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## Attorneys: Plan shows role-playing, not attack; paper describes evacuation steps Defendant to be sentenced in bomb-chemicals case

BY DAN MORSE

In summer 2008, just before his arrest led to claims that he was plotting to kill a presidential candidate, Bethesda teenager Collin McKenzie-Gude wrote a three-page document that, it's safe to say, few of his peers would have produced.

McKenzie-Gude's "Emergency Evacuation Plan," introduced by his attorneys Friday at a sentencing hearing expected to end Tuesday, describes how he and a friend were prepared to lead family members away from danger.

"The objective of EEP-1 is to provide for the safe and orderly evacuation of designated personnel from the Washington DC Metropolitan area," wrote McKenzie-Gude, who had just graduated with honors from St. John's College High School in Washington. "This objective supersedes the welfare of any one individual as well as local, state and federal law. Therefore, the use of deadly force is authorized to remove any obstacles to the completion of the primary objective."

His attorneys said they think the document bolsters the argument they presented in court Friday: that prosecutors misrepresented the intentions of someone given to antiterrorism role-playing. **"This kid has a military imagination," lawyer Steven Kupferberg said after the hearing that day.**

At issue in the hearing, which started Jan. 7 but was postponed for a week, isn't whether McKenzie-Gude, 20, is guilty of a murder plot -- he was not charged with that. He pleaded guilty last year to possessing bombmaking chemicals kept in his bedroom closets, a charge he is scheduled to be sentenced for Tuesday. McKenzie-Gude also kept in his bedroom three high-powered rifles, two shotguns and hundreds of rounds of ammunition.

Under federal court rules, he could face a longer sentence if prosecutors show that he was planning future crimes. They say McKenzie-Gude, a skilled marksman who was a captain of his high school rifle team,

was plotting to take out three people: Barack Obama, a friend's mother and a student who had offered to sell McKenzie-Gude untraceable guns with filed-off serial numbers.

Much of the Obama contention rests on the testimony of the friend, Patrick Yevsukov, who received immunity in a deal with prosecutors.

"Collin intensely disliked Barack Obama, particularly regarding his views on gun control," Yevsukov said Friday. "He was afraid that once in office, he would enact sweeping gun control legislation and Collin would lose his guns. . . . He said it would be possible to take out his convoy with EFP [explosively formed projectile] devices, and once the rear and front vehicles were taken out, to shoot the people in the vehicle with a long-range rifle."

Yevsukov said he decided that his friend was serious when he tried to buy a high-powered rifle, a sniper scope and sophisticated camouflage gear.

Prosecutors showed U.S. District Judge Peter J. Messitte a map found in McKenzie-Gude's desk in his bedroom. They said McKenzie-Gude had marked points along Interstate 270 where he "could have been planning to stage the assault," court filings say.

But in his "Emergency Evacuation Plan," McKenzie-Gude also identified locations where family members would gather. His attorneys say he marked those as "rally points" on the map: "RP Tomahawk" and "RP X-ray," for example.

In the evacuation plan, he and Yevsukov are described as operational leaders Raptor7 and Redhat3, respectively. They were responsible for declaring an evacuation of family members. "From the RP," McKenzie-Gude wrote, "evacuees will be moved all together via armed convoy to the evacuation objective (EO), where all personnel will hold position until the blue alert is lifted or downgraded."

The third plan presented by prosecutors, involving the possible gun deal, was bolstered by a witness who confirmed parts of Yevsukov's testimony.

Daniel Mears said that Yevsukov and McKenzie-Gude approached him about buying untraceable guns from a fourth person. The two showed Mears a satellite image of a field in western Montgomery County that McKenzie-Gude had visited with his astronomy class and drove him there to scope it out, according to testimony.

At the field, according to testimony, McKenzie-Gude communicated via walkie-talkie to Yevsukov, who was in an area 400 meters away, where he would be positioned to take out the gun seller should things go bad.

Mears said the plan called for him to wait in a vehicle, armed with a shotgun given to him by McKenzie-Gude. He said that McKenzie-Gude and Yevsukov told him what his role would be if the seller tried to rob McKenzie-Gude.

"They told me Collin would drop a flash-bang grenade as he ran back to the vehicle," Mears said. "Patrick would give the order 'Red eye,' at which point I would get out of the vehicle with the shotgun and provide cover fire as Collin retreated to the vehicle."

Messitte, the judge, asked Mears to characterize the plan: Was it a joke, some kind of "virtual video-gaming" or was it serious?

"At first . . . I thought, 'You've got to be kidding me about this,' " Mears said. "But as they proceeded to explain, I realized that this is real."

The gun deal never happened, Mears said, because a fourth participant backed out and Yevsukov told him that the field was no longer considered secluded enough.

McKenzie-Gude also faces a sentencing hearing in state court in Montgomery, where he pleaded guilty to attempted carjacking in an incident that occurred the day police searched his bedroom. At a White Flint Mall parking garage July 29, 2008, prosecutors said, he knocked a 78-year-old man to the ground in an effort to flee the area. ■

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