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 LAWYERS GUILD DENOUNCES POLITICALLY MOTIVATED ARREST OF JUDGE DUGAN

The Milwaukee and Madison chapters of the National Lawyer Guild (NLG) strongly condemn the public courthouse arrest of elected Milwaukee County Circuit Court Judge Hannah Dugan on Friday, April 25. The Guild asserts that this unusual arrest is part of an ongoing political campaign by the Trump administration to discredit and intimidate judges and the courts, as it continues to defy multiple rulings.

News of this arrest came from national FBI director Kash Patel in a release on social media with a photo of the Judge in handcuffs, rather than an announcement from the Milwaukee office of the U.S. Attorney for the Eastern District of Wisconsin. Patel’s media release has since been deleted without explanation.

Rather than notify this sitting judge and allowing her to report for processing, as would normally be the case where the defendant is well known and there is no significant flight risk, the FBI chose to take her into custody from the County Courthouse not only displaying her in handcuffs but then shackling her in leg irons in the proceeding, thus highlighting the drama and intimidating effect of this arrest. That she posed no flight risk was confirmed when the magistrate judge released her on her own recognizance at the end of the hearing.

The April 18 underlying incident was also unusual. According to the FBI affidavit supporting the criminal complaint, a team of no less than six agents were deployed, including two FBI agents, at least one of whom was planted “inconspicuously.” In the prior two such arrests in the County Courthouse, we believe that only two ICE agents were deployed and were sufficient to take the immigrants into custody. No explanation has been given for this massive deployment in and around Judge Dugan’s courtroom.

Some of the ICE agents did notify Judge Dugan’s court of their presence that morning and plan to arrest one of the parties to a scheduled case before that court. However, they lacked a judicial warrant and thus had no right to enter non-public spaces.

The criminal complaint against the well-respected Judge Dugan was issued without any apparent signature or involvement by the U.S. Attorney’s office, but instead relied solely on the affidavit of one FBI Special Agent, and almost all of the alleged facts are based on hearsay, which would be inadmissible at trial.

This unusual conduct must be seen in the context of the Trump administration’s battle for public opinion against judges nationwide who have issued orders which the administration has defied, and some have been targets of threats, media attacks, and at least one illegal impeachment demand by the president .

These facts also suggest the possibility that this incident may have been a “set up” in order to stage a high profile arrest of a respected sitting judge for the administration to use as a tool in its ongoing effort to discredit judges, as it defies their rulings up to and including the Supreme Court.

In contrast, strong support for Judge Dugan was clear from the immediate outpouring of hundreds of supporters who gathered in short order during the workday demanding the charges be dropped; they  also heard from many elected officials, labor, civil rights, civic and immigrant organizations representing thousands of Milwaukeeans.

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