

FBI informants testify in federal trial of four men accused of plot to kidnap Michigan governor

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The federal trial of four men charged with planning to kidnap and kill Michigan Governor Gretchen Whitmer in 2020 resumed on Thursday in Grand Rapids after a three-day delay ordered by Judge Robert Jonker because a key participant had tested positive for COVID-19.

On Thursday, the prosecution presented numerous recorded conversations by the defendants that were taped by undercover FBI informants. Mark Schweers, who used the name Mark Woods and posed as a sympathizer of the Wolverine Watchmen paramilitary group from the Upper Peninsula of Michigan, said he had been assigned by the FBI to connect with the alleged ringleader of the group, Adam Fox.

Schweers said the FBI was concerned that Fox was plotting a violent attack against the state government in Michigan over the restrictions imposed during the first months of the COVID-19 pandemic. The agent said he contacted Fox through an encrypted messaging system used by the group to communicate prior to arranging meeting in the basement of the “Vac Shack,” a vacuum repair shop in Grand Rapids where the defendant lived and worked.

The four defendants—Adam Fox, 38, from Wyoming, Michigan; Barry Croft Jr., 46, from Bear, Delaware; Daniel Harris, 24, from Lake Orion, Michigan; and Brandon Caserta, 33, from Canton, Michigan—were charged with felony conspiracy to kidnap and other weapons-related crimes and arrested on October 8, 2020, after they were surveilled by the FBI and attempted to purchase explosives. If convicted, they face possible life sentences in federal prison.

Two other men—Ty Garbin, 25, and Kaleb Franks, 27—were also arrested along with the four who are on trial, but they pleaded guilty to the charges and are expected to testify for the prosecution. Another eight men, who are

either members or associates of the Wolverine Watchmen or the paramilitary Three Percenters group, were arrested and charged with a total of 20 state felonies, including gang membership and support for an act of terrorism.

In one of the key statements that was recorded by the FBI and played for the jury on Thursday, Fox explained what he saw as the broader political objectives of the plot to take Whitmer hostage, “We’re sending a (expletive) message to them,” he said. “Hey, if we can get her, we can get you.”

The prosecutor asked Schweers about his meeting with Fox, “Did he tell you that he was planning something?” The agent said, “He did,” and went on to explain that the defendant told him, “‘We’re moving. We’re actively planning some missions right now.’”

What Fox was talking about, Schweers said, was a mission to take over the Michigan state Capitol by force. He said Fox told him he was part of a “very covert” group called the Wolverine Watchmen, and that “they’re not very well liked in this state.”

In one of the taped conversations, Fox referred to Whitmer as “the oppressor,” and then said, “I want her charged, I want her fucking charged.” Fox also talked about hog-tying the governor in a taped conversation in the vacuum shop basement. He said, “We just want the bitch, we want the tyrant bitch.” Fox then said, “I want to have the governor hog-tied, laid out on a table while we all pose around like we just made the world’s biggest goddamn drug bust, bro.”

During another conversation recorded by the FBI, Fox discussed the possibility of storming the Michigan Capitol and taking legislators hostage and said, “In eyes of my God, I will die a fucking saint, covered in blood.”

In another recording, Fox listed three locations where Governor Whitmer could be kidnapped: her residence in

Lansing, her vacation home in Elk Rapids and the governor's summer residence on Mackinac Island. Schweers told Fox he went to Mackinac Island and took photos of the governor's mansion, but he told jurors that the pictures were provided to him by the FBI.

Christopher Long, another FBI agent who testified on Thursday, said he was responsible for monitoring the activity of Barry Croft. Long said he worked to keep Croft in the group with the others because the FBI was concerned that the man from Delaware who was also older than all the other defendants might act on his own. Croft had talked about violently targeting law enforcement officers and government officials, Long said.

According to a profile provided by the US attorney's office, Croft is a follower of the "boogaloo" movement, which believes the country is broken, that politicians "should be targeted and attacked" and that preparations must be made for a violent civil war in the US. Croft was recorded by an FBI agent saying, "I might murder a cop."

On Friday, a key witness known as "Big Dan," who was a member of the Wolverine Watchmen who became an FBI informant, testified for the prosecution. An army veteran and postal worker, Dan said he was a libertarian and gun rights activist who wanted to keep his firearm skills sharp. He joined the militia group after he located it on Facebook and subsequently became close with Fox.

Dan told the jury, "They wanted to target law enforcement and kill them." After he told this to a friend who was a police officer, Dan received a phone call from the FBI asking him to stay inside the group and monitor their activity. In a February filing, federal prosecutors said Dan talked to Fox "nearly every day" for about four months prior to his arrest.

On cross examination, the lawyers for the defendants pressed their narrative that the men were hapless, never intended to harm anyone and had been entrapped by the FBI. Fox's lawyer Christopher Gibbons said that his client was high during the meetings with Schweers and was constantly smoking marijuana at many of the militia meetings and training exercises. Schweers testified that it was true that Fox and the others were frequently "socially" smoking marijuana at the functions of the Wolverine Watchmen.

Attorney for Croft, Joshua Blanchard, quizzed the FBI informant Long about why he allegedly referred to his client as "Bonehead" in his text messages and email messages. Long claimed he never tried to belittle Croft.

US District Judge Jonker made it clear in his pretrial judgments that the wider political context of the

conspiracy to kidnap Whitmer, which included incitements by then-President Donald Trump to his supporters to "Liberate Michigan" and other statements encouraging violence against those advocating lockdown measures to stop the pandemic, will not be permitted in the federal case.

Before accepting a plea deal, attorneys for Kaleb Franks filed a motion to bring into the trial the FBI's handling of the January 6, 2021, Capitol insurrection as evidence of "consciousness of guilt," in support of the defense's claims of entrapment. Judge Jonker said that the information in Franks' motion was "inadmissible, irrelevant and potentially misleading," and denied permission to raise "wider, national concerns" about the role of the FBI's use of undercover agents and informants in the 2021 assault on the Capitol.

At that time, Judge Jonker said, "(T)he challenge at trial here will be to ensure the jurors are able to ignore exactly this kind of extraneous information from extra-judicial sources." The judge also gave explicit pretrial instructions that he did not want the trial to be about right-wing extremism in the US.

On February 18, more than two weeks before jury selection, the judge stated, "I don't want the trial to become a referendum on whether the trucking convoy in Ottawa is good or bad, or whether what happened on January 6 is an insurrection or legitimate political discourse. I want the focus to be on what happened in this case."

While attorneys for the defendants were clearly attempting to utilize the courtroom as a platform for mounting a defense of conspiracy theories about January 6, Judge Jonker's insistence on keeping the trial about "what happened" without reference to the connection of the kidnap plotters with a network of far-right and fascist groups nationally and internationally actually strengthens the position of the defense that the men were just a group of angry individuals who were manipulated by the FBI.



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