



Hon. Mike Quigley
Chairman, FSGG Subcommittee
2000 Rayburn House Office Building
Washington, D.C., 20515

Hon. Tom Graves
Ranking Member, FSGG Subcommittee
2078 Rayburn House Office Building
Washington, D.C., 20515

February 21, 2019

Dear Chairman Quigley and Ranking Member Graves:

As you look ahead to hearings with the agencies under your purview in the Financial Services and General Government Subcommittee, we ask that you consider engaging with the justices of the U.S. Supreme Court and their staff on the implications, in light of recent threats, of the nine not being continually protected by the Supreme Court Police Department or the U.S. Marshals Service.

Following news yesterday that a Maryland man, who was planning a terrorist attack against lawmakers and other public figures, was searching online to determine whether Supreme Court justices were “protected,” the gaps in coverage at the high court come into stark relief.

Currently, when the nine are on the court grounds or elsewhere in Washington, the justices are protected by the Supreme Court Police Department; outside of the capital, it is the responsibility of the U.S. Marshals Service to protect them.

It is well-documented, though, that USMS protection is opt-in. In fact, the agency’s policy directive for Supreme Court justices states that when a justice “moves temporarily [...] outside the Washington, D.C., area,” the agency will be notified only “to the extent that the justice permits” (USMS Policy Directive 10.9.C.1.b, available at https://fixthecourt.com/wp-content/uploads/2018/03/FixTheCourt_Segment1_Final.pdf).

Based on FOIA requests Fix the Court made to USMS in 2016 to help the public better understand these gaps in protection, and to spur action to fill them, we are aware that the Maryland incident is not isolated: the “reported threats” section of the document we received from FOIA was, in a few instances, filled out (mostly redacted, of course, in order to maintain the justices’ safety and the privacy of internal protocols), meaning threats were extant.

The potential for a worst-case scenario has not abated since then. We live in a time in which intermittent coverage is not good enough; if the President, Vice President and Speaker of the House are afforded round-the-clock coverage, so, too, should the justices of the Supreme Court.

We ask that as you examine the proposed budget of the Supreme Court in coming weeks you pursue policies that result in the country resting assured that our top jurists are as well-protected as they can be.

Thank you for your attention to this matter.

Sincerely,

Gabe Roth
Executive Director
Fix the Court