

REVIEW OF THE PORT CHICAGO COURTS-MARTIAL

**Office of the General Counsel
Department of the Navy**

6 January 1994

BACKGROUND

- **17 July 1944: EXPLOSION OF THE S.S. A.E. BRYAN**
- **320 NAVAL PERSONNEL KILLED (INCLUDING 202 AFRICAN-AMERICANS) -- REMAINS OF ONLY 51 RECOVERED**
- **390 BASE PERSONNEL INJURED**
- **MASSIVE PROPERTY DAMAGE TO NAVAL MAGAZINE AND TOWN OF PORT CHICAGO**

- **ON 9 AND 10 AUGUST 1944, 258 PERSONNEL OF THE 4TH, 5TH AND 8TH DIVISIONS REFUSE ORDER TO LOAD AMMUNITION**
- **COMMANDANT OF TWELFTH NAVAL DISTRICT SPEAKS TO THE MEN ON 11 AUGUST 1944**
 - **EXPLAINS CONSEQUENCES OF REFUSING TO WORK**
 - **PENALTY FOR MUTINY IN TIME OF WAR**
- **ALL BUT 50 RETURN TO WORK AND LOAD AMMUNITION**

THE COURTS-MARTIAL PROCEEDINGS

- **50 SAILORS TRIED BY GENERAL COURT MARTIAL FOR MUTINY**
 - **ALL CONVICTED, SENTENCED TO DISHONORABLE DISCHARGES, VARIOUS PERIODS OF CONFINEMENT (UP TO 15 YEARS), AND FORFEITURES**
 - **IN JANUARY 1946, SECRETARY FORRESTAL REMITTED UNEXECUTED CONFINEMENT, AND RETURNED THE ACCUSED SAILORS TO DUTY WITH SUSPENDED DISCHARGES**

- **208 SAILORS WERE TRIED BY SUMMARY COURT MARTIAL FOR DISOBEDIENCE, AWOL, AND CONDUCT PREJUDICIAL**
- **208 CONVICTED AND 206 SENTENCED TO BAD CONDUCT DISCHARGES AND FORFEITURES**
- **ON REVIEW, FORFEITURES REDUCED AND THE ACCUSED SAILORS WERE RETURNED TO DUTY WITH SUSPENDED BAD CONDUCT DISCHARGES**

SECRETARY OF THE NAVY REVIEW PURSUANT TO THE DEFENSE AUTHORIZATION ACT

- **ACTION REQUIRED --**

"The Secretary of the Navy shall carry out without delay a thorough review of the cases of all 258 individuals convicted in the courts-martial arising from the explosion at the Port Chicago (California) Naval Magazine on July 17, 1944. The purpose of the review shall be to determine the validity of the original findings and sentences and the extent, if any, to which racial prejudice or other improper factors now known may have tainted the original investigations and trials. If the Secretary determines that the conviction of an individual in any such case was in error or an injustice, then, notwithstanding any other provision of law, he may correct that individual's military record (including the record of the court-martial in such case) as necessary to rectify the error or injustice."

-- -- Section 552, P.L. 102-190 (1991)

SECRETARY OF THE NAVY'S REVIEW

- **JUDGE ADVOCATE GENERAL OF THE NAVY REVIEW OF ALL 258 CASES**
 - **PURPOSE: "TO DETERMINE THE VALIDITY OF THE ORIGINAL FINDINGS AND SENTENCE"**
 - **STANDARD OF REVIEW CURRENTLY APPLIED BY FEDERAL APPELLATE COURTS**
 - **THE FINDINGS WITH RESPECT TO EACH OF THE 258 ACCUSED SAILORS WAS SEPARATELY CONSIDERED AND ANALYZED**

- **BOARD FOR CORRECTION OF NAVAL RECORDS REVIEW OF ALL 258 CASES**

- **PURPOSE: "TO REVIEW ALL ASPECTS OF THE ALLEGATIONS OF RACIAL PREJUDICE AND DISCRIMINATION"**

- **A PANEL OF THREE SENIOR CAREER NAVY DEPARTMENT CIVILIANS**

2 PANELIST OF AFRO-AM

6

- **MORE EXTENSIVE THAN THE JAG REVIEW -- CONSIDERED MATERIALS PROVIDED BY CONGRESSMEN DELLUMS, STARK, AND MILLER; DR ROBERT L. ALLEN; AND RELATED MATERIAL**

CONCLUSIONS

REVIEW OF COURTS-MARTIAL PROCEEDINGS

- **SUFFICIENT EVIDENCE EXISTS TO SUPPORT THE FINDINGS OF GUILTY IN ALL BUT TWO CASES**
- **IN ONE CASE, SECRETARY FORRESTAL SET ASIDE THE FINDING OF GUILTY IN 1946**
- **SECRETARY O'KEEFE SET ASIDE THE FINDINGS OF GUILTY IN THE SECOND CASE ON JANUARY 1993** *COOPER*
- **THE SENTENCES WERE WITHIN THE JURISDICTION OF THE COURTS AND, AS MITIGATED AND APPROVED, WERE APPROPRIATE TO THE OFFENSES**

CONCLUSIONS

REVIEW BY THE BOARD FOR CORRECTION OF NAVAL RECORDS

acknowledged

- *"There can be no doubt that racial prejudice was responsible for the posting of Afro-American enlisted personnel to the loading divisions at Port Chicago."*
- *"BCNR is not persuaded by the evidence presented, that racial prejudice or other improper factors tainted any portion of the pre-trial investigations or court-martial proceedings."*
- *"...reversal of the remaining 256 convictions on these grounds is not warranted."*

- **ADDITIONAL CONCLUSIONS:**

- **THE RACIST PRACTICE OF ROUTINELY ASSIGNING AFRICAN-AMERICAN PERSONNEL TO AMMUNITION LOADING AND THE SEGREGATED LIVING AND WORKING CONDITIONS AT PORT CHICAGO WAS CONSIDERED AT THE TIME AS PROVIDING A BASIS FOR REMEDIAL ACTION**
- **REMEDIAL ACTION WAS ACCOMPLISHED AS PART OF THE POST-TRIAL REVIEW UNDERTAKEN BY SECRETARY FORRESTAL**
- **BCNR FINDS NOTHING UNFAIR OR UNJUST IN THE FINAL OUTCOME OF ANY OF THESE CASES**

SUMMARY OF FINAL ACTIONS GENERAL COURT MARTIAL CASES

DISPOSITION	NUMBER OF ACCUSED SAILORS
TOTAL NUMBER TRIED FOR MUTINY BY GENERAL COURT MARTIAL	50
- Convicted at GCM. Sentenced to Dishonorable Discharge (DD), forfeitures, reduction, and confinement at hard labor. At Secretary Forrestal's direction, confinement and forfeitures reduced, DD suspended, and member returned to duty.	50
- Discharge under honorable conditions upon completion of enlistment.	45
- Honorable discharge upon completion of enlistment (awarded through administrative error).	3
- Conviction set aside by Secretary Forrestal in 1946, on finding that accused was not mentally competent at time of offense. Discharge for the convenience of the government under honorable conditions.	1
- DD awarded for subsequent misconduct.	1

Fleece

SUMMARY OF FINAL ACTIONS SUMMARY COURT MARTIAL CASES

DISPOSITION	NUMBER OF ACCUSED SAILORS
TOTAL NUMBER TRIED FOR DISOBEDIENCE, UNAUTHORIZED ABSENCE, CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE BY SUMMARY COURT MARTIAL	208
- Convicted at SCM. Sentenced to Bad Conduct Discharge (BCD), forfeitures, and reduction. At Secretary Forrestal's direction, forfeitures reduced, BCD suspended, and member returned to duty.	206
- Convicted at SCM of AWOL. Sentenced to bread and water, 30 days confinement.	2
- Awarded honorable discharges upon completion of enlistment.	1 188
- Awarded discharges under honorable conditions upon completion of enlistment.	15
- Bad Conduct Discharge awarded for subsequent misconduct.	1 3
- Conviction set aside by Secretary O'Keefe in 1993. Honorable discharge previously awarded (included in the 188 above).	1

Cooper

**RESULTS OF THE REVIEW
DIRECTED BY SECTION 552, P.L. 102-190**

- **FULL OFFICIAL REPORT ON FACTS AND CIRCUMSTANCES SURROUNDING THE PORT CHICAGO COURT-MARTIAL PROCEEDINGS**
- **FAIR AND OBJECTIVE REVIEW BY THE JUDGE ADVOCATE GENERAL OF THE NAVY AND THE CIVILIAN CORRECTION BOARD OF THE FINDINGS AND SENTENCE IN EACH CASE**
- **DISCLOSED FAIRMINDED ACTION BY SECRETARY FORRESTAL DURING THE COURT-MARTIAL REVIEW PROCESS** ✓
- **DOCUMENTED THE EFFECTIVENESS OF THE LATE THURGOOD MARSHALL'S INTERVENTION AND ADVOCACY**

CONCLUSION

- **RACIAL PREJUDICE AND DISCRIMINATION DID NOT AFFECT THE PORT CHICAGO COURT-MARTIAL PROCEEDINGS**
- **NONE OF THE 258 PORT CHICAGO DEFENDANTS RECEIVED DISCHARGES UNDER OTHER THAN HONORABLE CONDITIONS, OR WERE DENIED VETERANS BENEFITS, SOLELY AS THE RESULT OF THE PORT CHICAGO COURTS-MARTIAL**

BCNR
REPORT



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
WASHINGTON, D.C. 20370-5100

13 JUL 1993

MEMORANDUM FOR THE SECRETARY OF THE NAVY

Via: Assistant Secretary for Manpower and Reserve Affairs

Subj: PORT CHICAGO COURTS-MARTIAL REVIEW

- Encl: (1) Judge Advocate General Review of Port Chicago Courts-Martial dtd 25 Sep 1992
- (2) Ltr to the Secretary of Defense with attachments from Congressmen Miller, Dellums and Stark dtd 8 Feb 1993
- (3) Ltr of Robert L. Allen Ph.D. dtd 4 Mar 1993
- (4) Robert L. Allen Ph.D., The Port Chicago Mutiny (New York, 1989)
- (5) Videotape of a film prepared by KRON-TV, San Francisco Titled "Port Chicago Mutiny"
- (6) Naval Historical Center comments dtd 1 Feb 1993
- (7) Army Correction Board decision in the case of Eddie D. Slovik

BACKGROUND

Public Law No 102-190, section 552, directed the Secretary of the Navy to carry out a thorough review of the 258 court-martial convictions arising from the explosion at the Port Chicago Naval Magazine on 17 July 1944. In accordance with this mandate the Judge Advocate General of the Navy (NJAG) undertook a detailed and exhaustive review of the original court-martial convictions in order to determine their legal validity and whether or not racial prejudice or other improper factors tainted the pre-trial investigations or court-martial proceedings. NJAG's written report containing his findings, conclusions and recommendations is attached as enclosure (1). In brief, NJAG concluded that with two exceptions, all of the Port Chicago court-martial convictions were legally sound and that there was no evidence that racial prejudice or other improper factors tainted any of the investigations or trials.¹ The first exception involved Seaman First Class William Fleece who was tried and convicted by general

¹ See NJAG memorandum of 25 September 1992 transmitting enclosure (1). See also Tabs A and B to enclosure (1).

court-martial of the charge of mutiny. A medical board subsequently found that he was mentally incompetent at the time of trial and his conviction was set aside in March of 1946. The second case involved Seaman Second Class Samuel Cooper who was tried by summary court-martial for refusing to obey a lawful order, to which he pled not guilty. Although the court acquitted him of disobedience, it did find him guilty of the lesser included offense of engaging in conduct prejudicial to good order and discipline. After carefully reviewing a summary of the court-martial proceedings NJAG concluded that the evidence introduced at trial was legally insufficient to support the court's guilty verdict.² Accordingly an order was prepared disapproving the finding of guilty and the sentence. A copy of this order is attached to enclosure (1) at Tab C. On 14 January 1993 the Acting Secretary of the Navy, in a memorandum to the Assistant Secretary for Manpower and Reserve Affairs stated that in accordance with NJAG's recommendation he had disapproved the guilty verdict and sentence in Seaman Cooper's case, and while he commended NJAG for the thoroughness of his review into the legal aspects of the convictions it was also his opinion that the remaining 256 cases warranted additional examination which would be broader in scope than the NJAG review. Accordingly the Acting Secretary directed the Board for Correction of Naval Records (BCNR) to review all aspects of the allegations of racial prejudice and discrimination. On 8 February 1993 the Honorable George Miller, Ronald Dellums and Fortney (Pete) Stark of the United States House of Representatives expressed their views on this matter in a letter to the Secretary of Defense, which is attached as enclosure (2). Enclosure (3) is a written statement from Robert L. Allen Ph.D., the author of enclosure (4). Enclosure (5) is a videotape of a film which was prepared by station KRON-TV in San Francisco regarding the Port Chicago cases. The undersigned members of BCNR reviewed these materials as well as enclosures (6) and (7), and met in executive session on 22 March, 5 April and 14 June of 1993.

STATEMENT OF FACTS

On the eve of America's entry into World War II the Navy's major waterfront facility for the storage and shipment of ammunition to its forces in the Pacific was the U.S. Naval Ammunition Depot at Mare Island. Located in a heavily populated area some 20 miles north of San Francisco and adjacent to the town of Vallejo, this facility could not expand and thereby satisfy the increased demand for ammunition that followed the attack on Pearl Harbor. Consequently in February of 1942, Navy officials authorized the construction of an additional installation near the small town of Port Chicago on Suisun Bay, approximately ten miles to the east

² A summary of the evidence and NJAG's analysis appear on pages 6-7 of Tab F to enclosure (1).

of Mare Island. The primary function of this new facility, officially named U.S. Naval Magazine, Port Chicago, was to receive ammunition by rail, truck and barge, and then load it onto ships for delivery overseas. The Port Chicago Magazine became operational in December of 1942 and by July of 1944 had developed into an essential and highly valuable component of the war in the Pacific. From its very inception in December of 1942 and continuing on up to the explosion of 17 July 1944, the actual work of loading ammunition aboard the ships was performed exclusively by Afro-American enlisted men under the supervision of white officers and Afro-American petty officers. This enlisted work force was divided into eight divisions with 100 to 125 men in each division. As stated on page eight of Tab F to enclosure (1) the routine assignment of Afro-American enlisted personnel to manual labor was clearly motivated by race and premised upon the mistaken notion that they were intellectually inferior and thus incapable of meeting the same standards as their white counterparts. In his book, the Port Chicago Mutiny, Doctor Robert L. Allen characterizes Port Chicago as a "Jim Crow base"³ and offers the following observation of the Navy's racial attitude during this time frame, "For the most part the U.S. Navy mirrored U.S. society at large".⁴

On the evening of 17 July 1944, 202 enlisted men of the Third and Sixth Divisions, along with nine officers were engaged in the loading of ammunition and other explosives from the Port Chicago pier onto two merchant ships, the S.S.E.A. BRYAN and S.S. QUINALT VICTORY. The BRYAN having arrived four days earlier was nearing completion of its loading. The recently arrived QUINALT VICTORY was being rigged in preparation for loading which was scheduled to begin at midnight. A Coast Guard fire barge was tied to the pier as a safety measure. The locomotive and railroad cars transporting the ammunition to the pier were manned by civilians. The crews of both merchant ships along with their armed guard detachments were also present, as was the crew of the Coast Guard barge. At the far end of the pier an enlisted Marine was posted as a sentry. At approximately 10:30 P.M. the Bryan, with 4600 tons of munitions on board, exploded killing all 320 men on the pier. The force of the explosion was such that the BRYAN virtually disintegrated. The QUINALT VICTORY was lifted completely out of the water and broke apart leaving its stern partially submerged approximately 500 feet from its original mooring. The Coast Guard fire barge was also lifted out of the water and later found completely submerged some 500 yards from the pier. Flaming debris from the explosion rose to an estimated altitude of 12,000 feet. Of the 320 men killed the identifiable

³ Enclosure (4) at page 23.

⁴ Enclosure (5) at page 35.

remains of only 51 were recovered.⁵ Although there was no other loss of life 390 base personnel, both military and civilian, were injured, many seriously, by flying glass and falling debris. Of the 390 injured, 233 were enlisted personnel of the other loading divisions who were off duty at the time of the explosion.⁶ Substantial damage was done to the enlisted men's living quarters, located approximately one mile from the pier, and to many other base structures. In the town of Port Chicago 109 civilians were injured and the property damage to businesses and homes totalled approximately 12 million dollars. Enclosures (4) and (5) contain photographs showing the damage to both the base and town. Although a court of inquiry was convened shortly afterward the exact cause of the explosion was never identified. Enclosure (6) contains the comments of the Naval Historical Center regarding the Port Chicago Magazine and the explosion of 17 July. It concludes with a quotation from the history of the Bureau of Ordnance stating that except for this single disaster Navy ammunition depots and magazines throughout World War II "maintained a safety record out of all proportion to the dangers inherent in explosives, the inexperience of the personnel, and the millions of tons of ammunition handled as the munitions passed from production lines to ships at sea..."

For the survivors, the explosion at Port Chicago "was no doubt the most frightening experience of their lives",⁷ and for some it would remain so for nearly the next 50 years.⁸ Enclosure (4) reveals that in the days following the explosion the men of the remaining loading divisions talked among themselves regarding their fears of handling explosives and expressed their hopes for either a transfer to a new unit or duty assignment not involving explosives. Other men however made stronger statements, declaring that they would not go back to loading ammunition.⁹ On 31 July, the Fourth and Eighth Divisions arrived at the naval barracks in Vallejo. Fully expecting that they would shortly be ordered to load the ammunition ships moored at the nearby Mare

⁵ Appendix I to enclosure (4) is a list of the 320 men who lost their lives. It identifies their status as military or civilian, their units and whether or not their remains were recovered.

⁶ Enclosure (5) contains an interview with Mr. Robert Routh, Jr., who was one of the 233 injured enlisted men. Mr. Routh lost the sight of both eyes after he was struck by flying glass.

⁷ Enclosure (4) at page 66.

⁸ Enclosure (5) contains interviews with three survivors two of whom, Mr. Joseph Smalls and Mr. Percy Robinson, were tried and convicted by general and summary court-martial respectively based on their refusal to load ammunition.

⁹ Pages 73 and 75-76.

Island Ammunition Depot, more and more men began to state that they would not obey such an order. At one point a petition was circulated and signed by more than 50 men, declaring their intent to refuse to handle explosives.

On the morning of 9 August the men of the Fourth Division were marching to work when they came to a road leading to a pier from which they would be ferried over to the Mare Island Ammunition Depot. Although they had not been officially told that they were returning to ammunition duties, it was clear to all of them as to where they were headed. At this point the column came to a halt and approximately 94 of the men present refused to proceed any further. Their division officer then contacted his superiors and a chaplain was sent to talk to the men. In his address to the men the chaplain appealed to their patriotism, racial pride and promised that, notwithstanding his own fear of explosives, he would go with them to the ammunition depot and would remain there while they worked. When the chaplain's remarks failed to change any of the men's minds, the Fourth Division was ordered to a recreation building where interviews were to be conducted. Shortly thereafter the division officer of the Eighth Division reported that over 80 of his men were refusing to load ammunition. Still later that day 87 men of the Fifth Division, who had recently arrived in Vallejo from Port Chicago also refused to resume loading ammunition. By the end of the day all the men of the Fourth, Fifth and Eighth Divisions who persisted in their refusal to handle explosives were placed under guard and put aboard a barge. Those who were willing to work were sent to the Mare Island Ammunition Depot. In all only 70 of 328 men went back to work loading ammunition on 9 August. Tab G to enclosure (1) shows that after being put aboard the barge some men began to change their minds and a list was circulated containing the names of those who were willing to go back to work. As a result, there were heated arguments among the men and occasional fighting. A meeting was then held on the barge which was attended by a majority of the men. Seaman Second Class Joseph Small who called for the meeting urged the men to stay calm and not cause trouble. There was also testimony introduced at the general court-martial showing that Seaman Small called for the men to "stick together" saying in effect that if they remained united the Navy wouldn't be able to do anything to any of them.

On 11 August the men were taken off the barge and addressed by the Commandant of the Twelfth Naval District who during the course of his remarks reminded them that mutiny in time of war was punishable by death. He also pointed out that the dangers of a firing squad were far greater than those involved in loading explosives. When the Commandant finished speaking, the men were again ordered to return to work. This time 212 agreed to obey and fell out, leaving 22 men of the Fourth Division and 22 men of the Fifth Division still refusing to work. Two other men of the original 258 had unlawfully absented themselves from the barge on

9 August and were not present. On the following day the 44 men who refused to work were joined by six men, three from the Fourth Division and three from the Fifth Division, who after indicating that they would return to work later changed their minds. All 87 members of the Eighth Division went back to work loading ammunition.

The 206 men who went back to work on 11 August were tried and convicted by summary court-martial for their refusal to obey the orders issued to them on 9 August. Two hundred and four pled guilty. The other two men, Seaman Second Class Dan Miller and Seaman Second Class Samuel Cooper, pled not guilty. As stated earlier in this memorandum Seaman Cooper's conviction of the lesser included offense of conduct prejudicial to good order and discipline was reversed by the Acting Secretary of the Navy in January of this year. Seaman Miller, notwithstanding his not guilty plea, was found guilty of disobeying a lawful order. All 206 men were sentenced to be discharged from the Naval service with a bad conduct discharge and forfeitures of either \$162.00 or \$198.00 depending on their rank. The officer who convened these proceedings approved the findings and sentences but suspended execution of the bad conduct discharges thereby providing all 206 men the opportunity to return to duty and earn a better discharge. The Secretary of the Navy also reviewed these proceedings and reduced the forfeitures to \$15.00 and \$20.00 respectively. All but three of these 206 men completed their enlistments and received either a fully honorable discharge or a discharge under honorable conditions, depending on the final average of their marks in conduct and proficiency. Appendix B of Tab F to enclosure (1) reveals that 188 received honorable discharges and 15 received discharges under honorable conditions. The three men who failed to complete the remainder of their enlistments received bad conduct discharges because of subsequent misconduct. The two men who absented themselves from the barge on 9 August were tried by summary court-martial and, pursuant to their guilty pleas, were convicted of unauthorized absence and breaking arrest. Both were sentenced to solitary confinement on bread and water for 30 days. Upon serving their sentences they were restored to duty. One completed his enlistment and earned an honorable discharge while the other received a bad conduct discharge based on misconduct which occurred after his release from the brig.

The 50 men of the Fourth and Fifth Divisions who refused to return to loading ammunition on 11 August were tried by general court-martial on a charge of mutiny. All 50 pled not guilty and trial began on 14 September. From 14 September to 19 October the court received the sworn testimony of 105 witnesses. A summary of this testimony is set out on pages 9 through 178 of Tab G to enclosure (1). The court recessed on 20 October and reconvened the following day. Over the next three days the court heard closing arguments of counsel and was instructed in the law by the

military law officer. On 24 October all 50 defendants were found guilty of mutiny and sentenced to be discharged from the Naval service with a dishonorable discharge, to be confined at hard labor for 15 years, to be reduced to apprentice seaman and to forfeit all pay and allowances. After final review 48 men had their confinement reduced to 17 months and execution of the dishonorable discharges was suspended. Forty six men were restored to duty and successfully completed their enlistments. Forty three of the 46 men received discharges under honorable conditions. Regulations then in effect precluded the issuance of a fully honorable discharge to enlisted personnel with a general court-martial conviction. The other three men were issued honorable discharges, apparently through administrative oversight. A forty seventh man was restored to duty but failed to complete his enlistment because of subsequent misconduct. He received a dishonorable discharge. The forty eighth man was Seaman Fleece who as stated earlier in this memorandum had his conviction set aside based on a medical board determination that he was mentally incompetent at the time of trial. He was not restored to duty but released from confinement and issued a discharge under honorable conditions. The last two men of the 50 defendants convicted of mutiny were restored to duty after serving 29 months of confinement. Both completed their enlistments and received discharges under honorable conditions. Appendix B of Tab G to enclosure (1) shows the final disposition of all 50 cases.

DISCUSSION

There can be no doubt that the racial prejudice was responsible for the posting of Afro-American enlisted personnel to the loading divisions at Port Chicago. And though it appears likely that the Navy's practice of making duty assignments based on race reflected the racial attitudes which existed in American society as a whole, this cannot make it any less wrong nor can it soften the injury done to those who had to endure it. However, having said this, BCNR must also state that a careful review of the evidence now before it fails to disclose the existence of a similar causal relationship between the race of the Port Chicago defendants and the disciplinary action which resulted from the work stoppage at Mare Island. While no one can doubt NJAG's observation "that racial prejudice was ingrained in American society in 1944",¹⁰ it is also historically true that the unwavering commitment of the American people and its leaders to the successful prosecution of World War II was the clearly dominant force of this era, overshadowing all others including race. Following the attack on Pearl Harbor, the Government of the United States and its people dedicated themselves to total

¹⁰ Enclosure (1) at page 185.

victory in a war that was viewed by virtually all Americans as nothing less than a fight for national survival. The clearly stated goal of this war was the unconditional surrender of the Axis powers and America did not hesitate to punish anyone whose actions undermined this effort. The history of this era shows civil courts routinely sentencing otherwise law abiding citizens to lengthy jail terms for such offenses as illegal black market activity and refusal to register for the draft no matter what their motives.¹¹ Military courts dispensed a sterner form of justice, one of the more notable examples being the case of Private Eddie L. Slovik of the United States Army. At about the same time as 50 of the Port Chicago defendants were being tried for mutiny, Private Slovik refused to remain with his unit at the front in Belgium. As was the situation with the Port Chicago defendants, Private Slovik's refusal was based on fear, caused by his exposure to artillery fire. Like them, he expressed his willingness to obey all orders other than the one which would put his life at risk. Private Slovik was tried, convicted and, notwithstanding the fact that this was his first military offense, sentenced to death. On 31 January 1945 he was executed by firing squad and became the first soldier since the civil war to be executed for desertion.¹²

Turning its attention to the Port Chicago cases, BCNR finds that the evidence establishes that the work stoppage at Mare Island was not undertaken to combat the racism of the Navy's assignment practices nor to protest the Jim Crow features of the Port Chicago Magazine. The organized and mass refusal by the men of the Fourth, Fifth and Eighth Divisions was clearly due to the horrendous explosion of 17 July and the deep fear it caused in each of them. Similarly, the charges that were lodged against them and the sentences that they received from the court-martial are not seen by BCNR as manifestations of racial prejudice nor motivated by racial factors. To the contrary BCNR perceives them as clear reflections of the extremely serious nature of the defendants' misconduct and the harm it could have had on combat operations in the Pacific. For while the actual work of loading ammunition ships was certainly manual labor, it was also absolutely essential to the success of ongoing and future combat operations, as well as to the survival of those servicemembers

¹¹ Haley A. Notter, Postwar Foreign Policy Preparation 1939-1945 (Washington, D.C., 1950); Robert Daller, Franklin D. Roosevelt and American Foreign Policy, 1932-1945 (New York, 1979), and A.E. Campbell, "Franklin D. Roosevelt and Unconditional Surrender" in Diplomacy and Intelligence during the Second World War: Essays in honor of E.F. Hinsley, Ed. Richard Langhorne (Cambridge, 1985), 219-241.

¹² In 1977 the Army Correction Board denied a request from Private Slovik's widow for a change in his military records which would have enabled her to collect \$10,000 from his National Service Life Insurance policy. See enclosure (7).

who were doing the fighting. In this regard it is important to remember that even though the war in the Pacific was entering its final stages some of the hardest and bloodiest fighting was yet to come.¹³ Simply put, BCNR believes that in August of 1944 naval authorities would have taken stern disciplinary measures against anyone whose actions threatened to disrupt the smooth flow of ammunition to Navy and Marine Corps combat units, regardless of race. With respect to those tried by general court-martial BCNR finds no merit to the contention that the court-martial's bias toward the defendants is evidenced by the fact that the court announced its guilty findings after only 80 minutes of formal deliberations. It is important to remember that from 14 September to 19 October the court heard the sworn testimony of 105 witness, and following the recess of 20 October it listened to closing arguments and received instructions in the law for more than three days. There can be little doubt that throughout these proceedings, and especially in the last three or so days before formal deliberations began, each member of the court was engaged in his own personal evaluation and deliberation of the evidence. This, rather than bias toward the defendants, is what BCNR believes was responsible for the announcement of the verdicts after 80 minutes of formal deliberations.

CONCLUSION

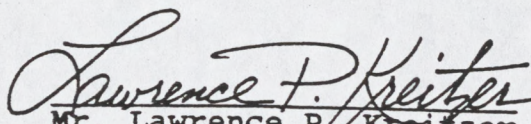
BCNR is not persuaded by the evidence presented, that racial prejudice or other improper factors tainted any portion of the pre-trial investigations or court-martial proceedings. It therefore concludes that reversal of the remaining 256 convictions on these grounds is not warranted. Nor does BCNR believe that these convictions should be overturned as a matter of clemency since such action would do no justice at all to the 70 enlisted men and their officers who, in all probability, were just as frightened as the defendants and yet resumed their ammunition loading duties when first ordered to. Although BCNR can find no legal or equitable grounds for overturning these convictions, it does find the existence of important mitigating matters, namely the racist practice of routinely assigning Afro-American enlisted men to ammunition loading and the segregated living and working conditions which existed at the Port Chicago Magazine. Ordinarily such matters provide BCNR with a sound basis for some expression of leniency. In cases involving bad conduct or dishonorable discharges the relief typically recommended is to recharacterize the discharge to one under honorable conditions. However, the record now before BCNR shows that in effect this remedial action has already been accomplished

¹³ In the spring of 1945 the largest land-air-sea engagement of the war began at Okinawa, during which 23,000 Americans lost their lives. The smaller but savage battle for the island of Iwo Jima was fought three months earlier.

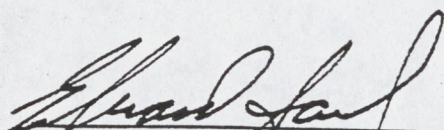
as a result of the earlier post-trial reviews conducted by military officials and the Secretary of the Navy. As was pointed out on pages six and seven of this memorandum, despite the serious nature of their misconduct and the fact that it occurred during time of war, 192 of the Port Chicago defendants ultimately received honorable discharges and 61 were discharged under honorable conditions. Five defendants, after being restored to duty, engaged in additional acts of misconduct for which four of them received bad conduct discharges and one, a dishonorable discharge. Appendix C to Tabs F and G of enclosure (1) is a table of veterans benefits for Navy enlisted personnel. This table shows that none of the 192 defendants who received honorable discharges suffered any loss of veterans benefits as a result of their court-martial convictions. It also shows that the 61 defendants who received discharges under honorable convictions, have virtually the same veterans benefits as those with fully honorable discharges except for the right to wear the honorable discharge button. BCNR finds nothing unfair or unjust in the final outcome of any of these cases. To the contrary, it is obvious to BCNR that considerable leniency was shown to the Port Chicago defendants throughout the post-trial review process. Accordingly no additional relief is warranted.

RECOMMENDATION

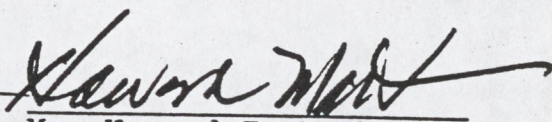
That the remaining 256 Port Chicago court-martial convictions be upheld and that no change be made to the character of the discharges ultimately awarded.


Mr. Lawrence P. Kreitzer
Deputy & Director,
ASW/AMPHIB Support Air
Programs, Office of the
Assistant Secretary of the
Navy for Research
Development & Acquisition

Board Member

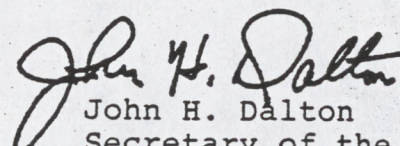

Mr. Elward L. Saul
Deputy Counsel,
Naval Air Systems Command

Board Member


Mr. Howard E. Mathews
Deputy, Equal Opportunity Officer
Manpower Plans & Policies Division
Deputy Chief of Staff for Manpower
& Reserve Affairs (Marine Corps)

Board Member

Reviewed and approved:


John H. Dalton
Secretary of the Navy

Notes HCNH

p. 8 second para
reference
to Chapp

1. Contains no mention of debate over appropriateness of making charge
* or of the fact that Cockley's sister was married to Delvecchi p. 8-9
2. Work refusal was not "organized" p. 8
Also see Executive Summary p. 2

JAG Review comments

1. Item 2 - my book did not demonstrate that there was an organized work stoppage.
of pp. 76-77, 80-85
2. Item 3 - JAG admits that under current review standards Longmire & Wideman convictions might not stand
3. Item 5 - Admits prevalence of racial prejudice in military, and even states that "logically similar racial attitudes must have been present at Mac Island during the general time period of court-martial" but there is no evidence that such racial prejudice affected trial
4. Item 6 - ~~claims~~ "ignores on other improper factors now known" which could have tainted original investigation & trial, what about Cockley's improper relationship to Delvecchi?

JAG EXECUTIVE
SUMMARY & ACTIONS

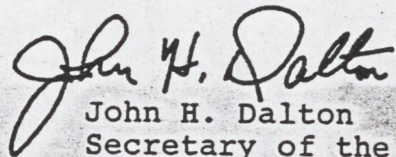
UNITED STATES)

v.)

ORDER)

Julius J. Allen, et al.)
Seaman Second Class (E-2))
U.S. Naval Reserve)

In the General Court-Martial case of United States v. Seaman Second Class Julius J. Allen, USNR, et al., pursuant to Public Law 102-190, § 552, the proceedings, findings, and sentence, as previously mitigated and approved, are found to be correct in law and fact. The original convictions are, consequently, just and valid. Further, there is no evidence that racial prejudice extant at the time, or other improper factors now known, tainted the original investigation and trials.



John H. Dalton
Secretary of the Navy

EXECUTIVE SUMMARY

Subj: PORT CHICAGO COURTS-MARTIAL REVIEW

1. On 17 July 1944, a violent explosion at the Port Chicago Naval Magazine destroyed the pier, railroad cars, two ammunition ships, the S.S. E.A. Bryan and the S.S. Quinalt Victory, and killed 320 personnel (202 of whom were black enlisted men). On 9 August 1944, in the aftermath of the explosion, 258 black enlisted men refused to return to their jobs loading ammunition ships at Naval Ammunition Depot, Mare Island, California. Fear, shock, safety concerns, discontentment with treatment, lack of training, and desire for social change have all been advanced as reasons for the work stoppage. Attempts were made to convince the men to return to work, and on 11 August 1944 many decided to do so. Fifty of the men ultimately refused to return to work and were tried in a joint trial by General Court-Martial (GCM) for mutiny. The men who returned to work were tried by Summary Court-Martial (SCM) for an orders violation. All 258 accused were convicted. After post-trial review revealed inadmissible hearsay had been admitted into evidence during the GCM, Secretary Forrestal directed a proceeding in revision be conducted to reconsider the findings and sentence. Upon reconsideration, the initial findings and sentence were affirmed. After the Court of Inquiry (COI) and GCM record of trial were declassified in 1972, various journalistic accounts questioned the impartiality of the courts-martial. In Public Law 102-190 (TAB D), Congress directed the cases be reviewed to determine the validity of the original convictions and whether or not racial prejudice or other improper factors tainted the original investigations and trials. Subject reviews have been completed and are attached at TABs F and G. Special attention is invited to pages 1-9 and 179-186 of the GCM review, as they form the framework within which the review was conducted.

2. The review was conducted in two distinct phases. Only the GCM/SCM records of trial, and the accused's service records were considered by the review officer in the initial review of the convictions. After determining whether the evidence of record supported the convictions, the review officer examined the COI transcript and Dr. Robert L. Allen's book The Port Chicago Mutiny to decide whether any other factors existed that warranted a reversal of the convictions. Although not written with that purpose in mind, Dr. Allen's book actually corroborates that the mutiny took place. His interviews with accused, chief among whom was the purported ringleader of the mutiny, S1c Joseph Small, demonstrate that an organized collective work stoppage took place. The essential elements of mutiny are the commission, with the requisite specific intent, of an overt act in unlawful opposition or resistance, or in defiance of, superior military authority. What Dr. Allen and most likely many of the accused did not realize is, in a military organization, collective work stoppage meets the definition of mutiny. Dr. Allen's discussions

Subj: PORT CHICAGO COURTS-MARTIAL REVIEW

with Slc Small also indicate that Slc Small perjured himself when he testified at trial as to the existence of a mutiny.

✓ 3. Review of subject courts-martial was necessarily conducted under the law and procedures in effect in 1944. Very few pre-UCMJ convictions would withstand today's law and procedures. Of the 50 GCM accused, one was adjudged mentally incompetent by a Medical Board of Survey resulting in his conviction being set aside in March 1946. All 208 SCM were upheld. The standard of review in courts-martial in 1944 was one of legal sufficiency. Under that standard of review, which was to consider the evidence in the light most favorable to the prosecution, sufficient evidence exists to support the findings in the case of the remaining GCM accused, and in all but one SCM. The evidence does not support the finding of guilty in the SCM case of S2c Samuel Cooper and it should be set aside. The current standard of review in courtmartial, applied under art. 66, UCMJ, by the Navy-Marine Corps Court of Military Review (NMCMR), requires a factual sufficiency determination of the accused's guilt in addition to one of legal sufficiency. NMCMR exercises plenary de novo power of review in making an independent assessment of reasonable doubt based on the entire record, and substitutes its judgment for that of the fact finder. The application of this heightened standard is, of course, not legally required; moreover, it potentially would have significant precedential effect on many other pre-UCMJ convictions. Under the current factual sufficiency standard, it is possible that the GCM convictions of S2c Longmire, and S2c Widemon would not stand. Under either standard, they were clearly guilty of an orders violation; however, disobeying the order of a superior officer was not a lesser included offense of mutiny in 1944.

4. GCM accused were sentenced to 15 years confinement, total forfeiture of pay, reduction in rate to E-1, and a dishonorable discharge. SCM accused were sentenced to forfeiture of three months pay (either \$162 or \$198 depending on paygrade) and a bad conduct discharge. On review, the punitive discharges were suspended for a probationary period, and confinement and/or forfeitures were significantly reduced. The majority of GCM accused served 17 months in confinement with corresponding loss of pay. Only one GCM accused received a punitive discharge, and that was for subsequent misconduct which would have justified the punitive discharge by itself. Forfeitures awarded to SCM accused were ultimately reduced to \$15 (E-2) or \$20 (E-3). Four SCM accused received punitive discharges as the result of their subsequent misconduct. Of the 258 SCM and GCM accused, only five accused suffered any appreciable loss in benefits as the result of the sentence and then only because of their subsequent misconduct. The sentences, as mitigated, were appropriate for the offenses committed by the accused. Appendix B to TABs F and G gives the sentences and ultimate disposition of each accused.

Subj: PORT CHICAGO COURTS-MARTIAL REVIEW

Appendix C to TABs F and G lists the rights and benefits of Navy enlisted discharges.

5. The "Port Chicago Mutiny" courts-martial have been a highly emotional chapter in the civil rights movement. Mr. Thurgood Marshall, chief counsel to the NAACP Legal Defense and Educational Fund, attended a portion of the GCM and later filed an appellate brief on behalf of the 50 GCM accused. Racial prejudice was ingrained in American society in 1944, and the military establishment was a reflection of American society at large. Casual stereotyping of blacks as lazy, inefficient, and of low mentality was commonplace. The Court of Inquiry has numerous such references in official correspondence between the Commanding Officer, Naval Ammunition Depot, Mare Island and superiors in his chain of command. Assignment policies that resulted in the predominant use of black personnel in labor battalions were racially motivated and were later recognized as inappropriate. Although, logically, similar racial attitudes must have been present at Mare Island during the general time period of the courts-martial, there is no evidence that racial prejudice resulted in the substantial rights of the accused to a fair trial being affected.

6. The Congressional mandate does not reveal the "other improper factors now known" which could have tainted the original investigations and trials. Dr. Allen's book was relied on heavily by the sponsors of the legislation and he quoted extensively from the COI into the 17 July 1944 Port Chicago explosion in writing his book. Among the causes discussed during the COI as possible contributing factors in the explosion were the assignment of poor quality black enlisted troops to ammunition depots, lack of formal training given to officer and enlisted personnel in ammunition handling, inexperience of officers, and speed in loading ammunition being promoted at the expense of safety. While discussed as a possible factor, there was no evidence that established loading procedures were either unsafe or responsible for the explosion. The COI does not reveal any conditions constituting legal justification for mutiny or refusal to obey orders. Loading ammunition was hazardous, but no more than many other wartime activities.

7. In conclusion, with the exception of the SCM of Samuel Cooper, the findings and sentences of the remainder of the "Port Chicago Mutiny" courts-martial should be upheld. Sufficient evidence appears on the record to sustain the members' findings. The sentences, as previously mitigated, were appropriate for the offense committed. Neither racial prejudice nor any other improper factors affected the accused's right to a fair trial. In the case of S2c Samuel Cooper, the SCM should be set aside, and S2c Cooper should have restored all rights, privileges, and property of which he was deprived.

DISPOSITION
CHART
GCM CASES

APPENDIX B

DISPOSITION CHART

PORT CHICAGO GCM LIST

[Tried at Treasure Island 14 September 1944 to 24 October 1944]

<u>NAME</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>GCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Julius James Allen	827 77 05	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC ¹
Mack Anderson	827 14 92	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Douglas Garnett Anthony	827 77 02	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
William Elias Banks	812 41 24	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Arnett Baugh	641 76 09	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Morris Berry	827 23 46	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Martin August Bordenave	644 87 32	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Ernest Dobson Brown	812 41 28	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Robert Lee Borage	853 13 15	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ²
Mentor Germie Burns	855 51 28	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Zack Eubert Credle	812 41 35	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Jack Pryor Crittenden	843 99 73	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Hayden Richard Curd	293 13 33	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ³
Charles Leslie David, Jr.	853 11 01	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/BCD ⁴
Bennon Dees	843 99 41	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
George Westley Diamond	843 99 68	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 29MO. CHL, RIR E-1, TF	UHC

<u>NAME</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>GCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Kenneth Carlton Dixon	812 41 37	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Julius Dixson, Jr.	930 37 39	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
John Henry Dunn	712 79 31	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Melvin Walter Ellis	852 51 50	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
William Fleece, Jr.	815 37 18	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
James Floyd	930 38 40	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Ernest Joseph Gaines	645 09 09	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
John Lee Gipson	644 92 84	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	HON
Charles Clifton Gray	853 19 00	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 29MO. CHL, RIR E-1, TF	UHC
Ollie Eaton Green	836 53 60	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Harry Edward Grimes	862 14 64	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	HON
Herbert Havis	641 17 13	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Charles Nathaniel Hazzard	818 51 85	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Frank Louis Henry	669 24 29	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 29MO. CHL, RIR E-1, TF	UHC/HON ⁵
Richard William Hill	812 41 43	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ⁶
Theodore King	724 62 33	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 29MO. CHL, RIR E-1, TF	UHC/HON ⁷
Perry Lee Knox	641 17 27	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	DD ⁸
William Herman Lock	826 85 79	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ⁹

<u>NAME</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>GCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Edward Lee Longmire	613 45 38	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ¹⁰
Miller Matthews	847 56 41	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Augustus Paul Mayo	814 89 33	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Howard McGee	640 58 85	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ¹¹
Lloyd McKinney	644 88 70	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Alphonso McPherson	552 37 15	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 29MO. CHL, RIR E-1, TF	UHC
Freddie Meeks	879 04 63	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Cecil Miller	853 14 73	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 29MO. CHL, RIR E-1, TF	UHC/HON ¹²
Fleetwood Henry Postell	819 03 98	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Edward Saunders	313 41 10	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ¹³
Cyril Oscar Sheppard	810 04 58	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Joseph Randolph Small	811 22 05	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ¹⁴
Willie Chris Suber	930 62 59	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	HON
Edward Leroy Waldrop	930 62 53	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC
Charles Samuel Widemon	602 29 57	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 17MO. CHL, RIR E-1, TF	UHC/HON ¹⁵
Albert Williams, Jr.	644 89 71	NG	DD, 15YRS CHL, RIR E-1, TF	SUSP. DD, 29MO. CHL, RIR E-1, TF	UHC

ENDNOTES

1. Under Honorable Conditions Discharge. Equivalent to General Discharge. Entitles servicemember to all benefits of an Honorable Discharge except the right to wear the Honorable Discharge Button.
2. Honorable Discharge awarded for service in the Naval Reserve.
3. Honorable Discharge awarded for service in the Naval Reserve.
4. Bad Conduct Discharge awarded by General Court-Martial in subsequent enlistment.
5. Honorable Discharge awarded for subsequent active duty service.
6. Honorable Discharge awarded for service in the Naval Reserve.
7. Honorable Discharge awarded for service in the Naval Reserve.
8. Probation terminated on 27 June 1946 due to subsequent Captain's Mast for unauthorized possession of a vehicle, unauthorized possession of a loaded firearm, operation of a vehicle after 2200 in violation of a station order, and being in a restricted area.
9. Honorable Discharge awarded for service in the Naval Reserve.
10. Honorable Discharge awarded for service in the Naval Reserve.
11. Honorable Discharge awarded for service in the Naval Reserve.
12. Honorable Discharge awarded for service in the Naval Reserve.
13. Honorable Discharge awarded for service in the Naval Reserve.
14. Honorable Discharge awarded for service in the Naval Reserve.
15. Honorable Discharge awarded for subsequent active duty service. Transferred to disability retired list after attempting suicide by cutting his wrists after he had been awarded a Bad Conduct Discharge during subsequent enlistment. Medical Board of Survey found that he was not competent at time of offense and BCD was remitted.

DISPOSITION
CHART

SCM
CASES

APPENDIX B

DISPOSITION CHART

PORT CHICAGO SCM LIST

[Tried at Mare Island on 15 August 1944 unless otherwise noted]

<u>NAME</u>	<u>FILE NO.</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>SCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Thomas J. Acker	13352	933 21 78	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Walter Adams	13353	706 61 47	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Wendell Harvey Allen	13355	866 65 88	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON/UHC ¹
Murphy Allison	13354	847 46 39	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Frank Alston	13339	813 67 28	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Wilbert Barker Amiss	13340	560 00 59	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Walter Lee Armstead	13341	847 60 80	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Herbert Atkins	13342	836 92 31	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Rogers Avary	13343	657 91 70	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Bernard Baker	13344	831 20 14	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Nelson Battle	13345	831 61 03	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Elisha Becton	13347	831 14 23	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Peter Durrant Beekman	13346	711 79 25	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Robert Eugene Bell	13348	659 01 48	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Birl Mitchell Berry	13349	811 82 22	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Arthur Blue, Jr.	13264	817 96 43	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
George J. Booth	13265	862 27 47	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Rufus Boyd	13266	896 55 06	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Denverd Boykin	13171	831 81 17	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Dewrie Boykin	13326	831 81 14	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Eddie Brazel	13255	966 66 58	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Paul Edward Brown	13249	634 54 55	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Samuel Emanuel Caines	13250	812 41 31	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
William Carl Calloway	13248	831 81 51	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Archer Wellington Campbell	13247	659 01 18	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Lenord Carter, Jr.	13216	831 81 36	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Wilfred Alexander Christopher	22299	712 13 07	G	SC B&W 30DAYS \$162 FF	SC B&W 15 DAYS; \$81 FF	HON
Andrew Thomas Clark, Jr.	13217	828 84 27	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Frank James Clark	13218	721 74 19	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Tim Clark, Jr.	13356	843 96 80	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Tommie L. Clarke	13280	843 99 53	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Leland Fleming Claybrook	13357	811 34 09	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON

<u>NAME</u>	<u>FILE NO.</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>SCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Richard Dudley Cody	13358	811 33 74	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Edward Coleman	13359	641 17 17	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON ₃
Samuel Cooper	13227	853 12 97	NG	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ₃
Weldon Crawford	17935	853 18 66	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Willie Douglas Daniels	13332	670 46 16	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON ₄
Ike Davis, Jr.	13333	831 61 09	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	BCD ₄
Iwathia Hermon Davis	13277	951 91 37	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ₅
James Davis	13334	816 57 77	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	BCD ₅
Leroy Edward Davis, Jr.	13319	758 65 23	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON ₆
Robert Lee Denson	13318	835 84 53	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC ₆
Glenus George Dowery	13335	958 60 38	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Alvin Thomas Duke	13165	853 11 88	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Albert Ellis	13336	836 73 15	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Clarence Willie Evans	13337	830 96 51	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Charles Flemons, Jr.	13369	722 28 18	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Calvin James Flowers	13350	854 79 08	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Joseph Franklin	13351	645 07 46	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Gardner Jophery Fulton	13308	811 81 19	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Nathan Gadson	13309	556 26 13	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON/UHC ₇
Kenneth Edward Ganaway	13310	811 32 23	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Prince Gardner	13271	840 68 73	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Willie Junior Gay	13272	832 88 56	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ₈
Thomas Andrew George, Jr.	13168	724 97 11	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON ₈
Emmett Granvil Gibson	13169	811 82 26	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	UHC
Thomas Gillard	13170	831 50 02	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Charles Horace Golden	13307	830 97 09	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Raymond Mason Golden	13258	958 60 31	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Charles Edward Gowdy	13259	635 29 48	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Morring Granderson	13273	645 07 84	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON/UHC ₉
Joseph Leroy Gray	13235	245 84 19	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Willie James Gray	13311	834 07 36	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
James William Greenidge, Jr.	13299	712 78 88	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
John Milton Gregory	13300	816 57 72	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ₁₀
Harvey Hairston	13305	256 67 85	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	BCD ₁₀
Clarence Eugene Hamilton, Jr.	13301	933 22 03	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Richard Lee Hampton	13304	846 17 86	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Antone Hardaway	13302	848 94 84	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON

<u>NAME</u>	<u>FILE NO.</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>SCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
George Harris	13306	712 34 50	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Jesse L. Harris	13325	815 37 19	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Clarence Vincent Henderson	13292	811 82 19	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
William Walter Hereford, Jr.	13290	724 97 15	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Raymond Hightower	13303	636 62 23	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
"L" "G" Holmes	13291	847 52 83	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Abrom Holsey, Jr.	13324	626 94 01	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Enoch Hopkins	13313	908 49 10	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Willie James Howard	13293	941 20 62	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Agnew Hucklebee	13261	831 64 99	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
James Willie Hundley	13270	936 01 44	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Earl Hunt	13312	842 09 04	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
Clarence Leroy Jackson	13260	556 06 73	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Thomas Jackson	13274	644 75 42	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Frederick Marshall Jacob	13275	847 55 64	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Orlanzo Orales James	13256	811 94 78	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
James William Jefferson	13257	552 98 38	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Jack Jenkins, Jr.	13267	605 75 22	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
George Willie Johnson	13268	831 64 53	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
James Erastus Johnson	13269	837 10 31	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Charlie Jones, Jr.	13240	930 63 67	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
James Blaine Jones	13241	890 82 81	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Phillip Andrew Jones	13238	560 07 33	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
Alexander Deleon Kelly, Jr.	13242	831 00 03	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
James Davis Kornegay	13243	832 93 08	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ¹¹
Ennis Melvin Lanier	13244	657 66 27	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ¹¹
Calvin Aloysius Lee	13245	256 53 83	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Refedell Lewis	13239	847 60 70	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
John Milton Linden	13246	625 74 79	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
David Lindsay	13219	872 60 71	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
James Henry Love	13368	936 01 18	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Dannon Lucas	13262	818 52 30	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
John Thomas Machen	13365	930 62 42	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Rodrick Gilbert Majors	13237	879 82 15	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Oscar Malvo	13314	644 71 75	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	UHC
James Ivory Martin	13254	656 78 87	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON/BCD ¹²
Milton Alfonzo Matthews	13234	816 91 52	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON

<u>NAME</u>	<u>FILE NO.</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>SCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Clarence Mayfield	13233	832 88 27	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Lavester McCarther	13221	842 92 21	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Nathaniel McCloud	13232	830 99 62	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Leonard McCreary	13224	930 62 58	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Charlie James McDonald	13231	848 74 20	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
James Stephen McDonald	13220	861 45 16	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Earl Ralph McFarlin	13230	630 39 64	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Isiah McWell	13223	840 03 75	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Howard Donald Michaux	13229	656 66 58	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Hamp Middleton, Jr.	13222	931 07 66	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Thomas Miles	13228	817 84 90	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Dan Miller	13226	831 60 47	NG	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
George Thomas Miller	13236	641 88 69	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
James Weldon Miller	13251	835 82 95	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
Willie Lee Mitchell	13367	557 03 10	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Willie James Montgomery	13366	831 60 52	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
John Troy Moore	13252	836 55 28	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Clarence Morgan	13253	846 44 22	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Joseph Morgan	13316	576 34 53	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
"F" "C" Morris	13317	831 60 98	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
David Heiter Mosby	13315	936 01 17	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Ernest Shaw Nixon	13179	833 88 00	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Harry Frederick Nixon	13209	836 77 43	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
McKinley Olden	13210	928 55 88	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Gilbert Scipio Lee Paige	13208	814 91 85	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Alan Howard Patterson, Jr.	13297	956 31 71	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Andrew Lee Patton	13192	640 96 98	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Charlie Peebles	13191	835 92 20	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Edgar Louis Peterson	13296	853 27 67	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
William Lee Pittman	13190	897 22 83	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Robert James Polk	13295	641 22 14	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Luegens Pollock	13189	843 76 72	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Edward Porter	13187	758 84 82	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Martin Joseph Preston, Jr.	13186	820 18 57	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
John Davis Pugh	13188	831 73 00	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Howard William Richards	13185	816 63 41	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Claude Field Richmond	13294	246 04 51	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON

<u>NAME</u>	<u>FILE NO.</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>SCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Raymond Randolph Rivers	13205	556 14 99	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Percy Robinson	13167	853 10 79	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Jesse Robison	13206	844 92 33	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Arthur Lee Roby	13200	847 52 28	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Henry Thomas Rogers	13214	640 64 90	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	UHC/HON ¹³
Charles Ross	13204	812 41 58	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
George Ross	13201	818 45 97	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Lonnie Russell	13202	840 03 67	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
James Sanders	13203	939 68 54	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ¹⁴
Ellis Augustus Saunders	22199	836 72 99	G	SC B&W 30DAYS \$162 FF	SC B&W 15 DAYS; \$81 FF	BCD ¹⁴
Basil Stellman Scott	13225	552 95 36	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
William Henry Shannon	13184	936 00 67	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Landus Shelton	13178	845 36 62	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Henry Simmons	13183	930 57 08	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Benny Joseph Sims	13172	275 09 18	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
William Joseph Smiley, Jr.	13175	886 39 57	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Eugene Smith (S1c)	13177	625 10 15	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	UHC
Eugene Smith (S2c)	13176	847 66 84	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
John Smith	13174	830 99 34	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Sam Smith, Jr.	13196	644 79 11	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	UHC
Walter Smith	13195	923 20 08	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
William James Smith, Jr.	13173	857 73 05	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Frank James Spates	13194	721 69 26	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Herbert Starks	13321	641 17 18	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Charles Joseph Stewart	13322	614 63 29	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Andrew "J" Stimpson	13323	840 01 25	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
William Conred Stiner	13298	836 55 19	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Frank William Strange, Jr.	13320	878 38 65	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Tommie Lee Stribling	13182	604 70 48	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Edward Stubblefield	13193	641 17 22	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Louis Billy Sullivan	13166	861 38 35	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Ellis Swift	13199	935 94 89	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Willard Tapp	13197	873 60 44	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Anderson Clayton Taylor	13198	939 93 25	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Calvin Burnett Thomas	13181	812 78 29	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
John Thomas, Jr.	13180	609 22 97	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON

<u>NAME</u>	<u>FILE NO.</u>	<u>SERVICE NO.</u>	<u>PLEA</u>	<u>SCM SENTENCE</u>	<u>APPROVED SENTENCE</u>	<u>DISCHARGE</u>
Pleas Thomas	13263	551 95 90	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
John Arthur Thompson	13282	820 26 06	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Leon Thompson	13283	896 24 57	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Walter Thompson	13207	644 75 26	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
James Leroy Tinnin	13363	750 67 80	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Carl Tuggle, Jr.	13338	855 54 10	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Charles Walker	13284	831 65 27	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
John Lee Walker	13285	966 66 08	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Eugene William Wash	13327	866 00 36	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
George Samuel Washington	13286	936 01 39	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Sam Washington	13287	842 92 76	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC
Clarence John Weaver	13288	855 54 15	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Elery Whiting	13328	830 71 86	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Kelly Wicker	13329	830 71 76	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
William Dalton Wilder	13289	560 03 89	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
John "A" "C" Wilks	13330	817 97 20	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
David Williams	13276	552 22 84	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Douglas Williams	13331	857 72 79	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Ollie Williams	13360	873 36 01	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Phillip Willis	13361	931 06 40	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
Nathaniel Wilson	13362	847 52 39	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON
William Wise	13281	827 77 39	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	HON ¹⁵
Eddie Wright	13279	636 59 44	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON ¹⁵
Johnnie "B" Wright	13278	630 25 63	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Merle Herbert Wylie	13364	857 73 12	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Raleigh Gene Yancy	13211	864 12 94	G	BCD, \$162 FF	SUSP. BCD, \$15 FF	UHC ¹⁶
Bostic Young	13212	857 24 80	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON ¹⁶
Edward Young	13213	812 41 65	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON
Willie Young	13215	830 36 30	G	BCD, \$198 FF	SUSP. BCD, \$20 FF	HON

ENDNOTES

1. Received UHC discharge by reason of unfitness in 1965 with 19 years, 2 months and 21 days service. Processed for civilian conviction for aggravated assault.
2. Tried on 5 September 1944 for breaking arrest and unauthorized absence.
3. Found guilty of lesser included offense of conduct to the prejudice of good order and discipline, to wit: refusal to obey an order to be obeyed in the future.
4. Probation terminated due to subsequent Captain's Mast for unauthorized absence and missing draft (i.e. missing movement).
5. Probation terminated due to subsequent Captain's Mast for unauthorized absence.
6. Under Honorable Conditions Discharge. Equivalent to General Discharge. Entitles servicemember to all benefits of an Honorable Discharge except the right to wear the Honorable Discharge Button.
7. Received Special Court-Martial for travel claim fraud in subsequent enlistment resulting in discharge after 15½ years of service with an Under Honorable Conditions Discharge for unsuitability.
8. Retired from U.S. Naval Reserve in 1985 as BMC.
9. Received UHC Discharge by reason of unsuitability for nonsupport of dependents in subsequent enlistment.
10. BCD awarded by subsequent GCM.
11. Transferred to the Fleet Reserve in 1965. Retired as SKC(SS) after 30 years of honorable service.
12. BCD awarded in 1959 by Special Court-Martial.
13. Honorable Discharge awarded for service in the Naval Reserve.

14. Tried on 5 September 1944 for breaking arrest and unauthorized absence. BCD awarded by subsequent GCM.

15. Transferred to Fleet Reserve in 1968. Retired after 21 years of active duty service.

16. Tried on 18 August 1944.

TABLE
OF
BENEFITS

APPENDIX C

TABLE OF BENEFITS

RIGHTS AND BENEFITS OF NAVY ENLISTED DISCHARGEES

BENEFIT	REFERENCE
TRAVEL ALLOWANCE	USNAVY TRAVEL INSTRUCTIONS
TRANSPORTATION IN KIND	USNAVY TRAVEL INSTRUCTIONS
CASH ALLOWANCE	BU PERS MANUAL ART C-10318 (8)
ISSUE BAT OF CIVILIAN CLOTHES	BU PERS MANUAL ART C-10315 (1)
RETAIN AND WEAR UNIFORM	BU PERS MANUAL ART C-10315 (2)
HONORABLE DISCHARGE BUTTON	BU PERS MANUAL ART B-2108
HONORABLE SERVICE LAPEL BUTTON OR PIN	BU PERS MANUAL ART B-2107
CERTIFICATE OF SATISFACTORY SERVICE - NAVPERS 554	BU PERS MANUAL ART C-10503
MASTERING OUT PAY	PL 225-78TH CONGRESS
NATIONAL SERVICE LIFE INSURANCE	P.L. 80 - 78TH CONGRESS
FEDERAL VOCATIONAL REHABILITATION	P.L. 16 - 78TH CONGRESS
APPRENTICE TRAINING	P.L. 346 - 78TH CONGRESS
EDUCATIONAL RIGHTS (8 I BILL)	P.L. 346 - 78TH CONGRESS
LOAN GUARANTY (8 I BILL)	P.L. 346 - 78TH CONGRESS
EMPLOYMENT ASSISTANCE (8 I BILL)	P.L. 346 - 78TH CONGRESS
READJUSTMENT ALLOWANCE (8 I BILL)	P.L. 346 - 78TH CONGRESS
REEMPLOYMENT RIGHTS (SELECTIVE SERVICE)	P.L. 783 - 78TH CONGRESS P.L. 799 - 80TH CONGRESS
CIVIL SERVICE PREFERENCE - FEDERAL	P.L. 359 - 78TH CONGRESS
CIVIL SERVICE - STATE	STATE STATUTES
COMPENSATION, SERVICE CONNECTED DISABILITY	VET. REG. (1A) AND P.L. 144 - 78TH CONGRESS
PENSION FOR DISABILITY NOT SERVICE CONNECTED	VET. REG. (1A) AND P.L. 313 - 78TH CONGRESS
HOUSING ALLOWANCE IN VETERANS ADMINISTRATION FACILITY	P.L. 2 - 73RD CONGRESS
MEDICAL CARE AND PROSTHETIC APPLIANCES	P.L. 346 - 78TH CONGRESS
DOMICILIARY CARE - FEDERAL	P.L. 2 - 73RD CONGRESS
COMPENSATION FOR DEATH DUE TO NAVAL SERVICE	P.L. 144 - 78TH CONGRESS AND VET. REG. 11C
PENSION FOR CLAIM NOT DUE TO NAVAL SERVICE	P.L. 483 - 78TH CONGRESS
BURIAL ALLOWANCE - FEDERAL	VETERANS REG. 91A1 P.L. 866 - 76TH CONGRESS
HEADSTONE OR GRAVE MARKER	P.L. 1425 VET. REG. 91A1 24 USC 279
REVIEW OF DISCHARGE	P.L. 346 - 78TH CONGRESS
BURIAL IN A NATIONAL CEMETERY	P.L. 526 - 80TH CONGRESS
SPECIAL VETERANS RIGHTS IN HOMESTEADING	43 USC 279
STATE BONUS	STATE STATUTES
CORRECTION OF NAVAL RECORDS	P.L. 80 - 79TH CONGRESS

THIS CHART PREPARED BY
CIVIL READJUSTMENT BRANCH
SEPARATION DIVISION
BUREAU OF NAVAL PERSONNEL
DEPARTMENT OF THE NAVY
WASHINGTON 25, D.C.

THE PURPOSE OF THIS CHART IS TO SHOW THE EFFECT OF THE TYPE OF DISCHARGE UPON POSSIBLE ELIGIBILITY TO VARIOUS RIGHTS AND BENEFITS. NO ATTEMPT IS MADE TO SET FORTH OTHER REQUIREMENTS OF ELIGIBILITY WHICH MUST BE MET.

GUIDE TO CHART
 YES
 NO

TYPE OF DISCHARGE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
HONORABLE DISCHARGE																																		
EXPIRATION OF ENLISTMENT																																		
CONVENIENCE OF GOVERNMENT																																		
DEPENDENCY																																		
MINORITY			8																															
DISABILITY																																		
GENERAL DISCHARGE UNDER HONORABLE CONDITIONS																																		
EXPIRATION OF ENLISTMENT																																		
CONVENIENCE OF GOVERNMENT																																		
DEPENDENCY																																		
MINORITY			8																															
DISABILITY				6				5																										
UNSATISFACTORY																																		
INAPTITUDE																																		
UNDESIRABLE DISCHARGE																																		
UNFITNESS											1	2	2	2	2	2	2	4	2	2	2	2	2	2	2	2	2	2					4	
DESERTION WITHOUT TRIAL											1	2	2	2	3		4	4	4	4	4	4	4	4	4	4	4						4	
FRAUDULENT ENLISTMENT											1	2	2	2	2	2	4	4	4	4	4	4	4	4	4	4	4						4	
TRIAL AND CONVICTION BY CIVIL AUTHORITIES											1	2	2	2	2	2	4	4	4	4	4	4	4	4	4	4	4						4	
BAD-CONDUCT DISCHARGE																																		
AWARDED BY SUMMARY COURT MARTIAL											1	2	2	2	2	2	4	2	2	2	2	2	2	2	2	2	2						4	
AWARDED BY GENERAL COURT MARTIAL											1				3		4												7				4	7
DISHONORABLE DISCHARGE																																		
AWARDED BY GCM - SENTENCE IMMEDIATE OR VIOLATION OF PROBATION											1				3		4														7		4	7
AWARDED BY GCM - AFTER PRISON											1				3		4														7		4	7

NUMBERS APPEARING IN CHART REFER TO CORRESPONDING NOTES BELOW

1 NSLI IS FORFEITED ONLY WHEN THE INSURED IS GUILTY OF MUTINY, TREASON, SPYING OF DESERTION OR WHEN BECAUSE OF CONSCIENTIOUS OBJECTION HE REFUSES TO PERFORM SERVICES OR WEAR THE UNIFORM (P.L. 801, 76TH CONGRESS)

2 DETERMINATION IN DOUBTFUL CASES AS TO WHETHER THE CHARACTER OF DISCHARGE IS A BAR TO ENTITLEMENT IS MADE BY VETERANS ADMINISTRATION OR OTHER AGENCY ADMINISTERING SUCH BENEFIT. VETERAN IS ELIGIBLE IF CONDITIONS OF DISCHARGE OR RELEASE WERE OTHER THAN DISHONORABLE

3 SUCH VETERAN MAY APPLY AT ANY STATE EMPLOYMENT SERVICE OFFICE FOR ASSISTANCE IN SECURING A JOB, BUT IS NOT ELIGIBLE FOR SPECIAL VETERANS SERVICES

4 IN GENERAL, A DISCHARGE UNDER DISHONORABLE CONDITIONS IS A BAR TO STATE BENEFITS. DETAILS CONCERNING ELIGIBILITY FOR THIS AND OTHER STATE BENEFITS MAY BE OBTAINED FROM THE APPROPRIATE STATE VETERANS COMMISSION

5 VETERAN FORFEITS BENEFIT IF SUCH DISCHARGE IS AWARDED AS A RESULT OF HIS OWN MISCONDUCT

6 NO, UNLESS DUE TO OWN MISCONDUCT, THEN YES

7 BOARD FOR THE CORRECTION OF NAVAL RECORDS REVIEWS GENERAL COURTS MARTIAL DISCHARGES

8 SEE US NAVY TRAVEL INSTRUCTIONS FOR EXCEPTIONS

Congress of the United States
House of Representatives
Washington, DC 20515

FOR IMMEDIATE RELEASE: Thursday, January 6, 1994

LAWMAKERS DISAPPOINTED BY NAVY REVIEW
OF PT. CHICAGO COURTS MARTIAL

WASHINGTON -- Four California lawmakers said Wednesday they are disappointed by the conclusions of a Navy review of the courts martial of 258 black sailors stemming from a World War II incident at Port Chicago Naval Weapons Station in the San Francisco Bay Area.

Congressman Ronald Dellums (D-Berkeley), Chairman of the House Armed Services Committee, and Congressmen George Miller (D-Martinez) and Pete Stark (D-Hayward), and Sen. Barbara Boxer (a House member at the time) passed legislation in 1991 requiring the Navy to review the cases of the sailors who were court-martialed after refusing to resume loading munitions following a huge explosion that killed over 320 sailors, most of whom were black, in the worst domestic loss of life accident during the war.

The lawmakers believed the review was merited because of evidence discovered in the intervening years indicating that racial bias may have contributed to the courts-martial. The lawmakers acknowledged that the Navy has complied with the law in reviewing the case but said they were disturbed by the conclusions reached and that they will pursue the case further.

"The Department of the Navy today reported to us that based on a careful review of the 258 courts martial of the black Pt. Chicago seamen, no evidence could be found to merit overturning the convictions, except for that of two sailors, one of which was overturned last year and one of which was overturned shortly after the initial conviction," the lawmakers said in a joint statement issued from Washington.

"We appreciate the careful review conducted by the Navy and the good faith in which it has dealt with our offices. But we find the conclusions of the review highly disturbing. The Navy acknowledges that the sailors were subjected to racist conditions in their employment and their living conditions. And yet the Navy cannot understand that under those conditions, the decision to refuse to resume loading ammunition after the shock of the accident was not an act of rebellion but an act of self-preservation in light of the danger they faced specifically because they were black.

(more)

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"The Navy review concluded that,

"There can be no doubt that racial prejudice was responsible for the posting of African-American enlisted personnel to the loading divisions at Port Chicago."

But it also concluded that it *'was not persuaded ... that racial prejudice or other improper factors tainted'* the trial and the courts-martial.

"We believe that the Navy did not apply a broad enough view to this extraordinary case. Since World War II, a number of significant steps have been taken to redress wrongful actions taken against innocent Americans during or shortly after the war by the U.S. Government. The government has acknowledged the illegal internment of Japanese-Americans during the war. And most recently, Energy Secretary Hazel O'Leary has called on the government to redress the victims and their families of deadly secret radiation tests conducted on unwitting subjects.

"In the case of Port Chicago, it is readily admitted by the Navy that these black sailors were treated unfairly in their assignment because they were black. And yet, the Navy has concluded that it is unable to find any reason to remove the label of 'mutineer' from the records of men who made great sacrifices to the war effort.

"We will not rest here. We will continue to search for other means to address this issue in the belief that the surviving sailors and their families and the families of those now deceased deserve the chance to clear their names.

"It is a positive development that the Navy has acknowledged that racism was in fact a way of life in the Navy during World War II. We would like to think that racism is no longer tolerated in the military and we will devote our time to reviewing racial attitudes in the military. But we believe that the Navy applied a technical and narrow view in this case and that further steps should be taken."

For Additional Information, please Contact:

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REVIEW OF THE PORT CHICAGO COURTS-MARTIAL

Office of the General Counsel
Department of the Navy

6 January 1994

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TO

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P. 01

BACKGROUND

- 17 July 1944: **EXPLOSION OF THE S.S. A.E. BRYAN**
- **320 NAVAL PERSONNEL KILLED (INCLUDING 202 AFRICAN-AMERICANS) -- REMAINS OF ONLY 51 RECOVERED**
- **390 BASE PERSONNEL INJURED**
- **MASSIVE PROPERTY DAMAGE TO NAVAL MAGAZINE AND TOWN OF PORT CHICAGO**

THE COURTS-MARTIAL PROCEEDINGS

- **50 SAILORS TRIED BY GENERAL COURT MARTIAL FOR MUTINY**
 - **ALL CONVICTED, SENTENCED TO DISHONORABLE DISCHARGES, VARIOUS PERIODS OF CONFINEMENT (UP TO 15 YEARS), AND FORFEITURES**
 - **IN JANUARY 1946, SECRETARY FORRESTAL REMITTED UNEXECUTED CONFINEMENT, AND RETURNED THE ACCUSED SAILORS TO DUTY WITH SUSPENDED DISCHARGES**

- **208 SAILORS WERE TRIED BY SUMMARY COURT MARTIAL FOR DISOBEDIENCE, AWOL, AND CONDUCT PREJUDICIAL**
 - **208 CONVICTED AND 206 SENTENCED TO BAD CONDUCT DISCHARGES AND FORFEITURES**
 - **ON REVIEW, FORFEITURES REDUCED AND THE ACCUSED SAILORS WERE RETURNED TO DUTY WITH SUSPENDED BAD CONDUCT DISCHARGES**

SECRETARY OF THE NAVY REVIEW PURSUANT TO THE DEFENSE AUTHORIZATION ACT

- **ACTION REQUIRED --**

"The Secretary of the Navy shall carry out without delay a thorough review of the cases of all 258 individuals convicted in the courts-martial arising from the explosion at the Port Chicago (California) Naval Magazine on July 17, 1944. The purpose of the review shall be to determine the validity of the original findings and sentences and the extent, if any, to which racial prejudice or other improper factors now known may have tainted the original investigations and trials. If the Secretary determines that the conviction of an individual in any such case was in error or an injustice, then, notwithstanding any other provision of law, he may correct that individual's military record (including the record of the court-martial in such case) as necessary to rectify the error or injustice."

-- Section 552, P.L. 102-190 (1991)

SECRETARY OF THE NAVY'S REVIEW

- **JUDGE ADVOCATE GENERAL OF THE NAVY REVIEW OF ALL 258 CASES**
 - **PURPOSE: "TO DETERMINE THE VALIDITY OF THE ORIGINAL FINDINGS AND SENTENCE"**
 - **STANDARD OF REVIEW CURRENTLY APPLIED BY FEDERAL APPELLATE COURTS**
 - **THE FINDINGS WITH RESPECT TO EACH OF THE 258 ACCUSED SAILORS WAS SEPARATELY CONSIDERED AND ANALYZED**

- **BOARD FOR CORRECTION OF NAVAL RECORDS REVIEW OF ALL 258 CASES**
 - **PURPOSE: "TO REVIEW ALL ASPECTS OF THE ALLEGATIONS OF RACIAL PREJUDICE AND DISCRIMINATION"**
 - **A PANEL OF THREE SENIOR CAREER NAVY DEPARTMENT CIVILIANS**
 - **MORE EXTENSIVE THAN THE JAG REVIEW -- CONSIDERED MATERIALS PROVIDED BY CONGRESSMEN DELLUMS, STARK, AND MILLER; DR ROBERT L. ALLEN; AND RELATED MATERIAL**

CONCLUSIONS
REVIEW OF COURTS-MARTIAL PROCEEDINGS

- **SUFFICIENT EVIDENCE EXISTS TO SUPPORT THE FINDINGS OF GUILTY IN ALL BUT TWO CASES**
 - **IN ONE CASE, SECRETARY FORRESTAL SET ASIDE THE FINDING OF GUILTY IN 1946**
 - **SECRETARY O'KEEFE SET ASIDE THE FINDINGS OF GUILTY IN THE SECOND CASE ON JANUARY 1993**
- **THE SENTENCES WERE WITHIN THE JURISDICTION OF THE COURTS AND, AS MITIGATED AND APPROVED, WERE APPROPRIATE TO THE OFFENSES**

CONCLUSIONS

REVIEW BY THE BOARD FOR CORRECTION OF NAVAL RECORDS

- *"There can be no doubt that racial prejudice was responsible for the posting of Afro-American enlisted personnel to the loading divisions at Port Chicago."*
- *"BCNR is not persuaded by the evidence presented, that racial prejudice or other improper factors tainted any portion of the pre-trial investigations or court-martial proceedings."*
- *"...reversal of the remaining 256 convictions on these grounds is not warranted."*

- **ADDITIONAL CONCLUSIONS:**

- **THE RACIST PRACTICE OF ROUTINELY ASSIGNING AFRICAN-AMERICAN PERSONNEL TO AMMUNITION LOADING AND THE SEGREGATED LIVING AND WORKING CONDITIONS AT PORT CHICAGO WAS CONSIDERED AT THE TIME AS PROVIDING A BASIS FOR REMEDIAL ACTION**
- **REMEDIAL ACTION WAS ACCOMPLISHED AS PART OF THE POST-TRIAL REVIEW UNDERTAKEN BY SECRETARY FORRESTAL**
- **BCNR FINDS NOTHING UNFAIR OR UNJUST IN THE FINAL OUTCOME OF ANY OF THESE CASES**

SUMMARY OF FINAL ACTIONS GENERAL COURT MARTIAL CASES

DISPOSITION	NUMBER OF ACCUSED SAILORS
TOTAL NUMBER TRIED FOR MUTINY BY GENERAL COURT MARTIAL	50
- Convicted at GCM. Sentenced to Dishonorable Discharge (DD), forfeitures, reduction, and confinement at hard labor. At Secretary Forrestal's direction, confinement and forfeitures reduced, DD suspended, and member returned to duty.	50
- Discharge under honorable conditions upon completion of enlistment.	45
- Honorable discharge upon completion of enlistment (awarded through administrative error).	3
- Conviction set aside by Secretary Forrestal in 1946, on finding that accused was not mentally competent at time of offense. Discharge for the convenience of the government under honorable conditions.	1
- DD awarded for subsequent misconduct.	1

**SUMMARY OF FINAL ACTIONS
SUMMARY COURT MARTIAL CASES**

DISPOSITION	NUMBER OF ACCUSED SAILORS
TOTAL NUMBER TRIED FOR DISOBEDIENCE, UNAUTHORIZED ABSENCE, CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE BY SUMMARY COURT MARTIAL	208
- Convicted at SCM. Sentenced to Bad Conduct Discharge (BCD), forfeitures, and reduction. At Secretary Forrestal's direction, forfeitures reduced, BCD suspended, and member returned to duty.	206
- Convicted at SCM of AWOL. Sentenced to bread and water, 30 days confinement.	2
- Awarded honorable discharges upon completion of enlistment.	1 188
- Awarded discharges under honorable conditions upon completion of enlistment.	15
- Bad Conduct Discharge awarded for subsequent misconduct.	1 3
- Conviction set aside by Secretary O'Keefe in 1993. Honorable discharge previously awarded (included in the 188 above).	1

**RESULTS OF THE REVIEW
DIRECTED BY SECTION 552, P.L. 102-190**

- **FULL OFFICIAL REPORT ON FACTS AND CIRCUMSTANCES SURROUNDING THE PORT CHICAGO COURT-MARTIAL PROCEEDINGS**
- **FAIR AND OBJECTIVE REVIEW BY THE JUDGE ADVOCATE GENERAL OF THE NAVY AND THE CIVILIAN CORRECTION BOARD OF THE FINDINGS AND SENTENCE IN EACH CASE**
- **DISCLOSED FAIRMINDED ACTION BY SECRETARY FORRESTAL DURING THE COURT-MARTIAL REVIEW PROCESS**
- **DOCUMENTED THE EFFECTIVENESS OF THE LATE THURGOOD MARSHALL'S INTERVENTION AND ADVOCACY**

CONCLUSION

- **RACIAL PREJUDICE AND DISCRIMINATION DID NOT AFFECT THE PORT CHICAGO COURT-MARTIAL PROCEEDINGS**
- **NONE OF THE 258 PORT CHICAGO DEFENDANTS RECEIVED DISCHARGES UNDER OTHER THAN HONORABLE CONDITIONS, OR WERE DENIED VETERANS BENEFITS, SOLELY AS THE RESULT OF THE PORT CHICAGO COURTS-MARTIAL**

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