

The New York Times® Reprints

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears next to any article. Visit www.nytreprints.com for samples and additional information. [Order a reprint of this article now.](#)



January 11, 2011

Threats to Lawmakers Rarely Lead to Charges

By CHARLIE SAVAGE and ERIC LIPTON

WASHINGTON — In September 2009, a Veterans Affairs caseworker reported that a man had threatened to kill Senator [John Cornyn](#), a Republican, and Representative [Ciro Rodriguez](#), a Democrat, both of Texas, for failing to help him in a dispute over his retirement benefits.

In June 2009, a man called an aide to Representative [Zoe Lofgren](#), Democrat of California, and said that if she held a town hall meeting on [immigration](#) or nuclear energy — or if he saw her on the street — he would attack her.

And in May 2009, Representative [Paul Ryan](#), Republican of Wisconsin, was in a parking lot in his district when a man driving by shouted that the lawmaker had blood on his hands over the Iraq war, had a bulls-eye on his head and was going to die.

The result in all three cases was the same: federal prosecutors declined to charge the men because they apparently had no intention of carrying out the threats, [Federal Bureau of Investigation](#) files show.

As the F.B.I. investigates the [shooting](#) of Representative [Gabrielle Giffords](#), Democrat of Arizona, a review of [hundreds of cases involving threats to lawmakers from 2000 to 2009](#) demonstrates just how hard it is to discern the real threats from mere bluster.

So far, no reports have emerged that Ms. Giffords's assailant ever directly communicated a threat to her or her staff. In fact, studies of assaults on public figures have found that attackers have almost never telegraphed their intentions to their targets or to the authorities ahead of time. That suggests that the threats to lawmakers are likely being made by people other than those they most need to worry about.

“The hunters are those that do not directly threaten,” said J. Reid Meloy, a [forensic](#) psychologist at the University of California at San Diego School of Medicine who consults with the F.B.I.

Law enforcement officials said that the authorities must take threats seriously and make sure there is no real peril. In most instances, lawmakers report incidents to the United States Capitol Police's threat assessment division, which refers some to the F.B.I. for further investigation.

In a small number of cases, officials have concluded that the threats were serious enough to have the person committed to a mental institution — potentially disrupting later problems — or to pursue lesser charges. But most of the time, investigators have concluded that little actual risk of an attack existed.

A review of the documents shows that some common patterns emerge. Some cases involve mentally or emotionally disturbed people who make threats but appear to lack any intent or capacity to cause harm. Sometimes they had temporarily stopped taking psychiatric medications at the time of the threat, making it hard to establish any criminal intent.

In 2008, for example, an Idaho man sent a letter to William Sali, then a Republican representative, saying that if the congressman did not help stop a city from invoking eminent domain to take a church's property for use by a hospital, he would “blow the hospital to hell and the city too.”

The man told the F.B.I. he had been diagnosed with paranoid schizophrenia and had been having “medication issues” when he wrote the letter. He said he had no intention of committing any violent acts. Because he was not believed to be “a viable threat,” the case was closed.

Another common category consists of people who vented in an overheated way.

In February 2008, for example, an Alabama man sent an e-mail to a government agency threatening Senator [John McCain](#), the Arizona Republican then campaigning for president. The man, who owned several guns, later admitted sending the e-mail, saying he “was drunk when I wrote that one” and was upset at Mr. McCain for “not campaigning in Alabama as a Republican should be.” He apologized and promised to send no more threats.

And in June 2008, the F.B.I. investigated a man who sent a vulgar fax to Representative [Louise M. Slaughter](#) of New York that she viewed as threatening. He told the F.B.I. he had not intended to threaten her — and noted that he has “suffered three strokes, uses a cane to walk, and neither has the ability nor intention of physically harming Congresswoman Slaughter.”

The case was closed without charges. In an interview, Ms. Slaughter said that even if such investigations often did not result in prosecutions, she was relieved that the authorities saw them

through — and at times stepped in to provide extra protection.

“There are a lot of people in the United States that have just abject hate for the government,” she said. “And we are part of it. And if we really are going to make a major difference here in addressing this problem, we have to convince citizens of the United States that this government is not their enemy.”

While attackers almost never telegraph their intentions ahead of time, they do often show signs of fixation on public figures against whom they harbor grievances — real or imagined — and often tell a friend or a relative that they might attack them, forensic psychologists say.

Richard A. Falkenrath, former deputy commissioner of counter-terrorism of the New York Police Department, said the files demonstrated the complexity of the authorities face in protecting public officials.

“It is really hard,” Mr. Falkenrath said. “The vast majority of threats don’t amount to anything other than that — threats. It is that small few that keep you up at night and result in what we had in Arizona.”