

January 6 Defendant Deserves Justice Tempered with Leniency and Reason

By Matt A. Mayer

I know the Cua family: Joe, Alise, Bruno, Nina, and Nico. Joe and I went to high school and college together in Ohio, so my friendship with him runs 35 years. After I was class president our junior year, Joe was student body president our senior year as well as captain of the football team. A year ago, my kids and I drove down to Marco Island for winter vacation. On our way back to Ohio, we stopped and spent time with the Cuas at their home in Georgia on Christmas Day and December 26, less than two weeks before January 6, 2021.

During our time together, the kids explored the Cua's horse barn, scaled a three-story treehouse Bruno had built, and watched football. I spent some time with Bruno, who had recently turned 18, talking about our shared passion for America. Bruno showed me his truck, the rigging he built to hold big flags, and the enormous Trump and American flags he would fly on the truck at political events.

Bruno was clearly proud of his truck and its flags. He even showed me a video clip when Ivanka Trump noticed the Trump flag during a speech and pointed it out to the crowd. He hoped the clip would go viral on social media. I sent the clip to a mutual contact I shared with Ivanka hoping she or one of her brothers would give Bruno a shout-out on social media to boost his following (they didn't). He talked about how excited he was to take the flags with his parents to Washington, D.C., for the big Trump rally on January 6, 2021, so tens of thousands would see the truck with its flags.

Our families prayed and had dinner together where we talked about the good old days, Nina's equestrian riding aspirations, and a million other topics. As avid hunters who live in a more rural area, the Cuas own guns and a hunting dog, which I would have taken with me given how amazing he was. The next morning, we had a great breakfast of Joe's delicious German pancakes, as the kids continued to play with the Cua's cats and dogs.

Before we left, Joe, Alise, and I talked about their D.C. plans and I urged them to be careful given the reports of Antifa and Black Lives Matter activists planning to disrupt the rally. We remembered all too well the violence by those groups in D.C. after Donald Trump's inauguration [in 2017 and during 2020](#). They promised they would be. There was no discussion of anything other than the rally.

About a month later, my niece sent me an article reporting that Bruno had been arrested for entering the Capitol. He was the

youngest January 6 protester to be arrested. I followed his case as best I could from afar, as I didn't want to bother the Cuas knowing how chaotic their lives had become. I [read](#) that Bruno had been denied bail and tossed into solitary confinement. Eventually, he was [sent to Oklahoma](#) where he was beaten and caught COVID. I was shocked. It wasn't like Bruno was accused of being one of the people who physically broke into the Capitol Building or violently assaulted police officers.

From everything I read, he was just a kid who got caught up in the moment and made a few bad decisions—who hasn't at 18? He entered the Capitol with throngs of others, he may have had physical contact with a man in a suit (video isn't clear and the suited man doesn't recall the exchange), and he had one of those little batons so many people have, which he isn't accused of actually using against anyone.

In fact, I think virtually all of the video of Bruno shows him recording on his phone—what better way to go viral on social media as so many teens, including my own daughter, try to do than to have amazing footage from January 6?—and not doing anything with the baton. As I learned much later, Joe gave him the baton for protection because of those reports of Antifa and BLM thugs being in D.C.

That's it. Bruno was arrested and shipped off to Oklahoma essentially for trespassing, bumping a cop, and carrying a small baton. I won't insult you by listing the countless Antifa and BLM activists who routinely attacked police officers and threw bricks and other projectiles who, if arrested (a big if), were not only given bail but had their bail paid for by Hollywood elites and politicians like Kamala Harris. A simple [Google search results](#) in thousands of videos showing equal or far more violent encounters with police than anything that happened on January 6.

In 2020, Antifa and BLM rioters burned down police buildings, tried to burn down courthouses, and even made attempts on the White House, including [physically assaulting Senator Rand Paul \(R-Ky.\) and his wife](#). There were no massive manhunts conducted to find the 2020 rioters. Many of those activists have had their cases dropped or, at most, have been slapped on the wrist with minor jail times, fines, or community service. A few weeks ago, rioter Gabriel Agard-Berryhill, 18, took [a plea deal](#) for throwing an explosive device that started a fire at a federal courthouse in Portland, Oregon and put police officers' lives at risk—a

felony. The result? He was sentenced to [time served with two years of supervised release](#). Several January 6 defendants have received far harsher sentences for doing much less. (I've [previously detailed this double standard](#) of justice between 2020 rioters and January 6 protesters.)

Bruno finally was released and allowed to return home to his parents after nearly two months in jail. Despite having no criminal record—not so much as a speeding ticket—and no passport, Bruno is required to wear an ankle monitor as the prosecutor and judge believe he is a risk to the community due to his actions on January 6 and a few over-the-top social media posts and retweets. He surely isn't a flight risk. It made me think back to some of the things I said and did when I was 18. I am grateful social media didn't exist back then because I can only imagine how my immature and impulsive actions could have been used against me.

As they say, to err is human. If you have teenagers, the saying should be, to err *a lot* is being a teen.

Three critical points can't be emphasized enough: First, if there was intent or a plan to "storm the Capitol" to shut down the government through an insurrection, the Cuas clearly didn't know about it. Given that not a single person has been [charged with insurrection](#) after nearly a year of the federal government pouring endless resources to find evidence of such a plan, it seems fairly obvious there was no plan.

Second, if Bruno thought he had committed a crime, he certainly wouldn't have posted his video from the Capitol on his social media posts knowing how easily such posts go viral and could be vacuumed up by the FBI. The fact that he did speaks to his state of mind: an 18-year-old who followed the crowd and then posted his activities to gain "likes" and followers from like-minded Americans.

Finally, and it can't be emphasized enough, Bruno was barely 18-years-old when he messed up. Unlike most of the January 6 protesters who had years-to-decades of adult experiences to help them gauge their actions on that day, Bruno, separated from his parents in his effort to get good video shots, had little-to-no adult experience to guide his decision-making. It is one thing for an adult who's been around the block a time or two to do what Bruno did and not have a legitimate excuse to explain his conduct. For Bruno, however, being an impulsive teenager who gets caught up in the events around him calls for those judging him to exercise some leniency and reasonableness. He was functionally just a kid.

In Bill Buford's excellent book, [Among the Thugs](#), which chronicles the British football hooligans who caused so much destruction, injuries, and deaths in the late 1980s and early 1990s, he devotes a whole chapter to the psychology of belonging and crowds. As I [tweeted in September](#) after reading the book, the chapter is "like a case study on how protests/crowd can turn violent rapidly . . . especially relevant post-2020 and 1/6/21 riots."

I was struck to see the parallels between what happened on Premier League game days in England and what happened so often in 2020 with Antifa and BLM rioters and on January 6,

2021 with Trump protestors and rioters. There is significant research on how peaceful crowds can suddenly turn violent. Bruno's story is not much different from those of the teens caught up in the hooliganism of British football fans.

At any rate, Joe isn't the kind of dad who makes excuses for his kids. He has taught them to be self-reliant, honest, and decent young Americans. Joe also has taught them to be accountable for their actions. What Bruno did on January 6 was dumb and wrong. Joe knows that. Bruno knows that. In any other situation disconnected from the hyperpartisan environment we now live in, coming to a reasonable deal with prosecutors would have been easy and done by now. But Bruno was a Trump supporter who did what he did in D.C.—in other words, for supporting the wrong party, in the wrong city, and at the wrong government building.

We all know what would have happened to Bruno's case if he had been part of the group that stormed the Senate building to interrupt an official government proceeding during the Brett Kavanaugh Supreme Court hearings and did *exactly* what he did on January 6. Watch this [video and listen as CNN describes the slap](#) on the wrist those protestors got for doing virtually the same thing Bruno did. He never would have been denied bail, sent to Oklahoma, tagged with an ankle monitor, and watched his parents bankrupted by legal bills because his choice now rests between extensive jail time and rolling the dice with a trial . . . for *trespassing*.

Too bad Bruno didn't make his mistakes a few months earlier when he was still 17. Then his minor status may have gotten him excused entirely. But it shouldn't matter. Any reasonable person reviewing Bruno's case would conclude he deserves some leniency and reasonableness. An 18-year-old first-time offender who trespassed and got slightly carried away with thousands of other people in any other time, city, or event would get hit with time served, a fine, probation, and community service. Many of the January 6 defendants deserve similar treatment.

The Cuas are good people. Like so many January 6 defendants, the nightmare they have endured since Bruno's arrest has bled them dry financially. They need help to ensure that their teenage son's life isn't forever ruined by a dumb decision he made that didn't hurt another person. A family friend started a [GiveSendGo crowdfunding](#) account to try to raise funds to cover Bruno's legal defense, as so far there has not been prosecutorial leniency when it comes to his case. If you can help, please do. As parents with teens know, there but for the grace of God go we, given how impulsive and shortsighted they can be.

After all, Bruno's case isn't just about Bruno. It is about ensuring that justice in America is even-handed and dispensed with leniency and reason. If we don't fight for Bruno today, who knows what they will do to another family's kid tomorrow.

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