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Tucson contractor attacked home with chemicals over unpaid bill

By John M. Glionna

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In a case that U.S. prosecutors said started with a disputed \$200 bill, a Tucson contractor has been convicted of a chemical attack on a customer's house--and is accused of leaving feces, dead woodpeckers and graffiti behind too.

A federal jury in Tucson recently found 49-year-old Todd Russell Fries guilty of unlawful possession and use of a chemical weapon after he systematically harassed a couple who had stopped payment because they were unhappy with his work on the driveway of their home.

Over the months, prosecutors said, Myles and Karen Levine found motor oil, paint, grease, feces, dead animals and foam packing peanuts on the driveway leading up to the front door. After moving to a gated community, their home was attacked again with buckets of burning, gas-emitting debris.

Fries is scheduled to be sentenced in December. His attorney, Tucson lawyer Richard Bock, told the Los Angeles Times that he would appeal the decision. "I've tried a lot of cases and I never comment on ongoing matters," he said. "But we are going to file an appeal as soon as the sentencing comes down."

The victims, who attended every session of the three-week trial, told the Arizona Daily Star that the years leading up to the verdict were painful and scary.

The jury deliberated only 10 minutes before convicting Fries of one count of using prohibited chemical weapons and one count of making false statements to law enforcement officers. He faces another trial in January on two counts of possessing explosive devices.

"I started crying," Myles Levine told the Star after the verdict. "My wife was crying and my mother-in-law was crying. We were glad and sad at the same time."

On its website, the U.S. attorney's office in Arizona detailed the years of torment they say the couple faced. The FBI arrested Fries in May 2011 on suspicion of igniting chlorine tablets mixed with another chemical at the Levine home in 2009.

"Following cancellation of the check, the victims were the subject of what was originally thought to be a hate crime. On the morning of Nov. 1, 2008, the victims woke up to find that motor oil, paint, grease, feces, dead animals (including woodpeckers), and foam packing peanuts had been strewn on the driveway leading up to the front door of their home," the document said. "The home and driveway had been painted with graffiti, which included swastikas and slurs. The garage door was sealed shut with an adhesive."

Authorities are also investigating Fries for a series of attacks on other homes that included dead lizards left on homeowners' doorsteps. The attacks against the Levines continued even after they sold their original home and moved to a gated community, prosecutors said.

FBI agents found 37 firearms, explosives and large sum of cash – along with books on revenge and recipes for making explosives – at Fries' home following his arrest, the website said.

A conviction for unlawful use of a chemical weapon carries a maximum penalty of life in prison, a \$250,000 fine, or both. A conviction for false statement to a federal agency carries a maximum penalty of five years in prison, a \$250,000 fine, or both.