

Subject: Negroes.

AG 291.21 ~~Koger, Linwood~~
(2-11-42)MB

5th Ind.

PK/hsc

War Department, A.G.O., March 5, 1942. - To: The Inspector General.

1 Incl.
n/c

WHR

IG 333.9-Broadus, Thomas E.

6th Ind.

War Department, IGO, March 9, 1942. - To Commanding General, Services of Supply.

1. These papers relate to a report of investigation made by an officer of the Military Police Detachment, Headquarters Third Corps Area, into the shooting to death of Private Thomas E. Broadus, #33,039,013, a colored soldier of Fort George G. Meade, Maryland, by an officer of the City Police of Baltimore, Maryland, on the night of January 31-February 1, 1942.

2. The record shows, in brief, that Private Broadus, on the night of January 31, 1942, went absent from his station, without proper authority, and visited the city of Baltimore. Shortly after midnight, in the heart of the colored section of Baltimore, Private Broadus, in company with three other colored soldiers from the same post, and two colored women, attempted to enter an automobile described in the record as a "jitney", or a "bootleg" taxicab. Officer Bender, a member of the police force of the city of Baltimore, who was in the immediate vicinity at the time, approached the group and told them not to get in that particular automobile as it was not a taxicab. An argument ensued between Private Broadus and the policeman, as a result of which the policeman placed Private Broadus under arrest. Private Broadus resisted. For a period of several minutes, the policeman and the prisoner were struggling with each other, during which they both were at times on the ground. After several minutes of struggling, the prisoner (Private Broadus) got possession of the policeman's night stick and began beating the policeman over the head and arms with it, as a result of which the police officer suffered such wounds as required his hospitalization for a period of ten days. After severely beating the police officer, Private Broadus, still in possession of the policeman's night stick, apparently attempted to leave the scene and was shot and killed by Officer Bender. Two shots were fired from Officer Bender's pistol, both of which entered the back of Private Broadus, who was pronounced dead about an hour later at the hospital to which he was taken.

3. The record discloses that Officer Bender was indicted by the Grand Jury on a charge of homicide, incident to the death of Private Broadus, and is awaiting trial on that charge at the next term of the Criminal Court in Baltimore.

4. The record also shows that a Board of Officers was convened at Fort George G. Meade on February 2, 1942, for the purpose of investigating and reporting on the circumstances underlying the death of Private Broadus.

5. The matter of the disposition of the case of Police Officer Bender appears to be one for determination and disposition by the civil authorities; and the military phase of the case, insofar as it relates to Private Broadus, appears to be in process of appropriate disposition by the authorities of Fort George G. Meade.

6. An examination of the record, however, discloses another military phase of the case which does not appear to have been considered, i.e., whether or not there was any dereliction of duty on the part of Private Robert L. Willey, #20,349,082, or Private 1st Class Elmer M. Pinckney, #20,380,284, both of the 29th Military Police Company. The record indicates, in brief, that both of these members of the Military Police arrived at the scene of disturbance several minutes before the shooting of Private Broadus; that, although the struggle was one between a civil policeman and a soldier in uniform, neither of the two aforementioned members of the Military Police appears to have taken any active part in an effort to subdue Private Broadus, which action, had it been taken, might have averted the tragedy; that one of them stood by at the scene of the struggle, while the other left the scene to phone the Baltimore Police Headquarters for assistance. This phase of the case would appear to be one for consideration by The Provost Marshal General.

7. It is therefore recommended that these papers be referred to The Provost Marshal General for such recommendation or further action as he may deem appropriate.

IN S. O. S. MAR 11 1942

✓ 1 Incl.
No change.

Virgil L. Peterson
VIRGIL L. PETERSON,
Major General,
The Inspector General.



C/L.H. 5-28-42