

Jury seated in federal trial of four who plotted to kidnap and kill Michigan Governor Whitmer

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On Tuesday, a jury was selected in a federal district court in Michigan in the federal trial of four men who have been charged with plotting to take the governor of the state hostage in 2020. Opening statements will begin on Wednesday in the US District Court in Grand Rapids.

Adam Fox, 38, Barry Croft Jr., 46, Daniel Harris, 24, and Brandon Caserta, 33, are on trial facing a federal charge of conspiracy to kidnap Michigan Governor Gretchen Whitmer in 2020 because they were allegedly angry and opposed to her response to the COVID-19 pandemic. The plot included a plan to seize the governor from her vacation home in Elk Rapids, Michigan.

In addition to the kidnapping charge, Croft and Harris have been accused of conspiracy to use a weapon of mass destruction. If convicted, each defendant faces up to life in prison. Fox, Caserta and Harris are Michigan residents and Croft is a resident of Delaware.

Before the jury was selected, Chief District Judge Robert Jonker told the prospective jurors that their political views did not matter in the case. “The only thing that matters is the evidence, what witnesses say under oath, and what the exhibits show you. That’s the only basis of your decision. ... The case is all about the judicial system. It’s not an election,” Jonker explained to the jury pool.

Nearly all the prospective jurors said they had heard of the case, and many were dismissed for their views on a range of topics asked about by the judge. A report in the *Detroit Free Press* said that by 1:45 p.m., 24 people had been dismissed “including a man who said he has ‘personal issues against the governor,’ another man who said he would probably be biased against her; a woman who said the news has ‘tainted her’ and that she’s not a fan of the governor; and a bed and breakfast owner from up north who expressed some mistrust with the government.”

The judge said the trial could last six weeks and told those who were selected to serve on the jury to stay off social media and not to discuss the case with family members.

The defendants, some of whom had ties to the paramilitary Wolverine Watchmen, were arrested on October 8, 2020, after a federal complaint was filed two days earlier with the US Justice Department following an investigation by the FBI that began earlier in the year based on information obtained on social media that a “group of individuals was discussing the violent overthrow of certain government and law enforcement components.”

The Justice Department press release at the time revealed that the complaint had been obtained through “confidential sources,” including “undercover agents and clandestine recordings” that showed the individuals “were planning to kidnap the Governor and acting in furtherance of that plan.” The statement said, “the group used operational security measures, including communicating by encrypted messaging platforms and used code words and phrases in an attempt to avoid detection by law enforcement.”

The statement also said that “on two occasions, members of the alleged conspiracy conducted coordinated surveillance on the Governor’s vacation home. Fox and Croft discussed detonating explosive devices to divert police from the area of the vacation home and Fox even inspected the underside of an M-31 highway bridge for places to seat an explosive.”

The statement went on, “Among other activities, the complaint alleges Fox purchased a taser for use in the kidnapping and that the group successfully detonated an improvised explosive device wrapped with shrapnel to test its anti-personnel capabilities. The FBI and Michigan State Police executed arrests as multiple conspirators met to pool funds for explosives and exchange tactical gear.”

In all, there were 14 individuals arrested and charged in the conspiracy to kidnap the Michigan governor. Of the six originally charged with federal crimes, two of them, Ty Garbin and Kaleb Franks, have pled guilty and are expected to testify against the other four as part of their plea agreement. The other eight are facing state charges of providing material support for terrorist acts, firearms

violations and gang membership.

Federal prosecutors have said they will prove that the men took specific steps to achieve their kidnapping plan such as surveilling the governor's residence, testing explosives and training for combat with Whitmer's security team.

The defense is expected to argue that the government informants persuaded the men to concoct the kidnap plot and carry out criminal acts and then entrapped them. They will also attempt to prove that the men were not predisposed to commit the crime of kidnapping.

Fox's lawyer, Christopher Gibbons, submitted a filing which said, "Like music producers seeking out young, talented, musicians that can be combined into a money-making act, each of these defendants was selected and groomed by the government's agents and informants for their role as [a] member of this 'conspiracy'"

Former FBI informant Stephen Robeson, who played a key role in the investigation into the kidnapping plot, has been subpoenaed by the defense. Robeson, a long time criminal, worked for the FBI as an informant for one year and was paid \$20,000 before he was dismissed for working as a "double agent." The FBI has said Robeson tried to warn others to get rid of evidence, not knowing they were also agents.

Robeson, who is from Oxford, Wisconsin, spoke to a reporter from WoodTV.com at the Grand Rapids courthouse on Tuesday and said he does not understand why the defense has called him as a witness since he maintains that they were not entrapped. According to the WoodTV.com report, Robeson set up militia meetings, arranged and helped to pay for training exercises and was with the suspects when they surveilled the governor's cottage while he was functioning as an FBI informant.

Meanwhile, Judge Jonker ruled on March 3 that the government must disclose the true identities of two FBI informants when they testify in the trial. While federal prosecutors sought to block the agents' names from being revealed, the judge wrote in his ruling, "Making it crystal clear to the jury and the public that inside the courtroom, nothing is undercover, and everything is out in the open will best ensure fairness during trial and eventual acceptance and respect for whatever the jury ultimately decides."

The conspiracy to kidnap Governor Whitmer—which also included a plan to transport her to Wisconsin and possibly execute her in a tribunal—was hatched at the height of a nationwide campaign by the far right that had been mobilized by President Donald Trump and other Republican Party officials to overturn public health restrictions implemented throughout the country to combat the spread of COVID-19 that began in early 2020.

Democratic governors were targeted specifically by Trump

in tweets in which he called for the states of Michigan, Virginia and Minnesota to be "liberated" by his fascistic supporters. Governor Whitmer had been the focus of a demonstration in Lansing, Michigan against the statewide stay-at-home order, which included armed militiamen entering the State Capitol building looking for her in her office.

These events and the plot to kidnap the Michigan governor were a prelude to the January 6 insurrection in Washington D.C., in which a mob was mobilized by Trump and other fascistic figures in the Republican Party as a part of the effort to overturn the results of the 2020 elections by stopping the certification of Biden as president.

On February 28, self-described leader of the Genesee County Volunteer Militia, Matthew Thomas Krol, 63, of Linden, was ordered held in custody to await trial in federal court in Flint, Michigan for assaulting police officers while storming the US Capitol on January 6, 2021. Krol, who also attended at least one demonstration in Lansing with a rifle strapped to his shoulder, had admitted at the time of his arrest to having an association with several of those charged in the Whitmer kidnapping plot.

In an exchange on Facebook in June 2020, Krol and one of the kidnapping defendants discussed the need to move beyond the rallies because "that doesn't work." In the discussion, Krol repeated what he had said on the steps of the Michigan Capitol, that he "would rather apprehend tyrants" and "hang them on those beautiful oak trees than kill citizens in a civil war ... just sayin."



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