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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY
CORPORATION, as assignee of
individuals who are Covered Persons,
JANE DOE-1, a law enforcement
officer, JANE DOE-2, a law
enforcement officer, EDWIN
MALDONADO, SCOTT MALONEY,
JUSTYNA MALONEY, PATRICK
COLLIGAN, PETER ANDREYEV,
and WILLIAM SULLIVAN

PLAINTIFFS,

vs.

Civil Action No. 24-cv-04096-HB

BRIEF OF AMICUS CURIAE

DELVEPOINT, LLC, RICHARD
ROES 1-10; fictitious names of
unknown individuals and ABC
COMPANIES 1-10, fictitious names of
unknown entities,

DEFENDANTS.

**BRIEF ON BEHALF OF THE NATIONAL ASSOCIATION OF
ASSISTANT UNITED STATES ATTORNEYS, NEW JERSEY STATE
POLICEMEN'S BENEVOLENT ASSOCIATION, AND THE NATIONAL
ASSOCIATION OF POLICE ORGANIZATIONS AS *AMICUS CURIAE***

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INTEREST OF *AMICI CURIAE*¹

This brief is submitted on behalf of leading national and state organizations that represent over 5,500 federal prosecutors across the United States as well as tens of thousands of police officers in the State of New Jersey, over 1,000 police units and associations, over 241,000 sworn law enforcement officers, and more than 100,000 citizens. Signatories include:

- The National Association of Assistant United States Attorneys (NAAUSA), which was founded in 1992 to advance the mission of AUSAs and their responsibilities in promoting and preserving the Constitution of the United States, fostering loyalty and dedication in support of the Department of Justice, and encouraging the just enforcement of U.S. laws. NAAUSA represents the interests of more than 5,500 AUSAs throughout the country and the U.S. territories.
- The New Jersey State Policemen's Benevolent Association, Inc. (NJSPBA) is a state-wide organization representing law enforcement officers at the state, county, and municipal levels of government. The NJSPBA is the parent organization of over 350 affiliated local PBAs. It provides legal assistance to local PBAs, and to all law enforcement personnel represented by those locals,

¹ *Amici* affirm that no counsel for any party authored this brief in whole or in part or contributed money to fund the preparation and submission of this brief.

on matters of concern that impact their health, safety, professionalism, legal representation, and economic well-being. The NJSPBA is comprised of approximately 33,000 active law enforcement officers and 23,000 retired law enforcement officers.

- The National Association of Police Organizations (NAPO) is a coalition of police units and associations from across the United States. It was organized for the purpose of advancing the interests of America's law enforcement officers. Founded in 1978, NAPO is the strongest unified voice supporting law enforcement in the country. NAPO represents over 1,000 police units and associations, over 241,000 sworn law enforcement officers, and more than 100,000 citizens who share common dedication to fair and effective law enforcement. NAPO often appears as *amicus curiae* in cases of special importance.

Together, *amici* have decades of experience with the justice system and specifically with the personal risks and violence that its members face on a daily basis in connection with their work. *Amici* are intimately familiar with the nature and volume of threats confronting judges, prosecutors, and police, the ways in the security environment has changed in recent years, and the importance of protections like Daniel's Law. Moreover, *amici* have a longstanding interest in the stable

operation of the judiciary and the advancement of the rule of law—and understand how Daniel’s Law safeguards those vital institutions.

SUMMARY OF THE ARGUMENT

Each night, after a long shift on patrol or a full day in court, police officers take off their bulletproof vests, judges hang up their robes, and they all head home.

But their jobs do not always leave them there. Their work can follow them home — sometimes quite literally and with dangerous consequences.

In recent years, there has been a marked and disturbing surge in physical threats and fatal violence against jurists, prosecutors, and local law enforcement, particularly in their family residences. In several high-profile incidents, disgruntled litigants have tracked down the home addresses of judges or officers online, come to their abode, and hurt or killed them or their family. In addition to being obviously tragic, this trend is deeply problematic for the integrity of an independent judiciary, as well as to the effective operation of law enforcement agencies.

To be clear, public service has never been a risk-free endeavor, particularly for officials working in the criminal justice system. But the mounting physical risks to members of the judiciary and of law enforcement have been complicated and accelerated by the sale and propagation of private data, including personal addresses, through data brokers and other Internet vendors. There are simply not enough governmental resources to provide around-the-clock, at-home security to every

single prosecutor, judge, or police officer in America who could potentially be under serious threat. As a result, some reasonable regulation of commercial data brokers, including the right to remove personal data, is necessary and appropriate.

Amici and their members, who span different levels and types of positions in justice system, do not often file *amicus* briefs, let alone at the district court level. But the importance of Daniel's Law is so critical that they feel compelled to weigh in early in this case.

Amici respectfully urge this Court to consider the practical significance of Daniel's Law to the hundreds of judges and prosecutors and the tens of thousands of police officers who serve across the state of New Jersey. Additionally, this Court should be aware of disturbing studies from U.S. Marshals Service and from investigative outlets detailing the multiplying threats of violence against members of the judiciary and of law enforcement.

Amici also encourage the Court to examine how Daniel's Law places a generally modest burden on commercial data brokers: they simply must remove the personal data of a covered person in a prompt manner (or face risk of a claim). Despite occasionally overheated rhetoric on the other side, this is not the end of the world — nor is it the end of the Internet. But for judges and members of the law enforcement community, reselling private data like their home address—in ways that make it all too easy for an aggrieved individual to obtain—can actually make a

world of difference for their security and the safety of their family. This Court should uphold the constitutionality of data broker regulations and deny Defendant's motions to dismiss on the ground that Daniel's Law is facially unconstitutional.

THE REGULATION OF COMMERCIAL DATA BROKERS SERVES A COMPELLING INTEREST IN PROTECTING THE SAFETY OF JUDGES, PROSECUTORS, POLICE, AND THEIR FAMILIES AT HOME.

The Defendants in this case have brought a sweeping, facial constitutional challenge to a commonsense state law that regulates the use of sensitive personally identifiable information, namely by commercial data brokers. *See generally* N.J. Stat. Ann. §§ 47:1A-1, et seq., and 56:8-166.1 ("Daniel's Law"). In addition to the other serious doctrinal hurdles they must seek to surmount, the Defendants are hard-pressed to deny that Daniel's Law serves a compelling state interest. As laid out below (*infra* § I.A), members of the justice system face a proliferation of personal threats and violence at home, which have surged in recent years and been fueled by the misuse of personally identifiable information (PII) online. Protecting public servants like *amici* from deadly threats is not only pivotal at an individual level – it is also fundamental for our system of government, which depends upon an independent judiciary that is insulated against undue pressures of violence or revenge (*infra* § I.B). Lastly, this Court should be aware that Daniel's Law normally places a manageable compliance burden on commercial data brokers, which can adhere to the statute in a straightforward and reasonable manner (*infra* § I.C).

A. Law enforcement officials and jurists face multiplying threats of violence at home due to the sale and propagation of sensitive personal information.

Numerous governmental and published studies have found that threats against public servants like *amici* at home have grown at an alarming rate in recent years. In 2023, the Administrative Office of the U.S. Courts highlighted this serious problem:

The proliferation of judges’ PII [personally identifiable information] on the internet has been a major concern for the Judiciary in the wake of several attacks on judges in recent years. . . . There also has been a steady rise in threats and inappropriate communications against federal judges and other court personnel, from 926 such incidents in 2015 to 2,710 incidents in 2023, according to the Marshals Service. Some threats have involved litigants angered by judges' decisions in cases, and the home addresses of judges handling controversial cases have been circulated on social media.

See U.S. Courts, *Facilities and Security – Annual Report 2023* (2023),

[https://www.uscourts.gov/statistics-reports/facilities-and-security-annual-report-](https://www.uscourts.gov/statistics-reports/facilities-and-security-annual-report-2023)

[2023](https://www.uscourts.gov/statistics-reports/facilities-and-security-annual-report-2023). See also Congressional Research Service, *Security for the Federal Judiciary:*

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circulation of PII on the Internet and citing a 2022 publication from the

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As the National Center for State Courts recently highlighted, this surge in threats against federal judges, prosecutors, and other court officials represents a staggering “400% increase since 2015.” National Center for State Courts, *Judicial Security Update* (2024), <https://ccj.ncsc.org/news/judicial-security-update>. For

judges, serious threats have more doubled during the past three years – rising “to 457 [serious incidents meriting investigation] in fiscal year 2023 [], [up] from 224 in fiscal 2021, according to the previously unreported data. Serious threats against federal prosecutors also more than doubled, from 68 in 2021 to 155 in 2023, the statistics show.” Joseph Tanfani et al., *Exclusive: Threats to US federal judges double since 2021, driven by politics*, Reuters (Feb. 13, 2024), <https://www.reuters.com/world/us/threats-us-federal-judges-double-since-2021-driven-by-politics-2024-02-13/>. These skyrocketing threats “marked a dramatic increase from 2019, when the Marshals investigated 179 such threats, according to the data. In the past, judges mostly faced threats from people who were upset about a judge’s decision in their own cases, [Marshals Director Ronald] Davis said. Now, he [explained], many more are coming from people enraged because of politics.” *Id.* Accord Luke Barr, *Federal judges, prosecutors see triple-digit increase in threats in 2023*, ABC News (Feb. 13, 2024), <https://abcnews.go.com/Politics/federal-judges-prosecutors-triple-digit-increase-threats-2023/story?id=107198746> (“Federal judges and federal prosecutors saw a triple-digit increase in threats in 2023, according to statistics released [] by the U.S. Marshals Service.”).

At the state level too, personal threats and actual violence are multiplying. Individuals “have attacked or threatened state judges and court personnel in Nevada, Colorado, Texas, Ohio, Mississippi, Rhode Island, New York, California, Kentucky,

Michigan, Wyoming, Idaho, and Indiana. . . .” *Id. Accord* The National Judicial College, *Over half of judges report threats, environment affecting mental health* (June 27, 2024), <https://www.judges.org/news-and-info/over-half-of-judges-report-threats-environment-affecting-mental-health/>, (“The United States Marshall’s Service reports that serious threats to federal judges have doubled since 2021, a pattern also seen at the state court level. There have been multiple high-profile physical attacks on [state] judges and their families, including homicides, as well a barrage of threats sent directly to judges or posted on social media.”); Wisconsin Public Radio, *With threats against judges on the rise, lawmakers push judicial security package* (Jan. 26, 2024), <https://www.wpr.org/news/with-threats-against-judges-on-the-rise-lawmakers-push-judicial-security-package> (“In 2022, . . . [state] Court Judge John Roemer was zip-tied to a chair in his home and executed.”).

The sale of private information by commercial data brokers, particularly when it involves a home address, has proven to be a central factor in the current threat environment. “Judges handling controversial cases [] have seen their home addresses circulated on social media.” U.S. Courts, *Judiciary Affirms Need for Bill to Protect Federal Judges* (July 14, 2021), <https://www.uscourts.gov/news/2021/07/14/judiciary-affirms-need-bill-protect-federal-judges>. *See also* National Center for State Courts, *NCSC supports new legislation to protect state court judges from escalating threats* (2024),

<https://www.ncsc.org/newsroom/at-the-center/2024/ncsc-supports-new-legislation-to-protect-state-court-judges-from-escalating-threats> (“‘My attacker obtained my home address, phone number, and the make and model of my vehicle from online searches, and he stalked me and my family for weeks,’ recalls Judge Kocurek.”).

The sale and propagation of personally identifiable information stems largely from the meteoric rise of commercial data brokers, an industry which has garnered recent scrutiny because its security implications. *See, e.g.*, Congressional Research Service, *Regulation of Data Brokers: Executive Order 14117 on Preventing Access to Americans’ Sensitive Data by Countries of Concern* (May 16, 2024), <https://crsreports.congress.gov/product/pdf/IN/IN12362>; Justin Sherman et al., *Data Brokers and the Sale of Data on U.S. Military Personnel*, Duke University (Nov. 2023) (research sponsored by the United States Military Academy), <https://techpolicy.sanford.duke.edu/data-brokers-and-the-sale-of-data-on-us-military-personnel/>.

The sale of PII, particularly home addresses, poses heightened risks to groups of civil servants like *amici* because of the security vulnerabilities of a personal residence. The National Judicial College surveyed a historical analysis of “attacks [against] justice personnel from 1950-2013 [and] found that 51 percent of the attacks occurred at the residence with a 68 percent kill rate.” John F. Muffler, *Protecting Your Castle: Residential Security for Judges*, The National Judicial College (Nov.

19, 2015), <https://www.judges.org/news-and-info/residential-security-for-judges/> (citation omitted). This alarming trend reflects the unique features of homes. “For the most part, courthouses are safe and secure. With security officers, magnetometers, x-rays, cameras, duress alarms, ballistic barriers, high grade locks and lighting, they provide an excellent security blanket. However, when you step out of the courthouse, your vulnerability skyrockets. You no longer have the systems and personnel at your disposal.” *Id.* See generally Hannah Elias Sbaity, *Private Lives at Home and Public Lives in Court: Protecting the Privacy of Federal Judges' Home Addresses*, 28 J. Intell. Prop. L. 475 (2021), <https://digitalcommons.law.uga.edu/jipl/vol28/iss2/7>.

Recently, the jump in threats against employees of the justice system have prompted increased budgets for court security – including funding specifically to remove PII from Internet vendors and other sources. See Jacqueline Thomsen, *Threats Against US Judges Prompt Request for More Security Funds*, Bloomberg (March 6, 2024), <https://news.bloomberglaw.com/us-law-week/threats-against-us-judges-prompt-request-for-more-security-funds> (“The budget would also fund the removal of personally identifiable information of judges from the internet, permitted through a 2022 law passed after the fatal shooting of US District Judge Esther Salas’s son at their New Jersey home.”). See also Nate Raymond, *US Supreme Court seeks security funding to protect justices, homes*, Reuters (March 4, 2024),

<https://www.reuters.com/world/us/us-supreme-court-seeks-security-funding-protect-justices-homes-2024-03-04/>.

But there is simply not enough public funding to personally protect every judge, prosecutor, and police officers at their home whenever they face a serious threat. A recent audit by the U.S. Department of Justice Inspector General explicitly “found that the USMS [U.S. Marshals Services] does not have the resources or proactive threat detection capabilities that the USMS has determined it needs to meet its protective services obligations for USMS-protected persons, including judges.” Office of the Inspector General, U.S. Department of Justice, *Audit of the U.S. Marshals Service Judicial Security Activities* (June 2021), <https://oig.justice.gov/sites/default/files/reports/21-083.pdf>. Even when specific threats require temporary protective details for federal judges, those security services are extraordinarily expensive, hard to staff, and face real budgetary constraints. *See* Suzanne Monyak, *Judicial Security Resources Stretched Amid Rising Threats*, Bloomberg (May 2, 2024), <https://news.bloomberglaw.com/us-law-week/judicial-security-resources-stretched-amid-rising-threats>. Moreover, state budgets and resources are often even more limited. “While the U.S. Marshals Service monitors, addresses, and develops best practices around threats to the federal judiciary, no such resource center exists for the estimated 30,000 judicial officers who serve in state

and local courts.” National Center for State Courts, *Judicial Security Update* (2024), *supra*.

For all these reasons, statutes like Daniel’s Law serve a compelling interest in protecting judges, prosecutors, and police by regulating the services and sales of commercial data brokers. As Judge Roslynn Mauskopf recently testified:

The federal [analog to] ‘Daniel’s Law’. . . is important to the judiciary; these issues are critical. Lives have been lost and threatened because judges’ addresses and phone numbers are available online and bad actors are using that information to do harm to judges and their families. This [legislation] is supported by the Federal Judges Association, the Federal Magistrate Judges Association, the National Conference of Bankruptcy Judges, the Federal Bar Association, the American Bar Association, the Hispanic National Bar Association, the New York Intellectual Property Law Association, Association of the Federal Bar of New Jersey, the Federal Bar Council, and the National Association of Attorneys General.

Statement of Judge Roslynn Mauskopf, Director, *Administrative Office of the United States Courts*, S. 2340 *The Daniel Anderl Judicial Security and Privacy Act of 2021* at 4 (Dec. 2, 2021),

https://www.uscourts.gov/sites/default/files/statement_of_judge_roslynn_mauskopf_december_2021_0.pdf. Today, organizations like the National Center for State

Courts specifically urge all judges and court personnel to exercise their rights under statutes like Daniel’s Law in order to remove sensitive private information from public brokers and sources. *See* National Center for State Courts, *Personal Safety Tips for Judges and Court Staff* (updated Oct. 2023),

https://www.ncsc.org/_data/assets/pdf_file/0023/95144/Safety-PDF_P3.pdf (“Be aware of laws or statutes regarding the protection of personally identifiable information for judges. If at all possible, do not have a publicly listed or published home address.”). In sum, Daniel’s Law provides critical protections to prosecutors, police officers, and judges in the face of doubling threats of violence at home and through the Internet.

B. Protecting public servants against assassination and other grave threats is integral to the independence of the judiciary and to the rule of law.

Safeguarding officials like *amici*’s members from serious threats is not only crucial at an individual level or for their families – it is also foundational for our system of government.

Chief Justice Roberts highlighted the core principles at stake in his year-end report surveying the federal judiciary:

Just this month, Congress enacted the [federal equivalent to Daniel’s Law] to help protect judges and their families. The law requires every judge to swear an oath to perform his or her work without fear or favor, but we must support judges by ensuring their safety. A judicial system cannot and should not live in fear. Chief Justice John G. Roberts, Jr., 2022 Year-End Report on the Federal Judiciary at 4 (Dec. 31, 2022), <https://www.supremecourt.gov/publicinfo/year-end/2022year-endreport.pdf>. Judge Mauskopf highlighted a similar point: “Our constitutional system depends on an independent Judiciary Judges must be able to make decisions without fear of reprisal or retribution. This is essential not just for the

safety of judges and their families, but also to protect our democracy.” U.S. Courts, *Judiciary Affirms Need for Bill to Protect Federal Judges* (July 14, 2021), *supra*.

Numerous state and federal judges at the trial and appellate levels have also underscored the important ramifications for the rule of law here. *See* National Center for State Courts, *Judicial Security Update* (2024), *supra* (“Chief Judge Blackburne-Rigsby of DC: ‘A safe and secure judiciary is vital to upholding the rule of law and ensuring that all judges are well-positioned to make fair and impartial rulings, and that their decisions cannot be influenced or changed by any threats, intimidation, or retaliation.’”); *id.* (“Chief Justice Fader of Maryland: ‘While judges have always lived with a certain level of risk, we have never experienced risk on the scale that we currently see today. We are facing an entirely new threat environment that drives to the very heart of the rule of law and the fair administration of justice under law.’”). Likewise, a bipartisan set of state attorneys general, in advocating for the federal analog to Daniel’s Law, specifically highlighted that “[a]n independent judiciary is a foundational principle of our American government, and judges cannot fulfill their constitutional role while they, and those close to them, are targeted for judicial work.” *See* Mark Brnovich & Gurbir S. Grewal, *Congress must pass Daniel’s Law to protect federal judges*, Roll Call (July 16, 2021), <https://rollcall.com/2021/07/16/congress-must-pass-daniels-law-to-protect-federal-judges/>.

The independence and effective operation of the judicial branch depends on the safety and security of its proceedings and participants. If judges or prosecutors, among others, were regularly threatened, injured, and/or killed at home due to the proliferation of sensitive PII, aside from being a manifest tragedy, it would also undermine the vital work of the judiciary, imperil objective decision-making, and potentially deter individuals from becoming judges, prosecutors, or police in the first place. In the long run, Chief Justice Michael Boggs of Georgia explained, “[t]hreats and attacks on judges can also lead to continued and increased judicial threats and attacks. When people attempt to harm or kill a judge or their family member because of their position and the work they do, this emboldens others to do so as well.” National Center for State Courts, *Judicial Security Update* (2024), *supra*. The New Jersey state legislature was right to recognize these vital systemic interests in crafting Daniel’s Law.

C. Daniel’s Law places a generally modest regulatory burden on commercial data brokers.

In service of the compelling interests outlined above, Daniel’s Law establishes sensible regulatory requirements for the most likely suppliers of sensitive PII: commercial data brokers.

As a practical matter, complying with statutes like Daniel’s Law is relatively straightforward: when requested by a judge or other covered person, the data broker must simply remove the relevant data in a prompt manner – or face risk of a claim.

See generally N.J.S.A. 2C:20-31.1(c) and N.J.S.A. 56:8-166.1(a)(2). As a practical matter, in the mine run of cases,² Daniel’s Law imposes a manageable compliance obligation upon an enormous and increasingly sophisticated industry. *See, e.g.*, Press Release, *Data Brokers Market Estimated to Reach US\$ 462.4 billion by 2031*, TMR Report, GlobeNewswire (Aug. 1, 2022), <https://www.globenewswire.com/news-release/2022/08/01/2489563/0/en/Data-Brokers-Market-Estimated-to-Reach-US-462-4-billion-by-2031-TMR-Report.html>; Hitachi Security Systems, *What is a data broker and how do they impact privacy* (2024), <https://hitachi-systems-security.com/what-is-a-data-broker-and-how-do-they-impact-privacy/> (“Although some brokers may be individual actors, data brokerage is a mature industry mostly comprised of big players”).

These sorts of regulations on commercial data brokers are increasingly commonplace and common sense – for good reason. “Most states now have laws prohibiting governmental entities from disclosing the home addresses of at least some public employees, with judges among the most commonly protected. . . .” David Lieb, *States shield addresses of judges, workers after threats*, Associated Press (May 14, 2023), <https://apnews.com/article/sunshine-week-secrecy-home->

² From time to time, exceptional cases may prompt courts to consider unique applications of Daniel’s Law that give rise to situation-specific First Amendment issues. Courts are well-equipped to examine those constitutional questions on an as-applied basis and, if need be, fashion an appropriately tailored remedy (e.g., a narrowing construction of the statute). But those are edge cases that are far afield from the basic operation of Daniel’s Law in this case or as it typically arises for *amici* and its members.

[address-26306e390694f6ab9c95f978f4e4c207](https://www.fedopen.com/address-26306e390694f6ab9c95f978f4e4c207) (citing Jodie Gil, Robert A. Smith, Jr., & Kauther S. Badr, *Home Address Exemptions in State FOI Laws*, 4 J. Civic Info. 4, 1-45 (2022)). Moreover, “[a] study panel of the Uniform Law Commission, a nonprofit organization that drafts potential legislation for state lawmakers, plans to recommend [] that a common policy be drafted to exclude judges’ home addresses and certain personal information from public-record disclosures. . . .” *Id.* See also Uniform Law Commission, Drafting Committee on Redaction of Personal Information from Public Records Committee (June 18, 2024) (pausing additional review of ULC’s draft law in order to monitor litigation in New Jersey, i.e., the case at bar).

The wisdom of removing sensitive PII for certain public officials also reflects historical practice. Indeed, in the heyday of printed phone directories (e.g., Yellow Pages and White Pages), police officers and judges commonly removed their home address or home phone number from sale or distribution in light of the security risks. See, e.g., Dave Smith, *Give Me an Unlisted Number, Please*, Police Magazine (Aug. 12, 2016), <https://www.policemag.com/patrol/article/15346679/give-me-an-unlisted-number-please> (“Identity control has been a topic for decades in the law enforcement profession. . . . In the old days . . . phone company would not publish your information [upon request]”). This remains a best practice for members of the judiciary to this day. See, e.g., The Chicago Bar Association and The John Marshall

Law School Center for Information Technology and Privacy Law, *Protecting Your Personal Privacy: A Self-Help Guide for Judges and Their Families* at 11 (2006), <https://www.supremecourt.ohio.gov/docs/Boards/OJFN/resources/Privacy.pdf>

(“You can also unlist your name, address and phone number from the phone book”).

Amici have not found any published case indicating that removing such sensitive data was considered to pose a First Amendment problem at the time – let alone a facial constitutional violation. To the contrary, before the Internet era, courts in other jurisdictions recognized the compelling interest that law enforcement officials have in their home addresses. For example, the Sixth Circuit held that releasing “addresses, phone numbers” and other sensitive information belonging to undercover police officers implicated both their fundamental liberty interests (i.e., increased security risks) and also the constitutional right to privacy. *Kallstrom v. City of Columbus*, 136 F.3d 1055, 1063-1067 (6th Cir.1998). Therefore, the court concluded, the data should not have been publicly disclosed, since “under the[] circumstances [it] create[d] a constitutionally cognizable ‘special danger,’” *id.* at 1067. *See also Smith v. Dayton*, 68 F.Supp.2d 911, 918 (S.D. Ohio 1999) (holding that a city's release to a newspaper of an address, unlisted phone number, and other identifying information of a police officer violated his constitutional right to privacy). These commonsense precepts should apply equally to the commercial brokering and use of sensitive private data in the Internet era.

Despite some over-the-top rhetoric by Defendants, complying with Daniel’s Law is not the end of the world — nor does it spell the demise of the Internet. But for judges and members of the law enforcement community it can actually make a world of difference – since reselling private data like their home addresses can exacerbate an increasingly dangerous threat landscape. At bottom, Daniel’s Law serves a compelling interest for public officials like *amici*’s members and has a modest regulatory impact upon a \$400 billion industry. Historical practice, governmental security assessments, and common sense all point in the same direction.

CONCLUSION

This Court should deny Defendant's motion to dismiss and reject the argument that Daniel's Law is unconstitutional on its face.

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Respectfully submitted,

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** Pro hac vice pending*