

# Lawmaker says Army compensation handed to soldiers in WWII riot-and-lynching case 'not fair'

## Bigger payoff sought for vet in 1944 POW death

BY RORY MARSHALL  
*Associated Press*

SEATTLE—A congressman is asking the secretary of the Army to reconsider the compensation—just \$725—given to a veteran whose conviction more than 60 years ago in a riot-and-lynching case was recently overturned.

The \$725 given to Samuel Snow reflects only the Army wages he would have received during the time he spent in prison, when his wages were \$50 a month. That, said Rep. Jim McDermott, “is not fair.”

Snow, now 83 and living in Leesburg, Fla., was one of 43 black soldiers who were tried in the 1944 rioting death of an Italian prisoner of war at Fort Lawton in Seattle. POW Guglielmo Olivotto was found hanging on wires on an obstacle course.

Snow and 27 others were found guilty of rioting and sentenced to as many as 25 years in prison.

In late October, the Army’s Board of Corrections of Military Records ruled the trial was “fundamentally unfair and improper.” It said the convictions of Snow and three others whose families petitioned should be overturned, on grounds they were unfairly denied access to their attorneys and investigative records. It also ruled their discharges should be upgraded to honorable, and that they or their survivors be given “all back pay and allowances due as a result.”

About a week ago, the Army sent Snow the check for \$725 — the amount he would have been paid between the time he was convicted and the time he was released from prison and dishonorably discharged about 15 months later.

The amount was not adjusted for inflation or to reflect any interest for the 63 years the Army withheld the money.

“I am writing to ask you to reconsider and increase this award, as well as the awards to others who qualify under the Board’s decision,” McDermott, D-Wash., wrote in his letter to Army Secretary Pete Geren.

“As I am sure you will agree, a check for \$725 is not fair to Mr. Snow.”

An Army spokesman at the Pentagon, Maj. Nathan Banks, said the amount was in keeping with regulations.

“There is no provision in law or regulations that provides for interest, damages, pain or suffering or attorney fees, [and] no adjustment for inflation,” Banks said Tuesday. “These have been on the books for years.”

McDermott said in an interview Tuesday that he didn’t want to fault the Army.

“They did something they had never done before: They went back and reviewed [and found] it was clearly an egregious injustice,” McDermott said, referring to the board.

But as for the compensation, “somebody didn’t think this through,” he said.

“I realize that this is a very rare occasion, but \$725 is not fair.”

McDermott said he did not have a “fair” figure in mind but suggested that at least adjusting for inflation, or calculating

what \$725 would have earned in a bank account, would be a way to approach the problem.

Snow, reached at his Florida home, said he doesn’t hold animosity toward anyone about his case.

Still, “for all the time it’s been,” he said, “I was anticipating much more. As we say here, it was a low blow — a blow below the belt.”

Snow said he hadn’t cashed the check because it came with a letter that said if he did, he would forfeit any rights to appeal. His son is investigating possible appeal avenues.

He said the conviction, at the time, also ruined his plans for the future.

“They drafted me, but I decided I wanted to stay in there until my 20 years was up — learn a trade,” said Snow, who wound up working more than 40 years as a janitor. “There was nothing back here. I thought I could make a better life.”

Snow previously appealed his dishonorable discharge and had it upgraded in 1975 to a general discharge, making him eligible for VA benefits — but not the financial compensation.

Only one other of the convicted soldiers is still believed to be alive. So far, Snow and the relatives of three deceased vets are the only ones who have petitioned the Board of Corrections since McDermott and Rep. Duncan Hunter, R-Calif., requested the review.

McDermott said he thinks a memorial to the wrongly convicted soldiers should be arranged for the Fort Lawton site in what is now Seattle’s Discovery Park.

“All we have right now is the headstone of the Italian who died there,” he said.