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 City of Berkeley
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CONSENT CALENDAR
 July 9, 2024

To: Honorable Mayor and Members of the City Council
 From: Councilmember Sophie Hahn (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Mayor Arreguin (Co-Sponsor)
 Subject: Relinquishment of Council Office Budget Funds to the General Fund and Grant of Such Funds to the Port Chicago Alliance; and Official Co-Sponsorship of Port Chicago Weekend 2024

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Hahn to the Port Chicago Alliance – a 501(c)(3) non-profit organization – to support Port Chicago Weekend 2024, raising awareness of the legacy of the Port Chicago 50, with funds relinquished to the City's general fund for this purpose from discretionary Council Office Budgets of Councilmember Hahn and any other Councilmembers who would like to contribute, and register the City of Berkeley's official Co-Sponsorship of Port Chicago Weekend 2024.

BACKGROUND

From July 18 – 21, the Port Chicago Alliance will be hosting its Port Chicago Weekend – a 4-day festival of educational initiatives designed to engage our community through music, art, cuisine, theater, exhibits, and entertainment across various Bay Area cities.

The weekend events aim to educate and spotlight the national history of Port Chicago by raising awareness of its impact on World War II and our nation's civil rights.

For more information visit: portchicagoweekend.org

The Port Chicago Disaster and the Protest of Port Chicago Sailors

During World War II, nearly a million Black Americans served in the U.S. Armed Forces, but the military at that time was racially segregated, and Black servicemen in the Navy were restricted to non-combat assignments. These assignments were usually the least desirable duties deemed unfit for White sailors, which ranged from menial tasks to the most back-breaking work. At Port Chicago Naval Magazine near Concord, California, newly-arriving Black sailors quickly learned their duties would be limited to the hazardous task of loading ammunition and explosives into Navy ships.

The work was grueling, and Jim Crow segregation policies were strictly enforced. Black sailors were prohibited from using the "Whites only" restrooms aboard the ships they were loading, so they were made to walk a half mile to use the restroom. Although loading bombs and explosives

is extremely dangerous work, the Navy neglected to provide sailors with adequate resources and the specialized training necessary to safely carry out their duties.

Ships were loaded non-stop, 24 hours a day. Commanders at Port Chicago wanted the ships loaded as quickly as possible, ignoring federally-mandated safety codes.

On the night of July 17, 1944, two Liberty ships, the SS Quinault Victory and SS E.A. Bryan, were being loaded with explosive incendiary bombs, depth charges, and ammunition. At 10:18pm, two massive explosions at the docks, just seconds apart, lit up the sky. Fiery debris and chunks of metal rained down on the base and surrounding areas. Smoke and fire extended nearly two miles into the air. All 320 of the men on duty that night died instantly, almost two thirds of whom were African American, amounting to 15% of all Black American military deaths during World War II. 390 civilians and military personnel were injured, many seriously. The Naval Magazine was completely destroyed.

The nearby town of Port Chicago was severely damaged and the blast caused structural damage and broken windows in surrounding communities. The explosions were felt as far away as Nevada. It was the largest home front disaster of the war. The surviving Black sailors were off-duty that night, and many of them were injured from the blast as windows shattered in their barracks. Uninjured sailors fought valiantly to put out fires and contain the damage caused by the explosions. In the days that followed, many of the surviving injured Black sailors, still shaken from the traumatic event, were tasked with cleaning up the remnants of the disaster, including the body parts of their brothers-in-arms.

Within days after the gruesome cleanup, with the war raging on and troops still needing munitions overseas, the sailors were sent to Mare Island Naval Shipyard about 25 miles from Port Chicago in Vallejo, California. There they learned they would soon be again tasked with loading explosives onto ships – under the same leadership responsible for previous safety violations, with no changes to procedures, conditions, or safety practices.

On August 9, 1944, when 328 sailors were directed to march toward the ships to load munitions, the sailors all stopped in their tracks. When asked if they would resume handling explosives, the majority of them resisted. While White sailors were granted leave, Black sailors were not only denied leave but also made to clean up debris and body parts after the explosion.

Eventually, about 70 of the sailors agreed to return to loading duties. The remaining sailors explained to the officers they would serve their country performing other duties, they'd accept transfers, or fight overseas in combat, but would not continue loading munitions under the same dangerous conditions. Rather than train the sailors, bring working conditions up to code, or reassign White sailors to loading duties, the Naval officers packed 258 of the Black sailors onto a prison barge and threatened them with death-by-firing-squad if they did not return to loading munitions. After over two days on the overcrowded barge, 208 of the sailors reluctantly returned to loading. In an act of nonviolent civil disobedience, fifty of the sailors – now known as the Port

Chicago 50 – stood firm and refused to continue loading munitions until the Navy changed their policies and practices.

The Navy's Court of Inquiry

An official investigation began on July 21 and wasn't completed until twenty days after the sailors were directed to return to loading munitions. Three senior officers and a judge advocate interviewed 125 witnesses over a month, only five of whom were Black sailors. The inquiry report found Port Chicago leadership had shown a "general failure to foresee and prepare for the tremendous increase in explosive shipments" and had violated safety code and regulations, encouraged competition, and promoted criminalized loading practices. However, the facts and evidence included in the report were interpreted by Navy captains and commanders in a final "opinions" section, which theorized that if the explosions were caused by human error, it was likely caused by the deceased Black sailors themselves. Specifically, that the explosions were caused by "rough or careless handling by an individual or individuals," not any failures of leadership. To back this theory, Naval leadership included a racist theory that Black sailors were inherently inferior to White sailors, including the opinion that Black sailors were "neither temperamentally [nor] intellectually capable of handling high explosives." The report ultimately absolved all White officers of wrongdoing.

The Mutiny Trial

The mutiny trial was scheduled to take place at Treasure Island in the San Francisco Bay on September 14, 1944. It would be the largest mass mutiny trial in American history. The U.S. military does not typically send public invitations to military trials, however the Navy made an exception in order to invite the national press to cover the mutiny trial.

The fifty sailors were not granted the right to choose their own representation, and were denied their right to individual counsel, as the Navy appointed five Naval attorneys who represented blocks of ten sailors each. Additionally, the Navy-appointed attorneys were all made to play by Navy rules, which barred evidence of hazardous conditions and necessitated the young men be instructed not to testify about things that could incriminate the Navy or Port Chicago leadership.

This left the sailors with very little recourse to prove their innocence, as the reasons they spontaneously refused to load munitions had much to do with hazardous working conditions caused by Port Chicago leadership's negligence and disregard for the Black sailors' safety. As a result, subjects like safety violations, unsafe practices, and racial discrimination were disallowed from the trial and not part of witness examination.

On October 24, 1944, after six weeks and 32 days of proceedings, the Naval jury deliberated for 80 minutes over lunch – which amounts to about 96 seconds deliberation per sailor – before delivering their verdict. The men were pronounced guilty of "conspiracy to commit mutiny" and were indiscriminately sentenced to 15 years prison and hard labor.

Desegregating the Navy

Mainstream press coverage of the mutiny trial widely reported the Navy's point-of-view but also opened it up to scrutiny for its policies of racial segregation, exposing racial inequality in the Navy for the first time. Under intense scrutiny, Naval leadership concluded the Port Chicago protest could have been handled differently, and so in extreme cases commanders should be encouraged to assign Black sailors to alternative assignments, even if that means serving alongside White sailors. As a result, on October 9, 1944, the Navy's Bureau of Personnel lifted restrictions for Black American assignments where "personnel problems" were present. While the Port Chicago 50 were still on trial, the Navy ordered the formation of two divisions of White sailors to load munitions at Port Chicago and Mare Island.

The racial integration of the Navy had officially begun in direct response to the Port Chicago protest. In the months following the verdict, resentment and frustrations with racially-discriminatory policies led to acts of protest throughout the military. These acts of protest included a race riot in Guam in December 1944, a hunger strike of 1000 Navy Seabees in Port Hueneme in March 1945, and the Freeman Field "Mutiny" of April 1945 in which Black airmen refused to leave an all-White officers club. Over time, many in the Navy became convinced segregating enlisted men by race was no longer viable, and integrating personnel only under extreme circumstances was simply not enough.

In April 1945, on behalf of the fifty sailors, Thurgood Marshall appealed the case directly to the Navy's Judge Advocate General's Office in Washington DC. Although the Navy refused to publicly concede that racial discrimination and bias influenced its judgment of the sailors, just 205 days after Marshall's appeal case was denied, the sailors' sentences were commuted and they were quietly released from prison and given the "opportunity to complete their enlistments" overseas. Just one month after they were released from prison, in February 1946, after intense public pressure initiated by the Port Chicago protest, subsequent protests, and a public appeal campaign, the Navy became the first branch of the military to end racial segregation. Two years later, the remaining branches of the U.S. Armed Forces integrated.

In 1992, after much advocacy from supporters – including high-profile entertainers Morgan Freeman, Danny Glover, and Louis Gossett Jr. – the Navy agreed to "examine all aspects of the allegations of racial prejudice and discrimination." Following a two year review, the final report found that "racial discrimination did play a part in the assignment of African-American sailors to load munition" but that "neither racial prejudice nor other improper factors tainted the original investigations and trials" and "no error or injustice occurred."

In December 1999, President Bill Clinton honored the Port Chicago 50 by granting Freddie Meeks a presidential pardon. The remaining two sailors declined, with sailor Jack Crittenden explaining that he refused to ask forgiveness for a crime he didn't commit. Today, the sailors have all passed away, yet efforts to seek justice for their legacies continue. Naval historians now say the heroic actions of the 50 sailors probably prevented another disaster, likely saved lives, and drew attention to issues of racial inequity within the Navy and society as a whole.

Celebrating the Sailors

The Port Chicago 50 are now being honored and celebrated as heroes in schools, parks, and public institutions. In 2021, the East Bay Regional Park District, the largest park district in the country, named a regional park in honor of Thurgood Marshall and the Port Chicago 50. The 2,540-acre Thurgood Marshall Regional Park - Home of the Port Chicago 50 in Concord, California will teach of the Port Chicago 50's courage and how their act of protest, and Marshall's public appeal campaign, forever changed our country for the better. In 2022, Treasure Island Museum announced they are working with the National Park Service to honor and memorialize the fifty sailors at Yerba Buena Island in the San Francisco Bay where the mutiny trial took place. Plans for a hilltop park on the island include exhibits, panels, plaques, and an American flag waving in their honor. Through education and advocacy, the legacies of the Port Chicago 50 and the brave fallen sailors of Port Chicago Naval Magazine lives on.

In 2015 and again in 2023, the Berkeley City Council adopted resolutions in support of local, state, and federal efforts to exonerate the Port Chicago 50.

ENVIRONMENTAL SUSTAINABILITY

No environmental impacts.

FISCAL IMPACTS

Up to \$4,000 from Councilmembers' discretionary budgets.

CONTACT

Councilmember Sophie Hahn, (510) 981-7150

Attachments:

1. Resolution
2. [Resolution Supporting Efforts to Exonerate the Port Chicago 50, November 7, 2023](#)

RESOLUTION #####-N.S.

AUTHORIZING THE EXPENDITURE OF SURPLUS FUNDS FROM THE OFFICE EXPENSE
ACCOUNTS OF THE MAYOR AND COUNCILMEMBERS FOR A GRANT TO PROVIDE
SUPPORT FOR A MUNICIPAL PUBLIC PURPOSE

WHEREAS, the Port Chicago Alliance is a nonprofit organization dedicated to restoring, preserving, and elevating the history of Port Chicago Naval Magazine and the sailors who resided, served, and championed equal rights during World War II; and

WHEREAS, the organization has been working to raise awareness of the Port Chicago sailors and their sacrifices and contributions to the war effort and our nation's civil rights history to ensure their legacies endure and their stories continue to inspire future generations; and

WHEREAS, on July 17, 1944, the deadliest home front disaster of World War II took place when a tragic explosion occurred at the Port Chicago Naval Magazine killing 320 men (of whom 202 were African American) and wounding 390 (of whom 233 were African American); and

WHEREAS, Port Chicago Naval Magazine was racially segregated and all sailors loading munitions at the time of the explosion were African American and surviving sailors were ordered back to handling high explosives before an investigation could determine the cause of the deadly explosion; and

WHEREAS, 258 ammunition handlers engaged in peaceful work stoppage rather than return under the same unsafe working conditions and fifty of these men were unlawfully charged with mutiny, prosecuted as guilty and sentenced to prison; and

WHEREAS, Naval historians now recognize the actions of the Port Chicago 50 potentially saved lives and led to the desegregation of the Armed Forces by drawing attention to racial inequities in the Navy; and

WHEREAS, in 2015 and again in 2023, the City of Berkeley passed resolutions supporting local, state, and federal efforts to exonerate the Port Chicago 50.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their Council Office Budget, up to \$500 per office, including \$500 from the office of Councilmember Hahn shall be granted to the Port Chicago Alliance to support the Port Chicago Alliance's Port Chicago Weekend, and that the City of Berkeley shall be an official Co-Sponsor of Port Chicago Weekend 2024.

**SOPHIE HAHN**

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CONSENT CALENDAR

November 7, 2023

To: Honorable Mayor and Members of the City Council
 From: Councilmember Sophie Hahn (Author); [Mayor Arreguin, Councilmembers Bartlett and Taplin (Co-Sponsors)]
 Subject: Resolution Supporting Efforts to Exonerate the Port Chicago 50

RECOMMENDATION

Adopt a new resolution supporting local, State, and federal efforts to exonerate the Port Chicago 50; 50 Black sailors who were wrongfully convicted of mutiny during WWII in the wake of a massive, devastating explosion at the Port Chicago naval base near Concord, CA.

SUMMARY

The Port Chicago Disaster, a deadly munitions explosion that occurred in 1944 and killed 320 mostly-African American sailors and civilians, led to the wrongful and racist convictions of 50 Black sailors for so-called mutiny. President Bill Clinton granted the Port Chicago 50 a Pardon in 1999, which excuses but does not undo a wrongful conviction. There is a movement to set the record straight by obtaining a full exoneration for the wrongful and racist convictions.

The Port Chicago 50 were not responsible for the disastrous explosion and loss of life, and their refusal to continue working under the same hazardous conditions was an act of extreme courage, not mutiny. This item asks Berkeley City Council to join the cities of Albany, Antioch, Brentwood, Concord, Danville, Lafayette, Martinez, Orinda, Pittsburg, Pleasant Hill and Walnut Creek by adopting a resolution in support of formal exoneration of the Port Chicago 50, and encourages other Alameda County jurisdictions to do the same.

BACKGROUND¹**The Port Chicago Disaster and the Protest of Port Chicago Sailors**

During World War II, nearly a million Black Americans served in the U.S. Armed Forces, but the military at that time was racially segregated, and Black servicemen in the Navy were restricted to non-combat assignments. These assignments were usually the least desirable duties deemed unfit for White sailors, which ranged from menial tasks to the most back-breaking work. At Port Chicago Naval Magazine near Concord, California, newly-arriving Black sailors hoped to serve at sea and engage in combat, but quickly learned their duties would be limited to the hazardous task of loading ammunition and explosives into Navy ships.

¹ "The Port Chicago Disaster and the Protest of the Port Chicago Sailors." Port Chicago Alliance. Accessed October 16, 2023. <https://portchicago50.com/history.html>.

The naval base was racially segregated, so the commanding officers at Port Chicago were all White and the sailors loading were all Black. The work was grueling, and Jim Crow segregation policies were strictly enforced. For example, Black sailors were prohibited from using the "Whites only" restrooms aboard the ships they were loading, so they were made to walk a half-mile to use the restroom. Although loading bombs and explosives is extremely dangerous work, the Navy neglected to provide the sailors with adequate resources to safely carry out their duties. The sailors were not given specialized training in handling explosives. Basic gear like gloves to grip the grease-slathered bombs were not provided. Sailors who looked to officers for guidance on safest methods for carrying explosives were erroneously told the munitions could not explode because they had no fuses or detonators.

Ships were loaded non-stop, 24 hours a day with sailors working in three 8-hour shifts. Commanders at Port Chicago wanted the ships loaded as quickly as possible, and following Naval safety regulations slowed production, so federally-mandated safety codes were ignored. Sailors lifted live bombs by hand and were encouraged to roll heavier bombs along the dock. Powered winches were used to lift heavy loads, and although the machinery was often in disrepair — with broken levers, valves, and even brakes — sailors were instructed to load these devices beyond their weight capacity to speed up the process. Naval officers also raced divisions of sailors against each other, betting on which group could load explosives the fastest.

Practices that prioritized speed over safety led to a dangerous working environment at Port Chicago, and many sailors felt the working conditions were unacceptable. Actor, singer, and civil rights icon Harry Belafonte, who served briefly at Port Chicago in 1944, wrote in 2011 about the dangers of loading munitions:

"Not only was this menial work, it was incredibly dangerous, the more so because none of us had had any training for it. We knew exactly why we'd been chosen. This was scut work for the lowliest and most expendable sailors in the U.S. Navy: the black ones."

The sailors filed complaints with the Navy about unsafe procedures, requested a change of assignment, and asked to be transferred. Complaints and requests were ignored or denied. A year before the disaster, in a letter to a local attorney asking for assistance, the sailors wrote: "We, the Negro sailors of the Naval Enlisted Barracks of Port Chicago, California, are waiting for a new deal. Will we wait in vain?"

The Port Chicago Disaster

On the night of July 17, 1944, two Liberty ships, the SS Quinault Victory and SS E.A. Bryan, were being loaded with explosive incendiary bombs, depth charges, and ammunition. At 10:18pm, two massive explosions at the docks, just seconds apart, lit up the sky. Fiery debris and chunks of metal rained down on the base and surrounding areas. Smoke and fire extended nearly two miles into the air.

All 320 of the men on duty that night died instantly, almost two thirds of whom were African American, amounting to 15% of all Black American military deaths during World War II. 390

civilians and military personnel were injured, many seriously. The Naval Magazine was completely destroyed.

As Port Chicago sailor Robert Routh recalled, "These were the kind of young Blacks that made the conditions tolerable because of their attitude and ready to joke and make you glad to be alive. And now to know that in three to four seconds their lives were just snuffed out... There was nothing said about this, the tragic loss of life. Where was the reporters then, writing about that?"

The nearby town of Port Chicago was severely damaged and the blast caused structural damage and broken windows in surrounding communities. The explosions were felt as far away as Nevada. It was the largest homefront disaster of the war.

The surviving Black sailors were off-duty that night, and many of them were injured from the blast as windows shattered in their barracks. Uninjured sailors fought valiantly to put out fires and contain the damage caused by the explosions. Afterwards, a Rear Admiral proclaimed, "I am gratified to learn that, as was expected, Negro personnel performed bravely and efficiently in the emergency."

In the days that followed, many of the surviving injured Black sailors, still shaken from the traumatic event, were tasked with cleaning up the remnants of the disaster, including the body parts of their brothers-in-arms. Port Chicago 50 sailor Jack Crittenden described the traumatic experience:

"It was a sight that you don't want to talk about. Arm here, leg here, head here, a shoe with a foot in it. This is on the water and on the ground and, oh man. Awful."

Meanwhile, as the Black sailors were made to clean up the grisly scene, their White counterparts were granted a 30-day survivor's leave to return home, heal from their wounds, and visit family and loved ones. The Black sailors were never granted such a leave.

The Port Chicago Protest

Within days after the gruesome cleanup, with the war raging on and our troops still needing munitions overseas, the sailors were sent to Mare Island Naval Shipyard about 25 miles from Port Chicago in Vallejo, California. There they learned they would soon be again tasked with loading explosives onto ships. The Navy's investigation into the cause of the disaster was not yet complete, so sailors and commanding officers did not know what precautions to take in order to prevent another disaster. The sailors would be serving under the same leadership responsible for previous safety violations and there would be no changes to procedures, conditions, or safety practices.

On August 9, 1944, when 328 sailors were directed to march toward the ships to load munitions, the sailors all stopped in their tracks. When asked if they would resume handling explosives, the majority of them resisted. Some sailors were too traumatized from the events to continue

working with explosives. Others wanted to be assigned to different duties. Still others were tormented by the fact that White sailors were granted leave while Black sailors were not only denied leave but made to clean up body parts after the explosions. They all wanted their lives to be valued the same as the White sailors who were being safeguarded from the dangers of loading munitions.

When asked individually if they would follow orders to load, about 70 of the sailors agreed to return to loading duties. The remaining sailors explained to the officers they would serve their country performing other duties, they'd accept transfers, or fight overseas in combat, but would not continue loading munitions under the same dangerous conditions.

Rather than train the sailors, bring working conditions up to code, or reassign White sailors to loading duties, the Naval officers packed 258 of the Black sailors onto a prison barge and threatened them with death-by-firing-squad if they did not return to loading munitions. After over two days on the overcrowded barge, 208 of the sailors reluctantly returned to loading.

In an act of nonviolent civil disobedience, fifty of the sailors, now known as the Port Chicago 50, stood firm and refused to continue loading munitions until the Navy changed their policies and practices.

As sailor Freddie Meeks later recalled, "We said, 'If we're going to be shot, we'll be shot.' We were not going back to those conditions."

For this, the fifty sailors were to be charged with mutiny. Although the standard charge for disobeying an order is "insubordination," which carries a punishment of forfeiture of pay and dishonorable discharge, Port Chicago leadership pushed for a more severe charge of "mutiny" which carried a maximum wartime punishment of death.

The Navy's Court of Inquiry

A Naval Court of Inquiry, or official investigation, began on July 21 but wasn't completed until August 29, twenty days after the sailors were directed to return to loading munitions. As part of the investigation, three senior officers and a judge advocate interviewed 125 witnesses over a month, only five of whom were Black sailors.

The inquiry report found Port Chicago leadership had shown a "general failure to foresee and prepare for the tremendous increase in explosive shipments." It also cited leadership's "failure to provide an adequate number of competent petty officers or even personnel of petty officer caliber."

In regard to hazardous working conditions and practices on the base, the report confirmed leadership's "failure to assemble and train the officers and crew for their specialized duties prior to the time they were required for actual loading." It found that Port Chicago leadership had violated safety code and regulations, encouraged competition, and promoted criminalized loading practices.

The facts and evidence included in the report were interpreted by Navy captains and commanders in a final "opinions" section. Although the report was unable to find evidence of a specific cause for the explosions, the "opinion" section theorized that if the explosions were caused by human error, it was likely caused by the deceased Black sailors themselves. Specifically, the opinion was that the explosions were caused by "rough or careless handling by an individual or individuals", not any failures of leadership. To back this theory, Naval leadership included a racist theory that Black sailors were inherently inferior to White sailors, including the opinion that Black sailors were "neither temperamentally [nor] intellectually capable of handling high explosives."

The report ultimately absolved all White officers of wrongdoing by stating the aforementioned illegally-unsafe practices "were contrary to the Coast Guard ship loading regulations [but] were not dangerous and did not increase the hazards."

The Mutiny Trial

Following the release of the inquiry report on August 29, which confirmed negligence and hazardous working conditions at Port Chicago, it became clear to many why the sailors were hesitant to return to loading explosives. On September 2, just three days after the inquiry report was released, President Franklin D. Roosevelt sent a letter to Secretary of the Navy James Forrestal outlining his opinion on the sailors. The President's letter read:

"It seems to me we should remember in the summary court martials of these 208 men that they were motivated by mass fear and that this was understandable. Their punishment should be nominal."

Although the reasons for the sailors' collective disobedience was understandable to President Roosevelt, the Navy would grant no leniency for the Port Chicago 50. The mutiny trial was scheduled to take place at Treasure Island in the San Francisco Bay on September 14, 1944. It would be the largest mass mutiny trial in American history.

The U.S. military does not typically send public invitations to military trials, however the Navy made an exception in order to invite the national press to cover the mutiny trial. One member of the public attending the trial was future Supreme Court Justice Thurgood Marshall, then a young civil rights lawyer for the National Association for the Advancement of Colored People (NAACP), who observed the trial and heard statements from each of the sailors. He publicly stated that the Navy was mishandling the case and was attempting to cover up its racist policies and blatant negligence by shifting blame for the disaster onto the Black sailors. Unfortunately, as a civilian lawyer, Marshall could not represent the sailors in a military trial.

The fifty sailors were not granted the right to choose their own representation, and were denied their right to individual counsel, as the Navy appointed five Naval attorneys who represented blocks of ten sailors each. Additionally, the Navy-appointed attorneys were all made to play by Navy rules, which barred evidence of hazardous conditions and necessitated the young men be

instructed not to testify about things that could incriminate the Navy or Port Chicago leadership. This left the sailors with very little recourse to prove their innocence, as the reasons they spontaneously refused to load munitions had much to do with hazardous working conditions caused by Port Chicago leadership's negligence and disregard for the Black sailors' safety. As a result, subjects like safety violations, unsafe practices, and racial discrimination were disallowed from the trial and not part of witness examination.

As the sailors were instructed to limit their answers to their own actions and behavior and not the mistakes of Naval leadership, many sailors could only respond to questioning with testimony of their personal feelings of fear and confusion or what we would now call post-traumatic stress disorder or PTSD. These testimonies of fear and confusion were used to further Port Chicago leadership's racist narrative that Black sailors were inherently emotionally unstable, unintelligent, untrainable, and mistake-prone. To this end, officers testified about the sailors' mishandling of bombs and inability to be trained. From a legal perspective, this narrative had very little to do with proving a mutiny occurred, and more to do with establishing that the Black sailors, and not the Navy, were responsible for the Port Chicago disaster. Although this narrative had no bearing on the trial itself – and inadvertently made the sailors' case for granting them reassignment – the narrative of blame would be a stigma the sailors would find hard to shake.

After weeks of proceedings, evidence of a mutiny was scant, as an attempt to usurp power had not occurred and the sailors continued to follow all orders other than loading munitions. The "mutiny" narrative was especially hard to maintain once officers testified that sailors were respectful and followed every order except requests to load munitions. With the prosecution unable to present sufficient evidence of a mutiny, one would expect the Navy to proclaim the sailors innocent of mutiny, however the prosecution changed tactics mid-trial and attempted to prove the sailors were guilty of "conspiracy to commit mutiny." This charge inherently suggests that a mutiny never occurred, so prosecution would try to prove the sailors planned to eventually attempt a mutiny.

Reaching a verdict about collective planned action would theoretically require a careful examination of evidence and testimony for each sailor's alleged role in that action; a complicated task with fifty individual defendants. Additionally, a conspiracy charge would require the prosecution to show evidence of private conversations and alleged agreements, of which there were none. Making the task more difficult, was Naval leadership's inability to match the faces of the Black sailors to specific actions or events. Sailors testified that commanders never gave them direct orders to load munitions, only asked them questions about their willingness to perform the duties. A petty officer backed up the sailors' claims, saying he had never heard his division officer give the men an order to load ammunition. When the sailors' lead attorney asked a Naval commander if he could identify any of the fifty men he gave an order to, he replied, "No, I cannot."

In a flagrant violation of the sailors' rights to a fair trial, judges allowed the prosecution to submit unsubstantiated hearsay evidence and coerced involuntary confessions, while the defense was

not allowed to submit evidence of illegally-unsafe working conditions or unlawful orders. As Port Chicago sailor Joseph Small once said:

"That's why I always knew that the verdict was mandatory. The Navy was coming up with it regardless of what was brought out during the trial or what testimony was brought out, or who was found to be guilty of what, the verdict would have been the same. Not because the verdict would have been justified, but because it was the only way to save face."

On October 24, 1944, after six weeks and 32 days of proceedings, the 7-member jury, composed of an Admiral and six high-ranking Navy officers, would need to arrive at a verdict. There was insufficient evidence of a mutiny, insufficient evidence there was a plot to eventually attempt mutiny, and insufficient evidence that the sailors present in the courtroom were ever given a direct order at all. Nevertheless, the Naval jury deliberated for 80 minutes over lunch – which amounts to about 96 seconds deliberation per sailor – before delivering their verdict. The men were pronounced guilty of "conspiracy to commit mutiny" and were indiscriminately sentenced to 15 years prison and hard labor.

Desegregating the Navy

Mainstream press coverage of the mutiny trial widely reported the Navy's point-of-view that the sailors were cowards and traitors to their country. It also opened the Navy up to scrutiny for its policies of racial segregation. Many Black and liberal publications questioned the Navy's treatment of the Black sailors, as many Americans were unaware that segregation was being so strictly enforced in states like California where Jim Crow segregation was outlawed. These publications focused on the unethical treatment the sailors were subjected to because of the color of their skin. For many, the post-traumatic stress the sailors were experiencing after the disaster and cleanup was understandable, and some believed their request to be reassigned to alternative duties following the disaster was a reasonable request and should have been granted.

The ongoing trial was exposing racial inequality in the Navy for the first time. Under intense scrutiny, Naval leadership realized it needed to take steps to avoid future incidents like the one at Port Chicago. They concluded the Port Chicago protest could have been handled differently, and so in extreme cases commanders should be encouraged to assign Black sailors to alternative assignments, even if that means serving alongside White sailors.

As a result, on October 9, 1944, while the mutiny trial was still being conducted, the Navy's Bureau of Personnel released a directive titled "Negro Enlisted Personnel - Abolishment of Restrictions on the Assignment Of" which lifted restrictions for Black American assignments where "personnel problems" were present:

"In order to enable overall commands to deal successfully with personnel problems brought about by changing conditions and needs, authority is hereby granted addressees to assign Negroes under their cognizance to such activities, and in such numbers, as they see fit."

As a result, while the Port Chicago 50 were still on trial, the Navy ordered the formation of two divisions of White sailors to load munitions at Port Chicago and Mare Island. The racial integration of the Navy had officially begun, and it was in direct response to the Port Chicago protest.

For Black American military personnel around the world, the mutiny trial and verdict had a profound effect. It reinforced the perception that Black lives were not valued by the military, and it resulted in morale dropping to new lows. In the months following the verdict, resentment and frustrations with racially-discriminatory policies led to acts of protest throughout the military. These acts of protest included a race riot in Guam in December 1944, a hunger strike of 1000 Navy Seabees in Port Hueneme in March 1945, and the Freeman Field "Mutiny" of April 1945 in which Black airmen refused to leave an all-White officers club.

The case of the Port Chicago sailors began to serve as an example of everything that was wrong with racial segregation in the military. The Navy's mistreatment of the sailors was being written about and published across the country with photographs, and it didn't sit well with many Americans, including those in military leadership.

Many in the Navy were becoming convinced that segregating enlisted men by race was no longer viable, and integrating personnel only under extreme circumstances was simply not enough. Some believed integration was good for national morale and harmony, while others believed all-Black divisions needed to end because they increased the potential for collective action and protest. Regardless of the reason, there was agreement on what needed to be done, and plans to fully integrate the Navy were underway.

In the months following the verdict, the NAACP publicly advocated for the Port Chicago 50 to be released from prison with their widely-distributed Mutiny pamphlet. The publication was distributed far and wide, including to First Lady Eleanor Roosevelt who supported the campaign to have the men released. Letters from organizations were calling for justice for the Port Chicago 50 while organized drives were being held at churches to sign petitions to end segregation in the military.

In April 1945, on behalf of the fifty sailors, Thurgood Marshall appealed the case directly to the Navy's Judge Advocate General's Office in Washington DC. Although the Navy refused to publicly concede that racial discrimination and bias influenced its judgment of the sailors, just 205 days after Marshall's appeal case was denied, the sailors' sentences were commuted and they were quietly released from prison. Rather than allow the sailors to go home and join their families, the young men were given the "opportunity to complete their enlistments" serving the Navy overseas performing menial tasks like sweeping, picking up trash, and other menial tasks.

Just one month after they were released from prison, in February 1946, after intense public pressure initiated by the Port Chicago protest, subsequent protests, and a public appeal campaign, the Navy became the first branch of the military to end racial segregation. Two years later, the remaining branches of the U.S. Armed Forces integrated.

The 1994 Navy Review

45 years later, with the release of Robert Allen's definitive book "The Port Chicago Mutiny" in 1989, people were hearing the full history of Port Chicago for the first time. Many felt the sailors were unfairly treated and wrongfully convicted. Advocates like Robert Allen, Sandra Evers-Manly, and Reverend Diana McDaniel were joined by lawmakers Rep. George Miller, Senator Dianne Feinstein, and Senator Barbara Boxer in urging the Navy to re-examine the mutiny case.

In 1992, after much advocacy from supporters – including high-profile entertainers Morgan Freeman, Danny Glover, and Louis Gossett Jr. – the Navy agreed to "examine all aspects of the allegations of racial prejudice and discrimination." Following a two year review, the final report found that "racial discrimination did play a part in the assignment of African-American sailors to load munition." According to the Navy's report, assignments were the only aspect of Naval life that was affected by racial discrimination. The report concluded that "neither racial prejudice nor other improper factors tainted the original investigations and trials" and "no error or injustice occurred."

At the time, one of the Port Chicago survivors said the Navy's ruling was "like saying it's raining everywhere but right here." Port Chicago sailor Harry Belafonte said "The Port Chicago mutiny was one of America's ugliest miscarriages of justice and a national disgrace. Those sailors were court-martialed... because they'd dared to stand up to blatant institutional racism."

Advocates continued to make the case that, despite the Navy's conclusions, policies of racial segregation didn't just affect working assignments, but normalized racial discrimination throughout the Navy and encouraged behavior that devalued Black sailors. They maintained that documented racial prejudice and bias tainted the original investigation, charges, and trial.

Repairing the Sailors' Legacies

Unrelenting in their goal to bring the sailors of Port Chicago justice, advocates next approached the sailors with the idea of requesting pardons from the President of the United States. Many of the sailors turned it down. On that subject, Port Chicago sailor Joseph Small once said, "We don't want a pardon because that means, 'You're guilty, but we forgive you.' We want the decisions set aside and reimbursement of lost pay."

By 1999, 47 of the 50 sailors had died. As one of the last three survivors, sailor Freddie Meeks believed seeking a presidential pardon would be a meaningful and lasting way to set the record straight and bring public attention to this little-known history. "After all these years, the world should know what happened at Port Chicago," he said. In December 1999, President Bill Clinton honored the Port Chicago 50 by granting Freddie Meeks a presidential pardon. The remaining two sailors declined, with sailor Jack Crittenden explaining that he refused to ask forgiveness for a crime he didn't commit.

Today, the sailors have all passed away, yet efforts to seek justice for their legacies continue. Naval historians now say the heroic actions of the 50 sailors probably prevented another

disaster and likely saved lives. Acknowledging the racism the sailors experienced, President Barack Obama once wrote, "Faced with tremendous obstacles, they fought on two fronts – for freedom abroad and equality at home."

A growing chorus of Americans believe our nation owes the sailors a debt of gratitude for drawing attention to issues of racial inequality within the Navy and our society as a whole.

Celebrating the Sailors

The Port Chicago 50 are now being honored and celebrated as heroes in schools, parks, and public institutions. In 2021, the East Bay Regional Park District, the largest park district in the country, named a regional park in honor of Thurgood Marshall and the Port Chicago 50. The 2,540-acre Thurgood Marshall Regional Park - Home of the Port Chicago 50 in Concord, California will teach of the Port Chicago 50's courage and how their act of protest, and Marshall's public appeal campaign, forever changed our country for the better.

In 2022, Treasure Island Museum announced they are working with the National Park Service to honor and memorialize the fifty sailors at Yerba Buena Island in the San Francisco Bay where the mutiny trial took place. Plans for a hilltop park on the island include exhibits, panels, plaques, and an American flag waving in their honor.

Through education and advocacy, the legacies of the Port Chicago 50 and the brave fallen sailors of Port Chicago Naval Magazine lives on.

Previous action by the Berkeley City Council

In 2015, the Berkeley City Council adopted a resolution calling on President Obama to support justice for the Port Chicago 50 and exoneration for the convicted Port Chicago sailors. In light of renewed interest and momentum for exoneration, this item seeks to provide a more robust and updated statement of continued support.

FISCAL IMPACTS

N/A

ENVIRONMENTAL SUSTAINABILITY

N/A

CONTACT

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**RESOLUTION TO SUPPORT LOCAL, STATE, AND FEDERAL EFFORTS TO EXONERATE
THE PORT CHICAGO 50**

WHEREAS, on July 17, 1944, the deadliest home front disaster of World War II took place when a tragic explosion occurred at the Port Chicago Naval Magazine killing 320 men (of whom 202 were African American) and wounding 390 (of whom 233 were African American); and

WHEREAS, Port Chicago Naval Magazine was racially segregated and all sailors loading munitions at the time of the explosion were African American; and

WHEREAS, the surviving sailors were entitled to standard survivors' leave but were denied leave and ordered to clean up after the disaster; and

WHEREAS, the surviving sailors were ordered back to handling high explosives before an investigation could determine the cause of the deadly explosion; and

WHEREAS, 258 ammunition handlers engaged in peaceful work stoppage rather than return under the same unsafe working conditions; and

WHEREAS, fifty of these men were unlawfully charged with mutiny, prosecuted as guilty and sentenced to prison; and

WHEREAS, three weeks after the work stoppage, a Naval Court of Inquiry report confirmed working conditions and practices enforced by Port Chicago leadership were in violation of Naval safety regulations and federal safety code; and

WHEREAS, the actions of the sailors, the public mutiny trial, and public advocacy from their champion Thurgood Marshall, initiated the desegregation of the Navy in February 1946; and

WHEREAS, there have been several attempts over the years to appeal the decision, but all have failed; and

WHEREAS, starting in the 1990s, Congressman George Miller worked to preserve the history of the Port Chicago 50 and worked towards their exoneration, and in 1992, his legislation designated the site of the Port Chicago Naval Magazine as a national memorial, which is managed by the National Park Service; and

WHEREAS, in 2009, President Obama signed legislation to incorporate Port Chicago Naval Magazine National Memorial as a full and permanent unit of our National Park System; and

WHEREAS, the East Bay Regional Park District received part of the Concord Naval Weapons Station through a Public Benefit Conveyance on July 19, 2019, and has named the park the Thurgood Marshall Regional Park – Home of the Port Chicago 50, which honors the courage

and legacy of the Port Chicago 50 and all those who sacrificed their lives in our nation's ongoing struggle for social justice, racial equality, and workers' rights; and

WHEREAS, Naval historians now recognize the actions of the Port Chicago 50 potentially saved lives and changed the Navy for the better; and

WHEREAS, in 2022, the City of Concord, the City of Albany, the Contra Costa County Board of Supervisors passed resolutions supporting local, state, and federal efforts to exonerate the sailors wrongfully convicted of mutiny following the Port Chicago disaster of 1944.

WHEREAS, in 2022, the State of California successfully passed SJR-15 urging the President of the United States and Congress to restore honor to the sailors unjustly blamed for, and the sailors convicted of mutiny following, the Port Chicago disaster, and to rectify any mistreatment by the military of those sailors, including the full exoneration of those who were convicted at court-martial; and

WHEREAS, in 2023, US Representative Mark DeSaulnier (CA-11), US Representative Barbara Lee (CA-12) and US Representative John Garamendi (CA-08) introduced a resolution recognizing the victims of the Port Chicago disaster and calling for the exoneration of the Port Chicago 50; and

WHEREAS, in June 2023, the Philadelphia 15 were exonerated by Assistant Secretary of the Navy Franklin Parker. This case serves as an example and pathway to exonerate the Port Chicago 50.

WHEREAS, in August 2023, Vice President Kamala Harris praised the Port Chicago 50, writing that they "pushed for progress, and our Armed Forces are stronger today because they reflect the diversity of our country."

NOW, THEREFORE, The City of Berkeley DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City of Berkeley does hereby support all efforts to exonerate the Port Chicago 50 and recognize their service to our country.

Section 2. The City of Berkeley recognizes the efforts that this case presents in our nation's struggle for social justice, racial equity, and workers' rights.

Section 3. The City of Berkeley urges all Alameda County cities and the County of Alameda to adopt similar resolutions of support, and directs the City Manager to share this Resolution with all such jurisdictions and with Berkeley's State and Federal representatives.

Section 4. The City of Berkeley affirms support for all future efforts which urge the President, Congress of the United States, and Secretary of the Navy to take all necessary actions to restore honor to, and rectify the mistreatment by the United States Military of, any sailors who were unjustly blamed for and convicted of mutiny after the Port Chicago disaster, which occurred in the town of Port Chicago, California, in 1944.