

The Honorable Susan Collins
Chair
Committee on Appropriations
United States Senate

The Honorable Patty Murray
Vice Chair
Committee on Appropriations
United States Senate

The Honorable Tom Cole
Chairman
Committee on Appropriations
United States House of Representatives

The Honorable Rosa DeLauro
Ranking Member
Committee on Appropriations
United States House of Representative

May 9, 2025

Re: Appropriations for judicial security

Dear Chair Collins, Vice Chair Murray, Chairman Cole and Ranking Member DeLauro:

We, the undersigned organizations, write to join a chorus of judges and lawmakers deeply concerned about adequate funding for judicial security.¹ As judges confront an increasing and unprecedented number of threats,² we urge you to use your power over federal spending to bolster appropriations for judicial security and reject efforts to undercut the judiciary's independence.

¹ Letter from Amy J. St. Eve, Chair, Committee on the Budget, and Robert J. Conrad, Jr., Secretary, Judicial Conference, to House and Senate Appropriations Committees (Apr. 10, 2025), <https://www.uscourts.gov/sites/default/files/document/fy-2025-funding-request-letters-to-congress.pdf> (Judicial Conference letter); Chief Justice John G. Roberts, *2024 Year End Report on the Federal Judiciary* 5–7, <https://www.supremecourt.gov/publicinfo/year-end/2024year-endreport.pdf> (Year-End Report); Letter from Rep. Raskin and Rep. Johnson, U.S. House of Representatives, to the Honorable John G. Roberts, Jr., Supreme Court of the United States (Apr. 21, 2025), https://democrats-judiciary.house.gov/uploadedfiles/20250421_raskin_to_roberts_scutus_re_judicial_security.pdf; Letter from Sen. Whitehouse, et al., U.S. Senate, to Mark P. Pittella, Acting Director, U.S. Marshals Service (Apr. 11, 2025), <https://www.whitehouse.senate.gov/wp-content/uploads/2025/04/2025-04-11-Letter-to-US-Marshals-Service-Threats-to-Judges.pdf>; Letter from Rep. Jordan, U.S. House of Representatives, to Rep. Cole and Rep. Joyce (Mar. 31, 2025), <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2025-03-31-jdj-to-cole-joyce-approps%29-re-judicial-branch-appropriations.pdf> (Jordan letter); Suzanne Monyak, *Judicial Security Resources Stretched Amid Rising Threats*, Bloomberg Law (May 2, 2024), <https://news.bloomberglaw.com/us-law-week/judicial-security-resources-stretched-amid-rising-threats> (“In the long run, resources will be needed to allow these projects to continue so that judges can make the tough decisions they are required to make without living in fear of retribution.”); Mattathias Schwartz and Emily Bazelon, *Judges Worry Trump Could Tell U.S. Marshals to Stop Protecting Them*, NY Times (Apr. 25, 2025), <https://www.nytimes.com/2025/04/25/us/politics/trump-judges-marshals-threats.html>.

² Joseph Tanfani, Peter Eisler and Ned Parker, *Exclusive: Threats to US federal judges double since 2021, driven by politics*, Reuters (Feb. 13, 2024), <https://www.reuters.com/world/us/threats-us-federal-judges-double-since-2021-driven-by-politics-2024-02-13/>; Statement of Ronald Davis, Director, United States Marshals Service, Before the Subcommittee on Crime and Federal Government Surveillance, Committee on the Judiciary, United States House of Representatives, at 2–3 (Feb. 14, 2024), <https://www.congress.gov/118/meeting/house/116837/witnesses/HHRG-118-JU08-Wstate-DavisR-20240214.pdf> (Davis testimony).

As detailed in Chief Justice John Roberts' 2024 Year-End Report, in the past decade the volume of threats against judges who are simply doing their jobs has more than tripled, requiring the U.S. Marshals Service to assign full-time security details to several federal judges.³ The mere existence of these efforts to intimidate judges—regardless of whether a judge is physically harmed—threatens judicial independence and undermines confidence in the judicial system. It is therefore unsurprising that following a wave of bomb threats, swatting, calls for violence and attacks on judges and their families,⁴ federal judges have implored members of Congress to act. “This is not hyperbole,” said federal District Judge Esther Salas, whose son was killed by a lawyer who had appeared before her.⁵ “I am begging our leaders to realize that there are lives at stake.”⁶ Other judicial leaders, including Senior Circuit Judge Richard Sullivan, chair of the Judicial Conference’s Committee on Judicial Security, and Senior Circuit Judge Jeffrey Sutton have echoed these concerns, accurately casting attacks on judges and their families as attacks on public servants who are “doing their level best to do their job[s].”⁷

Last month, the Judicial Conference outlined the risks of continued court security funding shortfalls in a letter to your committee, explaining that a failure to increase the judiciary’s appropriations for court security amidst escalating threats to judges and courthouses “mak[es] this situation unsustainable.”⁸ As the branch solely responsible for appropriating sufficient security funding for the courts, Congress must take seriously the effect of these funding deficiencies—on the physical safety of judges and their families, on the judiciary’s capacity to ensure adequate courthouse security and on each judge’s ability to

³ Year-End Report, at 5; *see also* Judicial Conference letter, at 2 (“Currently, 67 judges are receiving enhanced online security screening services provided by the Administrative Office and U.S. Marshals Service due to the judges’ involvement in high-profile cases or rulings that have garnered attention in the media and on social media platforms.”).

⁴ Mattathias Schwartz & Abbie VanSickle, *Judges Fear for Their Safety Amid a Wave of Threats*, NY Times (Mar. 21, 2025), <https://www.nytimes.com/2025/03/19/us/trump-judges-threats.html>; *see also* Luke Barr, *Threats to federal judges increasing, US Marshals Service warns*, ABC News (Mar. 21, 2025), <https://abcnews.go.com/Politics/threats-federal-judges-increasing-us-marshals-service-warns/story?id=120019609>; Peter Eisler, Mike Spector, Ned Parker, and Nate Raymond, *Exclusive: Judges face rise in threats as Musk blasts them over rulings*, Reuters (Mar. 5, 2025), <https://www.reuters.com/world/us/judges-face-rise-threats-musk-blasts-them-over-rulings-2025-03-05/>; Clarissa-Jan Lim, *Judges face rising threats of violence and impeachment as Trump attacks the judiciary*, MSNBC (Mar. 20, 2025), <https://www.msnbc.com/top-stories/latest/trump-judges-threats-violence-impeachment-boasberg-rcna197325>.

⁵ *See Judges Fear for Their Safety Amid a Wave of Threats*, *supra* note 4; Esther Salas, *Opinion: My Son Was Killed Because I’m a Federal Judge*, NY Times (Dec. 8, 2020), <https://www.nytimes.com/2020/12/08/opinion/esther-salas-murder-federal-judges.html>.

⁶ *Id.*; *see also* Mark Sherman, *2 senior judges, appointed by Republicans, speak out about threats against federal judiciary*, AP News (Mar. 12, 2025), <https://apnews.com/article/judges-security-threats-impeachment-e4f6a57da81e7037cb9ef8693f26e17a> (explaining that security funding has been “flat” for multiple years, “[w]hich means [the judiciary is] not even keeping up with inflation in an environment that is always changing and challenging”).

⁷ Melissa Quinn, *Judges raise concerns about threats to independence amid criticism of decisions, calls for impeachment*, CBS News (Mar. 11, 2025), <https://www.cbsnews.com/news/judges-threats-independence-trump-decisions-impeachment-elon-musk/>.

⁸ Judicial Conference letter, at 1–2.

independently consider the merits of every case before them or issue decisions on controversial issues without fear of violence.

In addition to fully funding the judiciary's court security requests, Congress must provide adequate funding for the agency charged with providing personal protection for judges and court officials—the U.S. Marshals Service (“USMS”)⁹—*and* must ensure that USMS cannot divert resources needed for judicial security to other purposes.¹⁰ Despite its dual accountability to the executive and judicial branches,¹¹ and the general availability of USMS's salaries and expenses appropriation for purposes other than judicial security,¹² USMS's “*primary role and mission*” is to provide security for the federal courts.¹³ In light of this responsibility, we urge Congress to explicitly require that the USMS fulfill the Judicial Conference's requested security requirements, prevent the USMS from diverting judicial security funding to other purposes and provide adequate funding for the USMS to fulfill this statutory function.

Intimidation and threats of violence against judges and their families strike at the core of our judicial security concerns. But as Chief Justice Roberts' 2024 report noted, the “defiance of judgments lawfully entered by courts of competent jurisdiction” presents another threat to judicial independence.¹⁴

We urge you to reject efforts to use the appropriations process to limit federal courts' ability to issue injunctive relief or to impose or enforce contempt sanctions for failure to comply

⁹ See 28 U.S.C. §§ 566(a), (i); *FY2026 Congressional Budget Request, Court Security Appropriations Request* 7.7, https://www.uscourts.gov/sites/default/files/document/section_07_-_court_security_fy2026.pdf (explaining that USMS relies on its “operating funds” to secure prisoners, investigate threats, provide protective details and provide security for witnesses and high threat trials, and that the judiciary transfers funding from its Court Security appropriation to USMS to provide secure facilities for the judiciary).

¹⁰ See Dep't of Justice Office of Inspector General, No. 21-083, *Audit of the U.S. Marshals Service Judicial Security Activities*, at i (2021), https://oig.justice.gov/sites/default/files/reports/21-083_0.pdf (finding that “competing agency priorities have impeded the USMS's ability to fund the judicial security enhancements” and “to provide the level of protective services that it has determined is required given the increasing number of threats directed at the judiciary”); see also Judicial Conference letter, at 2 (“We are also concerned about the impact of hiring freezes and staffing losses at the U.S. Marshals Service . . . on courthouse security and the personal safety of judges.”); cf. Davis testimony, at 7 (explaining that USMS is “facilitating more protective details to fulfill our obligations than we have in recent history, and the increase is impacting other important work across the agency”).

¹¹ Compare 28 U.S.C. § 561 (establishing USMS as “a bureau within the Department of Justice under the authority and direction of the Attorney General”), with § 566(a) (outlining USMS's responsibilities to the judiciary).

¹² See, e.g., Pub. L. No. 118-42, div. C, tit. II, 138 Stat. 25, 137 (2024) (providing amounts for “necessary expenses of the United States Marshals Service”); *Facts and Figures: 2024*, U.S. Marshals Service (Oct. 1, 2023), <https://www.usmarshals.gov/sites/default/files/media/document/2024-Facts-and-Figures.pdf>; *United States Marshals Service FY 2025 Performance Budget, President's Budget, Salaries and Expenses Appropriation*, USMS (Mar. 2024), https://web.archive.org/web/20240403063309/https://www.justice.gov/d9/2024-03/usms_se_-_fy_2025_pb_narrative_-_final_3.8.24_0.pdf.

¹³ 28 U.S.C. § 566(a) (also providing that USMS must “obey, execute, and enforce all orders” of the federal courts); 28 U.S.C. § 566(i) (requiring that the USMS “take[] into account” the Judicial Conference's views of the judiciary's security needs, but giving the USMS “final authority” to determine the judiciary's security requirements).

¹⁴ Year-End Report, at 7.

with such orders.¹⁵ At a time when the judiciary already is under attack, it would be particularly dangerous, and could lead to more intimidation and violence against judges, to effectively sanction defiance of court orders by undercutting the judicial branch's exercise of its inherent, constitutional and statutory powers.

We hope that as attacks on the judiciary increase, so too will your efforts to support both security for and the legitimacy of our third branch of government. The physical safety of judges and their families, the security of our courthouses and the independence of the judiciary depend on it.

Accountable.US
 AFT
 Alliance for Justice
 Americans United for Separation of Church and State
 Auntie's Coalition
 Citizens for Responsibility and Ethics in Washington
 Clean Elections Texas
 Clearinghouse on Women's Issues
 Common Cause
 Communications Workers of America
 Demand Justice
 Democracy 21
 Feminist Majority Foundation
 Fix the Court
 Houston Immigration Legal Services Collaborative
 Impact Fund
 Lawyers for Good Government
 League of Conservation Voters
 National Women's Law Center Action Fund
 People For the American Way
 People Power United
 People's Parity Project
 Protect Democracy
 Public Citizen
 We Own It

¹⁵ See, e.g., Jordan letter, at 2; Amend. In the Nature of a Substitute to the Committee Print Offered By Mr. Jordan of Ohio, § 70303 (Apr. 28, 2025), https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/judiciary_recon_ans_xml.pdf.

cc:

The Honorable Bill Hagerty
Chair
The Honorable Jack Reed
Ranking Member
Subcommittee on Financial Services
and General Government
Committee on Appropriations
United States Senate

The Honorable Jerry Moran
Chair
The Honorable Chris Van Hollen
Ranking Member
Subcommittee on Commerce, Justice,
Science, and Related Agencies
Committee on Appropriations
United States Senate

The Honorable Chuck Grassley
Chairman
The Honorable Dick Durbin
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Dave Joyce
Chairman
The Honorable Steny Hoyer
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The Honorable Hal Rogers
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