

# **WHITE GEORGETOWN STUDENT SENTENCED TO ONE YEAR, TUTORING UNDERPRIVILEGED KIDS FOR RICIN OFFENSE**

Tell me what kind of charge (much less sentence) you think this kid would get if he were a Muslim immigrant.

Daniel Milzman, 20, was sentenced today to one year and one day in prison on a federal offense stemming from the discovery of a plastic bag of lethal ricin in a dormitory room where he was staying while he was a student at Georgetown University.

The sentencing was announced by U.S. Attorney Ronald C. Machen Jr. and Andrew G. McCabe, Assistant Director in Charge of the FBI's Washington Field Office.

Milzman, of Bethesda, Md., pled guilty in September 2014 in the U.S. District Court for the District of Columbia to a charge of unregistered possession of a biological agent or toxin. He was sentenced by the Honorable Ketanji Brown Jackson. The plea agreement, which was contingent upon the Court's approval, called for a prison sentence falling somewhere within the range of a year and a day to two years of incarceration.

Following the prison term, Milzman will be placed on three years of supervised release. Judge Jackson ordered that Milzman complete 400 hours of community service during that time, to be focused on tutoring underprivileged students in math and physics. She also required him to participate in a mental health program.

This is the kind of argument you get to present if your parents are local doctors who've gotten you good lawyers and a bed in an inpatient program at your mother's hospital.

Milzman is nineteen years old and has had no prior involvement with the criminal justice system. He was born in Virginia and raised in Maryland, having graduated from Walt Whitman High School. At the time of the alleged offense, he was enrolled at Georgetown University along with his two older brothers. His parents, both doctors, reside in Bethesda and work at hospitals in the District of Columbia.

Based on representations Mr. Milzman made to agents at the time he was confronted in his dorm room, he was transferred to the Psychiatric Institute of Washington ("PIW"), where he remained voluntarily until agents unexpectedly apprehended him. Prior to his apprehension, doctors at PIW believed Mr. Milzman had progressed to a point where he could return home but maintain outpatient mental health counseling. Nevertheless, Mr. Milzman and his family were exploring opportunities for continued inpatient treatment at local facilities. Arrangements were being made for Mr. Milzman to move directly from PIW to an inpatient program at Sibley Hospital.<sup>2</sup>

As a result of his arrest, however, Mr. Milzman has been held for five (5) days in the Medical Unit at the D.C. Jail.<sup>3</sup> Rather than receiving appropriate and beneficial mental health treatment and counseling, this nineteen-year-old student has been held in solitary confinement and has had no contact with his family. For the foregoing reasons, we ask the Court to affirm Mr. Milzman's release pending trial.

And if you're wondering where he was "radicalized," it was by watching Breaking Bad.

Between February 13, 2014, and February 19, 2014, the Defendant performed a number of Internet searches on his personal computer, some of which were focused on the following key words and phrases: (1) "0-Toluc acid," (sic.) (2) "Phenylacetic acid," (3) "anarchist cookbook," (4) "Recipes for Disaster," (5) "Ricin," (6) "Ricin#Overdose," (7) "2003 Ricin letters," (8) "Lily of the Valley#Toxicity," (9) "2013 Ricin letters," (10) "incidents involving ricin," (11) "incidents involving ricin#April 2013. 2C Washington, DC," (12) "how to throw a tail," and (13) "Lose someone when being followed." Also, during the period January 1, 2014, through March 18, 2014, Milzman used a Netflix account to watch various episodes of the television show, "Breaking Bad." In approximately thirteen of the "Breaking Bad" episodes the Defendant watched during that time period, the plot contained references to ricin being used to injure or kill someone.

Now, to be very clear, this kid has a history of major depression. That was clearly not invented to dodge the charges. He, like many of the young Muslims who get caught in stings with "WMDs," needs treatment for mental illness, not a long sentence.

In other words, this is what should happen when mentally ill kids do stupid things, including potentially contemplating using homemade ricin to injure a spurned associate (as the RA who reported this believed he intended to do). More power to Milzman's family for having the resources to arrange a settlement like this.

But it is a lesson in the disparities built into our system.