could get killed in this job."[50] (Judge Lamberth was not interviewed by the Brennan Center.)

Some of the judges interviewed for this report also discussed how threats varied by region and level of court.

Litigation challenging Trump administration policies has been heard in dozens of judicial districts across the country.[51] However, one sitting appellate judge observed that challenges to executive orders have been filed disproportionately in the Northeast, with the districts of Massachusetts, Rhode Island, the Southern District of New York, Maryland, and the District of Columbia getting the bulk of these cases and the bulk of the fanfare — and threats — that accompany such high-profile cases.

Several interviewees also highlighted that district judges, who hear cases at the trial level, are particularly vulnerable. In one judge's words, the cases "that raise the most concerns are the [ones relating to the] executive branch, or things the White House cares the most about. The district courts are just dealing with them on a [more] consistent basis than appellate [courts]. They are dealing with it by themselves. If you have one judge dealing with a case, everybody's anger can be put on a particular person. Easier done than [with] a panel of three."

Escalatory Political Rhetoric Targeting Individual Judges

A majority of interviewees also expressed concern about the increasingly common practice among public officials and others with large platforms of singling out individual judges (and sometimes their family members) for personal attack. Some public officials and others who disagree with particular judicial decisions have used their platforms to raise baseless accusations of bias and portray judges as political enemies deserving of impeachment.

In particular, several of the sitting judges and more than two-thirds of the retired judges interviewed by the Brennan Center specifically pointed to statements by political leaders and their allies — including remarks by the president, members of Congress, and prominent figures such as Stephen Miller and Elon Musk — condemning individual judges, accusing them of bias without factual basis, and in some cases calling for their impeachment based on disagreement with their rulings.

Such rhetoric can put judges' safety at risk. One district judge, after ruling against the Trump administration, was targeted by the president and his allies with accusations of bias. He reported receiving countless pieces of hate mail and calls to chambers and requiring nearly four months of full-time USMS protection at home. According to the judge, his wife also received intimidating calls on her cell phone late at night, and anonymous pizza deliveries were sent to his children's and siblings' homes. According to the judge, the threats were so intense that a relative insisted on paying for private security until the USMS began providing round-the-clock protection.

District Judge John Coughenour, a Reagan appointee, described a similar experience in an interview with NBC News in early 2025. After Judge Coughenour blocked the Trump administration's executive order on birthright citizenship, the president baselessly accused him of prejudging the case.[52] Rep. Andy Ogles (R-TN) subsequently posted a "wanted" poster outside his office with Judge Coughenour's name and face alongside those of other federal judges, accusing them of being "corrupt, activist judges."[53] Soon after, Judge Coughenour was swatted — an anonymous caller told local police that the judge had barricaded himself in his house and murdered his wife — and subjected to a fake pipe bomb threat.[54] (Judge Coughenour was not interviewed by the Brennan Center.)

Though many of the judges interviewed for this report focused on amplified rhetorical attacks since the start of the second Trump administration, some also noted concerns about comments by other elected leaders. For example, Judge Salas recalled Sen. Chuck Schumer's remarks at a 2020 abortion rights rally, directed at Justices Brett Kavanaugh and Neil Gorsuch as the Supreme Court was considering a series of abortion cases. Echoing Justice Kavanaugh's language during his 2018 confirmation hearing, Sen. Schumer (D-NY) publicly warned, "I want to tell you, Gorsuch, I want to tell you, Kavanaugh, you have released the whirlwind, and you will pay the price. . . . You won't know what hit you if you go forward with these awful decisions."[55] The following day, Sen. Schumer retracted his remarks, stating that they "did not come out the way I intended."[56] Judge Salas further noted, "I denounced very publicly the picketing of the Supreme Court justices' homes."

One retired judge interviewed by the Brennan Center similarly condemned Sen. Schumer's remarks as "inappropriate" but also observed that since the beginning of 2025, when President Trump began his second term, the judicial security climate has shifted palpably. "The volume, the tone, the nature of what it is, the comments made by high officials . . . is unheard of."

During his interview, Judge Young drew from his own experience and reflected, "Having a litigant who's hostile to you is old hat. Judges have dealt with that forever [and] are accustomed to criticism. . . . That comes with the job." However, he noted, "What is new — what is genuinely new — is having the executive branch itself be overtly hostile to the federal judiciary." Judge Young observed that when harassment "comes from the executive branch itself, it changes the environment in which judging occurs. It is manifested in so many different ways: public disparagement of judges, baseless conclusions, attacks that would have been unthinkable in prior administrations."

When asked, some sitting judges also expressed fear that the arrest and federal prosecution of former Wiscon-

sin state judge Hannah Dugan had undermined judicial independence. Judge Dugan was found guilty in December 2025 of obstructing an immigration arrest in her courtroom and faced up to five years in prison.[57] On July 8, 2026, she was sentenced to pay a $5,000 fine and received no term of imprisonment.[58] One sitting appellate judge, during her interview with the Brennan Center, pointed to the arrest as an example of the Trump administration's weaponization of federal law enforcement against judges. She explained that federal officers "were used against [Judge Dugan] in a way that was . . . not only perhaps unlawful, but really shocking, and that . . . can have a chilling effect." In response to Judge Dugan's arrest, 150 former judges wrote to then–Attorney General Pam Bondi promising that "this attempt to intimidate the judiciary will fail."[59]

During their interviews with the Brennan Center, some retired judges also pointed to rhetoric from President Trump and other leaders as a symptom of broader challenges to judicial independence posed by the executive branch. In the words of one retired judge, "I think the president is trying to stress test the judiciary. He's trying to see how far he can go in asserting his power."

One sitting appellate judge reflected on the delicate balance that leaders need to strike in criticizing a judicial decision. "I don't think politicians need to stand mute in the face of a judicial decision with which they disagree, but they should recognize that acerbic criticism from high-profile members of another branch of government may motivate others to act erratically, and even violently, toward members of the judiciary," the judge observed. He added, "[I'm] not saying that's the intent, but everyone should be very sensitive to that possibility, which is not good for any branch of government or our constitutional system." The judge noted that Chief Justice Roberts made a similar admonition in his *2024 Year End Report on the Federal Judiciary*. Retired Southern District of New York Judge Shira Scheindlin likewise observed, "There are positive ways to disagree without delegitimizing judges."

Until recently, public officials usually adhered to that norm. Although modern presidents have publicly criticized judicial opinions — and undoubtedly voiced stronger objections in private — they largely avoided personal attacks on individual judges or justices.[60] For example, after the Supreme Court ruled in 2008 that Guantanamo detainees had the right to challenge their detention, President George W. Bush stated, "We'll abide by the Court's decision. That doesn't mean I have to agree with it."[61]

Social Media and the Rise of Doxing

Many of the judges the Brennan Center interviewed also stressed how social media platforms and data-broker websites have served as vectors for online threats and facilitated access to personally identifiable information, thereby endangering the safety of judges and their families.

More than two dozen of the interviewees, including the majority of sitting judges, pointed to social media as having compounded the ferocity of threats. As one sitting judge put it, "Members of Congress and leaders of executive branch agencies are increasingly using social media to communicate with the public. This can then lead to a Twitter chain in which sharp criticism morphs into threats and other inappropriate communications. This presents a great challenge to the U.S. Marshals Service, which has to track those communications for potential threats. Modern technology makes it possible to mobilize a mob in no time flat, which can be very dangerous."

Disparaging comments made online by anonymous users, members of the public, or aggrieved litigants can spread rapidly and are sometimes amplified by politicians and other high-profile figures. And social media companies have designed platform algorithms to maximize engagement, even when that means making inflammatory content more visible.[62] Several judges the Brennan Center interviewed discussed how a single post by a high-profile figure can trigger waves of coordinated intimidation and harassment.

For example, Reuters reported that after District Judge John Bates ruled against the Trump administration in February 2025, Elon Musk tweeted a photo of Judge Bates and his wife and accused him of corruption and a conflict of interest based on false claims about his wife's charity. Responses to the post included an image of a noose and calls for Judge Bates (a George W. Bush appointee) and his wife to face "capital punishment," which some commentators said was warranted to address "the unfathomable level of corruption and tyranny." Judge Bates's chambers concurrently received an influx of threatening calls.[63] (Judge Bates was not interviewed by the Brennan Center.)

More than two dozen judges interviewed for this report, including nearly all the sitting judges and most of the retired judges, also identified doxing as another frightening and destabilizing development.[64] Of the 35 interviewees, 26 expressed doxing concerns for themselves, their loved ones, or colleagues on the bench. Two sitting judges

described having had personal information posted on the internet (including one instance in which the judge's child's personal information was exposed online). Three judges described pizza-doxing incidents at their home addresses or those of family members. Another had letters delivered to his home.

Many of the interviewees, both sitting and retired judges, expressed frustration that existing tools to address online threats are inadequate in scope and speed. They described data removal programs, while helpful for removing certain personal information from data-broker websites, as limited and easily outpaced by users who can repost sensitive details across dozens of platforms within minutes. As retired Ninth Circuit Judge Paul Watford explained, "One of the most frustrating things for us was the inability to keep our home addresses off the internet." Senior Judge Edward Davila of the Northern District of California recounted a similar experience, expressing concern with how an individual had obtained his home address.

Making matters worse, address removal services often operate largely after the fact, offering little protection against initial doxing incidents or coordinated campaigns that spread rapidly through social media. The problem is compounded by the continued availability of addresses in many state databases, which data-broker sites use to periodically update the information they publish.[65]

Currently, major social media platforms broadly prohibit the posting of an individual's personally identifiable information that could cause certain harms.[66] Examples of prohibited information include full home addresses, Social Security numbers, and medical information. Yet in practice, inconsistent enforcement and wide loopholes leave people, including judges, at risk of being doxed. For instance, Meta prohibits the posting of another person's personally identifiable information but allows such information if it has already been made public through news coverage, court filings, press releases, or other sources.[67] Similarly, X allows the sharing of publicly available information so long as it is published "in a non-abusive manner."[68]

These exceptions effectively weaken the protections such policies claim to provide. Moreover, social media companies sometimes selectively apply the rules themselves. High-profile users may repeatedly violate platform policies with little consequence, as companies often allow content to remain online when it is deemed newsworthy or when its public interest is judged to outweigh potential harm, even if it otherwise violates guidelines.[69] These determinations are discretionary, and platforms are notoriously opaque as to how they make such determinations.

Allegations of doxing can also be used to suppress speech even when no clear policy violation exists. For example, the Department of Justice under Attorney General Bondi pushed for the removal of a Facebook group used to share Immigration and Customs Enforcement (ICE) agents' locations on the grounds of alleged doxing.[70] The group behind the page, called ICE Sighting–Chicagoland, later obtained a preliminary injunction from U.S. District Judge Jorge L. Alonso, who found that its First Amendment claim that federal officials improperly pressured Facebook to remove its content was likely to succeed.[71]

V. Consequences of Threats

Many of the sitting and retired federal judges interviewed for this report highlighted how today's heightened threat environment affects their — and often their family members' — daily lives. Some judges also described experiencing identity-linked threats, such as those with misogynist or racist underpinnings, that magnified their sense of fear and vulnerability. And they expressed concern that the cumulative effect of persistent threats and harassment risks undermining judicial independence.

The findings discussed in this section underscore the considerable professional and personal burdens that security threats impose on judges, along with the broader implications for the administration of justice and the rule of law.

Judges and Their Families

"We sign up for this. We are public servants," Judge Beth Bloom of the Southern District of Florida remarked during an interview with the Brennan Center. "But our children don't sign up for this. There's a personal effect, especially when you have children, who don't understand there are security issues due to my role as a judge." Another interviewee, the district judge whose home's floor plan was published online, recounted that "for a long time we didn't allow our child to play outside."

Nearly all the sitting judges interviewed for this report voiced concerns about their family members' safety. "I'm very concerned [and] my wife is definitely concerned about it," said one judge, who reflected that today, security concerns "feel . . . very much a part of the enterprise" of being a judge. Judges described taking extensive steps to alter their families' routines after receiving threats, including by advising their loved ones to take different routes home and barring their children from social media and playing outside.

Some interviewees raised a lack of access to security for family members as an issue. For example, one sitting district judge pointed to an instance when he was provided with extra security services after a gang leader put out a contract on his life, while his family did not receive any additional security. "My wife said, 'If they can't get to you, will they get to me? Will that be satisfactory to them?'" The judge's daughter-in-law expressed second thoughts about taking the judge's son's last name because of the threat it could pose, and she and his son decided to leave town temporarily.

The same judge recalled that the marshals "contacted local law enforcement and asked them to upgrade police presence in the areas my daughters lived," as the USMS was unable to provide this protection directly. Some have expressed the view that there is ambiguity over the scope of the USMS's authority to protect judges' family members.[72]

Some interviewees also described security threats imposing personal financial burdens. Some offered examples of out-of-pocket costs they or their family members incurred for additional security. "Every judge ends up having to go out of pocket for [security]," one district judge observed. "I will spend what I need to keep my family safe, but not everyone can do that."

A few sitting judges expressed concern that accepting round-the-clock USMS protection could be construed as a taxable benefit, potentially exposing them to substantial personal tax liability based on the value of the security services provided. Whether or not this accurately reflects Internal Revenue Service policy, tax liability questions have led to hesitation among some members of the judiciary who might otherwise seek or accept enhanced protection when facing credible threats.

Several judges also described how heightened security in response to threats can disrupt daily life. One district judge recounted living with 24/7 USMS protection for several months. He explained, "You stop doing things. I enjoy grocery shopping, and I stopped doing it during this time because we had to have a marshal go in and check it. . . . It wasn't worth it." The judge was unwilling to attend his grandchild's recital due to the burden of bringing his security detail. He underscored that despite these inconveniences, without exception, he found the marshals providing his security to be very committed to his safety and felt an immense debt of gratitude to each of them. Retired Judge Howard Matz of the Central District of California recalled how he and his family felt uncomfortable having marshals stationed outside their home after receiving threats. "I didn't want my life to be derailed so much," he explained. "The threat to judges is not confined to just the judge."

While many interviewees expressed hope that speaking on these issues publicly could make a meaningful difference, several expressed the fear that the personal costs of serving as a federal judge will start to eclipse the importance of the role itself should this high-stress, elevated threat environment persist long-term. In that scenario,

qualified candidates may be deterred from seeking judicial office, while more experienced judges may decide to leave the bench prematurely. Judge Salas pondered during her interview, "How many qualified great candidates are we losing because they are afraid to step into this arena?" Another sitting judge observed, "It never occurred to me that this was something we'd be facing. . . . If this gets too bad, I'm going to stop." One retired circuit judge stated, "Seeing what's happened just reinforces my own decision to retire. I don't want to live that way."

Identity-Linked Threats

The U.S. Marshals Service does not currently publish demographic information about judges who receive threats. Yet some of the interviewees for this report observed that even as the judiciary as a whole faces rising security concerns, judges have disparate experiences by race and gender. For example, one white male judge observed, "I have been talking to women and Black judges who have faced the vitriol and intensity of the threats. I think the vitriol and intensity is much greater for them than for white male judges."

Indeed, some threats directed at female judges and judges of color have expressly been tied to their identities. The man who murdered Daniel Anderl, for example, was a self-described anti-feminist lawyer who disparaged female judges on his website and referred to Judge Salas (his intended target) as an "affirmative action" case and a "lazy and incompetent Latina judge."[73] Similarly, Reuters published accounts about two Black federal judges who received threats containing racial slurs after hearing cases related to January 6.[74]

Identity-based threats and acts cause harm both directly and indirectly, as they risk exacerbating the underrepresentation of women and people of color on the bench by diminishing their and potential successors' willingness to serve. While the authors know of no studies that explore this dynamic for judges specifically, recent data documents how it operates for state and local officeholders: A 2025 survey of local elected officials found that a majority of female officeholders reported both a large increase in hostility and decreased willingness to engage in civic participation in the previous year.[75]

These findings echo a 2024 Brennan Center report that surveyed more than 1,700 state and local officeholders and found that women and people of color experienced more abuse targeting their gender and race than their male and white counterparts. Among local officeholders, women and people of color also reported receiving more, and more severe, forms of abuse. Female respondents were also more likely than their male counterparts to say that abuse had lessened their desire to run for reelection or pursue a higher office.[76] These findings underscore that identity-linked abuse threatens not just the individuals it targets but the representation of women and people of color in public service writ large.

As rising threats undermine democratic institutions and civic participation, any response must account for how populations facing the most intense threats may be disproportionately affected. During the interviews for this report, one female judge offered a noteworthy security suggestion. When asked about needed improvements to the USMS and the protections that marshals afford to federal judges and their families, she emphasized that she would view increasing the number of female marshals as "empowering for a female judge" because it could prompt "conversations about how to protect yourself as a woman."[77]

Judicial Independence

Judicial independence refers to judges' ability to decide the cases before them without external pressures, interference, or fear of retaliation — in other words, based on their understanding of the law and the facts before them rather than on political, partisan, or personal considerations.[78] Judicial independence helps ensure that courts are able to protect individual rights and liberties while effectively serving as a vital check on the other branches of government.[79] As one retired judge interviewed for this report put it, "Without the rule of law, every constitutional protection — our liberties — are at risk."

Yet a majority of interviewees, including more than half the sitting judges and over two-thirds of retired judges, voiced concern that if nothing is done to improve judicial security, threats against judges risk eroding this foundational principle. When asked if specific types of cases put judicial independence most at risk, numerous interviewees, including the majority of sitting judges and several retired judges, pointed to cases involving the Trump administration given the intense public attention and political polarization surrounding those proceedings.

Interviewees reported growing concerns that adverse rulings in such cases may trigger personal attacks, coordinated harassment, or threats fueled by partisan rhetoric that portrays judicial decisions as illegitimate or politically motivated. As one sitting district judge observed, "People are aware the administration is going to use whatever potential tools [it] can to come down on judges and try to whip judges into line." Another district judge acknowledged, "I cannot deny I've felt pressure. I've wished cases weren't mine. . . . It would be so much easier to write decisions the way the vocal group likes — but why be on the bench at that point?"

Every sitting judge interviewed for this report was careful to emphasize that they will continue to decide cases according to law and fact. At the same time, these sitting judges all acknowledged that the cumulative effects of

this judicial pressure campaign have altered the practical realities of judging. Some expressed concern that threats, intimidation, and harassment are steadily eroding the conditions necessary for independent judgment. One sitting district judge noted, "There are certainly anxiety and concerns that weren't present before. But on the whole, we are still doing our jobs without fear or favor. I don't see people ruling differently because they're scared." However, this judge also worried that these dynamics could change: "We will see [what happens] when the first federal judge is arrested or any violence [is] directed against federal judges. . . . I hope we don't get to that, but I won't bet against it."

Several interviewees, both sitting and retired judges, also raised concerns about recent calls by politicians and others, often following unpopular rulings, to use articles of impeachment as a political tactic against sitting judges.[80] These efforts, even when unsuccessful, contribute to a climate of intimidation by signaling that adverse decisions may provoke personal and professional retaliation; they can also prompt or exacerbate threats against judges.[81] Judge Scheindlin observed, "I'm concerned about the rhetoric — calling judges insane, criminal, treasonous, and calling for impeachment. . . . I'm convinced that leads to violence in our society. . . . Judges are rightfully concerned about their safety."

VI. Judges' Assessments of Existing Security Infrastructure

No judge should have to question whether the institutions tasked with protecting the judiciary can safeguard them and their families. Yet the interviews conducted for this report revealed grave concerns among many sitting and retired federal judges about the adequacy of the current judicial security framework.

While interviewees generally praised security personnel, they also identified persistent structural weaknesses, including chronic funding and resource constraints, potential executive branch impediments, and communication gaps. Taken together, these challenges have fostered a perception among many judges the Brennan Center interviewed that current judicial protection systems are ill-equipped and insufficiently coordinated to address the evolving threat environment.

Funding Shortfalls and Inadequate Resources

Throughout the interviews for this report, both sitting and retired judges described existing physical security measures as inadequate or underfunded. One key concern was aging courthouse infrastructure, including outdated cameras and entry-screening technology. Judge Paul Redmond Michel, a retired circuit judge who worked closely on judicial security issues during his tenure, noted simply that "the technology and the machinery is too old." He emphasized the urgency of replacing old equipment with "better quality, newer equipment, using newer technologies" and stressed the need for additional funding.

Second Circuit Judge Richard Sullivan, who serves as chair of the Judicial Conference Committee on Judicial Security, noted that "in recent years Congress has not kept pace with the judiciary's funding requests for courthouse security systems and equipment." As a result, the cyclical replacement of courthouse screening equipment that was envisioned to take place over a 10-year period is now taking place on a 15-year cycle, which makes systems failures more frequent and harder to fix. Significantly, Congress addressed some of these concerns in the FY 2026 appropriations process by fully funding the judiciary's court security account, adding funding for new security systems and screening equipment at courthouses around the country.[82]

Other issues raised by judges included limited or poorly positioned surveillance systems and insufficient staffing at security checkpoints. Judge Kimberly Mueller of the Eastern District of California, who is now retired, recounted attacks against her courthouse building during the Covid-19 pandemic, "including someone shooting at the window and property damage. People have [also] gotten close to breaking into judicial parking." Judge Mueller explained, "Judges discipline themselves not to be intimidated, but we rely on an infrastructure to provide protection." Other judges raised courthouse security gaps they asked not to be repeated in this report so as not to publicly expose them.

Interviewees were even more vocal about vulnerabilities outside the courthouse, particularly at their homes. Retired Judge David F. Levi of the Eastern District of California said, "Federal judges are quite safe within the courthouse. . . . The difficulty is the minute you drive out of the courthouse you are unsafe. If someone wanted to follow you home, they can." A district judge described a time when she called the USMS to report a stranger on her back porch. Although the judge was not the target of a known active threat at the time, the USMS said it would be there as soon as possible but told her to call the local police in the meantime. "The police came before the marshal arrived. It's about resources," she observed.

Former U.S. Marshal John F. Muffler acknowledged in 2017 that some judges "have minimal to no security at their workplace or travel to remote locations alone. Many are left to fend for themselves with no law enforcement response due to remote locations."[83] (Marshal Muffler was not interviewed by the Brennan Center.)

Some interviewees for this report related that judges are indeed, in certain cases, left to resort to their own means of protection. One retired judge reported being surprised when marshals advised him to purchase a firearm in response to an ongoing threat. He said he found that "it wasn't particularly helpful [for the marshals] to tell me to get a gun" because "I would've been ill prepared." He added, "I was not trained to use a weapon, [but] it was the best they could suggest." A circuit judge told the Brennan Center that, after they and their family experienced repeated threats, the judge was considering purchasing a gun and viewed it as potentially "irresponsible" not to "know how to use [a gun] properly."

Other interviewees described firearms training offered by the USMS to help prepare them for potential threats.

Some sitting judges expressed a desire for more extensive security training, which they said would help ameliorate their security concerns. One sitting circuit judge said that offering training sessions on self-defense or how to speak with their law clerks about security threats could "help empower us and be more supportive for our colleagues as well." Judge Salas agreed in her interview, saying that judges could "use more training on how to handle things," especially if trainings make "security a central focus."

A number of interviewees said that insufficient USMS funding loomed large in their judicial security concerns. At the same time, one judge made a point to acknowledge that although the USMS is limited in resources, he has "been pleased with the responsiveness" of the USMS. Moreover, amid rising security concerns and after years of considerable underfunding, additional judicial security funding by Congress in FY 2026 brought greater resources to the USMS.[84]

Another drain on judicial security resources is the Trump administration's reported redeployment of marshals to assist ICE in executing immigration arrests.[85] During his interview with the Brennan Center, Judge Young observed that these interagency deployments exacerbate existing staff shortages, noting that marshals "are under great strain now because they are detailed to support ICE activities, and that has stretched their capacity." In some instances, courts have reportedly been forced to reschedule proceedings to accommodate gaps in protective staffing as a result of executive branch redeployments.[86]

Together, these accounts paint a stark picture of a system under strain; they also document a consensus that judicial security has been regularly underfunded, to perilous effect. Several of the judges interviewed for this report highlighted how the system being under such strain makes it harder for the USMS to recruit and retain a diverse workforce, upgrade aging security infrastructure within federal courthouses, and strengthen protections beyond courthouse grounds and online, where many threats originate. Several interviewees also stressed that increased security funding is urgently needed to protect state and local judges as well — particularly because they operate without a USMS equivalent despite adjudicating many more cases than their federal counterparts.[87]

Executive Branch Interference in Judicial Security

Under 28 U.S.C. § 566, the U.S. Marshals Service must "provide for the security" of U.S. courts, including judges, court staff, and facilities. Through this statutory obligation, the USMS serves as the primary federal entity responsible for ensuring that judges can carry out their duties safely and without intimidation.

The vast majority of judges interviewed for this report, both sitting and retired, expressed appreciation for the support they have received from the USMS. Judge Young, for instance, said, "My experience with the marshals service has been uniformly excellent. They are well trained. They are sensitive to your personal situation. And they are there for you. When you need them, they respond." Judge Salas called them her family, saying, "I feel like the U.S. marshals have upped their game. They have created and given us tools for immediate threats." Another sitting district judge, emphasizing that "judicial security goes hand in hand with judicial independence," recognized that "so far, the marshals have been really responsible and helpful" and "the hope is that doesn't change."

All the same, a majority of the sitting judges and half the retired judges interviewed expressed concern that the USMS's placement within the Department of Justice leaves its judicial security mission potentially vulnerable to executive branch interference. One sitting judge worried that the USMS "might have conflicting obligations at some point." Another argued, "It's clear [that the marshals have] been taken away from their mission. . . . Our marshal here has to walk a fine line — if you disagree, you are fired. It's as easy as that." A circuit judge likewise observed that it is difficult for the USMS to protect the judicial branch while it is housed under the executive branch.

Some sitting judges interviewed for this report also expressed concern that President Trump could withdraw USMS protection at some point, either from individual judges or from the judiciary as a whole. Since the start of his second term, the president has removed the security details of perceived political foes, including members of former President Joe Biden's family, former Vice President Kamala Harris, and other top Biden administration officials.[88]

One district judge commented during an interview for this report, "You hear about this administration revoking security protections for different people; we think, will the administration do it to us next?" A retired circuit judge likewise observed, "I am not saying that executive branch officials want harm to come to judges, but the rhetoric, name-calling, and failure to speak up to counter negative narratives about judges give me pause as to whether something will impede the marshals' ability to carry out their statutory responsibility."

Citing these concerns, several sitting and retired judges interviewed by the Brennan Center expressed support for shifting control of the USMS from the executive branch to the federal judiciary or otherwise providing for judicial security within the judicial branch. Referring to the Supreme Court Police, one circuit judge said, "To the extent we could borrow what the Supreme Court has, I would take that right now."

On the other hand, another sitting judge expressed confidence that although the USMS falls under the executive branch's authority, "the marshals are designated to protect the courts." She said she thinks "there is no way that they can legally — nor do they want to — turn away from us." Some judges pointed out that by statute, the USMS is charged with protecting judges. And some interviewees expressed qualms about the marshals reporting to the judiciary. As one judge expressed it, "Until there's need," we should "leave [security] for the professionals to do it."

Judge Sullivan observed that the USMS has been tasked with maintaining judicial security and serving court orders and judgments since 1789. He noted that USMS Director Gadyaces S. Serralta — like his predecessor, Ronald Davis — "was asked a series of questions at his confirmation hearing about the marshals' commitment to judicial security, and he made it clear that judicial security remains the first and foremost mission of the marshals service."[89] Nevertheless, Judge Sullivan noted that the Judicial Security Committee and the Administrative Office of U.S. Courts continue to scrutinize the marshals' performance to ensure that they have the necessary resources and focus to provide for the safety of the judicial branch.

Communication Between Law Enforcement and Judges

Another theme across several interviews conducted for this report was the need for stronger coordination and improved communication between the U.S. Marshals Service, state and local law enforcement, and judges.

A few sitting judges interviewed for this report described gaps in communication with the USMS during active threats and investigations. Although deeply appreciative of the marshals' protection in past incidents, one sitting judge explained that during these episodes, he often felt as though marshals left him in the dark. "I had a marshal say to me, 'You are asking questions about things you don't need to worry about.' And I replied, 'It's my life.' Every detail is important. I think they could do more to volunteer [information]. I got upset because I was not being told why they were de-escalating [my security]. There were also things about the investigation they did not tell me and should have."

A circuit judge expressed similar sentiments: "Ninety-eight percent of the time I don't hear anything back from the marshals." A retired judge concurred: "When [the marshals] tell you the threat isn't serious you have no information that allows you to question that decision. There were times when I would have liked to better understand why the marshals did not find these actions threatening."

In an interview with the Brennan Center, Ben Haiman, the executive director of the Center for Public Safety and Justice at the University of Virginia and former chief of staff for the Metropolitan Police Department of Washington, DC, shared several reasons for this limited feedback — including the need to protect sensitive investigative methods, preserve confidential sources, and avoid compromising ongoing investigations. Even so, some judges interviewed for this report said they need greater transparency about how threats are assessed and resolved.

Additionally, while many interviewees highlighted efforts already undertaken by the USMS to build relationships with state and local law enforcement, others expressed the view that it could do more to improve coordination between federal, state, and local law enforcement agencies. Experiences among the judges interviewed varied substantially, reflecting the USMS's relatively decentralized structure. Judge Salas elaborated: "Depending on where you sit, there is a lot of disconnect. . . . I do hear from some colleagues across the country that they feel the marshals are disconnected with law enforcement and they are not happy about it. They need a more collaborative relationship between the two." One retired judge suggested that, despite the already hefty workload of local law enforcement, establishing a stronger relationship could help the USMS better protect judges and "gain strength without increasing the federal presence."

In response, Haiman told the Brennan Center that differing roles between the USMS and state and local law enforcement, along with regional differences and a lack of standard operating procedures, affect coordination and communication capabilities. He too acknowledged the need for improvement. "We can't wait until tragedy strikes in order to be concerned about this. It's a call to action now."

VII. The Role of the Supreme Court and Retired Judges

Multiple sitting and retired federal judges interviewed for this report underscored that the escalation of threats against the judiciary demands a vocal and unified response from judicial leadership. As Judge Bloom observed, "[It's] very important that judicial leadership continues to step up." Several interviewees also emphasized that members of the legal community, including retired judges, can play an important, public-facing role, including by responding to unfair and misleading criticisms of judges. "I think the judiciary needs spokespeople," one sitting district judge observed. "Having it come from both within and outside the judiciary is more effective." Interviewees also highlighted the need for greater public education and engagement about the judiciary's role.

Several judges expressed appreciation for the retired judges who have spoken out on security threats and in defense of judicial independence. As Judge Furgeson observed, "Active judges may be reluctant to speak openly about these issues," but as a retired judge, "everything we do to protect judges' safety, independence, and privacy is vital to preserving the rule of law."

A few interviewees, including two sitting judges, expressed frustration that Chief Justice Roberts and other judicial leaders were not speaking out more on judicial safety — particularly given what the interviewees described as coordinated efforts by the executive branch and certain members of Congress to silence or intimidate judges. One sitting circuit judge observed, "Chief Justice Roberts . . . should be the poster child for judicial security. I'm very disappointed that's not the role he's taken." The judge added that chief judges also "need to be speaking out more."

Some interviewees pointed to Chief Justice Roberts's public statement in March 2025, which rebuked President Trump's calls to impeach U.S. District Judge James Boasberg, as an example of the kind of leadership that the chief justice should be providing more regularly.[90] One sitting district judge observed, "When [Chief] Justice Roberts speaks, it has such power." A circuit judge expanded: "Because so much is happening, perhaps another, more robust statement needs to come out. People don't feel protected by the Supreme Court." The relative silence from judicial leadership may also have unintended consequences. As Judge Matz put it, judicial restraint in public communications "leaves space for misinformation and misinterpretation of court actions, affecting public perception."

At the same time, some of the sitting and retired judges interviewed for this report said they thought Chief Justice Roberts's response was sufficient. A few voiced concerns that speaking out more extensively could dilute the strength of the chief justice's message or invite further escalation of rhetoric from political officials. One interviewee called it a "tricky, nuanced calculus."

At the time of the interviews, Chief Justice Roberts had issued the March 2025 statement on impeachment; he had also discussed rising threats to judicial independence and safety in his *2024 Year End Report on the Federal Judiciary* but was silent on this issue in his 2025 report.[91] In March 2026, Chief Justice Roberts again addressed the accelerating trend of personal attacks on judges at an event at Rice University, calling such rhetoric "dangerous" and emphasizing that it must stop.[92] Separately, Justices Elena Kagan and Amy Coney Barrett testified before lawmakers in both chambers of Congress in July 2026 about security concerns and the need for additional resources.[93]

Finally, a few interviewees also suggested that the Supreme Court's approach to its so-called shadow docket, in which it hears emergency applications, has contributed to public misperceptions that lower court judges were behaving in a lawless or political manner. These concerns echoed the results of a 2025 *New York Times* survey of 65 federal judges, in which 42 said that the Court's emergency orders had caused "some" or "major" harm to the public's perception of the judiciary.[94]

In the first year of the second Trump administration, the Court heard a record number of shadow docket applications about administration actions and sided with the government roughly 80 percent of the time.[95] In most of these rulings, the Court provided little or no explanation of its reasoning. In one notable concurrence, Justice Gorsuch, joined by Justice Kavanaugh, chided lower court judges for what the justices suggested was a pattern of failing to "respect the hierarchy of the federal court system" and defying the Court's shadow docket orders.[96] In their interview with the Brennan Center for this report, one sitting district judge expressed concern about that concurrence, suggesting that it was an unfair characterization of the lower court ruling and that "the public might view that the lower courts are not following the law."

In another interview for this report, a former circuit judge spoke in sharper terms, arguing that the Court's

actions on the shadow docket have sent "the signal that the Supreme Court thinks that district judges are a bunch of liberal judges pursuing their own policy objectives." The judge added, "It's the same message the administration is sending in more cavalier terms."

VIII. Recommendations

Federal judges should not be left to confront threats, harassment, and abuse without adequate resources and support. Congress, federal agencies, state legislatures, the U.S. Marshals Service, law enforcement, media companies, and judicial and political leaders each have a responsibility to mitigate these risks through coordinated, institutional solutions that prioritize the safety, well-being, and independence of the judiciary. By adopting the recommendations outlined below, these stakeholders can help preserve an independent judiciary, safeguard the rule of law, and ensure that judges are free to decide cases based on law and facts rather than fear.

>> Adequately fund judicial security and clarify tax liability.

Congress should fund judicial security requests and ensure that appropriations keep pace with evolving threats. Despite the widespread awareness of the elevated threat level, funding for federal judicial security remained flat between FY 2023 and FY 2025.[97] Leaders of the Judicial Conference's Committee on the Budget described the situation as "unsustainable," warning that it left the judiciary unable to adequately secure courthouses and protect judges.[98] In February 2026, Congress increased funding for court security from $750 million in FY 2025 to $892 million in FY 2026 — the full amount requested by the judicial branch.[99] This was a positive and necessary development.

Sustained investment by Congress is needed going forward to support marshals, courthouse security personnel, residential security programs, threat monitoring, and other protective measures for judges, court staff, and court facilities. Continued funding is also needed to regularly upgrade physical courthouse security and modernize screening equipment, surveillance systems, threat detection tools, and other technologies critical to protecting judges.

For FY 2027, the judicial branch has requested $920.9 million for security for the federal courts, an increase of $28.9 million; moreover, the USMS has requested an additional $34.7 million to expand its Judicial Security Division's protective operations mission.[100] The U.S. Supreme Court has also requested an increase of $16.6 million in its budget to expand the Supreme Court Police and for an off-site residential security office to coordinate protection, and $6.5 million to build an external visitor screening facility.[101]

In addition to adequately funding security, Congress should establish clear guardrails to ensure that funds appropriated for judicial security remain dedicated to that purpose. For example, as described above, the Trump administration has reportedly pulled marshals away from courthouse security in some jurisdictions in order to support ICE enforcement activities and other priorities. Congress should make clear in appropriations legislation that funds provided to the USMS for judicial security must be used to employ a minimum number of security personnel and that these resources may not be diverted to other operational purposes.

Congress and the Treasury Department should also clarify through legislation or interpretive guidance that judges who require additional security will not be taxed for the service. Some judges interviewed by the Brennan Center believed that accepting 24-hour security protection from the USMS could expose them to personal tax liability for the value of the protection, which could be sizable. This perception has had a chilling effect on some judges, who would, were it not for this ambiguity, request or accept continuous security coverage in situations when they feel genuinely unsafe. The result is a troubling gap between the availability of a crucial safety measure and its actual use, driven not by lack of need but by uncertainty about its potential cost.

To address this issue, the Treasury Department should provide clear, authoritative guidance that security services provided to judges under credible threat conditions — including to family members — qualify as a nontaxable working condition fringe benefit under 26 U.S.C. § 132(a)(3) and Treas. Reg. § 1.132-5. (The existing regulations under section 1.132-5 address transportation provided for security reasons but do not address other protective services.) In addition, Congress should enact legislation expressly excluding such security services from gross income as defined in 26 U.S.C. § 61.

Given that many federal judges are expending personal resources on their own security, Congress should also amend 26 U.S.C. § 162(a), or the Treasury Department should amend the regulations thereunder, to permit judges to deduct unreimbursed personal expenditures on security.

These reforms would reassure judges that accepting protection carries no tax consequences, reinforce the

principle that measures necessary to safeguard public officials will not be treated as personal financial benefits, and signal strong institutional support for the federal judiciary.

Congress should also appropriate additional funding to support judicial security efforts carried out by state and local law enforcement agencies that assist the USMS in protecting federal judges and courthouses. Judges interviewed for this report emphasized that these partnerships are essential, particularly in jurisdictions where federal resources are limited and local officers are often the first to respond to threats or suspicious activity. As with funding for U.S. marshals, Congress should place clear statutory restrictions on the use of these appropriations to ensure that resources provided for judicial security are not redirected to unrelated law enforcement activities.

Finally, the Judicial Conference and the USMS, in consultation with Congress, should assess whether existing judicial security protocols, resource allocations, and eligibility standards should be updated, including with respect to protection for judges' immediate family members. Congress should also consider legislation that addresses the USMS's authority to provide appropriate protections, where warranted, to spouses, children, and other immediate family members when verified threats may impede the functioning of the judicial process as defined in 28 U.S.C. § 566(e)(1)(A).

>> Strengthen federal and state programs to protect the personally identifiable information of judges and their families.

Congress should continue funding the Daniel Anderl Judicial Security and Privacy Act's state and local grants program and strengthen the law's protections for personally identifiable information. The ubiquity of online data has dramatically lowered the barriers for malefactors to obtain judges' personally identifiable information, including home addresses, Social Security numbers, bank account numbers, and even the addresses of their children's schools and day care centers.[102] This information is often freely accessible through government databases, commercial data brokers, and online search portals.[103]

The Anderl Act, which Congress passed in 2022, protects judges' personally identifiable information from resale by data brokers, allows federal judges to redact personal information displayed on federal government websites, and prevents publication of personal information by other businesses and individuals when there is no legitimate news media or public interest.[104] However, Congress has repeatedly failed to fund Section 5934(c) of the law, which authorizes the attorney general to provide grants to state and local governments for the removal of personal information about federal judges and their families.[105] For the first time ever, in FY 2026, Congress appropriated $7.5 million in designated funding for the Anderl Act grant program.[106] The Department of Justice should prioritize the implementation of this program, and Congress should commit to fully funding Anderl Act grants for FY 2027.[107]

Congress should also strengthen the Anderl Act to establish automatic, nationwide protections for covered individuals. Many states mandate public access to certain categories of personally identifiable information, such as home addresses in voting and real estate records, without exempting judges.[108] Disclosures of this public information, which First Amendment considerations make difficult to regulate, are routinely aggregated by data brokers and rogue elements to construct detailed personal profiles of judges and their families.[109] The result is a fragmented privacy regime in which a judge's safety depends largely on the jurisdiction in which they reside or serve. In practice, this means that a federal judge may successfully remove their information from one database only to see it resurface through a state-mandated disclosure elsewhere, thus requiring them to navigate multiple inconsistent opt-out regimes.

During an interview with the Brennan Center, Judge Watford described spending countless hours "contact[ing] all these places that have your personal information on the internet" to have it removed, only to feel defeated after easily finding his home address "in two seconds" just three months later. A strengthened Anderl Act, linked to states' receipt of federal funding for local law enforcement activities, could establish automatic, nationwide protections for covered individuals. This would shift the responsibility for data privacy away from judges and onto government entities and data custodians best positioned to manage disclosure responsibly and coordinate across government departments.

States should also fortify state data privacy protections for judges by leveraging infrastructure and safeguards that already exist for domestic violence survivors. The Council of State Governments reports that at least 45 states and the District Columbia protect the personal information of domestic violence survivors and other at-risk populations from being exposed in government agency records.[110] States can expand programs to judges while removing requirements unnecessary for that population (such as social worker consultations).

In addition, rather than placing the burden on judges themselves to submit requests, states should establish programs that automatically remove judges' personal information from public-facing platforms. Of the 28 states with existing judicial privacy laws — which include New Jersey's Daniel's Law (also named for Daniel Anderl) and Maryland's Judge Andrew F. Wilkinson Judicial Security Act — the overwhelming majority require the judge or covered official to submit a written request to each government agency, data holder, or website operator requesting that it remove certain information from public-facing platforms

and cease publishing it going forward.[111] States should instead adopt centralized processes to have information automatically removed from government databases and to submit removal requests to private sources, administered through a designated government agency.

>> Establish a blue-ribbon commission to evaluate options for housing judicial security within the judicial branch.

The Administrative Office of the U.S. Courts, in consultation with bipartisan leaders of relevant House and Senate committees, should establish a blue-ribbon commission — which should include retired judges, U.S. marshals, Department of Justice officials from past Democratic and Republican administrations, local law enforcement officials, and nonpartisan experts — to evaluate options for bolstering security protections within the judicial branch and recommend reforms.

Several of the judges interviewed by the Brennan Center expressed concerns about relying on an executive branch law enforcement agency for judicial protection when the executive branch itself is a source of pressure on the independence of the courts. However, simply moving the USMS into the judicial branch would not be straightforward: U.S. marshals also engage in a wide variety of activities unrelated to judicial security (such as prisoner transport and fugitive apprehension), and judges may lack the experience and expertise needed to oversee a law enforcement arm.

This commission could evaluate various options for augmenting security within the judicial branch. For example, it could consider establishing a security force in each judicial district, which could report to the judiciary, coordinate with the USMS, and play a role similar to that of the Supreme Court Police. Notably, the Supreme Court Police recently assumed primary responsibility from the USMS for protecting the justices and their families at their residences, and Congress provided additional funding in FY 2026 to support that expanded mission.[112] A similar model for the lower courts would likewise require sustained appropriations to ensure that any new judicial security force is adequately staffed, trained, and equipped.

Another reform to consider would be expanding the Supreme Court Police's mandate to protect lower court judges in the greater Washington, DC, area as well. Finally, the commission could also consider whether the USMS, or the judicial protection functions currently housed within it, ought to be moved under the authority of the judicial branch.

>> Increase security training and operational support for judges.

U.S. marshals and judicial security officials should assess the adequacy of existing training and operational support for judges and implement uniform protocols for timely threat updates, structured judicial security briefings, and notifications coordinated with local law enforcement. Many sitting judges interviewed by the Brennan Center reported being unprepared for the volume and intensity of threats they currently face and described security guidance as sporadic, outdated, or insufficient. Some judges also noted disparities in protection based on geography, district resources, and threat assessments. Communication with U.S. marshals appears to vary widely: Several judges reported receiving timely, detailed updates while others described gaps in communication after reporting threats, leaving them uncertain about response efforts and possible ongoing risks to themselves and their families.

The USMS and judicial officials responsible for security should conduct a comprehensive assessment of the adequacy of existing training and operational support provided to judges, paying particular attention to preparedness for emerging and evolving threats. They should establish uniform, nationwide protocols to ensure that judges receive timely and consistent threat updates, regular and structured security briefings, and clear guidance on risk mitigation. In addition, the USMS should implement formalized procedures to improve coordination and information sharing with local law enforcement agencies, ensuring that relevant threats are communicated quickly and that protective responses are aligned across jurisdictions. Strengthening these systems will promote greater consistency, reduce gaps in communication, and enhance the overall effectiveness of judicial security.

>> Improve online safeguards against threats and harassment of judges.

Social media platforms should ensure that their content policies explicitly address the risks of doxing, harassment, and intimidation directed at judges. Policies should recognize that judges — particularly those presiding over high-profile or contentious cases — face distinct and foreseeable risks, and they should clearly prohibit the dissemination of personally identifiable information, threats, and targeted harassment. Incorporating these considerations into policy design would signal a commitment to protecting both individual safety and the integrity of the judicial system.

Social media companies should work with external experts, including judicial representatives, free press advocates, and civil society groups, to develop and refine policies that address threats and intimidation directed at judges without suppressing dissent and criticism. Regular consultation with such experts can help platforms effectively identify and respond to threats while preserving users' ability to vigorously dissent and express criticism. Such engagement would signal to the public that threats against judges constitute a distinct and serious form of harm that social media companies are committed to addressing through clear standards rather than ad hoc or

partisan decision-making. By grounding their policies in expert input and transparent rules, social media companies can better balance robust public discourse with the need to protect judges and preserve the independence of the institutions that continue to uphold the rights that make such discourse possible.[113]

>> Uphold the value of judicial independence.

A healthy constitutional democracy depends on robust public debate as well as respect for the institutions that uphold the rule of law. Political leaders have every right to criticize judges and judicial decisions, question legal reasoning, and advocate for changes in the law — including in strong terms — because judges are public officials whose rulings shape public policy. Criticism of judicial rulings is a normal and essential part of democratic discourse and has often advanced the cause of justice.[114]

However, there is an important distinction between criticizing judicial decisions and instigating or participating in conduct that endangers judges or seeks to intimidate them.[115] For example, using violent imagery, doxing judges or their family members, or making baseless claims of bias or corruption are not legitimate forms of criticism. Instead, they undermine the rule of law, threaten the independence of the judiciary, and put judges' safety at risk. Political leaders should reject this kind of targeting of judges, and they should use their platforms to speak out against it.

>> Improve civic education about the role of courts.

Sitting and retired members of the judiciary, along with academic institutions, media organizations, bar associations, and political and community leaders, are well positioned to help improve civic education about the role of courts. The majority of judges interviewed by the Brennan Center agreed that the steady erosion of civic education in the United States has directly contributed to the intensified threats they now face, noting that many people lack even a basic understanding of what judges do, how the judicial process works, or why judicial independence matters. Sitting and retired members of the judiciary can draw on their experience and credibility to demystify court processes, explain the limits of judicial authority, and reinforce judicial independence norms via public speaking engagements, educational partnerships, and written commentary.

The Supreme Court has a unique and indispensable role to play in this effort. As the nation's highest court and most visible judicial institution, the Court shapes public perceptions of the judiciary more than any other body. Its decisions often drive national debate, and its behavior influences how Americans understand the role of the judiciary. One judge interviewed for this report pointed to measures that the Supreme Court can adopt to support civic education, such as permitting cameras in the courtroom.

In addition, the Supreme Court's increased reliance on the shadow docket to issue consequential rulings without full briefing or explanation has done little to assuage public concerns about judicial transparency and accountability. When the Court clearly explains the reasoning behind its decisions, it helps counteract distorted narratives about lower court judges that can contribute to the kinds of targeted threats, harassment, and doxing that now routinely confront the federal bench.

Legal professionals, academic institutions, media organizations, bar associations, and political and community leaders can also broaden the reach of civic education efforts by integrating accurate, nonpartisan information about the courts into curricula, public discourse, and community programming. Collaborative initiatives can help ensure that materials are widely available, culturally relevant, and responsive to the current moment. Together, these efforts can foster a more informed citizenry, reduce misperceptions about the judiciary, and reinforce the foundations of an independent and effective judicial system.

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ABOUT THE AUTHORS

▶ **Alicia Bannon** is senior director of the Brennan Center's Judiciary Program, where she works to realize a fair and inclusive judicial system that protects fundamental rights, democratic values, and the rule of law. An experienced constitutional lawyer and expert on the courts and access to justice in the legal system, Bannon leads a team of lawyers and researchers engaged in policy advocacy, litigation, legislative campaigns, research and analysis, and public education. Bannon also serves as the editor in chief of *State Court Report,* a Brennan Center publication focused on state courts and state constitutional law, and she directs the Brennan Center's Kohlberg Center on the U.S. Supreme Court. Bannon graduated summa cum laude with a bachelor's degree in social studies from Harvard College and received a juris doctor from Yale Law School.

▶ **Gowri Ramachandran** is director of elections and security in the Brennan Center's Elections and Government Program. Her work focuses on election security, election administration, and combating election falsehoods and political violence. She has coauthored Brennan Center publications such as *Election Officials Under Attack* and *Intimidation of State and Local Officeholders*. She has testified before multiple state legislatures and congressional committees about the impact of intimidation of public officials on democracy and civic engagement. Before joining the Brennan Center, she was a professor of law at Southwestern Law School, and her work has been published in *Election Law Journal, North Carolina Law Review*, and *Yale Law Journal Online*, among others. She served on the Ninth Circuit Court of Appeals' Fairness Committee, which considers racial, religious, gender, and other disparities in the administration of justice. Ramachandran received a bachelor's degree in mathematics from Yale College, a master's degree in statistics from Harvard University, and a juris doctor from Yale Law School.

▶ **Yasmin Abusaif** is counsel in the Brennan Center's Elections and Government Program, where she focuses on a wide range of issues related to election administration, technology and democracy, ethics, and countering political violence. Before joining the Brennan Center, she was an associate in Dechert's Philadelphia office, working in its global finance and real estate practice. Abusaif received a bachelor's degree in government from the College of William & Mary and a juris doctor from the University of California, Los Angeles School of Law, where she specialized in public interest law and policy and critical race studies.

▶ **Celina Avalos Jaramillo** is a policy strategist in the Brennan Center's Elections and Government Program, where she works on state-level reforms to counter the influence of money in politics, political violence, and efforts to safeguard access to free and fair elections. She has coauthored Brennan Center publications such as "New York State's Public Campaign Finance Program Empowers Constituent Small Donors," published op-eds in English and Spanish outlets, and submitted expert testimony to local and state governments. Previously, Avalos Jaramillo consulted on curbing the detrimental impact of fees and fines in the criminal justice system at UC Berkeley's Policy Advocacy Clinic. She also served as the NAACP Legal Defense and Educational Fund's inaugural voting rights trainer. Avalos Jaramillo received a bachelor's degree in political science from the University of California, Los Angeles, and a master of public policy from the University of California, Berkeley, Goldman School of Public Policy with a certificate in security policy.

▶ **Eliazar Chacha** is senior counsel in the Brennan Center's Kohlberg Center on the U.S. Supreme Court, where he works to realize a fair and inclusive judiciary system that protects fundamental rights, democratic values, and the rule of law. Prior to joining the Brennan Center, Chacha was counsel to Sen. Laphonza Butler on the Senate Judiciary Committee, advising her on federal courts, criminal justice, public safety, antitrust, technology, and oversight of key agencies. Chacha also served as counsel to Rep. Pramila Jayapal on the House Judiciary Committee and Rep. Jackie Speier on the House Oversight Committee, as well as a fellow to Rep. Kweisi Mfume. He began his career as a litigator at Skadden, Arps, Slate, Meagher & Flom LLP. Chacha received a bachelor's degree with high honors from the University of California, Berkeley, and a master's degree in history from New York University. He also earned a juris doctor with honors from Columbia Law School, where he was an editor of the *Columbia Law Review*, and a master of public administration from the Harvard Kennedy School, where he was a Zuckerman Fellow.

▶ **Stephen Spaulding** is managing director of the Brennan Center's Kohlberg Center on the U.S. Supreme Court. Previously, he served as policy director of the U.S. Senate Rules Committee, senior elections counsel to the U.S. House of Representatives'

House Administration Committee, special counsel at the Federal Election Commission to Commissioner Ann Ravel, and vice president for policy and legal director of Common Cause. He has testified on multiple occasions in the House and Senate as a national expert on democracy issues. Spaulding is the coauthor of "Elections in the Age of AI" with Sen. Amy Klobuchar, published in *Money, Politics, and the First Amendment*, and has authored numerous reports cited by national media outlets, including *Bullies at the Ballot Box* (examining voter intimidation laws), *The New Nullification at Work* (assessing the impact of the filibuster), and *Did We Fix That?* (assessing the implementation of the Presidential Commission on Election Administration's recommendations). He received a bachelor's degree in political science from Haverford College and a juris doctor from Boston College Law School, where he graduated cum laude.

ACKNOWLEDGMENTS

The authors extend deep gratitude to Judge Beth Bloom, Judge Allison D. Burroughs, Judge Edward Davila, Judge Royal Furgeson (Ret.), Judge Nancy Gertner (Ret.), Judge Thomas B. Griffith (Ret.), Judge Thelton Henderson (Ret.), Judge David F. Levi (Ret.), Judge Howard Matz (Ret.), Judge Paul Redmond Michel (Ret.), Judge Kimberly J. Mueller (Ret.), Judge Philip M. Pro (Ret.), Judge Esther Salas, Judge Shira Scheindlin (Ret.), Judge Richard J. Sullivan, Judge Alvin Thompson, Judge John Daniel Tinder (Ret.), Judge Paul Watford (Ret.), and Judge William G. Young, as well as the sitting and retired judges who chose to participate in this project anonymously, for sharing their experiences and insights. The authors also thank Ronald Davis, J. J. Gifford, Benjamin Haiman, and Michael Hughes for sharing their expertise.

The authors also gratefully acknowledge their Brennan Center colleagues Christine Berger, Josephine Hahn, Liz Howard, Elisa Miller, Larry Norden, Benjamin Nyblade, Michael Waldman, and Wendy Weiser for their thoughtful feedback on the report, as well as Roberto Cordova, Isela Gutierrez, Shanze Hasan, Zoe Merriman, Jamie Muth, and Sara Steele for their invaluable research support. The authors also thank former Brennan Center interns Owen Bruderly, Maansi Misra, Neha Rao, Ben Ringel, and Mia Roque for their research, and Jonelle Bailey and Matthew Torres for their source and citation checking. Finally, the authors thank Marcelo Agudo, Zachary Laub, Elise Marton, Brian Palmer, Janet Romero-Bahari, Stephanie Sykes, and Alden Wallace for their editorial and design support and Jessica Lam, Alexandra Ringe, and Derek Rosenfeld for their support in the rollout of this report.

The Brennan Center extends deep gratitude to our supporters, who make this report and all our work possible. See them at brennancenter.org/supporters.

The views and conclusions expressed in this report do not necessarily reflect those of the judges, other interviewees, and reviewers unless specifically attributed.

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Brennan Center for Justice at New York University School of Law
120 Broadway // 17th Floor // New York, NY 10271
brennancenter.org