

# Groping suspect walks out of jail after posting bond

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A Macomb County district court judge on Thursday increased the bond of a Detroit man accused of groping a teenager at Lake St. Clair Metropark.

Judge Sebastian Lucido of 41B District Court in Clinton Township granted an emergency motion made by the Macomb County Prosecutor's Office to hike a \$50,000 personal bond to a \$50,000 cash or surety bond for Abdulnasar Muthana Abdullah Muthana.

As a result, Muthana had to post \$5,000, or 10% of the \$50,000 bond, to stay out of jail. His attorney had arranged for a bondsman to attend the hearing and Muthana walked out of court after posting it.

"We knew this was coming," defense attorney Bradley Friedman said of the judge's ruling. "Judges have a tendency to become conservative when there are TV cameras around. The judge was reacting to a social media storm concerning my client."

The judge also ordered Muthana to wear a steel-cuff GPS tether if he posted the bond.

Although Judge Lucido made reference to the suspect's "erratic behavior" following the arrest, he did not order a mental health evaluation.

Macomb County Prosecutor Peter Lucido, who is a distant cousin of the judge, said he wanted the suspect undergo a psychological exam.

"When we read the report, there was an obvious question in my mind as to what was Mr. Muthana's reason for allegedly doing this crime and what was the reason for his unusual behavior after he was arrested that led him to be taken in for a medical evaluation," Lucido said.

Muthana, a Yemen native, doesn't speak any English and had a translator at his side during the court appearance.

The charges stem from an incident last Saturday where Muthana allegedly grabbed a 15-year-old girl by the buttocks and stuck his hand down her pants at the Harrison Township park. He was arraigned on charges of fourth-degree criminal sexual conduct.

The girl was able to fight off the attack by kicking the man in the groin, according to the Macomb County Sheriff's Office and Huron-Clinton Metropark police.

When Muthana was initially arraigned on Tuesday, Magistrate Ryan Zemke released him on a \$50,000 personal bond. A personal bond means the defendant doesn't have to pay any money up front to assure their appearance in court.

The story sparked an intense response on social media, with Detroit media and social media commentators questioning why the suspect was allowed to go free without posting a bond.

Lucido, the county prosecutor, denied his office's actions was in response to public criticism.

"We ran to file this motion, we couldn't go any faster than we did," he said. "The real question is why was a personal bond given for an act so egregious. Why wasn't he ordered to wear a tether? That's what needs to be addressed."

Friedman, the defense attorney, said the prosecutor's office was to blame for not making a better case for a stricter bond during Tuesday's hearing.

"They came to court unprepared," he said.

According to prosecutors, after he was arrested, Muthana "became difficult" with the officers.

He allegedly began to belch, scream and spit in the patrol car. When they arrived at the jail, Muthana allegedly dropped to the floor multiple times, and refused to stand.

Officials said the jail nurse determined Muthana needed to be evaluated for a health screening. He was transported to McClaren Macomb hospital in Mount Clemens, where "he continued to be unresponsive to verbal commands and inquiries."

While at the hospital, authorities said Muthana struggled with hospital personnel. Security staff were called in to restrain his arms and legs for a health evaluation to be performed by the hospital staff, according to prosecutors.

Friedman said he believes his client, who doesn't have an arrest record, was acting out because he doesn't speak English and could not understand what the authorities were doing to him.

If he is convicted of the fourth-degree CSC charge, Muthana faces up to two years in jail and be required to report in on the Sex Offender Registration Act.

Other conditions set by the court include having no contact the victims, no contact with minor children, no weapons, and no drugs. He also was told to stay out of Lake St. Clair Metropark or any other park where children are present.