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State of Florida v. Charles A. Kettell, Sr.

SC07-573

FINAL CASE ON
CALENDAR THIS MORNING IS --
STATE VERSUS KETTELL.
IF I'M SAYING THAT # IN IF IT PLEASE THE
COURT RICHARD FISHKIN ON
BEHALF OF THE STATE OF
FLORIDA!!\$\$!!!!!!!!!!!!
FLORIDA.
>> THERE IS A CASE THAT IS
-- VERY MUCH -- FACT DRIVEN,
AND THE FACTS ARE NOT
COMPLEX BASICALLY NOT IN
SPOOUT!!\$\$!!!!!!!!!!!!
SPOOUT.
>> MR. FISHKIN WE UNDERSTAND
THE FACTS OF THE CASE, LET
ME ASK YOU THIS THRESHOLD
QUESTION, IS YOUR ARGUMENT
HERE THE SAME ARGUMENT THAT
YOU MADE IN THE TRIAL COURT
WHICH WAS THAT UNDER THE
STATUTE FIRING INTO A
BUILDING IS PER SE A
COMMISSION OF VIOLATION OF
THE STATUTE?
>> THE ARGUMENT IS THAT --
THAT WILFULLY AND
MALICIOUSLY FIRING INTO A
BUILDING.
>> THE ARGUMENT THAT YOU
MADE IN THE TRIAL COURT, IS
A UNDERSTAND IT AND THE
INSTRUCTION THAT YOU DEMAND!!\$\$!!!!!!!!!!!!
DEMANDED FROM THE TRIAL
COURT AT TRIAL WAS THAT
FIRING INTO A BUILDING IS
PER SE A VIOLATION OF THE
STATUTE.
>> NO I THINK THE ARGUMENT
MADE IN THE TRIAL COURT AND
THE STATEMENTS MADE BY THE
TRIAL JUDGE WERE INCORRECT,
BUT THE TRIAL \$\$JUDGE'S RULING
WAS CORRECT FOR THE WRONG

REASON.

BASICALLY!!\$\$!!!!!!!!!!!!!!!

BASICALLY, THE AS THE COURT IS AWARE, THE STATE ASKED FOR THE INSTRUCTION THAT CAME FROM HAWKS CLAW, BASEDO HOLTSCRAW ON A THEORY THAT THE DEFENDANT IN HIS REBUTTAL CLOSING ARGUMENT WAS GOING OUTSIDE THE STATUTE, AND INJECT ITEMS THAT WERE NOT COVERED BY THE STATUTE.

>> LIKE WHAT?

>> THAT THE BUILDING OR THE APARTMENT WAS -- THAT HE DIDN'T KNOW ANYBODY WAS OUTSIDE HE WASN'T SHOOTING AT ANYBODY.

>> ISN'T THAT PRECISELY WHAT A DEFENDANT WOULD WANT TO SHOW TO DEMONSTRATE THAT HE DID NOT MALICIOUSLY SHOOT INTO THE BUILDING ISN'T THAT WANTONLY MALICIOUSLY IF YOU LOOK EIGHT DEFINITIONS AREN'T FACT THAT HE WAS TRYING TO PROVE PRECISELY WHETHER IT WAS DONE WANTONLY OPENER MALICIOUSLY INTO NOT NECESSARILY IN OUR URBAN SOCIETY -- IT HAS COME, COME TO THE POINT WHERE FIRING A FIREARM!!\$\$!!!!!!!!!!!!!!!

FIREARM, AND I DON'T THINK IS THERE ANY QUESTION THAT THIS WAS A FIREARM AND IT WAS DANGEROUS INSTRUMENT EDIT AND OF EDITS CONSTITUTES WRECKLESS DISREGARD FOR THE CONSEQUENCES OF THE ACT.

>> GET BACK TO MY ORIGINAL QUESTION THEN WHEN I WAS IS IT YOUR ARGUMENT HERE, THE SAME AS THE TRIAL COURT, THAT SHOOT INTO AING BUILDING IS PER SE A VIE!!\$\$!!!! VIERATION OF THE STATUTE, YOU SEEM TO HAVE JUST SAID YES.

IT IS PER SE A VIOLATION?

>> WHAT I'M SAYING I GUESS IT HAS TO BE DONE

INTENTIONALLY!!\$\$!!!!!!!!!!!!!!!!!!!!!!

INTENTIONALLY, WITH A RECKLESS DISREGARD, THAT JUST FIRING AT THE AT A BUILDING, PER SE AND THE PER SE REFERS TO THE BUILDING, NOT TO THE INTENT OF THE INDIVIDUAL WHO IS PULLING THE TRIGGER.

>> IF THAT IS THE CASE THEN THE INSTRUCTION WAS INCORRECT!!\$\$!!!!!!!!!!!!!!!!!!!! INCORRECT.

>> THE INSTRUCTION WAS CORRECT, AS DONE. AND THE INSTRUCTION HAS A LONG HISTORY. MOSTLY IN THE FIFTH DISTRICT.

>> WHETHER HAS A LONG HISTORY MAY HAVE A LONG ERRONEOUS HISTORY -- BUT STIELTS ME THAT THE INSTRUCTION SEEMED TO TELL THE JURY, THAT THE MERE FACT OF SHOOTING INTO A BUILDING IS A VIOLATION OF THE STATUTE.

>> IF IT IS DONE WILFULLY AND WANTONLY.

>> JUSTICE ANSTEAD --

>> -- THE -- END PART OF THE INSTRUCTION, I WAS LISTENING TO YOUR ANSWERS, TO JUSTICE CANTERO!!\$\$!!!!!!!!!!!!!!

CANTERO'S QUESTIONS I'M NOT SURE I UNDERSTAND THEM, IT SAYS THAT -- A A WHO SHOOTS AT WITHIN OR INTO A BUILDING PER SE, SO, WHAT THAT BASICALLY IS SAYING IF YOU SHOOT INTO A BUILDING, IT IS PER SE CONSIDERED TO BE WANTON OR WILFUL AS THE -- OR MALICIOUS WHEREAS DEFINITION OF WANTON MALICIOUS IN JURY INSTRUCTIONS REQUIRES MORE TO ME THEY CONFLICT ON THEIR FACE, I DON'T KNOW HOW A JURY WOULD EVEN UNDERSTAND WHAT SHOOTING INTO A BUILDING PER SE WHAT THAT EVEN MEANS, BUT -- I -- BE THAT AS IT

WAY THE WANTON OR INTENTION!!\$\$!!!!!!!!!!!!!!!!!!!!!!

INTENTIONAL, REQUIRES MORE THAN JUST A SHOOTING INTO THE BUILDING.

>> IT HAS TO BE DONE, INTENTIONALLY!!\$\$!!!!!!!!!!!!!!!!!!!!!!

INTENTIONALLY, WITH A CONSCIOUS DISREGARD --

>> DOESN'T IT INSTRUCTION SAY THAT THE ONE THAT WAS GIVEN, BY THE TRIAL COURT, AFTER AT THE \$\$\$STATE'S REQUEST, INTENT IS FOR BUILD -- BY A PERSON WHO SHOOTS AT WITHIN OR INTO A BUILDING PER SE.

>> CORRECT THAT IS WHAT THE INSTRUCTION SAYS.

>> SO THAT MEANS THAT JUST -- SO THE ARGUMENT IS -- THAT MERELY SHOOTING INTO A BUILDING IS -- WILL BE DEEMED TO BE MALICIOUS OR INTENTION!!\$\$!!!!!!!!!!!!!!!!!!!!!! INTENTIONAL.

>> IF IT IS DONE INTENTIONALLY!!\$\$!!!!!!!!!!!!!!!!!!!!!!

INTENTIONALLY, IT HAS TO BE DONE -- BECAUSE IT HAS TO BE DONE, INTENTIONALLY, NOT ACCIDENTALLY!!\$\$!!!!!!!!!!!!!!!!!!!!!! ACCIDENTALLY, OR NOT --

>> SO BASICALLY WHAT YOU ARE SAYING THERE IS NO WANTON!!\$\$!!!!!!!!!!!!!! WANTONNESS INVOLVED IT JUST PASS TOO HAS TO BE INTENTION!!\$\$!!!!!!!!!!!!!!!!!!!!!!

INTENTIONAL FIRING OF FIREARM INSIDE BUILDING DOESN'T HAVE TO BE WANTON INTO HAS TO BE WANTON WITH RECKLESS DISREGARD OF THE CONSEQUENCESES OF THE ACT.

>> DOESN'T SAY THAT THAT IS IT SAYS IF YOU LEFT OUT THE SPECIAL INSTRUCTION, THE PROBLEM IS THE INTENT IS FULFILLED!!\$\$!!!!!!!!!!!!!!!!!!!!!! FULFILLED.

BY A PERSON WHO SHOOTS AT WITHIN OR INTO A BUILDING PER SE, SO THAT LEAVES OUT THAT SAYS IF YOU SHOOT IN THE BUILDING YOU HAVE FULFILLED THE INTENT REQUIREMENT!!\$\$!!!!!!!!!!!!!!!!!!!!!!

REQUIREMENT.

>> IF YOU HAVE DONE IT

WILFULLY AND WANTONLY.

>> THAT IS NOT BUT THAT IS
THE PROBLEM, I AGREE WITH

YOU, IF -- THE -- THAT IS
WHY THE INSTRUCTION IS

ERRONEOUS!!\$\$!!!!!!!!!!!!!!!

ERRONEOUS.

>> THE PROBLEM WITH THE
INSTRUCTION, THE PROBLEM
WITH THE PER SE IS THAT PER
SE IS BEING LIFTED TO THE

INTENT!!\$\$!!!!!!!!!!!!!!!

INTENT.

NOT --

>> WORKING HERE, BUT THIS IS

-- YOU KNOW, I'M LOOKING AT

THIS I'M THINKING JUSTICE

CANTERO ROOKING AT THIS WE

ARE GOING PLAIN ENGLISH SAYS

THE JURY WAS ESSENTIALLY

DIRECTED A VERDICT ON THE

FOR THE STATE, ON THE INTENT

ISSUE.

.

>> I THINK HE HAS TO LOOK AT
HISTORY OF HOW THIS PER SE!!\$\$!!

SE --

>> WHAT WOULD A JURY THINK

WHAT THEY GOT THE

INSTRUCTION, THE INTENT IS

FULFILLED!!\$\$!!!!!!!!!!!!!!!

FULFILLED, BY A PERSON WHO

SHOOTS AT WITHIN OR INTO A

BUILDING PER SE.

WHAT WOULD A JURY THINK THAT

MEANT.

>> I THINK THIS JURY HAVING

LISTENED TO ALL OF THE

INSTRUCTIONS AND HAVING

LISTENED TO ALL CLOSING

ARGUMENT, WHERE EVERYBODY

WAS CONSTANTLY TALKING ABOUT

WANTONLY AND MALICIOUSLY

WHAT THEY MEANT THAT THEY

WOULD UNDERSTAND THAT

SHOOTING AT THE DON'T YOU

HAVE TO INTEND TO SHOOT THE

BUILDING, BUT THE --

>> WAIT, BUT THIS WAS THE

OBJECT TO INSTRUCTION

PRECERTIFY SERVED SO IF YES.

>> HOW DO -- PRESERVED.

>> HOW DO WE KNOW THIS
ERRONEOUS INSTRUCTION DO YOU
AGREE WITH THAT THE PART
THAT I JUST -- READ TO YOU,
IS ERRONEOUS.

>> I THINK IT DEPENDS UPON
YOUR DEFINITION OF PER SE.

>> WHAT IS PER --

>> PER SE MEANS THE BUILDING
-- YOU DON'T HAVE TO BE
SHOOTING AT SOMEBODY IN THE
BUILDING, IN ORDER TO EFFECT
THIS, IT ALL COLES FROM THE
HISTORY OF THE -- COMES FROM
HISTORY OF THE INSTRUCTION
INTO DID YOU SENT IT MEAN I
WILL BE ITSELF.

>> ALL BY ITSELF THE
BUILDING BY ITSELF.

>> SHOOT AT THE BUILDING,
YOU VIOLATED THIS STATUTE,
IF IT WERE INTO WANTONNESS
IS IMPLIED, IF YOU DO IT.

>> IF YOU DO IT WILFULLY AND
WANTONLY!!\$\$!!!!!!!!!!!!!!
WANTONLY, THAT GOES BACK TO
THE -- INTENT OF THE --

>> I'M JUST JOINING IN --

>> YOU HAVE GOT -- LOSS
MEET, IF YOU HAVE A BETTER
SHOT YOU KNOW YOU MIGHT
MAYBE THE OTHER --

>> MAYBE YOU CAN ADDRESS
ISSUE OF ASSUMING THAT WE
DISAGREE WITH YOU, ON
WHETHER INSTRUCTION WAS
ERRONEOUS!!\$\$!!!!!!!!!!!!!!
ERRONEOUS, MAYBE YOU CAN
DISCUSS WHETHER IT WAS
HARMLESS ERROR.

>> OKAY.

>> GLAD TO IN THIS CASE --
IT WAS HARMLESS ERROR,
BECAUSE THE EVIDENCE WAS
CLEAR THAT NUMBER ONE, THE
SHOOTING WAS INTENTIONAL
DEFENDANT DID NOT TAKE THE
STAND!!\$\$!!!!!!!!!!

STAND, HE DIDN'T TESTIFY, AS
TO WHAT WAS GOING ON, HE DID
ACKNOWLEDGE, TO HIS EX-WIFE,
THAT I DON'T KNOW WHY I SHOT
IT.

>> WHERE DESHOOTED WHAT

DIRECTION THE FLOOR.

>> SHET INTO THE WALL INTO
INTO THE WALL INTERIOR WALL
OR OUTSIDE WALL.

>> IT WAS EXTERIOR WALL, AND
-- OUTSIDE THE WALL MAYBE,
COMPLAINING THE ORIGINAL 911
CALLERS ONE WAS BRINGING
GROCERIES INTO HIS HOUSE,
HEARD THE SHOTS DROPPED THE
BAG, THE OTHER ONE WAS
BARBECUE\$!!!!ING RIGHT OUTSIDE,
HIS CHILDREN WERE RUNNING
AROUND OUTSIDE, HE SHARED
COMMON WALL WITH HIS -- DEN
WHERE HIS CHILDREN PLAYED IN
THE APARTMENT OF THE
RESPONDENT!!\$\$!!!!!!!!!!!!!!!!!!!!
RESPONDENT.

>> SHOOTING INTO COMMON
WALL.

>> HE WAS SHOOTING INTO A
WALL.

>> RIGHT EXTERIOR NOT INTO
COMMON WALL INTO EXTERIOR
WALL.

>> WAS THERE EVIDENCE THAT
THERE WAS ANYBODY IN THE
VICINITY OF THE OUTSIDE
WALL.

>> THEY SHOULD WERE OUTSIDE
YES.

>> HOW FAR?

>> IT IS NOT CLEAR ON THE
RECORD.

>> WHAT KIND OF GUN WAS IT.

>> IT WAS A PRECIVIL WAR --
PERCUSSION REVOLVER.

>> HOW MANY CALIBERS?

>> I'M SORRY.

>> WHAT CALIBER.

>> EITHER 36 OR99.38 THE
FIREARMS INSTRUCTOR FROM --
POLICE DEPARTMENT SAID IT
WAS99.36, OTHER PEOPLE SAID
A99.38.

>> WHAT PART OF THE -- WAIT
SECOND NOW GETTING TO WHY IT
IS HARMLESS, I'M NOT SURE
I'M STILL -- IF I THINK THAT
AS A JUROR, THAT I DON'T
KNOW IF HE -- YOU KNOW,
WHETHER THIS IS MALICIOUS
AND DONE WITH KNOWLEDGE THAT

IT IS LIKELY TO CAUSE HARM,
TO SOME PERSON, OR THE
PROPERTY OF ANOTHER PERSON,
THAT YOU KNOW, I'M NOT SURE
ABOUT IT, DOESN'T THIS
STRUCTURES TELL ME IT --
INSTRUCTION TELL YOU ME
DOESN'T MATTER WHETHER I
KNOW OR FWLOLT WANTON OR
MALICIOUS MERE ACT SHOOTING
INTO THE BUILDING VIDZ
INTENT!!\$\$!!!!!!!!!!!!
INTENT.

>> NO BECAUSE THE WAY THE
STATUE DEVOLVED -- DAMAGE
WAS DONE, DAMAGE WAS DONE,
TO THE BUILDING.

IT HAPPENED TO CLINCH --
FOUR HOLES IN THE BASES
BOARD -- BASE BOARD, AND YOU
CAN INTERPRET THIS STATUTE
BASED UPON MARKSMANSHIP OF!!\$\$!!
OF --

>> WHAT SPECIAL INSTRUCTION,
IN OTHER WORDS THE STANDARD
INSTRUCTION SAYS THAT IT HAS
TO BE DONE -- WANTONLY OR
LSHL TALKS ABOUT MALICIOUSLY
WHY WOULD YOU NEEDED
SOMETHING ABOUT ESSENTIALLY
DIRECT AS VERDICT AS OPPOSED
TO ARGUING OF COURSE THIS
CAUSED DAMAGE TO THE BASE
BOARD, AND IT IS NOT BEING
-- IT IS NOT IN -- YOU KNOW,
SO IT WAS DONE MALICIOUSLY
BECAUSE IT CAUSED DAMAGE TO
THE BASE BOARD.

>> BECAUSE THE DEFENDANT
PRIOR TO HIS AGREEMENT WITH
THE COURT THE COURT WAS
GOING TO GIVE THE STANDARD
JURY INSTRUCTION HERE.
AND THE DEFENDANT WAS A
PROSECUTOR, SAID I'M AFRAID,
THAT THE DEFENDANT IS GOING
TO SAY WELL IT IS HISSANT
AMENDMENT WASN'T SHOOTING AT
-- HESITATION APARTMENT HE
WASN'T SHOOTING AT ANYBODY
THAT IS IRRELEVANT TO THIS
STATUTE.

>> IT SAYS THAT CAUSE TO
ANOTHER PERSON OR ON THE OF

ANOTHER PERSON INTO I UNDERSTAND THAT, AND THE DEFENDANT, THEN GOT UP ON -- ON REBUTTAL A CLOSING, AND SAID IT WAS HIS APARTMENT, HE DIDN'T SHOOT AT ANYBODY. IN ALL OF THIS.

>> LSHL COVERS THAT CAUSE TO ANOTHER PERSON OR PROFIT ANOTHER PERSON.

>> MALICIOUSLY.

>> WELL --

>> OBJECTION, MADE TO THE ARGUMENT IN THE --

[INAUDIBLE]

TO GIVE CORRECT INSTRUCTION.

>> UNFORTUNATELY NO.

>> WOULD THAT NOT HAVE BEEN SUFFICIENT.

>> IT WOULD HAVE BEEN SO THAT YOU WOULDN'T HAVE NEEDED EXTRA INSTRUCTION.

>> I AGREE.

T.

>> UNFORTUNATELY THAT DIDN'T HAPPEN.

>> ON HARMLESS ERROR ISSUE -- HAVEN'T WE HELD THAT UNDER -- ERRONEOUS INSTRUCTION ON AN ELEMENT OF THE OFFENSE CAN NEVER BE HARMLESS ERROR.

>> YES.

>> AND THE QUESTION IS WHETHER OR NOT THE INSTRUCTIONS TAKEN AS A WHOLE.

>> I UNDERSTAND THAT, WHOLE PART I'M --

>> BUT WERE YOU ARGUING THAT IT WAS -- ASSUMING THAT WE FIND THAT THE INSTRUCTION WAS ERRONEOUS, YOUR ARGUMENT WAS BASED ON THE FACTS OF THE CASE, THAT HAD TO BE HARMLESS BECAUSE OF THE CIRCUMSTANCES OF THE CASE AND THE FACTS AT TRIAL, BUT, YOU AGREE THAT IF IT WAS ERRONEOUS!!\$\$!!!!!!!!!!!!!! ERRONEOUS, WE DON'T UNDERTAKE THAT ANALYSIS, BECAUSE THIS WAS AN INSTRUCTION THAT WENT TO

ELEMENT OF THE OFFENSE
THEREFORE IF IT WAS WRONG,
NEVER BE HARMLESS.

>> IF IT -- VITIATED AN
ELEMENT OF THE OFFENSE OUR
POSITION IT DID NOT.

>> I KNOW THAT.,,

.
>> I DON'T THINK THERE IS
REALLY -- THAT IS THE ISSUE
IN THIS CASE, AND IT COMES,
IT IS A VERY NARROW ISSUE.
SO UNLESS SOMEBODY HAS SOME
OTHER QUESTIONS.

>> THANK YOU VERY MUCH,,,

.
>> MAY IT FLEES COURT I'M
REPRESENTING CHARLES
KETTELL.
I WASN'T THE ATTORNEY WHO
DRAFTED THE BRIEF IN THIS
CASE, MR. TAYLOR, WAS, THE
LAWYER UP UNTIL RECENTLY HE
WAS UNABLE TO ATTEND THE OR!!\$\$!!
ORAL ARGUMENT, OBVIOUSLY OUR
POSITION IS CONSISTENT WITH
JUDGE \$\$KENNEDY'S POSITION AND
THAT IS THAT THIS WAS AN
INACCURATE INCORRECT
STATEMENT OF THE LAW.
THAT THE -- INSTRUCTION THAT
WAS PROVIDED TO THIS JURY
DID SET UP A STRICT
LIABILITY CRIME IT ADVISED
THE JURY THAT SO LONG AS
THEY FOUND SUFFICIENT
EVIDENCE ONLYING THE FIRST
WOULD DO ELEMENTS BEING THAT
THERE WAS NO NEED TO MAKE
ANY FINDING ON THE THIRD
ELEMENT, THAT IT PROVES THE
THIRD ELEMENT, TAKEN INTO --
TO ITS NATURAL CONCLUSION,
IF THE PETITIONER IS
CORRECT, THEN ANY THROWING
OF ANY OBJECT A HARD OBJECT
BY THE WAY HE WASN'T CHARGED
WITH SHOOTING A FIREARM, THE
CHARGE WAS THAT HE PROJECTED
SHOT ARE PROJECTED A HARD
OBJECT!!\$\$!!!!!!!!!!
OBJECT, WHICH IS ALSO
INCLUDEDED WITHIN THE
STATUTE, SO FULLY\$\$!!!!IJECTION OF

ANY HARD OBJECT, AT OR
WITHIN A BUILDING, PUBLIC OR
PRIVATE WOULD VIOLATE THE
STATUTE.

ONE OF THE ARGUMENTS MADE BY
THE STATE ATTORNEY BELOW WAS
THAT THERE WAS A FIRING
RANGE NEARBY THAT HE COULD
HAVE GONE TO.

OR UNDER THE DEFINITION
PROVIDED TO THIS JURY, SHOOT
AT THAT FIRING RANGE IN THAT
BUILDING, WOULD HAVE
ACTUALLY THE INDIVIDUALS
WOULD HAVE COMMITTED A
SECOND DEGREE FELONY,
CHILDREN PLAYING OUTSIDE IN
A PLAYGROUND, HITTING A
BASEBALL!!\$\$!!!!!!!!!!!!!!
BASEBALL, THROUGH A WINDOW,
EVEN ACCIDENTALLY, IF YOU
DON'T HAVE THE ELEMENT OF
ISSUE ALREADIES OR WANTON!!\$\$!!!!!!!!!!!!
WANTONNESS WOULD WERE
VIOLATE THIS STATUE A SECOND
DEGREE FELONY

>> THEY WOULD NOT TO
CRIMINALIZE THAT BEHAVIOR
OUT BNL BEHAVIOR THAT
QUALIFIES AS ALREADY OR
WANTON THERE -- MALICIOUS OR
WANTON THERE SEEMS UNDER!!\$\$!!!!!!!!!!!!
UNDERLYING CONFLICT IN CASES
I'M NOT SURE WE NEED TO
REACH BUT CONFLICT SEEMS
WHETHER YOU NEED TO --
INTENTIONALLY!!\$\$!!!!!!!!!!!!!!
INTENTIONALLY, TRY TO -- HIT
THE BUILDING, OR IF YOU WERE
AIMING AT SOMEBODY ELSE, AND
YOU ACCIDENTALLY HIT THE
BUILDING, WHETHER THAT
VIOLATES THE STATUTE, STWLIS
A CONFLICT ON THAT.

>> -- THERE IS A CONFLICT ON
THAT!!\$\$!!!!!!
THAT.

>> IT WAS PRESENTED AS IF
THERE WAS CONFLICT I DON'T
THINK THERE IS ACTUALLY A
CONFLICT WITH HOLDSCLAW I I
HAVE HOLTSCALW HAS BEEN HIS
INTEN PRETTIED MISAPPLIED,
NONE OF THE -- MISINTERPRET!!\$\$!!!!!!!!!!!!!!

MISINTERPRETED.

>> NONE OF THE CASES IN
HOLTSCLAW BACK ADDRESS JURY
INSTRUCTIONS HOLTSCLAW WAS A
CASE THAT WENT TO FIFTH
DISTRICT COURT OF APPEAL
AFTER A JUDGE AFTER THE JURY
FOUND THE DEFENDANT GUILTY
OF THE STATUE GRANTED A
JUDGMENT NOTWITHSTANDING THE
VERDICT GAVE NO REASONS FOR
THAT DECISION, AND THE STATE
APPEALED THAT JNOV, THE
COURT IN HOLTSCLAW DRAFTED
UP ITS FINDINGS, AND --
APPARENTLY ADDRESSED A
COUPLE OF OF THE CLAIM MADE
BY DEFENSE COUNCIL TO TRY TO
SAVE HIS CLIENT FROM HAVING
THIS DECISION REVERSED --
BUT THE COURT IN HOLTSCLAW
NEVER SAID THIS WAS A A
STRICT LIABILITY CRIME, IT
NEVER SAID THAT THIS WAS
THERE WAS A PROPER IMPROPER
JURY INSTRUCTION IT WASN'T A
JURYEY INSTRUCTION CASE IT
CITED TO SKINNER IF SKINNER
IF YOU LOOK AT THE DECISION
IN SKINNER, AND I READ IT
SEVERAL TIMES IT IS VERY
SHORTED!!\$\$!!!!!!!!!!!!!!
SHORT I'M NOT SURE WHAT
APPEAL WAS IN SKINNER I
GUESS JUDGMENT OF ACQUITTAL
ISSUE GUESSING IT WAS VERY
SHORT DECISION WRITTEN BY
JUDGE COWER, EFFECTTH
DISTRICT AS WELL
INTERESTINGLY, WROTE THE
JOHNSON DECISION AS WELL.
AND WHEN YOU LOOK AT SKINNER!!\$\$!!!!!!!!!!!!!!
SKINNER, SKINNER CITES TO
BALLARD AND JOHNSON TO
SUPPORT THIS PER SE
LANGUAGE, IF YOU GO BACK,
PAST SKINNER, AND LOOK AT
JOHNSON,LOOK AT BALLARD,
BALLARD WAS A THERE MOTION
DISMISS CASE, AGAIN, NOT A
JURY INSTRUCTION CASE AND
JOHNSON WAS A LEGITIMIZE OF
ACQUITTAL -- JUDGMENT OF
ACQUITTAL CASE DISCUSSING

COMPLETE DIFFERENT ISSUE
THEY ALL ARE ROOTED IN
GOLDIN THERE IS A DECISION
IN 1960, I BELIEVE IT WAS
THE FIRST DISTRICT, WHERE
GOLDIN, THE JUSTICES, THE
JUDGES AT THE FIRST DISTRICT
SAID WELL, THIS STATUTE ONLY
APPLIES WHEN THE MALICE OR
WANTON!!\$\$!!!!!!!!!!!!
WANTONNESS TO THE BUILDING
THE FAR, MR. GOLDEN WAS
ACTUALLY SHOOTING AT A
VICTIM THE VICTIM TO TRY TO
SEEK COVER RUNNING INTO HIS
HOME, AS HE CONTINUED TO
SHOOT AT AND AFTER HE
ENTERED THE HOME, SHOT AT,
IN THE GOLDIN CASE THE FIRST
DISTRICT DISMISSED ON
APPEAL, SAYING, THAT THE
BUILDING ITSELF WAS NOT THE
TARGET OF MR. GOULD GOLDIN'S
MALICE!!\$\$!!!!!!!!!!!!
MALICE, THAT WAS WHAT WAS
SWENDALL INTENDED ALL THE
CASES AFTER GOLDEN WERE
TRYING TO CORRECT THIS
ERROR, THIS ERRONEOUS
INTERPRETATION, OF THE
STATUTE SO IF YOU LOOK AT
JOHNSON, PARTICULARLY
JOHNSON, THERE IS A
CONCURRENT OPINION WRITTEN
BY COWER THAT YOU ARE OF
SKINNER!!\$\$!!!!!!!!!!!!
SKINNER, AND HE CERTAINTY
DOES NOT -- ELIMINATE
NECESSITY OF FINDING
MALICIOUSNESS OR WANTONNESS
HE SPENT A GREAT DETAIL OF
TIME TALKING ABOUT THAT
ELEMENT AND HOW IT IS --
ANESSITY IT -- A NECESSITY
MUST OCCUR SIMULTANEOUS WITH
THE ACT ITSELF, SO I THINK
-- THE REASON WE ARE HERE,
IS BECAUSE THE TRIAL COURT
LOOKED AT HOLTSCLAW AND
THOUGHT, WELL THIS IS WHAT
IT SAYS, WE NEED TO CREATE A
JURY INSTRUCTION.
PART OF THE OTHER PROBLEM --
>> YOU ARE ARGUING THERE IS

NO CONFUSION NO CONFLICT WE
DON'T NEED TO CLARIFY
ANYTHING?

>> I THINK WE PROBABLY --
PROBABLY SHOULD CLARIFY --
MOSTLY BECAUSE HOLTSCLAW IS
UNCLEAR!!\$\$!!!!!!!!!!!!!!

UNCLEAR, I THINK YOU HAVE TO
GO BACK RESEARCH THE OTHER
ISSUES!!\$\$!!!!!!!!!!!!!!
ISSUES.

>> HERE SEEM TO THINK THERE
WAS A CONFLICT, THEY SEEM TO
DISAGREE WITH HOLTSCLAW.

>> YES.

>> THEY THOUGHT THAT --
THERE WAS A CONFLICT
THERE --

>> THEY THOUGHT THERE WAS
CONFLICT, I BELIEVE, WHETHER
YOU READ THE -- JUDGE, JUDGE
KENNEDY'S OPINION HE ALSO
SAYS THAT HE -- HE BELIEVES
THAT HOLTSCLAW WAS ADDRESS!!\$\$!!!!!!!!!!!!!!

ADDRESSING A DIFFERENT ISSUE
THIS TOOK ON A LIFE OF ITS
OWN PER SE LANGUAGE THAT
SORT OF GOT ADDED IN.

THAT YOU KNOW, IT DIDN'T
NEED TO BE THAT YOU ARE
SHOOTING AT BUILDING PER SE
FOR IT TO BE A VIOLATION
WHICH IS REALLY, WHAT THE
ISSUE WAS, APPRECIATIVELY.

>> WHAT!!\$\$!!!!!!\$\$-- PREVIOUSLY.

>> I'M SORRY HARMLESS ERROR?
I AGREE WITH JUSTICE CANTERO
THIS IS AN THIS WAS AN
ELEMENT OF THIS CRIME A
SIGNIFICANT ELEMENT NOT ONLY
HE ESSENTIAL ELEMENT THE
THIRD ELEMENT IT WAS THE
ONLY ELEMENT THAT WAS
DISPUTED THE CLOSING
ARGUMENT WAS PROPER, IT WAS
A PROPER CLOSING ARGUMENT,
THE DEFENSE LAWYER, PROPERLY
DEFENDED MR. KETTELL ARGUING
THE STATE FAILED TO PROVE
MALICIOUSNESS WANTONNESS
WENT TO JURY INSTRUCTION
EXPLAINED TO THE JURY WHY
WERE, THE JURY INSTRUCTION
COMPLETELY ELIMINATED NOT

EVEN JUST REDUCE OR DELUTED
COMPLETELY ELIMINATED THIS
ALMOST THIS COURT HAS HELD
IN AT LEAST FOUR CASES THAT
ARE CITED IN THE WE HAVE
GARCIA, SCOTT -- GIRTH GOING
BACK TO 1953, REED, ALL OF
THESE CASES WHETHER
ESSENTIAL ELEMENT WHEN AN
INSTRUCTION IS ERRONEOUS AND
DIRECTLY IMPACTS AN
ESSENTIAL ELEMENT AND
DISPUTED ELEMENT AT THE
TRIAL LEVEL, THEN THAT IS --
IT CANNOT BE HARMLESS, I
WANT TO MAKE SURE.

>> I WANT TO MAKE SURE I AND
WHAT THIS CRIME IS SUPPOSED
TO BE SO IT IS NOT FOR
CRIMES WHERE HOME IN SWORN
HE SOMEONE IS ACTUALLY
TRYING TO SHOOT PERSON?
IS THAT RIGHT?

BECAUSE I HEARD YOU SAY
EARLIER THAT IF YOU WERE
TRYING TO SHOOT PERSON, BY
MISTAKE SHOT THE BUILDING,
THAT THIS CRIME WOULDN'T.

>> NO I'M SORRY YOUR HONOR
IF I MADE THAT STATEMENT I
MISSPOKE!!\$\$!!!!!!!!!!!!!!
MISSPOKE.

NO I DON'T BELIEVE -- I
BELIEVE THAT THAT WAS ONE OF
THE ERRORS FROM O GOLDIN
THAT IF YOU ARE SHOOTING AT
AN INDIVIDUAL WHO IS NEAR A
BUILDING IN A BUILDING
WITHIN A BUILDING, THAT IS
CERTAINLY A VIOLATION OF THE
STATUTE.

>> BUT IT ALSO APPLIES EVEN
IF THERE ISSUE NOT PEOPLE --
EVEN IF THERE ARE NOT
PEOPLE, EVEN IF THERE ARE
NOT PEOPLE AROUND YOU DON'T
TEND TO HARM PEOPLE IF YOU
INTENTIONALLY TEND TO SHOOT
INTO A WALL YOU INTEND TO DO
THAT, THE WALL IS NOT YOURS
YOU ARE IN ANNANT RENTED
THAT IS VIOLATION OF THE
STATUTE.

>> IF YOU DO SO WITH THE

KNOWLEDGE DAMAGE IS LIKELY
TO BE DONE TO SOME BERN
WHICH IS WANTSON OR AND
WRITTEN IN THE END, AND WITH
THE KNOWLEDGE THAT INJURY
DAMAGE WILL OR MAY BE CAUSED
TO ANOTHER PERSON OR THE
PROPERTY OF ANOTHER PERSON.

>> THAT IS WHAT I'M ASKING
THERE DOESN'T HAVE TO BE
ANYBODY AROUND DON'T YOU
HAVE TO INTEND OR EVEN BE
RECKLESS BECAUSE THERE ARE
PEOPLE AROUND.

IF THE BUILDING IS EVERYONE
IS GONE FOR THE DAY YOU ARE
THERE BY YOURS!!\$\$!!!!!!!!!!!!!!!!!!!!!!

THERE BY YOURSELF DECIDING
AGAIN TO USE THE BUILDING,
THE WALL AND I'M GOING TO
USE I'M NOT -- I'M USING
KIND OF PLAY HANDBALL ON THE
YOU KNOW -- -- MISTAKE OF
GETTING A HARD BALL I GOT A
GUN, AND I SHOOT INTO THAT
WALL, NOT MY HOUSE, AN
APARTMENT!!\$\$!!!!!!!!!!!!!!!!!!!!!!
APARTMENT.

HAVE HAVE I -- STATES
CONVICT ME OF OF -- JURY
FIND ME GUILTY OF THIS YIM.

>> I ABSOLUTELY THINK THEY
COULD!!\$\$!!!!!!!!!!

COULD, I BELIEVE THAT THAT
WOULD SATISFY MALICIOUSNESS
WRONG INTENTIONALLY CALLED
WITHOUT LEGAL JUSTIFICATION
OR EXCUSE AND WITH THE
KNOWLEDGE THAT IT COULD
DAMAGE THE PROPERTY OF
ANOTHER PERSON, SO I THINK
UNDER THAT, THAT COULD BE
ARGUED!!\$\$!!!!!!!!!!

ARGUED, AND I THINK THAT
WOULD BE A PROPER JURY --

>> JURY INSTRUCTION,
ADEQUATELY EXPLAIN THAT.

>>.

>> WELL -- NO YOUR HONOR I
DON'T, AND I THINK --

>> IP I'M SAYING STANDARD
JURY INSTRUCTION.

>> ABSOLUTELY YES, I DO I
THINK IT IS IMPORTANT TO SEE

HOW THESE INSTRUCTIONS WERE PLAYED OUT FOR THE JURY, THE TRIAL COURT DEFINED MALICIOUSNESS WANTONNESS APPROPRIATELY THEN AFTER THAT, ADDED THE INSTRUCTION THAT IS AT ISSUE HERE, AND IT IS SORT OF UNDERMINES WHAT HE JUST SAID, LEFT IT SO THAT WELL IN ORDER TO APPROVE!!\$\$!!!!!!!!!!!!!! PROVE VERY SIGNIFICANT IN ALTERNATIVE!!\$\$!!!!!!!!!!!!!! ALTERNATIVE, ELEMENTS, ALL YOU HAVE TO FIND IS THAT HE SHOT AND IT WAS AT WITHIN ANOTHER BUILDING COMPLETELY UNDERMINING THOSE ELEMENTS TAKING THE ENTIRE DEFENSE THAT IS ANOTHER -- MATTER WITH REGARD TO HARMLESS, WHETHER THIS HARMLESS THIS COURT HAS ACTUALLY SAID THAT WHEN A JURY INSTRUCTORS!!\$\$!!!!ION COMPLETELY NEGATES THE ONLY DEFENSE THAT A DEFENDANTS HAS, IT IS NOT HARMLESS ERROR.

>> ONE OF THE DEFENSES, THAT IF AT THE WAS IN HIS OWN APARTMENT --

>> HIS DEFENSE WAS THAT THE STATE FAILED TO PROGRESSIVE THIS!!\$\$!!!!!!

-- FAILED TO PROVE THIS CRIME THE MAJOR ELEMENT THIS STATE'S BURDEN INTO THE PROBLEM THERE, GOES, I THOUGHT THAT AT POINT, AT THE POINT WHEN HE GOES, HEY, LISTEN, THIS WAS MY APARTMENT, I WAS JUST SHOOTING WITHIN MY APARTMENT IDEA IT'S STILL A RENTAL APARTMENT, NO EXCUSE THAT YOU SHOT WITHIN YOUR APARTMENT. RIGHT.

I BELIEVE IF WE LOOK CLOSELY AT THE CLOSING ARGUMENT, DEFENSE COUNSEL DOESN'T REALLY MAKE THE ARGUMENT YOU SHOULD BE FOUND NOT GUILTY BECAUSE HE WAS SIMPLY

SHOOTING IN HIS APARTMENT.
THEY MADE THE ARGUMENT THAT
THE STATE FAILED TO PROVE
THAT HE SHOT WANTONLY AND
MALICIOUSLY.
POLICE OFFICER FIRST ONE
ARRIVED ON THE SCENE,
QUESTIONED MR. KETTELL.
THEY WERE SO CONCERNED ABOUT
HIS RESPONSES OR LACK OF
RESPONSES AND HIS BEHAVIORS
THEY CIVILLY COMMITTED HIM
UNDER THE BAKER ACT.
SO SOME OF THE STATE'S OWN
EVIDENCE DEMONSTRATES THAT
PERHAPS THAT MR. KETTELL HAD
SOME, MENTAL PROBLEMS AT THE
TIME THAT THIS OCCURRED
WHICH WOULD CONTRADICT THAT
HE WAS ABLE TO MANIFEST
WANTON OR MALICIOUS INTENT
OR THE KNOWLEDGE THAT HIS
BEHAVIOR COULD SOMEHOW HARM
SOMEONE ELSE ORE DAMAGE
SOMEONE ELSE'S PROPERTY.
>> YOU'RE NOT MAKING THE
ARGUEMENT HERE ABSENT THE
ERRONEOUS JURY INSTRUCTION
THAT YOUR CLIENT COULD HAVE
BEEN CONVICTED?
THAT'S NOT AN HEARINGMENT
YOU'RE MAKING HERE?
>> NO, SIR.
I'M SAYING THERE WAS
EVIDENCE THAT SUPPORTS THE
DEFENSE THAT HE HAD HAD --
>> YOU'RE ENTITLED TO HAVE
THE JURY DECIDE THAT UNDER
PROPER INSTRUCTIONS.
THAT DIDN'T HAPPEN HERE.
>> ABSOLUTELY.
AND, AS OTHER CASES THAT THE
NAMES ESCAPING ME AT THIS
POINT SUGGEST, IS INTENT IS
USUALLY NEVER PROVEN THROUGH
DIRECT EVIDENCE.
THERE IS VERY LITTLE DIRECT
EVIDENCE TO PROVEN TENT.
>> WHAT SENTENCE DID HE GET
FOR THIS CRIME?
>> I'M SORRY, MA'AM, YOUR
HONOR, I DON'T RECALL.
THIS WASN'T MY CASE
ORIGINALLY.

I SIMPLY FOCUSED ON THE
ISSUE BEFORE THE COURT.

>> IT WAS -- HE AWAITING
RETRIAL?

>> HE WOULD BE RETRIED, YES,
YOUR HONOR.

THE ONLY OTHER THING I
WANTED TO ADDRESS, AND I'M
NOT SO SURE THAT I NEED TO,
THERE WAS AN ARGUMENT MADE
BY, THE PETITIONER IN THE
BRIEF AND ACTUALLY ALLUDED
TO DURING THEIR ARGUMENT
THAT THE CLOSING ARGUMENT
WAS SOMEHOW IMPROPER.

WHICH I ALREADY ASSERTED I
BELIEVE IF YOU READ CLOSELY
THE CLOSING IT WASN'T.

IT WAS SIMPLY AN ARGUMENT
OF LACK OF EVIDENCE.

SOMEHOW THAT WAS
INAPPROPRIATE INSTRUCTION
ALMOST AS A PUNISHMENT TO,
THERE'S, THERE IS NO SUPPORT,
THERE'S NO PRECEDENT CITED
FOR THIS ARGUMENT.

OBVIOUSLY I COULDN'T GO
BEYOND BRIEFS IN THIS
PARTICULAR CASE BUT I DON'T
BELIEVE THAT JURY
INSTRUCTIONS SHOULD BE
UTILIZED OR INACCURATE OR
INCORRECT JURY INSTRUCTIONS
GIVEN TO JURIES AS PERFORM
FORM OF CLOSING ARGUMENT
ERROR I BELIEVE OBJECTION OR
SOME OTHER MANNER OF ADDRESS
IS PERHAPS BETTER.

IF THERE IS NO OTHER
QUESTIONS?

THANK YOU.

>> REBUTTAL?

>> I BEG TO BRIEFLY DIFFER.

THE DEFENDANT, OR THE
RESPONDENT IN CLOSING
ARGUMENT SPECIFICALLY TOLD
THE JURY THAT THE, WHEN
TALKING ABOUT THE
MALICIOUSLY, KNOWLEDGE THAT
THE INJURY DAMAGE WILL OR
MAY BE CAUSED TO ANOTHER
PERSON OR THE PROPERTY OF
ANOTHER, NOT THE PERSON
FIRING, NOT THE PERSON'S

PROPERTY THAT THE HOLES WERE FOUND IN BUT IT'S INJURY OR DAMAGE TO ANOTHER PERSON. THERE IS NO PROOF OF THAT. SO, THE DEFENDANT DID MISREP THE LAW.

NOW --

>> SO ISN'T THE REMEDY THERE AN OBJECTION?

>> OF COURSE.

>> AND A CURATIVE INSTRUCTION NOT AN ERRONEOUS INSTRUCTION.

>> BUT WE CAN'T GO BACK TO THE TRIAL.

THERE WAS NO INSTRUCTION. THE TRIAL COURT SPECIFICALLY TOLD THE RESPONDENT'S COUNSEL, THAT, AND COUNSEL SPECIFICALLY REPRESENTED DURING THE CHARGE CONFERENCE THAT HE WAS NOT GOING TO GO INTO THOSE AREAS, AND ONCE HE DID, THE TRIAL COURT THEN TOLD HIM, YOU SAID YOU WEREN'T GOING TO DO IT BUT YOU DID IT ANYWAY SO NOW I AM GOING TO GIVE THE INSTRUCTION.

>> NOW I'M GOING TO GIVE AN ERRONEOUS INSTRUCTION?

>> NOW I'M GOING TO GIVE THE INSTRUCTION THAT APPEARS TO BE THE LAW IS THE WAY HE PUT IT.

>> WELL --

>>

[INAUDIBLE]

>> IN ADDITION TO -- INSTRUCTION, THE, THE STATE COULD HAVE ASKED FOR SIR REBUTTAL.

>> I NEVER HEARD OF THAT IN A, THAT THE STATE COULD HAVE ASKED FOR ADDITIONAL ARGUMENT TO RESPOND. IF IT WAS NOT BROUGHT UP UNTIL THE REBUTTAL, IS WHAT YOU'RE SAYING BECAUSE THE DEFENDANT DID NOT TESTIFY, SO THE DEFENDANT HAD THE OPENING.

HAD REBUTTAL.

THEN THE DEFENDANT'S COUNSEL

GETS UP ON REBUTTAL AND
MAKES AN ARGUMENT NOT MADE.
THE STATE HAD AN OPPORTUNITY
TO ASK FOR ADDITIONAL
ARGUMENT TO ADDRESS THAT
ISSUE THAT WAS NOT RAISED IN
THE INITIAL OPENING, CLOSING
ARGUMENT.

>> I SUPPOSE HE COULD HAVE
ASKED.

I'VE BEEN TRYING CASES FOR
40 YEARS.

I NEVER HEARD OF THAT
HAPPENING EVER, IN ANY
COURT.

>> GUESS WHAT, I LIKE YOU TO
TO THE STATE'S ARGUMENT THAT,
REGARDLESS OF WHAT THE
DEFENSE COUNSEL DID IN
REBUTTAL, THE REMEDY FOR
THAT IS NEVER TO GIVE AN
ERRONEOUS INSTRUCTION.

>> OH I AGREE.

>> SO, EVEN IF YOU'RE
CORRECT, IF THE INSTRUCTION
ISER ROHN NEWS IT'S
IRRELEVANT WHAT THE DEFENSE
COUNCIL AT TRIAL.

>> THE CONTEXT IN THIS CASE
AND THE TOTALITY OF THE
EVIDENCE AND TOTALITY OF THE
INSTRUCTION, IT WAS SO
CONFUSING AS TO ESSENTIALLY
WHAT COUNSEL SAYS IS DIRECT
A VERDICT.

>> IT WAS ERRONEOUS OR NOT
DEPENDING ON ITS OWN MERITS
AND THE LAW AND THE STATUTE
AND WE HAVE TO REVIEW THAT.
BUT IT'S TOTALLY IRRELEVANT
WHETHER IT SHOULD HAVE BEEN
GIVEN WHAT THE DEFENSE
COUNSEL DID ON REBUTTAL?

>> I DON'T KNOW THAT YOU CAN
ISOLATE WHAT THE DEFENSE
COUNSEL DID ON REBUTTAL
BECAUSE THAT'S THE REASON IT
WAS GIVEN.

>> YOU JUST AGREED THAT IT'S
EITHER ERRONEOUS OR NOT ON
ITS OWN MERITS.

IF IT'S NOT ERRONEOUS IF, IT
WAS FINE, THEN, WE'RE GOING
TO UPHOLD IT REGARDLESS OF

WHAT DEFENSE COUNSEL DID.
IF IT WAS ERRONEOUS WE HAVE
TO REVERSE IT REGARDLESS OF
WHAT DEFENSE COUNSEL DID.
>> IF IT WAS ERRONEOUS.
IF IT WAS ERRONEOUS BASED ON
TOTALITY OF THE
CIRCUMSTANCES.
>> TOTALITY OF THE
CIRCUMSTANCES THING YOU'RE
THROWING OUT IT, GOES TO AN
ESSENTIAL ELEMENT, INTENT.
IF IT'S MISLEADING ON AN
ESSENTIAL ELEMENT, THEN IT
IS ERROR.
AND IT'S NOT SUBJECT TO THE
HARMLESS ERROR ANALYSIS.
SO I'M TRYING TO STILL
UNDERSTAND THIS TOTALITY OF
THE CIRCUMSTANCES THING
YOU'RE TALKING ABOUT.
LIKE IN A STRONG CASE, OR A
WEAK CASE, WE DON'T DO THAT.
IT'S A, IF IT WAS ERRONEOUS
AND HERE AGAIN, WE DON'T
HAVE TO WORRY ABOUT
FUNDAMENTAL ERROR.
THEY OBJECTED TO IT,
CORRECT?
>> THEY OBJECTED TO IT.
>> SO, WE DON'T HAVE TO
DECIDE WHETHER IT WOULD HAVE
BEEN FUNDAMENTAL ERROR.
HERE IT WAS OBJECTED TO AND
THEREFORE, IT'S AN ESSENTIAL
ELEMENT.
WHERE ARE YOU GETTING WHAT
WE LOOK AT TOTALITY OF THE
CIRCUMSTANCES?.
>> BECAUSE THE, THE FACT
THAT THE DEFENDANT
INTENTIONALLY DID WHAT HE
DID WAS NEVER A QUESTION IN
THIS CASE.
>> SO YOU'RE GOING ON, IT'S
NOT A DISPUTED ISSUE?
>> IT COULD NOT BE A
DISPUTED ISSUE.
COULD NOT ACCIDENTALLY DO
WHAT HE DID.
AND ALSO, THIS DOES NOT
CREATE A STRICT LIABILITY
CRIME.
A STRICT LIABILITY CRIME IS

AN EXAMPLE, DROPPING, PAINT
IN SAN DIEGO BAY WHILE
PAINTING A WARSHIP AT THE
NAVY YARD.

IT DOESN'T MATTER WHETHER
IT'S AN ACCIDENT.

IT DOESN'T MATTER WHETHER
YOU KNEW IT HAPPENED.

IT'S IRRELEVANT.

THE FACT THAT IT HAPPENED
CREATES THE LIABILITY.

THAT'S NOT THE CASE HERE.

>> SO AGAIN, SOMEBODY, A KID
PLAYING BASEBALL OUT IN THE
YARD, AND ACCIDENTALLY
HITTING A BASEBALL THROUGH
THE WINDOW, AS I ONCE DID,
THAT WOULD BE, SECOND DEGREE
FELONY?

>> NO.

BECAUSE IT'S AN ACCIDENT.

JUST LIKE --

>> INTENTIONALLY HIT THE
BALL.

>> INTENTIONALLY HIT THE
BALL.

IT'S JUST LIKE I DIDN'T KNOW
THE GUN WAS LOADED.

SO --

>> BUT IT'S YOUR POSITION
THE DEFENDANT HAD BURDEN TO
COME FORWARD AND ARGUE AND
PRESENT EVIDENCE THAT IT WAS
AN ACCIDENT?

>> YOU BUT THE DEFENDANT HAD
NO BURDEN TO COME FORWARD
WITH ANYTHING AND DID NOT.
THE FACTS SPEAK FOR
THEMSELVES.

YOU COULD NOT ACCIDENTALLY
FIRE THIS KIND OF WEAPON
FOUR TIMES BECAUSE, YOU HAVE
TO PULL BACK THE HAMMER, AND
PULL THE TRIGGER EVERY TIME.

>> AND RELOAD IT?

>> I'M SORRY?

>> AND RELOAD IT OR WAS --

>> NO, IT WILL HOLD SIX
SHOTS.

THIS ONE HAD FIVE IN THE
MAGAZINE.

NOR WOULD, AS COUNSEL
ALLUDED WOULD A FIRING RANGE
BE INCLUDED IN THE STATUTE

BECAUSE IT'S DESIGNED FOR
THE VERY PURPOSE.
AND AS LONG AS SOMEBODY DOES,
FOR, DOES WHAT THEY'RE
SUPPOSED TO DO AT AT FIRING
RANGE THEY ARE NOT WITHIN
THE STATUTE.

BUT HERE --

>> ACCORDING TO THE
INSTRUCTION THAT WAS GIVEN,
IT SEEMS TO ME THAT THE
DEFENSE COUNSEL IS CORRECT,
THAT IT WOULD CONSTITUTE A
SECOND DEGREE FELONY ANY
BECAUSE HE WAS -- FELONY HE
WAS SHOOTING AT OR INTO A
BUILDING PER SE.

>> WITH RECKLESS DISREGARD
OF THE CONSEQUENCES.

>> THAT'S NOT WHAT THE
INSTRUCTION SAYS.

>> THE INSTRUCTION SAYS THAT
RIGHT ABOVE.

THAT'S WHY WE TALK ABOUT THE
TOTALITY.

INSTRUCTIONS.

YOU CAN'T TAKE JUST A WORD,
AND JUDGE, WHAT YOU WERE
REFERRING TO BEFORE, WAS
ACTUALLY STARTED WITH
GOLDEN.

THAT'S WHERE THE PROBLEM
STARTED.

BECAUSE, THERE, THEY CAME UP
WITH AN ARGUMENT THAT YOU
HAD TO HAVE A SPECIFIC
INTENT TO SHOOT AT THE
OBJECT THAT YOU HIT.

AND THAT'S WHERE JOHNSON
DEPARTED.

BASICALLY SAYING THAT PER SE,
IN THAT SITUATION MEANT, THE
BUILDING THAT YOU SHOT, YOU
INTENTIONALLY SHOT.

AND JUST BECAUSE YOU HIT THE
BUILDING THAT DOESN'T AFFECT
YOUR LIABILITY IF YOU WERE
SHOOTING JUST BECAUSE YOU
WERE SHOOTING AT SOMETHING
ELSE.

THANK YOU.

>> THANK YOU FOR THE
PRESENTATION.

THE COURT WILL TAKE THE CASE

UNDER ADVISEMENT AND STAND
IN RECESS UNTIL 9:00
TOMORROW.

>> PLEASE RISE.....
77

>> NARRATOR: WHEN THE SUN
ROSE OVER THE HORIZON
AT PEARL HARBOR, HAWAII.....
77

>> NARRATOR: WHEN THE SUN
ROSE OVER THE HORIZON
AT PEARL HARBOR, HAWAII
ON DECEMBER 7, 1941, IT WAS
ALREADY AFTERNOON
IN FLORIDA.
THE NORMAL SUNDAY ROUTINE
FOR MANY SEEMED AS THOUGH IT
WOULD PLAY OUT JUST LIKE IT
DID EVERY WEEK IN THE CITIES
AND TOWNS ACROSS THE BIG
BEND WITH, CHURCH, FAMILY,
AND RELAXATION.

>> WALTER J. MALLETT: I WAS
IN THE DIXIE THEATER
IN APALACHICOLA FLORIDA.

>> ROBERT L. DALLAS: THERE
WERE SEVERAL OF US BOYS WHO
WENT TO A MOVIE.

>> RAYMOND HEFTY: MY PARENTS
HAD WENT TO A MOVIE,
AND BOY, I HEARD THAT
ON THE CAR RADIO --

>> WALTER J. MALLETT:
THEY ANNOUNCED THAT PEARL
HARBOR HAD BEEN BOMBED.

77
>> VIVIAN MATTHEWS HESS: ALL
THE NEIGHBORS WERE
IN THE FRONT YARD
AT MY HOUSE, TALKING ABOUT,
UM, INVASION.

>> ROBERT L. DALLAS; WHEN
WE CAME OUT OF THE MOVIE --
I THINK THAT WAS SUNDAY
EVENING -- THEY WERE SAYING,
"READ ALL ABOUT IT. READ ALL
ABOUT IT."

THOSE WERE THE DAYS WHEN
THEY'D PUT OUT AN EXTRA,
YOU KNOW.

>> RAYMOND HEFTY: I WENT
TEARING THE GEAR,
AND OF COURSE THE GUY TRIED
TO STOP ME FROM, "HEY,

YOU NEED A TICKET,"
AND I SAID, "NO, I DON'T,"
KEPT RUNNING AND RAN DOWN
AND SAW MY FOLKS SITTING
THERE -- HEAR THEY'D STOPPED
THE MOVIE AND TOLD THEM THAT
PEARL HARBOR HAD BEEN
ATTACKED.

>> ROBERT L. DALLAS:
AND OF COURSE I'M SIXTEEN
YEARS OF AGE AND I DIDN'T
KNOW WHAT PEARL HARBOR WAS.

77

>> FRED S. MCMAHAN:
WE DIDN'T EVEN KNOW WHERE
PEARL HARBOR WAS, MOST OF US
DIDN'T.
IT DIDN'T TAKE LONG TO FIND
OUT THOUGH.

>> VIVIAN MATTHEWS HESS:
DIDN'T REALIZE HOW MUCH
MY LIFE WAS GOING TO CHANGE
ACTUALLY, BECAUSE OF THAT.

77

>> PRESIDENT ROOSEVELT:
NO MATTER HOW LONG IT MAY
TAKE US TO OVERCOME THIS
PREMEDITATED INVASION,
THE AMERICAN PEOPLE
IN THEIR RIGHTEOUS MIGHT,
WILL WIN THROUGH TO ABSOLUTE
VICTORY.

>> JAMES R. FORD: I WAS
AT LINCOLN HIGH SCHOOL
ON BREVARD STREET.
WE WERE ALL CALLED
TO THE AUDITORIUM TO HEAR
PRESIDENT ROOSEVELT MAKE
HIS ANNOUNCEMENT.

>> ROBERT L. FRANKLIN ALL
THE BOYS WERE MAD.

[LAUGHTER]

THEY SAID, "LET'S GO RIGHT
NOW," YOU KNOW. AND A LOT
OF THEM DID.

A LOT OF THEM WENT
AND SIGNED UP.

>> MARVIN C. KRUSE:
I ENLISTED. I WAS AFRAID,
I TELL YOU, I WAS AFRAID
THE WAR WOULD BE OVER BEFORE
I GOT IN.

>> ROBERT L. DALLAS: AS SOON
AS I WAS 18, WHY YOU GOT

YOUR DRAFT NOTICE -- I DON'T
KNOW HOW THEY DID IT
SO QUICKLY, BUT IT WAS ONLY
A FEW DAYS AFTER THAT.

>> MARVIN KRUSE: SO I WENT
TO THE NAVY AND THE NAVY
SAID, "OKAY, TAKE
A PHYSICAL."

I WORE GLASSES.

THEY SAID, "WELL,
NO WE DON'T WANT YOU."

I SAID, "OH MY GOSH, MAYBE
I'LL GO TO THE ARMY."

SO I GO TO THE ARMY AND SAID
LOOK, I WANT TO JOIN
THE ARMY.

AND HE SAID "WELL, YOU GOT
ANY PHYSICAL DISABILITIES?"

I WEAR GLASSES.

"DON'T WORRY," HE SAYS,

"WE'LL PUT YOU IN THE FRONT.

YOU WON'T HAVE TO SEE
SO FAR."

[LAUGHTER]

>> ROBERT L. DALLAS:

YOU WENT AND HAD
YOUR EXAMINATION.

AT THAT POINT YOU WERE
INDUCTED IN THE SERVICE.

AND THEN YOU WERE GIVEN TWO
WEEKS TO UH, KISS THE GIRLS
GOODBYE.

>> NARRATOR: WALTER MALLET
WAS BORN THE OLDEST OF FIVE
IN CARRABELLE, FLORIDA.
BECAUSE HIS FATHER HAD
PASSED AWAY SEVERAL YEARS
BEFORE, MALLET HAD TO STAY
BEHIND TO TAKE CARE
OF HIS FAMILY FOR THE FIRST
PART OF THE WAR.

>> WALTER J. MALLET:

SO I COULDN'T GO IN SERVICE
UNTIL THEY STARTED DRAFTING
MARRIED MEN.

AND THEY WITHHELD SO MUCH
OUT OF YOUR PAY

AND THE GOVERNMENT SENT
ALONG AN ALLOTMENT BACK
HOME.

77

>> NARRATOR: IT WASN'T JUST
THE MEN.

WOMEN WANTED TO JOIN

THE FIGHT AS WELL.

77

>> NARRATOR: MARY BRITZ NOW LIVES IN CARRABELLE, BUT SHE WAS IN NURSING SCHOOL WHEN WAR WAS DECLARED.

>> MARY E. BRITZ: WE ALL WANTED TO JOIN THE SERVICE, WE COULDN'T WAIT, AND WE ALL HAD ANOTHER YEAR TO GO. AND UH, SO IT WAS A LONG YEAR FOR US, BECAUSE WE REALLY WANTED TO GO IN RIGHT AWAY.

AND THAT WAS THE FIRST THING WE HAD TO DO WHEN WE GOT THROUGH OUR STATE BOARDS WAS TO GO IN THE SERVICE.

>> NEWSREEL: IT'S THE SURGEON WHO SAVES A MAN'S LIFE. IT'S THE NURSE, WHOSE TENDER CARE HELPS HIM TO LIVE.

>> NARRATOR: THE DAY AFTER THEY PASSED THEIR STATE BOARDS, MARY AND A GROUP OF HER CLASSMATES WENT TO JOIN THE US NAVY NURSE CORP.

SHE WAS STATIONED AT HOSPITALS IN THE GREAT LAKES AND IN SAN DIEGO.

>> MARY E. BRITZ: I WANTED THE HOSPITAL SHIP SO BAD I HAD PUT IN FOR ONE, BUT UH, WHEN I REALLY GOT IN, IT WAS LATER, AND THE HOSPITAL SHIP JOBS WERE ALL TAKEN.

AND SO, UH, I WAS LUCKY TO GET THESE TWO POSTS, I HAD TWO GOOD POSTS.

>> NEWSREEL: THIS IS THE ARMY NURSE U.S.A. READY TO SERVE ANYWHERE, UNDER ANY CIRCUMSTANCES IN TIME OF NEED.

77

>> NARRATOR: ALMOST A QUARTER-OF-A-MILLION MEN AND WOMEN FROM FLORIDA ENTERED THE SERVICE DURING THE WAR YEARS.

MORE THAN 46-HUNDRED
OF THOSE FLORIDIANS DIED.
ONE OF THE FIRST TO DIE WAS
COLIN KELLY FROM MADISON,
FLORIDA.
THE WEST POINT GRADUATE WAS
STATIONED IN THE PHILIPPINES
BEFORE THE WAR BEGAN.
JUST DAYS AFTER PEARL
HARBOR, THE ARMY AIR CORPS
CAPTAIN WAS KILLED
ON A BOMBING MISSION AGAINST
THE JAPANESE BATTLE SHIP
HARUNA.
WHEN HIS PLANE WAS DAMAGED,
CAPTAIN KELLY ORDERED
HIS CREW TO BAIL OUT.
HE WAS UNABLE TO ESCAPE
BEFORE THE PLANE CRASHED.
LEAVING BEHIND A WIFE
AND YOUNG SON,
HE POSTHUMOUSLY RECEIVED
THE DISTINGUISHED SERVICE
CROSS.
IN 1944, A MEMORIAL WAS PUT
UP TO HIM IN MADISON
AND STILL STANDS TODAY.
IT'S KNOWN AS THE FOUR
FREEDOMS MONUMENT.

77

>> NARRATOR: MEANWHILE,
AS LOVED ONES ENTERED
INTO SERVICE, FAMILY
AND FRIENDS WATCHED
AND WORKED AS MORE THAN 170
MILITARY INSTALLATIONS WERE
ESTABLISHED OR EXPANDED
IN THE STATE AND HUNDREDS
OF THOUSANDS OF SERVICE MEN
AND WOMEN WERE TRAINED HERE.
NEW AIRFIELDS WERE CARVED
OUT OF THE FLORIDA PINE
FORESTS.
IN MARIANNA, THE UNPAVED
RUNWAYS OF THE CITY AIRPORT
WERE TEMPORARILY TURNED
INTO THE MARIANNA ARMY AIR
BASE FROM 1942 UNTIL 1946.
IN PERRY, THE AIRPORT THERE
WAS ALSO TURNED
INTO A TRAINING CENTER.
TODAY, THE LAND IS BETTER
KNOWN AS THE SITE
FOR THE FOREST CAPITAL

MUSEUM STATE PARK.

>> LISA C. BARTON: TRAINING CENTERS, NEW AIRFIELDS, MANUFACTURING CENTERS WERE ALL BUILT AND THESE WERE LATER CONVERTED TO CIVILIAN USES AFTER THE WAR. FLORIDA ALSO SAW AN INFLUX OF TRAINEES, IN FACT OVER TWO MILLION TRAINEES CAME TO FLORIDA AND THEN AFTER THE WAR MANY OF THESE SAME PEOPLE CAME BACK TO EITHER LIVE OR VACATION, SO WE HAD A POPULATION BOOM AFTER 1945 AND INTO THE 50'S.

77

>> NARRATOR: DALE MABRY MUNICIPAL AIRPORT IN TALLAHASSEE OPENED IN 1929, BUT A FORWARD THINKING U.S. SENATOR CLAUDE PEPPER AND THEN FLORIDA GOVERNOR SPESSARD HOLLAND PUSHED FOR THE SITE TO BECOME A U.S. ARMY BASE IN JANUARY 1941, 12 MONTHS BEFORE THE U.S. ENTERED THE WAR.

>> JAMES R. FORD: YOU GOT TO THINK BACK THEN, THAT THE AIRPORT, IF ONE PLANE CAME INTO TALLAHASSEE AIRPORT, WITH TWO PLANES, THAT WAS A REAL THING WHEN AN AIRPLANE CAME OVER TO LOOK AT IT AND SEE WHAT IT WAS.

>> NARRATOR: NAMED AFTER A TALLAHASSEE ARMY CAPTAIN WHO DIED IN 1922, THE ORIGINAL 530 ACRES WAS QUICKLY EXPANDED TO OVER 17 HUNDRED ACRES. THE SWAMPY LAND WAS CLEARED AND DRAINED. ROADS AND RUNWAYS WERE BUILT. MORE THAN 133 BUILDINGS WERE CONSTRUCTED TO HOUSE AND TRAIN FLIGHT CREWS. THE TRAINING BEGAN IN MAY 1941.

AT ITS PEAK, THERE WERE
ON AVERAGE MORE THAN
5,000 OFFICERS
ENLISTED MEN AND WOMEN,
AND CIVILIANS ASSIGNED
TO TRAIN OR WORK
AT THE FIELD.

>> JAMES R. FORD: MY FARM
WHERE I WAS RAISED AND GREW
UP ON LAKE JACKSON, MCGINNIS
ARM AND THAT AREA
AND TIMBERLANE ROAD,
AND THEY USED TO FLY OVER.
IT WAS ALWAYS INTERESTING
TO HEAR THE AIRPLANES.

>> NARRATOR: FLIGHT CREWS
NEVER STAYED IN ONE SPOT
FOR LONG.
TRAINING REQUIRED THEM
TO ROTATE TO DIFFERENT BASES
AROUND THE COUNTRY.
CHINESE AND FRENCH MILITARY
WERE TRAINED AT DALE MABRY
FIELD IN 1942 AND 1944.

77.,
>> NARRATOR: ONE OF THE MOST
NOTABLE SQUADRONS TO RECEIVE
ADVANCED TRAINING
AT THE FIELD WAS THE 99TH
ALSO KNOWN AS THE TUSKEGEE
AIRMEN.

>> JAMES R. FORD:
THEY TRAINED THERE AND I HAD
SEVERAL FRIENDS WHO WERE
IN THE TUSKEGEE AIRMEN.
I HAD THE OPPORTUNITY TO GO
OUT THERE AND LOOK AT THEM
WHEN THEY WOULD COME
IN AND PRACTICE.

>> NARRATOR: IN ADDITION
TO BEING THE FIRST
AFRICAN AIRMEN
IN THE U.S. MILITARY,
THE 99TH FIGHTER SQUADRON IS
KNOWN FOR THEIR OUTSTANDING
COMBAT RECORD.

>> NEWSREEL: BOUNCING DOWN
THE IMPROVISED METAL RUNWAY,
THEY HEAD STRAIGHT
OR THE ENEMY TARGET, AN OLD,
WELL-FORTIFIED ITALIAN CITY.

>> NARRATOR: WHILE
APPROXIMATELY 50,000
AFRICAN-AMERICANS

FROM FLORIDA SERVED
IN THE WAR, ONLY
ABOUT A DOZEN BECAME
TUSKEGEE AIRMEN.
ONE OF THOSE AIRMEN
WITH FLORIDA TIES WAS FAMU
STUDENT AND PENSACOLA NATIVE
LT. JAMES POLKINGHORNE.
HE WAS KILLED IN A MISSION
IN ITALY IN 1944.

>> JAMES R. FORD: THERE WAS
A CERTAIN AMOUNT OF PRIDE.
IT WAS A BLACK FLYING GROUP
AND THERE JUST WAS NOTHING
LIKE THAT.

IT WAS AN UNHEARD OF THING
FOR A BLACK TO ASPIRE TO BE.

>> NARRATOR: BUT EVEN
AT THE TIME, NOT EVERYONE
IN TALLAHASSEE
OR IN THE MILITARY WERE
AWARE THAT THE TUSKEGEE
AIRMEN WERE MAKING HISTORY
AT DALE MABRY FIELD.

>> BURWELL C. HARRISON: NO,
IT WAS LONG AFTER WAR BEFORE
I KNEW THAT THERE WERE
TUSKEGEE UH, AFRICAN
SQUADRON.

WE DIDN'T HEAR ANYTHING
ABOUT THAT IN THE WAR.
AS A MATTER OF FACT,
WE DIDN'T HEAR ANYTHING
TO SPEAK OF -- THEY DIDN'T
TELL YOU MUCH.
THEY TOLD YOU WHAT
THEY WANTED YOU TO KNOW.

[LAUGHTER]
AND YOU LEARNED MORE
ABOUT WHAT WENT ON AFTER
YOU GOT OUT AND YOU STARTED
READING BOOKS.

>> NARRATOR: AFTER THE WAR,
DALE MABRY FIELD RETURNED
TO ITS STATUS AS ONLY
AN AIRPORT.
LATER A NEW AIRPORT WAS
BUILT AND THE LAND THAT ONCE
TRAINED THOUSANDS OF AIRMEN
BECAME THE FUTURE SITE
OF TALLAHASSEE COMMUNITY
COLLEGE.

TYNDALL ARMY AIRBASE
IN PANAMA CITY WAS ALSO

CREATED IN THE MONTHS
LEADING UP TO WAR.
INITIALLY IT FOCUSED
ON GUNNERY TRAINING.
BY THE END OF ITS FIRST YEAR
OF TRAINING, 8,000 SOLDIERS
HAD GRADUATED.
INSTEAD OF REVERTING BACK
TO CITY OR COUNTY USE AFTER
THE WAR THE TRAINING CENTER
BECAME TYNDALL AIR FORCE
BASE.

EGLIN AIR FORCE BASE IS
ANOTHER SITE THAT REMAINED
AFTER THE WAR.
ORIGINALLY THE VALPARAISO
BOMBING AND GUNNERY RANGE
IN 1935, EGLIN BECAME
THE SECOND LARGEST AIR
FACILITY IN THE UNITED
STATES.
THE CREWMEMBERS
OF THE INFAMOUS DOOLITTLE
RAID ON TOKYO TRAINED
ON SPECIALLY MARKED RUNWAYS
AT THE SITE.

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>> NARRATOR: ONE OF LARGER
INSTALLATIONS IN THE BIG
BEND AREA WAS AT CARRABELLE,
FLORIDA -- SOUTHWEST
OF TALLAHASSEE -- RIGHT
ON THE GULF.

ORIGINALLY, A FISHING
VILLAGE -- THE BEACHES,
BARRIER ISLANDS AND NEARBY
RIVER ARE MORE ATTRACTIVE
TODAY TO TOURISTS
AND RECREATION.
BUT IN 1942, THAT UNIQUE
LANDSCAPE MADE IT IDEAL
FOR AN ARMY AMPHIBIOUS
TRAINING CENTER.

>> LINDA MINICHIELLO: WHEN
IT FIRST STARTED IT WAS
FOR AMPHIBIOUS SOLDIERS,
THOSE WHO WERE HITTING
THE BEACH.
THEN THE SECOND PHASE OF IT,
ONCE THAT WENT EXCLUSIVELY
TO THE NAVY, THE SECOND
PHASE OF IT WERE
THE ENGINEERS, AND THEN
THE THIRD PHASE OF IT WAS

TO BE THE RETRAINING CAMP
FOR THE INVASION OF JAPAN.

>> NARRATOR: THE
IS 16,000 ACRES -- 165,000
ACRES

THAT INCLUDED DOG ISLAND
AND ST. JAMES ISLAND WAS
NAMED CAMP CARRABELLE
AND EVENTUALLY BECAME CAMP
GORDON JOHNSTON.

>> LINDA MINICHELLO:
THEY ACTUALLY STARTED
SENDING IN TROOPS THREE DAYS
BEFORE THIS CAMP OPENED.
THEY DIDN'T EVEN HAVE
THE EQUIPMENT.

THAT'S HOW ANXIOUS
THE GOVERNMENT WAS TO GET
THESE MEN TRAINED AND GET
THEM INTO BATTLE.

>> FRED S. MCMAHON:

[LAUGHTER]

IT WASN'T MUCH OF A CAMP,
I'LL PUT IT THAT WAY. DIRT
FLOORS, OUTDOOR TOILETS,
OUTDOOR SHOWERS, OUTDOOR
MESS HALL.

>> VIVIAN MATTHEWS HESS: IT
WAS VERY RUSTIC!
ALL I CAN REMEMBER IS DIRT.

DIRT EVERYWHERE, I MEAN
ALWAYS DIRT, AND IT WAS
ALWAYS BLOWING DIRT, IT
SEEMS LIKE.

BECAUSE THE CORPS
OF ENGINEERS HAD JUST SORT
OF CLEARED EVERYTHING,
YOU KNOW, AND JUST THAT WAS
IT, THEY JUST LEFT IT
CLEARED, AND THE BOYS WERE
LIVING IN PUP TENTS, THAT
I REMEMBER, FOR A LONG LONG
TIME, AND UH MISERABLE,
ABSOLUTELY MISERABLE.

>> NARRATOR: VIVIAN MATTHEWS
HESS WAS 8 WHEN THE WAR
STARTED AND HER FATHER
BECAME POSTMASTER
FOR THE CAMP.

>> VIVIAN MATTHEWS HESS:
I WAS THRILLED! CAUSE
WE COULD LIVE ON THE BEACH.
IT WAS ON THE WATER

AND I THOUGHT, "HOT DOG!"
WE GET TO LIVE ON THE WATER.
AND WE THOUGHT WE'D BE THERE
JUST, YOU KNOW, A LITTLE
WHILE, WE DIDN'T THINK
THE WAR WOULD LAST VERY
LONG, JUST A LITTLE WAR.
YOU KNOW, WE'D BE THERE
MAYBE A YEAR AT THE MOST,
SO IT SOUNDED LIKE FUN
TO ME. MY MOTHER ALMOST HAD
A HEART ATTACK.

>> NARRATOR: TRAINING
FOR THE SOLDIERS AT CAMP
GORDON JOHNSTON WAS INTENSE.
LIVE AMMUNITION WAS FIRED
OVER THEIR HEADS
AS THEY CRAWLED
THROUGH THE FLORIDA SAND
AND SWAMPS THE GOAL WAS
TO GET THE SOLDIERS READY
FOR BEACH INVASIONS --
THE PHOTOGRAPHS TAKEN
OF THE TRAINING REFLECT
THE IMAGES THAT LATER BECAME
ASSOCIATED WITH THE LANDING
AT NORMANDY.

>> FRED S. MCMAHON OH, MADE
THOSE BEACH LANDINGS OUT
OF THE LANDING BARGES.
THE RAMPS WOULD FALL DOWN,
YOU'D RUN OUT WITH ALL THAT
EQUIPMENT ON, SOAKED,
EVERYTHING WAS SOAKED.
AND THEN COME D-DAY
THEY NEVER USED
OUR DIVISION, THANK GOD,
BECAUSE I PROBABLY WOULDN'T
BE HERE TODAY.

>> RAYMOND HEFTY: WELL
WE MARCHED OUT TEN MILES ONE
DAY WITH A FULL FIELD PACK
AND THEN THE BIGGEST
ONE WAS 25 MILES.

LINDA MINICHELLO:
IF YOU DID NOT KNOW HOW
TO SWIM, YOU GOT NO TIME OFF
UNTIL YOU LEARNED.
YOU WOULD GO THROUGH
TRAINING EVERY DAY, AND THEN
YOU WOULD GO TO SWIMMING
LESSONS.
AND OUTSIDE OF LETTING
YOU EAT, YOU WENT TO BED.

AND YOU DID THAT EVERY DAY
UNTIL YOU LEARNED TO SWIM.

>> RAYMOND HEFTY:

IF YOU CAME TO A STREAM
OR NOT A GREAT BIG RIVER,
NO, BUT YEAH, YOU HAD TO GO
THROUGH A CRICK OR --
AND OF COURSE IT'S SWAMPY
OUT IN THERE.

SO THAT WAS

ALL PART OF IT AND WE WAS
HOPIN' AND PRAYIN' WE'D GO
TO EUROPE, BUT WE SHOULD
HAVE KNOWN BETTER.

THERE'S NO SWAMPS, NOT
IN EUROPE.

PACIFIC JUNGLE, YOU KNOW.
SO THAT'S WHERE THEY SENT
US.

>> NARRATOR: THE TRAINING
WAS DANGEROUS.

IN MARCH 1943, FOURTEEN MEN
DIED DURING NIGHT TRAINING
WHEN THEIR LANDING CRAFT RAN
AGROUND ON A SANDBAR INSTEAD
OF THE BEACH -- INSTEAD
OF THE SHALLOWS, THEY JUMPED
INTO WATER THAT WAS
OVER THEIR HEAD.

>> MARVIN C. KRUSE: EVERY
TIME YOU TRAVEL YOU'VE GOT
EVERYTHING YOU OWN WITH YOU.
BAG, BLANKETS, EVERYTHING
YOU HAVE PUP TENTS, AND ALL
THAT. AND ONE AFTER
THE OTHER JUST FELL IN.

>> RAYMOND HEFTY: I WASN'T
ON THAT MANEUVER, BUT I WAS
HERE WHEN IT HAPPENED.
THEY HAD THEIR FULL FIELD
PACK, GUN, AND EVERYTHING --
THEY WAS IN ABOUT 15, 20
FEET OF WATER, AND THEY JUST
NEVER COME OUT.

>> VIVIAN MATTHEWS HESS:
THAT NIGHT, I REMEMBER
SO WELL, BECAUSE, WITH ALL
THE SILENCE WE'VE HAD
ON THE BEACH ALWAYS, THAT
PARTICULAR NIGHT WE HEARD
LOTS OF NOISES AND YELLING
AND ALL THAT, WHICH WAS VERY
UNUSUAL.

>> RAYMOND HEFTY: IT,

YOU KNOW, MADE YOU JITTERY,
BUT YOU LIVE WITH DEATH WHEN
YOU'RE IN THE ARMY OR NAVY
OR WHATEVER, YOU LIVE
WITH IT.

YOU ACCEPT IT.

'CAUSE IT HAPPENS ALL
THE TIME.

>> VIVIAN MATTHEWS HESS:
NOBODY WAS ABLE TO TALK
ABOUT THAT FOR A WHILE.
SO I WAS NEVER ALLOWED TO GO
TO THE BEACH AFTER THAT TIME
UNTIL ALL THE DEBRIS HAD
BEEN CLEARED UP.

>> NARRATOR: THE HAZARDS
DIDN'T JUST COME FROM WATER
OR WEAPONS FIRED
OVER THEIR HEADS.
ALLIGATORS, SNAKES, WILD
HOGS, AND INSECTS HAD BEEN
THERE FIRST, AND WEREN'T
LEAVING JUST BECAUSE WAR HAD
BEEN DECLARED.

>> JAMES R. FORD:
RATTLESNAKES WERE JUST PART
OF THE ENVIRONMENT.
IF YOU WERE DOWN THERE RIGHT
NOW WERE GOING THROUGH,
CLEARING THINGS YOU'D FIND
A CONSIDERABLE NUMBER
OF RATTLE SNAKES.

>> VIVIAN MATTHEWS HESS:
AND THESE WERE BOYS
FROM THE NORTH THAT HAD
NEVER SEEN AN ALLIGATOR,
MOSQUITO, WILD HOG, OR ALL
THOSE KIND OF THINGS,
AND THEY WERE KIND OF SCARED
OF GOING ON MANEUVERS OUT
THERE AND PALMETTOS WAS
TERRIFYING, AND THEY WERE
GOING UNDERNEATH LIVE
BULLETS TOO.
THEY WERE SHOOTING LIVE
BULLETS OVER THEM,
AND IF THEY RAN ACROSS
A SNAKE ALONG THE WAY IT WAS
EITHER GOING TO GET BIT
BY THE SNAKE OR THEY WERE
GOING TO PUT THEIR HEADS UP
AND SOME OF THEM PUT
THEIR HEADS UP.
SOME OF THEM GOT KILLED

IN MANEUVERS.

MORE THAN YOU WOULD KNOW.

MORE THAN WE KNEW.

IT WAS SORT OF AN UNWRITTEN

SECRET THAT WE DIDN'T KNOW.

>> NARRATOR: SOLDIERS CALLED

IT HELL-BY-THE-SEA

IN LETTERS HOME

AND IN THE CAMP NEWSPAPER.

>> VIVIAN MATTHEWS HESS:

BUT IT WAS TOUGH.

IT WAS REALLY TOUGH HERE

AND AND THAT'S WHY

THEY CHOSE IT.

BECAUSE THEY KNEW SOME

OF THE BOYS WOULD BE GOING

TO THE PHILIPPINES, AND THIS

WOULD BE A GREAT -- IN FACT

ONE OF MY PEN PALS USED

TO SAY, "THANK GOD FOR CAMP

GORDON JOHNSTON, BECAUSE IT

TOUGHENED ME UP," YOU KNOW,

"AND GOT ME READY FOR WHAT

I SAW IN THE PHILIPPINES."

SO IT WAS NECESSARY, BUT IT

WAS NOT THAT LITTLE

WONDERFUL PLACE

WITH THE PALM TREES

BY THE GULF THAT EVERYBODY

THOUGHT THEY WERE GOING

TO COME TO.

>> NARRATOR: EVEN GENERAL

OMAR BRADLEY, WHO WAS

IN CHARGE OF THE 28TH

INFANTRY, SAID THAT

CONDITIONS AT THE CAMP WERE

TERRIBLE. HE SAID, "THE MAN

WHO SELECTED THAT SITE

SHOULD HAVE BEEN

COURT-MARTIALED

FOR STUPIDITY." STILL --

WHEN IT CAME TIME FOR COMBAT

SOLDIERS RECALLED THAT

HELL-BY-SEA HAD ITS GOOD

POINTS.

BOB DALLAS WAS A CORPORAL

WITH THE 6TH ENGINEER

BRIGADE WHO SAW THE NEED

FOR THE TRAINING FIRST HAND.

HE WAS PART OF AN AMPHIBIOUS

BRIGADE THAT LANDED

AT NORMANDY.

>> ROBERT L. DALLAS:

THE LANDING ITSELF.

WELL, I'M SURE MANY PEOPLE
HAVE SEEN PHOTOS OF IT.
THEY SAW THE ONE "PRIVATE
RYAN" THAT WAS QUITE
REALISTIC.

UM, I SUPPOSE YOU MIGHT SAY
IT WAS UTTERLY CHAOS IN SOME
DEGREE.

IT DEPEND ON WHAT LANDING
CRAFT, SOME OF THEM NEVER
GET IN SHORE CLOSE ENOUGH,
THE POOR FELLOWS DROWNED
OR THEY GOT MACHINE GUNNED
BEFORE THEY EVER GOT
TO THE SHORE.

I WAS FORTUNATE.

THE LANDING CRAFT I CAME
IN ON WE HAD A BULLDOZER
AND SOME OTHER EQUIPMENT
THAT WE WOULD USE AFTER
WE LANDED ON THE BEACH
BECAUSE OUR PARTICULAR JOB
WAS TO CLEAR THE MINEFIELDS
TO FILL THE TANK TRAPS.

THE GERMANS HAD DUG THESE
DEEP TRENCHES FROM
THE HILLSIDE TO THE WATER
AND THEREFORE YOU COULDN'T
DRIVE ANY EQUIPMENT ACROSS
UNTIL YOU GOT A BULLDOZER
OR TWO OPERATING.

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>> NARRATOR: SOLDIERS
TRAINED AT NEARBY WAKULLA
SPRINGS AS WELL.

BEFORE THE WAR, THE SPRINGS
WERE USED MAINLY
AS A RECREATION SITE.

IN THE SUMMER BEFORE PEARL
HARBOR, THE CLEAR GREEN
WATER WAS THE FILMING SITE
FOR THE MOVIE "TARZAN'S
SECRET TREASURE" STARING
JOHNNY WEISSMULLER.

BUT WHEN THE WAR STARTED,
THE SPRINGS BECAME DEVOTED
TO THE WAR EFFORT.

WAKULLA SPRINGS PROVIDED
OTHER OPPORTUNITIES TOO.

OFFICER'S FAMILIES LIVED
AT THE LODGE.

SOLDIERS TRAINING AT DALE
MABRY FIELD ALSO JOINED
THE CAMP GORDON JOHNSTON

SOLDERS FOR RECREATION SUCH AS SWIMMING AND USO EVENTS. TRAINING AROUND AND IN THE WATER WASN'T THE ONLY THING GOING ON AT CAMP GORDON JOHNSTON. SOLDIERS PRACTICED CAPTURING THE ABANDONED LUMBER TOWN OF HARBESON CITY, WHICH HAD BEEN SET UP AS A GERMAN VILLAGE. BUT NOT ALL TRAINING SESSIONS WENT AS PLANNED.

IN ONE INSTANCE, A BATTALION LANDED ON THE WRONG BEACH. INSTEAD OF CAPTURING THE FAKE GERMAN TOWN, THEY CAPTURED THE CITY OF CRAWFORDVILLE INSTEAD. SOLDIERS WEREN'T THE ONLY ONES ON BASE, CIVILIANS TOOK JOBS SUPPORTING THE WAR.

>> BURWELL C. HARRISON:
MY FIRST JOB AFTER I QUIT COLLEGE, WAITING TO BE CALLED IN TO THE NAVY WAS HAULING ASPHALT TO CAMP GORDON JOHNSON. WE DROVE IN A PERSONNEL TRUCK DOWN FROM TALLAHASSEE EVERY MORNING TO SOPCHOPPY AREA WHERE THEY HAD AN ASPHALT PLANT. AND UH, SO THAT WAS MY FIRST INTRODUCTION TO CAMP GORDON JOHNSTON.

>> VIVIAN MATTHEWS HESS:
NO MEN WERE AVAILABLE, EVERYONE WAS IN THE SERVICE, SO ON SATURDAYS, ON SUNDAYS AFTER NOON WE WOULD GO TO TALLAHASSEE AND WE WOULD START SHOPPING FOR MEN. WE WOULD WALK DOWN, DADDY WOULD DRIVE DOWN THE STREET REAL SLOW, AND SEE WHO WAS IN CIVILIAN UNIFORM, UH, OUT OF UNIFORM, CIVILIAN ATTIRE. AND HE WOULD ASK THEM WHAT THEIR RATING WAS, IF THEY HAD, IF THEY WERE 4F BY CHANCE, HOPEFULLY, AND THEN WE COULD HIRE THEM. OUR FAMILY AND OUR FRIENDS

IN TALLAHASSEE WOULD SEND US RECRUITS DOWN AND WE HAD SEVERAL WOMEN DOWN THAT WERE WIDOWED WERE ALONE THAT CAME DOWN AND UH LIVED DOWN HERE, FOUND PLACES TO LIVE AND WORKED, AT THE BASE.

>> NARRATOR: IN PANAMA CITY, MANY WORKED AT THE WAINWRIGHT SHIPYARD. OWNED BY THE U.S. GOVERNMENT AND CREATED FOR THE SPECIFIC PURPOSE OF BUILDING SHIPS FOR THE WAR, SHIFTS WORKED ROUND THE CLOCK. THOUSANDS OF MEN AND WOMEN HAD JOBS AT THE PLANT, BUILDING 108 SHIPS BEFORE IT WAS SHUT DOWN AT THE END OF THE WAR.

>> JAMES R. FORD: WHEN I GRADUATED FROM HIGH SCHOOL THERE WAS ABOUT SIX OF US THAT DECIDED WE WERE GOING TO GO TO CHESTER, PENNSYLVANIA, AND GET A JOB IN THE SHIPYARD. BUT LO AND BEHOLD, WE GOT A REAL SURPRISE ONCE WE GOT TO CHESTER THAT WE HAD TO BE 18 AND I WAS ABOUT 3 MONTHS FROM BEING 18 SO I HAD TO CHANGE MY AGE TO GET THE JOB. SO I DID, BUT WHAT THAT DID IT ACCELERATED MY DRAFT OBLIGATION.

>> NARRATOR: FUTURE TALLAHASSEE MAYOR, JAMES FORD, WORKED AT A FOUNDRY CASTING PARTS FOR SHIPS FOR SEVERAL MONTHS. HE HAD JUST RETURNED HOME TO FLORIDA WHEN HE RECEIVED HIS DRAFT NOTICE. HE ENTERED THE NAVY AS A STEWARDS MATE ON THE USS GAGE.

>> JAMES R. FORD: THE FIRST THOUGHT THAT MOST OF US ON THE USS GAGE GOT WAS "LORD CAN I DIE?"

>> NARRATOR: THE CREW'S FIRST EXPERIENCE ON THE SHIP

CAME DURING A SHAKEDOWN
CRUISE ON THANKSGIVING DAY
WITHIN A FEW HOURS
THE PLANNED FEAST WAS
ABANDONED AS A VIOLENT STORM
SENT THE ENTIRE CREW
TOPSIDE.

>> JAMES FORD: TURKEY
AND CRANBERRIES AND ALL THAT
STUFF WERE STRUNG ALL
OVER THE FLOOR.
THERE WAS VOMIT FROM THE TOP
TO THE VERY BOTTOM
OF THE SHIP.
AND EVERYBODY WAS SICK.

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>> NARRATOR: MAIL CALL WAS
A BIG PART OF EACH DAY.

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>> RAYMOND HEFTY: YOU'D HEAR
SOMEBODY COME INTO THE AREA,
AND THEY'D HOLLER, "MAIL!"
SO I'D SEE THEM HAULING
IN BAGS OF MAIL.

"MAIL! MAIL!"

THEY'D HOLLER.

BOY, GUYS WOULD JUST CHARGE.
AND THEN THEY'D, "HEFTY,
BROWN, SMITH, JONES --"
AND THEN THEY'D THROW IT
TO YA.

>> ROBERT L. DALLAS: OH,
EVERYBODY LIKED MAIL CALL.

>> BURWELL C. HARRISON: IT
WAS PROBABLY THE NEXT BEST
THING TO DINNER.

[LAUGHTER]

>> ROBERT L. FRANKLIN: I'D
GET PLENTY OF MAIL.

[LAUGHTER]

>> RICHARD HEFTY: MAYBE
YOU GET, OH MAYBE YOU'D GO
SIX WEEKS WITHOUT A LETTER,
THEN YOU'D GET MAYBE 6, 7,
8, 9, 10 LETTERS --

MY MOTHER WROTE ME VERY
FAITHFULLY.

>> ROBERT L. FRANKLIN:
AND THEY'D TELL YOU THINGS
HAPPENED BACK HOME.
AND, SEE, I HAD FIVE
SISTERS, AND I WAS THE ONLY
BOY.

AND I WAS GETTING LETTERS

ALL THE TIME.

OF COURSE, I WASN'T MARRIED
AT THAT TIME.

ROBERT L. DALLAS: WE'D EVEN
WELCOME ONE OF THOSE LETTERS
SO MANY PEOPLE GET TODAY
THAT, YOU KNOW, CAN YOU GIVE
US MONEY OR SUPPORT THIS
ORGANIZATION THAT
ORGANIZATION.

>> DOROTHY HEFTY: EVERY
LITTLE MOVEMENT I MADE,
JUST.

[LAUGHTER]

WHAT I DID THAT DAY,
AND WHAT I WAS GOING TO DO
AND.

I WOULD ALSO INFORM HIM
OF THE LATEST SONG HITS,
ESPECIALLY ON SATURDAY
NIGHT.

>> RAYMOND HEFTY:
SO SHE WROTE EVERY DAY,
AND UH, I'D SEND THEM HOME
TO HER, AND SHE'S GOT ALL
OF HER LETTERS SHE WROTE.
SHE SENT ME LOVE AND KISSES
YOU KNOW, LIPSTICK.
I'D LICK THE PAPER CLEAN.

[LAUGHTER]

WE LIVED ON THEM LETTERS
REALLY.

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>> NARRATOR: OTHERS STARTED
ROMANCE THROUGH THE MAIL.
ONE FORMER CAMP GORDON
JOHNSTON SOLDIER SENT THIS
POSTCARD TO A GIRL HE MET
IN CARRABELLE.

HE DIDN'T KNOW HER NAME,
BUT ADDRESSED IT SIMPLY
TO "THE SODA FOUNTAIN GIRL".

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>> ANOTHER LETTER
WITH A HINT OF ROMANCE WENT
TO A MARINE FROM MONTICELLO
NAMED EARNEST "BOOTS"
THOMAS.

SERGEANT THOMAS LED
THE PATROL THAT PLANTED
THE FIRST AMERICAN FLAG
ON MOUNT SURIBACHI AT IWO
JIMA IN FEBRUARY 1945.
THE LARGER FLAG THAT

THEY RAISED IN THE SAME SPOT
LATER THE SAME DAY, BECAME
THE MOMENT CAPTURED
IN A FAMOUS PHOTO THAT
APPEARED IN NEWSPAPERS
ACROSS THE COUNTRY.
AFTER SEEING THIS PICTURE,
A WOMAN WHO HAD NEVER MET
HIM SENT HIM A LETTER.
THOMAS NEVER RECEIVED
THE LETTER.
THE 20 YEAR OLD DIED 10 DAYS
AFTER THE FAMOUS PHOTO WAS
TAKEN.

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NOT EVERYTHING ARRIVED AS IT
WAS ORIGINALLY INTENDED.

>> ROBERT L DALLAS;
THE FUNNIEST THING WAS
MY MOTHER WANTED TO SEND ME
SOME THINGS, AND SHE SENT ME
SOME CANDY BARS AND SOME
FOOT POWDER AND A FEW OTHER
THINGS THAT WAS EDIBLE.
AND SHE DIDN'T WRAP IT TOO
SECURELY. IT'S A WONDER IT
GOT TO ME INTACT.

THE PAPER HAD BEEN WET;
THE FOOT POWDER HAD GOT OUT
OF THE THING AND WAS ALL
OVER EVERYTHING.

WE HAD A LOT OF FUN TALKING
ABOUT THAT IN LATER YEARS.

>> VIVIAN MATTHEWS HESS:
THE MOTHERS WOULD SEND THESE
PACKAGES TO THE BOYS
AND THEY'D BREAK OPEN.
AND THE MOST STRANGE THINGS
WANDERED OUT.

FRIED EGG SANDWICHES,
FOR INSTANCE.

I REMEMBER A FRIED EGG
SANDWICH TUMBLING OUT
ON TIME AND I'M THINKING --
AND MY FATHER SAID THAT
ANYTHING THAT LANDED
ON THE FLOOR COULD BE MINE.
BUT IF IT LANDED
IN THE TRAY, IT WAS NOT.
SO I WOULD PRAY THAT ANY
KIND OF CANDY WOULD ROLL OUT
OF THE BOX AND ROLL
ONTO THE FLOOR.

>> NARRATOR: NOT ALL WORDS

COULD BE SENT THROUGH
THE MAIL EITHER.
CENSORS KEPT BUSY THROUGHOUT
THE WAR.

>> RAYMOND HEFTY: ALL
CENSORED, EVERY LETTER WAS
CENSORED.

YOU PUT ONE INDICATION
OF WHERE YOU MIGHT BE,
THAT LETTER, SHE NEVER GOT
IT.

>> ROBERT L DALLAS; THERE
WAS SOMETHING ABOUT SOME
JOKE ABOUT A COUSIN OF MINE
AND HE WAS UP IN THE ATTIC
AND HE FELL THROUGH A BOARD
OR SOMETHING, AND I SAID,
"HAD CHESTER BEEN UP
IN THE ATTIC LATELY?"
AND THE CENSORS CUT THAT
OUT. THEY THOUGHT THAT WAS
A CODE OR SOMETHING, I DON'T
KNOW.

SO CONSEQUENTLY I GUESS
I TALKED ABOUT THE WEATHER
AND, OH,
DIFFERENT PEOPLE I KNEW
AND BUDDIED WITH.

>> NARRATOR: SOME COUPLES
CAME UP WITH CODES
IN THEIR LETTERS TO TRY
TO LET THEIR LOVE ONES KNOW
WHERE THEY WERE STATIONED.

>> DR. WILLIAM O. OLDSON:
ONE OF THE COUPLES HERE
IN FLORIDA,
HE DECIDED THAT -- HE WAS
GETTING ON THE TRAIN HE'S 18
SHE'S 17, DON'T KNOW WHEN
THEY GOING TO SEE EACH
OTHER AGAIN OR WHERE HE'S
GOING, SO HE SAID, YOU'LL
GET A LETTER IN ABOUT SIX
WEEKS.

THE SALUTATION WILL TELL
YOU WHERE I AM.

IF IT'S HONEY, I'M
IN AFRICA.

IF IT'S SWEETHEART, I'M
IN THE UK.

IF IT'S SOMETHING ELSE, I'M
IN THE PACIFIC.

>> NARRATOR: WEDDINGS WERE
QUITE POPULAR DURING

AND AFTER THE WAR.

>> BURWELL C. HARRISON: IT WAS A BUSY TIME. EVERYBODY WAS GETTING MARRIED. THAT'S ALL YOU DID IS GO FROM ONE MARRIAGE TO ANOTHER ONE.

>> ROBERT L. FRANKLIN: WELL, AFTER I GOT MARRIED I ONLY HAD 30 DAYS AT HOME.

>> BURWELL C. HARRISON: I WAS DISCHARGED ON THE 15TH. WE WERE MARRIED ON THE 21ST.

>> RAYMOND HEFTY: I WENT HOME ON FURLOUGH IN JULY AND SHE CAME DOWN IN NOVEMBER AND WE GOT MARRIED.

AND THEN I WAS HERE TILL MARCH OR APRIL ALMOST, AND WE SPENT OUR HONEYMOON IN APALACHICOLA, SO THAT'S A SACRED GROUND FOR US.

>> NARRATOR: ENSIGN MARY BRITZ MET HER HUSBAND PETER WHILE SHE WAS STATIONED UP NORTH.

>> MARY E. BRITZ: I WAS WITH SIX OTHER NAVY NURSES AND HE CAME AND ASKED ME TO DANCE.

[LAUGHTER]

AND SIX MONTHS LATER I MARRIED HIM.

>> NARRATOR: WHEN THEY MARRIED, SHE THOUGHT SHE WOULD HAVE TO LEAVE THE SERVICE.

>> MARY E. BRITZ: THE WEEKEND WE GOT MARRIED, I WENT TO WORK ON THAT MONDAY MORNING, THINKING "HERE I'M MARRIED SO YOU CAN RELEASE ME NOW, "BUT A NULL NAVIT HAD COME THROUGH FROM WASHINGTON ON SATURDAY AND IT SAID THAT ALL NAVY NURSES HAVE TO STAY IN WHEN THEY GET MARRIED. I GOT MARRIED ON A SATURDAY AND IT WAS THAT SATURDAY THAT IT CAME THROUGH

FROM WASHINGTON.

[LAUGHTER]

I WAS FLOORED, BUT THAT'S ALL RIGHT, I HAD NO TEARS.

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>> NARRATOR: FOR VIVIAN MATTHEWS HESS, A CHILD LIVING AMONG THE SOLDIERS FOR THE DURATION OF THE WAR, HER DAILY LIFE WAS UNIQUE.

>> VIVIAN MATTHEWS HESS: THE MPS WOULD PICK ME UP IN THE AFTERNOON FROM SCHOOL AND TAKE ME, AND THEY HAD AMPHIBIOUS JEEP THAT WENT IN THE WATER.

AND I JUST -- WHEN THEY WOULD COME IN THE AMPHIBIOUS JEEP IT WAS EXCITING BECAUSE I COULD GO IN THE WATER AND WE WOULD TAKE THAT LITTLE SIDE ROAD OVER HERE.

EVERY NOW AND THEN THEY WOULD TAKE ME FOR A LITTLE SPIN IN THE WATER. THAT WAS REALLY A THRILL.

>> NARRATOR: GERMAN SUBMARINES WEREN'T UNHEARD OF OFF FLORIDA'S COAST.

>> VIVIAN MATTHEWS HESS: WE ALWAYS JUST KNEW WE'D LOOK OUT AND SEE GERMAN SUBS ALL THE TIME, BUT WE LOOKED FOR THEM, BUT WE DIDN'T SEE ANY.

>> NARRATOR: 40 SHIPS WERE ATTACKED BY THE U-BOATS IN THE EARLY DAYS OF THE WAR. MOST WERE ON THE ATLANTIC OCEAN SIDE OF THE STATE AND OFF THE WATERS OF KEY WEST. THE GULF AND BIG BEND WAS MAINLY QUIET. HOWEVER, ON JUNE 29TH, 1942, A BRITISH TANKER CALLED THE EMPIRE MICA WAS SUNK NEAR APALACHICOLA BAY. THE WAR GREW CLOSER TO THE NORTH FLORIDA SHORES.

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CIVILIANS AND SOLDIERS

WEREN'T THE ONLY ONES LIVING
AND WORKING AT CAMPS LIKE
GORDON JOHNSTON.
MANY GERMAN AND ITALIAN
PRISONERS OF WAR WERE SENT
TO CAMPS IN THE UNITED
STATES WITH 10,000
ENDING UP IN FLORIDA.
2500 OF THOSE WERE
CONFINED AT CAMP GORDON
JOHNSTON.

>> VIVIAN MATTHEWS HESS:
I WAS AT THE MESS HALL A LOT
WHEN THE GERMAN PRISONERS
OF WAR CAME IN.
I WAS THERE WATCHING THEM.
THEY FASCINATED ME.

>> HERMAN J. BLUMHARDT: WHEN
YOU BECOME A PRISONER
OF WAR, THE FIRST MOMENTS
WHEN YOU GET CAPTURED IS
SO MUCH DEPENDENT ON WHO
CAPTURES YOU.

>> NARRATOR: HERMAN
BLUMHARDT WAS ONE GERMAN
PRISONER OF WAR WHO WAS SENT
TO CAMP GORDON JOHNSTON.
DRAFTED BY THE GERMAN
MILITARY IN 1941 HE WAS
CAPTURED BY THE BRITISH
WHILE FIGHTING IN NORTH
AFRICA IN 1943.

>> HERMAN J. BLUMHARDT:
WE DIDN'T HAVE ANY HEAVY
EQUIPMENT ANYMORE.
WE DIDN'T HAVE ANY CANONS
OR UH, NO MOTOR VEHICLES
ANYMORE. NOTHING, JUST
A MACHINE GUN.
AND THEN THERE CAME
THE BRITISH ABOUT FIFTEEN
OR TWENTY TANKS, AND ONE
OF THEM BRITISH FELLOWS GOT
OUT, AND HAD A MACHINE
PISTOL.
AND HE WAS -- AND I WAS
ON THE EXTREME LEFT, THAT'S
WHERE HE WAS COMING FROM,
AND HE WAS POINTING AT ME,
WITH HIS MACHINE PISTOL
AND HE WAS HOLLERING, " COME
ON BOYS, COME ON BOYS."
I DIDN'T KNOW ANY ENGLISH
THEN BUT I DIDN'T NEED

AN INTERPRETER
BECAUSE I KNEW WHAT
HE MEANT.
AND THEN FINALLY I JUST HAD
TO RAISE MY ARMS
AND SURRENDER.
BUT THEN I MADE WHAT COULD
HAVE BEEN A FATAL MISTAKE.
I LOOKED AROUND AND WANTED
TO SEE WHAT MY FELLOW
SOLDIERS WERE DOING. WELL
THEY WERE COMFORTABLY LYING
IN THEIR FOXHOLES, AND I WAS
THE ONLY GUY THERE
WITH RAISED ARMS, YOU KNOW,
IN SURRENDER.

AND THEN I MADE THAT FATAL
MISTAKE, WHAT COULD HAVE
BEEN FATAL MISTAKE.
I TOOK MY ARMS DOWN.
I RENEGED, AND THIS IS,
I MEAN ITS, THAT BRITISH GUY
COULD HAVE KILLED ME.
HE HAD THE RIGHT TO KILL ME.

>> NARRATOR: HE WAS FIRST
AT A POW CAMP IN ALABAMA
THEN BLUMHARDT WAS SENT
TO CAMP GORDON JOHNSTON
AND WORKED AS A BAKER
AT THE BASE.

>> HERMAN J. BLUMHARDT: WHEN
I VOLUNTEERED FOR THE BAKERY
MY FELLOW SOLDIERS,
MY FELLOW, UH, POW'S, SAY
"HERMAN, YOU MUST BE CRAZY,
IT'S 90 DEGREES DOWN HERE
AND YOU GO DOWN
INTO A BAKERY WITH THE OVEN
AND, BUT THEY FORGOT
THAT WE HAD BIG CEILING FANS
AND IT WAS COMFORTABLE.
I EVEN WORKED ON THE OVEN,
SO FIVE POWS BAKED 400
LOAVES OF BREAD A DAY.

>> VIVIAN MATTHEWS HESS:
AND MY BIRTHDAY CAKE WAS
BAKED BY ONE OF THE GERMAN
PRISONERS OF WAR.
AND IT WAS HUGE
BECAUSE THEY DIDN'T HAVE ANY
LITTLE PANS.
THE BIGGEST THING YOU EVER
SAW, IT TOOK UP THE BACK
OF THE TRUCK. HERMAN.

I WAS AT A REUNION AND I WAS LEAVING AND LINDA YELLED TO ME TO COME BACK -- AND WANTED TO INTRODUCE ME TO HIM.

AND OF COURSE HE'S A BAKER. SO I SAID, "YOU KNOW, YOU MIGHT HAVE BAKED MY BIRTHDAY CAKE?" AND HE REMEMBERED BAKING A BIRTHDAY CAKE FOR A LITTLE GIRL, AND I GUESS I WAS THE ONLY LITTLE GIRL AROUND, SO IT MUST HAVE BEEN MY BIRTHDAY CAKE.

>> NARRATOR: TODAY BLUMHARDT LIVES IN FLORIDA.

HE'S NOT ONLY FRIENDS WITH HESS BUT WITH MANY AMERICAN SOLDIERS WHO WERE ONCE STATIONED AT THE CAMP.

>> HERMAN J. BLUMHARDT: I AM ETERNALLY GRATEFUL TO THE UNITED STATES, I NEVER HAD TO, NEVER WAS MISTREATED, AND UH, THAT'S WHY I WANTED TO COME BACK, AND WANTED TO BE AN AMERICAN.

>> NARRATOR: BLUMHARDT'S TIME IN AMERICAN POW CAMPS WAS MUCH DIFFERENT THAN AMERICANS IN GERMAN POW CAMPS.

PRIVATE FRED MCMAHON TRAINED AT CAMP GORDON JOHNSTON WITH THE 28TH DIVISION. HE WAS CAPTURED NOVEMBER 8TH, 1944, WHILE FIGHTING IN GERMANY.

>> FRED S. MCMAHON: WE HAD TO COME OUT WITH OUR HANDS UP AND THROW OUR HELMET AND STUFF AWAY AND CARRY THE DEAD AND THE WOUNDED OUT, CAUSE WE HAD ABOUT THIRTY WOUNDED THERE THAT WAS BAD.

AND THEY HAD LAID THERE FOR FIVE DAYS, IN THAT RAIN AND THE SNOW AND THE MUD. WE HAD ONE OFFICER, ONE LIEUTENANT, AND HE WAS

STANDING RIGHT NEXT TO ME
WHEN WE GOT CAPTURED
WITH OUR HANDS UP
OVER OUR HEADS, AND THIS
GERMAN UP TO HIM
AND SAYS, "I'M KILLING
YOU AND TEN OF YOUR MEN."
AND HE LOADED TWO MACHINE
GUNS AND SET THEM UP RIGHT
IN FRONT OF US AND THEY WERE
GOING TO SHOOT US,
AND ANOTHER GERMAN COME
RUNNING OUT OF THE TANK,
THIS WAS A TANK OUTFIT THAT
CAPTURED US, AND HE SAYS,
"NO, NO, NO, NO," SO THAT
WAS THE END OF THAT THERE.
EVERY TIME I SEE HIM I SAY,
"REMEMBER THAT, NOVEMBER
THE 8TH WHEN THEY WERE GOING
TO LINE US UP AND SHOOT US?
AND HE SAYS, "HOW CAN I EVER
FORGET THAT?"
AND I SAY, "HOW'D YOU FEEL
THEN?"
HE SAYS, "I DIDN'T CARE,
I WAS SO COLD AND MUDDY
AND HUNGRY."
AND WE ALL FELT THE SAME
THEN, WE DIDN'T CARE
IF THEY SHOT US OR NOT.
>> NARRATOR: FRED MCMAHON
SURVIVED THE CAPTURE,
BUT DAY-TO-DAY LIFE WAS
STILL A MATTER OF SURVIVAL.
>> FRED S. MCMAHON:
AND THESE GERMAN SS
TROOPERS, THEIR CAMP WAS
JUST A LITTLE WAYS
FROM WHERE WE WERE WORKING.
AND WE COULD HEAR THEM
FIRING LIVE AMMUNITION ALL
THE TIME.
AND THEY WERE RUNNING BACK
AND FORTH ALL THE TIME
IN THEIR TRUCKS AND CARS
AND STUFF, WE NEVER THOUGHT
NOTHING OF IT.
ONE DAY THEY COME DOWN
AND RUN RIGHT IN THE BACK
OF US GUYS.
DELIBERATELY.
THEY WERE DRUNK
DELIBERATELY, KILLED TWO

OF OUR GUYS,
I DON'T KNOW HOW MANY OTHER
ONES WERE BANGED UP.
SPLIT MY HEAD WIDE OPEN.
I LAID ON THE STREET
FOR A HALF-HOUR BEFORE
THEY PICKED ME UP.
AND PUT ME IN THE PUSHCART.
THAT WAS MY AMBULANCE,
A PUSHCART.
AND PUSHED ME DOWN
TO THE HOSPITAL, WHICH
WASN'T VERY FAR.
THEY CARRIED ME IN AND LAID
ME ON THE TABLE, GERMANS DID.
AND SHAVED MY HEAD AND PUT
FIFTEEN METAL CLAMPS
IN MY HEAD.

>> NARRATOR: AS THE WAR GOT
CLOSER TO ENDING, FEAR
INCREASED FOR THE AMERICAN
POW'S OVERSEAS.

>> FRED S. MCMAHON: OH,
SCARED EVERYDAY.
EVERY MINUTE.
WE WERE MORE SCARED
OF OUR OWN AIRPLANES THEN
WE WERE OF THE GERMANS
BECAUSE THEY HIT YOU DAY
AND NIGHT,
AMERICAN DAYTIME
AND THE BRITISH AT NIGHT.
AND THEY REALLY BOMBED YOU,
IF YOU NEVER BEEN
IN A BOMBARDMENT THEN
YOU HAVE NO IDEA WHAT IT WAS
LIKE.

WE DIDN'T GET IT QUITE
AS BAD AS THE CIVILIANS DID,
BECAUSE THEY WERE RIGHT
IN TOWN.

[EXPLOSIONS],,
[GUNFIRE]

>> NARRATOR: EVERYONE KNEW
ABOUT SOMEONE WHO HAD BEEN
HURT OR KILLED IN BATTLE.

>> RAYMOND HEFTY:
SO I ANSWERED THE PHONE,
SHE HAS THIS SWEET LITTLE
VOICE, SHE'S A RED CROSS
WOMAN, SAYS, "YOUR BROTHER'S
BEEN WOUNDED."

>> MARVIN C. KRUSE: ONE DAY,
I HAVE A BOOK HERE, WE LOST

69 MEN JUST FROM OUR COMBAT TEAM.

THAT'S TOO MANY.

YOU LOSE 5 OR 3 OR SOMETHING

BUT WHEN YOU LOSE 69

AT A TIME IT'S NOT LONG

AND YOU'RE WIPED OUT.

>> RAYMOND HEFTY: YOU WERE ALWAYS SCARED.

BUT YOU WANT TO LIVE.

IF YOU DON'T GET SCARED, YOU BETTER WATCH IT.

BECAUSE EVERY MOVEMENT EVERY CRACKLE, EVERY NOISE.

>> WALTER J. MALLETT:

AND WE CAME BACK OUT

OF THE SOUTH CHINA SEA

AND HAD A BEAUTIFUL DAY

OF SUNDAY.

JANUARY 21st, 1945

AND I MADE THE REMARK

I SAID, "MEN WE DON'T HAVE

TO WORRY ABOUT ANYTHING

TODAY." I SAID, "YOU CAN SEE

A FLY 5 MILES."

AND ABOUT NOON TIME WE WAS

HAD TO GO TO EARLY CHOW

AND WE WENT DOWN

BELOW AND I CAME BACK UP

BECAUSE WE WERE

ABOUT TO LAUNCH OUR ATTACK, SEE.

AND WE HAD ALL THE PLANES

LOADED WITH BOMBS

AND THE EXTRA GASOLINE TANKS

AND ALL.

AND A JAPANESE FIGHTER PLANE

FLEW RIGHT DOWN THE MIDDLE

OF THE FLIGHT DECK DROPPED

A BOMB THROUGH THE FLIGHT

DECK AND EXPLODED

ON THE HANGER DECK AND SET

ALL THE PLANES ON THE HANGER

DECK AFIRE.

I GOT HIT ABOUT 1:00.

AND GOT TREATMENT AT 12

AT NIGHT.

I HAD MY RIGHT SHOULDER SHOT

AWAY AND MY RIGHT ARM 4

INCHES SHORTER THEN

THE LEFT.

I GOT HIT IN THE THROAT

AND THE CHEST AND THE LEFT

ARM.

I SPENT 16 MONTHS
IN THE HOSPITAL.

>> NARRATOR: COMBAT MEDICS
LIKE MARVIN KRUSE WERE OFTEN
THE FIRST ONES TO REACH
THE WOUNDED, BUT THEY WERE
NOT ALLOWED TO CARRY
A WEAPON FOR PROTECTION.

>> MARVIN C. KRUSE: WE COULD
NOT CARRY A GUN
BECAUSE OUR GOAL WAS TO SAVE
PEOPLE, NOT KILL PEOPLE.
WE WERE TOLD TO PREVENT
SHOCK, STOP BLEEDING,
YOU KNOW, HEMORRHAGING,
AND EVACUATE THEM AND GET
THEM OUT OF THE LINE OF FIRE
AND GET THEM BACK TO THE AID
STATION WHERE THEY COULD BE
TREATED FURTHER.

>> NARRATOR: FOR KRUSE, ONE
OF THE WORST TIMES
IN THE WAR CAME
DURING THE LONG BATTLE
IN GERMANY'S HURTGEN FOREST.
THE SAME PLACE WHERE FRED
MCMAHON WAS CAPTURED.
KRUSE WAS CAPTURED AS WELL,
BUT HE WAS FREED WHEN IT WAS
DISCOVERED HE WAS A MEDIC.

>> MARVIN C. KRUSE:
YOU NEVER, YOU NEVER FIGURE
YOU'RE GOING TO SURVIVE.
YOU FEEL YOU'RE GONNA GET
IT.

I MEAN, EACH DAY, TODAY I'M
DEAD.
NOW, BELIEVE IT OR NOT,
MY PRAYERS EACH DAY WERE
FOR THE PEOPLE WHO WERE
GOING TO GET KILLED THE NEXT
DAY.

I WAS PREPARED TO DIE.
IT WAS JUST A MATTER OF
TIME.

>> NEWSREEL: YEAH, HURTGEN
REALLY TRIMMED DOWN
THE OUTFIT.
BUT WE CLEANED OUT JERRY.

>> NARRATOR: THOUSANDS
OF MEN WERE WOUNDED
DURING THE WEEKS
OF FIGHTING.

>> MARVIN C. KRUSE: THEY HAD

A TRUCE DECLARED
WITH THE GERMANS:
NO FIRING FOR TWO HOURS.
SO ALL OF US MEDICS
AND GERMAN MEDICS PICKED UP
ALL, AS MANY AS THEY COULD
AND TOOK BACK TO THEIR AID
STATION AND TWO HOURS LATER
STARTED FIRING AGAIN.
BUT WE HAD -- TWICE WE HAD
TRUCES WITH THEM THAT
YOU KNOW WE COULD GET
THE WOUNDED OUT.
THEY RESPECTED IT
AND OUR TROOPS RESPECTED IT.

>> NARRATOR: THE INJURIES
WERE OFTEN SEVERE.
EVEN AFTER THE INITIAL
TREATMENT THAT ALLOWED
THE SOLDIERS TO TRAVEL
TO HOSPITALS STATESIDE,
THE WOUNDS AND THE FACES
OF THE MEN COULD BE
HAUNTING.

>> MARY E. BRITZ: WELL,
THE FIRST COUPLE OF CASES
WAS BAD, BUT YOU GOT USED
TO IT.
AND YOU DIDN'T DARE LET
YOUR MIND WANDER.
YOU HAD
HAD TO THINK OF WHAT
YOU WERE DOING AND NOT HOW
THE KID GOT THERE. AND JUST
DO YOUR DUTY, WHICH YOU KNEW
WHAT TO DO, BUT, UH, IT
WASN'T EASY.

>> NEWSREEL: A NURSE FIRST,
A WOMAN SECOND
AND AN OFFICER THIRD, MIGHT
WELL SERVE AS THE SLOGAN
FOR EVERY MEMBER
OF THE NURSES CORPS.

>> NARRATOR: FOR FOUR YEARS,
THOSE AT HOME FELT
A CONSTANT FEAR AND LIVED
FOR NEWS THAT SONS,
BROTHERS, FATHERS
AND HUSBANDS WERE OKAY.

>> DOROTHY HEFTY: I WAS
WORRIED ABOUT, YOU KNOW,
WHAT MIGHT HAPPEN.
AND OF COURSE WE'D GO
TO THE MOVIES,

AND THEY ALWAYS HAD THE NEW
NEWS REELS.

I'D TRY TO FIND HIM IN ALL
THE PICTURES OF
THE SOLDIERS, YOU KNOW.

>> NARRATOR: ADMINISTRATORS
AT FLORIDA STATE COLLEGE
FOR WOMEN WERE MORE
CONCERNED ABOUT
THE PROXIMITY OF SOLDIERS
TO THE YOUNG WOMEN
AT THE CAMPUS.

STUDENTS WERE INITIALLY
FORBIDDEN TO LEAVE
THE GROUNDS AFTER 6:30PM.

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>> NARRATOR: EVENTUALLY,
THE RULE WAS REPEALED
AND CAREFULLY CHAPERONED
DANCES AND OTHER ACTIVITIES
WERE HELD ON CAMPUS
TO ENTERTAIN SERVICEMEN.
THE STUDENTS WERE STILL
FORBIDDEN TO ATTEND SOCIAL
EVENTS AT THE LOCAL USO
AND SERVICEMEN'S CLUB
BUT AFTER CRITICISM
BY STUDENTS AND OTHERS
IN THE COMMUNITY,
ORGANIZATIONS LIKE THE GLEE
CLUB AND BAND WERE ALLOWED
TO PARTICIPATE IN EVENTS
AT THE NEARBY MILITARY
BASES.

FLORIDA AGRICULTURAL
AND MECHANICAL COLLEGE HAD
BEEN CO-EDUCATIONAL SINCE IT
BEGAN IN 1887,

SO STRUCTURING EVENTS
FOR BOTH MEN AND WOMEN
DIDN'T CAUSE AS MUCH
TURMOIL.

IN FACT, ARMY SERVICE BANDS
LIKE THOSE AT CAMP GORDON
JOHNSTON PERFORMED AT DANCES
HELD ON A & M'S CAMPUS
TO RAISE MONEY FOR WAR
BONDS.

SOME STUDENTS ALSO ATTENDED
ACTIVITIES AT THE BLACK USO
ON TENNESSEE STREET.

THE BIGGER CHALLENGE FOR A
AND M WAS THE LOSS
OF THE STUDENTS AND FACULTY

TO THE MILITARY.

MORE THAN 507,000 -- 50,000

AFRICAN-AMERICANS
FROM FLORIDA SERVED
IN THE U.S. FORCES.

MANY WERE LIKE MILITARY
POLICE SERGEANT HANSEL
TOOKES.

HANSEL TOOKES HAD PLAYED
ON FLORIDA A & M'S FOOTBALL
TEAM BEFORE WORLD WAR II.
DRAFTED INTO SERVICE
HIS SENIOR YEAR, HE BECAME
AN MP IN THE ARMY AND WAS
STATIONED STATESIDE.

BECAUSE OF HIS AGILITY
ON THE FOOTBALL FIELD,
HIS MILITARY SERVICE
INCLUDED PLAYING FOR THE FT.
LEE TRAVELERS.

>> HANSEL E. TOOKES:

I PLAYED ON THE FIRST
INTEGRATED TEAM IN VIRGINIA.
I MET SOME GUYS WHO BECAME
LIFE-LONG FRIENDS.

>> NARRATOR: BUT
THE SEGREGATION
OF THE MILITARY STILL
COMPLICATED TOOKES JOB
AS AN MP.

>> HANSEL E. TOOKES: I TELL
YOU IT WAS TOUGH BACK THEN.
I WAS AN MP, BIG GUN
ON THE SIDE.

IF THE WHITE SOLDIERS DID
SOMETHING I COULDN'T EVEN
ARREST THEM.

THAT WAS THE LAW YOU KNOW.
YOU BLACK NIGGER YOU CAN'T
ARREST US WHITE SOLDIERS.
IT WAS TOUGH AND YOU HAD
TO OVERLOOK IT.

>> NARRATOR: AFTER THE WAR,
TOOKES HEADED BACK
TO TALLAHASSEE
AND THE FOOTBALL FIELD.

>> HANSEL E. TOOKES: I MET
A LOT OF GUYS FROM THE BIG
10 AND I WAS A PRETTY GOOD
PLAYER.

THEY WANTED ME TO GO
TO MICHIGAN, OR OHIO STATE
OR WHATNOT BUT I RETURNED
TO FLORIDA A & M

AND EVENTUALLY BECAME ONE
OF THE COACHES HERE.
ONCE A RATTLER, ALWAYS
A RATTLER.
WHEN I DIE I'LL BE A RATTLER
DEAD.

[LAUGH]

>> NARRATOR: ON MAY 8, 1945,
THE CHIMES IN THE TOWER
OF FSCW'S WESTCOTT
ADMINISTRATION BUILDING
PLAYED THE STAR SPANGLED
BANNER TO ANNOUNCE
THE ALLIES VICTORY
IN EUROPE.
BUT THE WAR WAS NOT
OVER YET.

>> NEWSREEL: HOW LONG WILL
IT TAKE US TO DEFEAT JAPAN?
THAT DEPENDS ON THE AMOUNT
OF POWER WE APPLY
AND THE VIGOR AND SPEED
WITH WHICH WE APPLY IT.

>> NARRATOR: BOB DALLAS
HEADED TO CAMP GORDON
JOHNSTON AFTER VICTORY
IN EUROPE.

HIS UNIT WAS SUPPOSE TO HEAD
TO JAPAN NEXT.

>> MARVIN C. KRUSE: I CAME
HERE FOR FURTHER AMPHIBIOUS
TRAINING, AND THE BRIGADE
CAME AHEAD OF THE OTHER
BATTALIONS.

WELL, WE ALL HAD A FEW WEEKS
AT HOME, AND THEN WENT,
WE CAME HERE TO CARRABELLE.

>> RAYMOND HEFTY: WE WERE UP
IN NORTHERN PHILIPPINES,
GETTING READY TO HIT JAPAN
WHEN HARRY TRUMAN SAVED US.
HE DROPPED THE ATOM BOMBS
SO, OTHERWISE WE WAS GOING
TO HIT JAPAN ON THANKSGIVING
DAY 1945.

THEY ESTIMATED BETWEEN
AMERICANS AND THE JAPANESE
50,000 KILLED.

SO, THEN I GOT TO COME HOME
IN JANUARY OF '46 FROM JAPAN
WE OCCUPIED JAPAN.

>> BOB DALLAS: SO THE ATOMIC
BOMB WAS DROPPED, AND THERE
WAS NO NEED TO FURTHER TRAIN

US.

[ATOM BOMB EXPLODING]

>> NARRATOR: JAMES FORD
AND THE CREW ON THE USS GAGE
TRANSPORTED TROOPS ACROSS
THE PACIFIC EVEN AFTER
THE END OF THE WAR.
EVENTUALLY ARRIVING
IN NAGASAKI APPROXIMATELY 6
WEEKS AFTER THE SECOND
ATOMIC BOMB HAD BEEN DROPPED
THERE.

>> JAMES RICHARD FORD:
THE MOST GRUESOME SIGHT
I HAVE EVER SEEN.
BODIES FLOATING DOWN
IN THE WATER RIGHT BESIDE
THE SHIP.
IT WAS NOT A PRETTY SIGHT.
AND THE BUILDINGS
AND THE SHORELINES WAS NOT
A PRETTY SIGHT.
ANYONE WHO WOULD EXPERIENCE
SEEING THAT WOULD UNDERSTAND
WHY WE SHOULD NEVER HAVE
A NUCLEAR WAR.
IT JUST IS NOT, IT IS JUST
NOT GOOD.

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>> NARRATOR: WHEN WORD CAME
THAT THE WAR HAD FINALLY
ENDED, YOUNG VIVIAN HESS WAS
STARTLED BY HOW PEOPLE
AT CAMP GORDON JOHNSTON
CELEBRATED.

[EXPLOSIONS]

>> VIVIAN MATTHEWS HESS:
WELL I THOUGHT WE'D HAD --
THE WAR WAS COMING TO CAMP
GORDON JOHNSTON FOR SURE.
BECAUSE THEY BLEW UP
THE AMMUNITION DUMP THAT
MORNING THE NEWS CAME IN.
AND IT WAS, I MEAN IT WENT
ON AND ON
WE HAD A LOT OF EXPLOSIONS
ALL AROUND.
THEY WERE BLOWING UP
THE AMMUNITION DUMP!

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NARRATOR: SPEECHES, PARADES
AND CELEBRATIONS CONTINUED
ACROSS THE BIG BEND
AND THE NATION.

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>> NARRATOR: BUT AS THE NUMBER OF SERVICEMEN INCREASED, THE STATE OF FLORIDA BECAME FLOODED WITH VETERANS WANTING TO ATTEND COLLEGE ON THE GI BILL.

>> JAMES RICHARD FORD: IF I HAD NOT BEEN IN THE NAVY AND BEEN ENTITLED TO VETERANS BENEFITS TO GO TO SCHOOL I WOULDN'T HAVE BEEN ABLE TO GO BECAUSE MY FAMILY WAS NOT AN AFFLUENT FAMILY AND THEY DIDN'T HAVE THE MONEY TO SEND ME TO SCHOOL.

>> NARRATOR: IN 1946, THE STATE ALLOWED FSCW TO START EDUCATING MEN THROUGH A PROGRAM CALLED THE TALLAHASSEE BRANCH OF THE UNIVERSITY OF FLORIDA.

UNDER THE RULE, MEN OFFICIALLY WERE PART OF THE ALL-MALE UNIVERSITY OF FLORIDA BUT ATTENDED CLASSES AT FSCW.

MANY LIVED AT THE OLD MILITARY BARRACKS AT DALE MABRY FIELD.

THE NUMBER OF MALE APPLICANTS KEPT GROWING.

FINALLY, ON MAY 15, 1947, GOVERNOR MILLARD CALDWELL SIGNED THE BILL THAT TURNED FSCW INTO AN OFFICIAL CO-EDUCATIONAL INSTITUTION CALLED FLORIDA STATE UNIVERSITY.

VETERANS WEREN'T THE ONLY ONES RETURNING TO FLORIDA.

BY THE END OF THE 40'S THE POPULATION HAD INCREASED 46 PERCENT.

>> ROBERT L. DALLAS: IN 1998, MY WIFE AND I WERE COMING BACK FROM ST. CLOUD IN FLORIDA, WHERE WE ARE AT NOW. I STILL LIVE IN

PENNSYLVANIA.

I GOES L JUST GO BACK FOR
COUPLE.

OF MONTHS, AND I SAID I'D
LIKE TO GO BACK
THROUGH CARRABELLE AND TAKE
AN EXTRA DAY GOING HOME
AND SEE IF THE CAMP IS STILL
THERE OR ANYTHING OF IT.
AND I STOPPED TO GET SOME
GAS AND ASK SOME QUESTIONS
IN CARRABELLE AND I WAS
NEVER SO SURPRISED WHEN
THE MAN SAID, "YOU'RE TWO
WEEKS TOO LATE, THEY HAD
A CAMP REUNION."
I THOUGHT HE WAS KIDDING ME,
YOU KNOW.

>> NARRATOR: CAMP GORDON
JOHNSTON CLOSED IN 1946,
BUT THE WORLD WAR II MUSEUM
IN CARRABELLE STARTED
HOLDING REUNIONS THERE
IN 1996.

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>> PARADES AND DANCES ARE
JUST SOME OF THE ACTIVITIES.
SOLDIERS ALSO TAKE TOURS
OF THE BEACHES THEY ONCE
PRACTICED LANDINGS UPON.
OTHERS LOOK AT THE MEMORIES
COLLECTED ON THE WALLS
OF THE MUSEUM.

>> FRED S. MCMAHON: ONE
FRIEND OF MINE, HE'S THE ONE
WHO GOT ME TO COME HERE,
BUT I JUST HEARD A LITTLE
WHILE AGO THAT HE DIED.
I'D COME ANYWAY BUT I JUST
WANTED TO SEE WHAT IT WAS
LIKE AGAIN, OF COURSE THERE
IS NOTHING HERE. THE CAMP IS
COMPLETELY GONE.

NARRATOR: MANY OF THE PLACES
AND PEOPLE WHO WERE PART
OF THE SECOND WORLD WAR ARE
NOW ONLY IN THE MEMORIES
OF THOSE LEFT BEHIND.

BUT THE VETERANS OF THAT ERA
DON'T OFTEN TALK
ABOUT THEIR EXPERIENCES.

>> JAMES RICHARD FORD: I'VE
SEEN DEATH.
I'VE SEEN WHAT WAR IS

ABOUT WHAT IT LOOKS LIKE.
AND THERE'S NOTHING PRETTY
ABOUT TALKING ABOUT IT.
YOU THINK ABOUT LIVING
AND SURVIVING AND YOU FEEL
SADDENED BY THOSE FRIENDS
THAT ARE NOT THERE ANYMORE.
SO WE DON'T TEND TO TALK
ABOUT THE BAD TIMES.

>> ROBERT L. FRANKLIN: WELL,
YOU KNOW, THERE ARE THINGS
THAT YOU REMEMBER THAT
YOU DON'T EVER GET OVER.
SOME OF THEM DIDN'T MAKE IT
HOME.

AND I JUST CONSIDER MYSELF
ONE OF THE LUCKY ONES.

>> HANSEL E. TOOKES: I WAS
AN ATHLETE, AN MP.
I DIDN'T HAVE TO GO
OVERSEAS.

A LOT OF MY FRIENDS WENT
OVER AND NEVER CAME BACK.
I WAS AT THE VA THE OTHER
DAY.

AND THERE AREN'T A WHOLE LOT
OF US LEFT AROUND FROM WW2.
[GUNFIRE]

>> NARRATOR: COLLECTING
THE STORIES AND MEMORIES
OF THE PAST IS BECOMING MORE
AND MORE IMPORTANT.
VETERANS AND THEIR FAMILIES
ARE TURNING TO GROUPS
AND ORGANIZATIONS DEDICATED
TO HE PRESERVING THAT
HISTORY.

FOR SEVERAL YEARS,
THE INSTITUTE ON WORLD WAR
TWO AND THE HUMAN EXPERIENCE
ON FLORIDA STATE'S CAMPUS
HAS BEEN GATHERING
DOCUMENTS, ARTIFACTS
AND STORIES FROM PEOPLE ALL
OVER THE COUNTRY.

>> DR. WILLIAM O. OLDSON:
WHAT WE ASK PEOPLE TO DO IS
DON'T THROW ANYTHING AWAY.
IF YOU'RE IN DOUBT, LET US
MAKE THAT DECISION.
IF IT'S ON PAPER, WE WANT
IT.
ANYTHING FROM A SAVED
STAMPED, A PIECE OF PAPER.

>> NARRATOR: JOURNALIST TOM BROKAW APPRECIATED THE EFFORTS OF THE INSTITUTE SO MUCH THAT HE DONATED OVER A HUNDRED BOXES OF LETTERS AND MEMORABILIA SENT TO HIM AFTER HE WROTE THE BOOK THE GREATEST GENERATION.

THANKS TO BROKAW, VETERANS AND THEIR FAMILIES, THE INSTITUTE SOON HOPES TO HAVE A MUSEUM TO SHOWCASE ALL THE TREASURE THEY'VE COLLECTED.

>> DR. WILLIAM O. OLDSON: I'D LIKE TO HAVE A BUILDING WITH A DISPLAY SPACE SO WE CAN HAVE A PERMANENT DISPLAY SPACE OF THE NUTS AND BOLTS OF WORLD WAR II AND THEN TRAVELING DISPLAYS AND TEMPORARY DISPLAYS.

>> NARRATOR: OTHER COLLECTIONS HAVE ALSO BEEN PUT TOGETHER TO KEEP THE STORIES ALIVE. THE MUSEUM OF FLORIDA HISTORY HAS A PERMANENT EXHIBIT ON WORLD WAR II AS WELL AS A TRAVELING ONE.

>> LISA C. BARTON: WE REALLY WANTED TO MAKE IT A STATEWIDE FOCUS SO WE WANTED NOT ONLY ARTIFACTS CONCERNING TALLAHASSEE BUT ALSO STORIES FROM MIAMI, AND PENSACOLA AND JACKSONVILLE AND OTHER PLACES ALL OVER THE STATE.

>> NARRATOR: OTHER MEMORIALS AROUND FLORIDA AND THE BIG BEND LOOK TO REMEMBER ALL OF THE SOLDIERS.

LIKE LEON COUNTY'S VETERAN'S MEMORIAL OR THE STATE'S WWII MEMORIAL OUTSIDE THE MUSEUM OF FLORIDA HISTORY IN TALLAHASSEE.

NEW ONES IN PERRY, FLORIDA HAVE BEEN DEDICATED AND OTHERS, LIKE IN CARRABELLE, FLORIDA -- ONCE THE SITE OF CAMP GORDON

JOHNSON -- HAVE BROKEN
GROUND WITH A NEW PROMISE
TO REMEMBER THE PAST.
AND THE CAMP GORDON JOHNSTON
MUSEUM IN CARRABELLE HOPES
TO EXPAND WITH A NEW
BUILDING AS WELL.

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>> VIVIAN MATTHEWS HESS:
WE WERE VERY IMPORTANT, WHEN
YOU THINK ABOUT IT.
LITTLE TINY CARRABELLE,
DIDN'T HARDLY HAVE ANYBODY
HERE AT ALL, AND HERE COMES
ALL THESE GUYS FROM ALL
OVER THE WORLD,
AND THE NORMANDY INVASION
WAS PRACTICED RIGHT HERE.
WHO WOULD THINK, YOU KNOW?
WE WERE VERY IMPORTANT.
BUT I GUESS, YOU KNOW,
CARRABELLE GOES ON,
AS A TINY LITTLE TOWN STILL.

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>> MARY E. BRITZ: I JUST
DON'T WANT PEOPLE TO FORGET.

77,,

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