



Written by [Jack Kenny](#) on August 24, 2012

Judge Orders Release of Marine Vet Held Over Facebook Postings

A circuit court judge in Virginia ordered the release August 23 of Brandon J. Raub, a Chesterfield man held involuntarily as a psychiatric patient at the Salem Veterans Affairs hospital in Virginia over anti-government postings on his Facebook page. Raub, a Marine combat veteran who served in both Iraq and Afghanistan, was visited by FBI and Secret Service agents at his North Chesterfield home on August 16, then taken by police under an emergency custody order to John Randolph Medical Center in Hopewell. He was transferred to the veterans hospital on August 20. A medical assessment of his condition at John Randolph described him as paranoid and delusional, the *Richmond Times-Dispatch* [reported](#). But after an hour-long hearing in Hopewell Circuit Court August 23, Judge W. Allan Sharrett dismissed an involuntary commitment petition as invalid.

"The petition is so devoid of any factual allegations that it could not be reasonably expected to give rise to a case or controversy," said the release order signed by Sharrett, vacating the order of Special Justice Walter Douglas Stokes to detain Raub for 30 days. Stokes, who presides over commitment hearings, also ordered Raub's transfer to the VA hospital in Salem, about 180 miles from his home. Judge Sharrett said he was shocked to find the commitment order contained no grounds for holding Raub.

"This is phenomenal," Raub's mother, Cathleen Thomas said, hailing the news of the release. "This has never been about anything but freedom of speech," she said as she prepared to go to Salem to pick up her son. "We're going to continue to post on Facebook."

Court records in the case include references by a Chesterfield County crisis worker to Raub's beliefs and his Facebook postings. "Client believes that 911 was a conspiracy caused by the U.S," the crisis worker wrote. "Client met with the FBI and Secret Service to explain recent posts on Facebook," reported the crisis worker. "Client's friends reported client to the FBI for posting extreme conspiracy theories and threats to President Bush. This counselor asked client about why the authorities were involved and he stated because they know I am on to something." Raub was at the Medical Center on August 18 when he spoke in a telephone interview with the *Times-Dispatch* about the visit to his home two days earlier by the Chesterfield police and agents of both the FBI and Secret Service.

"They were concerned about me calling for the arrest of government officials," he said.



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He was taken to the Chesterfield police station, Raub said, before being sent to the hospital. "I talked to a Secret Service gentleman for 20, 30 minutes," he said. "I was very cooperative and answered everything honestly. I really love America, and I think that idea that you can be detained and sent somewhere without due process and a lawyer ... is crazy."

Raub, 26, told the Richmond paper he served in the Marines from 2005 to 2011 and attained the rank of sergeant as a combat engineer, and currently runs a silver numismatic coin business from his home. Raub said he had been raising questions about 9/11 and had signed a petition calling for a new investigation of the terrorist attacks. In his postings, he warned of leaders promoting "corporate fascism" and a global banking system.

"Your leaders are planning to merge the United States into a one-world banking system," Raub wrote on his Facebook posts. "They want to put computer chips in you ... these men have evil hearts. They have tricked you into supporting corporate fascism. We gave them the keys to our country. We were not vigilant with our republic."

On August 4th, he wrote, "I am standing against a great evil. I will do it myself if I have to." The next day, he posted: "If you are unaware of the great amount of evil perpetrated by the American Government I suggest you take ... your head out of the sand. The day of reckoning is almost at hand." On August 15th, the day before he was taken into custody, Raub declared "the revolution is here. And I will lead it."

The picture on his Facebook page appears to be of Raub in his Marine Corps days, stripped to the waist, wearing camouflage utility trousers and holding a rifle. The postings do not explicitly call for violence in the "Revolution" and the "day of reckoning," however, and Raub says he does not own a gun. But the FBI was taking no chances.

"Our office had received a complaint about threatening posts," Dee Rybiski, a spokesman for the Richmond FBI office told the *Times-Dispatch* last week. "As we would do in any circumstance such as this, our office along with Chesterfield Police officers went to interview Mr. Raub." Though a [video](#) accompanying the story on the newspaper's website shows police handcuffing Raub and putting him in a police cruiser, local police seemed eager to credit the arrest to the federal authorities.

"We were assisting the FBI," said Chesterfield Police Lieutenant Rich McCullough. "All we did was transport" Raub to John Randolph Medical Center, he said. But the bureau declined the credit. "The FBI did not arrest him," Rybiski said. "We are not commenting any further." Apparently the Secret Service didn't do it, either: "That subject was not arrested by us on any charges," Max Milien, a Secret Service spokesman in Washington told the *Times-Dispatch*.

But news of the "non-arrest" went viral on the Internet and got the attention of the Rutherford Institute, a civil liberties organization based in Charlottesville, Virginia. Lawyers for the Institute challenged Raub's detention and won the release order that Judge Sharrett signed August 23.

"Brandon Raub is no different from the majority of Americans who use their private Facebook pages to post a variety of content, ranging from song lyrics and political hyperbole to trash talking their neighbors, friends and government leaders," John Whitehead, president of Rutherford Institute, said in a [news release](#) earlier this week. Whitehead issued a sharp condemnation of the government action.

"For government officials to not only arrest Brandon Raub for doing nothing more than exercising his First Amendment rights but to actually force him to undergo psychological evaluations and detain him against his will goes against every constitutional principle this country was founded upon," Whitehead



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said. "This should be a wake-up call to Americans that the police state is here."

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