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Published on *Independent Reader* (<https://www.indyreader.org>)

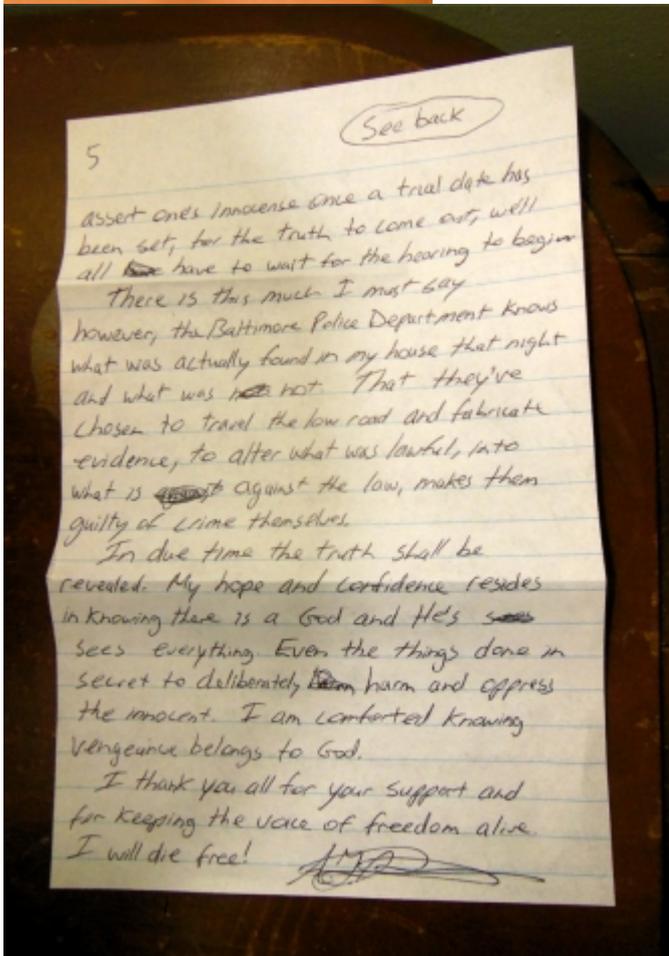
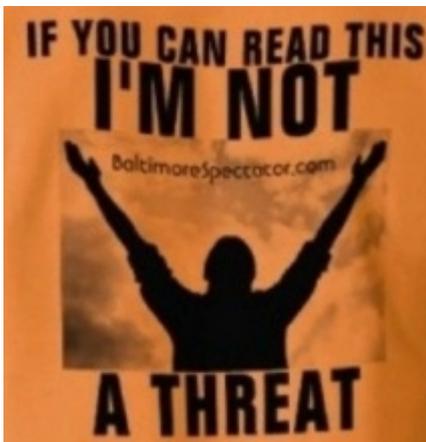
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Political Prisoner in Exile

Contributed by:

A.F. James MacArthur [1], Leo Zimmermann[2]

Monday, April 1, 2013 - 00:00



Preface

On 1 December, after prolonged criticism pointing out rampant corruption and gross incompetence by the Baltimore Police Department, the Empire struck back. In a classic display of poor judgment and inaccurate assessment of a situation, the police launched a full-scale, military-style assault against one man, viewed by them as a rebel.

The attack was intended to be carried out in secret. This is why it was done at night. They never intended for things to play out the way in which it did. When they initiated the ambush, the hope was to finally shut me down once and for all.

In a war of words, when I enlisted your support by telling you what was really happening, they hastily issued statements to the press while the incident was still underway.

From the very beginning, the spin was in. A man inside his private residence was suddenly deemed a “barricade situation”. Thanks to you all, the friends of truth and justice, they have not been allowed to practice the art of deception without resistance.

A Political Prisoner in Exile *A letter by A.F. James MacArthur*

#2335662
300 E. Madison St.
Baltimore, MD 21202

23 March 2013

To the Friends of MacArthur,

By the time you read this I will have been held prisoner for four months... on misdemeanor charges! This fact being one the popular press conveniently chooses to omit.

Subtle as it may seem, when the *Baltimore Sun's* Justin George wrote an article covering my 11 March arraignment, the route chosen was not “light for all.” For this would require full disclosure.

Using just over 250 words, the Sun's story failed to make clear that in our courts having two major divisions of crime—felony and misdemeanor—my case is of the latter, less serious category under our system of law.

Continually we see the government (via police statements, State's Attorney, even judges) attempt to convey things in a more alarming depiction than reality holds. Their co-conspirators in the press do little to counter these deceptions. If it wasn't for the fact that these sort of omissions are quite selective, my protestations could readily be dismissed as mere whining, but pay attention and observe.

A 12 March article in the *Baltimore Sun* by Justin Fenton suggests disappointment by judges that the State's Attorney's office is clogging up the Circuit Court docket with less serious misdemeanor offenses, as opposed to the usual felonies which can only be tried at that court.

The story even quotes Judge Fletcher-Hill saying “I don't understand,” referring to an arraignment

of two individuals charged with assault.

Although the case has an actual victim having filed a police report, the entire article leads the reader to believe that overall the case wasn't that serious, almost inferring it was a waste of the Circuit Court's time.

Compare this to multiple accounts of my arrest, where words are carefully chosen to paint a darker picture. Never mind that my case has no victims. The offense I'm accused of involves no one being hurt even in the slightest. Yet we see the *Sun* choosing to minimize a case of two men having assaulted another. What an insult to the victim. The reader should be insulted too.

Highlighting the lengths that popular press is willing to go through to obfuscate the truth is one small detail. The judge quoted, Judge Fletcher-Hill, is the very same judge who conducted my arraignment a day before. Nowhere is this mentioned in the story.

The *Baltimore Sun* runs this extensive piece persuading the reader that this assault case is relatively minor and is not deserving of Circuit Court attention. Compare this to the treatment just one day prior of my story before the same judge.

But there's more. In multiple press accounts, I'm repeatedly referred to as a "blogger." What's left out is that the target of much of my writing was the police and mainstream media, especially the *Baltimore Sun*. Knowing this, is it any wonder my story is given a special sort of treatment by these people?

A treatment that aims to be portrayed as truthful and accurate, but in reality leaves a lot of relevant information unsaid. If this is being done to my story where the deceptive omissions can be readily countered, how much worse is it for others not having my voice, not having my audience?

It has been said, the truth shall set you free, and when all is revealed about what actually happened the night of 1 December, many will be shocked. The internet or the press not being the proper venue to assert one's innocence once a trial date has been set—for the truth to come out, we'll all have to wait for the hearing to begin.

There is this much I must say, however: the Baltimore Police Department knows what was actually found in my house that night and what was not. That they've chosen to travel the low road and fabricate evidence, to alter what was lawful, into what is against the law, makes them guilty of crime themselves.

In due time the truth shall be revealed. My hope and confidence resides in knowing there is a God and He sees everything. Even the things done in secret to deliberately harm and oppress the innocent. I am comforted knowing vengeance belongs to God.

I thank you for all your support and for keeping the voice of freedom alive. I will die free!

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Letter by A.F. James MacArthur. Photo by: Leo Zimmermann

Addendum by Leo Zimmermann

Baltimore City continues to hold James MacArthur in Central Bookings, where he now awaits a trial scheduled for May 8. MacArthur has appeared twice, briefly, since the State's Attorney upgraded his case to the Circuit Court.

On February 1, he appeared before Judge John A. Howard, for a new bail hearing enabled by the transfer of the case to Circuit Court. Judge Howard was a surprise replacement for Judge Lynn K. Stewart—who had denied bail in December when the case was still in District Court.

State's attorney Katie O'Hara made a case against MacArthur, saying at first that he had created a “hostage situation” at his house. Howard corrected O'Hara, and she revised her statement, saying that it was a “barricade situation”. She proceeded to argue that MacArthur had threatened police officers, citing his tweets: “now I got swat on my back... so much for peaceful surrender...” and “poor guy I take out might have family.” [3]

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Context for the “poor guy I take out” tweet.

O'Hara acknowledged that although MacArthur was not prohibited from possessing firearms, that he had “so many PBJs that he raised a threat to public safety”. (PBJ, Probation Before Judgment[1], is a legal arrangement in which the legal decision in a case is contingent on behavior during parole). She then mentioned MacArthur's psychiatric evaluation as possible reason for his detention, despite the fact that his mental health was sound.

State Delegate Jill Carter presented MacArthur's case, saying he was a “prolific tweeter” and suggesting that the prosecution had taken messages out of context. She also mentioned that MacArthur had a wide range of support from his community and online.

When probed by Howard, Carter said she was also trying to argue that police had threatened MacArthur. MacArthur himself nodded vigorously at this point. Howard said that none of Carter's arguments explained the “barricade situation”.

Carter said that “alarming tweets” were not grounds for “punitive detention”. Judge Howard responded that “pretrial detention is not punishment”.

Howard denied bail, saying that MacArthur would be a flight risk if released. Instead of showing up to court for his trial, Howard said, “he might do just what he did before: stay home and Tweet”.

Carter informed the public after this hearing that attorney Mark Van Bavel would be taking over the case. Van Bavel says he heard about the case from a family member, and approached Carter about defending MacArthur, pro bono.

On March 8, as described above, MacArthur was arraigned by Judge Lawrence P. Fletcher-Hill. Fletcher-Hill was also 'filling in' for another Judge who had not appeared. MacArthur appeared last in a batch of about 20 cases.

MacArthur appeared ready to speak for himself, having learned in advance that Van Bavel would

not be available. He asked to present his own case, but the judge denied him permission to speak unless he was willing to waive his right to a lawyer. He raised the issue of bail; Fletcher-Hill said “I don't reconsider bail at arraignment.”

A hearing on MacArthur's probation violation—the *causus belli* for the massive raid on December 1—was canceled at the last minute when the State dropped this charge. Van Bavel announced that due to this change in circumstances, he could file for another bail hearing. This hearing has been scheduled for April 9 (8:30 AM, Clarence Mitchell Courthouse, Room 215). However, Van Bavel says he doesn't think there's a “great chance” of success.

Instead, he says he is looking forward to “discovery”: the point at which the prosecution will reveal (to him) the evidence they plan to bring against MacArthur. Van Bavel has pre-emptively filed several motions pertaining to the evidence:

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MacArthur's house on McKewin Ave. in Waverly has been boarded up. Police placed the boards at the request of friends—concerned about the broken windows open for weeks after the arrest in December. The house itself is now in foreclosure.

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MacArthur has many [supporters](#) [4] who believe he is being treated unfairly. They appear regularly at his legal events and have taken actions to raise awareness about his situation.

Note:

[1] Thanks to Paul Behler for correcting "Parole Before Judgment" to "Probation Before Judgment."

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Links:

[1] <https://www.indyreader.org/contributor/af-james-macarthur>

[2] <https://www.indyreader.org/contributor/leo-zimmermann>

[3] <https://twitter.com/BaltoSpectator/status/275019368193216512>

[4] <http://friendsofmacarthur.wordpress.com>