

IDENTIFYING THREATS AGAINST

JUDICIAL OFFICERS AND COURT STAFF

In recent years, threats directed at judicial officers and court staff often tied to controversial rulings or high-profile cases have increased. This bulletin provides guidance on how to identify true threats and what legal protections are available for judicial officers and court personnel.



What is a true threat?

A **true threat** is a serious expression conveying that the speaker means to commit an act of unlawful violence.

- » The person who makes a true threat must have some subjective understanding of the threatening nature of their statements, including a conscious, reckless disregard the statement would be considered threatening to a reasonable person.
- » True threats are statements that, when taken in context, convey a real possibility that violence will follow. They do NOT include jokes or hyperbole.
- » True threats are not protected by the 1st Amendment.¹

EXAMPLES

True Threats	<u>Not</u> True Threats
"I'm going to hurt Judge Hunter"	"That judge ruined my life; they're terrible at their job."
"I'm loading my AR-15 now, say goodbye to your loved ones."	"With decisions like this, someone's going to get hurt."
"I'm on my way to put a bullet in your head."	"If that judge wasn't protected, someone might go after them"

What laws protect judicial officers and court staff?

- » **O.C.G.A. § 16-10-28 - Transmitting a false public alarm (i.e., swatting):**
 » "A person commits the offense of making an unlawful request for emergency services assistance when he or she knowingly and intentionally transmits in any manner a request for emergency services assistance knowing at the time of the request for emergency services assistance that there is no reasonable ground for believing the truth of information which forms the basis of such request and when the request involves or relates to:
 - A purported destructive device or hazardous substance located in such a place that its explosion, detonation, or release would endanger human life or cause injury or damage to property;
 - An individual who purportedly has caused or threatened to cause physical harm to himself or herself or another individual by using a deadly weapon or with any object, device, or instrument which, when used offensively against a person, is likely to result in serious bodily injury;
 - An individual who purportedly has committed a criminal act involving the use or threat of physical force or violence or an act constituting an immediate threat to any person's life or safety; or
 - The knowing use of any electronic device or software to alter, conceal, or disguise, or attempt to alter, conceal, or disguise, the location or identity of the person making the request."²
- » **O.C.G.A. § 16-10-97 - Intimidation or injury of any officer in or of any court:**
 » "A person who by threat or force or by any threatening action, letter, or communication:
 - (1) Endeavors to intimidate or impede any grand juror or trial juror or any officer in or of any court of this state or any court of any county or municipality of this state or any officer who may be serving at any proceeding in any such court while in the discharge of such juror's or officer's duties;
 - (2) Injures any grand juror or trial juror in his or her person or property on account of any indictment or verdict assented to by him or her or on account of his or her being or having been such juror; or
 - (3) Injures any officer in or of any court of this state or any court of any county or municipality of this state or any officer who may be serving at any proceeding in any such court in his or her person or property on account of the performance of his or her official duties."³

NEW SWATTING LEGISLATION



Effective July 1, 2024, GA Senate Bill 421 increases the punishments for swatting calls against a residential, government building, or court and legally mandates restitution for damages or harm that result from a swatting attempt.

- » **O.C.G.A. § 16-11-39.1 - Harassing Communications:** "A person commits the offense of harassing communications if such person:
 - Contacts another person repeatedly via telecommunication, e-mail, text messaging, or any other form of electronic communication for the purpose of harassing, molesting, threatening, or intimidating such person or the family of such person;
 - Threatens bodily harm via telecommunication, e-mail, text messaging, or any other form of electronic communication;
 - Telephones another person and intentionally fails to hang up or disengage the connection; or
 - Knowingly permits any device used for telecommunication, e-mail, text messaging, or any other form of electronic communication under such person's control to be used for any purpose prohibited by this subsection."⁴
- » **O.C.G.A. § 16-11-37 - Terroristic threats and acts:** "A person commits the offense of a terroristic threat when he or she threatens to: to commit any crime of violence, release any hazardous substance or burn or damage property. Such terroristic threat shall be made:
 - (A) With the purpose of terrorizing another;
 - (B) With the purpose of causing the evacuation of a building, place of assembly, or facility of public transportation;
 - (C) With the purpose of otherwise causing serious public inconvenience; or
 - (D) In reckless disregard of the risk of causing the terror, evacuation, or inconvenience described in subparagraph (A), (B), or (C) of this paragraph."⁵

For guidance on how to protect against threats, check out CISA's "[Protect Yourself and Your Staff](#)" resource page.



REPORTING THREATS

Threats made against judicial officers and/or court personnel should be reported to their local law enforcement and shared via email to judicialthreats@gasupreme.us. Please include a copy of the threat along with any other pertinent information.



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(U) This bulletin (FY25-013) was prepared by the Georgia Bureau of Investigation - Georgia Information Sharing and Analysis Center (GBI-GISAC). Comments and queries may be addressed to GBI-GISAC at 404-561-8497 or generalinfo@gbi.ga.gov.

Standing Information Needs (SINS)

HSEC-01-00000-P1-GA-2009 Overt Threats to U.S. Homeland Security
HSEC-14-00000-P2-GA-2009 Domestic Issues
HSEC-20-00000-P5-GA-2009 Plans and Preparations for Cyber Attacks Against the U.S.

Distribution

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Endnotes

All websites hyperlinked herein last accessed on 24 November 2025.

- 1 (U) *Counterman v. Colorado*, 600 U.S. 66 (2023). https://www.supremecourt.gov/opinions/22pdf/22-138_43j7.pdf
- 2 (U) GA Code § 16-10-28 (2023). <https://law.justia.com/codes/georgia/title-16/chapter-10/article-2/section-16-10-28/>
- 3 (U) GA Code § 16-10-97.1 (2023) <https://law.justia.com/codes/georgia/title-16/chapter-10/article-5/section-16-10-97/>
- 4 (U) GA Code § 16-11-39.1 (2023). <https://law.justia.com/codes/georgia/title-16/chapter-11/article-2/section-16-11-39-1/>
- 5 (U) GA Code § 16-11-37 (2023). <https://law.justia.com/codes/georgia/title-16/chapter-11/article-2/section-16-11-37/>