UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED - GR
November 12, 2025 3:38 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY:JMW SCANNED BY: JW 11-14

BARRY GORDON CROFT JR
MOVANT/PLAINTIFF

CASE NO. 1:25-CR-01146-RJJ

V.

HON. ROBERT J. JONKER

UNITED STATES OF AMERICA
RESPONDENT/DEFENDANT

MEMORANDUM OF LAW IN SUPPORT OF 2255 MOTION

I AM SUBMITTING THIS MEMORANDUM OF LAW, IN SUPPORT OF THE FACTS ASSERTED IN MY 2255 MOTION. IT WILL INCLUDE A 15-PAGE FBI DOCUMENT, ANONYMOUSLY PREPARED BY THE MILWAUKEE FIELD OFFICE FOR THE DOJ IN CHS STEPHEN J. ROBESON'S CASE (21-CR-024). ALSO INCLUDED WILL BE A 14-PAGE ARTICLE TITLED "THE FBI'S DOUBLE AGENT", WHICH IS BASED ON FIRSTHAND KNOWLEDGE OF THE DISCOVERY EVIDENCE FROM MY CASE. THE ARTICLE CITES "OPERATION

BRONZE GRIFFON" INFORMATION, WHICH I WILL INCLUDE TRANSCRIPTS FROM THE JUDICIAL OVERSIGHT COMMITTEE IN A LATER FILING.

THIS SECTION WILL DIRECT THE COURT'S ATTENTION TO THE SPECIFIC INFORMATION FROM THE 15-PAGE FBI DOCUMENT.

GROUND ONE ALLEGES DISHONESTY AND BAD FAITH ON THE PART OF US ATTORNEYS IN MY CASE. IN SUPPORT OF THAT CLAIM I'LL POINT TO SPECIFIC INFORMATION THAT WAS EITHER CONCEALED FROM THE DISCOVERY, OR PURPOSELY HIDDEN FROM THE COURT, AND THE JURY IN BOTH TRIALS. ITEM #1, SHOWS THE DATE THE ANONYMOUS FBI EMPLOYEE CREATED THE DOCUMENT. THIS IS IMPORTANT BECAUSE IT'S ANOTHER POINT OF INFORMATION THAT SHOWS THE FBI AND DOJ ATTORNEYS, KNEW THAT CHS ROBESON

WAS NOT A "DOUBLE-AGENT". THE HIRING DATE SHOWN IN ITEM #2 (10/20/19), IS THE VERY FIRST DATE OF OPERATION FOR ANY OF THE 3 MAIN "CHS"/AGENT PROVOCATEURS (PLUNK, CHAPPEL, AND ROBESON). THE AUSAS USED CHS ROBESON'S RECORDINGS, YET SUCCESSFULLY DISOWNED HIM IN EVERY OTHER ASPECT RELATING TO PRESENTING EVIDENCE! ITEM #3 SHOWS A PAYMENT OF $19,328.79, WHICH MAY NOT INCLUDE ELECTRONICS PURCHASED BY THE FBI, RIMS AND TIRES PROVIDED BY THE FBI TO GAIN ACCESS TO TARGET CROFT'S GARAGE, OR MONEY SPENT FROM FBI PROVIDED $5000 PRE-PAID DEBIT CARDS. ITEM #4 CONVEYS THE FBI/DOJ NARRATIVE OF HOW ROBESON CAME TO THE FBI, PLEASE NOTE THERE IS NO MENTION OF THE "OPERATION BRONZE GRIFFON" ALERT THAT ROBESON TRIGGERED. CHS ROBESON AGREED TO WORK FOR THE FBI, AND IN DOING SO HE AGREED TO ADMONISHMENTS AS SET FORTH IN ITEMS #5-9. THESE

ADMONISHMENTS WERE PROVIDED TO ROBESON ON 10/30/19. THEY INCLUDED NOT TAKING INDEPENDENT ACTIONS. THE FBI CAN NOT ISSUE "OIA" OR IMMUNITY FROM BEING PROSECUTED, ONLY THE "APPROPRIATE PROSECUTOR" HAS THAT POWER. THE CHS IS NOT TO ENGAGE IN CRIMINAL ACTIVITY! CHS MAY NOT ENTER ANY CONTRACT OR INCUR ANY OBLIGATION ON BEHALF OF THE US GOVERNMENT (WITCH INCLUDES "RACE TO UNITE THE RACES" FAKE CHARITY THE FBI USED TO INSERT $5000 PRE-PAID DEBIT CARDS). THAT WAS A VERY IMPORTANT PIECE OF EVIDENCE CONCEALED FROM THE DISCOVERY, AND THE JURY. AND FINALLY THE CHS MUST BE ADVISED OF THE POSSIBILITY OF TESTIFYING, THAT 12/10/20 FBI RECORDED CONVERSATION WHERE AGENTS HAD CHS ROBESON SIGN A NON-DISCLOSURE AGREEMENT, WAS CONCEALED BY DOJ ATTORNEYS AT ALL COST!

ITEM # 10 IS THE FOUR QUARTERLY REVIEWS (1/24, 6/5, 7/22 AND

11/3 ALL IN 2020), CHS WAS DISOWNED AFTER TARGETS WERE ARRESTED, BUT NOT BEFORE THE CRIMINAL COMPLAINT ADMITTED THAT ROBESON WAS "NOT IN A POSITION TO TESTIFY". THIS DOCUMENT SHOWS CHS ROBESON WAS VERY PROBLEMATIC FROM THE BEGINNING, BUT NOT BECAUSE HE WAS A "DOUBLE-AGENT". THE DOCUMENT ALSO MAKES MULTIPLE EXCUSES FOR INCOMPLETE RECORDINGS, CITING "THE CHS IS TECHNOLOGICALLY ILLITERATE", BUT THE FBI USED THAT AS AN ADVANTAGE. THE DOJ ATTORNEYS WANTED THE EVIDENCE THAT CHS ROBESON INSTIGATED, BUT NOT THE BURDEN HE PRESENTED IN SECURING THE MUCH DESIRED CONVICTIONS.

GROUND TWO ALLEGES THAT THE GOVERNMENT CONCEALED POTENTIALLY EXCULPATORY EVIDENCE. THE GOVERNMENT DID NOT DISCLOSE THE 6 MONTHS OF PHONE CALLS AND TEXTS FROM CHS ROBESON TO TARGET CROFT FROM DECEMBER OF 2019 THROUGH MAY OF 2020,

ALL OF WHICH TOOK PLACE WHILE TARGET CROFT WAS UNDER FULL INVESTIGATION/WARRANT SURVEILLANCE. THE APPEALS COURT POINTED OUT THAT DEFENDANTS ARE ENTITLED TO ALL INTERACTIONS IN GAINING THEIR CONFIDENCE, AS DISCOVERY PRECEDENT DICTATES. CONTRARY TO ADMONISHMENTS ITEMS #11 AND 12, OUTLINE WHERE THE FBI GRANTED CHS ROBESON "OIA" TO COMMIT ILLEGAL ACTS, DESPITE AUSA RITA RUMBLELOW DENYING THE FBI'S REQUEST IN A 5/21/20 EMAIL. NONE OF CHS ROBESON'S "OIA" ACTIVITIES WERE DISCLOSED IN THE DISCOVERY, NOR ABLE TO BE PRESENTED TO THE JURY. ITEM #13 DISCUSSES PROBLEMS WITH CHS ROBESON, BUT ONLY AFTER THE FBI SUCCESSFULLY USED HIM TO WEAVE THEIR FRAUD TOGETHER. ITEMS #14-17 ARE THE SAME, COMPLAINING ABOUT A CHS INSTIGATING A CRIME FOR THE FBI, WHILE THE FBI PRETENDS TO BE DISENCHANTED WITH THE CHS, AND ONLY AFTER THE RESULTS HAVE

BEEN ACHIEVED. ITEM #18 DECLARES THE DATES OF RECORDINGS THAT CHS ROBESON COLLECTED FOR THE FBI, BUT PLEASE NOTE THAT ITEMS #20-49 MAKE EXCUSES FOR INCOMPLETE RECORDINGS. ONLY RECORDINGS OF CHS ROBESON ARE PATCHY, AND SEEM TO COINCIDE WITH TIMES WHERE FBI ISSUED "OIA" IS TAKING PLACE. BOTH THE FBI AND DOJ ATTORNEYS BENEFIT FROM THE MISSING PORTIONS OF AUDIO. ITEM #20 INVOLVES AN INSTIGATION ATTEMPT IN SOUTH CAROLINA, AND THE PASSING AROUND OF CHS ROBESON FROM HIS ANONYMOUS HA (HANDLING AGENT), TO ANY AGENT IN NEED OF AN INSTIGATOR. ITEMS #21-23 DETAIL THE FBI HIRED SEX OFFENDER CHS, INVITING ME AND MY 3 DAUGHTERS (TWIN 11 YEAR OLDS, AND 12 YEAR OLD) TO A PENTHOUSE SUITE IN MYRTLE BEACH. I WAS IN NORTH CAROLINA VISITING WITH MY PARENTS ALREADY, WHEN THE WISCONSIN CHS INVITED ME. AT THAT POINT I HAD BEEN UNDER FULL INVESTIGATION FOR A YEAR, SO

THERE'S NO WAY THE FBI ASSET JUST HAPPENED TO BE IN THE SAME AREA AS ME. IF THE FBI WAS AFTER THE NORFOLK TARGET (FRANK BUTLER), VIRGINIA HAS IT'S OWN BEACHES. THIS OBVIOUS DISHONESTY SHOULD BE INSULTING TO THE INTELLEGENCE OF ANY RATIONAL INDIVIDUAL! AND THE MAY MYRTLE BEACH "MEETING" WAS ALSO CONCEALED FROM THE DISCOVERY, AND KEPT FROM THE JURY.

ITEM #24, HERE THE "TECHNOLOGICALLY ILLITERATE" CHS IS MANIPULATING THE FBI TO BUY HIM A NEW COMPUTER, THIS IS IMPORTANT BECAUSE CHS CHAPPEL DOES THE EXACT SAME THING. SO, TWO GUYS HIRED AS FBI "CHS" WITH THE VERY SAME STORY FOR WHY THEY CAME TO THE FBI, BOTH REQUEST THAT THE FBI BUY THEM NEW ELECTRONICS, AND AS YOU'LL SEE IN ITEM #44 ROBESON SEEKS THE SAME CHASE BANK ENVELOPE WITH $24,600 IN RELOCATION CASH THAT CHS CHAPPEL GOT. ITEMS #24-26

PERTAIN TO THE "DUBLIN MEETING" WHERE 3 ROOMS WERE RESERVED A WEEK IN ADVANCE. PRIOR TO 6/6/20, I HAD NO KNOWLEDGE THAT FRANK BUTLER (NORFOLK TARGET), BRYON HENNON, WILLIAM NULL, ADAM FOX, AND AMANDA KELLER EXISTED. I MAY HAVE HAD A SOCIAL MEDIA EXCHANGE WITH ONE OF THEM THAT WAS RANDOM, AND QUITE INSIGNIFIGANT, BUT I HAD NOT MET OR HAD THE PHONE NUMBERS OF ANY OF THESE PEOPLE. HAVING BEEN UNDER FULL INVESTIGATION FOR 13 MONTHS AT THAT POINT, SA LONG KNEW THAT TOO! MY SAMSUNG GALAXY NOTE RECORDED THE DATE A CONTACT WAS ADDED, EVIDENCE THESE PEOPLE WERE CHS ROBESON'S CONTACTS, NOT MINE.

ITEM # 27 IS CURIOUS, WHY WOULD THE FBI JUST NOW IN JUNE 2020, AFTER HIRING CHS ROBESON IN OCTOBER 2019, BE INTERESTED IN HAVING HIM RECORD PHONE CALLS? HE CAME TO THE FBI OVER HEARING "THREATS TOWARD LAW ENFORCEMENT" 9 MONTHS AGO, WOULDN'T YOU

WANT TO CAPTURE THAT AUDIO IMMEDEATELY? CHS CHAPPEL HAD NO PROBLEM AT ALL RECORDING CALLS, BUT THE GOVERNMENT ALSO WANTED CHAPPEL TO TESTIFY. CHS ROBESON STARTS TO PLAN HIS CAMBRIA FTX ON 6/25/20, WHICH HE COORDINATED WITH THE FBI ON. ITEM #28 IS WEIRD, CHS ROBESON POSTS AN OPEN INVITATION ON FACEBOOK TO HIS FBI CREATED "MILITIA'S" FTX, AND IS SETTING UP THE STRAW PURCHASE BY CHS PLUNK, TO BUY HIM A .45 CAL. PISTOL, BUT IS FOR SOME REASON CALLING THE HA ABOUT HIS FAMILY'S SAFETY? ITEM #29 IS WHERE THE FBI GIVES ROBESON "OIA" TO TAKE POSSESSION OF THE CHS PLUNK STRAW PURCHASED PISTOL, THEN PUT ON PAPER THAT THEY ASKED ROBESON IF PLUNK KNEW HE WAS PROHIBITED, TO WHICH THE FBI ACCEPTED A VAGUE ANSWER. ROBESON'S FELON-IN-POSSESSION CASE IS FOR A .50 CAL SNIPER RIFLE, NOT CHS PLUNK'S STRAW PURCHASED .45 CAL

PISTOL, OR THE .300 BLACKOUT SHORT BARREL RIFLE HE BOUGHT FROM FRANK BUTLER (NORFOLK TARGET) WHILE HE WAS IN DELAWARE 8/6 - 8/9. ITEM# 45 SHOWS THAT CHS ROBESON WAS IN DELAWARE TO PLANT A .300 BLACKOUT SHORT BARREL RIFLE ON TARGET CROFT. I'D LIKE TO POINT OUT FOR THE COURT, THAT WHILE CHS ROBESON IS RECORDING EVIDENCE FOR THE FBI IN CAMBRIA AND DELAWARE, HE IS ILLEGALLY BUYING AND TRANSPORTING FIREARMS. THE GOVERNMENT GOT TO USE HIS RECORDINGS, THE JURY GOT TO HEAR THE INTOXICATED SEEMINGLY INCRIMINATING STATEMENTS, BUT I WASN'T ALLOWED TO PRESENT THE MANY CRIMES CHS ROBESON WAS COMMITTING WHILE BEING PAID AND HANDLED BY THE FBI, HOW IS THAT JUSTICE? ITEM# 30 IS WHERE THE FBI ADMITS THAT CHS ROBESON INSTIGATED THE BUILDING OF AN "IED" IN HIS GARAGE, AND INADVERTANTLY CONFESSES TO NOT DISCLOSING COMPLETE RE-

CORDINGS WHICH COULD BE USED BY THE DEFENSE TO SHOW THAT THE "IED'S" WERE IN FACT ROBESON'S IDEA! ITEM #31 IS THE FBI COVERING UP FOR THEM CONCEALING RECORDINGS EVEN THOUGH SA LONG TESTIFIED THAT HE WAS ABLE TO MONITOR IN REAL-TIME. THIS IS JULY, 9 MONTHS INTO OPERATING AN UNRELIABCE CHS, IF YOU COULD MONITOR IN REAL-TIME, WOULDN'T YOU RECORD AS WELL FOR YOUR OWN BENEFIT? ITEM #32 HERE IS WHERE THE PREPARER OF THIS INFORMATION GETS REAL EVASIVE, NOTE THE USE OF "S/HE". IS THE FBI EMPLOYEE IMPLYING THAT THEY ARE SEEKING LENIENCY IN A FELON-IN-POSSESSION CASE FOR A "S/HE"? OR IS THE MILWAUKEE FIELD OFFICE EMPLOYEE ADMITTING ON PAPER THAT ALL THE "CHS" IN THIS CASE WERE INTERCHANGEABLE, AND "COREY SAID WE'RE ALL ON THE SAME TEAM (SA COREY BAUMGARDNER)? THIS SUPPORTS

TIM SWEENEY'S ASSERTION THAT THIS WAS A CALCULATED PROSECUTION TEAM. AND IT COULD BE ASSUMED AUSA RUMBLELOW AND AUSA ALMAN WORK OUT OF THE SAME OFFICE, DIDN'T AUSA RUMBLELOW'S DENIAL OF "OIA", COME UP AT ALL? ITEM # 34 CHS PLUNK WHO WAS TASKED BY SA LONG TO MAKE SURE TARGET CROFT MADE IT TO CAMBRIA, MUST HAVE REPORTED TO SA LONG THAT NO LONG GUNS WERE UNLOADED INTO THE HOME OF TARGET CROFT. ITEM # 35 CHS ROBESON FINDS TARGET CROFT'S GUN (NOT GUNS) AT CAMBRIA LOCATION ON 7/23/20. WITH SA LONG MONITORING IN REAL-TIME, AND AT LEAST 3 CHS WEARING FBI RECORDING DEVICES, HOW IS THIS POSSIBLE/BELIEVABLE? IN ITEM # 36, THE FBI IS ALLEGING THAT TARGET CROFT IS ASKING CHS ROBESON TO COME TO DELAWARE FOR A "MEETING", AND TO DROP OFF A RIFLE THAT TARGET CROFT DECLINES TAKING. KEEP IN MIND,

TARGET CROFT IS UNDER FULL WARRANTED INVESTIGATION,

IF THIS WERE TRUE THE GOVERNMENT SHOULD HAVE NO PROBLEM

PRESENTING EVIDENCE OF THIS, INSTEAD THE GOVERNMENT BARELY

MENTIONS THE DELAWARE "MEETING", AND DOES NOT MENTION

AT ALL ANY EVIDENCE CAPTURED BY CHS GEORGE CITTLE. ITEM #37

"HA ALSO HAD CHS SIGN TWO SEPERATE OIA ADMONISITMENT

FORMS", THAT WERE DONE "VERBALLY, OVER THE PHONE WITH

THE CHS ON 7/23/20 AND THEN AGAIN ON 8/3/20". WHY

WOULD CHS ROBESON NEED "OIA", "TWO SEPERATE OIA FORMS", IF

SA COREY BAUMGARDNER TESTIFIED HE DROVE THE RIFLE TO

DELAWARE? AND DIDN'T THE ADMONISHMENTS SAY THAT THE

FBI COULD NOT AUTHORIZE CRIMINAL ACTIVITY? WHEN YOU

LOOK BACK AT ITEM #12, IT APPEARS SA BAUMGARDNER MAY

HAVE COMMITTED PERJURY IN TRIAL 2. IT IS ALSO VERY

IMPORTANT TO NOTE THAT THE DELAWARE "MEETING" WAS THE LAST TIME CHS ROBESON, AND TARGET FRANK BUTLER WERE TOGETHER IN THE SAME PLACE. THE REASON THAT'S IMPORTANT IS ITEM #45 REVEALS THAT CHS ROBESON BOUGHT A RIFLE FROM "NORFOLK TARGET" (FRANK BUTLER). THAT WAS THE PREVIOUSLY MENTIONED .300 BLACKOUT SHORT BARREL RIFLE. THE FBI DOCUMENT MAKES NO MENTION OF THE RIMS AND TIRES ROBESON USED TO GAIN ACCESS TO TARGET CROFT'S GARAGE, BUT "TWO SEPERATE OIA FORMS" WOULD BE NECESSARY TO (1) TRANSPORT FIREARMS, AND (2) TRANSPORT EXPLOSIVE MATERIALS. AND THE FBI/CHS ROBESON'S STORY (ITEM #36), WAS THAT TARGET CROFT ASKED THE CHS TO COME TO DELAWARE TO RETURN A RIFLE THAT CROFT WOULDN'T TAKE. I'm NOT A LAW PROFESSIONAL, BUT IT SOUNDS LIKE THERE'S A LOT OF FACTS THAT THE JURY

NEVER GOT TO HEAR! A LOT OF FBI/ CHS MISCONDUCT, WHICH CREATES REASONABLE DOUBT, AND DEFINITELY THE POSSIBILITY OF ENTRAPMENT. HOW CAN A TARGET WHO WON'T TAKE A GUN, BE PREDISPOSED TO COMMIT THE ALLEGED OFFENSE? ITEMS #39 AND 40 ARE JUST EXCUSES FOR WHY THERE ARE PORTIONS OF THE DELAWARE RECORDINGS MISSING, ESPECIALLY THE PARTS THAT ARE NOT FAVORABLE TO THE GOVERNMENT'S NARRATIVE/ CASE. ITEM #41 SSA CHAMBERS AND CHS CHAPPEL HAVE BEEN PLANNING "DRIVE-BY TRIPS" OF THE GOVERNOR'S HOME, THIS IS WHERE CHS ROBESON IS BEING USED TO GET ME IN-VOLVED IN THE "MID TO LATE AUGUST CONSPIRACY". ITEM #42 TWO MORE "OIA" ADMONISHMENTS FOR THE LUTHER FTX, NONE OF WHICH THE GOVERNMENT HAD TO EXPLAIN TO A JURY. ITEM #45 THE FBI COVERING FOR CHS ROBESON BUYING

A DIFFERENT RIFLE THAN THE ONE THEY CHARGED HIM FOR.

ITEMS # 46 AND 47 ARE WHERE THE FBI IS ADMITTING ROBESON DID NOT WANT TO WORK AGAINST TARGET BRIAN HIGGINS. HE WAS NEVER A "DOUBLE-AGENT", HE JUST WASN'T TARGETING BRIAN HIGGINS, EVEN THOUGH THE FBI WAS.

GROUND THREE ALLEGES THAT THE GOVERNMENT MAY HAVE DELETED MY PHONES. THIS DOCUMENT, AND THE ARTICLE OUTLINE PHONE CALLS AND TEXTS THAT SHOULD STILL EXIST ON MY SEIZED DEVICES.

GROUND FOUR ALLEGES THAT THE GOVERNMENT MAY HAVE BRIBED GARBIN AND FRANKS TO COMMIT PERJURY. WITH ALL THAT THIS FBI DOCUMENT, AND ARTICLE REVEAL ABOUT THE LENGTHS THE FBI AND DOJ ATTORNEYS WERE WILLING TO GO TO, INDUCING PERJURY IS THE LEAST OF THE CRIMES

THE GOVERNMENT TOOK PART IN. BETWEEN THE FACTUAL RECORDINGS USED AS EVIDENCE, AND THE TESTIMONY OF GARBIN AND FRANKS, PERJURY IS OBVIOUS.

THIS MEMORANDUM, AND ATTACHED DOCUMENTS ARE BEING SUBMITTED TO SUPPORT THE STATEMENTS OF FACT IN MY 2255 MOTION, REVEAL EXCLUDE EVIDENCE ON THE RECORD.

RESPECTFULLY SUBMITTED:

Barry Croft Jr.

DATE: 11/4/25

ATTACHMENTS:

FBI DOCUMENT (15 PAGES)

"THE FBI's DOUBLE AGENT" ARTICLE (14 PAGES)

Name: BARRY CROFT
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U.S. Penitentiary MAX
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LEGAL

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to File No.

Case No. 21-CR-024

Milwaukee Field Office
3600 S. Lake Drive
St. Francis, WI 53235
April 1, 2021 ——— ITEM #1

U.S. Attorney's Office for the Western District of Wisconsin

Attn. AUSA Elizabeth Altman

RE: United States v. Stephen J. Robeson, Case No. 21-CR-024

Per discovery obligations in referenced case, the below is a summary report of information pertaining to the defendant's time as a confidential human source with the FBI.

CHS Information:

Source Opening: October 20, 2019 ——— ITEM #2
Source Closing Notification: October 27, 2020
Source Administrate Closing: November 17, 2020 (closed for cause) ——— ITEM #3
Total Payments: $19,328.79

Robeson was brought to the attention of the FBI by Marquette County Sheriff's Office. On October 16, 2019, Robeson met for the first time with the FBI along with members of the Marquette Country Sheriff's Office. Robeson made contacted with law enforcement due to concerns that members of Three Percenters of Wisconsin would engage in violent acts, which is in violation of the ideals of his militia group. In addition, engaging in this violence would damage the reputation of militia groups and hinder their cause. —— ITEM #4

Annual Admonishments

Stephen J. Robeson (Robeson) was provided the following annually required admonishments on October 30, 2019.

1. The CHS's assistance and the information provided to the FBI are entirely voluntary.
2. The CHS must provide truthful information to the FBI

3. The CHS must abide by the instructions of the FBI and must not take or seek to take any independent actions on behalf of the US Government. ITEM # 5
4. The US Government will strive to protect the CHS's identity but cannot guarantee it will not be divulged.
5. The FBI on its own cannot promise or agree to any immunity from prosecution or other consideration by an FPO, a state or local prosecutor, or a court in exchange for the CHS's cooperation because the decision to confer any such benefit lies within the exclusive discretion of the prosecutor or court. However, the FBI will consider (but not necessarily act upon) advising the appropriate prosecutor of the nature and extent of the CHS's assistance to the FBI. ITEM # 6
6. The CHS is not authorized to engage in any criminal activity and has no immunity from prosecution for any unauthorized criminal activity. ITEM # 7
7. The CHS is not an employee of the US Government and may not represent himself/herself as such.
8. The CHS may not enter into any contract or incur any obligation on behalf of the US Government, except as specifically instructed or approved by the FBI. ITEM # 8
9. The FBI cannot guarantee any rewards, payments, or other compensation to the CHS
10. Each time a CHS subject to the Attorney General Guidelines receives any awards, payments, or other compensation from the FBI, the CHS shall be advised at the time of the payment that he/she is liable for any taxes that may be owed on that compensation.
11. Whenever it becomes apparent that the CHS may have to testify in a court or other proceeding, the CHS must be advised of that possibility. ITEM # 9

Quarterly Review of Source

The FBI conducted four quarterly reviews of the Robeson, which are provided below:

- January 24, 2020: The newly developed CHS has access to identified militia groups in WI and outside. Continue to operate. ITEM # 10
- June 5, 2020: The newly developed CHS has access to identified militia groups in WI and outside. Continue to operate.
- July 22, 2020: The CHS has excellent access to multiple high profile DT subjects. Continue to operate the CHS.
- November 3, 2020: CHS is being closed due to potential obstruction. An investigation was opened.

Annual Review of Source

The FBI conducted one annual review of Robeson on November 3, 2020 and documented the following information:

- CHS's reporting was provided to the Western District of Michigan as well as the District of Delaware for use in their criminal investigations of individuals conspiring to kidnap the Governor of Michigan.
- CHS was paid a total of $19,328.79 during the period under review (10/21/2019 - 10/202020)
- On October 8, 2020, the FBI received information that CHS was attempting to influence other individuals to dispose of items which may have had may be of evidentiary value to a federal investigation. CHS was also suspected of planning to travel to Michigan to harm another individual. CHS, who is a convicted felon, may also have been in possession of firearms outside the scope of the Otherwise Illegal Activity (OIA) that was provided by the FBI. ITEM #11
- CHS, a felon and prohibited person, was provided OIA to be around and handle firearms during field training exercises wherein FBI subjects were present. The OIA was provided to allow CHS to better blend in with other militia members and not stand out or appear suspicious. OIA was provided for limited periods of time that encompassed the days of the exercises. CHS was also provided limited OIA to transport firearms to/from Handling Agents in order to retrieve and/or return potential evidence. ITEM #12
- CHS has not been involved in foreign legal proceedings. CHS has a lengthy criminal history within the U.S. CHS was previously arrested and served prison sentences for theft, forgery, receipt of stolen property, fraudulent insurance claims, bail jumping, and various other misdemeanors. These arrests spanned the period of 1984 through 2008.
- At several times throughout the relationship with CHS, he did not always properly follow the instructions provided by the Handling Agent. In addition to failure to follow instruction, CHS also failed to check with Handler prior to taking action. This action caused considerable problems that had to be addressed. In the end, the situation was resolved, however, it showed the CHS took initiative on their own on matters that required consultation. CHS relied too heavily on the existence of the recordings and did not provide adequately detailed information during debriefs, which required Handler to have follow-up conversations with the Source to gain a fuller picture of the events. CHS was told repeatedly that the recordings were to be a back-up to the information provided during the debriefs and was admonished not to rely on the recordings as a substitute for their reporting. ITEM #13

- CHS motivation for working with the FBI is that he has concerns that militia members will engage in violent acts, which is in violation of the ideals of his militia group. In addition, engaging in this violence will damage the reputation of militia groups and hinder their cause. ITEM #14
- CHS's reporting of information was generally timely and consistent with his access. At times, information was delayed if CHS needed prompting to recall details. CHS's information was corroborated through various means.
- CHS appeared to be fully cooperative with the FBI pertaining to militia matters and disrupting the plot kidnap the Governor of Michigan. CHS did not always appear to fully understand the scope and limitations of how the FBI conducted its investigations or what was expected of him. He was directed to be a sponge during conversations with subjects of interest. However, frequently, CHS could be heard taking control of conversations and providing a lot of input. CHS appeared to enjoy the role of being a person in charge, and relishes the respect and admiration of their peers. At times, CHS can be heard embellishing their deeds, background, and abilities in order to ingratiate themselves with the subjects. It was hard to determine at times if this was to increase his bona fides or for his own ego or if CHS was working to steer the investigations. ITEM #15
- CHS had excellent access, however, he was difficult to handle and did not always follow the directions provided by the FBI. As a result, CHS's motivations, truthfulness, and dedication to assisting the USG were called into question. ITEM #16
- CHS appeared to have mixed loyalties to local militia members which may have impacted their ability to provide complete information on those individuals. In addition, CHS was also technologically illiterate and had difficulty providing screenshots, social media ID numbers, and other clarifying information. ITEM #17

Consensual Recordings

Robeson conducted consensual recordings for the FBI on the following dates in the furtherance of ongoing investigations. These recordings will be provided under separate cover.

- May 6, 2020
- June 5-6, 2020
- July 11-12, 2020
- July 17-18, 2020
- August 7-9, 2020 ?
- September 11-13, 2020

ITEM #18

Source Closing Notification

On October 27, 2020, Robeson was informed that the FBI was closing him as a source. This meeting was recorded by the FBI and will be provided under separate cover.

Contact with Robeson

Robeson's contact with the FBI was documented in accordance with FBI policy. Information regarding instructions, Robeson's characterization and performance as a source, and use/possession of firearms, is provided below: ——— ITEM #19

April 30, 2020

The CHS agreed with the idea of wearing a recording device for the meeting. HA stated he would supply the CHS with the phone number of an Agent that will be able to meet him/her in South Carolina and provide them with covert recording device(s) to be used in the meeting. The CHS expressed concern that his involvement in this meeting could make him/her incapable of helping the FBI investigate dangerous individuals in the future, at which time HA suggested the CHS use the meeting to lay the groundwork for the introduction of an undercover Agent which put the CHS at ease. HA also provided the CHS with guidance regarding making sure any ideas or suggestions of criminal activity come from other people in the meeting, and not from the CHS. ——— ITEM #20

May 9, 2020

On May 9, 2020, CHS asked if a recording device used for the Norfolk investigation targeting a Baltimore target. CHS was advised not to record Baltimore target unless was associated with Norfolk target. CHS was given authority to record if the CHS consented. CHS consented. ——— ITEM # 21

May 10, 2020

HA was informed via a telephone call from the Columbia Field Office the CHS was going to meet with a Baltimore subject the following day. This was confirmed with a follow-up call to a Norfolk agent who was informed of such as well. CHS was contacted by HA who advised the CHS to not meet with Baltimore subject the next day. ——— ITEM # 22

May 11, 2020 (telephonic)

CHS was informed by HA the FBI was asking him to not meet Baltimore target while in South Carolina later that day. The CHS stated that because he had previously been told by a different FBI Agent he could meet with Baltimore subject and therefore had agreed to the meeting and it was too late to back out. The CHS was upset, feeling the FBI had placed him in a horrible position and because backing out of the meeting would possibly expose him or make militia members suspicious of him, he needed to move forward with a short meeting to protect himself and his family. The CHS stated that he may record the conversation with Baltimore target, which HA advised against doing. CHS admonished to not meet an individual. ITEM # 23

May 26, 2020

CHS advised his computer recently crashed. As a result, CHS was having trouble keeping up with the online activities of the Baltimore and Norfolk targes, particularly on Facebook. CHS attempted to use his smartphone to navigate the platform and communicate, but was having difficulty, due to lack of technical knowledge as well as limitations of the phone. CHS asked for assistance in purchasing a new laptop so he could more easily communicate.

June 5, 2020 ITEM # 24

CHS was provided with a recording device and was shown how to turn the recorder on and off. Handing Agents met with CHS and provided him with a recording device. CHS was provided a copy of the FD-472 electronic monitoring consent form, which CHS reviewed and signed. Due to operational concerns, CHS would be unable to meet up with Agents prior to the meeting, scheduled for the next day. As a result, CHS was provided instructions for operating the recording device, to include the need to state the date and time at the beginning of the recording. CHS and Handling Agent turned the recorder on and off multiple times to ensure CHS knew how to properly function the recorder. CHS placed the recorder in his wallet and left with the device at the conclusion of the meeting.

June 6, 2020

CHS met with Handling Agent (HA) to return the recording device. CHS advised he conducted two recordings. For the first recording, CHS advised he forgot to state the Date and Time at the beginning of the recording, however, he spoke the date and time immediately before he turned the recorder off. CHS turned the recorder on for a second meeting. After turning it off following ITEM # 25

the meeting, CHS then turned the recorder on, spoke the date and time, and turned the recorder off again.

June 9, 2020

CHS made several comments to HA about the meeting and that everything said should be on the recordings. As a result of this belief, CHS did not provide a lot of details on the meetings. CHS relied heavily on the existence of the recording to document the content of the meeting, and, therefore, did not make a concerted effort to remember all of the details about what was said. CHS was informed by HA that, in the future, even though CHS will have a recording device, it is vitally important that CHS attempt to remember as many details as possible since technology can fail. CHS acknowledged. CHS stated that he has invested a lot of his time into assisting law enforcement, to include making long trips and maintaining constant communication with subjects. Because of this, CHS requested compensation for his time. CHS did not specify an expected amount. HA stated he agreed CHS's time was valuable and would look into compensation. — ITEM #26

June 15, 2020

CHS asked whether HA would be able to provide compensation for his time assisting the USG. CHS stated the work he does on behalf of the USG, to include his travel, takes a lot of time away from his family, work, and other things he has going on. CHS stated he was not looking to make thousands of dollars, but to receive fair compensation. CHS was provided with information on how to record phone calls with identified subjects.

June 19, 2020

CHS showed a picture of a gun the Baltimore target possess. It was a rifle that stated "restricted to Law Enforcement, government use only." CHS provided Baltimore target's phone number and stated he was having trouble calling him using the provided monitoring phone number. CHS took all the appropriate steps in doing so in front of the HAs and was unsuccessful. CHS wanted legal guidance from HAs about what to do if the Baltimore target wanted to give them an IED at the training. CHS also wanted to know their legal status about having different 3% chapters in multiple states. — ITEM #27

June 25, 2020

CHS was contacted by Handling Agent (HA) by telephone and asked about the potential for out-of-state militias coming to Wisconsin to protect local statues. After the conversation, CHS asked HA for clarification on concealed carry laws on the UW-Madison campus. HA told CHS he would attempt to get clarification and let CHS know.

July 6, 2020

CHS requested a meeting with Handling Agent (HA) and Supervisor to discuss considerations for the safety of his family if things continue to progress along its current path. HA agreed that a meeting would be beneficial and stated he would arrange it. ——— ITEM #28

July 9, 2020

CHS was provided with OIA admonishments for OIA authorization for the dates of 07/11/2020 through 07/13/2020. He acknowledged the limited scope of the OIA and signed the admonishment form. Handling Agent (HA) asked CHS if anyone was aware he was a prohibited person. CHS advised only a couple of people knew. ——— ITEM #29

July 12, 2020

When CHS informed Baltimore target built a couple of explosive devices, CHS did not inform that one of the devices was built in his garage. CHS advised it was built in the garage and implied it was the garage at the Fordeg Road address. HA retrieved the recording devices from the CHS at approximately 1655. CHS informed he had trouble with the parking card recorder. CHS attempted to turn on the recorder, but couldn't see the light. CHS pressed it multiple times, but still couldn't see it. HA attempted to test the card as well and also did not see the indicator light. HA believed CHS may have accidentally turned on the recorder and ran it until the battery was drained. CHS informed he was able to get recordings using the key fob. [Note: HA later downloaded the recorder and it appears CHS had turned on the recorder, whether intentional or not, and the recording continued until the battery was dead.] ——— ITEM #30

July 14, 2020

CHS was told by HA that only one of the two recorders captured conversations from the previous weekend. It appeared that CHS accidentally turned on the recorder and it ran until the battery wore out. CHS stated he probably turned it on, thinking there was going to be conversation, but forgot to turn it off. ——— ITEM #31

July 20, 2020

CHS turned over the recording devices used during the meetings in Peebles. CHS advised s/he used both recorders since s/he was not sure which one would be better at picking up the conversations. CHS advised there was a fan blowing nearby that CHS was afraid may have drowned out some of the conversations. CHS asked that Handling Agent (HA) review the recordings and reach out with any questions. CHS provided general information about the meeting, but didn't provide a lot of detail. HA notes that CHS tends to rely heavily on the recording devices to provide HA with information on what took place during the meetings. As a result, CHS does not go into great detail about the meetings and seems to assume the recordings will speak for themselves. HA will admonish CHS to attempt to provide greater details for future events, adding that CHS should consider the recording devices as a back-up to CHS's reporting, as opposed to the other way around. ITEM #32

July 20, 2020

CHS advised neither his wife, nor anyone else, knows they are cooperating with the USG. – ITEM #33

July 22, 2020

CHS was told the FBI had surveillance on Baltimore target when he returned home from his WI trip and that surveillance indicated Baltimore target did not unload the AR rifle at his home. CHS was tasked to go to the Cambria, WI FTX site and determine if Baltimore target left behind the AR rifle with suppressor and launcher. ITEM #34

July 23, 2020

CHS advised he located the Baltimore target's gun at the Cambria FTX location. On his own initiative, and without consulting HA, CHS took possession of the firearm, removed it from the training facility, and hid it in his home. CHS contacted HA after the fact to advise the weapon was located and removed and requested guidance on how to proceed. They were concerned that the weapon was illegal and may be used/removed by others so they removed it, brought it to their home where they hid it in the back of a closet. No one was aware CHS had the weapon. CHS stated they did not want it in their home and was hoping HA could retrieve it sooner than later. HA told CHS he had to confer with other people on the matter and would get back to them as soon as possible. ITEM #35

July 24, 2020

CHS contacted Handling Agent (HA) via telephone. CHS was contacted by Baltimore target via telephone. Baltimore target told CHS he wanted CHS to come out to Delaware for a meeting the following Thursday or Friday and that CHS should bring Baltimore target's rifle and shotgun with him. ITEM #36

July 26, 2020

CHS contacted Handling Agent (HA) by telephone. CHS advised he spoke with Baltimore target and Baltimore target told him he was able to push back his planned meeting and asked the CHS to come out the following week (Aug 7) and bring his guns with him. CHS asked for guidance on what to tell Baltimore target, adding that if he pushed off attending again, Baltimore target and others may begin to question his commitment and trustworthiness and may push him out of the inner circle. CHS stated regardless of what HA and others wanted to do with the weapons, it was important that CHS attend this meeting.

July 31, 2020

CHS stated he wished had the ability to record the call as there was a lot being said and CHS had a hard time recalling everything and wanted to be able to refer back to a recording to jog his memory. CHS advised they would get the shotgun later afternoon/evening Monday and bring it to HA on Tuesday morning.

August 5, 2020

CHS turned over a shotgun that was left in Cambria, WI by Baltimore target to HAs. HA also had CHS sign two separate OIA Admonishment forms that were done verbally, over the phone with the CHS on 7/23/2020 and then again on 8/3/2020. ITEM #37

August 7, 2020

CHS just completed a drive from WI to DE. CHS drove alone. HA was provided C Baltimore target's DB12 shotgun and Bushmaster AR rifle. CHS was also provided with two (2) recording devices. CHS advised he would be meeting with Croft Friday afternoon and would hand over the weapons at that time. ITEM #38

STEVE NEVER POSSESSED DB12

August 8, 2020

CHS sent text message advising one of the recording devices had gotten soaked with water. CHS attempted to turn it on without success and asked HA to swap out the device by meeting CHS at the rear of his hotel. CHS advised there were other subjects at the hotel. HA told CHS to use whatever time remained on the other recording device (key fob) and that the other device can be swapped when CHS is free to get away. Later that afternoon, at approximately 6:00 pm, CHS met with HA and swapped out recording devices. CHS sent a text message advising the recording device would not turn on. HA responded that HA was able to get it to work and that CHS should use a gentle press, and not hold down the button, to turn it on. CHS acknowledged. — ITEM #39

August 9, 2020

CHS advised he went to Baltimore target's house on Friday and attempted to give Baltimore target his guns back. Baltimore target would not take the weapons, stating he could not have the weapons there at the moment. Baltimore target asked CHS to take the weapons back and bring them to him in MI, but CHS stated he refused to keep the weapons, stating he had too much stuff going on to get pinched with these weapons. CHS did not know the history of the weapons, stated Baltimore target got them "off the streets", and wondered if they were previously used in a crime. CHS stated Jenny Plunk said she'd take them. She would be traveling to MI in September for the next FTX and would bring them to Baltimore target at that time. CHS ended up placing the weapons into her vehicle. CHS placed one and Baltimore target placed the other. Plunk was not happy about having to take the weapons. — ITEM #40

August 24, 2020

CHS asked for OIA to carry during protests and for upcoming FTX in Michigan. Handling Agent informed that OIA would not be provided for the protests as it was strictly for investigative purposes in furtherance of the case. CHS advised he understood and would attempt to stay safe and distance himself from potentially dangerous situations. HA would discuss OIA for Michigan with CHS at a later date.

September 8, 2020

CHS expressed interest in setting up a meeting with a Supervisory Special Agent as CHS felt things were getting pretty involved and would continue to get more involved. ———— ITEM #41

September 10, 2020

CHS was interested in obtaining a waiver to help remove prohibition to possess firearms. CHS talked about possibly earning the waiver based on a point merit system. HA also had CHS sign two separate OIA Admonishment forms for the upcoming Michigan FTX. One to possess firearms and one to transport explosive materials. — ITEM # 42

September 21, 2020

HA received information from BA field office that CHS tasked a Wisconsin target to do a background on Baltimore target. In order to verify if CHS had done so, HA asked CHS if there was any level of mistrust among the MI FTX participants. CHS stated it was the Jenny Plunk that asked the Wisconsin target to conduct a background check. Wisconsin target asked the CHS for permission to do so. CHS advised there were several FTXs coming up in WI for which CHS would need OIA. CHS stated if it were just his local people, he could work around not handling weapons; however, there were several individuals coming from out of state and CHS would appear suspicious and would lose credibility with the militia members. CHS stated he would send the dates the next day. CHS informed HA that CHS was at a local FTX over the weekend. CHS stated he was being very careful about not handling weapons; however, the previous day, one individual specifically approached the CHS and brought a weapon over and handed it to CHS in order to show it off. CHS advised he was not in a position to refuse the individual without seeming suspicious. CHS wanted to let HA know of the situation. HA admonished the CHS that he should not be handling firearms without specific OIA to do so. — ITEM # 43

September 22, 2020

Handling Agent (HA) discovered the existence of dash camera video footage of the surveillance operation that was taken by the Wisconsin target. CHS did not mention the existence of the footage during the initial and follow-up debriefs on the FTX. CHS later provided the information after being prompted by HA whether any of the FTX participants took photos or videos of the events. — ITEM # 44

September 24, 2020

CHS stated the weapon bought from Norfolk target was not illegal. Norfolk target got a lower, upper, and a bolt carrier, but not a front post because CHS knew that would make the gun illegal without a tax stamp. CHS thought Norfolk target had an illegal gun, but would not get an illegal — ITEM # 45

gun from him. CHS stated his wife was very conscious about not having anything that could get them in trouble. CHS was tasked to provide the Bill of Sale and serial numbers of this weapon purchased from Norfolk target.

September 28, 2020

CHS was supposed to contact HA on Sunday to arrange a time to hand over a recording device in order to record CHS's conversations with Wisconsin target at the FTX. CHS never called and did not respond to a text message from HA. On Monday morning, when asked why he did not call, CHS apologized and stated he thought he was only supposed to call only if Wisconsin target was going to be at the FTX. CHS asked if HA was able to arrange a meeting time with HA's supervisor to discuss steps after the investigation concludes. CHS provided a photograph of the bill of sale of the firearm CHS's spouse purchased from Norfolk target. A copy of the receipt was forwarded to Norfolk case agents. ITEM #46

*Receipt provided under separate cover

October 2, 2020

CHS said he wanted to keep doing what he's doing. He wanted to continue reporting and does not want to get burned. CHS said there are people in the organization that are dangerous, people with 30's and 50's that could get to people easily. CHS would still like to meet with the SSA to talk about more work in the future. CHS said he has seen the dark side of this organization and wants to keep helping, keep atoning for some of his sins from the past. CHS started to get a little emotional when talking about him feeling like he was making a difference and doing something his family could be proud of.

October 7, 2020

This meeting was during an operation of a search warrant for Wisconsin target. CHS was pulled aside and it was made to look like CHS was being interviewed. During the course of the interaction, CHS requested that he be searched and put in an Agent's vehicle to make it look like he was going to talk to someone or going for a warrant. CHS asked what all was happening and was told that the FBI was going to take-down or interview different individuals from the MI surveillance operation. HA thanked CHS for his work and told CHS that due to a lot of his work, Higgins was not being arrested for his part of the surveillance operation and the FBI was just executing a search warrant. CHS also was asked to say something in passing to Wisconsin target ITEM #47

to attempt to gain cooperation of him. CHS requested he be searched and put into HA's vehicle to make it look like he was being interviewed. CHS requested that when Wisconsin target departed with agents, CHS was to depart in another vehicle as well to make it look more legitimate. Afterwards, CHS was brought back to his vehicle and he departed. (HA note: very shortly afterwards, CHS was told by HAs not to take calls and not to discuss things with anyone.) OH READY? CHECK HIS FB.

October 7, 2020

During a conversation at approximately 7:58pm, CHS contacted Handling Agent (HA) and asked what would be his cover story about why he did not get arrested or searched like Wisconsin target or the others, as people were going to be reaching out. HA told CHS he would develop a cover-story to provide the CHS, but in the meantime, he should avoid making or taking calls from people, using the excuse that he was being questioned late into the night. CHS acknowledged and said he'd talk to HA later. At approximately 11:40 PM, CHS texted HA "Got a minute" At approximately 11:49 PM, HA responded "yes" At approximately 12:05 AM, CHS texted "Call?" At approximately 12:07 AM, HA responded "Call" At approximately 12:08 AM, CHS called HA. HA noted that CHS was difficult to understand and was not speaking clearly. CHS assessed the CHS was either half-asleep or impaired. CHS advised he spoke with "Big Dan" from Michigan and Jenny Plunk. CHS stated "Dan was out" and that "things were going on." CHS also mentioned a Michigan target and Wisconsin target, however, HA could not understand the CHS and could not determine the context. HA told CHS he would speak with him in the morning.

October 8, 2020

CHS stated there was going to be an FTX in Cambria, WI over the weekend and asked Handling Agent (HA) for OIA to handle firearms. ITEM #48

October 9, 2020

In the conversation, CHS was told that he is not being tasked to do anything at this point and that the FBI did not want him to do anything, that he should lay low and avoid any contacts with subjects or others associated with the plot/subjects. CHS specifically asked about Norfolk target, stating that Norfolk target has been reaching out to him daily, not necessarily about his plans, but about what they should do as a result of the arrests. CHS stated Norfolk target was "freaking

out". CHS was told to avoid contact and keep him at arm's length and that HA did not want the CHS talking about anything with him. CHS acknowledged.

October 12, 2020

CHS continued to have contact with some individuals associated with the MI, BA, and other investigations, despite having been told by Handling Agent (HA) to avoid contact. CHS was reminded that he should not deflect or look to place the blame on other people when the subject of identifying the government sources or undercover comes up. CHS was told, again, not to speak with anyone involved with these groups. Do not take their calls. Do not return their calls. There is no reason for him to speak with anyone at this point. CHS asked, "so if they call me, you don't want me calling back?" HA stated that is correct. CHS is to have no contact. CHS stated that he now understood what HA was saying and that he will not communicate with anyone anymore.

October 14, 2020

CHS continued to have contact with some individuals associated with the MI, BA, and other investigations, despite having been told by Handling Agent (HA) to avoid contact. CHS advised that a couple of weeks ago, Antifa doxed the CHS, his family and friends. This was not the first time this has happened. CHS was concerned about members of Antifa showing up at his home. CHS stated his family was prepared to defend themselves, however, if this happens.

October 27, 2020

Source closing. This meeting was recorded and will be provided under separate cover.

The FBI's Double Agent

March 6 2024, 1:30 p.m.

PARAGRAPH #1

A month before the 2020 presidential election, the Justice Department announced that the FBI had foiled a plot to kidnap Michigan Gov. Gretchen Whitmer, whose pandemic lockdown measures drew harsh criticism from President Donald Trump and his supporters.

PARAGRAPH #2

The alleged plot coincided with growing concern about far-right political violence in America. But the FBI quickly realized it had a problem: A key informant in the case, a career snitch with a long rap sheet, had helped to orchestrate the kidnapping plot. During the undercover sting, the FBI ignored crimes that the informant, Stephen Robeson, appeared to have committed, including fraud and illegal possession of a sniper rifle.

PARAGRAPH #3

The Whitmer kidnapping case followed a pattern familiar from hundreds of previous FBI counterterrorism stings that have targeted Muslims in the post-9/11 era. Those cases too raised questions about whether the crimes could have happened at all without the prodding of undercover agents and informants.

PARAGRAPH #4

For the FBI, the stakes in the Whitmer case were high. If defense lawyers learned of Robeson's role in the kidnapping plot, the FBI agents feared, they'd be accused of entrapment. The collapse of the case, built over nearly a year using as many as a dozen informants, two undercover agents, and bureau field offices in at least four states, would have been a public relations coup for right-wing politicians and news media. Both groups have used the problematic investigation as evidence that the Justice Department has been "weaponized" against

PARAGRAPH #4

conservatives — despite a decadeslong public record proving the opposite — and as fuel for conspiracy theories that the January 6 Capitol riot was engineered by the FBI.

But the truth about the Whitmer kidnapping case is far more complicated. This story is based on thousands of pages of internal FBI reports and more than 250 hours of undercover recordings obtained by The Intercept. The secret files offer an extraordinary view inside a high-profile domestic terrorism investigation, revealing in stark relief how federal agents have turned the war on terror inward, using informant-led stings to chase after potential domestic extremists just as the bureau spent the previous two decades setting up entrapment stings that targeted Muslims in supposed Islamist extremist plots. The files also suggest that federal agents have become reckless, turning a blind eye to public safety risks that, if addressed, could disrupt the government's cases.

PARAGRAPH #5

The FBI documents and recordings reveal that federal agents at times put Americans in danger as the Whitmer plot metastasized. In one instance, the FBI knew that Wolverine Watchmen militia members would enter the Michigan Capitol with firearms — and agents suspected that one man might even have had a live grenade — but did not stop them. (The grenade turned out to be nonfunctional.) Another time, federal agents intervened when local police officers in Michigan were about to confiscate firearms from two of the FBI's targets, who were on a terrorist watchlist. Local law enforcement had received reports from concerned citizens who saw the men loading their guns before entering a hardware store.

PARAGRAPH #6

The files also raise questions about whether the FBI pursued a larger, secret effort to encourage political violence in the run-up to the 2020 election. At least one undercover FBI agent and two informants in the

PARAGRAPH #6

Michigan case were also involved in stings centering on plots to assassinate the governor of Virginia and the attorney general of Colorado.

PARAGRAPH #7

The FBI refused to answer a list of questions. "Unfortunately, due to ongoing litigation, we are unable to comment," said Gabrielle Szlenkier, a spokesperson for the FBI in Michigan. Robeson, through his lawyer, also declined to comment.

PARAGRAPH #8

Federal agents paid Robeson nearly $20,000 to participate in a conspiracy that evolved into a loose plot to kidnap the governor of Michigan, according to the documents. But FBI agents knew that two other informants and some of the defendants in the Whitmer case believed that Robeson was the plot's true architect.

PARAGRAPH #9

So on December 10, 2020, agents called Robeson into the FBI's office in Milwaukee in an apparent attempt to silence him. In an extraordinary five-hour conversation, which FBI agents recorded, one of Robeson's handlers told him: "A saying we have in my office is, 'Don't let the facts get in the way of a good story,' right?" Despite federal and state trials involving the kidnapping plot, this recording — which goes to the heart of questions about whether the FBI entrapped the would-be kidnappers — was never allowed into evidence. The Intercept exclusively obtained the full recording and is publishing key portions for the first time.

> ***"A saying we have in my office is, 'Don't let the facts get in the way of a good story.'"***

PARAGRAPH #10

The FBI agents asked Robeson to sign a nondisclosure agreement and proceeded to coach and threaten him to shape his story and ensure that he would never testify before a jury. Their coercion of Robeson undermines the Justice Department's claim, in court records, that

PARAGRAPH #10

Robeson was a "double agent" whose actions weren't under the government's control. The agents also made it clear that they had leverage: They knew Robeson had committed crimes while working for the FBI.

PARA-GRAPH #11

"We know we have power, right?" an FBI agent told Robeson during this meeting. "We know we have leverage. We're not going to bullshit you."

> ***"We're speaking from a position of power. That's why we're here. We planned this out. We know we have power."***

PARA-GRAPH #12

Robeson's role as an informant in the Whitmer kidnapping plot was supposed to be a tightly held secret. FBI agents had written the charging documents to conceal his identity.

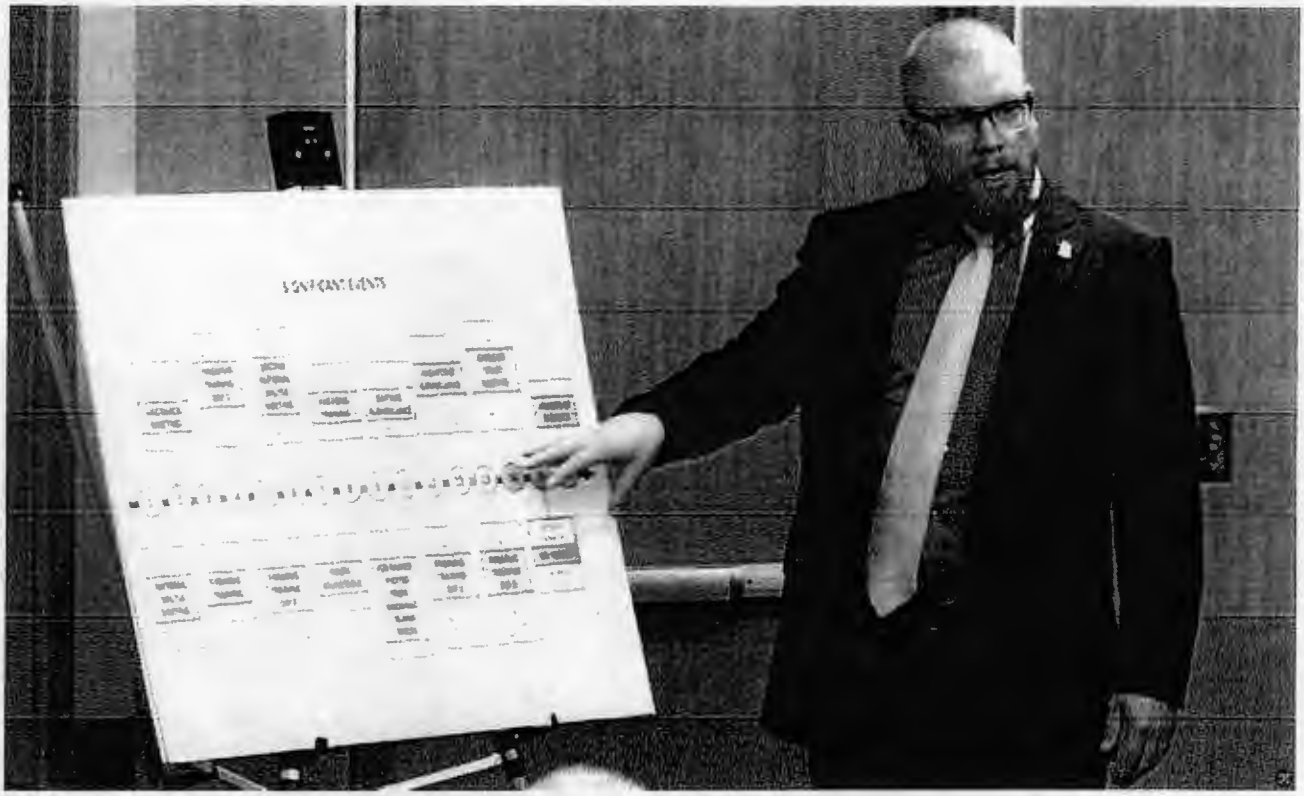
PARAGRAPH #13

But the FBI's paperwork was sloppy. Supporters of the 14 defendants began to piece together clues from details like the FBI's descriptions of passengers in a car that had been driven near Whitmer's vacation home in Antrim County, Michigan. The clues appeared to point to Robeson as a snitch — or, in the FBI's terminology, a confidential human source. After the October 2020 arrests, a panicked Robeson started calling targets of the FBI investigation and denying that he was an informant.

PARAGRAPH #14

"So when you call, your intentions are to keep some of the heat off of you, right?" an FBI agent asked Robeson during the December 2020 meeting. "To point people in the other direction?"

"Anywhere but me," Robeson answered. "Not at anyone specific, just away from me."



FBI Special Agent Henrik "Hank" Impola, one of the lead investigators in the Whitmer kidnapping conspiracy, testifies in a Michigan court on Aug. 31, 2020. Photo: Eric L. VanDussen

PARAGRAPH #15

Robeson was talking to Henrik "Hank" Impola and Jayson Chambers, two of the lead FBI agents in the Michigan case. Chambers, who previously played in a rock band that "bases all of its music on the fact that Christians are in a spiritual war," was the registered owner of a private intelligence company whose purported CEO ran a Twitter account known for right-wing trolling and that appeared to tweet about the Michigan case before it was announced.

PARAGRAPH #16

The two agents started up a good-cop, bad-cop routine with Robeson. Chambers assured him they had done all they could to conceal his role as an informant. Impola, meanwhile, said they needed to come up with a plausible cover story.



Adam Fox, left, and Stephen Robeson, right, in a 2020 photo, became fast friends. The FBI tried to position Fox as the leader of the Whitmer kidnapping plot, but Robeson was also deeply involved, FBI records show.
Photo: FBI evidence

PARAGRAPH #17

"Robey's Idea From Day One"

PARA-GRAPH #18

From the start of the investigation, the FBI knew that Robeson, like

PARAGRAPH #18

many paid informants, had credibility problems. Robeson has been in and out of the criminal justice system since the early '80s, charged with having sex with a minor, writing bad checks, bail jumping, and many other offenses. Robeson also acknowledged to the agents that he was previously a member of an outlaw motorcycle gang. "I can't blame what I did on anybody else," Robeson told FBI agents of his criminal record. "I'm doing what I hope is better now."

PARAGRAPH #19

Sexual misconduct is a repeated claim in allegations involving Robeson, and his handlers at the FBI knew this. A local police report in the FBI's files describes how a 17-year-old claimed Robeson coerced her to have sex in return for a promise to put her pictures in a calendar. He pleaded no contest to the misdemeanor charge.

PARAGRAPH #20

More recently, according to an internal FBI report, a woman who lived in Robeson's garage in Wisconsin told federal agents that Robeson pressured her for sex because he said she wasn't contributing enough to the household. "I would not call it rape," the woman said, though she acknowledged to federal agents that she did not believe she had a choice. The woman also told FBI agents that Robeson sold marijuana and prescription drugs out of his house, according to internal bureau documents. She reported that she suspected he was selling firearms as well. (The Intercept is not publishing these reports because they contain identifying information about alleged sex crime victims.)

PARAGRAPH #21

Robeson's career as a government cooperator appears to have coincided with his career as a criminal. In 1985, he testified that a member of a violent motorcycle gang with whom he had shared a jail cell confessed to him that he had "hit a girl on top of the head" before her body was found in a burned-out bar, which was allegedly set ablaze for insurance money. More recently, in the mid-2000s, Robeson helped police set up a Wisconsin farmer, who wanted to harm a romantic rival,

PARA-GRAPH #21

in a murder-for-hire scheme.

PARAGRAPH #22

Defense lawyers say the FBI used a nondisclosure agreement with Robeson — which they claim was never turned over as evidence in the Whitmer cases — to prevent Robeson from talking publicly about his work as an informant. As Special Agent Chambers reminded Robeson in their recorded meeting: "So when you get asked, 'Why did you have to go to the FBI, blah, blah, blah, blah, blah?' You don't have to talk about what we're talking about here."

PARAGRAPH #23

Federal agents were particularly troubled by messages Robeson had sent to Barry Croft Jr., a primary target in the investigation, that alluded to using violence against elected officials. Croft's lawyer could use those messages to suggest that the kidnapping plot had been Robeson's idea, not Croft's, the agents feared.

PARA-GRAPH #24

"This is something that we're all going to have to overcome," Impola told Robeson, adding a few minutes later: "It quickly becomes, from a defense strategy, 'Well, this was Robey's idea from day one.'"



Joe Morrison (third from right), Paul Bellar (second from right), and Pete Musico (right) of the Wolverine Watchmen were among protesters inside the Michigan Capitol on April 30, 2020. Photo: Seth Herald/REUTERS

"I Let the FBI Know"

PARAGRAPH #25

In the spring of 2020, as the United States grappled with a deadly coronavirus pandemic, Whitmer, a Democrat, issued a "stay home, stay safe" order in Michigan that barred "in-person work that is not necessary to sustain or protect life." Covid-19 skeptics, along with many Republicans, were enraged. On April 17, Trump weighed in with a tweet: "LIBERATE MICHIGAN!"

PARAGRAPH #26

Two weeks later, as many as 1,000 protesters attended a rally at the Michigan State Capitol in Lansing in what a state senator later described as a "dress rehearsal" for January 6. The so-called American

PARAGRAPH #26

Patriot Rally was organized by Ryan Kelly, a former Republican gubernatorial candidate in Michigan who was later sentenced to 60 days in prison for taking part in the attack on the U.S. Capitol.

PARAGRAPH #27 AND 28

Many of the protesters inside the Michigan Capitol were armed, including an FBI informant and former Army sergeant named Dan Chappel. The FBI had hired Chappel to infiltrate a ragtag group of gun enthusiasts he'd met through Facebook who called themselves the Wolverine Watchmen. "I let the FBI know that there was talks of storming the Capitol," Chappel, known to the militia group as "Big Dan," later testified.

PARAGRAPH #29

About 10 members of the Wolverine Watchmen were with Chappel at the state Capitol, unaware that he was working for the FBI. Although he informed the FBI in advance that the Wolverine Watchmen planned to storm the Capitol that day, federal agents did not try to stop them, Chappel later testified. FBI agents knew the militia members had discussed the locations of police officers at the Capitol and how to start "the boogaloo," code for a civil war. (A year after arrests were made in the Whitmer kidnapping plot, Michigan Attorney General Dana Nessel confirmed in a podcast interview that law enforcement perceived violence at the Capitol as a real threat. "There was a plan for mass execution that day," Nessel said.)

PARAGRAPH #30

The April rally in Lansing was so successful that the same organizers held another, on June 18, 2020. The protesters, including Chappel and other members of the Wolverine Watchmen, milled about outside the Capitol that day, showing off their firearms and military cosplay for the news cameras.

PARAGRAPH #31

That's where Chappel first met Adam Fox, who lived in the basement of a vacuum repair shop and liked to work out, smoke marijuana, and rant

PARAGRAPH # 31

on social media. A stout man with a beard, Fox had already met Robeson, who was the Wisconsin chapter president of the Patriot Three Percenters militia and had started working for the FBI as an informant in October 2019, according to the bureau.



Adam Fox, photographed outside the Michigan Capitol on June 18, 2020, lived in the basement of a vacuum repair shop. He liked to work out, smoke marijuana, rant on social media, and had become fascinated by the militia movement. Photo: Matthew Dae Smith/Lansing State/USA Today Network

PARAGRAPH # 32

Robeson had come to the FBI's attention in part through a secret program known as Operation Bronze Griffon — first revealed publicly in 2022 to Republican House investigators by a whistleblower who misspelled it as Bronze Griffin — through which Facebook provides user activity information to federal agents without a search warrant or subpoena. According to an FBI report obtained by The Intercept,

PARAGRAPH #32

agents received a Bronze Griffon lead on Robeson for posting "possibly violent rhetoric in support of the militia movement and the Boogaloo concept." The FBI recruited Robeson to be an informant, and he told agents that he knew of fellow militia members who had spoken about attacking law enforcement officials.

PARA-GRAPH #33

Once on the FBI payroll, Robeson organized and led several militia planning meetings, including one in Dublin, Ohio, that Fox and Croft attended on June 6, 2020.

PARAGRAPH #34

Chappel's face-to-face meeting with Fox at the Michigan Capitol would bridge two federal investigations, known internally as Operation Cold Snap and Operation Kessel Run, and link two informants, Chappel and Robeson, each of whom was unaware that the other worked for the FBI.

Chappel's face-to-face meeting with Fox would bridge two federal investigation and link two informants, Chappel and Robeson, each of whom was unaware that the other worked for the FBI.

PARAGRAPH #35

The informants went to great lengths to position Fox as a leader. Robeson suggested that Fox launch a Michigan chapter of the Patriot Three Percenters. On June 21, 2020, just three days after Fox met Chappel, a third FBI informant, Jenny Plunk, created a private Facebook group called "Michigan Patriot III%ers." (The FBI classifies Three Percenters as a domestic terrorism threat.)

PARAGRAPH #36

The Facebook group's first members were Plunk and Robeson, both on the FBI's payroll, and Fox and his girlfriend, Amanda Keller. Plunk lived

PARAGRAPH # 36

in Tennessee, where, according to her FBI cover story, she led a small militia. While Plunk and Robeson administered the Facebook group, Fox invited several Wolverine Watchmen and other gun enthusiasts to join, bringing the group's membership roster to 28. Although the FBI's informants had created the Facebook group for Fox, Robeson announced in a welcome message that Fox was the "C.O." — a military acronym for "commanding officer."

PARAGRAPH #37

Robeson often spoke in the vernacular of a soldier. He never served in the military, but he was so gung-ho that he had obtained forged paperwork that made it appear he'd been a Marine, according to FBI reports. Using military lingo, Robeson posted an invitation to the new Facebook group for a weekend tactical training session in Cambria, Wisconsin, about 40 miles north of Madison.

PARAGRAPH #38

More than 30 people attended that weekend event in July 2020, including Fox, his girlfriend, and a few members of the Wolverine Watchmen. At the time, Robeson was running scams related to a fake charity he called Race to Unite Races, whose mission was "to bridge the racial divide." Internal FBI reports indicate that Robeson used proceeds from the fake charity to buy supplies to build a shooting range to train in close-quarters combat, known as a "kill house."



Militia members practice inside a "kill house" during a July 2020 training session in Wisconsin organized and partially financed by FBI informant Stephen Robeson. Screenshot: The Intercept/FBI evidence

PARAGRAPH #39

Videos from the FBI files show the attendees shooting at targets in the kill house. Robeson, a firearm holstered at his side, can be seen giving directions. Chappel, who had combat experience in Iraq, also appears in several videos demonstrating tactics. FBI agents gave Chappel permission in advance to share combat tactics with the militia members, telling him: "You can do what's on YouTube."

PARAGRAPH #40

In a group photo from the event, many attendees hold up rifles, offering the reluctant half-smiles of an awkward family picture. Robeson is off to the left, wearing flip-flops, American-flag swimming trunks, and a sleeveless T-shirt that hangs over his large belly. He's holding up three fingers, the sign of the Three Percenters.

PARAGRAPH #41

The events of that weekend were critical to the Justice Department's case, as they appeared to show the men training for scenarios they'd encounter in their supposed attempt to kidnap Michigan's governor. But by the time the FBI spoke to Robeson in December 2020, federal

PARA-GRAPH #41

agents were deeply concerned that the fine details of that weekend might suggest entrapment.

PARAGRAPH #42

"You've got a Wisconsin Patriot Three Percenter role-playing the kidnapping with Wolverine Watchman at the training you've set up, right?" Impola, the FBI agent, said to Robeson.

"It wasn't just me," Robeson said. "I set it up and —"

"These are things we need to discuss," Chambers interrupted.

> ***"You've got a Wisconsin Patriot Three Percenter role-playing the kidnapping, with Wolverine Watchmen at the training you set up, right?"***

Impola told Robeson that the FBI's case notes show that a Wisconsin agent was aware of the training, but that federal agents did not know that Robeson was the one who had organized it.

"I don't want to put these words in your mouth, but the question is —" Impola said.

"Did I do it under FBI directive?" Robeson interrupted.

"Right," Impola answered.

PARAGRAPH #43

"No, it wasn't just — What I'm saying is, it wasn't me. It was Adam [Fox] that asked if they could do that —"

"Yup," the two FBI agents said in unison.

"It was Barry [Croft] who asked if we could get a joint one together. It was Illinois. And I asked before I said yes."

"The question becomes: Did a bunch of terrorists Shanghai your training for their purposes, or did you set up a training for terrorists?"

PARAGRAPH #43

Impola asked. "That's the question, right? There's a training that happened in which a terrorist operation was planned and played out, and you're involved in setting it up."

"I Need to Come Play With Y'all"

PARA-GRAPH #48

Robeson's organizing and financing of the weekend training in Wisconsin wasn't the FBI's only problem.

PARAGRAPH #49

In multiple videos from the training, Robeson can be seen using firearms. As a felon, he wasn't allowed to have guns. But FBI agents apparently believed that handling firearms would be critical to his credibility among the militia members, so they had asked the Justice Department for a waiver to let Robeson handle "nonfunctional" weapons in his undercover capacity, according to internal emails.



In photos and videos taken during the FBI sting, informant Stephen Robeson can be seen with firearms even though the Justice Department had instructed the FBI not to allow Robeson, a convicted felon, to use guns during the operation. Photo: FBI evidence

PHOTO-GRAPH #50

The Justice Department said no, reminding Robeson's handlers that he

PARAGRAPH #50

was prohibited from handling even an inoperable firearm. "Just the receiver satisfies the federal definition of a firearm," Assistant U.S. Attorney Rita Rumbelow told the FBI in a May 21, 2020, email, referring to the tube that houses the firearm's bolt.

PARAGRAPH #51

Internal FBI records show that Robeson and his handlers found creative ways to get around the Justice Department's directive. One month after the Wisconsin training event, the FBI assigned Robeson a new handler, Corey Baumgardner, an agent in Wisconsin. Baumgardner later testified that he collected a firearm from Robeson: an AR-15-style rifle with an illegal suppressor and a launcher attachment. Instead of handing the firearm to the agent, Robeson left it on the ground in front of his truck. Baumgardner collected the gun, without having to see Robeson handle it.

PARAGRAPH #52

The gambit appeared to allow Robeson and the FBI to have it both ways: Robeson could have access to guns, maintaining his credibility with the militia members, and FBI agents wouldn't directly see him handle firearms.

Most Read

PARAGRAPH #44

Federal agents went to great lengths to maintain this sleight of hand. As part of the sting, the FBI in early August 2020 went to Delaware, where Robeson and Plunk met with a group that included Croft, a truck driver Robeson started messaging online in 2019 about targeting politicians for violence, and Frank Butler, a Navy veteran from Virginia.

PARAGRAPH #45

Butler had been in contact online and in person with both Robeson and Chappel, and Chappel had discussed with him a fantastical plan to fly an explosives-laden drone into the Virginia governor's North Carolina vacation home, though the plot went nowhere. Butler, who was never

PARAGRAPH #45

charged with a crime, later told investigators that Robeson and Chappel "were literally brainwashing me" and "weaponizing me." (Prosecutors acknowledged in a court filing that Robeson had offered to provide money to "purchase weapons for attacks" and "the use of a drone, to aid in acts of domestic terrorism.")

PARAGRAPH #46

After their meeting in Delaware, Robeson had something for Croft. Baumgardner, the FBI agent in Wisconsin, had driven the AR-15-style rifle he'd collected next to Robeson's truck more than 900 miles to Delaware. The rifle had originally belonged to Croft, and Robeson tried to give the weapon back to him. According to internal FBI reports, Croft refused to accept it, saying he couldn't keep it at that moment. Plunk, the other FBI informant, took the illegal gun instead.

The following month, two undercover FBI agents and three FBI informants — Robeson, Chappel, and Plunk — gathered for another training event in Luther, Michigan, with around 26 others, including Croft from Delaware and Fox from Michigan. Plunk secretly recorded audio and video during the training event. In one recording, Robeson proclaimed that he was now the national leader of the Patriot Three Percenters militia and had appointed someone else to run his chapter in Wisconsin. "I'm no longer the state C.O.," Robeson said. "I'm the national C.O."

PARAGRAPH #47

Also during this training event, on the afternoon of September 13, 2020, Plunk gave the rifle to Croft, who, in turn, handed it over to Chappel, according to FBI reports.

The story of the firearm only revealed the FBI's heavy hand in the investigation.

PARAGRAPH #53

FBI agents appeared to view the rifle with an illegal suppressor and attached launcher as a critical piece of evidence in their conspiracy case. But the story of the firearm only revealed the FBI's heavy hand in the investigation. The illegal rifle made a full circle, from the FBI and back, through the hands of three paid informants, never staying long with any targets of the investigation.

PARAGRAPH #54

The gun anecdote is emblematic of the larger sting: The FBI's informants were ham-fistedly encouraging their targets to discuss plots to harm elected officials. Those efforts reached farcical levels on September 12, 2020, during a meeting and training exercises in Luther.

Related

The FBI Paid a Violent Felon to Infiltrate Denver's

Racial Justice Movement

PARAGRAPH #55

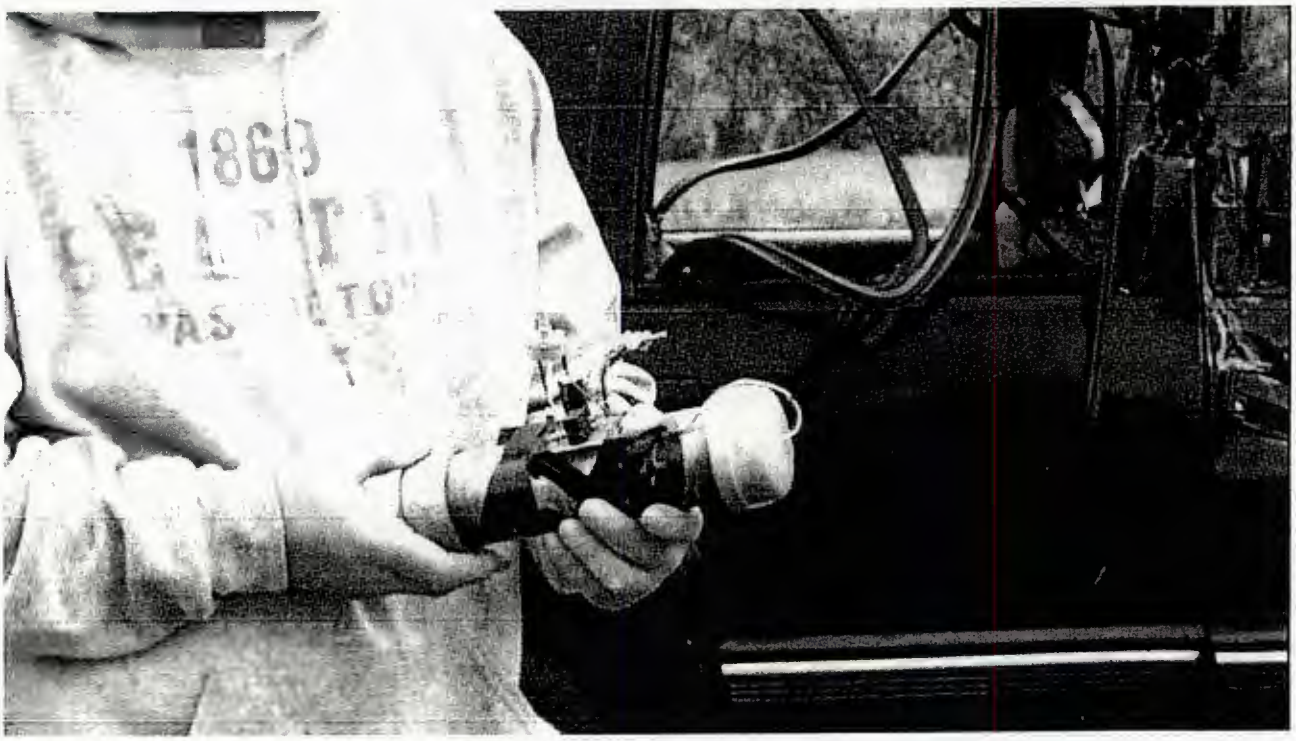
For that meeting, Chappel brought a friend nicknamed "Red," a slender man with a 187th Airborne sleeve tattoo on his right arm. "Red" was in fact Timothy Bates, an undercover FBI agent who identifies himself in government recordings as "UCE 7775," referring to his FBI undercover employee number. Just three weeks earlier, Bates had been in Denver, where he encouraged political violence. In Colorado, an FBI informant named Mickey Windecker introduced Bates to a racial justice activist who expressed interest in assassinating the state's attorney general — a plot that, like the one targeting Virginia's governor, ultimately fizzled.

PARAGRAPH #56

Bates and Chappel, both Army veterans, led a close-quarters combat training for the Wolverine Watchmen. Bates also told the group gathered in Michigan that he could supply explosives. The group's rough plan to kidnap Whitmer at her vacation home involved possibly blowing up a nearby bridge to slow rescue efforts.

PARAGRAPH #57

"So my guy up in Minnesota, he can pretty much get whatever. He has access to whatever one would want," Bates said in an undercover recording. Bates had brought along several videos showing men assembling and detonating homemade bombs. These videos were all stage-managed by the FBI, with agents pretending to be rogue bomb-makers.



In this screenshot from a video produced by the FBI, a man demonstrates how a pipe bomb can destroy a vehicle. An FBI undercover agent showed this video to attendees at a training session in Luther, Mich., on Sept. 12, 2020. Photo: FBI evidence

One showed an SUV obliterated by a pipe bomb. "It's a short video," Bates told the group.

"Oh, yeah!" Robeson said, laughing approvingly at the explosion.

Bates explained that some of the bombs used C-4 inside pipes, with timing devices. Others used liquid explosives, he said.

"I need to come play with y'all," Plunk said excitedly.

As he watched the video, Fox asked Bates: "What kind of price tag we looking at?"

"Depending on how big you want it," Bates answered. "For that right there? That's pretty cheap — 1,600 bucks, maybe. Maybe a thousand bucks."

PARAGRAPH #58

PARAGRAPH #59

It wasn't the first time Bates had offered bargain prices. In Colorado, Bates suggested he could hire a hitman for $500 to kill the state's attorney general. In Michigan, he was offering explosives for pennies on the dollar.

PARAGRAPH #60

That evening, Robeson, Chappel, Bates, and a few militia members drove near Whitmer's vacation home. They inspected the bridge they'd bomb, tried to view Whitmer's home from across the lake, and drove down her road. This apparent reconnaissance trip was central to the government's case.

PARAGRAPH #61

But true to form, Robeson mucked up the evidence. Fellow Wisconsinite Brian Higgins was the one who drove past Whitmer's home — a seemingly incriminating act — but Higgins later told federal agents that Robeson had said they were hunting for sexual predators. In his December meeting with FBI agents, Robeson confirmed that Higgins was not initially aware of the kidnapping plot and instead believed they were out "hunting pedophiles." But once he was in Michigan, Higgins learned that some of the attendees had a rough plan to kidnap Whitmer. Higgins drove down Whitmer's road using a dash camera and provided the video to Chappel. After he returned to Wisconsin, Higgins claims he told Robeson he didn't want to be involved in the plot.

The FBI's own informant was telling a man he thought was the target of an investigation to destroy evidence.

PARAGRAPH #62

Feeling guilty for tricking him, Robeson tried to protect Higgins from criminal exposure — a fact federal prosecutors admitted to in a court filing. Robeson called Chappel, still unaware that he was also an FBI

PARAGRAPH #62

informant, and told him to destroy his copy of Higgins's dash-cam video. The FBI's own informant was telling a man he thought was the target of an investigation to destroy evidence.

PARAGRAPH #63

During the December 10, 2020, recorded interview with Robeson, Impola tried to coerce the informant into changing his story about what Higgins knew before the drive: "If you're sticking with the story that [Higgins] was out there on a pedophile ring," the FBI special agent said, "you'll be his star witness in the defense. There's zero options for that."



PARA-GRAPH #64

A Confederate flag hangs from a porch on a property in Munith, Mich., where members of the Wolverine Watchmen militia group trained with an FBI informant named Dan Chappel. Photo: Nicole Hester/Ann Arbor News via AP

"We Have One Chief"

PARAGRAPH #65

When arrests and charges were announced in the Whitmer plot, the Justice Department portrayed Adam Fox as the leader. But FBI

PARA-GRAPH #65

recordings suggest the informants were the ones in charge.

PARAGRAPH #66

On October 7, 2020, as the government was making arrests in the case, Robeson, Chappel, and Plunk were on a recorded phone line talking about who should make future calls to action — in other words, who should be the leader.

"I was thinking we should have one person ... to make the call for both states."

PARAGRAPH #67

"I mean, I'm good with Robey, because you're the national guy, the president," Chappel said, adding a minute later: "We have one chief."

"We can definitely roll," Robeson said. "That's fine."

PARAGRAPH #68

The FBI arrested 13 people that day, and the foiled kidnapping plot made national news. (Higgins, the 14th defendant, was arrested a week later.) After the initial arrests, Robeson made a series of calls to Chappel; the girlfriend of one of the militia members; and others who orbited the supposed kidnapping plot. Robeson offered several outlandish claims, including that he believed Croft, a primary target of the investigation, had leaked information that caused the arrests. FBI reports indicate that Robeson again called Chappel, still unaware that he was also working for the FBI, and told him to throw the rifle with the illegal suppressor and attached launcher into a lake. Chappel, however, had already returned the gun to his bureau handlers.

PARAGRAPH #69

During these calls, Robeson told fellow informant Plunk that he believed Chappel was an informant. Robeson appeared to be flailing after the arrests, pointing fingers to avoid being revealed as a government snitch.

PARAGRAPH #70

His behavior in the immediate aftermath of the arrests was so concerning to FBI agents that federal and state prosecutors discussed

charging him with witness tampering, according to emails that circulated among more than a dozen FBI agents the day after the kidnapping plot was announced. The bureau then began to investigate Robeson, internal records show. Agents reinterviewed the woman living in his garage, who claimed he had coerced her into having sex with him. That woman told the FBI that during the undercover sting, Robeson had an arsenal of weapons in his bedroom; that he was bringing in drugs from out of state; and that he had proposed taking her to rallies and training events in other parts of the country so she could make money, which she described to the FBI as "sex trafficking."

PARAGRAPH #70

For his part, Robeson appeared to realize that he had crossed the line from informant to participant in the kidnapping plot, putting himself in legal jeopardy. An internal FBI report said Robeson told another informant that he was worried he could be linked to "product," by which he meant explosives.

PARAGRAPH #71



Illustration: Jess Suttner for The Intercept

"I Did This Trying to Keep My Undercover Position"

The Whitmer kidnapping plot has yielded five acquittals, five convictions, and four guilty pleas in federal and state courts. Robeson didn't testify in any of the trials. When defense lawyers tried to compel him, he told the federal court that he would assert his Fifth Amendment right not to incriminate himself. The Justice Department claimed that Robeson was a "double agent" whose statements would not be "binding admissions of the government itself."

PARAGRAPH #72

The recording of Robeson's December 2020 meeting with the FBI reveals that the "double agent" ploy was a carefully planned strategy. When Robeson was called into that Wisconsin FBI office, agents described three possible scenarios for him.

PARAGRAPH #73

The first was that all the defendants would take plea deals, in which case "your name is not on the witness list," Impola said. The second was that Robeson could be a government witness or, in the third option, a witness for the defendants whose testimony could support their claims of entrapment.

PARAGRAPH #74

At the time, the agents errantly assumed that option one was the likeliest. "I am fairly confident that when anybody looks at that witness list, they're not going to trial now because they know the ramifications," said Impola.

PARAGRAPH #75

But what he didn't say was that the second and third options — involving Robeson testifying in court — weren't real options at all, at least not in the view of the FBI. There was also a fourth option that the agents didn't mention: The Justice Department could jam Robeson, a

PARAGRAPH #75

felon, with firearms charges for crimes he committed while working undercover for the FBI.

PARAGRAPH #76

And that's what happened. On March 3, 2021, the Justice Department indicted Robeson in Wisconsin on a charge of being a felon in possession of a firearm. Prosecutors alleged that Robeson bought a .50-caliber sniper rifle, among the most powerful firearms available to civilians in the United States, and later sold it on Facebook — all while working for the FBI.

PARAGRAPH #77

At his plea hearing, Robeson claimed he'd bought the gun to bolster his FBI cover. "I did this trying to keep my undercover position where I was at and kind of make me look a little more aggressive in the organization," Robeson said in court.

PARAGRAPH #78

Robeson was sentenced to probation on a federal felony charge that could have carried a 10-year sentence. He and his handlers knew he had illegally possessed, purchased, and sold multiple firearms in the course of the sting; the single gun charge represented a threat of more to come if he were to testify in any of the state or federal prosecutions.

PARAGRAPH #79

With that threat, FBI agents stopped the facts from getting in the way of their "good story" about the Whitmer kidnapping plot. In their zeal to protect a career-making case, those federal agents also poured jet fuel on conspiracy theories about the "deep state" and the January 6 Capitol riot that will be central to this year's presidential election.