

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
May 18, 2005

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Hearing On
"Protecting The Judiciary At Home And In The Courthouse"
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I want to thank Judge Lefkow for her strength and courage in coming here today to speak with us about the tragedy that has reached so suddenly and wrenchingly into her life, and which has shocked the entire nation. While no condolences can repair the terrible damage, she and her family have our deepest sympathy.

There is no justification for threats against, let alone violence against, judges and their families. It is in the vital interests of the Nation that we defend the bright line that protects judges from threats. Crossing that line can never be justified or excused or explained away.

I say this because this tragedy has not only left personal wounds, but has also dealt a blow to the federal judiciary. Chief Justice Rehnquist is right to refer to the federal judiciary as the crown jewel of our system of government. It is the envy of the rest of the world. It is an essential check and balance and a critical source of protection of the rights of all Americans. Violence and threats of violence against judges and their families place at risk the judicial independence that is a cornerstone of our democracy and a model for the world.

It is an abomination that some in this country have chosen to use dangerous and irresponsible rhetoric when talking about judges, comparing judges to terrorists and threatening judges with punishment for decisions they do not like. This provocative rhetoric must stop, for the sake of our judges and the independence of the judiciary. Judicial fairness and independence are essential if we are to maintain our freedoms.

It is unfortunate that it takes acts of horrific violence to put a human face on the federal judiciary, law enforcement officers or U.S. officials, to remind everyone that these are our brothers and sisters and fellow Americans - hard-working people with children and parents and friends. The tragedy that has befallen Judge Lefkow and her family is the act of a deranged man. Another has been convicted of crimes for seeking to threaten her.

When I chaired the Judiciary Committee recently, one of the first things I did was push for passage of the Judicial Protection Act of 2001, which I sponsored with Senator Gordon Smith. It toughened criminal penalties for assaults against judges and their families. We enacted it. We were right to do so. Protecting our judges and federal law enforcement officers should always be a top priority for us.

We must better protect the dedicated women and men throughout the federal judiciary and federal government across this country who do a tremendous job under challenging circumstances. They are examples of the hard-working public servants who make up the federal government, who are too often maligned and disparaged. We owe it to them and to our democracy to find ways to make sure that this tragedy is not repeated and to ensure that judges and their families have the peace of mind necessary to do their vital and difficult jobs.

We must also recognize the tremendous challenges facing the men and women of the United States Marshals Service, who are charged with the essential job of keeping our judges, our courts and the rest of the federal judiciary safe. It is a difficult job and they do it well, with compassion and commitment. Like all law enforcement, the Marshals

stand with the women and men of the judiciary on the front lines of a battle for security against ever-changing threats. We must give the Marshals Service the resources it needs to fulfill its mission of keeping the judiciary safe and secure.

This country's federal judges deserve our respect and our protection, and we will do everything in our power to work with law enforcement officials to keep them safe and to protect the independence of the federal judiciary.

I thank all our witnesses for their constructive testimony. I especially again want to thank Judge Lefkow and her family for traveling all this way to be with us, at such a painful period in your lives, to share your experience and its lessons for us, and for your suggestions.