

Perceptions and Experiences with Judicial Security Threats:

A Survey of U.S. State Court Judges

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Although there are many recent examples of violence toward judges and their families, such as the highly publicized 2024 attack on Clark County District Court Judge Mary Kay Holthus,¹ the 2020 murder of the son of New Jersey District Court Judge Esther Salas at her home² reinvigorated a focus on judicial security. In response to this tragedy, a bipartisan bill named after Judge Salas's son, the Daniel Anderl Judicial Security and Privacy Act, was passed to protect federal judges and their families' personally identifiable information (PII) from being published, displayed, or sold.³ Despite lawmakers' efforts, many state judges' personal identifying information is still easily accessible online today.⁴

Judicial security differs for federal and state judges. Federal judges are protected uniformly by the U.S. Marshals Service (USMS), and all reported threats go through the USMS Judicial Security Division.⁵ This centralized repository shows that inappropriate communications, threats, and physical attacks on federal judges increased 344% over six years, with 926 incidents in 2015⁶ and 4,511 in 2021.⁷ On the other hand, state judges are protected on a fragmented basis, including court security and local law enforcement, and the reporting procedures vary by state. For example, roughly half of state judges are not required to report threats to a central repository.⁸ Additional challenges for state judges stem from the lack of a universal vocabulary; for example, some judges might interpret "court security threats" to mean only threats or incidents in the courtroom.⁹

Protections for state judges, when they exist, vary significantly. Several states criminalized assaults on judicial officers (e.g., Ari-

zona¹⁰) or judges (e.g., New York¹¹). Others increased the severity of such an act; for example, Virginia raised assault on a judicial officer from a Class 1 misdemeanor to a Class 6 felony,¹² and Washington made an assault "in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber" a third-degree assault.¹³ Other states focused on different aspects of judicial privacy (e.g., New Jersey,¹⁴ Hawaii,¹⁵ Illinois,¹⁶ Nevada,¹⁷ and Texas¹⁸) by allowing judges to seek relief when personal information is maliciously posted or to make certain identifying information (e.g., home address, phone number) private. Surprisingly, the mechanism for making identifying information private also differs between states.¹⁹ For example, in New Jersey, a judge simply needs to register on a website,²⁰ whereas Nevada judges need a court order.²¹

As there is no national repository for state court judges of inappropriate communications, threats, and physical attacks,²² and very little research on state judge judicial security exists,²³ self-report research from a national sample of judges can potentially provide the best opportunity to understand the scope of state judicial security concerns and determine if state judges mirror the pattern of increased threats found among federal judges. A better understanding of state judges' perceived and real security threats may result in allocating resources and education to help judges protect themselves and their families and encourage states to enact legislation consistent with federal statutes for judicial security.

Footnotes

1. Ken Riller & Rio Yamat, *Defendant Faces New Charges After Attacking a Nevada Judge in Court, Which Was Caught on Video*, ASSOCIATED PRESS, Jan. 4, 2024, <https://apnews.com/article/judge-attacked-las-vegas-court-video-8f1c9a98ae128fe80506351d171efc01>.
2. Esther Salas, *My Son Was Killed Because I'm a Federal Judge*, N.Y. TIMES, Dec. 8, 2020, <https://www.nytimes.com/2020/12/08/opinion/esther-salas-murder-federal-judges.html>.
3. Press Release, Congress Passes the Daniel Anderl Judicial Security and Privacy Act, UNITED STATES COURTS (Dec. 16, 2022), <https://www.uscourts.gov/news/2022/12/16/congress-passes-daniel-anderl-judicial-security-and-privacy-act>.
4. FACILITIES AND SECURITY—ANNUAL REPORT 2021, UNITED STATES COURTS, <https://www.uscourts.gov/statistics-reports/facilities-and-security-annual-report-2021>.
5. *Id.*
6. *Id.*
7. FACILITIES AND SECURITY—ANNUAL REPORT 2022, UNITED STATES COURTS, <https://www.uscourts.gov/statistics-reports/facilities-and-security-annual-report-2022>.
8. William E. Raftery, *Want to Know the Number of Court Security Inci-*

dents? We Do, Too, Trending Topics series, NATIONAL CENTER FOR STATE COURTS, Sept. 29, 2021, <https://cdm16501.contentdm.oclc.org/digital/collection/facilities/id/269>

9. *Id.*
10. A.R.S. § 13-1204, 2015.
11. Assembly Bill A409D (2011).
12. Va. Code § 18.2-57(A), (C)(2006).
13. SB 5484—2013-14, 2013.
14. P.L. 2021, c. 371.
15. H.B. 1539, 2022.
16. 705 ILCS 90, 2012.
17. NRS 247.540, 250.140, 293.908, 481.091.
18. S.B. 42 2017.
19. Ron Zayas, *Securing the Integrity of Our Judicial System*, 59 CT. REV. 16-22 (2023).
20. P.L. 2021, c. 371.
21. NRS 247.540, 250.140, 293.908, 481.091.
22. *Id.*
23. Raftery, *supra* note 8; JUDICIAL SECURITY REPORT: 2014, NATIONAL JUDICIAL COLLEGE, www.judges.org/wp-content/uploads/2019/12/USMS_survey_report.pdf; Zayas, *supra* note 19.

THE PRESENT STUDY

The present study surveyed state court judges from across the United States to understand their security concerns, planning and preparation, past experiences with security threats, and judicial security needs. This study also measured potential differences in judicial perceptions due to actual security concerns they have experienced (i.e., having received an inappropriate communication, threat, or attack), security behaviors enacted (e.g., locking doors, carrying a gun for protection, limiting online information), and their gender. The results of this study provide a foundational understanding of judges' past experiences with judicial security concerns and discuss judges' desires for further judicial security training and resources.

RESEARCH QUESTIONS

To what extent are judges worried about security concerns toward themselves and their families?

To what extent are judges educated, trained, and prepared to handle judicial security concerns?

To what extent have judges experienced security concerns?

To what extent do judges perceive the need for a judicial security center dedicated to state court judges?

Do any of the above vary by the judge's gender, past security concerns, and number of safety precautions taken?

MATERIALS AND METHODS

PARTICIPANTS

Participants were recruited using the National Judicial College's (NJC) course enrollment database. The NJC is a premier judicial education organization that educates thousands of judges annually from all 50 U.S. states. Judges who attended a continuing education course or webinar at the NJC between 2017-2021 were eligible for selection. To better understand the experiences of female-identifying judges, who are underrepresented in the judiciary,²⁴ we stratified the sample by gender so half of the sample was male and half was female. With these considerations, a stratified random sample of 2,000 judges was selected and invited to take our survey.

Participants were 398 judges (20% response rate) from 48 U.S. states. Further details about participants' demographic and career characteristics are listed in Table 1.

PROCEDURE

Participants selected for our survey were notified through email one week before receiving it. After a week, participants received a survey link to our online Qualtrics survey. Participants who still needed to complete the survey were given three weekly reminders. Data collection was completed after four weeks.

SURVEY

Survey participants completed a four-part survey reporting (1) their perceptions of security concerns, (2) their security planning and preparation, (3) their experiences with security concerns, and (4) their judicial security needs. Section one of the survey asked

judges about their safety concerns for themselves and their family, their perceptions of specific security risks, and where they feel most vulnerable to security threats. Section two of the survey asked judges about their previous training on issues of judicial security, their use of common security measures, and whether they have ever carried a gun for their protection since becoming a judge. Section three of the survey asked judges about inappropriate communications (defined as any contact, whether written, verbal, or behavioral, that conveys a threatening, harassing, or unsettling message), threats (defined as inappropriate communications that express, explicitly or implicitly, the intent or desire to cause harm, or the belief that harm will be done), and physical attacks that they have experienced since becoming a judge. We also asked judges whether they reported these threatening experiences and to what extent they felt their concerns were taken seriously. Section four asked judges about the need for a national judicial security center and the benefits of continuing judicial education. Judges also suggested ideas for additional resources that would be helpful for judges to address their security concerns.

TABLE 1
JUDGES' DEMOGRAPHIC AND CAREER CHARACTERISTICS

CHARACTERISTIC	FULL SAMPLE (N = 399)	
	n	%
Gender		
Female	206	54.2
Male	174	45.8
Race		
American Indian/Alaskan Native	17	4.5
Asian/Asian American	15	3.9
Black/African American	34	8.9
Hispanic/Latinx	28	7.4
White	290	76.3
Other	15	3.9
Judicial Selection		
Appointed	213	55.2
Elected	173	44.8
Type of Judge		
Administrative Law Judge	43	11.1
Appellate Judge	15	3.9
Family Law Judge	32	8.3
Federal Judge	3	0.8
General Jurisdiction Judge	199	51.4
Military Judge	2	0.5
Special (Limited) Jurisdiction Judge	55	14.2
Tribal Court Judge	17	4.4
Other	21	5.4
Note: Judges were an average of 57 years old ($SD = 8.47$) and had an average of 10.5 ($SD = 7.34$) years on the bench.		

24. 2022 US State Court Women Judges, National Association of Women Judges <https://www.nawj.org/statistics/2022-us-state-court-women-judges>.

RESULTS

PERCEPTIONS OF SECURITY THREATS

Judges largely agreed that they worry about their safety, their families' safety, and internet safety (see Table 2).²⁵ Responses were measured on a scale of 1 (Strongly Disagree) to 7 (Strongly Agree). These worries were related to behaviors such as increased worry about personal safety, a belief that the profession was becoming more dangerous, increased worry about family safety, a feeling of being threatened because of a legal decision,

TABLE 2 JUDGES' AGREEMENT WITH SAFETY CONCERNS			
STATEMENT	% ALL JUDGES IN AGREEMENT ^a	% FEMALE JUDGES IN AGREEMENT	% MALE JUDGES IN AGREEMENT
I worry about my safety because of my position as a judge.	82.7	84.4+	80.5+
It is becoming more dangerous to be a judge.	78.6	82.0+	75.1+
I worry about the safety of my family because of my position as a judge.	74.1	71.9	76.9
I have felt threatened because of a decision I made in a case.	78.7	70.9+	60.4+
I worry about the availability of personally identifiable information (e.g., home address) about myself and my family online.	90.2	90.7	90.2
I feel that my courthouse building is safe.	68.1	64.6	71.3
I would have security concerns if I had to oversee an election law case. ^b	40.4	40.5	40.8
Note: * = male and female judges significantly different from one another, + = male and female judges marginally different from one another. ^a This includes judges who did not disclose gender or identified outside the male/female binary, and therefore this column will not be a perfect mean of male and female judges. ^b Please note that these data were collected before the recent spate of security concerns surrounding highly publicized election law concerns; we anticipate research conducted today would yield different results.			

25. This article discusses our main findings, for all comparisons see Appendix A.

26. Regression analysis demonstrated all statements in Table 2 were associated with judges taking extra precautions (e.g., locking doors and windows, installing/using security systems, varying routes to work; $ps < .05$) except for "I feel my courthouse building is safe."

27. $M_{\text{Carried Gun}} = 4.50$, $SD = 1.90$ vs. $M_{\text{No Gun}} = 4.97$, $SD = 1.77$),

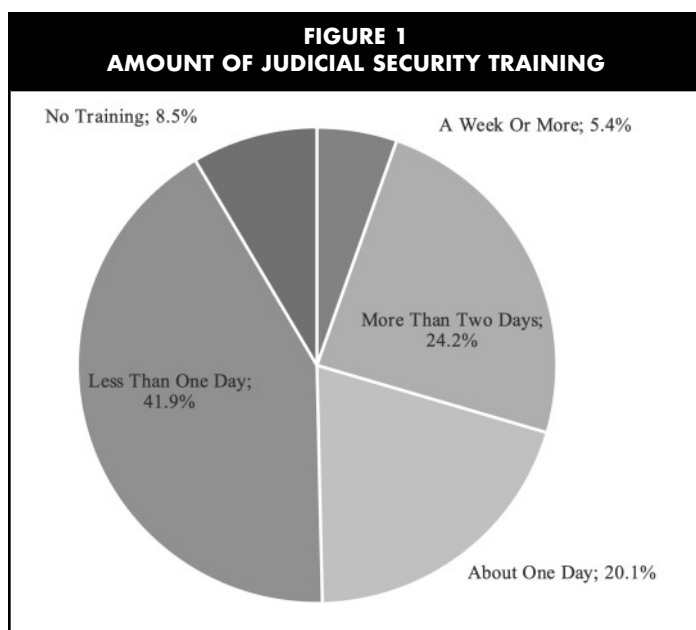
increased worry about online PII, and increased worry about security concerns in election law cases. All these behaviors were associated with enacting more routine safety measures (see Table 2).²⁶ Although perceptions of courthouse safety were unrelated to the number of safety measures used, judges who had carried a gun for protection felt significantly less safe in their courthouses than judges who had not.²⁷

Gender appears to be associated with some of the judges' perceptions. Female judges were significantly more likely to have felt threatened than male judges (see Table 2).²⁸ Additionally, although the difference was not statistically significant, female judges appear to be somewhat more concerned than male judges about their safety²⁹ and perceive that it is becoming more dangerous to be a judge.³⁰ Gender did not affect concern for family safety, concern about the availability of personally identifying information online, perceived courthouse safety, or perceived election law safety.³¹

SECURITY TRAINING AND PLANNING

The next section of the survey asked judges to report their judicial security training, planning, and preparation. We first asked judges how much training they have received on judicial security. Judges reported a wide range of security training, with just over half of all judges surveyed (50.4%) reported having less than one day of training on judicial security (see Figure 1). Experiencing security training as a judge was related to safety behaviors.³² Judges with a week or more of security training enacted an average of 1.22-1.60 more safety behaviors (out of 11 possible behaviors) than judges with less security training (see Figure 2).

Judges were asked to select which judicial security measures



$t(226.20) = 2.37$, $p = .009$.

28. $F(1, 379) = 4.25$, $p = .04$.

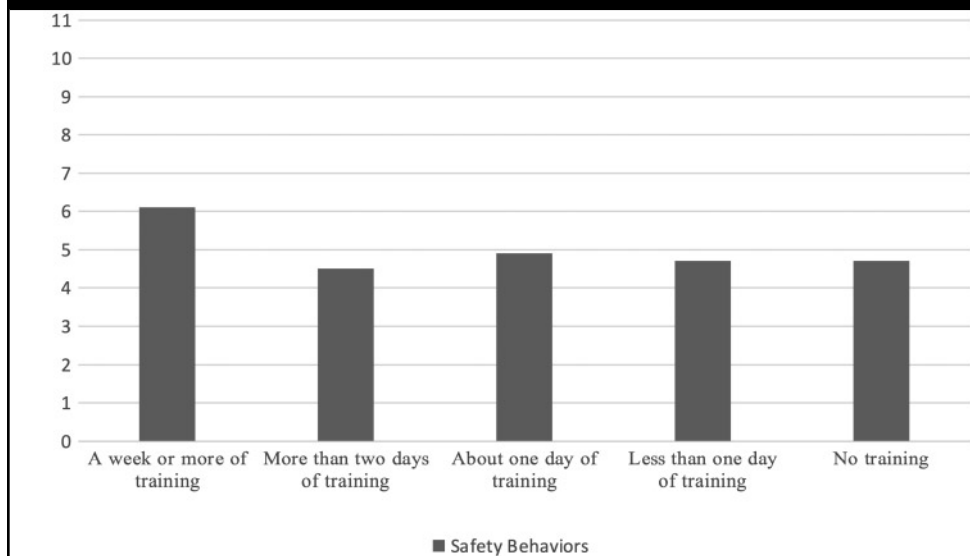
29. $F(1, 378) = 2.68$, $p = .10$.

30. $F(1, 378) = 2.79$, $p = .096$.

31. All MANOVA results with p values greater than .10.

32. $F(4, 381) = 2.78$, $p = .027$, $\eta^2 = .029$.

FIGURE 2
NUMBER OF SAFETY BEHAVIORS ENACTED BY
AMOUNT OF JUDICIAL SECURITY TRAINING



they employ from a list of common security measures suggested by judicial security experts³³. Safety behaviors taken were added to create a safety-measures score ranging from 0 (no safety behaviors reported) to 11 (all safety behaviors reported); judges averaged five safety behaviors. Most judges reported locking their doors and windows at home (90.8%), limiting their personal info online (77.6%), and using a home security system (57.5%). Less common security measures were removing identifying information from cars (42.2%), illuminating sight lines around the home (41.2%), varying travel routes to work (38.2%), using home surveillance (34.9%), carrying a gun for protection (31.6%), receiving personal mail at the courthouse (16.5%), using a safe room (4.8%), and “other” (22.1%). Of judges who selected “other,” approximately one-quarter mentioned dogs.

We asked judges if they had ever carried a gun for protection since they became a judge. Nearly one-third of judges (31.6%) reported carrying a gun for their protection. Judges who had received an inappropriate communication were more likely than those who had not to report carrying a gun for protection at some point while serving as a judge (see Figure 4).³⁴ Judges who reported they had received a threat as a judge were also more likely than those who had not to report carrying a gun for protection at some point while serving as a judge.³⁵ Additionally, male judges were more likely than female judges to report

carrying a gun for protection at some point while being a judge.³⁶

EXPERIENCED SECURITY CONCERNS

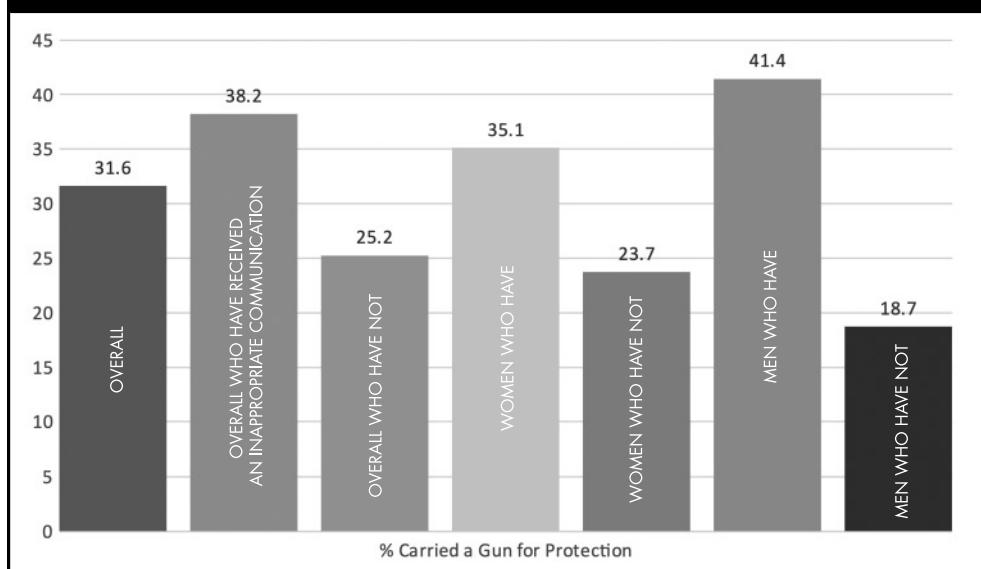
The third section of the survey measured judges’ experiences with security concerns. More specifically, we wanted to know to what extent judges had experienced inappropriate communications, threats, and physical attacks because of their position as a judge. We asked about judges’ experiences reporting their judicial security concerns and to what extent they felt their concerns were taken seriously. We also asked judges to describe a significant judicial security concern they have experienced through an open-ended question.

We first asked judges if they had ever received an inappropriate communication.

An inappropriate communication is any written, verbal, or behavioral contact that conveys a threatening, harassing, or unsettling message. Over two-thirds of judges reported that they have received an inappropriate communication while being a judge, with female judges experiencing a greater chance of receiving an inappropriate communication than their male peers (see Figure 4).³⁷ Female judges (75%) were significantly more likely than male judges (62%) to experience an inappropriate communication. Receiving an inappropriate communication was associated with taking more safety measures.³⁸

We next asked judges about their experiences with judicial

FIGURE 3
EFFECTS OF GENDER AND RECEIVING AN INAPPROPRIATE COMMUNICATION OR THREAT ON CARRYING A GUN FOR PROTECTION



33. Henry E. Hudson & John Muffler, *A Few Tips for a More Security-Conscious Lifestyle*, JUDGES’ J., Summer 2014, at 24-27.

34. $X^2(1, N = 394) = 4.97, p = .026$.

35. $X^2(1, N = 391) = 22.89, p < 0.01$.

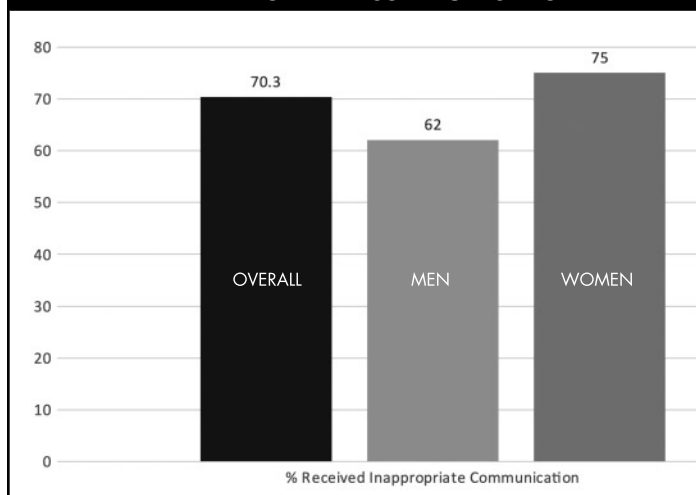
36. $X^2(1, N = 379) = 7.31, p = .007$.

37. $X^2(1, N = 379) = 7.27, p < .01$.

38. $R^2 = .03, F(1, 368) = 13.37, p < .001$.

39. $R^2 = .01, F(1, 368) = 14.40, p < .001$.

FIGURE 4
EFFECTS OF GENDER AND RECEIVING
AN INAPPROPRIATE COMMUNICATION

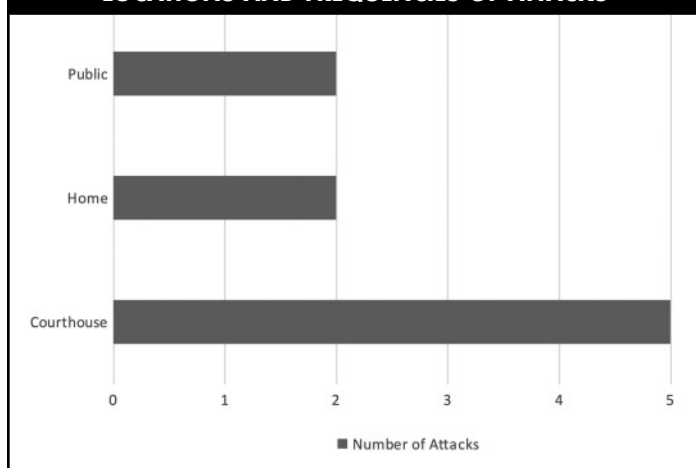


security threats. A *threat* is defined as inappropriate communications that express, explicitly or implicitly, the intent or desire to cause harm, or the belief that harm will be done. Most judges reported that they had been threatened while being a judge (56.1%). Male and female judges were equally likely to receive threats. Receiving a threat was associated with taking more safety measures.³⁹

In addition to inappropriate communications and threats, we asked judges whether they have ever been physically attacked because of their position as a judge. Eight judges (2%) reported a previous physical attack, one judge was attacked twice. One judge reported being attacked in two different locations (see Figure 5).

Judges who had reported a previous concerning security experience—when compared to judges without those experiences—were significantly more worried about their safety as a judge, agreed more that it is becoming more dangerous to be a judge, were more worried about their family's safety because of their job as a judge, were more likely to have felt threatened, and were

FIGURE 5
LOCATIONS AND FREQUENCIES OF ATTACKS



40. All MANOVAs were significant, $ps < .001$.

TABLE 3
LEVEL OF CONCERN BY PREVIOUS CONCERNING
SECURITY EXPERIENCE

STATEMENT	JUDGES WITH PREVIOUS CONCERNING SECURITY EXPERIENCES	JUDGES WITHOUT PREVIOUS CONCERNING SECURITY EXPERIENCES
	% AGREED	% AGREED
I worry about my safety because of my position as a judge.***	86.6	73.1
It is becoming more dangerous to be a judge.***	83.3	65.5
I worry about the safety of my family because of my position as a judge.***	79.3	61.7
I have felt threatened because of a decision I made in a case.***	77.6	33.5
I worry about the availability of personally identifiable information (e.g., home address) about myself and my family online.***	94.3	81.3
I feel that my courthouse building is safe.	67	70.1
I would have security concerns if I had to oversee an election law case.	42.3	37.3

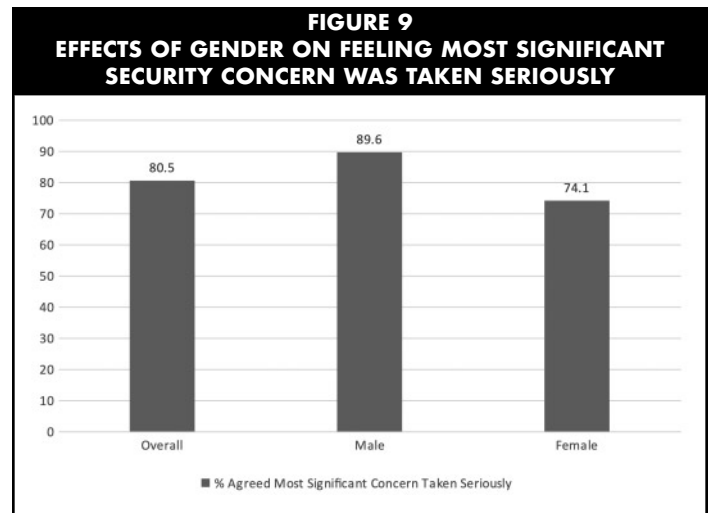
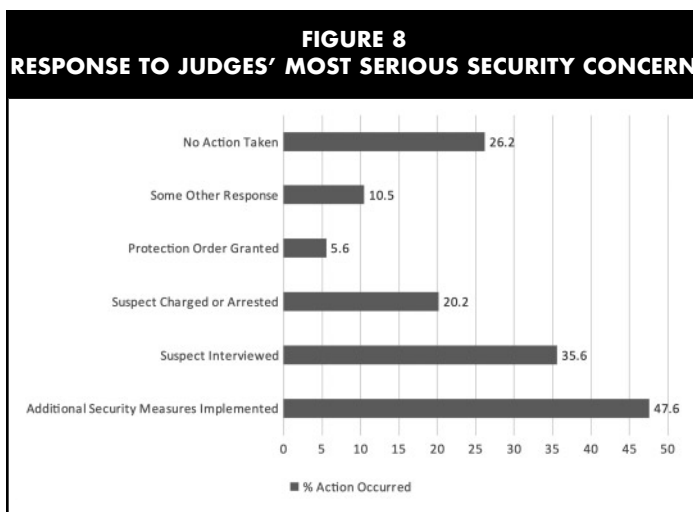
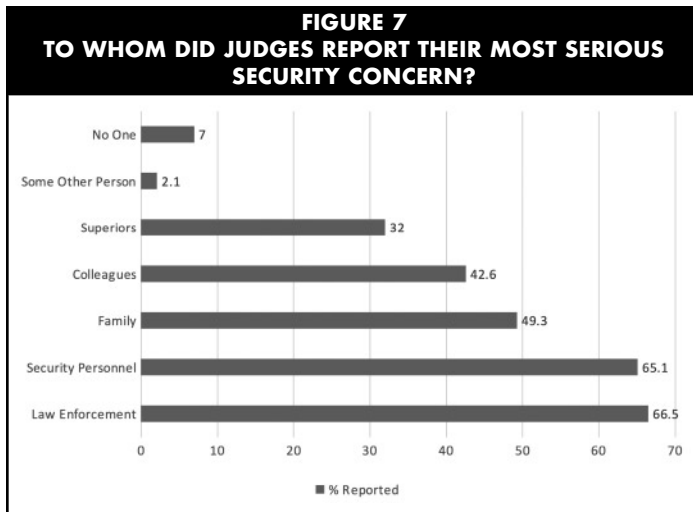
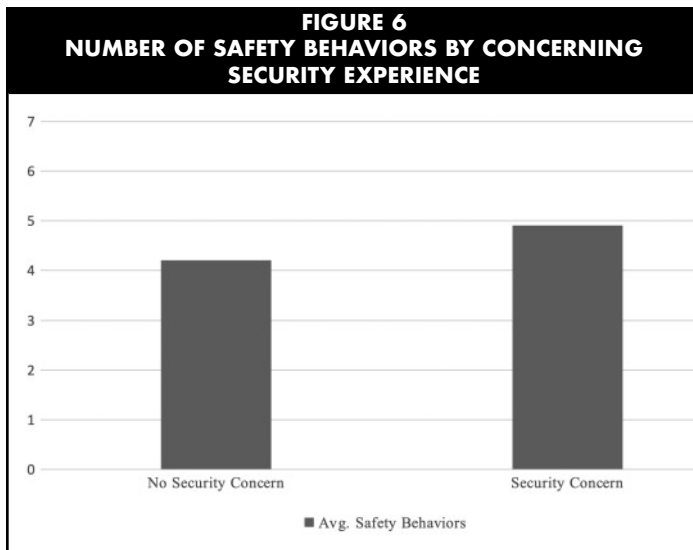
Note: Statements marked with *** are significant at the $p < .001$ level.

more worried about identifying information online.⁴⁰ Judges who had a previous concerning security experience felt as unsafe in their courthouses and overseeing an election law case as judges who had not (see Table 3).⁴¹ Additionally, judges with a previous concerning security experience engaged in more safety behaviors than those without the experience (see Figure 6).

Among judges who reported a concerning security experience, we asked to whom they reported their security concerns (see Figure 7), what the response was, and to what extent they felt their security concerns were taken seriously. For those who reported their most serious security concern, we asked judges what the response was after reporting their most serious security concern (see Figure 8).

In addition to asking whom judges reported their security concerns to, we also asked judges to indicate the extent to which

41. MANOVAs were not statistically significant, $ps > .10$.



they agree, on a 7-point Likert scale where 1 equaled *strongly disagree* and 7 equaled *strongly agree*, that their concerns for their most significant security concern were taken seriously. Most judges agreed to some extent that their concerns were taken seriously. However, this perception differed by judges' gender, with male judges significantly more likely than female judges to feel that their security concerns were taken seriously when reporting their most significant security threat (see Figure 9).⁴²

Finally, we asked judges to describe a significant judicial security concern they have experienced. We received 227 open-ended responses describing various concerning judicial security experiences ranging from inappropriate communications to physical attacks. A coding scheme was developed based on themes present through the judges' responses. Three primary themes of inappropriate communications, threats, and physical attacks emerged (see Table 4). Judges provided over 100 examples of explicit threats toward them and their families. In these examples, judges described people approaching them at their homes and in public, as well as posting about them online on social media. Most threats described intentions to commit violence at the courthouse or judges' homes. Finally, several judges described their experiences of being physically attacked. Most of these attacks happened in the courtroom, where defendants scaled the bench or threw objects at the judge (e.g., a chair). However, some judges described violent attacks in their homes (see Table 4 for an example). Other judges described damage to their property, such as having tires slashed, their car's gas tank filled with a foreign substance, and bombs delivered to the courthouse. Sadly, many judges reported an inadequate response to their concerning security experiences.

JUDICIAL SECURITY NEEDS

The fourth and final section of the survey measured judicial security needs. More specifically, we asked judges a series of questions about the need for a national judicial security center for state judges, the benefits of continuing judicial education, and ideas for additional resources that would be helpful for judges to address their security concerns.

Judges were asked three questions about the need for a

42. $t(251) = 3.46, p < .001$.

43. $F(1, 385) = 18.02, p < .001$.

TABLE 4
JUDGES' EXPERIENCED SECURITY THREATS

THEME	EXAMPLE QUOTES
Inappropriate Communications	"A litigant came to my home and attempted to discuss his case. I contacted the police and recused from his case. Police did nothing or if they did the litigant was not arrested and the police never followed up with me." "An inappropriate communication was made via social media from a litigant about me, which included my children. I reported it to law enforcement. They took the report very seriously and investigated the matter thoroughly."
Threats	"I was threatened by a defendant that I had previously sentenced. He called my clerk more than once and said he was coming to kill me and blow up the courthouse. When they finally found who it was and picked him up, he tried to convince law enforcement to help him kill me. It went to trial, he was convicted, and the sentencing judge basically gave him time served. I was very disappointed in the sentence. This case is a major reason I am retiring from the bench." "I received a letter at work threatening to rape and kill my family and me. I gave the letter to law enforcement. I received no follow up." "A confidential informant told law enforcement that a neighbor was going to enter my house with night vision goggles and shoot me and my family. He was eventually arrested and charged with firearms violations and sent to prison. I spent about 2 weeks sleeping with a shotgun watching the entrance before arrest occurred."
Physical Attacks	"A person attacked self and family at our home. Tried to slit my wife's throat, daughter-tried to stab her in chest. I was struck over head, with object causing substantial head injury." "I had a defendant (half-shackled to a wheelchair sitting directly next to me in court) throw feces at me. He was removed, the trial went forward in his absence, and I did not initiate contempt proceedings because he was mentally ill—he was found competent by another judge subsequently. The security personnel—no subsequent action. The department of corrections officer wrestled him down, or else he would have reached me physically. He was within 3 feet of me."

national judicial security center serving state court judges. Judges indicated the extent to which they agreed that it would be beneficial to have a security center that provides educational programs on judicial security; to hold symposiums on major, recent security incidents; and to create and maintain a judicial threat database (see Figure 10). Judges who reported a previously concerning security experience were significantly more supportive of all aspects of the national judicial security center for state court judges than those who had not.⁴³ Support for the judicial security center in all three dimensions was also associated with

increased numbers of security measures taken.⁴⁴

Finally, we asked judges, "Would continuing judicial education on judicial security be beneficial for judges?" Judges responded affirmatively to the benefits of continuing judicial education on judicial security, with those who reported a previously concerning security experience significantly more likely than those who had not to endorse continuing judicial education on judicial security.⁴⁵ Increased belief that continuing judicial education on judicial security would be beneficial was associated with increased numbers of security measures taken.⁴⁶

DISCUSSION

Recent and high-profile cases of judicial attacks, such as the murder of U.S. District Judge Esther Salas's son and the attempted murder of her husband by a disgruntled lawyer,⁴⁷ highlight some of the dangers judges can face. Records of security threats to federal judges indicate that security incidents and threats are an increasing problem.⁴⁸ As there are no reporting standards for state judges, the extent of security problems faced by state judges is currently unknown. This study examined if judges perceive security concerns, if they experience security threats, what steps they take to protect themselves, and what security resources they desire. Individual factors, such as gender, experienced security concerns, and number of security behaviors enacted were also examined for their impact on judicial perceptions of security. The data supports both the notion that state judges are threatened and the need for legislative and funding-related improvements for judicial security.

PERCEPTIONS OF SECURITY CONCERNS

Judges in our survey largely indicated that they had security concerns, with most judges worrying about their safety (82.7%) and the safety of their families (74.1%). Judges who had previously received an inappropriate communication or threat, those who reported engaging in more security behaviors, and women were more concerned about safety than their counterparts. More than 90% of judges surveyed also indicated that PII poses a security threat. As high-profile cases such as the attack on Judge Esther Salas's family have been facilitated by being able to find judges' home addresses online, and judges in our sample reported many concerning security experiences, this nearly unanimous concern seems well-founded. This concern was particularly high among judges with a previous concerning security experience and those who reported engaging in more safety behaviors.

When asked about safety in their courtrooms, more than three in ten judges (31.9%) indicated they did not feel safe in their courthouses or office buildings. Judges who had never received an inappropriate communication or threat felt safer than those who had. Taken together, judges reported substantial concern for their safety and the safety of those around them, though factors can serve to heighten this concern.

44. $R^2 = .03$, $F(1, 379) = 12.68$, $p < .001$.

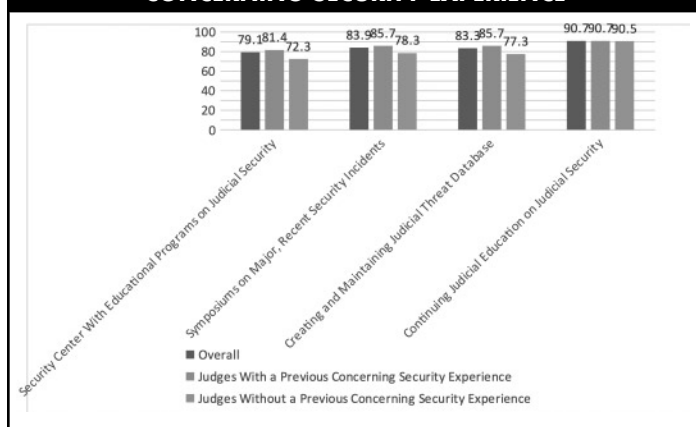
45. $F(1, 384) = 5.40$, $p = .021$.

46. $R^2 = .05$, $F(1, 379) = 21.51$, $p < .001$.

47. Salas, *supra* note 2.

48. FACILITIES AND SECURITY, *supra* note 7.

FIGURE 10
AGREEMENT WITH SECURITY REMEDIES BY PREVIOUS CONCERNING SECURITY EXPERIENCE



SECURITY TRAINING AND PLANNING

When asked about any security training offered, more than half of judges reported receiving less than one day since becoming a judge, with most getting security training as a continuing education credit. A week of security training increased the number of safety behaviors judges reported enacting compared to less or no training. Regardless of training, the most common security measures included locking doors and windows, limiting personal information online, and using a home security system. Nearly one-third of judges (31%) reported carrying a gun for protection, with male judges and those with a previous security concern having an increased likelihood of carrying a gun. This statistic indicates an increase from a previous internal survey, which found that 26% of judges carry a gun.⁴⁹ Additionally, a study using a representative sample of U.S. adults suggests that approximately 17% of U.S. adults have carried a gun for protection at least some of the time.⁵⁰ This finding suggests heightened security concerns for judges compared to both the general public and a previous cohort of judges that should be explored further in future research.

EXPERIENCED SECURITY THREATS

Most judges (70.3%) reported receiving an inappropriate communication, conveyed through letters, verbal, or technological means (e.g., social media, email, text). These inappropriate communications were mainly received at the courthouse, though a substantial percentage were received online, in public, and at home. Being female was associated with a higher risk of receiving an inappropriate communication.

More than half of judges (56.1%) reported receiving a threat. Threats were largely verbal, but were also in written form (e.g., letters, social media, email, and text). Most threats were received at the courthouse, but some were online, in public, at home, in transit, or in some other place. A small subset of judges reported being physically attacked (and one judge indicated multiple physical attacks). Attacks mainly occurred in the courthouse, but attacks at home and in public were also reported.

The overwhelming majority (though not all) of judges reported their most significant security concern largely to law enforcement, or security personnel, or both but often also to family, colleagues, and supervisors. In cases in which judges' most serious security concerns were reported, about half involved additional security measures adopted, more than a third involved the suspect interviewed, one in five judges involved the subject being arrested, and on rare occasions, a protective order was put in place. Judges also reported that no subsequent actions were taken in more than a quarter of the cases. Judges largely felt that their most serious security concern was taken seriously, but this was more common for male judges than female judges. Future research should further investigate judges' experiences reporting threats and explore why female judges' concerns are taken less seriously (or perceived as being taken less seriously).

JUDICIAL SECURITY NEEDS

Judges were very supportive of enhanced training and security measures. Over 90% of judges felt a continuing education course on judicial security would be helpful. Nearly 80% of judges support a judicial security center that would provide programming and educational materials for state court judges. More than 80% of judges support the same security center providing a centralized database of security threats and incidents to replicate what federal judges already have. Judges were similarly enthusiastic about an annual symposium on judicial security, including case studies of incidents arising each year. Judges with concerning security experiences were most supportive of the proposed symposium. When asked which measures they would like to enact, judges mentioned education and training for themselves and their staff (including court security), money to improve security equipment in courts (e.g., metal detectors, panic buttons, increased security personnel), and legislation and training to remove personally identifying information from the internet.

Overall, our study indicates that security is a concern for all judges but is felt most keenly by judges who have had prior concerning incidents. Female judges appear somewhat more concerned about their safety and feel that their security concerns are taken somewhat less seriously than male judges.

LIMITATIONS AND FUTURE DIRECTIONS

This research is a first step in studying judicial security issues at the state court level. As with all studies, there are limitations. First, although a stratified random sample of judges was taken from the National Judicial College's database of more than 20,000 judges, this database does not represent all U.S. judges. Additionally, with a response rate of roughly 20%, it is possible that judges who were more concerned about security were more motivated to complete the survey. Future research should try to increase response rates and sample sizes, perhaps by partnering with judicial organizations at the state level. Furthermore, states might consider their own research to learn about judicial security considerations specific to their own state.

The current sample was also predominantly White and served

49. *Our Survey: 1 in 4 Judges Carries a Gun*, National Judicial College, Sept. 21, 2017, <https://www.judges.org/news-and-info/1-in-4/>.

50. Kim Parker, *America's Complex Relationship with Guns*, Pew Research

Center, June 22, 2017, <https://www.pewresearch.org/social-trends/2017/06/22/americas-complex-relationship-with-guns/>.

as a general jurisdiction judge. Future research should perhaps stratify by identity backgrounds (i.e., race, ethnicity) and different types of dockets (e.g., family-court judges) who may disproportionately be impacted by security threats, as these subpopulations were too limited in the present sample to draw any meaningful conclusions.

A final limitation stems from the inherent self-report nature of a survey. Self-reporting requires the respondent to remember and report behaviors accurately; incidents that were embarrassing, minor, or that occurred in the distant past are less memorable or desirable to report. Establishing a judicial security center or other centralized repository for data on threats and other incidents involving state judges would allow for a greater understanding of the dangers for state court judges, including the relative frequency of threats.

CONCLUSION

The present study is among the first to examine perceptions of security and experiences of security threats among state court judges. Most judges indicated they were concerned about their safety and the safety of their family and were especially concerned about the availability of personally identifying information online. These sentiments likely stem, at least in part, from experience, as most judges indicated that they had experienced at least one inappropriate communication or threat.

Judges who reported carrying a gun for protection were more worried about their safety and the safety of others than judges who did not. Nearly one in three judges reported ever carrying a gun for protection while serving, indicating serious security concerns. Judges with a previous security concern perceived greater danger than those without this experience. Furthermore, gender effects indicate that female judges perceive somewhat greater danger than male judges, which could be rooted in reality—female judges were more likely to receive an inappropriate communication than male judges (though both genders were equally likely to receive a threat). Additionally, when reporting a serious security concern, judges generally felt their concern was taken seriously, but female judges felt less heard than male judges.

Judges want to improve judicial security. Judges indicated they would appreciate security training for themselves and their staff; a judicial security center that would provide both security education and a centralized repository of threats and incidents to equalize that which is available to federal judges; funds to upgrade security measures in their courthouses; legislation passed that would allow them to remove their personally identifying information from the internet; and assistance removing their and their family's personally identifying information from the internet once it is possible for them to do so. The data suggest that judges who experienced a security concern were more likely to increase their security measures. One of the patterns that seems to exist from the data is that judges are more likely to take security precautions seriously as the threats against them occur. This pattern of not prioritizing judicial security until it is already a problem appears to exist among state legislatures as well. While it was not a specific topic we explored, the authors note that existing laws and regulations are often created in reaction to horrific crimes against judges. By shifting to a proactive rather than reactive approach to legislating judicial security, perhaps future tragedies can be prevented.

Judges are entrusted with upholding the rule of law. They are meant to do their duties divorced from their views, beliefs, or potential consequences—a task made much more difficult if their safety and their family's safety are legitimately compromised because of their position. As U.S. Circuit Judge Richard J. Sullivan stated, “The safety of judges and their families is essential—not just to the individuals involved, but to our democracy. Our system of justice depends on judges who are free to carry out their Constitutional duties without fear of reprisal or violence.”



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APPENDIX A: PATERN OF RESULTS BETWEEN GROUPS

		RECEIVED INAPPROPRIATE COMMUNICATION	RECEIVED THREAT	# SECURITY PRECAUTIONS TAKEN	APPOINTED VS. ELECTED	GENDER	RACE	AREA OF PRACTICE
PERCEPTIONS OF SAFETY THREATS	Worry About Own Safety	Significant	Significant	Significant	Non-Significant	Marginal	Non-Significant	Non-Significant
	Feel Being a Judge is Becoming More Dangerous	Significant	Significant	Significant	Non-Significant	Significant	Non-Significant	Non-Significant
	Worry About Family Safety	Significant	Significant	Significant	Non-Significant	Non-Significant	Non-Significant	Significant
	Worry about PII online	Significant	Significant	Significant	Significant	Non-Significant	Non-Significant	Non-Significant
	Feel Their Court Is Safe	Non-Significant	Significant	Non-Significant	Significant	Marginal	Non-Significant	Non-Significant
	Threatened by Decision	Non-Significant	Significant	Significant	Non-Significant	Significant	Non-Significant	Non-Significant
SAFETY BEHAVIORS	Reported Carrying a Gun for Protection	Significant	Significant	N/A	Significant	Significant	Non-Significant	Significant
	Experiencing Security Training	Non-Significant	Non-Significant	Significant	Non-Significant	Non-Significant	Non-Significant	Non-Significant
SECURITY THREATS	Received Inappropriate Communication	N/A	Non-Significant	Significant	Non-Significant	Significant	Non-Significant	Significant
	Received Threat	Non-Significant	N/A	Significant	Non-Significant	Non-Significant	Non-Significant	Significant
	Felt Their Most Serious Safety Concern Was Taken Seriously	Non-Significant	Non-Significant	N/A	Non-Significant	Significant	Non-Significant	Non-Significant
SECURITY NEEDS	Support a Judicial Security Center with Educational Programming	Significant	Significant	Significant	Non-Significant	Non-Significant	Non-Significant	Significant
	Support a Security Symposium	Significant	Significant	Significant	Non-Significant	Non-Significant	Non-Significant	Non-Significant
	Support a Judicial Security with a Database of Threats	Significant	Significant	Significant	Non-Significant	Non-Significant	Significant	Non-Significant
	Support Continuing Judicial Education on Security	Significant	Significant	Significant	Non-Significant	Marginal	Significant	Non-Significant

Note: Appointed vs. elected compares appointed and elected judges. Gender compares male and female judges. Race compares White to Non-White judges. Received inappropriate communication and received threat compares judges who have received such communication to those who had not. Area of practice compared administrative law judges to all other types of judges.