

Grand Rapids jury finds Fox and Croft guilty of conspiracy to kidnap the governor of Michigan in 2020

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After eight hours of deliberation, a jury in Grand Rapids, Michigan, found defendants Adam Fox and Barry Croft, Jr. guilty of all charges on Tuesday for plotting to kidnap and kill the state's governor in 2020.

The two men were tried in the US federal district court for a second time on conspiracy to kidnap and conspiracy to use a weapon of mass destruction. Croft had an additional charge of possession of an unregistered destructive device. They face sentences of up to life in prison. Their first trial last April ended with a hung jury and declaration of a mistrial by the presiding judge.

Fox, 39, from Wyoming, Michigan, was arrested along with four others on October 8, 2020, near a warehouse in Ypsilanti where the men intended to make a down payment on explosives and pick up free military gear. Croft, 46, a truck driver from Bear, Delaware, was arrested at a gas station in New Jersey. Eight other alleged participants in the kidnapping plot were arrested and charged with state offenses and their cases are still pending.

During the two-week trial, the prosecution presented evidence that Fox and Croft discussed and planned several scenarios for kidnapping Michigan Governor Gretchen Whitmer. One of these involved setting off a bomb near her vacation cottage in Elk Rapids, a gunfight with her security detail, and taking her by boat out into the middle of Lake Michigan where she would be abandoned.

The men, who were either members or sympathizers of the militia group called the Wolverine Watchmen, conducted assault training at a "kill house" and surveilled the governor's residence in the middle of the night with guns as part of their preparations for the

kidnapping plot.

Federal prosecutors relied on the testimony and recorded conversations secretly taped by multiple FBI informants who had infiltrated the group of right-wing extremists who were enraged by Governor Whitmer's stay-at-home order during the first months of the coronavirus pandemic.

Obtaining the guilty verdict required the prosecution to convince the jury that the claim by the attorneys for Fox and Croft that the men were entrapped by the FBI and would never have gone through with their threats to kidnap the governor was not true. Defense lawyers presented the two men as down-and-out pot smokers who were big talkers that lacked the ability to follow through with any of their plans outside of being goaded along by informants.

The prosecution combated this narrative in part with the testimony of Ty Garbin and Kaleb Franks, the two co-conspirators who pleaded guilty to the kidnapping charge prior to the first trial, who said that they were not persuaded by anyone to get involved in the plans against Governor Whitmer. During his testimony, Garbin told the jury that Fox had said he wanted to, "hang her on TV for the world to see."

Government prosecutors also debunked the entrapment defense by showing that the defendants had been discussing their hatred for Governor Whitmer and accused her of treason before the FBI agents had infiltrated their militia group.

The political connection between the words and actions of Fox and Croft with the fascistic groups and individuals concentrated around former president Donald Trump was evident throughout the trial, one of the highest-profile domestic terrorism cases in a

generation. During his closing argument, US Attorney Nils Kessler said, “They wanted to set off a second American civil war and a second American revolution, something they called the ‘boogaloo’, ” referring to the fascist Boogaloo militia movement.

A timeline of the conspiracy shows that a series of protests in Michigan during the months of April and May of 2020 against pandemic-related restrictions on economic activity included the participation of armed militia groups. These right-wing demonstrations, which presented mitigation measures such as mask wearing and business and school closings as un-American, were encouraged and promoted by Trump from the White House.

On May 1, 2020, following Whitmer’s extension of an emergency declaration to keep businesses closed, armed protesters showed up on the steps of the Michigan Capitol Building in Lansing. Trump tweeted, “The Governor of Michigan should give a little, and put out the fire. These are very good people, but they are angry. They want their lives back again, safely! See them, talk to them, make a deal.”

Discussions among Fox, Croft and the others about kidnapping and executing Governor Whitmer began during these protest events. In some cases, the 14 federal and state defendants charged in the conspiracy first met each other at these demonstrations against the Michigan governor’s pandemic policies.

Following the verdict, Whitmer issued a complacent statement thanking the prosecutors and the FBI agents. She said the verdict proves, “violence and threats have no place in our politics and those who seek to divide us will be held accountable. They will not succeed.”

Failing to refer to the far right or fascist political elements who were planning to kill her, or Trump’s threats against her, Whitmer said, “Plots against public officials and threats to the FBI are a disturbing extension of radicalized domestic terrorism that festers in our nation, threatening the very foundation of our republic.”

The lawyers for Fox and Croft immediately indicated they would “most certainly” appeal the verdict. During the trial, the lawyers accused Judge Robert Jonker of favoring the prosecution by curtailing the duration of their cross-examination of government witnesses. At one point, Judge Jonker referred to some of the subject matter in the lengthy questioning of witnesses as

“crap.”

The defense also expressed concerns about the judge’s handling of an alleged misconduct violation by one of the jurors who told co-workers that his or her mind was made up about the case from the beginning and he was happy to be on the jury. Judge Jonker decided to deal with the issue by meeting privately with the juror in his chambers and not allowing either the prosecution or the defense to be present.

While representatives of the Biden administration’s Department of Justice, the FBI and the Democrats are celebrating the guilty verdict in Grand Rapids as “a victory for the rule of law,” the dangers posed to the working class by the rise of fascism in the US remain. The ongoing efforts of Donald Trump, the architect of the January 6, 2021 attempt to seize the US Capitol by force and overthrow the constitution, and his supporters within the Republican Party are part of the preparations for further acts of violence against political opponents, especially the growing struggles of the working class.



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