

From: OMIURA

SUMMARY OF THE  
FORT McCLELLAN, ALABAMA INCIDENT

600 of the Nisei Soldiers at Fort Riley, Kansas, were transferred to Fort McClellan in Alabama to be trained for overseas duties as replacements for the 442nd (Nisei) Battalion. They were divided into three battalions, Company A, B and C.

"The prosecution (at the Court Martial) offered the following testimony: Company A had heard an indoctrination speech given by General Philoon (commandant of the post) and Major Aycock on March 20, 1944, during which they told the men of the 33rd Battalion that they could speak with their superior officers at any time on any problems on their minds.---Applicants' Brief before The Secretary of the United States Army.

On March 20, 1944.....approximately 39 men came to speak to their commander, Captain Cathcart. He interviewed 13 of them individually who were asked following their interview to wait in the orderly room with the remaining men.....Major Aycock, the Battalion Commander, .....was in the orderly room of Company A during a portion of the interview process and testified that after he had learned the gist of the complaints, he told Captain Cathcart that it was not the appropriate time to listen to these particular complaints (internment of their people and the reason for them to carry rifle in the U.S. Army) and the men should resume their training at that time.

The common thread of the prosecutions evidence throughout each of the trials was as follows: The battalion commander, Major Aycock, having observed the group went to the orderly room and gave the orders, "You will march to the Field House." He then directed Corporal Ballinger to march them to the Field House. The group formed a formation of four columns and obeyed the Corporal's directory commands of marching in the direction of the Field House for approximately 50-75 yards. Corporal Ballinger testified that someone in the group said, "This is as far as we go," whereupon the men stopped marching, absent a command to do so. Major Aycock, having noticed the men stopped, approached the group and allegedly explained to them the seriousness of disobeying an order, again said, "You will march to the Field House," and told them that if any man was in the group by mistake or did not understand, to fall out. No command of execution was then given. No man fell out. Corporal Ballinger was then directed to obtain the name of each man. He testified that each man refused by their silence to give their names. The military police were called, the men arrested and taken to the stockade.

March 21, 1944 found 106 Japanese Americans incarcerated in the post stockade at Fort McClellan, Alabama. Each of the men was a member of the 33rd Training Battalion, Infantry Replacement Training Center.....Each was charged with violation of the 64th Article of War for wilfully disobeying a lawful command of a superior officer.

At noon on.....March 2(1), 1944 the men were assembled in the stockade mess hall under armed surveillance. They were collectively addressed by Lt. Colonel Johnston. Captain Tanimura served as translator.....They were told it was the business of the Army to train them for combat and that he could do nothing to solve the problems of the relocation centers.

Following these remarks the men were given a chance which they indicated to be substantially as follows: Those willing to take combat training at this time, leave by the right door. Those who would rather not at this time, leave by the left door. Those who exited through the left door did so in the hope of bringing their problems to the attention of higher officials. (28 men exited through the left door and were court-martialed. Twenty-one were convicted).

They received sentences ranging from 5 to 30 years of confinement at hard labor.....On or about November 24, 1945 all of the sentences were reduced by special clemency action to two years in confinement.

Extreme efforts from 1948 through 1954 by Mr. Charles E. Zane on behalf of the entire original group of 21 convicted, were unsuccessful.....June 9, 1954: Letter from A.G. Eger, Lt. Colonel, JAGC Chief, New Trials, notifying Mr. Zane that the time limit for presentation of his Petition pursuant to Article of War 53 had expired.....

Earlier in 1982, a Santa Ana, California counsellor, Paul T. Minerich, submitted a petition for a review of the punitive Discharge pursuant to 10 U.S.C., Sec. 874 (b) to The Secretary of the United States Army in behalf of 11 of the 21 men court-martialed.

On December 8, 1982 the Army Board for Correction of Military Records conducted a hearing in the Pentagon on the case of 11 appellants titled Shigeo Hamai, et al.

(The Board found no basis for setting aside the convictions of the general court-martial but ruled that "the sentences imposed were too severe, and said further:)

"...hoqwcwe, it appears that their actions were more in the nature of a protest against the prolonged incarceration of members of their immediate families in Relocation Centers, rather than an outright refusal to undergo combat training; that having been frustrated in all prior attempts, to free their families, they apparently chose to bring the plight of their families to the attention of high Government officials through the media of the general courts-martial."

(The Board ordered the records be changed to provide credit for active service during their period of confinement and for their honorable discharge. --- From the ABCMR Proceedings, Gordon M. Hobbs, Chairman).

(Note: On March 31, 1980, Senator Daniel K. Inouye forwarded a request for clemency in Katsumi Taniguchi, et al to James W. Gleisner, Lt. Colonel and Deputy, Congressional Correspondence Agency. It would seem on cursory examination and not complete that Attorney MINERICH RE\_OPENED THE CASE NEAR THE BEGINNING OF 1980).

(Further: In a telephome conversation from Silicon Valley, Charles Zane informed Jimmie Omura that he enlisted the help of Mike M. Masaoka of the JACL in reference to the court-martialed 21. To my inquiry, he stated Masaoka appeared to be "very sympathetic." However, Masaoka took no action which is characteristic of his group toward resisters).

All parenthesis are mine; otherwise the informations are taken from the Briefs and Reviews ad verbum.