

# POLICE FINALLY TAKE DOWN MEXICAN FLAG BURNER

Wednesday, 05 August 2009

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Using a custody battle which has simmered within Warden's adopted family for the last two years as a lever, Tucson Police department officials "set up" Warden and finally, after three years of concerted effort, "took him down" on the evening of August 03, 2009 for driving with a suspended license, for which jail time may be mandatory...

"For 3 years they've tried to 'get me' for my political speech and for 3 years I've beaten them," Warden said.

"I have to admit: they set me up and played it beautifully."

For 3 Years Tucson Officials Have Tried to Stop Warden's Speech

Three years ago, immediately consequent to leading a group of 15 "Close Border" activists into Armory Park on April 10, 2006 to confront a howling mob of 15,000 "Open Border" activists led by Pima County Legal Defender Isabel Garcia who shouted "today we march tomorrow we vote," Warden was arrested for Reckless Burning (a lesser charge included in Arizona's Arson Statute) Assault and Criminal Damage.

"At trial I beat the first rap cold," Warden said.

"Tucson Municipal Court Judge Hays denied me the right to put 40 police officers on the stand. These officers had seen every thing I had done in

Armory

Park

on that day. After the judge heard my closing argument he was forced to find me 'not guilty' as a matter of law, or I would have beaten him on appeal."

12 More Arrests and 5 Criminal Trials

Over the next three years came a series of 12 separate arrests consolidated into 5 criminal trials; cases in which Warden had videotaped Tucson Police Officers actively encouraging left wing activists to physically attack him at his rallies, or, who just stood by and smiled while left wing activists spit on him and threatened to kill him, all in direct violation of U.S. Supreme Court decisions.

"I kept defending my First Amendment rights in court," Warden said.

Finally, having no other way to stop him, Tucson City Court Judges issued a series of orders which denied Warden the right to attend and speak at future political rallies.

Prior restraint of political speech has been ruled unconstitutional by the U.S. Supreme Court. It is one of the few Court Orders which has been declared to be "transparently invalid," meaning: it may be lawfully disobeyed because, as a matter of law, it is an order beyond the jurisdiction of any court, including the U.S. Supreme Court, to issue.

"So I disobeyed them," Warden said.

"I shoved the unlawful order right in their ugly faces. I continued to go to my rallies to speak anyway. So they went ahead and had me arrested."

Warden says he's about to file a Special Action in the Arizona Appellate Courts, which will deal with the issue of prior restraint and Tucson Police failure to protect him at his rallies, as mandated by the U.S. Supreme Court.

How Police Finally "Got" Warden on August 03, 2009

On Monday evening August 03, 2009 Tucson Police officer Dorman responded to a call from Warden's residence regarding failure to obey a custody order.

Warden's "roommate" (hereinafter referred to as "M") has been embroiled in an acrimonious custody battle with her ex-husband "L." On numerous occasions "L" has refused to deliver "M's" son to "M's" residence as mandated by the schedule set by the Court.

On each previous occasion the responding police officer had (1) come to "M's" home, (2) reviewed the Court Order, (3) gone to "L's" residence, (4) demanded that "L" return "M's" son to her residence, after which (5) "L" complied.

On one occasion the responding officer brought "M's" son home in the front seat of a squad car, to the child's delight.

On August 03, 2009, Officer Dorman first followed police procedure, and (1) ran a license check on Warden's vehicle which was parked at the residence with expired tags in clear view, and (2) ran a criminal background check for all known residents, including Warden.

Thus; prior to meeting with "M" Officer Dorman knew Warden's registration had expired and knew Warden had a suspended license.

Therefore; is altogether surprising that Officer Dorman, after first telling "M" that she would transport "M" to "L's" residence in a police vehicle, suddenly changed her mind, pointed to the Warden's vehicle with clearly expired tags, and said: "I am not a taxi service. You'll have to follow me if you want to get your son."

In sum and substance, "M" responded: "I have a bad eye and cannot drive."

Officer Dorman persisted: "If you don't follow me you won't get your son."

Then Officer Dorman, in sum and substance, said: "Can you get your husband (Warden) to drive you?"

So Warden, acting with the reasonable belief the police were instructing him to drive the vehicle, got in and said to "M": "I hope the police are not setting me up!"

Subsequent to driving to "L's" residence, another police officer, later identified as "Friedman," arrived. Officer Dorman then told "M:" "I know there are issues with your car but I've decided to overlook them. Don't worry. You will be able to drive home with your son."

A few minutes later, after "M's" son was seated in the car, Officer Friedman "smirked" and told Warden: "You are driving with a suspended license in a vehicle with expired tags. We are going to write you a ticket and confiscate your vehicle."

Warden angrily informed both officers he had often appeared in front of the Tucson City Council to speak in support of higher wages for TPD officers and he was working to get illegal immigrants out of the community "...for your (police) safety and ours because we all know they commit violent crimes 4 times as often as American citizens."

Officer Friedman replied: "I was shot in the leg by an American citizen."

"I complied with explicit police instructions," Warden said.

"I drove my car even though my tags had expired and my license was suspended because it was the only way the police would help 'M' get her son. And after I did everything the police told me to do they arrested me and confiscated my car."

Since Warden is now on probation on a case in which the appeal has not yet been filed, it is completely within Warden's Probation Officer's power to revoke Warden's Conditions of Release and send him to jail.

"I don't know if I'm going to jail," Warden said. "But some of the Deputies already told me what they'll do to me if they get me inside."

"My

PO

seems like a reasonable guy. But after all, this is

Tucson

Arizona

, where public officials openly use their offices to promote "Open Border Policy" and smuggle Mexican Illegal Aliens in violation of federal law."

"I've often written how

Pima

County

is run like a police state. So you just never know."