

from THE BOLCH JUDICIAL INSTITUTE

Judge Esther Salas receives 2024 Lemkin Medal

U.S. DISTRICT JUDGE ESTHER SALAS WAS AWARDED THE 2024 RAPHAEL LEMKIN RULE OF LAW GUARDIAN MEDAL FROM THE BOLCH JUDICIAL INSTITUTE at an October ceremony held at Duke Law School. The award recognized Judge Salas's efforts to strengthen security for judges and their families.

Judge Salas has served as a district court judge for the District of New Jersey since 2011. When her son Daniel Anderl was killed in a targeted attack at her home in 2020, she became a tireless advocate for judicial safety and privacy. Her advocacy led to passage of New Jersey's "Daniel's Law" and the federal Daniel Anderl Judicial Security and Privacy Act, which aim to prevent violence and harassment toward judges.

"I am in awe of Judge Salas's bravery in a time of horrific tragedy, her perseverance in the face of political obstacles, and her willingness to share her story to educate others about the dangers judges face," said Kerry Abrams, dean of Duke Law School. "It is truly a privilege to honor her today with the Lemkin Medal."

The Lemkin Medal is awarded annually by the Bolch Judicial Institute to honor those who protect and defend the rule of law. Retired Judge Paul W. Grimm, the David F. Levi Professor of the Practice of Law and Director of the Bolch Judicial Institute, presented the award to Judge Salas.

"Judge Salas recognizes, and is working to help all of us understand, that these threats against judges — both physical threats against their safety as well as unfair, unsubstantiated personal attacks — ultimately diminish public faith in the judiciary, degrade judicial independence, and create a culture of intimidation and fear that



threatens the rule of law," Grimm said. "Judge Salas, all judges owe you a debt of gratitude for your work in the face of unimaginable loss."

Following the presentation, Judge Robin Rosenberg of the U.S. District Court for the Southern District of Florida led an interview with Judge Salas for an audience of law students and faculty. Judge Rosenberg was among the many federal and state judges who advocated alongside Judge Salas for the passage of the Daniel Anderl Judicial Security and Privacy Act.

"I didn't look at people in this process as 'R's or 'D's,'" Judge Salas told Judge Rosenberg. "I looked at people in this process as people that could help us and that needed to help us, and that needed to make democracy paramount, because it's in all of our best interests. So when I talked to senators and when I made the phone calls, I often thought of Danny, and still do."

The Lemkin Medal program was the kickoff event for a two-day conference

on Defending the Judiciary, hosted by the Bolch Judicial Institute to mobilize lawyers, judges, and bar association leaders in developing strategies for countering the growing wave of unfair and inappropriate attacks on judges. (More information about the conference is at judicialstudies.duke.edu.)

A continuing effort

The Daniel Anderl Judicial Security and Privacy Act, passed by Congress and signed by President Biden in December 2022, prohibits federal agencies and private businesses from publicly posting the personally identifiable information (PII) of federal judges and their immediate family members and establishes programs to enhance security for judges. The law was co-sponsored by 22 members of the Senate and 124 members of the House from both major political parties.

"I want to congratulate Judge Esther Salas on being honored as this year's Lemkin Rule of Law Guardian," said

Rep. Mikie Sherrill (NJ-11), who sponsored the Daniel Anderl Judicial Security and Privacy Act in the House of Representatives. “After losing her beloved son in a senseless attack, Judge Salas has turned tragedy into action as she relentlessly works to protect the safety and security of federal judges and their families. It was an honor and a privilege to work with Judge Salas in passing the Daniel Anderl Judicial Security and Privacy Act into law. Her continued advocacy and incredible strength were critical to getting this legislation across the finish line, and it will undoubtedly continue to protect our judges and their families so they can continue to protect the rule of law.”

Judge Salas and many others are now working to advance state laws to protect the nation’s 30,000 state court judicial officials and to pass another federal bill, the Countering Threats and Attacks on Our Judges Act, to establish a State Judicial Threat Intelligence and Resource Center to provide technical assistance, training, and monitoring of threats for state and local judges and court personnel and advance best practices for court security.

A judiciary under threat

Prior to the passage of the Anderl Act, federal judges’ personal directory information was easily searchable online. The assailant who targeted Judge Salas’s family — a former litigant in Salas’s courtroom who described himself as an “antifeminist” — had found her home address using internet searches. He was later found to have developed a list of more than a dozen targets, including three additional jurists.

The U.S. Marshals Service investigated 457 threats against federal judges in 2023, including threats to kill federal judges and to carry out mass shootings at courthouses, said

Judge Salas recognizes that these threats against judges ultimately diminish public faith in the judiciary, degrade judicial independence, and create a culture of intimidation and fear that threatens the rule of law. — PAUL GRIMM

Marshals Director Ron Davis during a House committee hearing in February 2024. He said threats against judges more than doubled in two years, up from 224 investigations in 2021, and that online threats and swatting, or fake 911 calls to elicit a police response, also have increased. These numbers do not include threats to state judges, which are not uniformly tracked.

In a 2023 interview in *Judicature*, Judge Salas said threats against judges

not only raise real and frightening safety concerns for judges and their families but also threaten the rule of law and the ability of the judiciary to fulfill its constitutional obligations.

“Judges need to be able to do their job without fear of retribution, retaliation, or death,” she said. “This country doesn’t work if we don’t have that independence. . . . The Daniel Anderl Judicial Security and Privacy Law will save lives by at least making it harder for those people who want to harm us to find us.”

The Lemkin Medal is named for Raphael Lemkin, a Polish scholar and lawyer who came to the United States during WWII as a refugee and briefly served on the Duke Law faculty. A lifelong advocate for the use of criminal law to prosecute crimes against humanity, Lemkin coined the term genocide and secured passage of the Genocide Convention at the United Nations. Previous recipients of the Lemkin Medal are the late Nuremberg prosecutor Benjamin Ferencz, Duke Law Professor Jim Coleman, and Yale Law Professor Harold Koh.

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