

Convicted militia member testifies that Whitmer kidnap plot was intended to stop election of Biden

Kevin Reed
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Two former members of the Wolverine Watchmen militia, who previously pleaded guilty to kidnapping conspiracy charges, testified on Wednesday and Thursday against the other four men who are on trial for plotting in 2020 to take Michigan Governor Gretchen Whitmer hostage and kill her.

On trial are 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. If convicted of kidnapping conspiracy and other weapons charges, including conspiracy to use a weapon of mass destruction, the men face life in prison.

Ty Garbin, 26, and Kaleb Franks, 27, were arrested on October 8, 2020, along with the four defendants who are on trial in federal court in Grand Rapids, Michigan. Garbin, a former airline mechanic from Hartland Township, Michigan, pleaded guilty to kidnapping conspiracy on January 27, 2021, and was sentenced to six years in federal prison on August 25.

Franks, a drug rehabilitation coach from Waterford Township, Michigan, pleaded guilty on February 9 and is awaiting sentencing. Both men agreed to testify in the trial of the others as part of the plea agreement.

Garbin took the stand on Wednesday wearing an orange prison jumpsuit and in handcuffs. He told the jury that he willingly participated in the plot to kidnap Whitmer and—disputing the legal position of the four defendants—said that he was not pushed into the plan by an FBI informant.

He testified that his co-conspirators were not worried about being labeled domestic terrorists as members of the Wolverine Watchmen. Garbin described the efforts of the group to scope out the governor's cottage in Elk

Rapids, Michigan and how they created a “shoot house” to practice storming the vacation home.

During questioning by the prosecution, Garbin voiced the political motivation behind the group's plot, testifying that Whitmer's COVID-19 restrictions imposed in the spring of 2020 brought the group of militia members to the breaking point.

Garbin went on to say that by abducting Governor Whitmer, the plotters intended to spark a chain of events that would prevent Democrat Joe Biden from being elected president and also foment a civil war. “The plan was for us to basically be the ignition to it, and hopefully other states or other groups would follow,” Garbin told the jury.

During the prosecution's questioning, Garbin also pointed out to jurors an AR-15 rifle with a fixed stock and a Glock-19 handgun, a tactical helmet and a night vision scope that he was prepared to use against the governor's security detail, as well as a bulletproof vest where he planned to store extra bullets.

The defense questioned Garbin about his plea deal with the US Department of Justice. Christopher Gibbons, attorney for Fox, considered the leader of the militia group, asked Garbin if he respected his client. When Garbin said yes, Gibbons showed a text message of Garbin making fun of Fox because he was wearing a tight-fitting tactical helmet.

The line of questioning is part of the effort by Gibbons to show that no one took Fox seriously because he lived in squalor in the basement of the vacuum shop where he worked. He asked Garbin rhetorically if it was fair to say that where Fox lived was “kind of sad.”

Attorneys Julia Kelly, representing Harris, and Joshua

Blanchard, representing Croft, both focused on the statements of Garbin to the FBI at the time of his arrest, which they say contradict what he said on the stand. Garbin told the federal officers that he thought the plot was “a turn off” and that he “flipped out” on Fox when he brought up wanting to kidnap Whitmer.

The defense is arguing that Garbin is now lying about his willing participation in the coup plot to avoid a lengthy prison term or a life sentence behind bars. When shown a transcript of his statements to the FBI, Garbin said he did not remember making the comments.

On final questioning by Assistant US Attorney Nils Kessler, Garbin said he was scared at the time of his arrest and he did not have a lawyer. Kessler asked Garbin if he was promised a lighter sentence if he cooperated and he said, “No.” Kessler also asked the witness if at any point prior to his arrest if he started believing the kidnap plot could be pulled off, Garbin replied, “Yes,” and he later added, “The plan was to take her from her vacation home by force.”

On Thursday, Franks took the stand and said that he too intended to kidnap the Michigan governor and was not coerced into it by an FBI informant. Franks said he hoped to die during the attack on Whitmer. He said he had been severely depressed following the death of three family members.

Franks said that Fox believed Whitmer’s COVID-19 restrictions were “tyrannical” and the right to strike back at the policy was protected by the US Constitution. He said that Fox talked about snatching the governor every time he saw him.

When asked by a prosecutor what his role would be, Franks said, “I was going to be an operator. I would be one of the people on the front line, so to speak, using my gun.” Franks said he stuck with the group because he hoped he would be killed in a shootout with police during the kidnapping, but kept it from others. He said, “I no longer wanted to live. A large portion of my family had died. I was struggling financially. Just wasn’t happy.”

When asked why he thought he would die, Franks said, “I felt that it was a very risky choice,” that he was preparing to get “in a shootout with the police,” and “In my opinion, we would be bound to die.”

As with Garbin, defense attorneys questioned Franks about his statements to the FBI when he was arrested.

Croft’s lawyer Joshua Blanchard said that Franks had referred to the group as “a whole as a bunch of jokers,” and pretenders. Franks said he was untruthful in the interview with the FBI, “because I was trying not to go to jail.”

Earlier in the week, the FBI informants who had infiltrated the Wolverine Watchmen and recorded conversations of the men took the stand. Dan Chappel, known as “Big Dan,” who became an informant after he had already joined the militia and was concerned about the group’s plans to kill law enforcement officers, said the kidnap plot also included a plan to kill the governor after a fake trial.

On Friday, prosecutors moved to prevent the defense from calling what they call a “rogue” FBI informant as a witness. The government stated in their filing that Wisconsin resident Stephen Robeson urged the defendants to destroy evidence and warned Barry Croft that he was wanted by the FBI.

The defense is expected to call Robeson as a witness in the coming days and ask him about his work as an FBI informant. The prosecution said that Robeson is likely to invoke his Fifth Amendment right against self-incrimination since he faces the possibility of being charged with crimes related to the kidnapping plot.

Having been referred to as a double agent, US Attorney Kessler said Robeson has been “breaking the law without authorization and surreptitiously assisting the other conspirators.” The prosecution has said that Robeson knew about the impending arrest of the conspirators in October 2020 and was instructed by the FBI not to tell anyone. They say he told Croft anyway and told another person who was working as an informant to encrypt a training roster.

The prosecution has asked Judge Robert Jonker for a special hearing to decide on the matter of Robeson’s testimony without the Grand Rapids jury present.



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