

Orlando Sentinel

No extra pardons for Jan. 6 reoffenders



FILE – Rioters loyal to President Donald Trump rally at the U.S. Capitol in Washington on Jan. 6, 2021.

On Sunday, Jan. 28, 2024, a retired judge recommended to Illinois election officials that former President Trump's name should be removed from the Illinois primary ballot, but the decision should be left to the courts. (AP Photo/Jose Luis Magana, File)



By [Robert Weiner and Katherine White](#)

PUBLISHED: March 28, 2025 at 5:30 AM EDT

After violent insurrectionists attacked the U.S. Capitol in an attempt to overturn the 2020 election, instead of respecting the judicial system and rule of law, on the first day of his second term in office, President Donald Trump instead granted pardons to nearly 1,600 people involved in the attack, pardoning those guilty of violent charges, including assaulting police officers. Trump claimed these people are “patriots,” but some of these so-called “patriots” are already back in prison for more violent offenses. Now these repeat offenders want another get-out-of-jail-free card.

22.2% of all defendants on Jan. 6, 2021, had a prior criminal record. Some individuals stand out for their violent crimes. Edward Richmond Jr. was dishonorably discharged from the U.S. Army and convicted of manslaughter after being convicted of shooting a “handcuffed Iraqi cow herder in the head with his rifle.” Theodore Middendorf was charged and sentenced in 2018 for the criminal sexual assault of a child in which he pled guilty. Some of these offenders, despite these horrendous actions before and after Jan. 6, walk free from Trump's blanket pardon. Benjamin Martin had several sentences for battery against his 14-year-old daughter and his girlfriend and was “on supervision” for these convictions during Jan. 6. During the police search warrant on his property, the FBI found an AR-15-style rifle and “more than 500 rounds of ammunitions,” which was prohibited because of his prior convictions.

Robert Weiner was Florida Congressman Claude Pepper's committee Chief of Staff and spokesman for White House drug czar Barry McCaffrey, among others. (Courtesy photo)

The United States Sentencing Commission reported that violent offenders recidivate more often, more quickly and more likely for another violent crime again than non-violent offenders. After eight years in their study, they found that 63.8% of violent offenders released in 2010 were rearrested, and the median time of rearrest was only 16 months. 608 individuals on Jan. 6 were arrested and charged with "assaulting, resisting, or interfering with law enforcement." That would mean that nearly 388 of the 608 are likely to reoffend — and the 174 charged with "assault" or "causing serious injury" on a police officer would mean 111 of those would be expected to repeat a similar violent crime.

Locally, a native of Homosassa, Daniel Ball was pardoned for throwing an explosive device at law enforcement officers at the Capitol. Days after his pardon, he was rearrested for a prior gun charge. The U.S. Attorney of Florida's Middle District asked a judge to dismiss this weapons charge on grounds that he was already pardoned on Jan. 20 by the president. FBI agents had discovered in his home loaded rifles and ammunition, as well as several "commercially produced 'm-style' explosive devices." Ball also had three prior felony convictions, including one in 2017 for domestic violence battery.

Jeremy Michael Brown of Tampa was arrested and sentenced to an additional seven years for another sentence unrelated to Jan. 6. Brown was found to be possessing illegal weapons and a classified military document in his home. Brown is similarly claiming that Trump's pardon should cover this crime too.

A Feb.20 nonpartisan Ipsos poll including Democrats, Republicans and independents shows that about 83% of respondents oppose Trump's pardon for those who committed violent crimes Jan. 6, and 55% oppose the pardons for insurrectionists convicted of nonviolent crimes. Nobody expects Trump to rescind the pardons, but he must make clear there is no "extra credit" for other violent offenses. These people must be held accountable for their actions. However, the Department of Justice has erased the database of those involved in the attack. Those expecting extra pardons for more violent offenses clearly do not respect the rule of law in the U.S. and do not deserve extended freedom from prosecution.

For those with long memories, George H.W. Bush won in 1988 and erased Michael Dukakis' lead in the polls partly with a TV commercial known as the "Willie Horton ad." The ad's message: Dukakis as governor of Massachusetts "allowed murderers to have weekend passes," then Horton, who had such a pass, committed rape and assault in Maryland. Republicans emphasized the ad. The Justice Department is now considering pardons for additional crimes. With the statistical likelihood of recidivism, could Trump's potential additional pardons of repeated violent Jan. 6 convicted criminals become his Willie Horton moment?

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