



## How Judge Esther Salas is Honoring Her Son's Legacy

She made history as the first Latina to serve as a U.S. Magistrate Judge and a Federal District Judge for the District of New Jersey. Then, in 2020, a self-avowed anti-feminist violently targeted her family, injuring her husband and killing her son, Daniel. In this powerful episode, Judge Salas reflects on love, faith, grief, and her commitment to keeping her son's joyful memory alive.

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Alicia Menendez:

Before we get started, know that Judge Salas talks in detail about the violence that was inflicted upon her family. Listen only if, and when, you are ready.

Menendez:

Judge Esther Salas has thought about justice her entire life, as a kid translating for her mom at the Welfare Office, on the bench as the first Latina to serve as a United States Magistrate Judge and as a US District Judge in the District of New Jersey. And in the aftermath of July 19th 2020, when her family was targeted in a violent attack by a self-described anti-feminist. Her husband, Mark, was injured in the attack and her son, Daniel, their only child, 20 at the time, was killed. Judge Salas tells me how she summoned the strength to get through that day and the days that have followed, the work she is doing to protect other federal judges and their families, and the love and joy that is Daniel's legacy.

First, how are you?

Esther Salas: Thanks be to God I am great and my husband's doing fantastic, so we're blessed.

Menendez: And it has been a long road to get to that point. We're going to talk about that long road. We're going to talk about what has happened in the past year and a half, but I want to start with everything that came before that. You and I: both Union City girls.

Salas: Yes. In the house.

Menendez: Best in the world. In fact, you grew up 15th and Bergenline. I grew up 15th between Bergenline and West-

Salas: Oh my -

Menendez: ... so literally like right there. Tell me about those early days growing up in Union City.

Salas: So my mom and dad were together. They met, it was one of those whirlwind romances. My dad's Mexican, my mom's Cuban and she fell in love with Prince Charming. And as sadly things happen, their relationship took an untenable turn based on their own upbringings. My dad had a very strict way of living and expected perfection from mom and from his children. And eventually that ended up in a very untenable situation for mom. And so in the middle of the night on a red eye flight from California to Union City, my mom packed

everything she could in a couple of suitcases. And we ended up in Union City on a cold December morning.

Salas: And my uncle who was a factory worker at the time and his wife and their three kids, daughters, one severely disabled, took us in to this apartment in Union City, a three bedroom apartment and 11 of us were surviving in that three bedroom apartment. And mom did her absolute best to get us a place and we did on 27th Street in Union City. And I tell people all the time: we didn't have much, but we were happy. And then we lost everything in a fire in 1979. I mean everything. And so our story is a tragic one, but I think it also shows that women and in particular, my mom, was one of those women that I learned so much from. And she had a fourth grade education. Who I am today in large part is due to that fabulous woman that I call my mom.

Menendez: You are double Rutgers. You do a little stint in a law firm, as everyone is sort of wont to do. Quickly decide that is not for you. You have your career as a public defender. Was there a moment where you realized that wasn't going to be enough and that you wanted and needed to be on the bench?

Salas: I didn't know that I wanted to be a judge. I literally saw opportunity and saw my peers going for it. And I at one point said, why not me? And so I went ahead and fell on my face a couple of times. I mean, the first time I remember I sent my application and I kept checking the phone for dial tone. I was like, I'm not getting the call, and of course I didn't get called for an interview. And then the second time, this was for the United States Magistrate position. The second time I made it all the way to the final round and didn't make it. But I kept knocking and I was persistent and they eventually took me in 2006 as a US Magistrate judge and was for my mom one of the proudest moments. She actually made that investiture, that swearing in, and I have a picture of her there clapping. And that photo is my treasured photo because it has Mom, Daniel, Mark. And then you can actually picture all the people in my life, some that are no longer here.

Menendez: You end up sitting on the bench for a number of very big, very public cases. I think for a lot of our listeners through a Housewives of New Jersey case will be one that everyone recognizes. I mean, that's a bank fraud case. There are gang cases. There's a real range of cases that end up before you. What is your philosophy? What is your approach? What is sort of the essence of what it is that you bring to the bench?

Salas: My mother would say to me, always in Spanish, "Esther, tu no eres mejor que nadie. Pero nadie es mejor que tu." I honestly treat everyone and I like to think that I treat everyone the same, no matter who you are, whether you are Neville who cleans my office or Chief Justice Roberts. For me, I try to treat everybody with the same amount of respect and dignity and I try to do that on the bench as well. And so my philosophy is just really try your best as a judicial officer to put your ego aside and try to treat everyone with that respect and professionalism that you would want if the roles were reversed.

Salas: And I think for the most part, I have managed that. I'll tell you, I have also changed fundamentally pre-murder, post-murder. Like I tell people all the time, I'm a totally different person in a lot of ways. I didn't think I was a bad person to begin with. But when you have something like that happen in your life, you begin to analyze your behavior. I find myself, literally, even the slightest thing that I'm going to say, I think twice about it. What is my intent? What am I trying to do? And why am I going to say that? And if it's ego driven, I try to tail that sucker back.

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Menendez: You're building your career, a very familiar story, have challenges not getting pregnant, but staying pregnant. Three miscarriages. And then you get pregnant with Daniel and you call him your karma baby.

Salas: I do. He's all of our babies wrapped up in one; I had another miscarriage after him. So I had four miscarriages, but yeah, he was our karma baby. And it was really hard for him because a lot of times I think we put so much pressure on him. I wrote in his journal on January 3rd of this year and I apologized. I said, "I don't know where to begin, but I want to begin with just asking for your forgiveness." Because I think his parents, we put so much pressure on our kids. In my journal entry to him I said, "Honey, it was my ego. I was trying to compete with my peers. I wanted my child to be superior." And I think that if he could answer, he'd say, "Mom, you pushed me with love." And that's the difference.

Menendez: It's interesting to hear you say all this, because I have read in the subtext of how you have described Daniel, that he was one of these people who everybody loved. And he was one of these people who would show up for people and would suck the marrow of life.

Salas: He did.

Menendez: But that person is very often not the same person who is like goals oriented, like next thing oriented. Like they are actually living life. And it is what I heard in the subtext of what you were saying, which is that you now celebrate who he was in a way that you weren't even able to then.

Salas: Yeah. I mean, the first time I said this, I was walking with a dear friend's son who grew up with Daniel and we were talking and I said, "Max, Daniel's senseless murder makes sense of his life now." And I realized Danny lived life every day, like he was literally jumping out of his skin. Like people used to say, "Danny, calm down, dude. You're so excited." And he would be like, "Let's go." There's a video of him. He didn't play; he played baseball but listen. Honestly, he was not a star player and he would tell you himself. But there's this game, his team St. Joe's against Perth Amboy. And Danny came in and I forget what inning. It was probably 10. And he managed to get off the mound and keep the score where it was. And you can see him screaming, "Let's go, let's go." He had so much energy. And that was Danny. I mean, Danny's saddest moments was when he was alone in his room with nothing to do. He just wanted to live every moment to its fullest. And I now know why. And I now know why.

Menendez: Tell me what we need to know about what happened on July 19th, 2020.

Salas: So Daniel's birthday was actually, he was born on July 13th, so it was Monday. But he had gone down to the shore with his friends and his party was going to be set for that Friday. And it was COVID and we all freaking out about whether we could have this party and keep everyone socially distant. But Daniel's a persistent person and he convinced his dad and I that we could do it. And he was going to just invite a few people to the party and he really did. It was all about him like sort of marrying his worlds. His mom and dad, who he loved being with us on his birthday and his friends from Catholic University that he wanted me to just... It was like he wanted to share them with me and vice versa. So we had this party on Friday and it was amazing. And then the next morning, Saturday morning, some of them left and some of the kids were going to stay and go down the shore and sleep over one more night. And I can remember packing his car with the beach chairs and the cooler and all the while this man was stalking me. All the while he was on our block and I even

saw him as I went to go walk the dogs down this little grassy area at the corner, and his eyes and my eyes locked for a second and then he turned away.

Salas: And like I said, and then I packed Danny's cooler and the car and he went off with his friends and that was the day I was running around wanting to make his favorite steak and all the stuff that I wanted to make for him. And then that night they came back and I remember letting them go to eat in the basement because he needed some time with his friends. And the next morning, the girls, there were two girls that stayed, they had to leave. And so Daniel was so upset that the girls left because he wanted me to make them my famous huevos rancheros. And Danny comes upstairs and looks so disappointed. And I said, "Daniel, these girls came and one drove five hours to hang out with you since Friday. You've had the best weekend ever. You've had the best week." He really did have the best week of his life. And he said, "You know, you're right." And I remember him putting his arms behind his head and he was laying next to me where his father normally sleeps. And he just said, "You know, mom, I've had the best week ever." And I remember saying, "Danny, you know how lucky you are, that you can say you had the best week ever?" And he was like, "You're right, mom. Thank you. Thank you. Thanks to dad." And I convinced Mark to let him stay home. He was an usher at church on noon mass and I said, "Let him, he's tired."

Salas: So we let him stay home and Mark and I went off to church and when we got back, he was still kind of in his room sleeping. So I gave him a break, but my husband's this kind of guy that likes to get things done. And so by fourish, he started stirring and I knew it's time to get Danny up. Danny got up and we just started fixing and putting things away and we ended up in the basement where the boys had been sleeping, the girls were upstairs with me. And we were talking and he was telling me about this fight, that he was always worried about people not getting along and what can I do to make it right? And so, and him and I were having one of these deep discussions that we always used to have.

Salas: And Mark came to the basement. So he shot Mark a look like, not for you. You got to go. So Mark grabbed the water from the fridge we have in the basement and ran upstairs and he's swinging a wiffle ball bat, they call them, and I have it still, like, I kept it. And he says, "Mom, keep talking to me, mom. I love talking to you." And at that exact moment, the doorbell rang and his expression on his face changed from like just calm and serene to concern. Who is that? And I remember going, "It's no one." And I remember just saying, "It's probably a neighbor," and before I know it he just bolted up those stairs like on a mission.

Salas: And that was not his personality, Alicia. I mean, Danny wasn't one to run to the door like that, but that day he ran to the door and Mark was looking out the bay window because he didn't like the look of the guy. But before Mark could tell him anything, Daniel opened that door and Mark can't remember what Danny and him said, because Mark started walking towards the door and all Mark saw was Danny fall back. And I had never heard a gun before, you hear him in the movies and stuff. But when you hear it in your house and this sound, because the ceiling is lower in the foyer, it just sounded like mini bombs going off. And I then heard Mark scream, "No," and just a sequence of more, what I call, the sounds of bombs. And I screamed, "What is happening?"

Salas: And I ran up those stairs and I honestly thought I was going to see body parts everywhere because everything I had heard about judges and security were always those bombs being mailed. So I just thought I was going to see body parts. But what I saw was just as horrible. My son was on the foyer floor clenching his chest and Mark had crawled to the

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porch because he was trying to get a license plate or something, you know. And I mean, I honestly didn't realize how badly hurt my husband was. Because I was so focused on Danny, you know. And I remember lifting up his shirt and looking at the bullet hole and I know we were talking to him because I did want him to hear my voice, but I don't know exactly what I was saying. I was saying, "Stay with us, stay with us." And then Mark crawled back.

Salas: And I tell everybody, it's a line from Steel Magnolias. When Sally Fields says, "I was there when that beautiful baby came to this world and I was there when she left." Well, that's what I felt. It's a blessing and a curse at the same time. So it was all such a blur after that. I mean, I know that the ambulance team came and first responders and they took Danny first and then they took Mark and Mark was in that ambulance for a long time. And I didn't realize why he was there so long. I came to realize that they'd lost him; they had to revive him. The whole week from Sunday to Friday when I was discharged from the hospital, I was catatonic until Wednesday, catatonic. But Wednesday something touched me. I'm very spiritual. And I just felt like it was a gentle nudge from God: "Time to wake up. I've let you sleep enough. I need you." And I sat up in that bed and I remember the team of doctors came in to tell me there was things going on with Mark that were concerning and I asked for a pad of paper and a pen and it's been a go since.

Menendez: During that period when they lose Mark, Mark recounts going over to the other side.

Salas: He does. He was standing on our porch and he says that the light was so bright. He said, "Esther, think of the brightest day and magnify it by a thousand." And the sky was so blue and the grass was so green. And he said that all he felt was this just like feeling of just love. And he says, "I was happy." And then he says he was rejected. He likes to joke, "Then I got rejected."

Menendez: But in that period, he sees Danny in what he describes as a state of grace.

Salas: He sees Danny in a state of grace. Mark doesn't talk a lot about his near death experience but he does say he was not alone.

Menendez: I bring it up because as I understand it. Mark forgives very quickly.

Salas: Oh yeah.

Menendez: And it takes you understandably, relatably, a much longer time to come to that sense of forgiveness.

Salas: Yeah. I mean, Mark was forgiving the killer in the ICU when he was still fighting for his life. Our priest, our Father Robert Lynam, we call him Father Bob, was there to give Mark last rites. And Mark said, "I forgive him, Father." I wasn't willing, even in that YouTube video, I call him a monster. I regret that. And people can't believe I say that, but I do regret using that term, but I was still very angry in that video and I think you can see it.

Menendez: Let's talk about that YouTube video. How did you do it? How did you pull yourself together two weeks to the date of your son's murder?

Salas: I knew that I had to do something and I knew that I couldn't let this go without saying something and without trying to do something, at least maybe activate our leaders to do something, you know. But the morning of the shoot, it was actually shot on a Friday. And what a lot of people don't know is that was the day that I temporarily put Danny to rest. So I had to do that video and then do the temporary internment that afternoon. So I got up that morning and I have to tell you again, I speak as a spiritual person. I mean, I believe

that spirituality is a state of being, but I happen to be also religious and Catholic. I woke up that morning and I was struggling in the shower.

Salas: And I remember just asking God for the strength, and the words. I asked him, I said, "God, please," and I remember asking Daniel for help. And that was the first take: that shot. They said, "Let's try it. Let's see how it goes." And it was the first take. So I do believe that there are blessings all around us. Thank God. And I didn't have to do it for much more. We tried a couple more takes and they were like, "No. I think we have it," and then I went to the hospital to be with Mark a bit. And then I headed to the mausoleum. Those are the days that you say to yourself, you never realize what you have inside of you until you're tested. I believe I wasn't alone. I felt my mom. I felt people just... I felt surrounded by love. And I have felt surrounded by love since the moment that this happened.

Menendez: When you have the most precious thing in your life taken from you and the person who takes it from you is very clear that the reason they took it from you is because you are a woman and because you are Latina. How does that change your relationship to those parts of yourself?

Salas: I have been doing so much reflecting. I'm like on this journey of self-reflection, that I'm so busy trying to be the better person, to be honest. I am totally trying to be like, better at being me every day. I don't — listen. I honestly feel like I have been given a blessing in that I refuse to let this person take me and go dark. I won't go dark. I'm not going to go negative. I am going to continue to be the woman that I was before, but even better. I am going to try my best at lifting other women up and trying to serve as a positive role model and trying to show people that with love and compassion and empathy and kindness, you can do so much more than being angry, hateful, resentful and what I call the low-state energy.

Salas: And so I'm taking this and sort of saying, I have to look at the positive. I got to be that kid's mom for 20 years. That's a blessing. And the relationship that I had with him is a blessing. I mean, he called me. I can remember there were times where he would call me from driving back from my girlfriend Allison's place and he would call me and want to talk. And I was like trying to make dinner and wanted everything to be ready. And I remember one time saying, "Well, Danny, okay, I'm going to let you go because I got..." He's like, "Mom, you don't want to talk to me?" I'm like, "Of course I want to talk to you, honey." And he goes, "Well, talk to me, mom." And I was like, okay. So we would talk. And then all of a sudden I'd hear the garage door open. And he is like, "Okay. Mom, I'm here." And I would talk to him the whole way home. I mean, how many 19, 20 year old boys want to talk to their mother? And we weren't talking like nonsense. We were talking deep stuff and his feelings and his relationships. And he just shared with me, I want to say, pretty much everything in his life. And I mean, that's a blessing. I feel privileged, honored to be his mom.

Menendez: If I'm going to understanding this correctly, though, I'm thinking about you and Danny being in perpetual conversation. Part of what I'm hearing from you about your January 3rd journal entry is that you are choosing to see it as a conversation that has not ended.

Salas: Absolutely not. Yeah, no. I believe he was saying to me, "Keep talking to me, mom. Don't stop." I mean, the doorbell rang right when he said that, "I love talking to you." And I realize he wants me to keep talking to him. I try to talk to him on my long walks. I sometimes cry. And I know that I'm very open about my emotions and this is part of the process. You have

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to be willing to be in that space, in that vulnerable space. But I know Daniel and he's probably rolling his eyes and saying, "Mom, you're crying yet again." Because he's like, "Ugh!" So I think the journal's a safer place for me and him right now. And so I've started journaling. I've been journaling to Danny since he was six months old. So I have the first journal when he was six months old until I took him to college. The last page of that journal is my entry to college when I dropped him off at Catholic University of America. And then the second journal I started was when he was in college. And those are much more like those are deeper letters. Because what I envisioned in my life was that when I was no longer on this planet, he would be able to pull those journals out and say, "Wonder what my mom was thinking on my first birthday," or "I wonder what my mom thought of when I graduated eighth grade," you know.

Salas: And so I put that all in those journals for him. And then in college, I figured those were the teachable moments. So when I saw that he was being a little like, pushy, or controlling, or I put in there, "Daniel, you got to learn to listen a little more. You got to be a little more..." So I had all these like journal entries of me trying to impart wisdom to him. Little did I know that those journals would be a gift to me and I've gone back to read them. I can't always get through all of them, but I do go through some of them and I want to keep journaling. And I want to keep journaling to him. January 3rd of this year was the first time. And there's a page in that journal where I start to trying to write and I couldn't and I scratched it all out and I left it like that. But I think it's really important for me to get on the page, what I'm thinking and feeling. And it started with asking him for forgiveness.

Menendez: You said there are three things you did.

Salas: There's three things I did that I didn't even realize I was doing it, in this deep dive that I've been doing on self-reflection. A few months after the murder, I found this course on, who knew, on grief. The professor talks about those that have been able to overcome devastating, traumatic events and death: you do three things. The first thing you do is you surround yourself with your loved ones and you are willing to accept their help. That's huge. And I did that from day one because my family sprung into action the day of the murder. Two, you tell your story. You tell your story and you let, if you are dealing with someone who's suffered a loss, you let them tell their story without judgment. Just let them say it over and over again. I happen to be telling my story in a very public way. And the final thing you do, top three things, you find meaningful purpose. And for me, it's the legislation.

Menendez: Judge, you've been so incredibly gracious and generous with me. What did I miss?

Salas: Just trying my best to shine a light on the need to protect the judiciary. It is something that I've been doing since that YouTube video. And I have been trying to impress upon our leaders, the need to do something, not just for judges, but our Constitution. I think that if we don't start sending a message that this kind of behavior is unacceptable, we are going to embolden people to continue to act out and lash out. And I really believe that our constitution and democracy, as we know it, is in danger. The level of violence against judges is alarming. And even recently, after the murder, someone sent me a threatening communication and the individual is being looked at for prosecution. These things are just not going to go away. We can't wish them away. At a certain point action is needed. And at a certain point we say to ourselves, is protecting judges' personally identifiable information a threat to freedom of speech. It is not. Is it necessary symbolically to do so? Yes it is. Is it

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necessary on a very real level to do so? Yes, it is. Some people have said to me, why do we need a law? Why do we need a law? We'll just prosecute them. The problem that we have is that many of these people are in the shadows. This man, no one knew that he was stalking me. No one knew he was even mad at me. He never wrote me a hate letter.

Salas: He was a lawyer. He wrote some manifesto where he said some ugly things about me, but even the FBI says that what he wrote was not actionable. So if we don't take proactive measures, if we don't do things to try to shield our information, information that we know now can and will be used for nefarious purposes, what, are we going to wait for a tragedy like this happens again to some poor unsuspecting family? No, we need to do what we need to do to protect our judges and allow them to just do their jobs. Nothing more, nothing less, just our jobs. So I continue to be resolute in my desire to see this happen.

Salas: But I also know, Alicia, that I cannot allow my son's legacy to be linked to the passage of this bill that's named after him. Danny's legacy is much more than that. And I have seen it now in the people and the lives that he has impacted. And so for me, I will continue to do whatever I can to be a voice for this cause. I will continue to remind people of my beautiful son and his beautiful smile, but I will surrender to God what is to happen in this case. Because I have to learn that there are certain things in my control and there are certain things that are way out of my control and that's part of surrendering. So I pray that the right things happen, but I will continue to advocate for women, for Latinas and I will continue hopefully being a role model to younger Latinas that desire a life, a career. And I want to show them that we are exceptional human beings with exceptional strength that we get from our ancestors.

Menendez: Judge, thank you so much.

Salas: Thank you.

Menendez: Thank you as always for listening. *Latina to Latina* is executive produced and owned by Juleyka Lantigua and me, Alicia Menendez. Paulina Velasco is our producer. Manuela Bedoya is our marketing lead. Kojin Tashiro is our associate sound designer and mixed this episode. We love hearing from you. It makes our day. Email us at [hola@latinatolatina.com](mailto:hola@latinatolatina.com). Slide into our DMs on Instagram. Tweet us at [@latinatolatina](https://twitter.com/latinatolatina). Check out our merchandise that is on our website, at [latinatolatina.com/shop](https://latinatolatina.com/shop). And remember, please subscribe or follow us on RadioPublic, Apple Podcast, Google Podcasts, Goodpods, wherever you are listening right now. Every time you share this podcast, every time you share an episode, every time you leave a review, it helps us to grow as a community.

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