Undercover FBI agent testifies in retrial of accused Whitmer kidnapping plotters

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An FBI informant who infiltrated the militia group that was plotting to kidnap and kill Democratic Michigan Governor Gretchen Whitmer in 2020 testified for the prosecution on Friday in US District Court in Grand Rapids, Michigan.

On the fourth day of the retrial of two leading members of the right-wing Wolverine Watchmen group, Adam Fox and Barry Croft Jr., FBI Special Agent Mark Schweers gave a first-hand account of the activities of the militia group as it prepared to take the governor hostage in pursuit of political objectives.

Schweers, who pretended to be a supporter of the group from Michigan's Upper Peninsula going by the name of "Mark Woods," told the jury that he tagged along for shooting drills at a makeshift "kill house" and a nighttime surveillance of Governor Whitmer's summer residence near Elk Rapids.

Fox, 39, from Wyoming, Michigan, and Croft, 46, a trucker from Bear, Delaware, are being retried on kidnapping conspiracy and weapons charges which, on conviction, can result in life sentences. In April, a jury failed to reach a verdict in the first trial while acquitting two other men, Brandon Caserta and Daniel Harris.

In all, 14 men were arrested on October 8, 2020, for plotting to kidnap and potentially kill the governor. Six men—including Ty Garbin and Caleb Franks who have pleaded guilty and testified in the first trial and are scheduled to testify in the second trial—were charged with federal crimes, and eight others were charged with state offenses. The state trials are still pending.

Two months before they staked out the governor's summer residence, Schweers met Fox for the first time at his apartment in the basement of the Vac Shack where he worked in Grand Rapids. During this meeting, the agent recorded their conversations.

Fox said of the group's plot, "We want her flex-cuffed on a table while we all pose and get our pictures taken like we just made the biggest drug bust in … history." Laughing and using profanities, Fox continued, "Then you lock her … up, even if we gotta go with her."

Speaking of the Vac Shack and revealing the political motivation behind the kidnapping plot, Fox said, "We have many meetings here. … Our sole purpose is to restore the constitutional republic."

For security reasons, Fox also told Schweers to leave his phone upstairs in the Vac Shack before going into the basement apartment. "If I said I want to kill the fucking governor, and they hear that, they could come get me," Fox said during Schweer's secret audio recording.

Schweers said in September 2020, after a day of gun drills, about a dozen people, including two informants, drove to Elk Rapids in three vehicles to look at Whitmer's second home and a boat launch. "Each truck was given a separate assignment," he said. Schweers also said "no" when the federal prosecutor asked him if it was the agent who proposed attacking the state Capitol, kidnapping Whitmer or blowing up a bridge in Elk Rapids.

Earlier on Friday, FBI Special Agent Christopher Long, a coordinator of the government's investigation, was cross-examined by Croft's attorney, Joshua Blanchard. The defense lawyer questioned Long about the informants that had infiltrated the Wolverine Watchmen. Long said there were five undercover informants who had contact with Croft at various times during the investigation.

Blanchard also questioned Long about the role of FBI informants Steve Robeson and Jenny Plunk who had contact with Croft and posed as political sympathizers from outside of Michigan. Long told the jury that

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Robeson and Plunk traveled with Fox and Croft to a July 2020 Cambria, Wisconsin, field training exercise. It was at this event that Croft unsuccessfully tried to detonate explosives using pennies and BBs as shrapnel.

Defense attorneys for Fox and Croft are pursuing the same strategy used in the first trial to make the case that their clients were entrapped by the FBI and had no intention of ever going through with the things they discussed. They are painting a picture of the two men as down and out and "big talkers" who were incapable of carrying out a kidnapping.

Long revealed that agents Robeson and Plunk were present at five of the militia gatherings that Croft attended, in Dublin, Ohio; Cambria, Wisconsin; Peebles, Ohio; Luther, Michigan; and at a tavern in Delaware. Attorney Blanchard then said, "Everywhere that Barry [Croft] went, Robi [Robeson] was there; everywhere that Barry went, Plunk was sure to go."

However, Long said that Robeson and Plunk recorded Croft and Fox talking about building explosives and violently overthrowing the government during a meeting of national militia groups in Dublin, Ohio, on June 6, 2020. "The agents went to Ohio because Croft was planning something really big and we didn't know what it was," Long testified.

Blanchard also focused in on the fact that Robeson has been called a double agent by prosecutors who accused him of helping the kidnap plotters, including letting Croft know that he was going to be arrested in October 2020. The defense attorneys subpoenaed Robeson to testify, arguing prosecutors selectively used hundreds of hours of his recordings at trial. However, just as he did in the first trial, Robeson is expected to invoke his Fifth Amendment rights against self-incrimination if he is called to the stand.

Blanchard said Robeson "has all sorts of issues. I don't think we're going to hear from Robeson, we just get these snippets from him."

Another issue confirmed by agent Long is that Plunk knew Robeson before she became an FBI informant. Plunk also sold a Taurus 9mm pistol to Robeson at some point while they were working as informants, which is illegal since Robeson is a convicted felon. Long confirmed that the FBI reimbursed Plunk about $8,000 during the investigation for "travel and food" expenses.

As opposed to the first trial, the prosecution has presented a timeline that shows the political hostility to Governor Whitmer before the FBI ever got involved. In their opening arguments, prosecutors presented evidence, including hundreds of videos and social media posts that revealed how Fox and Croft wanted to kidnap several people they called "government tyrants," including Whitmer, and they recruited other extremists to carry out the plan.

On Thursday, Croft's attorney claimed one juror told co-workers they decided the case and verdict they would deliver. "The judge entered an order on that, and I can't comment on that," Blanchard said Friday.

US District Court Judge Robert Jonker indicated he met with the juror twice and said he would handle the matter privately to avoid a mistrial, according to a restricted access order issued on Friday.

Another FBI informant, Dan Chapel, is scheduled to testify in the trial. Chapel is a retired Army sergeant and combat veteran who joined the Wolverine Watchmen and then reported the group to law enforcement in March 2020. He agreed to remain in the group, record their conversations and report their activities to the FBI.

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