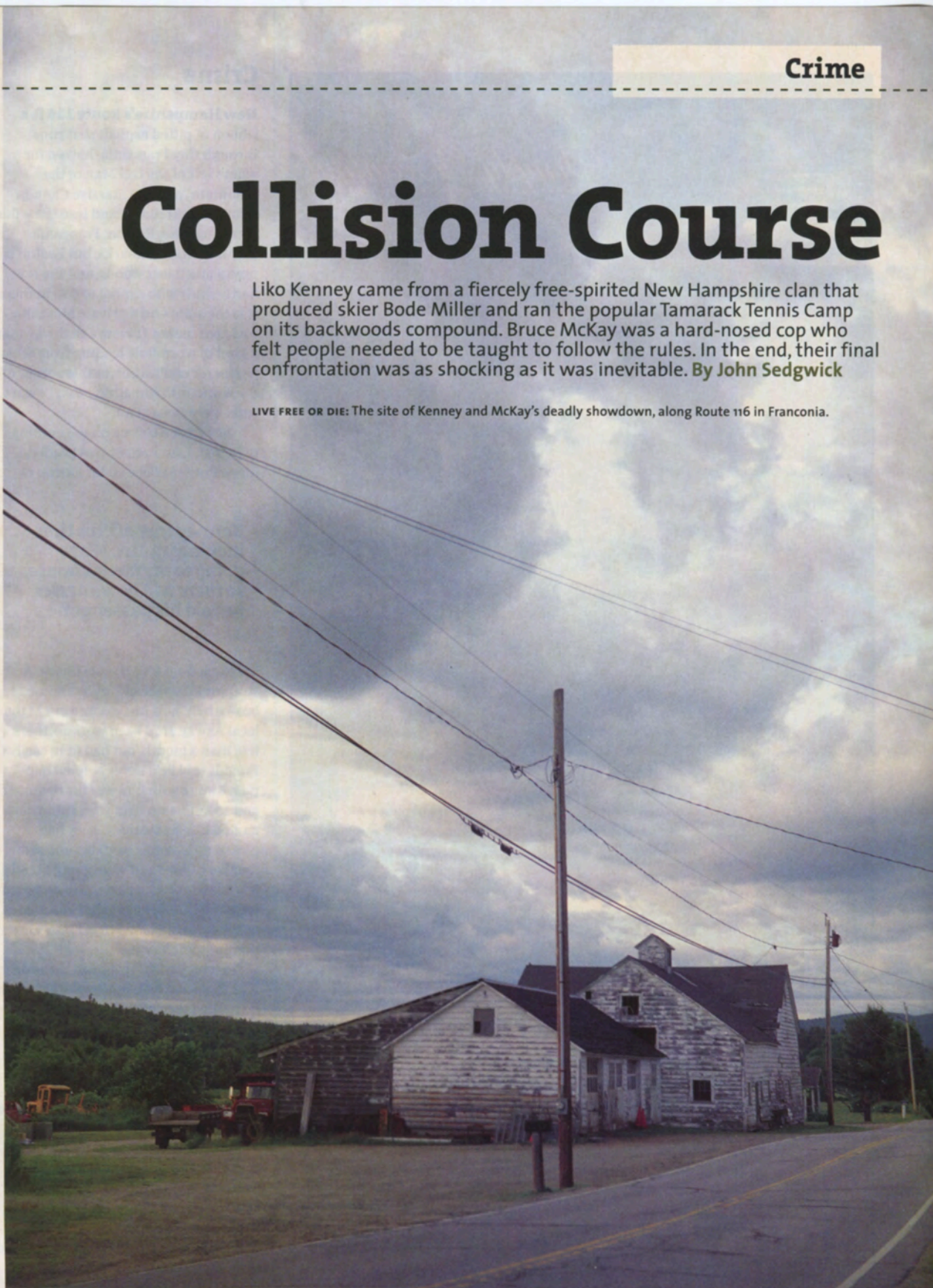


# Collision Course

Liko Kenney came from a fiercely free-spirited New Hampshire clan that produced skier Bode Miller and ran the popular Tamarack Tennis Camp on its backwoods compound. Bruce McKay was a hard-nosed cop who felt people needed to be taught to follow the rules. In the end, their final confrontation was as shocking as it was inevitable. **By John Sedgwick**

**LIVE FREE OR DIE:** The site of Kenney and McKay's deadly showdown, along Route 116 in Franconia.







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**Crime**

**New Hampshire's Route 116** is a ribbon of pitted asphalt that runs through tiny Franconia, known for what's left of the Old Man of the Mountain, past the massive Cannon Mountain ski resort, and into the wilds of neighboring Easton. Franconia may have its landmarks, but Easton is pretty much just woods, and the few hardy souls who choose to live in them. It is the state's own private Montana. And that makes 116 less a highway than a kind of wormhole leading from what passes for civilization in this corner of the world into something that doesn't come very close at all.

Just after 6 o'clock on the evening of May 11, Liko Kenney was headed down Route 116 bound for Easton in

***Kenney tore off, his tires kicking up dirt. We're going to my uncle's house, so there will be witnesses, he told his passenger.***

his banged-up 1984 Toyota Celica. A strapping 24-year-old with untamed brown hair, he'd just clocked out at the local Agway. He'd been working there less than a month, but had fit in easily. Friends said he'd never seemed happier. Riding with him was his coworker and roommate, a trim yoga enthusiast named Caleb Macauley. They had picked up a handle of vodka and some cranberry juice and were going to call a few friends over to party. Also on board were two plastic bags of koi and goldfish they were excited to get into a little pond at their house.

Kenney had just rounded the wide turn that locals call the Big Corner when he spotted the police Tahoe coming down the other side of the road. As the SUV drew closer, Kenney could make out its driver, Corporal Bruce McKay, with whom he had been feuding for years. Not looking for another run-in, he slowed his Celica to the speed limit.

As their vehicles passed each other, McKay noticed that Kenney's registration sticker was expired. He swung his SUV around and started its bright blue lights spinning. It didn't take long for him to chase Kenney down and pull him over. He climbed out of his truck and approached the driver's-side window,



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## Crime

walking with his usual swagger.

According to comments Macauley would later make in a police interview, McKay got right down to business, asking Kenney for his license and registration without offering a reason for the stop. Kenney refused, insisting that another officer be summoned, in accordance with an agreement he'd reportedly struck with the Franconia Police Department after an earlier incident with McKay. But that wasn't his decision to make, McKay told him. Increasingly distressed, Kenney placed three cell-phone calls during the next few minutes. No one picked up. Then he tore off, his tires kicking up dirt. *We're going to my uncle's house, so there'll be witnesses*, he told Macauley.


McKay strode back to his SUV and revved it up to give chase once more, this time with siren blaring.

**Liko Kenney was bound for his** family compound, the Tamarack Tennis Camp, a deep-green, soul-calming place just over the Easton line. Its 11 red clay courts are set on a broad lawn ending at a pine forest that climbs up Cannon Mountain; in summer, the pock of tennis balls against strings carries through the valley. A half dozen Kenney houses, no two the same, stand just past the grass. Liko lived in a small cabin not far down the road.

Tamarack was started in 1962 by the family's beatific patriarch, Jack Kenney, a serious student of the game who taught strokes by painstakingly breaking down their essential elements. It was the first tennis camp in New England, and it drew prep schoolers from all over the Northeast. Many alumni maintain an unswerving allegiance. "Oh, God, it was magical," says George Gibson, a publishing executive who was a camper in the mid-1960s. "It wasn't fancy, but it had an old-fashioned kind of rustic life that was really terrific for a lot of kids." Along with tennis, the Kenney camp offered swimming, crafts, a penny-ante gambling night called Newport Casino, and a fair amount of goofing off. Then, as the 1960s kicked into high gear, there was more, a countercultural, fiercely freedom-loving spirit that has never left.

There were five Kenney children altogether, every one of them involved with Tamarack in some way, and they all caught the freedom bug—or were





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## Crime



**INTO THE WILD:** Above, from left, Liko's uncle Bill Kenney; Franconia officer Bruce McKay; Liko Kenney. Left, the Tamarack tennis courts, where the Kenneys trained numerous New England kids. Below, the Kenneys' "Big Circle," which serves as the family burial ground. Liko's cousin Bode Miller flew in from Utah to attend his memorial service.



they the source of it? Like any virus, it mutated into different forms. For Bubba, the second youngest, it manifested itself in daredevil stunts. "Bubba was not afraid of death, of dying," his older brother Bill says. "He was fearless." As a teenager, Bubba took to diving off bridges without checking the depth of the river below, leading to a constellation of scars on his forehead. Early one spring, he went kayaking in Franconia Notch's Echo Lake as soon as the ice had broken up—and, when his kayak flipped over, drowned in the frigid waters. He was 25.





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## Crime

That same hell-for-leather spirit emerged in the most famous Kenney of all, Liko's cousin, the brilliant, combustible skier Bode Miller. He'd bailed Liko out of jail once, and had his own run-in with Bruce McKay, getting a \$500 speeding ticket for driving 83 in a 40-mph zone back in 2005. Miller left the set of a Nike commercial to contest the ticket in court, largely to "antagonize McKay," as he once told a reporter, and got the fine cut in half. "Bode's got the Kenney anger," says his uncle Bill. "That is a real powerful energy source for him, but he channels it into his ski races." In Miller's headlong plunges down the mountain, speed always comes first, control second. There was more than a bit of that wildness in Liko, too.

**Liko's father, Davey, wore his hair** to his waist, and with his jewelry-maker wife, Michele, raised their son in a log cabin down by the Tamarack soccer field. They spent winters in Hawaii, home-schooling Liko while they were there and teaching him to savor the independence that came with their live-and-let-live philosophy. That upbringing developed in Liko a conception of freedom that was a kind of entitlement, a set of expectations that more often goes with wealth. Except with Liko, it went with the land. He was so attached to the family's mountainside paradise, he thought of it as his birthright.

Unfortunately for Liko, other Kennneys felt the same way. His uncle Bill especially. A survivalist and eco-purist who raised beefalo and did some logging, Bill had lived alone in a two-story log cabin for 30 years, a long, scraggly beard hanging off his bald head, until, about five years ago, he had enough of solitude and acquired a Kyrgyzstania wife, Larisa, through a website. Bill loved the silence around his house, and he hated anything gas-powered. That led to big problems when Liko started joyriding around the Kenney property on his ATV, roaring down a trail that Bill regarded as his private road. "It drove me nuts," Bill says.

One day in late 2002, Bill brought a tree down across an access trail to block Liko's path. On the second day of the new year, Liko retaliated by chain-sawing a 40-foot-tall pine down on Bill's house. Larisa, awoken from a nap by the noise, rushed outside to find Liko cutting





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## Crime

down more trees. As she snapped pictures of what he was doing, Liko made a grab for her camera, then chased her to her sister-in-law's next door. Terrified, the next day Larisa took out a restraining order that would keep Liko at least 100 feet away from her, and altogether off the property Bill claimed.

**It was in late January 2003, three weeks after the tree incident, that Liko Kenney had his first encounter with Bruce McKay. It happened near the entrance to Franconia's Fox Hill Park, where McKay came across Kenney parked alone in his mother's car late one night, reclining in his seat. McKay approached Kenney's window and asked to see his license; Kenney**

**McKay would often drive up to Tamarack, then turn around by Kenney's house, shining his high beams into it. Just to say hello.**

demanded to know why—he was just sitting there in a public parking lot—then leaped from his car and launched into a long argument with the officer. McKay's tone remained measured, authoritarian. Kenney's turned heated, combative. "Liko was always talking like that," says Jean McLean, who runs a flower store in Franconia. "I kept telling him he had to pipe down."

Kenney got back into his car and tried to drive away, but McKay brought his car nose to nose with Kenney's, blocking his path. After a few tense moments, the younger man backed his car off. But he wasn't done shouting at the cop. McKay, who had by this point called in three more officers, pulled out his pepper spray. When the backup arrived, the four of them tried to subdue a very scrappy, very angry Kenney. A video camera mounted on McKay's cruiser recorded the confrontation as the officers maneuvered Kenney around to the far side of his car, out of the camera's view, and wrestled him onto the snow. On the tape, Kenney can be heard screaming that the officers are "torturing" him by twisting his neck. As he struggled, Kenney grabbed McKay's groin "and began squeezing," according to McKay's report; McKay responded by striking him in





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## Crime

the side of the head. When it was over, Kenney was taken in handcuffs to the hospital, where an evaluation revealed no injuries beyond some swelling around his jaw. He was charged with assaulting McKay, and released into his parents' custody for \$2,000 bail.

Soon after, Kenney was cruising his uncle's trail again on his ATV. That April, Bill, fed up, called the cops. One of the responding officers was McKay, who found that Liko Kenney had strapped a blowgun and steel darts to his ATV, in violation of his bail agreement. He was put under house arrest and fitted with an ankle bracelet, which he promptly clipped off, earning himself 15 days in the county jail.

After Kenney got out, McKay kept a close eye on him. He would often drive down to Tamarack, then slowly turn around by Kenney's house, shining his high beams into the property. Just to say hello. "I used to be able to set my clock by it," said neighbor Connie McKenzie, who saw McKay pass by her house, headed for Easton, every evening.

### **Kenney got a good jump on McKay**

when he tore away from the spot near the Big Corner where the officer had stopped him. He was sure he could make it to Tamarack before McKay caught up. But a mile and a half down the road, just past the McKenzie house and a few hundred yards short of the Easton line, Kenney saw McKay's SUV looming in his rear view.

McKay shot ahead of the Celica and angled in front of it, forcing Kenney to hit the brakes. Then McKay slowly turned his Tahoe around, jerking it forward and back, until he was facing Kenney and his car head-on. He motioned for Kenney to back up onto a dirt patch by the McKenzies' barn. Kenney complied, and after he came to a stop McKay nosed his Tahoe into the Celica's path, its big chrome fender pressing up against the smaller vehicle's hood, locking the two vehicles in a kiss, just as they were when the bad blood started four years earlier. This time, though, neither man would back down. McKay rammed Kenney's car, once, twice, like a boxer trying to deliver knockout blows. "No," Kenney screamed. "No! Stop pushing my car!"

After forcing Kenney back 20 feet, McKay nudged the Celica up against a massive front-end loader that Connie





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## Crime

two full-time cops in town reportedly collected just 11 between them.

Unlike Massachusetts, New Hampshire does not have district attorneys, and relies on police prosecutors to pursue guilty verdicts in minor crimes. To earn extra money, McKay filled that position for the town. Sometimes, when trying a suspect he'd arrested, he'd put himself on the stand to present the evidence. "I always thought he was a fascist," says Jean McLean. That impression wasn't eased by the Hitler mustache—a dab of dark hair right under his nose—McKay wore for a time, or the GOTCHA vanity plate on his Nissan 4x4.

With such a profile, McKay attracted a lot of talk in Franconia, little of it flattering. Once, it was said, he pulled over a 79-year-old woman for an expired registration sticker. After she tried to explain that she was heading home to cook dinner for her husband, he made her wait in the car for two hours. When McKay discovered a group of kids celebrating their high school graduation by frolicking along the river, he had every one of their cars towed. He'd even threatened to ticket a man for driving his riding mower across the road. McKay's targets rarely filed complaints, though. "People feared retribution," says Roland Shick, an antiques dealer in nearby Bethlehem. "They were afraid McKay would attack their kids, or themselves."

**In backwoods New Hampshire,** there is no Second Amendment debate. Many of the firearms its residents own are rifles and shotguns, for hunting. But plenty are handguns, for killing. Not long after the Fox Hill episode, Kenney got himself one of the latter, a Hi-Point .45. He loved the gun, sometimes keeping it underneath his pillow. Sometimes he also fired it into the air at parties, just for the fun of scaring everyone.

When the Hi-Point disappeared from his house one day this January, he was furious. He was also sure he knew who took it, too: a 15-year-old cousin who'd been in Kenney's room not long before. (Kenney could tell by the way his PlayStation power cable was coiled up in the same configuration the cousin, who could be strangely methodical, always used.) Kenney charged over to the main lodge, where his cousin was staying, and demanded the gun back. The cousin insisted he



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## Crime

didn't know anything about it. The two grappled, Kenney nearly strangling the kid before regaining his wits. *If I don't get my gun back*, he yelled on the way out, *I'll break his legs.*

When the Hi-Point still hadn't turned up four days later, Kenney called the state police. Trooper Bret Beausoleil was dispatched to interview the boy, who according to police records eventually confessed that he and a friend had indeed slipped into Kenney's home, stealing an X-rated DVD along with the pistol. He also told Beausoleil about Kenney's violent reaction. A few days later, Kenney called Beausoleil to say that his gun had been returned; everything was fine. But in fact his problems were just beginning. When Beausoleil asked him about the fight with his cousin, Kenney answered that he'd just "shook him up a bit." The trooper, unswayed, called the boy's guardians, Woody (Bode's dad, the

**The official report suggests that when he hit the officer with his car, Kenney wanted to bury McKay, to mash him into the dirt.**

ex-husband of Kenney's aunt Jo, and the current director of Tamarack) and Holly Miller, telling them that if they didn't swear out an assault complaint, he'd be forced to file one himself. The Millers couldn't bring themselves to turn against a relative, leaving Beausoleil to keep his word. Kenney's trial was put on the books for that April.

The looming hearing made Kenney feel even more alienated. He already wouldn't go to the local bars—he was afraid people were looking to beat him up. He told his new boss at Agway that he was being followed; whether by McKay or just some kids, he didn't know. Kenney's family, worried he might be suicidal, sent a friend over to talk with him. Kenney insisted he'd never kill himself. But he said that McKay was driving him crazy.

At the trial, Beausoleil subpoenaed Kenney's cousin and Holly Miller, compelling them to testify, and secured a guilty verdict. For Kenney that meant a \$250 fine, and a fresh supply of rage against the police. He felt victimized:



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## Crime

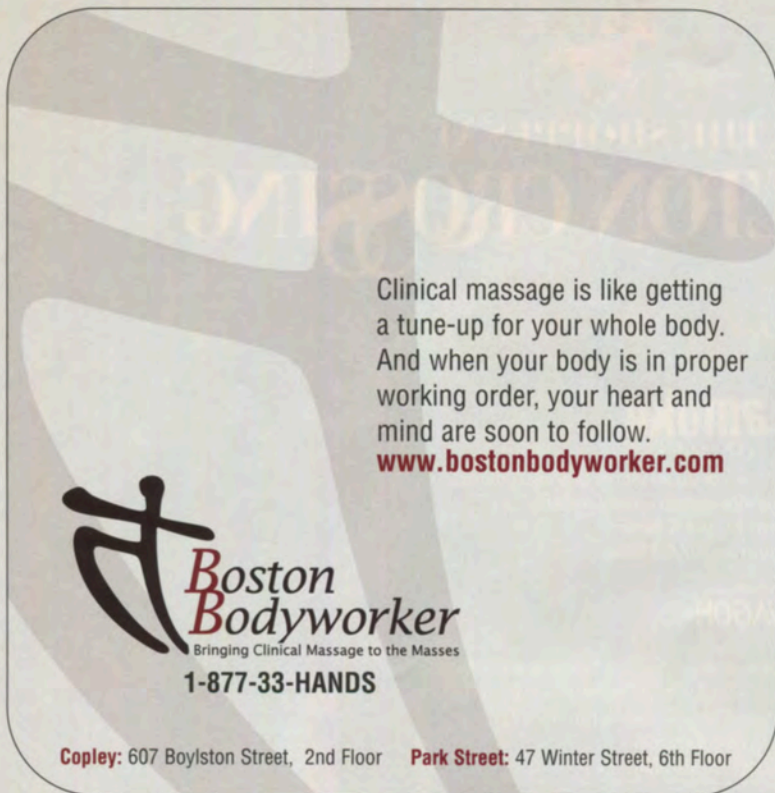
His house had been broken into, his gun stolen—and yet *he* gets punished? Afterward, Kenney started pulling away from even his closest friends. It was around this time that he was overheard grumbling about taking matters into his “own hands,” and started keeping a day planner inscribed with the words “my last days.”

**As McKay walked away from the** Celica, pepper spray in hand, Kenney reached down to the floor, where his treasured Hi-Point .45 was stowed. He swung the gun toward McKay, and, his eyes still streaming from the spray, fired off seven shots. One passed cleanly through McKay's forearm. Four others hit McKay in the side. In a break from character, McKay wasn't wearing his bulletproof vest. Dripping blood, he stumbled across the road, and tugged his gun from its holster. As he did, the weapon slipped from his hand.

Kenney revved his car forward, striking the officer. Then he backed up and drove at McKay again, this time plowing the front end of the Celica up over McKay's torso. The small car rode so low, its undercarriage got stuck on the officer's body, leaving it resting there as if snagged on a log. Caleb Macauley would later say that he thought Kenney was trying to escape and had only accidentally crashed into McKay. But the preponderance of the testimony in the official report suggests otherwise, that Kenney wanted to bury McKay, to mash him into the dirt.

Less than two minutes earlier, a dusty Silverado pickup had come down 116 from Franconia, slowing to a stop at the sight of McKay's Tahoe and Kenney's Celica facing off in the road. The truck was driven by a teenager named Gregory P. Floyd. In the passenger seat was his father, Gregory W. Floyd, a gnarled backwoodsman with deep-set eyes behind big glasses. When Kenney's gun came out and McKay went down, the elder Floyd jumped out of the cab. Apparently without pausing to see whether the officer was alive, he plucked McKay's weapon from the grass, coolly checking to make sure it was still loaded. He walked over to the Celica's passenger-side window. Through it, he could see Kenney frantically working to clear a bullet that had jammed in his Hi-Point's chamber.





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## Crime

Floyd's first shot rained glass on Macauley and tore through Kenney's neck. His second struck Kenney in the head. Macauley, crouching in his seat, could feel the bullets whistle over his back. He sat up to find Floyd pointing McKay's gun at his head. He'd later state that Floyd yelled at him to pick up Kenney's Hi-Point, and that he'd refused, fearing Floyd would shoot him if he did. Floyd ordered Macauley out of the car, and he unbuckled his seat belt, collapsing cross-legged onto the ground. He sat there, terrified, as Floyd peeled off his shirt to make a tourniquet for McKay and then fished Kenney's gun out of the car.

Floyd was still brandishing both weapons when Phillip Blanchard, an officer from the nearby town of

**Kenney had always wanted his remains to be put out atop Mount Kinsman, high above Tamarack, for coyotes to feast on.**

Sugar Hill, arrived at the scene. After Blanchard had yelled at Floyd several times to set the guns down, Floyd finally, slowly obliged, cautioning the officer, "Easy, son. I'm quicker than you."

By then, rescue workers from surrounding towns had begun to arrive. With their help, Floyd and Blanchard lifted the Celica off McKay. Connie McKenzie, who works as a nurse, arrived next and performed CPR on McKay until the EMTs took over. She says she wanted to check on Kenney, too, but was ordered not to. "I thought someone should at least take his pulse," she says. Kenney's body remained belted into the driver's seat while police swarmed the scene, collecting evidence and interviews. McKay was rushed to the hospital, where he was later pronounced dead.

The day after the shootings, New Hampshire Attorney General Kelly Ayotte, who has jurisdiction over all murders in the state, concluded that Floyd's use of deadly force appeared justified. New Hampshire Governor John Lynch also issued a statement, decrying the "senseless tragedy" of McKay's killing. One area policeman declared that Floyd deserved a medal. Floyd seemed to see things the same way. Making a rare visit to the village store to buy some



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## Crime

newspapers—which were sold out—he said, "I'm the guy who shot that kid."

**In the politicians' rush to absolve** Floyd, they glossed over a few things. Minutes after the police arrived at the scene, Floyd claimed that Kenney was the 43rd person he'd killed; later that night, he told police he "worked for the government in places and things you can't talk about." Floyd had also been found guilty of selling marijuana and PCP in Georgia, felony convictions that made it illegal for him to own the two firearms he kept stashed at his house way up in the deep woods of Easton, where a chain hangs across his driveway and at least one snarling Rottweiler patrols the grounds.

According to police records, in 1997 Floyd threatened to sic his dog on a utility meter reader who'd come onto his property; when state troopers showed up to arrest him, he tried to force them off his land by sending his son for a gun, shouting, "I know you wear vests, so I would have to put it right between the eyes!" During the ensuing scuffle, Floyd incurred another charge for trying to kneel one of them in the groin. He was found guilty of attempted assault, receiving three years' probation and a suspended prison sentence.

Bill Kenney is among those who theorize that Floyd was an informal backup for McKay, operating on a kind of buddy system. The two lived not far apart, and seemed to share a similar outlook on the world. Floyd refuses to speak to the press, but some in Franconia also speculate that he kept a police scanner, which would have let him track McKay's movements. In any event, in his role in the bloody events on Route 116, he outdid the slain cop-cum-prosecutor. For Liko Kenney, Gregory W. Floyd served as judge, jury, and executioner.

### On Wednesday, May 16, Bruce

McKay's flag-draped casket lay in state in Franconia's grand town hall. Not long before he died, he'd designed special gold-accented dress uniforms for occasions like this, and the department's two remaining full-time members wore them proudly. To pay their respects, police and firefighters gathered from all over New England, assembling some 500 strong to parade through town while a bagpipe and drum corps played "Amazing Grace."



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**Crime**

A few days later, despite a driving rain, several hundred turned out to mourn Liko Kenney at a service on the Tamarack soccer field, where they burned sage and sang the K. D. Lang song "Simple," about the "beautiful struggle we're in." Liko had always wanted his remains to be put out atop Mount Kinsman, high above Tamarack, for coyotes to feast on. But Davey and Michele decided to bury him alongside his uncle Bubba in what the Kenneys refer to as the Big Circle, a ring of stones that sits up past Jo's place and serves as the family cemetery.

For all his good intentions, Liko Kenney drove a wedge into his family that his death may have only widened. As it often had before, it goes back to the land. Jack

**The closer you look at Bruce McKay and Liko Kenney, the less different they seem, each man asserting his authority so fiercely.**

and his wife, Peg, left their 450 acres of property for their four surviving children to share in equally. But Bill's feuding with Liko over his ATV riding convinced Bill he wanted to carve out a parcel that was solely his, and he has hired a lawyer to extract his share. His siblings have retained lawyers, too, and now the dispute is in court, with the possible result being that Tamarack will wind up in the hands of a developer. There are other tensions simmering at the camp as well. The other Kenneys have grown so angry at the Millers for their role in Liko's prosecution, they have made it known that they would like the family to leave.

Liko Kenney has split the larger community, too, dividing Franconia into McKay people and Kenney people, a schism so wide that a group of residents has formed the Franconia Recovery and Reconciliation Committee to try to patch things up. That, however, is unlikely to happen anytime soon. The closer you look at McKay and Kenney, the less different they seem, each asserting his authority so fiercely it borders on self-righteousness. And for the town, it may not be that the dividing line runs between the two camps, but within them, in the beautiful struggle between the craving for order and that lust for freedom that McKay and Kenney died to express. **B**