

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

MATTHEW THOMAS KROL,

Defendant.

Case No. 1:22-CR-00110-RC  
Hon. Rudolph Contreras

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**DEFENDANT'S RESPONSE TO GOVERNMENT'S SUPPLEMENTAL RESPONSE TO  
DEFENDANT'S MOTION TO REVOKE DETENTION ORDER**

NOW COMES, Matthew Thomas Krol, by and through his Attorney Michael J Cronkright, and states in response to the Government's Supplemental Response to Defendant's Motion to Revoke Detention Order.

This court requested the Government to supplement its response to Defendant's Motion to Revoke Detention Order with relevant transcripts pertaining to Mr. Krol's association with militia activities in Michigan. The Government provided information regarding Mr. Krol's social media contact with Adam Fox and Joe Morrison who were charged in the plot to kidnap Michigan Governor Gretchen Whitmer. The Government asserts that Mr. Krol's "substantive contacts" and comments made to these men equate to Mr. Krol being a danger to the community if granted pretrial release. The Government Provided three exhibits, none of which establish in any way that

Mr. Krol has a propensity for violence or dangerousness, but rather highlight Mr. Krol's non-violent political protest history.

The Government has not established any relationship between Mr. Krol and Adam Fox and Joe Morrison outside the limited social media interactions provided in Exhibits 1-3. Mr. Krol maintains that while he may have met them in passing at a peaceful protest, he has no personal relationship with either Adam Fox or Joe Morrison. Furthermore, there is no evidence from the cases against Adam Fox or Joe Morrison establishing that Mr. Krol was involved in any way with the plot to kidnap Michigan Governor Gretchen Whitmer. Mr. Krol, Mr. Fox, and Mr. Morrison were members of a Facebook group, this does not mean they had a personal relationship as the Government alludes. Mr. Krol was never investigated or charged in regard to the plot to kidnap Michigan Governor Gretchen Whitmer and his minimal interactions with Mr. Fox and Mr. Morrison should not be construed as such.

On June 16<sup>th</sup>, 2020, Adam Fox posed a hypothetical question, "Hypothetically if we had to storm the Capitol and charge politicians and the Governor with their crimes, who would honestly commit to this?" Later, Adam Fox reiterated twice that this question was a hypothetical and that all answers given should also be hypothetical. "... I just asked a hypothetical question lol, so hypothetical answers only." "Everything said on here is a hypothetical..."

Mr. Krol wrote in response to a hypothetical question, "However, I spoke on the Michigan Capital steps last fall that I would rather apprehend Tyrants at the Capital, hang them on those beautiful oak trees then kill citizens in a civil war...just saying." Taken out of a hypothetical context, this statement is could be of great concern, however put into the hypothetical context in

which it was intended and made, it is nothing more than a hyperbolic hypothetical answer to an imaginary event that Mr. Krol could not have anticipated would be acted upon by Adam Fox.

A hypothetical question is a question based on an opinion or personal belief, rather than facts. Hypothetical questions deal with possible, rather than certain, scenarios. They depend on imaginary parameters that make the question possible. Mr. Krol's response to Adam Fox is nothing more than a hypothetical answer to a hypothetical question that the government has taken out of context and used for the furtherance of their case against Mr. Krol. Mr. Krol cannot be held accountable for Adam Fox's involvement in the plot to kidnap Michigan Governor Gretchen Whitmer. The Government's attempt to persuade this Court that Mr. Krol's contact with and hypothetical comment to Adam Fox establishes Mr. Krol's propensity for violence is flimsy. Mr. Krol was never involved with, nor was he ever charged for the plot to kidnap Michigan Governor Gretchen Whitmer. His communication with Adam Fox cannot be construed out of the hypothetical context in which it was intended.

Mr. Krol's communication with Joe Morrison demonstrated in Government Exhibits 2 and 3, show that Mr. Krol's previous peaceful involvement in political rallies. Joe Morrison asked simple questions such as Michigan's laws regarding firearms at peaceful rallies. Mr. Krol sent several images of himself from previous peaceful rallies showing that Mr. Krol has always been peaceful and non-violent during political protests he attended.

Joe Morrison asked if a boogaloo party is when they bring the tar and feathers. Participants in the boogaloo movement often wear Hawaiian shirts along with military fatigues to identify themselves at protests.<sup>1</sup> Mr. Krol posted on Facebook about having a boogaloo dress up party with

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<sup>1</sup> [https://en.wikipedia.org/wiki/Boogaloo\\_movement](https://en.wikipedia.org/wiki/Boogaloo_movement)

grills and non-alcoholic beverages and guns. This post shows no propensity for violence or dangerousness, but again show that he only intends on peaceful, non-violent political protests.

Joe Morrison wrote in a Facebook page, “So this group is actually about restoring Liberty cause I don’t think most of you are gonna like how that’s gonna have to be done especially after this covid 19.” This post was removed because the Facebook group administrators stated, “we will not be promoting violence.” Mr. Krol was a member of this Facebook group, which according to the page administrators would not promote violence and according to Joe Morrison is about restoring Liberty. As previously stated, Mr. Krol could not have anticipated Joe Morrison’s involvement in the plot to kidnap Michigan Governor Gretchen Whitmer.

Nothing in the three exhibits provided by the Government further their argument that Mr. Krol’s communications with Adam Fox or Joe Morrison show Mr. Krol’s alleged danger to the community. Mr. Krol’s peaceful political protest history and involvement with social media pages dedicated to political interests he identifies with are highlighted by the Exhibits and in fact, demonstrate that while Mr. Krol has strong political beliefs, he has never violently acted on them.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'M Cronkright', with a long horizontal flourish extending to the right.

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