

# JUDICIAL THREAT MANAGEMENT FOR TRIBAL COURTS

A Tribal Court Security & Judicial Safety Toolkit — National Native Justice Institute | [www.nativejustice.us](http://www.nativejustice.us)

## JUDICIAL THREAT MANAGEMENT IN TRIBAL COMMUNITIES

Tribal judges occupy one of the most personally exposed positions in Indian Country governance. They make decisions that directly affect the lives, freedom, custody of children, and financial interests of community members — often in communities where the judge, the litigants, and their families all know each other intimately. Threats against tribal judges are underreported and under-investigated, yet they represent a direct attack on tribal sovereignty and the rule of law. Judicial threat management is the systematic process of identifying, assessing, and responding to threats against judges and court personnel.

⚠️ Threats against tribal judges often occur in the community setting — not the courthouse. Judges who live and work in the community they serve face ongoing exposure that courthouse security alone cannot address.

⚖️ Every threat against a tribal judge or court employee is a potential federal offense under 18 U.S.C. §115 (threatening federal officials) or tribal law. Report all threats immediately.

👉 Tribal judges, court administrators, and security officers must work together on threat reporting, assessment, and response. No single person can manage judicial threats alone.

📄 Document every threat — verbal, written, electronic, or implicit — immediately and completely. Undocumented threats cannot be assessed, prosecuted, or used to justify protective measures.

## TYPES OF THREATS AGAINST TRIBAL JUDICIAL PERSONNEL

### Direct Threats

- Verbal threats made in the courtroom, at hearings, or in community settings: “You’ll regret this decision.” “I know where you live.”
- Written threats delivered by mail, email, social media, or left on a vehicle or at the judge’s home or office.
- Threats communicated through a third party, including family members, attorneys, or tribal staff.

### Implicit & Behavioral Threats

- Surveillance behavior: an individual repeatedly appearing near the judge’s home, vehicle, or workplace outside of any court proceeding.
- Threatening symbolic behavior: leaving objects at the judge’s home or vehicle, making hand gestures in court, or engaging in intimidating eye contact combined with other indicators.
- Escalating harassment campaign against the judge on social media, in community meetings, or through repeat communications expressing hostility.

## THE JUDICIAL THREAT MANAGEMENT PROCESS

### Step 1: Report Immediately

- Every threat — however seemingly minor — must be reported immediately to the court security officer and the court administrator. Judges should never manage threat communications alone.
- Report credible threats to tribal police and document the notification. For threats involving federal officials or federal court jurisdiction, notify the FBI.
- Document the threat completely: exact words used, delivery method, date and time, witnesses present, and any identifying information about the person making the threat.

### Step 2: Assess the Threat

- Not all threats are equal. Threat assessment evaluates: the specificity of the threat, the stated motivation, the individual’s history and access to means, and any prior escalating behavior.
- High-risk indicators: specific details about method, location, or timing; prior threatening behavior; known weapons access; history of violence; stated ideology justifying the threat.
- Threat assessment is best conducted by a team: security officer, court administrator, tribal police, and the judge. Do not assess threats in isolation.

### Step 3: Implement Protective Measures

- **Vary Routines** – Judges and court personnel who follow predictable routines are easier targets. Vary routes to work, parking locations, and arrival/departure times.
- **Increase Courthouse Security for the Affected Personnel** – Alert all courthouse security staff to the threat, the individual of concern, and the protective measures in place.
- **Coordinate with Tribal Police for Home & Community Monitoring** – For credible threats, request that tribal police conduct increased patrols near the judge’s residence and regular check-ins.
- **Restrict Access to the Judge’s Personal Information** – Remove or restrict public access to the judge’s home address, phone number, vehicle, and personal schedule from all tribal government publications and databases.

# RESOURCES, GRANTS & SUPPORT

Funding, Training, and Support Resources — Tribal Judicial Threat Management Programs | [www.nativejustice.us](http://www.nativejustice.us)

## ■ FEDERAL GRANT RESOURCES

### Court Security Funding

- **COPS Tribal Resources Grant (TRG)** – Funds tribal public safety including court security staffing, training, and equipment. [cops.usdoj.gov/tribalresources](http://cops.usdoj.gov/tribalresources)
- **CTAS – Coordinated Tribal Assistance Solicitation** – DOJ consolidated tribal funding for courts, law enforcement, and security programs. [justice.gov/tribal](http://justice.gov/tribal)
- **BJA Tribal Justice Programs** – Supports tribal court operations and court security capacity. [bj.a.ojp.gov/program/tribal-justice](http://bj.a.ojp.gov/program/tribal-justice)
- **FEMA Tribal Homeland Security Grant Program (THSGP)** – Annual DHS funding for tribal security infrastructure and emergency preparedness. [fema.gov/tribal](http://fema.gov/tribal)

### Threat Assessment & Judicial Safety

- **FBI Threat Assessment – Indian Country** – Federal threat assessment and investigation for threats against tribal judicial officials. [fbi.gov](http://fbi.gov)
- **U.S. Marshals Service – Judicial Security** – Federal judicial security resources and threat management guidance. [usmarshals.gov](http://usmarshals.gov)
- **DOJ Office of Tribal Justice** – Legal guidance and coordination for threats against tribal judicial and court personnel. [justice.gov/otj](http://justice.gov/otj)

## ■ STATE & ADDITIONAL RESOURCES

- **State Court Security Standards** – Most state court administrative offices publish court security standards applicable to tribal courts under intergovernmental agreements. Contact your State Court Administrator.
- **State Homeland Security Grants (SHSGP)** – Tribal court security programs may be eligible for state-administered FEMA homeland security funding. Contact your State Administrative Agency (SAA).
- **Tribal Law & Order Act (TLOA) Resources** – TLOA expanded tribal justice authority and DOJ technical assistance for tribal courts and security programs.
- **Grants.gov Tribal Search Tool** – Search all federal grants available to tribal entities. [grants.gov](http://grants.gov) (filter: Tribal Government eligibility)

## ■ HELPFUL TIPS FOR TRIBAL PROGRAMS & LEADERS

<p><b>Develop a Formal Judicial Threat Reporting Protocol</b></p> <p>A written, trained threat reporting protocol — defining what constitutes a reportable threat, who is notified, how documentation is completed, and what response is initiated — is the operational foundation of any judicial threat management program.</p>	<p><b>Establish a Threat Assessment Team</b></p> <p>A standing threat assessment team including the court security officer, court administrator, presiding judge, and tribal police liaison ensures that all threats are evaluated collaboratively, consistently, and with full situational awareness.</p>
<p><b>Train Judges and Court Staff on Personal Security</b></p> <p>Annual personal security awareness training for judges and court staff covering digital privacy, routine variation, home security awareness, and surveillance recognition addresses the community-level risk that courthouse security alone cannot manage.</p>	<p><b>Contact FBI for Credible Threats Immediately</b></p> <p>The FBI has jurisdiction over threats against tribal judicial officials. For any credible threat, contact your FBI field office and document the notification time, agent name, and response.</p>

## ■ KEY WEBLINKS

National Native Justice Institute	<a href="http://www.nativejustice.us">www.nativejustice.us</a>
National Center for State Courts	<a href="http://ncsc.org">ncsc.org</a>
COPS Tribal Resources Grant	<a href="http://cops.usdoj.gov/tribalresources">cops.usdoj.gov/tribalresources</a>
BJA Tribal Justice Programs	<a href="http://bj.a.ojp.gov/program/tribal-justice">bj.a.ojp.gov/program/tribal-justice</a>
FBI Threat Assessment	<a href="http://fbi.gov">fbi.gov</a>
U.S. Marshals Service	<a href="http://usmarshals.gov">usmarshals.gov</a>

## ■ PARTNER WITH NNJI — WE ARE READY TO SUPPORT YOUR COMMUNITY

**TAKE ACTION TODAY** — Contact NNJI at [www.nativejustice.us](http://www.nativejustice.us) to schedule training, consultation, or access resources.  
*Strengthening Tribal Justice — One Community at a Time*