

63 years later, Army exonerates Black troops

FORT LAWTON | The convictions of 28 African-American soldiers in a 1944 riot and the lynching of an Italian POW were overturned Friday. The Army called their trial “fundamentally unfair.”

BY JONATHAN MARTIN
Seattle Times staff writer

For more than a half-century, the convictions of 28 African-American soldiers for a riot that ended in the lynching of an Italian prisoner of war at Seattle’s Fort Lawton during World War II has held an uneasy place in history.

It was the Army’s largest court-martial of the war, and it was one of the region’s worst conflicts between blacks and whites.

On Friday, the incident gained a new place in history. In what is believed to be an unprecedented ruling after a yearlong review, an Army review board tossed out the convictions after finding the trial was “fundamentally unfair.”

The ruling by the Army’s highest administrative-review board has granted honorable discharges and back pay for four soldiers whose families petitioned for the review. And it will likely apply to the other 24 soldiers if their families also petition, according to attorneys involved in the case.

Only two of the soldiers are still alive.

“It’s a real beautiful thing,” said one of them, Samuel Snow, 84, of Leesburg, Fla.

The decision reflects a willingness by the government to “correct the record,” said Col. Dan Baggio, the Army’s chief spokesman.

“We learn by mistakes, when we do make mistakes, even when it takes a long time,” he said Friday. “We feel good about getting it right.”

The unusual review by the Army’s Board for Correction of Military Records began more than a year ago at the request of U.S. Rep. Jim McDermott, D-Seattle, who had read about the August 1944 incident in “On American Soil,” a book by Seattle author Jack Hamann.

Tensions with POWs

In 1944, Fort Lawton — most of which is now Discovery Park — was an important staging ground for the war in the Pacific. Snow’s all-black unit in the segregated Army was preparing to ship out for New Guinea.

While they waited, the men were barracked near a group of about 200 Italian prisoners of war who worked as laborers at the fort.

Tensions between the Italians and Americans both black and white rose for a number of reasons. Italians got leave to drink in off-base bars that didn’t serve blacks, and also chased the same Seattle girls pursued by white soldiers.

“It was racial, real racial,” recalled Snow. “I never slept with white soldiers, or ate in a white mess hall.”

The night of the riot, some of the black soldiers and some of the Italians exchanged drunken insults and fought, Hamann said. Then a white military policeman “fanned the tensions” of the black soldiers and whipped their anger into a riot, probably because he resented the Italians for courting local women.



ALAN BERNER / THE SEATTLE TIMES

Samuel Snow, 84, right, is one of only two men still alive who were convicted in 1944. In 2002, Maj. Gen. James Collins Jr. invited Snow to return to Fort Lawton for a visit.

The next morning, an Italian private, Guglielmo Olivotto, was found hanged in the woods. A Seattle Times story at the time said 26 Italians were hospitalized after the black soldiers “stormed the barracks of the former Axis soldiers,” reportedly with rocks, sticks and knives.

Defense obstacles

Although only two Italians could identify their attackers, 43 black soldiers were tried in a combined trial. All of them were represented by two defense lawyers, including Howard Noyd, who is now 92 and living in Bellevue.

Noyd recalled Friday that he had about 10 days to prepare, not enough time to even interview all the defendants.

Defense lawyers were also denied access to an Army inspector general’s investigation, which included suggestions that the white military policeman might have been involved in the lynching. Yet the prosecutors were able to draw from evidence in the “confidential” report.

“It was a very critical point,” Noyd said. “We wanted all the investigation that the government was using, and we were denied that privilege.”

In the end, 28 of the soldiers, including Snow, were convicted of rioting. Two were convicted of manslaughter in Olivotto’s death.

Snow served a year in the brig. Other soldiers served as many as 25 years.

“... it was so egregious”

In its ruling Friday, the Army board said the lack of preparation time afforded the defense, along with the denial of access to the inspector general’s report, meant the soldiers didn’t get a fair trial. The panel noted that the white military policeman, who had testified against the black soldiers, was later convicted of abandoning his post during the riot.

Left unstated in Friday’s report is mention of the racial inequities that permeated the segregated wartime Army.

“You have to remember, it comes out of an era when racial relations were awful,” said Rep. McDermott. “When you look at the facts, it was so egregious. I think the Army, for its own

pride, had to say, ‘We made a horrible mistake here and we have to make it right.’ “

Experts in military justice said Friday that they were aware of no larger case of military convictions being overturned.

“I think it is terrific sign that the military justice system is reckoning with its past mistakes,” said Elizabeth Hillman, a visiting law professor at the University of California, Berkeley. “Without the political pressure, this never would have happened.”

How much back pay?

It remained uncertain Friday how much the surviving soldiers and the heirs of the deceased might end up getting in back pay and benefits because of the ruling. Baggio, the Army spokesman, said those decisions had not yet been made.

But at the very least, the ruling will give families benefits such as a marble headstone and a flag presented by the Army to veterans, Hamann said.

“I have to be saddened that most went to their grave knowing this injustice was done and not living to see it corrected,” he said.

After the war, Snow went back to his hometown of Leesburg to work as a church janitor and raise two children. But because of his dishonorable discharge, he couldn’t get such benefits as the GI Bill for education and veterans health care.

Friday, Snow said he could definitely use the money a settlement would bring. But he was more concerned on Friday about finally getting an honorable discharge.

Years ago, in an effort to hide the conviction from his children — even though he considered it a racist injustice — he set fire to his Army paperwork.

“I’m rejoicing today,” said Snow. “I’m not mad at nobody. I’m just as satisfied as can be.”

Jonathan Martin: 206-464-2605 or jmartin@seattletimes.com