

Judge: I won't back down - Lefkow defies killers, vows she'll return to federal bench

Chicago Tribune (IL) - March 3, 2005

Author: Ana Beatriz Cholo, Tribune staff reporter.

In seclusion and protected by federal marshals, a grieving but resolute U.S. District Judge Joan Lefkow said Wednesday she planned to return to the bench despite the slayings of her husband and mother.

She spoke of principle, referring to a legal opinion she wrote in 2003 after white supremacist Matthew Hale threatened to have her killed.

"I wrote an opinion when I did the Matthew Hale case that I would not step off the case, because I would not be intimidated by my duty," she said.

But she also spoke of practical matters, acknowledging the grim reality that she is a widow with four daughters.

"I'm the sole support of the family now, remember that," she said.

On Monday, Lefkow walked into her Edgewater home and found the bodies of her husband, attorney Michael F. Lefkow, 64, and her mother Donna G. Humphrey, 89.

In a series of telephone interviews with the Tribune Wednesday, Lefkow talked of her loss, the bench and her love for her family. Her voice was soft, quiet and tired. She occasionally wept.

Lefkow said that while she knew being a judge put her at risk, she never thought her job would endanger her family.

"I don't know of any other instance when the attack was on the judges' family and not themselves," she said.

"I think we all sort of go into this thinking it's a possibility, but you don't think it's going to happen to you, because it's so unthinkable."

Her husband was recovering from surgery last week on his Achilles tendon, injured during a tennis match. Humphrey was visiting from Lakewood, Colo., where she lived with Judge Lefkow's sister. Her mother had suffered health issues and was not as strong as she used to be, Lefkow said.

"I imagine my husband must have just walked into something," she said. "Both of them were on crutches. They didn't have a chance."

She paused and then repeated as if still in shock: "You never think it's going to happen to you."

When she came home Monday evening, she found her husband and mother shot, lying on the floor of the family's basement office.

"I opened the door," she said, her voice barely above a whisper. "I did see."

She immediately called 911. Next, she called one daughter's fiance. Other calls followed, one to the dean at her 20-year-old daughter's college, another to her youngest daughter, just a couple of blocks away.

"I told her to come home," she said.

She said she called the fiance first because she "couldn't bear just to tell them over the telephone. I wanted them to be with someone strong when they heard, to comfort them."

As for her girls, they are doing "as well as can be expected."

After Hale was incarcerated, the judge said she thought the crisis sparked by his death threats against her had passed.

"I really didn't see a real need for security," she said. "We never had any intruders in the 23 years we lived there. I'm sorry to say no, we did not have a security system. We were careful about our locks."

The most threatening thing that ever happened while living there, she said, was when bicycles were stolen from the garage.

Now, though, she does not know if she can return to her home.

"Right now, we feel robbed," Lefkow said. "I don't know how I am ever going to go back there."

It's too early, she said, to be making decisions about where she might go.

Family members, camped at a local hotel, are taking comfort by being together, she said. More are expected to fly in from around the country, including her sister and a brother.

Immediate family members are under federal protection.

"All the girls are here," as well as another brother, she said. "We go around and find someone who's crying and then just hold them."

Still, the outpouring of support has been heartening.

"We can't acknowledge yet all of the calls. I know there have been vigils and prayer services for us--that we very much need. We are all thankful and grateful for all the support of our neighbors, our many friends, the kids' schools," she said.

"We're hearing from everyone locally and around the country. It's a great comfort. It's a wonderful feeling. The empty part is that Michael himself can't thank them, and my mother. He would be so, so humbled by it all."

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Judge's ruling recognized potential danger

U.S. District Judge Joan H. Lefkow presided over a trademark infringement case filed against the World Church of the Creator, which was led by white supremacist Matthew Hale . This February 2003 ruling denying a motion to disqualify her from the case came after Hale was arrested on charges of soliciting her murder.

ORDER

Date: February 26, 2003

Enter: Joan Humphrey Lefkow

United States District Judge

" . . . World Church, through Hale, has launched a broadsided effort to disqualify the assigned judge, including his allegedly encouraging a cohort to `exterminate' her. But it is a one-sided war in which this court is not embroiled. Hale's conduct falls under the doctrine that a party should not be allowed to intimidate a judge off the case. Second, and perhaps more fundamentally, based on Hale's expressed contempt for this nations `illegitimate government,' there is no reason to believe that any other judge who might inherit this case after a recusal would not be subject to the same or similar attacks as Hale has directed towards the assigned judge.

In light of all of the circumstances presented here, the assigned judge concludes that she has no actual bias or prejudice towards World Church and that a reasonable, well-informed observer would not question her impartiality but rather, if asked, would urge the assigned judge to stay the course in the face of World Church's and Hale's conduct, and this is what she shall do. . . . "

Source: Court documents

Chicago Tribune

Caption: PHOTOS 2 GRAPHIC

PHOTO (color): An early photo of Michael and Joan Lefkow was kept in Michael Lefkow's law office. Joan Lefkow, a federal judge, said she will return to work despite the killings of her husband and mother. Lefkow family photo. PHOTO (color): Judge Lefkow `... it's so unthinkable.'

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