

Testimony of Jack Tono
Presented Before the
Commission on
Wartime Relocation and
Internment of Civilians

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Due to circumstances, I was unable to testify at the hearing in Chicago, so I want to thank the Commission for allowing me this opportunity.

Before proceeding any further, I would like to take this time to introduce myself. I'm JACK KIYOTO TONO presently residing in Illinois, City of Chicago.

I am one of the handful, which I consider of a different breed of men. We are that group of guys who refused the Selective Service Draft in 1944 from Heart Mountain, Wyoming. Going back to our faithful or shall I say unfaithful days of April 3rd and 4th of 1944, it was round-up day for the F.B.I. The whole haul netted 63 of us. After the usual routine procedure, we were separated to various county jails, namely Cheyenne, Laramie and Casper, Wyoming. The latter was my temporary quarters until the trial. We spent 2 plus month in the county jail. In the meantime the families obtained the services of the American Civil Liberty Union and the "Man of the Hour" was Mr. Wirin, attorney, who represented us at the trial. Today, when everything in life is back to normal, the atmosphere is relaxed and ordinary, but back in 1944, this was the dark hour of our country, more so for us Nisei's. Every turn of our head was of a suspicious nature and to tackle the task such as ours, I shall never forget the Union for their gutsy services. My admiration and esteem for the organization is beyond what I can relate in words. Others have left us high and dry, mainly the Japanese American Citizen League. We were expecting this group to give us their full support by instead turned their back on us. To this day I still feel the knife in the back.

A day or so before our trial the Japanese American Citizen League surprised us with a visit from their V.I.P's. Their main purpose as to get us to change our minds about resisting the Draft. Some the comments made to us were, "We were doing an injustice to the men in uniform," "In time of war we have to do our part in supporting the government," "If you go to prison, you'll get beat up with a 2 x 4's, just ignorant scare tactics.

The Parole Officer at the prison received a letter stating that there was an organization against our release on parole. They felt that if we were let off easy, many others will follow so our parole was denied. One of the boys worked as a clerk in the office, so the information wasn't just rumor. Our great War Hero Kuroki, labeled us "Facist" in the Wyoming newspaper. For all of these two-faced coins, we have the appropriate phrase, "Yellow Uncle Tom's". We were the thorn in their sides.

Finally after spending 2 plus months in the county jail, our trial date came about. The exact date has escaped me but I believe the trial started after the 15th of June of 1944 in Cheyenne, Wyoming. Looking back to the first day of our trial, we were men of many emotions. This was the first time in our lives we were being tried as felons, not knowing what to expect because of the conditions of

that time. We expected the book to be thrown at us.

The trial started by the Prosecuting Attorney stating that this group has violated the law by not going for their physical examinations. Then and there, we knew our goose was cooked, but we were determined to pursue our righteous principles and let the Nation know of our feelings. The trial lasted about a week. All we wanted was our natural born rights returned, not the arm and the leg of the Government. Simply the restoration of our livelihood as to the prewar days and our families leading the normal lives they once had and then, and only then will we bear arms for our country to preserve Democracy as President Roosevelt has often stated.

Before the Evacuation I was 20 years old and the draft status of 1-A. After interned in camp I received a notice change to 4-F. After some time, I received another change of status and this time, lo and behold, to 4-C status. As you well know, 4-C classification is issued to enemy aliens only. Then the final change of 1-A classification came. No sooner receiving the notice I received a formal letter, like all the Draftees, "Greetings from the President of the United States". Really, the amazing factor about these sequences, all happened without a hearing or an interview of any kind. Many, many times I often questioned the mentality of the ruling body of that era. To think they were the ones questioning our loyalty, what a shame and a farce. This is one segment of our trial that took place, probably first heard of by this Commission too.

We had men with bleeding ulcer, high blood pressure and other ailments which were all 4-F material, so to them medical deferment was the easy road out. But we were all in the belief of our righteous principles taught in our history classes and we stuck together. The main purpose of our protest in time of War was to right the wrong which has been done to us, Japanese Americans.

After the trial, we were sentenced to 3 years in the Federal Penitentiary on or about the 25th of July 1944. A total of 33 men under the age of 25 were sent to McNeil Island Federal Penitentiary and the remaining 30 were sent to Fort Leavenworth, Kansas. We weren't about to end our case at the lower courts. Alphabetically Fujii headed the names of the two groups, so we were known as "Fujii vs, the United States". Our case went through the Appellate Court and to the Supreme Court but the lower court's decision was upheld.

A later group from Heart Mountain, Wyoming, numbering about 25 and a group from Minidoka, Idaho Camp, numbering about 24 joined us original 33 at McNeil Island Federal Penitentiary. The total draft resisters imprisoned numbered approximately 112 men of righteous principles.

Looking back through the years, the F.B.I. has openly stated that no espionage act was committed by the Japanese Americans. More recently President Ford during his regime publicly stated that the government was in error by interning the Japanese Americans. Yet why do we have to go through this red tape, at the present, this Redress Hearing and others held all over the country? How much more

proof, embarrassment and shame does the Government need to begin compensating for their errors? In recent years, people came here from abroad through unnatural channel and yet they are receiving some form of aid from the Government.

Our celebrated heroes, the Hostages held in Iran were aliens there, so in that sense, were more or less held at the mercy of Iran. Back in 1942 we were held hostages too -- citizens of this great country, The United States of America, rounded up and hustled off to concentration camp. To us, the phrase, "Innocent until proven guilty" or the Constitutional Rights given by birth were lost by the wayside. It's high time the Government got off their fanny and cleared up this embarrassing situation. The sum of \$25,000 per Evacuee, tax free, is just a token payment of all the years of agony caused to us by the Government. The Holocaust survivors' memories of death left with them after World War II, the deep rooted scars will never be forgotten. Our relationship to the Holocaust, physically, is not in the same vein, but deep within us, the scar will never go away. In our case, I refer to death as "Death of the Bill of Rights and the Constitution of the United States."

Looking back at those 37 years, we were really ahead of our time. The society of the 60's protested, modern day society are proclaiming their Civil Rights, but We, "The Silent Minority" contested with honor. Our homework from the Elementary School days was not done in vain, we didn't forget. And I must honestly say the 112 men truly treasured their Citizenship and being.

"THE MEN OF THE DIFFERENT BREED."

And in conclusion, adding icing to the cake on this event;

President Truman, after considering the report and recommendation of the President's Amnesty Board and of the Attorney General found that certain persons, including 265 Nisei's from various Concentration Camp who had been convicted of violating the Selective Training and Service Act, ought to have restored to them, the political, civil and other rights, of which they were deprived by reason of such conviction and which may not be restored to them unless they are pardoned.

On December 12, 1947, by Presidential Proclamation 2762, President Truman granted a full pardon to those persons convicted of violating the Selective Training and Service Act of 1940.

I often offer my heart felt sympathy to those who didn't return and ask myself, why did they go? Thanks to the man upstairs, the 265 of us had the guts to fight for our righteous principles and won in the end.