



# EXPLORING THE EFFECT OF STRESSORS IN THREAT ASSESSMENT INVESTIGATIONS

## A CASE STUDY ON BART ALLEN ROSS<sup>1</sup>

A threat assessment investigation may be initiated when someone comes to the attention of law enforcement for engaging in threatening or concerning behavior. Identifying stressors that have caused or could potentially cause significant negative pressure on the individual is a key part of this type of investigation. The findings of a recent study by the U.S. Secret Service that examined attacks on federal government targets highlights the importance of assessing the impact of stressors on the person's decision to engage in targeted violence.<sup>2</sup> The study found that over 90% of the offenders experienced stressful events prior to carrying out their attacks.<sup>3</sup> Further, over three-quarters of the offenders experienced at least one stressor in the year prior to their attacks, and over two-thirds within the six months prior. These stressors occurred in personal, health, professional, and legal contexts and covered a range of issues, from minor losses to major adverse changes. Some of the stressors identified were related to conflicts in relationships, health problems, financial hardships, work or school-related problems, arrests or convictions, and civil filings by or against the perpetrators. Using examples from the case of Bart Allen Ross, this document offers some considerations in assessing the role of stressors in conducting threat assessment investigations. Ross fatally shot U.S. District Judge Joan Lefkow's husband and mother in February 2005. A case summary of Ross' life also follows.

On February 28, 2005, Bart Allen Ross, 57, broke into the Chicago, IL home of U.S. District Judge Joan Humphrey Lefkow with the intent to kill her. A few weeks prior, Judge Lefkow had dismissed Ross' long-running medical malpractice case related to his cancer treatment. Judge Lefkow was not at home at the time of the attack; however, Ross fatally shot her husband and mother. Nine days later, Ross fatally shot himself during a routine traffic stop.

### Assessing Stressors in Threat Assessment Investigations

#### ★ *Identify the types of stressors that the individual may be experiencing*

A thorough threat assessment investigation includes identifying past and current stressors affecting an individual, the duration of the stressors, and determining what stressors could potentially affect him or her in the future. Stressors can occur in various contexts and take many forms, from minor events like temporary setbacks at work, to major events with significant impact, such as an imminent foreclosure on a home. In a threat assessment investigation, it is important to examine stressors in all contexts of the individual's life to get an accurate picture of his or her circumstances. For example, if the investigation only focuses on the individual's work and financial situation, it may miss significant stressors that occur related to his or her personal relationships, physical health, or experiences with civil or criminal court.

<sup>1</sup> While permission to reprint is not necessary, when quoting, paraphrasing, or otherwise referring to this case study, the citation should be: National Threat Assessment Center. (2015). *Exploring the effect of stressors in threat assessment investigations. A case study on Bart Allen Ross*. Washington, DC: U.S. Secret Service, Department of Homeland Security.

<sup>2</sup> National Threat Assessment Center. (2015). *Attacks on federal government 2001-2013: Threat assessment considerations*. Washington, DC: U.S. Secret Service, Department of Homeland Security.

<sup>3</sup> The study found that these stressful events occurred across various areas of their lives and appeared to have significant impact on the individuals. These findings are consistent with earlier research conducted by the Secret Service, which also found that perpetrators of attacks on public officials and figures often experienced stressful events in the year prior to their attacks. See Fein, R. A., & Vossekuil, B. (1999). Assassination in the United States: An operational study of recent assassins, attackers, and near-lethal approachers. *Journal of Forensic Sciences*, 44(2), 321-333.



An investigator should also consider the unique impact that various situations have on an individual; what may be perceived as a stressful event for one person may not be for another. For example, one individual may consider being released from prison to be a positive event, while another may find that same situation anxiety provoking because of limited resources, a lack of housing, and/or a loss of structure. For this reason, it is important to assess each individual in the situation in which he or she is operating when identifying any significant stressors.

★ ***Determine the impact of the stressors on the individual's past and current actions***

Once the stressors have been identified for a person of concern, another question to answer is how these stressors affect the individual's behavior. One area to explore is whether an individual's stressors influenced his or her motive for engaging in concerning or threatening behavior that brought them to the attention of law enforcement or others. For example, in investigating a person who wrote threatening letters to a mayor, law enforcement officials may discover the individual's business was recently shut down by local health officials and he holds the mayor responsible.

It is also important to explore how the person has coped with past situations and how he or she is handling any current stressful events. People manage situations differently; some may use positive coping strategies to deal with stress, such as talking to loved ones or exercising, while others may lack effective coping skills leading to maladaptive or concerning behaviors, such as alcohol or substance abuse. To determine the impact of an individual's stressors on his or her risk of violence, the threat assessment investigation should answer several questions.

- ★ Were any of the identified stressful events perceived as unbearable by the individual?
- ★ What actions did he or she take to respond to stressful events in the past?
- ★ Does the individual have a history of positive coping skills or does he or she engage in maladaptive behaviors, such as making threats or engaging in violence?
- ★ What is the likelihood that these events will change in the foreseeable future, for the better or worse?

Answering these questions will help the investigator understand how the person might react to his or her current and future life situation.

★ ***Identify the individual's current resources and future options to manage stressful events***

Finally, to assess the risk that the individual poses for engaging in violence, an investigator should identify any resources that the person may have, or has access to, for managing stressful events. The resources could include having a close family or social support system, financial means or gainful employment, and access to mental health care or social services. In addition to identifying resources, the investigator should also determine the options the individual believes are acceptable for resolving the issues that caused him or her to engage in the concerning or threatening behaviors. For example,

- ★ Does the person have a plan of action to accomplish his or her goals?
- ★ Does the individual feel as if he or she is out of options with nothing left to lose? For instance, if an individual comes to attention for threatening a public official due to a grievance over an issue, does he or she expect the grievance to be resolved in a particular way?



- ★ What will the person do if the issue is not resolved in accordance with his or her expectations?
- ★ Will the behavior escalate until he or she perceives that violence is the only option?

A comprehensive threat assessment investigation that identifies the individual's stressors, past coping strategies, and future options will enable an investigator to identify factors in the person's life that may increase or decrease his or her risk of engaging in targeted violence, and discover management options to mitigate that risk. Examples of management tools include assisting the individual with access to mental health treatment, employment support services, and social services.

## Examining the Effect of Stressors in the Case of Bart Allen Ross

The impact of stressors in targeted violence is illustrated in this section using information from Ross' life circumstances that are described in greater detail in the case summary that follows. All of the information provided in the case summary was derived from open source materials.<sup>4</sup> The content contained in this overview is designed to provide considerations for future threat assessment investigations. It is not an evaluation of the investigation or actions that occurred prior to the events of February 28, 2005.

Ross experienced numerous stressors in different areas of his life in the years leading up to the murder of Judge Lefkow's husband and mother. The most significant stressors began when he received a cancer diagnosis that resulted in invasive treatments. Following a surgery, which left him disfigured and in pain, Ross became convinced that the doctors were negligent in their treatment. This belief caused him to embark on a legal battle that lasted for a decade and resulted in him spending thousands of dollars, travelling across the country seeking expert advice to support his claim, and engaging in maladaptive behaviors to cope with the setbacks and losses he experienced. Such behaviors included becoming more isolated and paranoid and engaging in erratic, threatening, and aggressive actions towards those in the legal system and others. The cumulative effect of the stressors, coupled with his poor coping skills and increased paranoia, ultimately led Ross to believe that violence was his only option. Below we identify the areas in which Ross experienced stressful events that influenced his behaviors.

### ★ *Health problems – Physical and psychological*

These types of stressors include acute or chronic physical or psychological issues such as receiving a serious medical diagnosis or experiencing symptoms of depression, such as insomnia, irritability, and sadness. Ross was diagnosed with squamous cell carcinoma of the mouth in 1992, and the cancer recurred again the following year. He underwent treatment that included radiation as well as several surgeries, during one of which several teeth and much of his lower jaw were removed. Overall, the cancer treatment left him with a disfigurement, impaired speech, and chronic pain. In addition, Ross became increasingly paranoid, believing that others were conspiring against him, particularly the legal and medical professions.

### ★ *Civil actions and legal proceedings*

These types of stressors are connected to civil actions filed by or against the subject, such as malpractice suits, bankruptcy filings, personal injury suits, and small claims actions. Ross was involved in numerous legal proceedings against doctors he believed had been negligent in their treatment of his cancer because the treatment had left him permanently disfigured and in constant pain. He held on to this belief despite the fact that none of the numerous medical experts he consulted agreed with him. Shortly after his treatment, Ross filed the first in a series of malpractice lawsuits, which lasted nearly a decade, against the doctors he held responsible for his physical

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<sup>4</sup> Open source materials used to prepare this case summary included court records and court opinions, news media accounts, and personal communications made by Ross.



problems. Ross filed the first lawsuits in two Illinois state courts seeking damages for negligent medical treatment he believed his doctors had provided. When those suits were dismissed, he sought redress in federal court by filing two additional lawsuits; however, those cases were also ultimately dismissed. The final dismissal, which was issued by Judge Lefkow, occurred a month before Ross killed her husband and mother. In addition to the dismissals, Ross was forced to represent himself throughout many of his cases because his increasingly irrational and erratic behaviors led attorneys to refuse his requests for legal representation.

★ ***Work-related difficulties***

These types of stressors are related to employment issues, such as disciplinary procedures, denial of a promotion, or termination from a job. Work-related stressors can also include the inability to obtain meaningful employment. In Ross' case, although he had a background in electrical engineering, he worked as an electrician after immigrating to the United States due to his inexperience with the English language. He eventually stopped working altogether following his cancer diagnosis and ensuing treatments. A few years later, Ross lost his disability benefits from the Social Security Administration after they determined that despite his physical issues, he was still able to work.

★ ***Financial distress***

These types of stressors stem from situations caused by losses or changes related to financial security or status. Numerous and lengthy legal battles caused a massive financial burden for Ross. He incurred a considerable amount of debt, was unable to pay his bills, and had to resort to borrowing money from friends. Because of his inability to pay his mounting debts, three creditors filed individual lawsuits against him. He ultimately lost all three cases and judgments were entered against him totaling approximately \$35,000. The biggest loss, however, was related to his home. Ross initially sold the home to friends so that he would not lose it. Four years later, he asked his friends to sell the house, and the second buyers allowed him to pay rent and continue living in the home. However, Ross eventually ran out of money and was evicted. He was forced to give up his pets and live out of his van in the weeks before the attack at Judge Lefkow's home.



## CASE SUMMARY

Originally from Poland, Bart Allen Ross immigrated to the United States in 1982. Even though he had a background in electrical engineering, due to his inexperience with the English language, he began working as an electrician in New York, NY. In search of better prospects, Ross moved to Chicago, IL around 1985. He became a U.S. citizen in 1988 and officially changed his name from Bartilomiej Ciszewski to Bart Allen Ross. In 1990, he purchased a home in Chicago, and according to him, he had no debt other than the \$60,000 mortgage.

### **Cancer Treatment and State Court Medical Malpractice Litigation (1992-2000)**

In 1992, Ross was diagnosed with squamous cell carcinoma of the mouth. At the time, he was self-employed and did not have health insurance, so he initially refused treatment. However, one of his doctors, Henry Briele, helped him arrange financing. Ross then began a course of external radiation followed by a four-day course of radiation via an implant inserted into his mouth. While undergoing treatment, he temporarily stopped working, returning at the end of December 1992. He continued at his job until his cancer recurred in April 1993, after which he never worked again. At some point in 1993, Ross, who had obtained an Illinois Firearm Owner's Identification card, legally purchased a 9mm gun.

On April 15, 1993, in an effort to treat Ross' cancer, doctors removed several of his teeth, much of his lower jaw, and tissue from his mouth. Following the surgery, he was unable to open his mouth fully or control his lower lip, in constant pain, and only able to take in liquids. In addition, his speech was impaired. In March 1995, doctors determined Ross was cancer-free, at which time he thanked his doctor on behalf of his "family," referring to his dog and two cats. The following month, Ross filed claims in two separate state courts alleging malpractice related to his treatment and surgery. On April 11, 1995, he filed a medical malpractice lawsuit in Illinois Circuit Court against five individual doctors. In the lawsuit, Ross alleged that the doctors, who were employed at the University of Illinois at Chicago Hospitals and Clinics, were negligent when they diagnosed and treated his cancer. The following day, on April 12, 1995, he filed a separate complaint against the University of Illinois in the Illinois Court of Claims.

Ross filed thousands of pages of documents as part of his circuit court case. In one of these documents, filed with the court in late 1995, Ross asked, "What do you want me to do to get you [to] fulfill your sworn duties and address my problems? Do you want me to blow up Oklahoma-style the seat of the Supreme Court of the USA, so you could cede on me the title that applies to you: criminal(s)?"<sup>5</sup> He sent the same document to several politicians. After reading the comments, the judge presiding over the case notified his superiors of his concern over Ross' threatening language. The office of the chief judge later issued a report noting that Ross did not have a criminal background and had not been violent. No additional information regarding the report, or further actions, was found in open source materials.

In 1996, Ross wrote a letter to Illinois Governor Jim Edgar and Illinois House Speaker Michael Madigan, as well as others in the Illinois State House and Senate. The letter warned, "If you conspire and play this game of law and justice against me for too long, you will bring me to the point of hatred toward you, which will make it impossible for me to return to a normal life."<sup>6</sup> He wrote that they had two choices, either address his issues or kill him. He also wrote, "I WILL MAKE YOU REGRET IT, IF YOU SCREW ME UP!"<sup>7</sup> Ross sent similar mailings to various other politicians. Further, around this time, one of the attorneys representing the doctors in the circuit court case requested that the court issue a protective order to block Ross from serving subpoenas on hospital officials. The attorney argued that "Mr. Ross' argumentative and violent nature required that security be called before he would leave the medical records department."<sup>8</sup> In addition, the attorney reported that Ross harassed the clerk of the circuit court

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<sup>5</sup> Coen & Heinzmann (2005, March 12).

<sup>6</sup> St. Clair & Burnett (2005, March 11).

<sup>7</sup> Heinzmann, Dardick, & Coen (2005, April 3).

<sup>8</sup> Heinzmann, Dardick, & Coen (2005, April 3).



and court security was contacted. Shortly after, the attorney informed the circuit court that when another doctor refused to review Ross' medical records, Ross said he would "have to get a gun."<sup>9</sup>

Also in 1996, Ross sought the expert opinion of a radiation oncologist at the South Coast Tumor Institute, in San Diego, CA, to assist in his lawsuit. The oncologist told Ross that his case showed no signs of negligence and that it appeared that he received excellent care and treatment. Ross, however, was adamant that the doctors provided inadequate care. According to Ross, he travelled the country, consulting with nearly 200 doctors and asking them to testify in support of his belief that the cancer treatment constituted malpractice. All of the experts, however, informed Ross that his case showed no sign of negligence on the part of the doctors and that it appeared that he received the proper care for his illness. Around this time, Ross claimed that he was taking pain medication "24/7 for over a year" to include morphine and Tylenol with codeine.<sup>10</sup>

In addition to seeking out support for his case from doctors, Ross reported that he sought representation from close to 100 lawyers. Ultimately, almost all of the lawyers that Ross approached about representing him in his cases declined to take him on as a client. One exception occurred on January 4, 1997, when Ross was able to retain an attorney willing to represent him in his case before the circuit court. On July 3, 1997, Judge Philip Leslie Bronstein, who had taken over the circuit court case in June 1996, entered a judgment dismissing Ross' suit. The judge did allow Ross to amend his case regarding certain claims if he could prove his filings were made within the time restraints of the statute of limitations. In response, Ross fired his attorney, who officially withdrew from the case weeks later. Over the next several months, instead of focusing on proving the timeliness of his lawsuit, Ross focused on presenting evidence to show that his attorney had been working with the court and the defendants to sabotage his case.

On or about September 16, 1997, after Judge Bronstein denied Ross' motion for reconsideration, he told the judge, "I have to get governmental justice on this, otherwise I'll do my own justice."<sup>11</sup> After the hearing, according to a representative of court security, Ross "said something to the effect of, 'You don't want this place to end up like Oklahoma City.'"<sup>12</sup> Security personnel confronted Ross and ran a criminal background check that came up negative. By November 1997, Judge Bronstein entered a final order of dismissal. Ross continued to file motions, but ultimately lost an appeal in the Illinois Appellate Court in August 1998, and was denied a petition to appeal by the Supreme Court of Illinois in June 1999.

Between 1997 and 1998, Ross had three additional surgeries on his jaw. He also continued with his crusade to prove that the doctors were negligent when they initially diagnosed and treated him. One of Ross' neighbors, and a member of the community's block association, reported that in the late 1990s, Ross attended a meeting asking attendees to sign a petition for one of his medical malpractice suits. In 1999, he sent this petition to President Bill Clinton, each member of the U.S. Congress, Ross Perot, Minnesota Governor Jesse Ventura, and others, seeking \$25 million in damages.

In the winter of 1999, Ross' threatening letters and repeated phone calls to various state and federal officials drew the attention of investigators from the Illinois Office of Attorney General. Ross threatened the Attorney General and sent him bizarre letters asking for help with his lawsuit. Investigators from the Office of Attorney General interviewed Ross at his home. During the interview, Ross asked for the Attorney General's help with his malpractice claim and voiced his concerns about government conspiracies, his civil rights, and the transmitter that he thought the hospital had inserted into his mouth during his cancer treatment. The investigators noted Ross' paranoia, his dislike of the government and judicial system, and his threatening communications, but concluded that he did not pose a risk of violence.

At the same time he was dealing with his lawsuit in the circuit court, Ross continued to pursue the action he filed in the Illinois Court of Claims. In dealing with court personnel, he exhibited concerning behavior,

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<sup>9</sup> Heinzmann, Dardick, & Coen (2005, April 3).

<sup>10</sup> Dardick & Sadovi (2005, March 11).

<sup>11</sup> Heinzmann, Dardick, & Coen (2005, April 3).

<sup>12</sup> Heinzmann, Dardick, & Coen (2005, April 3).



and he frequently called the court to check the status of his case. In 1999, he traveled to the Illinois Court of Claims in Springfield, IL to speak with someone about his case. One employee said Ross rambled for 45 minutes and then removed his prosthetic jaw so employees could see the disfigurement that was caused by the original surgery to treat his cancer. His phone calls continued after his visit to the court and in March 2000, Ross called in a death threat. Court personnel called the Illinois Secretary of State Police. According to their report, Ross told an employee “the only solution to [his] problem was death and that [he] wasn't going alone.”<sup>13</sup> An investigator spoke with Ross for an hour-and-a-half on the phone. Ross calmed down and apologized during the phone call. Although there were conflicting reports regarding when the Court of Claims dismissed his case, it appears it was dismissed sometime in 2000.

Meanwhile, years of legal battles took a toll on Ross' finances and he found himself deeply in debt and unable to pay his bills. He experienced another setback when he was notified that he would no longer be receiving disability pay from the Social Security Administration because it was determined he could still work despite his condition. Ross reported in one of his court filings that this decision was made in June 2000, while media reports note that he lost his disability benefits in September 1997. As a result of the financial strain, Ross resorted to asking friends to lend him money for legal costs, believing that he would be able to repay them once he won his case. Even with this assistance, his debts mounted and eventually he was unable to keep up payments on his home. As a result, a couple with whom he was friends agreed to buy his house so that he would not lose it and could continue to live in the home. This sale occurred on May 25, 2000.

### **Ross Files His First Case in Federal Court (2000-2003)**

On November 1, 2000, Ross filed a 561-page lawsuit in U.S. District Court alleging that his civil rights had been violated. Ross, who represented himself, named as defendants in the complaint the State of Illinois, the University of Illinois at Chicago Hospitals and Clinics, the five doctors he sued previously in Illinois Circuit Court, and four attorneys. The suit alleged that the doctors had botched his cancer treatment and subjected him to "excessive use of force and battery meant to injure, impose tremendous suffering and destroy quality of life of the plaintiff."<sup>14</sup>

Several months later, Ross wrote a letter to President George W. Bush dated February 9, 2001. In the letter, he complained about the U.S. legal system, asked for the President's help, and warned him that everyone would regret it if the President did not make an executive decision to help him.

On July 23, 2001, Ross' case was dismissed by U.S. District Judge David Coar. An attorney for one of the defendants in Ross' filing reported that Ross' behavior became increasingly erratic after the dismissal. In August 2001, Ross initiated an appeal to the U.S. Court of Appeals for the 7<sup>th</sup> Circuit, but withdrew it. Over the next several months, he continued to fight to have the July judgment modified and have Judge Coar removed from the case; however, both efforts failed. Judge Coar would later observe that Ross “did not like to be told no and when he was told no he wanted to argue longer than he should have.”<sup>15</sup> He often interrupted the judge while he was speaking, stared in silence after rulings were made against him, and “skulked” out of the courtroom.<sup>16</sup> For one of his hearings, Judge Coar requested a security officer's presence in the courtroom, explaining that it was “not because of anything he said or did. It's just his intensity that made me a little uncomfortable.”<sup>17</sup> Despite these observations, Judge Coar stated that Ross was not different from the hundreds of others who have had cases before the court.

By December 2001, Ross filed a second appeal in the U.S. Court of Appeals for the 7<sup>th</sup> Circuit. Almost a year later, on September 26, 2002, the appeals court upheld the district court's decision, only slightly

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<sup>13</sup> Heinzmann, Dardick, & Coen (2005, April 3).

<sup>14</sup> Excerpts from federal lawsuits filed by Ross. (2005, March 11).

<sup>15</sup> Cohen (2005, March 10).

<sup>16</sup> Higgins (2005, March 11).

<sup>17</sup> Higgins (2005, March 11).



modifying the reason for dismissal. Over the next year, Ross filed a few more motions without success. He also filed two petitions with the U.S. Supreme Court, which were denied in February and April of 2003.

Some attorneys who knew Ross from his court filings reported that his behavior and threatening rhetoric concerned them. One attorney who had represented Ross reported that he became more angry and agitated as he had more losses in his cases. Some attorneys remembered Ross saying that “if he didn’t get what he wanted, people were going to be sorry,” and that if no one took him seriously “things [were] going to happen.”<sup>18</sup> One doctor who was being sued by Ross saw him as dangerous. This doctor wrote an email to his attorney on August 11, 2003, saying, “surprisingly you continue to ignore what drives a person like Mr. Ross... You have grossly underestimated the tenacity and personal threat that Mr. Ross represents.”<sup>19</sup>

### **Increasing Paranoia and Financial Distress**

Overall, friends also noticed a change in Ross’ demeanor. He was described as more solitary and absorbed by his medical malpractice lawsuit. Those who had known him since the 1980s described how he slowly became someone who thought of everything as a conspiracy and was becoming more and more paranoid. They reported that he thought the medical and legal systems “were out to get him.”<sup>20</sup> He even had his home monitored by security cameras, and a high fence and trees concealed his backyard. One of his friends reported that Ross viewed doctors, lawyers, and the U.S. legal system as similar to the system in Nazi concentration camps. Neighbors and friends speculated that Ross may have had some mental health issues, remarking that they thought Ross “had a couple screws loose in his head.”<sup>21</sup> Others described him as being “off and weird.”<sup>22</sup> Ross also told others that the transmitter inserted into his mouth during his surgery was making him crazy.

Meanwhile, beginning in 2003, three creditors filed separate lawsuits against Ross. The first, filed on March 10, 2003, resulted in a judgment against Ross on November 18, 2003 in the amount of \$7,650. A second creditor also filed a lawsuit against Ross on March 10, 2003. Although this creditor was awarded a judgment of nearly \$12,000 against Ross in July 2004, Ross fought the judgment through January 2005. By February 17, 2005, the creditor was seeking discovery of Ross’ assets. The third suit, related to unpaid credit card bills, was filed on August 1, 2003. The attorney for the creditor in this third lawsuit told reporters that after one hearing he was concerned about Ross and had a sheriff’s deputy escort him to his car. The creditor was awarded a judgment of nearly \$16,000 on December 9, 2003. Ross continued to fight the judgment and motions were still being filed at the time of the incident.

Ross continued to experience other financial difficulties. About four years after asking friends to buy his house so he would not lose it, Ross asked them to sell the home, which they did on January 29, 2004. The second buyers allowed Ross to rent the house until he ran out of money in early 2005.

### **Ross Files His Second Case in Federal Court – Assigned to Judge Lefkow (2004-2005)**

On June 23, 2004, Ross, representing himself, filed a second lawsuit in federal court claiming deprivation of his civil rights. In the suit, he named 14 defendants, including those from his first federal lawsuit in 2000, his doctors, their lawyers, two law firms, the University of Illinois at Chicago Hospitals and Clinics, and the State of Illinois. The suit also named the United States of America, which included the President, Congress, the U.S. Supreme Court, and the federal judiciary. He asked for monetary judgments against each defendant, ranging from \$1 million to \$1 billion. The case was assigned to Judge Joan Lefkow.

In his filing, Ross repeatedly used inflammatory language. For example, he accused the U.S. Supreme Court of “treason against the United States” and “acts of terrorism” for denying his petition and referred to

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<sup>18</sup> Wilgoren (2005, March 11).

<sup>19</sup> Heinzmann, Dardick, & Coen (2005, April 3).

<sup>20</sup> Dardick & Sadovi (2005, March 11).

<sup>21</sup> Coen & Heinzmann (2005, March 11).

<sup>22</sup> Dardick & Sadovi (2005, March 11).



the defendants as “Nazi style criminals” and terrorists like al-Qa’ida.<sup>23</sup> He included attachments with pictures of his face and jaw, as well as the World Trade Center attacks on September 11, 2001. Additionally, Ross accused the defendants of “excessive force and battery” and claimed that his medical treatment caused “catastrophic destruction of every aspect of [his] life.”<sup>24</sup> He alleged that the treatment caused him to suffer extreme financial ruin and left him \$500,000 in debt. The filing also included bizarre language. For example, Ross wrote that arguments contained in a brief filed by the defendants in a previous case “were jokes extending the conspiracy to include UNITED STATES represented by Court of Appeals, because  $1+1+1+1=4$  and nothing else.”<sup>25</sup> He further requested that the court allow him to borrow \$2 million against his expected award, claiming that he needed the money to repair his jaw and his life. Finally, Ross also asked that the three 7<sup>th</sup> Circuit judges who had dismissed his earlier appeal in 2002 be impeached by Congress because they denied his appeal.

On the same date that he filed his lawsuit, June 23, 2004, Ross filed a motion requesting appointment of counsel because he could not find an attorney who would represent him. A few days later, on June 28, 2004, Ross filed a motion related to supplemental jurisdiction, which would allow the federal court to hear the claims related to his state case. On July 6, 2004, Judge Lefkow ruled against Ross on both issues. In rendering her opinion regarding these motions, she observed, “To the extent plaintiff believes that the various defendants, including or excluding judges, were involved in a conspiracy to deprive him of his rights, the court concludes that such a claim is frivolous.”<sup>26</sup> She continued by stating, “plaintiff’s conspiracy allegations are not merely unlikely; they are ‘fantastic or delusional.’”<sup>27</sup> The dismissal was also tinged with compassion. Judge Lefkow stated that her ruling did not “intend to convey disregard for the cruel turn of fate [Ross] has experienced.”<sup>28</sup>

In response, on August 24, 2004, Ross entered a motion requesting that he be allowed to file a brief that exceeded the permissible length. Two days later, on August 26, 2004, Judge Lefkow ruled that Ross must show cause as to why his case should not be dismissed. Further, on August 30, 2004, she denied his earlier request to file a lengthy brief saying that he only needed to submit a brief statement.

On September 16, 2004, Judge Lefkow dismissed the case with prejudice, meaning that Ross could not file his case again. On October 1, 2004, Ross filed a motion for Judge Lefkow to reconsider this judgment, but she again denied his motion. In early November 2004, he filed an appeal in the U.S. Court of Appeals for the 7<sup>th</sup> Circuit. On January 21, 2005, his appeal was denied. This was the last ruling related to Ross’ long-running malpractice claims.

### **The Days Leading up to the Incident**

On February 13, 2005, Ross typed a letter, in which he described his anger and dislike of the government and judicial system, and provided his views on his cases. The letter also contained a “hit list” of other individuals he may have been targeting, including at least 11 federal and state judges, 10 lawyers, 5 doctors, as well as the Illinois State Supreme Court. One source reported that the list contained five judges from the 7th Circuit Court of Appeals, three or four U.S. District judges, and several lawyers who represented Ross in his lawsuits. Ross wrote “I am not a murderer. The murderers are listed [expletive], who violated me like Nazis and terrorists and deprived me justice and compensation to put my life in order, and in this way deprived me possibility of salvaging my life.”<sup>29</sup> In this letter, Ross claimed, “I was left with no possibility to live my life, but to progressively suffer more and more, so like those who jumped down from the WTC Towers on September 11, 2001, I ‘jumped’ too. On the way, I intended to send to

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<sup>23</sup> Complaint at Law, Ross v. United States (2004, June 23).

<sup>24</sup> Complaint at Law, Ross v. United States (2004, June 23).

<sup>25</sup> Complaint at Law, Ross v. United States (2004, June 23).

<sup>26</sup> Ross v. United States (2004, July 6).

<sup>27</sup> Ross v. United States (2004, July 6).

<sup>28</sup> Ross v. United States (2004, July 6).

<sup>29</sup> Coen & Heinzmann (2005, March 23).



Hell as many of the listed [expletive] as I was lucky to get.”<sup>30</sup> This letter was discovered in Ross’ van after the incident.

The day after writing the letter, on February 14, 2005, Ross moved out of his home and began living in his van. Neighbors reported that at this time he appeared “defeated.”<sup>31</sup> Around this time, Ross conducted surveillance on Judge Lefkow’s home, saving several photographs on his laptop showing her house from varying angles.

On February 23, 2005, Ross’ landlord went to court to have him evicted. On February 28, 2005, the landlord entered the home and found a note in which Ross wrote that he had already left the house because he did not want to argue with her. He stated that he could not take the cat and the dog with him, and because he did not want to put them in a shelter, asked her and her husband to take care of them.

### **The Incident and the Investigation**

On February 28, 2005, before sunrise, Ross broke Judge Lefkow’s basement window and entered her home. He hid in the utility room in the basement, intending to wait for her to return that evening. Around 9 a.m., her husband, Michael Francis Lefkow, went to his basement office and discovered Ross. Ross shot him with a .22 revolver equipped with a homemade silencer. Sometime later, Ross shot Judge Lefkow’s mother, Donna Grace Humphrey, after she called out for Michael Lefkow. He departed around 1:15 p.m. and went to the home of Dr. Briele, the doctor who had first treated him, and then to the home of Judge Bronstein, the judge who had dismissed his first malpractice case. Ross later wrote that he intended to kill them but changed his mind. Judge Lefkow returned to her home that evening and found the bodies of her husband and mother.

On March 9, 2005, a police officer out on routine patrol in West Allis, WI spotted Ross’ van bearing Illinois plates parked near a church. The officer believed the driver was writing something and thought something seemed wrong. After responding to another call, the officer returned to the location to follow-up on his suspicions. Ross made an illegal U-turn, at which point the officer saw that a taillight was not working. As the officer approached the van, he heard a shot and retreated to his patrol car. The officer then realized that the person in the van, Ross, had shot himself in the head with a 9mm pistol. During a search of the van, the police discovered evidence that connected Ross to the murders at Judge Lefkow’s home. Ross had tied a note around his neck telling police to look in a bag in the van. The bag contained the letter dated February 13, 2005, described earlier, and a hand-written note dated March 1, 2005, that detailed how Ross had killed Judge Lefkow’s husband and mother. The note claimed that his motive for the murders and for targeting others was revenge for his cancer treatment, which he believed was abusive and administered without his consent. He also wrote that he was motivated by his unfair treatment by the judicial system and the government, and that he had lost his house, job, and family because of his legal battles.

The next day, March 10, 2005, a letter similar to the letter found in Ross’ van was received by WMAQ, the local NBC affiliate in Chicago. Reporters at WMAQ stated the letter, which was dated February 13, 2005, resembled a news release and laid out the difficulties Ross had faced during the past 12 ½ years. In the letter, Ross wrote “when you read this, I should be dead. So I’m writing in past tense.”<sup>32</sup> He further stated, “I had no intention to target anybody else beyond listed [expletive], but if I got anybody else, they are just victims the same way I was for over 12 ½ years.”<sup>33</sup> Ross had listed 5 doctors, 10 lawyers, and over a dozen judges, including Judge Lefkow, and stated that they “violated” him like “Nazis and terrorists.”<sup>34</sup>

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<sup>30</sup> Coen & Heinzmann (2005, March 23).

<sup>31</sup> Coen & Heinzmann (2005, March 12).

<sup>32</sup> Coen & Heinzmann (2005, March 23).

<sup>33</sup> Coen & Heinzmann (2005, March 23).

<sup>34</sup> Coen & Heinzmann (2005, March 23).



On the back of the letter was a note signed by Ross. In the note, he described how he broke into the Lefkows' home and hid, waiting for Judge Lefkow to come home. His note stated, "Judge Lefkow was No. 1 to kill because she finished me off and deprived [sic] me to live my life through outrageous abuse of judicial power and decicration [sic] of the judicial office."<sup>35</sup> The note further stated, "Judge Lefkow, to her neighbors, is a church going 'angel.' To me, Judge Lefkow is a Nazi-style criminal and terrorist...After I shot husband and mother of Judge Lefkow, I had a lot of time to think about 'life and death' -- killing is no fun, even though I knew I was already dead."<sup>36</sup> Ross further wrote that he regretted murdering Judge Lefkow's husband and mother as much as he regretted having to die, but said that once they saw him, he had to kill them. Both Ross' suicide note as well as the note he sent to WMAQ contained details of the incident that police had not released to the general public, such as the location of Michael Lefkow's body.

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<sup>35</sup> Wilgoren (2005, March 11).

<sup>36</sup> Wilgoren (2005, March 11).



## ABBREVIATED TIMELINE OF EVENTS IN THE YEARS PRIOR TO AND INCLUDING THE INCIDENT

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|-----------------------------|---|
| <b>1992</b> (unknown dates) | Ross is diagnosed with cancer and begins treatment  |
| <b>April 15, 1993</b>       | Has surgery to remove cancer, which required removal of several teeth, parts of his lower jaw, and tissue from his mouth, leaving him in pain and disfigured; quits working around this time  |
| <b>March 1995</b>           | Declared cancer-free  |
| <b>April 11, 1995</b>       | Files medical malpractice lawsuit in Illinois Circuit Court against the doctors who treated him, alleging they were negligent   |
| <b>April 12, 1995</b>       | Files separate complaint against the University of Illinois in the Illinois Court of Claims   |
| <b>Late 1995</b>            | Files document with the circuit court, and also sends it to politicians, alluding to the Oklahoma City bombing; leads to an investigation   |
| <b>1996</b> (unknown dates) | Writes concerning letters to the Illinois Governor, Illinois House Speaker, and others in the Illinois State House and Senate; harasses hospital officials and court personnel; makes threats<br><br>Consults with an oncologist about the validity of his malpractice suit, but is told that his treatment was not negligent |
| <b>July 3, 1997</b>         | Circuit court dismisses lawsuit, but he continues to fight the decision   |
| <b>September 16, 1997</b>   | Makes threatening statement after his motion to reconsider his case is denied; court security runs a criminal check   |
| <b>November 1997</b>        | Final order dismissing circuit court case issued  |
| <b>1997-1998</b>            | Has three additional surgeries on his jaw   |
| <b>August 1998</b>          | Loses his appeal filed in the Illinois Appellate Court  |
| <b>June 1999</b>            | Supreme Court of Illinois denies his petition to appeal   |
| <b>1999</b> (unknown date)  | Sends a petition that he asked neighbors to sign, in support of his medical malpractice suit, to President Bill Clinton, each member of Congress, and other politicians, requesting \$25 million in damages   |



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|--|---|
| <b>Winter 1999</b>                       | Sends bizarre and threatening letters to the Illinois Attorney General; interviewed as part of a threat assessment investigation; case closed as investigators determine he did not pose a risk |
| <b>2000</b> (unknown date)               | Case filed in Illinois Court of Claims is dismissed   |
| <b>March 2000</b>                        | Calls in a death threat to the Illinois Court of Claims   |
| <b>May 25, 2000</b>                      | Sells his house to friends, but is allowed to continue living in the home   |
| <b>November 1, 2000</b>                  | Files first federal lawsuit naming doctors, attorneys, his treating hospital, and the State of Illinois as defendants   |
| <b>February 9, 2001</b>                  | Writes a letter to President George W. Bush complaining about the legal system and requesting help  |
| <b>July 23, 2001</b>                     | Federal lawsuit is dismissed  |
| <b>December 2001</b>                     | Files appeal in U.S. Court of Appeals   |
| <b>September 26, 2002</b>                | Appeal is dismissed   |
| <b>February/April 2003</b>               | U.S. Supreme Court denies his petitions   |
| <b>March 2003-</b><br><b>August 2003</b> | Three creditors file individual lawsuits against Ross; all awarded judgments against him between November 2003 and July 2004  |
| <b>January 29, 2004</b>                  | At his request, his friends sell his house to another party, who allows him to stay and pay rent  |
| <b>June 23, 2004</b>                     | Files second federal lawsuit; case assigned to Judge Lefkow   |
| <b>September 16, 2004</b>                | Judge Lefkow dismisses case with prejudice  |
| <b>October 1, 2004</b>                   | Files a motion to have Judge Lefkow reconsider her judgment, but she denies his motion  |
| <b>November 2004</b>                     | Files an appeal in the U.S. Court of Appeals  |
| <b>January 21, 2005</b>                  | Appeal is denied  |
| <b>February 2005</b>                     | Conducts surveillance on Judge Lefkow's home  |
| <b>February 13, 2005</b>                 | Writes letter describing his lawsuits and anger at the government and judicial system   |
| <b>February 14, 2005</b>                 | Moves out of his home to live in his van; leaves pets behind  |



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|--------------------------|--|
| <b>February 23, 2005</b> | Landlord goes to court to have him evicted   |
| <b>February 28, 2005</b> | Breaks into Judge Lefkow's home, intending to kill her; when she is not home, kills her husband and mother |
| <b>March 9, 2005</b>     | Kills himself after being pulled over in a routine traffic stop  |



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