

March 31, 2025

The Honorable James K. Bredar  
District Judge  
U.S. District Court for the District of Maryland  
101 West Lombard Street  
Baltimore, MD 21201

Dear Judge Bredar:

I was pleased to learn of the formation of a Judicial Security and Independence Task Force to address the growing problem of threats and intimidation against the federal judiciary. As the Ranking Member of the Senate Judiciary Subcommittee on Federal Courts, I have watched with growing alarm as federal judges, including in my home state of Rhode Island, have come under attack for their rulings—facing calls for impeachment and threats of violence against them and their families. Threats toward judges and members of the legislative branch are increasingly a worrisome feature of civic life. In a democracy, public officials must have the freedom to do what they believe is right without fear for their lives. Talented lawyers will shun careers in the judiciary if they believe they and their loved ones may be subject to violent retribution for administering justice. As an official who is subject to considerable harassment myself, I offer these thoughts in the hope that they will be useful to you in your deliberations about judicial security.

Point one is that, while threats against public officials come from extremists and deranged individuals across the political spectrum, the danger of threats from the right is greater because the provocation of those threats is often an organized tactic. This observation may reflect that I am on the left and thus more likely to be targeted by the right, but I think you will find it is actually true.

There is a system on the right for orchestrating outrage, and any thorough look at the threats and intimidation problem must look at the orchestration. In my experience, the provocation for threats often comes through coordinated right-wing media attacks and internet-based provocations.

When a public figure says something to which the right objects, the media response often has a pattern to it. 1) There is little immediate media attention. 2) In a day or two, right-wing websites and outlets begin to respond, with notable similarities in the content across various authors and venues (with authors often from a pool of “usual suspects”). 3) The “tell” is often a common falsehood that adds to the outrage factor. 4) There follows a surge across right-wing media for a week or so, sometimes through the same authors in separate publications. (Sometimes the outrage in right-wing media itself becomes news and bleeds out into mainstream media.) 5) And then it dies down — it has a beginning, a middle and an end. I have described it as a “faux

outrage” operation, but for those individuals prompted by the operation to threats and abuse, the outrage is real.

Social media magnifies the threats. Stories that begin on right-wing websites are often picked up and amplified in right-wing media, in a mutually-reinforcing loop. Often, phony stories are planted or provocations are created (fake ethics complaints are one example), to stir up both internet and media interest. Again, common falsehoods are often a tell.

I believe that the platform X has deliberately curated and maintained a network of users prone to anger and expressions of violence, who can be launched like the “Wizard of Oz” flying monkeys, when subjects for their abuse are identified and targeted by the platform’s owner. The correlation between targeting by the owner and attacks by his “flying monkeys” seems to exceed mere coincidence.

The targeting is often of family as well as the individual official (and particularly of female family members, it seems). Marshals should be prepared to provide protection as needed to targeted family members, who may be in different geographic locations than the immediate official target. Aside from physical protection, resources should be available to judges and their families to assist with any trauma and anxiety generated by such attacks, and to help them understand clearly the protection that is or is not available to family members. It should be understood by all that the targeting of family is a purposeful tactic in the campaign of intimidation. I recommend that you review how long the threat environment lasts after the provocations cease, as these too seem to have a beginning, a middle, and an end. As the judiciary looks at the problem of threats and intimidation, this sort of orchestration, deliberately behind a veneer of deniability, is the elephant in the room.

It is therefore advisable that you ascertain what investigative effort your Marshals are willing to provide, in addition to protection work; both to determine if civil or criminal remedies are appropriate, and for a full understanding of protection requirements in this orchestrated threat environment.

As the Ranking Member of the Courts Subcommittee, I look forward to working with you to provide any additional resources or support your task force and the judiciary might need to investigate and address these threats. Please do not hesitate to call on me if I can provide any assistance.

Sincerely,



Sheldon Whitehouse  
Ranking Member  
Senate Judiciary Subcommittee on  
Federal Courts, Oversight,  
Agency Action, and  
Federal Rights