

Five more men to stand trial for 2020 plot to kidnap Michigan Governor Whitmer

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Five more men accused of plotting to kidnap and kill Michigan Governor Gretchen Whitmer in the summer and fall of 2020 have been bound over for state trial in Traverse City, Michigan.

District Court Judge Michael Stepka ruled last Wednesday in Traverse City that prosecutors with the Michigan Attorney General's office had presented sufficient evidence during a preliminary hearing in August to send the men to trial to face multiple felony charges in the 13th Circuit Court in Antrim County.

Michael Null, 38, William Null, 38, Eric Molitor, 36, and Shawn Fix, 38, from Michigan are charged with providing material support for terrorist acts—which carries a sentence of up to 20 years in prison—and a weapons charge that carries a mandatory two-year prison sentence if found guilty that could be served concurrently. Brian Higgins, 51, of Wisconsin Dells, Wisconsin, was charged with providing material support for terrorist acts.

All five were arrested in October 2020—along with three others on state charges and six others on federal charges—for planning to kidnap the governor as part of a conspiracy to spark a civil war known in far-right and fascist circles as a “boogaloo.” Among the scenarios planned by the kidnap plotters was an armed raid on the governor's summer home near Elk Rapids, Michigan, that included a gun battle with her security detail and her death by hanging or abandonment in a motorless boat in the middle of Lake Michigan.

In a filing submitted to Judge Stepka, the office of Michigan Attorney General Dana Nessel said that each of the defendants made statements recorded in audio, video or online chat conversations that had “the singular purpose of advocating the Boogaloo ideology with the goal of seeing civil war erupt in the United States and the overthrow of existing governments.”

Although the prosecutions of the 14 men have not investigated it, the political objective of the kidnap plot was an extra-constitutional effort to overturn the limited lockdown measures put in place by Governor Whitmer during the early months of the coronavirus pandemic in 2020.

Additionally, the men—most of whom were active members of a militia group called the Wolverine Watchmen—had been incited by then-President Donald Trump and others in the Republican Party locally and nationally to take up arms against the state government and “Liberate Michigan” and carry out vigilante action against what they called “treason” by the governor.

Meanwhile, there is a direct connection between the January 6, 2021, insurrection at the US Capitol that aimed to prevent the certification of Joe Biden's election as US President and the plot to kidnap the governor of Michigan. By seizing the governor in an armed confrontation with police before the 2020 elections, the kidnappers sought to guarantee Trump remained in the White House by instigating conditions for a declaration of martial law in the US.

While Whitmer herself has publicly admitted the goal of the plotters to kill her was part of a larger political conspiracy, there has been no official investigation into the connection between the kidnappers and individuals within the Republican Party establishment.

In issuing his decision, Judge Stepka said, “There is clearly a criminal conspiracy here. They knew what they were doing. They were all involved in the plot to kidnap the governor.” Stepka went on, “There is evidence of the five defendants willfully and deliberately engaging in planning a violent felony which was the kidnapping of the governor at her home in Antrim County.”

The judge added, “There was a discussion of blowing

up a boat, there was a discussion of shooting her, of hanging her, there was a discussion of overtaking a pizza boy and shooting a pizza boy—this is terrible stuff to talk about, but we have to, it was testified to at the time of the examination.”

State prosecutors presented voluminous evidence gathered by undercover FBI agents that were embedded among the five defendants and others who have already been convicted in federal court for the kidnapping plot. Among those convicted in a jury trial of federal kidnap conspiracy and weapons charges in August were Adam Fox and Barry Croft Jr., who have been described as the ringleaders of the plot. Ty Garbin and Kaleb Franks pleaded guilty to the federal charges, while Daniel Harris and Brandon Caserta were acquitted in an earlier trial in April.

The other state defendants—Joe Morrison, his father-in-law Pete Musico and Paul Bellar—were found guilty in October of supplying “material support” for a terrorist act as members of the Wolverine Watchmen.

The defense attorneys made separate arguments on behalf of their clients during the preliminary hearing in the Traverse City court and questioned the actions by FBI agents and undercover sources. Like the lawyers for the other state and federal defendants, they claimed that their clients were big talkers who did not have the resources or the capability to carry out the plot.

After Judge Stepka made his bindover ruling, lawyers for four of the defendants confirmed their clients’ not guilty pleas while William Barnett of Cadillac, attorney for Eric Molitor, said his client would stand mute, which neither admits nor denies the charges. A plea of not guilty was entered on his behalf by the judge.

Among the details about the participation of the defendants in the kidnapping plot revealed in the pretrial proceedings was the fact that the Null brothers, Higgins and Molitor, joined others in trips to surveil Whitmer’s house from the outside. All five, the evidence showed, joined meetings and paramilitary training exercises on the premises of other members of the militia where the kidnapping plot was discussed.

In another related development on Monday, the attorney for Adam Fox, 39, requested that US District Judge Robert Jonker reject the federal prosecutor’s request for a life sentence for his client. Christopher Gibbons argued that Fox should not be given a life sentence because he was a follower and not a leader.

Gibbons said his client looked up to the FBI informants and undercover government agents, who goaded him into the kidnapping plot.

Gibbons argued that “Adam Fox was an unemployed vacuum repairman who was venting his frustrations on social media but abiding by the laws of the State of Michigan. Adam Fox is not the leader of a multistate ‘army’ of domestic terrorists.” US Assistant Prosecuting Attorney Nils Kessler said in a pre-sentencing memorandum that Fox was a “willing and able operations leader.”

Kessler added, “This was no ‘run of the mill’ kidnapping plot. He targeted not just any victim, but an official victim; and not just any official, but the head of a state. He was no follower; he was an active recruiter and prime mover.”



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