

Mystery Man

Illinois' David Ellis is
a rare combination of
legislative attorney and
literary lion.

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was a writer before I was an athlete in
high school. It was the first thing I did.
It was the first thing I was drawn to."**

—David Ellis

BY CAROL KNOWLES

A government lawyer by day, a mystery writer by night
Like the characters in his legal thrillers, David Ellis is a richly textured personality, and just when you think you have him figured out, he surprises you.

At 44, Ellis is at the top of his game. Since November 2006, he has served as chief counsel to Illinois House Speaker Michael J. Madigan. Soft-spoken and mannerly, he was the lead prosecutor in the historic impeachment proceedings against former Governor Rod Blagojevich. Ellis also is credited as a key player in crafting ethical reforms that Illinois lawmakers hope will prevent a repeat of the Blagojevich scandal.

Somehow, Ellis also has found the time to write seven page-turning novels and pick up some literary awards along the way. Two more books are coming out this year.

But nothing, he says, really prepared him for his role in the decline and fall of Illinois' governor.

"I opened a door and walked into Beirut—that's what it felt like," Ellis says. "It was a very difficult couple of years. I felt like my feet never touched the ground."

A Drive to Write

Ellis had a typical suburban upbringing in Downers Grove, Ill., just west of Chicago. His parents, he says, are his heroes and have been the most influential people in his life.

"I have a great mixture of my mother and my father in me," Ellis says. "My creative, artistic side comes from my mother, who is a little bit more of a free spirit. I have my father's analytical approach to problems. His calm in the face of chaos. His sense of humor.

"In unconscious ways, you find yourself acting exactly like the people who brought you up. You don't really know how it happened, you just know it did."

Ellis knew from an early age that he wanted to write, penning two mysteries and a play in grade school. The stories, Ellis says, were reminiscent of the fictional teen detectives, the Hardy Boys.

"I don't know why I became a writer, but I was a writer before I was anything else. I was a writer before I was a lawyer. I was a writer before I was an athlete in high school. It was the first thing I did. It was the first thing I was drawn to."

A product of Downers Grove North High School, he studied finance at the University of Illinois Champaign and earned his law degree at Northwestern University School of Law in downtown Chicago.

After graduating in 1993, Ellis spent time in private practice in Chicago, but civil litigation bored him. He was looking for a new challenge when a friend called and asked him to join him in Springfield, working for state government.

"The pay will be terrible and the hours will be long, but it will be interesting," Ellis recalls his friend saying. "I got to a point [in private practice] where I felt like I was just pushing paper and not really making a difference in anybody's life, so I wanted to try something different."

Ellis, an expert in constitutional and election law, spent two years as assistant counsel to the speaker before returning to Chicago to join some friends in his own firm. The change allowed him more time to write.

The path to publication was not easy. He was rejected 75 times before finding an agent, and estimates he went through eight drafts and three years of his life



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—House Speaker Michael Madigan (D), Illinois

on his first novel. But his persistence paid off. “Line of Vision” won the prestigious Edgar Allan Poe Award from the Mystery Writers of America for the best first novel by an American author in 2002.

His following novels—“Life Sentence,” 2003, “Jury of One,” 2004, “In the Company of Liars,” 2005, and “Eye of the Beholder,” 2007—each won critical acclaim, as well.

Stranger Than Fiction

The lure of a challenge drew Ellis and his wife Susan, a lawyer with the Illinois Attorney General’s Office, back to Springfield in late 2006. As counsel to the House speaker, Ellis’ job was to analyze legislation, interpret the state constitution and serve as the House parliamentarian. Little did he know what he was walking into. The reality, at times, was stranger than fiction. The state’s fiscal health was a mess, and its chief executive, Rod Blagojevich, had gone rogue.

Blagojevich called lawmakers back to Springfield for a seemingly endless series of special sessions, trying to bend lawmakers to his will. He twice sued Madigan, Ellis’ boss. There was little or no trust between most government officials and the governor, who was viewed as combative and corrupt.

“We didn’t know the details, but we knew he was doing bad things,” Ellis says. “We were reluctant to give him the reins of any big pot of money because we didn’t trust him.”

Blagojevich, arrested at his home by federal agents in the pre-dawn hours in early December 2008, was charged with, among other things, attempting to sell the U.S. Senate seat vacated by President Barack Obama. It was the culmination of a years-long federal investigation of the governor, who had campaigned as a

reformer. Blagojevich appeared destined to follow his predecessor, George H. Ryan, behind bars.

When Blagojevich refused to resign from office following the arrest, the House moved forward with impeachment, citing a pattern of a rampant abuse of power.

Power, Ellis laments, can be corrupting. “I think beyond corrupting, it distorts your reality. A good politician won’t let that happen. A strong person will not let that happen. A strong person will be able to differentiate between what is real and what is not.”

A Key Player

As the lead prosecutor, Ellis appeared before the Illinois Senate and presented the House’s 13-point, sweeping article of impeachment. The whole world was watching. A simple flip of a chart could trigger the clicks of as many as 300 cameras. Although there was no script to follow, Ellis took great pains to ensure the process was orderly and fair.

By January’s end, Blagojevich was impeached by the House, convicted in the Senate and banned from ever holding public office in Illinois. The first Democratic governor to hold office in a quarter century had become the first governor in Illinois history to be impeached.

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 —Scott Turow, author and attorney

Ellis is humble about his part in the historic proceedings. “I’ve not done anything heroic. I just played a role,” Ellis says. “I was there, and they gave the ball to me.”

Madigan is more effusive. “Dave Ellis is a skilled attorney. He proved the true measure of his talents with the excellent guidance he gave the legislature through the truly uncharted course of impeachment.”



*Speaker
Michael
Madigan
Illinois (D)*

Best-selling author and trial attorney Scott Turow, who has known Ellis since early in his legal career, echoed Madigan’s sentiments.

“He’s a terrific litigator, as his performance in the Blagojevich impeachment permanently established,” Turow says. “Probably his greatest achievement there was off-screen, in getting the U.S. Attorney’s Office to release a smidgen of their evidence, something they very rarely do without a tremendous fight when it’s pre-trial.”

As a bill drafter and negotiator, Ellis also was key in developing reforms enacted by the legislature following Blagojevich’s arrest, most notably those that affect state purchasing and pension investments. It was just the beginning of a long road back from international embarrassment for the state of Illinois.

“You can’t make a corruption-proof system. It doesn’t exist. But you can make it much, much harder to commit corruption. I think we did that,” Ellis says. “There is a certain percentage of people in the world who will break the law no matter how hard you make it. There is a larger percentage who will obey the law no matter what it is, and then there is a group in the middle whose likelihood of breaking the law will vary with how difficult it is and how stiff the penalty is.”

Ellis wins high marks from government watchdogs even though they sometimes were adversaries.

“Even when negotiations were at their most contentious, he was a delight—smart, fair and engaging,” says Cindi Canary, former long-time executive director of the Illinois Campaign for Political Reform. “While I didn’t always agree with the policy that Dave helped the speaker craft, he was never less than a completely honest broker. His contribution in helping guide Illinois into the post-Blagojevich era, from impeachment to reform, has been enormous.”

Turow, who chaired the Illinois Executive Ethics Commission and worked with Ellis on some reform measures, called Ellis “a consistent force for good in state government.”

“I found him sane, reflective and pragmatic, with a keen sense of judgment about how to do the right things—not an attribute that is universal in Illinois government,” Turow says.

In the two years that followed his impeachment, Blagojevich faced two trials and was convicted in federal court of 18 counts of corruption involving sweeping pay-to-play and influence peddling charges and lying to the



FBI. Sentenced to 14 years, he was scheduled to enter a federal prison in mid-March.

Fiction Follows Fact

Although his writing ground to a halt during much of the Blagojevich saga, Ellis returned to it as soon as he could and with new experiences to draw upon.

The result was two books—“The Hidden Man” in 2009 and “Breach of Trust” in 2010—in a new series featuring Jason Kolarich, a tough yet vulnerable street-smart lawyer. He’s the kind of character a reader can cheer. “Breach of Trust” is both a murder mystery and a tale of political corruption that includes an FBI investigation into an allegedly corrupt governor. Sound familiar?

In the Kolarich character, Ellis says, he found his voice and describes the character as “just like me except he is smarter and braver and more handsome and more talented.” Although he says he doesn’t have a grand plan for Jason, he’s enjoyed developing the character and hopes he’s around for a long time.

“He is a very flawed guy. He has baggage. He can be violent. He has a very unaltered sense of right and wrong. It is his version of right and wrong. He breaks rules that he doesn’t think need to be there, but within his own code he stays true. That’s what I like about him. He will not sacrifice that, ever.”

Ellis has two books coming out this year. In “The Wrong Man,” Kolarich returns to defend an Iraqi war veteran accused of murder. “Guilty Wives” is a thriller involving four friends on vacation, which Ellis co-wrote with best-selling author James Patterson.

Ellis enjoys the suspense and twists and turns of mystery writing. He likes challenging his readers—and himself—and says he’s effective at misdirection. One of his works, “In the Company of Liars,” occurs in reverse chronological order.

“There is nothing more fulfilling than to set somebody up for a surprise,” says Ellis, who admits he gets chills just talking about the times fans acknowledge he’s grabbed them with his writing.

He’s had the privilege of working in a courtroom alongside Turow, whom he considers a mentor. Turow’s writing, he says, “is like silk on a



piece of paper” and is the standard by which all other writers in the genre are measured.

“Whenever I want inspiration, I pick up a book that he wrote, open it up to any page, and I just start reading,” says Ellis. “He’s that good.”

More Writing, Less Law

Ellis calls his job “fun” and “intellectually challenging,” but he recognizes that the stress and long hours can take a toll on a young family. Ellis and his wife have three children, all under the age of 5, and a pug, Otis.

“The responsibility of knowing your children are sponging up everything that is happening in front of them is a little bit scary because you don’t have all good moments as a parent,” he says.

He steals time away to write at night, while the rest of the family is sleeping, frequently getting only three or four hours of sleep a night himself.

“When I get to write, it is my little vacation. Even if it is just an hour a night, it is an hour of getting to do something I purely love to do,” he says. “Sometimes I get on a roll and I can get by on two or three hours of sleep for many days in a row, and then sometimes, I just crash.”

Next Chapter

Ellis is starting a new phase in his life, as special counsel to the speaker. It will take him out of the day-to-day lawyering of the House, allowing him to work on special projects and write more.

“The book world seems to be on an upward trajectory for me right now, so I’m going to keep going with it,” says Ellis, whose novels have been translated into Italian, Japanese, German, Dutch, Polish, Czech, Bulgarian and Spanish. “I don’t ever want to stop writing books. I am not sure I would ever be able to stop practicing law either.”

He doesn’t rule out a return to full-time public service and encourages young lawyers to strongly consider a career in government.

“I think an interesting career path is one that combines private and public work. I’ve jumped back and forth, and I’m very glad that I did.”

Much like the characters in his books, the future is unsettled.

“One of the things that is exciting about life is I still don’t know what I’m going to be when I grow up, and that’s OK,” he says. “Those are some of the most interesting people.”

Murder Under the Dome

David Ellis is the rare statehouse denizen to end up an award-winning writer of detective fiction. There have been a few others, however, who have melded state government and the occasional homicide. Although some of these books are out of print, you can find used copies on the Internet.

Mike Abrams: This former legislative staffer and lobbyist for the Indiana State Medical Association has written “Lethal Remedy” (2006) a novel about the brutal slaying of an Indiana state representative and the consequences for the legislator who is elected to succeed him.

Bill Crider: In the 1992 mystery “The Texas Capitol Hill Murders,” the slaying of a cleaning woman in the Capitol leads Texas Ranger Rayn Harnett on a manhunt through the legislative staff, lawmakers and even the governor.

David Everson: A political scientist, Everson wrote a series of novels about Bobby Miles, a former big league baseball player turned central Illinois detective who often works for the speaker of the Illinois House of Representatives.

John Feinstein: Feinstein once covered the Maryland Statehouse for the Washington Post and wrote “Running Mates” (1993) about the murder of a Maryland governor. He is best-known as a National Public Radio commentator and the author of the two best-selling nonfiction sports books ever, “A Season on the Brink: A Year with Bob Knight and the Indiana Hoosiers” and “A Good Walk Spoiled.”

Sean Hanlon: “Deep Freeze: A Prester John Riordan Mystery” (1992) features a hero who works for the speaker of the Alaska House of Representatives.

Joe L. Hensley: In “Legislative Body” (1972), Donald Robak, a lawyer turned amateur detective, is called upon to investigate the violent deaths of two of his fellow state legislators. The late author was a former legislator in Indiana.

Tony Hillerman: Although the late author gained fame for his detective novels set in the tribal lands of the Southwest, “The Fly on the Wall” (1971) was his first novel about a reporter, a murder and corruption set in a Midwestern state capital.

Dana Stabenow: This series of murder mysteries focuses on Kate Shugak, an Alaskan detective and member of the Alaska Legislature. Stabenow’s latest, published in February, is “Restless in the Grave.”

Steve Swatt: This former TV political reporter’s “Fair, Balanced ... and Dead” came out in 2009 and is based around political intrigue and murder in Sacramento.

This story is based on voracious reading of detective novels by NCSL’s Karl Kurtz, the late Yen Lew, former ombudsman for the Hawaii Legislature, and the late Tim Hodson of the Center for California Studies at Sacramento State University.