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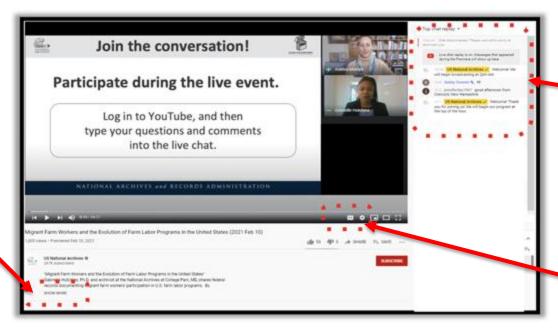
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### **Session Overview**

# Researching Court-Martial Records at the National Archives at St. Louis

Courts-martial are trials convened to try members of the armed forces or other countries' prisoners of war (POWs). Records of these trials can cover cases ranging from petty theft to conscientious objection to murder. Our presenters will give a history of court-martial records, examples of record content found at the National Archives at St. Louis, and step-by-step guidance on requesting these publicly available records.



## Presenter Biographies



**Kayla Dawkins** 

Kayla Dawkins (she/her) is a reference archives specialist for the National Archives at St. Louis, where she has been employed for eight years. She has a bachelor of arts in English Language and Literature from Southern Illinois University Edwardsville as well as a Master of Library and Information Science from the University of Illinois at Urbana-Champaign.



## Presenter Biographies



**Kat Terry** 

Katherine Terry (Kat, she/her) is an archives technician with the National Archives at St. Louis. Starting at the National Archives in 2015, Kat joined Archival Reference in 2020. Her current work involves providing access to the individual personnel records for civilian employees of the federal government and former military. She holds a bachelor's degree from Southern Illinois University Carbondale in political science with a specialization in international affairs, and a minor in museum studies.



# Researching Court-Martial Records at the National Archives at St. Louis

Kayla Dawkins Reference Archives Specialist National Archives at St. Louis Katherine Terry Reference Archives Technician National Archives at St. Louis



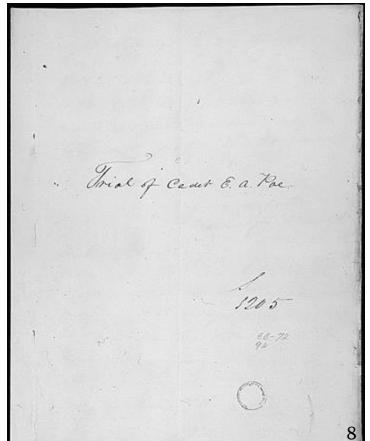
# History and Provenance

#### The Beginning

In April 1775, the Provisional Congress of Massachusetts Bay adopted the 1774 British Articles of War, which gave instructions for conducting courts-martial and for otherwise maintaining military discipline. This was the American military's first written military code, the Massachusetts Articles of War. This code laid out two military courts: a "general" court-martial and a "regimental" court-martial (used for ranks other than commissioned officers who were charged with lesser offenses).

#### Where Are They Now?

- Starting in 2013, many Army, Navy, and Marine Corps records of courts-martial were accessioned by the National Archives at St. Louis, the destination location for most record collections related to military or civilian federal service
- Record series like this can now be used to supplement information that was lost in the 1973 fire at the National Personnel Records Center
- Locations of court-martial records not in St. Louis can be found in the handout



Record Group 153: Records of the Office of the Judge Advocate General (Army); Series: Court Martial Case Files

National Archives at Washington, DC - Textual Reference

National Archives Identifier (NAID): 301660



# Types of Court-Martial Records

#### Summary Courts-Martial

- For minor offenses, convictions not treated as criminal convictions by civil jurisdictions
- Highest level of punishment = 30 days confinement, reduction in rank, forfeiture of fraction of pay for a month

#### • Special Courts-Martial

- Equivalent to a misdemeanor state court conviction (petty theft, possession of drugs or controlled substances, vandalism, intoxication, etc.)
- Highest level of punishment = Bad Conduct Discharge and one year of confinement
- Special Court-Martial records that did not result in a bad conduct discharge are not considered permanent records

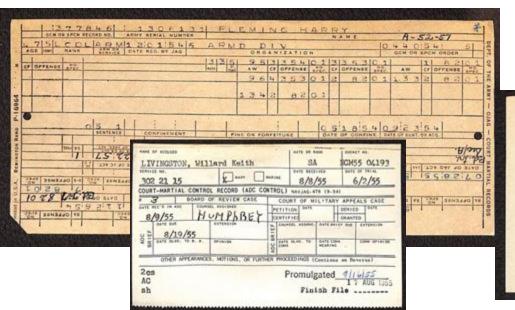
#### General Courts-Martial

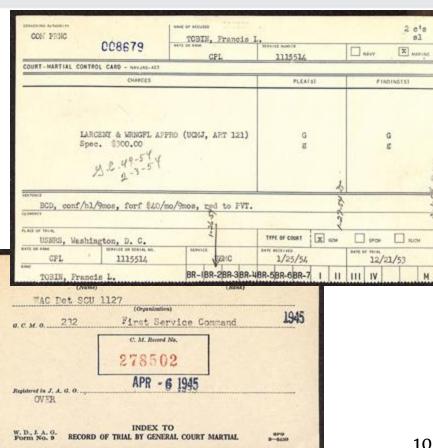
- Highest level of trial court; equivalent to felony in a federal district court or state criminal trial court
- Charges brought by an officer "convening authority" (prosecution)
- Charges are prosecuted by a judge advocate "trial counsel" (defense)
- Consists of 5 jurors (12 if the death penalty is a mandatory sentence)
- Cases of the highest offenses (murder, sexual assault, threat to national security)
- Highest levels of punishment = life in confinement, forfeiture of pay and allowances, dishonorable discharge,



# Arrangement and Description

- Court-martial records are filed sequentially by case number
- The index cards are arranged alphabetically and can contain variable amounts of identifying information including: service number, unit, court-martial case number, date of court-martial trial, appeal dates, and sentencing information







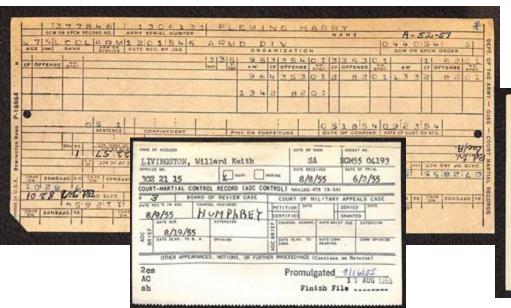
# Arrangement and Description (cont.)

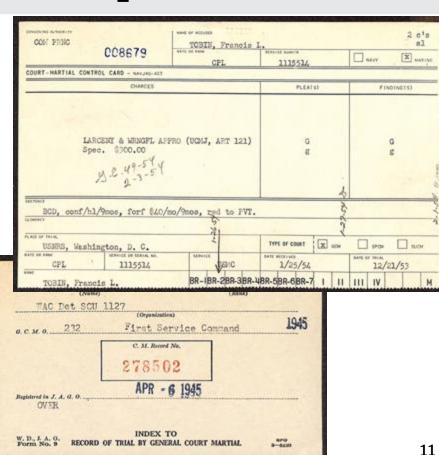
#### **Important Takeaway for Any Researcher**

Court-martial records can only be searched by:

- Court-martial number
- 2. Defendant's name
- 3. Depending on service branch, additional information may be required

Without this information, we cannot locate the file.







# Types of Court-Martial Records

- Army/Air Force General and Special Court-Martial Records (1917–1938)
- Army/Air Force General Records (1939–1976)
  - Army/Air Force Special Court-Martial Records with Bad Conduct Discharges (1939–1976)
- Navy and Marine Corps General and Special Court-Martial Records (1951–1976)



## Army/Air Force General and Special Court-Martial Records (1917–1938)

- Record Group (RG) 153: Records of the Office of the Judge Advocate General (Army)
- National Archives Identifier (NAID): <u>5916929</u>
- This series contains records of general court-martial, courts of inquiry, and military commissions

#### • What can be found in a court-martial record?

- Documents describing the organization and personnel of the courts
- Charges, pleas, and arraignments of defendants
- Witness statements and exhibits submitted for consideration of the courts
- Transcripts of proceedings, findings, and sentences of the courts
- Reports of the reviewing authorities, statements of action, and related correspondence



## Army/Air Force General and Special Court-Martial Records (1939–1976)

- RG 153: Records of the Office of the Judge Advocate General (Army)
- NAID: <u>12459579</u>
- All general courts-martial and only special courtsmartial resulting in bad conduct discharge

#### Appeals

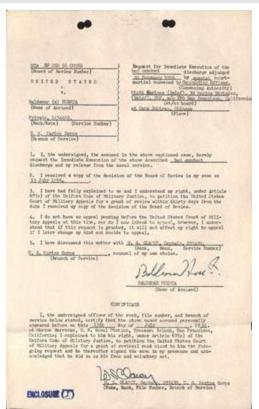
- Guilty verdicts may be contested through a military court of appeals
- The appeals proceedings and results are included in the court-martial (unless specified under a new court-martial number)
- May have resulted in a change of character of discharge, but still worth a search







# Navy and Marine Corps General and Special Court-Martial Records (1951–1976)

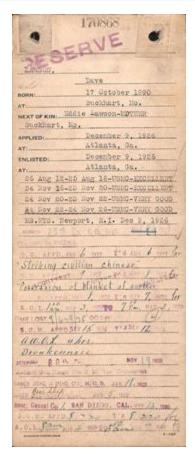


- RG 125: Records of the Office of the Judge Advocate General (Navy)
- NAID: 38982845
- This series contains records of general court-martial, special courtmartial resulting in bad conduct discharges, courts of inquiry, and military commissions for both the Navy and Marine Corps
- In most ways similar to the series of records kept by the U.S. Army
- It is worthwhile to know the following information when making a request:
  - Year
  - Location
    - Or unit, which may be used to determine location

Record Group 125: Records of the Office of the Judge Advocate General (Navy); Series: Navy General Court-Martial Records, 1951–1976; Huerta, Baldemar CM #56-580



# Court-Martial Records *Not* Located at the National Archives at St. Louis



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- Special courts-martial not resulting in bad conduct discharge
- Summary courts-martial
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Record Group 127: Records of the U.S. Marine Corps; Series: Official Military Personnel Files, 1905–1998; Lawson, Dave, Service Number 000170868 National Archives at St. Louis



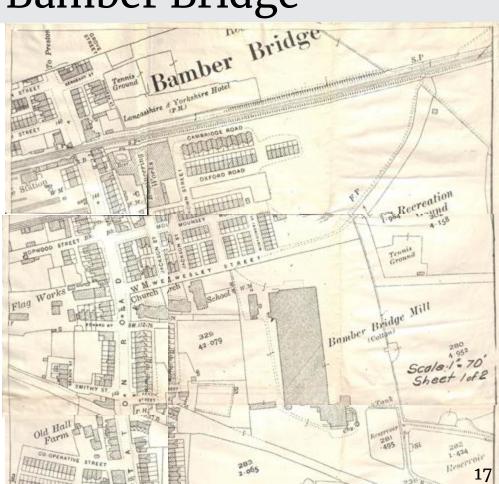


# The Battle of Bamber Bridge

On June 24, 1943, Pvt. Eugene Nunn stopped by a popular local pub in Bamber Bridge, England, wearing his field uniform. A Black man, Private Nunn was stopped by two white officers who attempted to rebuke him for not wearing his dress uniform. White locals and Black soldiers stepped in to defend Private Nunn. After a beer bottle was thrown, the officers promised to return with reinforcements.

They did—and by the morning of June 25, at least 400 shots had been fired, and one Pvt. William Crossland was dead.

Record Group 153: Records of the Office of the Judge Advocate General (Army); Series: Army General Court-Martial Records of Trial; NAI D: 290085122, 290085135





# Jackie Robinson

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Record Group 153: Records of the Office of the Judge Advocate General (Army); Series: Army General Court-Martial Records of Trial; NAID: 362767956 In July of 1944, Robinson was taken into custody by Military Police after refusing to move to the back of an Army bus.

After Robinson's commander refused to authorize the legal action, he

was transferred to a new unit where the commander quickly consented to charges.

Court-martial convened in August 1944, after charges against Robinson had been reduced to two counts of insubordination during questioning.

Robinson was acquitted by an all-white panel of nine Officers. After his acquittal, he was transferred to Camp Breckinridge, KY, where he served as a coach for Army athletics until receiving an honorable discharge in November 1944.

Jackie Robinson's Official Military Personnel File (OMPF) is also available digitally in the Catalog under NAID: 57308498.

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CHARGES AND SPECIFICATIONS

COMMISE I: Violation of AW 6). Specifications Scharing with disrespect toward Capt Garald M. Sear, CAF, his superior officer.

CHRCE II: Violation of AM 64.

0-1031586, Cavalry, Company C.

Specification: Willful disobedience of lawful command of Capt Gerald M. Sear, CNF, his superior

An examination of the record of trial disclares that hegally constituted and has jurisdiction of the person and the issues presented were issues of fact. The court, as triers of that accused was not gailly of the offenses charged or of mindleds therein. While the heads for this conclusion is not holizes, the detectionation of disputed fact leaves is peculiarly to observe their deseasor on the withcase stand, and to attach the orice and it desead purpore.

> The record is impally sufficient to support the find No action by the reviewing authority is required.

> The result will be promilgated in general court mark

ittemed to the record is a certificate of mailing of of the record by the Trial Judge Advocate. Access, not being station, mailing was the only prectical method of serving the





# Harold E. Bruber, Conscientious Objector

Private Harold E. Bruber, a member of Army Co. F, 352nd Infantry, was charged in January 1918 with desertion. Pvt. Bruber pleaded Not Guilty on grounds of being a conscientious objector. He was sentenced

Q You are familiar with the fact, are you not, Druber, that the encery of the United States is killing, without mercy, in Europe, at the precent time, women and children, the aged and the helpless? A You, eir. Q It is your iden to permit the enemy to go on and do that indefinitely without raising your hand in protection of those who are unable to protect themselves? A I cannot violate my conscience, sir. I am not in a position to judge the hearts of those men who are constitting these orines. Q Your conscience would prevent your preventing the killing of a baby on the street? A Yee, car. Q You would prefer to stand by and see the baby killed? A No, mir; I would do what I could to prevent that, mir. Q Supposing ruffiens should set upon helpless women and shildren in your presence and the only way you could prevent runine and murdar of those innocent and helpless ones would be for you to kill the aggressor; it would be either a question of your killing the ruffien or the ruffien killing the immoment ones; do you mean to may your conscience would prevent yourdoing what was necessary to prevent the hilling of the guiltless ones? A I certainly would do all in my power to protect those -- to help

those women and children. Record Group 153: Records of the Office of the Judge Advocate General (Army); Series: Army General Court-Martial Records of Trial; Bruber, Harold E. CM #108735

to 15 years for desertion, but his sentence was reduced after a board of inquiry was convened to look into dozens of convicted conscientious objectors.





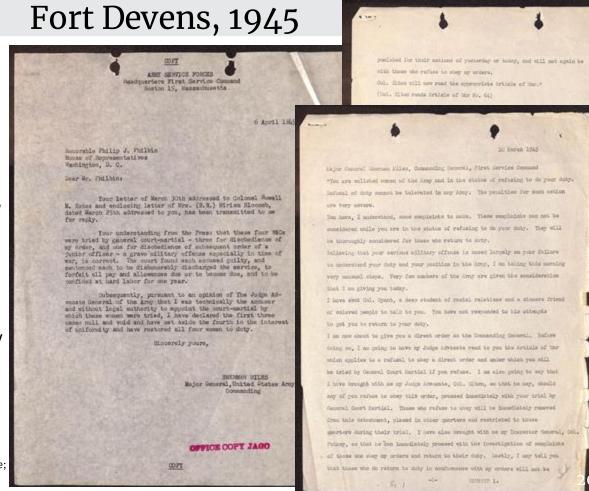


# The Black Women's Army Corps (WAC) Strike at

On March 9, the WAC detachment at Fort Devens staged a walkout. Their commanding officers threatened them with court-martial for insubordination. Fifty of them decided to return to work, but four others—Privates Anna Morrison, Mary Green, Alice Young, and Johnnie Murphy—refused.

They were tried by court-martial on March 19, 1945, and all were found guilty of insubordination. It was a "grave military offense" according to Major General Sherman Miles.

Record Group 153: Records of the Office of the Judge Advocate General (Army); Series: Army General Court-Martial Records of Trial; Young, Alice; Morrison, Anna; Green, Mary; Murphy, Johnnie, CM #278502





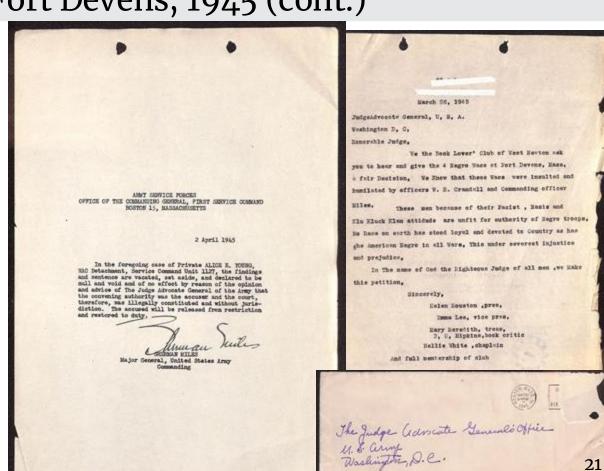
# The Black Women's Army Corps (WAC) Strike at Fort Devens, 1945 (cont.)

Their story made national news, and family, friends, and strangers rallied to the women's defense.

Anxious to calm the storm, the Judge Advocate General of the Army decided to dismiss the charges against the women and revoke their sentences.

"...the convening authority was the accuser and without jurisdiction."

Record Group 153: Records of the Office of the Judge Advocate General (Army); Series: Army General Court-Martial Records of Trial; Young, Alice; Morrison, Anna; Green, Mary; Murphy, Johnnie, CM #278502





# Lothar Witzke, German Spy

Lothar Witzke (alias: Pablo Waberski) was a German Naval officer who became a spy for the Secret Service System of the Imperial German Government during World War I.

After his Naval warship was caught and sunk, he was interned in Chile but escaped in 1916. Under an assumed name he succeeded in reaching the U.S., where the German Consul General put him in touch with a leading spy based in Mexico, Kurt Jahnke.

Together, Jahnke and Witzke were suspected of scheming attacks on the U.S. and of being responsible for several explosions at munitions plans and fomenting labor strikes.

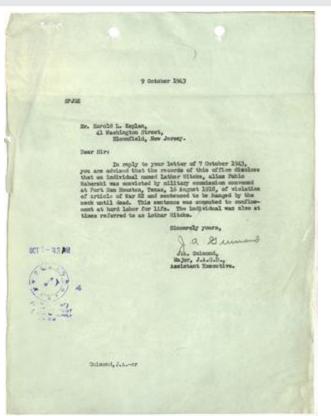
Witzke was arrested at the Mexican border in 1918. He claimed to be the Russian-American "Pablo Waberski" returning to San Francisco.

A cryptogram was cracked to reveal his true identity.





# Lothar Witzke, German Spy (cont.)

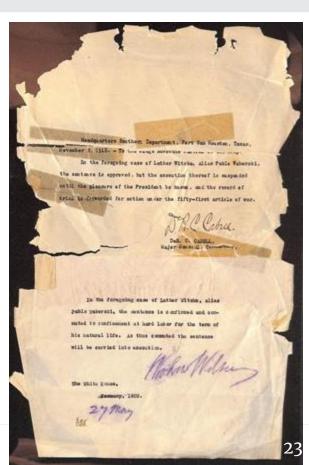


Record Group 153: Records of the Office of the Judge Advocate General (Army); Series: Army General Court-Martial Records of Trial, CM #11996

Witzke was convicted by a military court at Fort Sam Houston and sentenced to death.

President Woodrow Wilson commuted Witzke's death sentence to life imprisonment.

Ultimately, he was released with the Armistice of November 11, 1918, and deported back to Berlin.





# Requesting Digital Copies

National Archives staff will make copies of documents for off-site requesters for a fee. In an effort to further preserve our records, the National Archives is moving to providing digitized reproductions. A current email address must be provided with any and every request.

Include as much detail as possible when making your request, including:

- Full name(s) of the defendant(s)
- Court-martial number
- Date of court-martial
- Location of court-martial
- Circumstances of incident leading to court-martial

Once we receive your request, staff will perform a search. If a record is found, the requester will then be provided an invoice for copies. You can find the most up-to-date information on the National Archives' fee schedule at <a href="https://www.archives.gov/research/order/fees">https://www.archives.gov/research/order/fees</a>.

Send request(s) to <a href="mailto:stl.archives@nara.gov">stl.archives@nara.gov</a> or:

National Archives & Records Administration ATTN: Archival Programs P.O. Box 38757 St. Louis, MO 63138



# Planning a Research Visit

The research room at the National Archives at St. Louis is open by appointment only, Monday–Friday, 9 a.m.–4 p.m. It is closed to the public on Saturdays, Sundays, and federal holidays.

Appointments are required to ensure record availability due to record location, condition, and staffing. Many record series cannot be viewed the same day they are requested.

To make an appointment, or if you have questions about visiting the facility, email the National Archives at St. Louis' staff at <a href="mailto:staff-archives@nara.gov">staff-archives@nara.gov</a>. You can also make an appointment at <a href="https://www.eventbrite.com/o/national-archives-at-st-louis-49167066023">https://www.eventbrite.com/o/national-archives-at-st-louis-49167066023</a>.

Researchers can find additional information on visiting the public research room at <a href="https://www.archives.gov/st-louis/plan-research-visit">https://www.archives.gov/st-louis/plan-research-visit</a>.

# Questions?





"Wearing a 'sad sack' expression, 'Rowdey' heads for his court martial at the San Diego, Calif., U.S. Coast Guard patrol Base. For being AWOL three hours while on sentry duty the Coast guard pooch was demoted from first class to second class specialist, lost extra rations, and given time in the brig. Tender hearts caused restoration of his first class rating the following day."

Record Group 26: Records of the U.S. Coast Guard Series: Photographs of Activities, Facilities, and Personalities National Archives at College Park - Still Pictures NAID: 205582937



### After the Broadcast

Email questions to <a href="mailto:inquire@nara.gov">inquire@nara.gov</a>

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www.archives.gov/calendar/know-your-records



### Feedback

### We value your opinion.

Please take a minute to complete a short evaluation. Your comments help us maintain the quality of our services and plan future programs.

Thank you!

#### **Event Evaluation:**

www.surveymonkey.com/r/KYREventEval



## Questions and Answers in Chat

### Please stay if you have questions.

Although this concludes the video portion of the broadcast, we will continue to take your questions in **chat** for another 10 minutes.