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REPORTS TO DEFENSE COMMITTEE ON PHONE CONVERSATIONS

1945

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"Confidential"

Report to Defense Committee on Phone
Conversation with Wayne M. Collins

Long

"'Information Long Distance' Tule Lake, 2:30 p.m.,
Friday, November 23, 1945, Wayne M. Collins:

"Wayne Collins stated that on November 23, 1945, a few days ago that he received a request by the Justice Department for an extension of the court action from the prior date of December 10th to January 10th, 1946. The result were the appearance in court before Judge St. Sure to contest merit of its action. Attorney Wayne Collins represented the Defense Committee whereas the respondents were--Frank Hennossey, United States Attorney San Francisco,--Robert McWilliams in charge of Department of Justice War Division and representations of Edward J. Ennis and Berling of the Justice Department.

"Collins demanded that all renunciants in our present Defense Committee who have applied for court action be restrained from being deported or removed to any other place of resident or internment, pending further court action. The writ of Habeus Corpus has been filed in court to retain permanently the custody of those in the present court action within the perscribed Jurisdiction of the present court district under Judge St. Sure at San Francisco pending court action on January 10th or there after, but regardless the early release from governmental detention is recommended--infact demanded by Collins--on the basis that renunciations

are valid--that we are stateless persons entitled to remain here and to be free from detention under the act.

"A copy of the court conversation before Judge St. Sure has been forwarded also to Ivan Williams in charge of Tule Lake Justice Department. The extension of 30 days was requested by the government officials on the grounds that it was necessary on the part of Washington--the Congressional Committee and the Justice officials to discuss matters of policy concerning all renunciants. The Justice Department claimed that a revision was necessary in order to formulate a new and definite Governmental policy. Furthermore by the extended date of January 10th, it was presumed that the government agents will have a new determined policy formulated for the presentation to Wayne Collins--that a discussion on the merits of the new policy will be considered before taking court procedure. Collins was confident of possibilities on the part of the Defense Committee. Concessions may result because of the present revision of governmental policy stated Collins--but he said expect anything--it could be either good or bad.

"Collins said definitely, if in case restrictions on deportation results, it is the direct benefit and results of the Defense Committees present court action regardless of other reasons, but he stressed throughout that citizenship can be regained only by court procedure and through legal action alone. Collins as well as Ernest Besig of the Civil

Liberties Union have stressed that deportation was imminent. Until November 15th, it was definitely deportation as according to Justice reports sent to Besig via Berling and Ennis, but because of the present court actions the government was compelled to reorganize to adjust its policy to meet present unfavorable situations. Edward J. Ennis, Tom Clark and Berling requested that Collins use test cases to determine the necessary court issue of the renunciants involved in court action but Wayne Collins refused on the grounds that it was an individual issue, therefore, he would not contest otherwise unless as individual cases or as an over all issue as victims of duress.

"Collins said that the Department of Justice will not inform anyone of their plans, but for the present until a definite policy is formulated, the Justice agents claimed that only voluntary repatriates will be deported. Collins has stated because of our court action the Justice Department refrains from handling all non-repatriates until the revision of their governmental policy becomes definite. Because of this concession those who desire to take court action will have privileges to do so until further notice of restraint from the Justice Department.

"Mr. Collins has stressed, in fact urged that all members and their friends to write President Truman and all influential persons of public benefit, outsiders and Caucasians most favorable. Collins states that publicity

is most necessary to awaken public sentiment to present the significance of our civil action. Mr. Collins is working on all possible publicity angles. The Defense Committee will continue to secure informations as the case proceeds.

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Report to Defense Committee on Phone
Conversation with Wayne M. Collins

Long

"Confidential"

"Information Long Distance Tule Lake, 10:30 A.M. Friday,
November 30, 1945, Wayne M. Collins

Mr. Collins definitely stated we keep the office open for information and further service. Says officers should relay information and keep members posted as to latest facts. He says definitely disclaim all reports as rumors unless released from authoritative source, and to always check and confirm rumors through legal source. Says for members regardless of outside pressure or propaganda not to get excited, jittery or discouraged. Disregard display of center optimism because until the Justice Department formulates a definite policy the actual significance of the new policy will not be known. "Be Cautious." Mr. Collins states so far that the publicity has been in our favor. We should help to encourage it. Dillion Myer was quoted in the recently published Pacific Citizen, but Mr. Collins states that Myer's statements were all balled up. It had only a portion of what he had to say, but regardless Myer stated that the W.R.A. was not responsible for any duress, but the Department of Justice was. Also in the same paper Attorney Wirin (Attorney for J.A.C.L.) was quoted as having jointly filed suits but he did not. It was a misinterpretation. As with the J.A.C.L., other organization and individuals are showing interests. The Portland Citizens Committee to Aid Relocation protesting deportation is on the bulletin board in the Defense Committee's office.

Mr. Collins definitely states that voluntary repatriation is deportation, the divesting of citizenship rights and definitely a one way trip. Manzanar case, Mrs. Tamura, is being held in custody of a Los Angeles detention home under the jurisdiction of the Immigration office. Rostein of the Justice Department is here to take care of voluntary repatriation. Dillion Myer is to visit center in a few days, staying for about four days as told by W.R.A. officials.

As stated from a reliable source, ships were already prepared to take renunciants without our knowledge but because of our court action a monkey-wrench was thrown into the Justice Department's machinery, thus the reformation of a new policy was compelled. Collins will not take steps first, they will have to make the advancement. Collins wants all to sit tight, they can not do anything with us. At present, we have the advantage. If the Department of Justice tries to monkey with us, he could file 3 separate suits for each person, 3000 in all. He says that's our advantage. They'll make some offer but

definitely no compromise. Collins declared that he will salvage everything possible.

1. Prevent Deportation
2. Demand release from detention
3. Recover citizenship

Habeas Corpus to get us out of camp. Equity suit to restore privileges and inside Equity suit is nationality question. As to the question we want to be let out before others if possible. To this, Collins reply was that is my wish, but regardless, it can only be determined as soon as the government forms a policy to establish some kind of program. Collins states earnestly, expect no compromise under any condition. He was very optimistic in our favor. He definitely suggested that it will be determined through court action and by the judgement of the court only. Collins says "We won't be bound by the government program unless entirely satisfactory to us."

Because our case is filed under the San Francisco court all members can't be moved from its jurisdiction. If otherwise, Ivan William senior officer in charge here in Tule Lake will be compelled by court to imprisonment or fine. Notify the undersigned committee for all emergency calls or necessary changes. "Harry Uchida 3713-D & Larry Kataoka 603-D". All up-to-date information and data will be transcribed and given to the executive committee, also a copy to the office for members information. It is advised by Collins that no copies should be released for precautionary measures.

Hardship cases will be referred to the nearest executive committee for personal interview. Route all cases with note to Kimura either at home 5111-B or at Committee's office.

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Report to Defense Committee on Phone
Conversation with Wayne M. Collins

Long

"Confidential"

"'Information Long Distance' Tule Lake, 2 P.M., Tuesday,
December 11, 1945, Wayne M. Collins:

Deportation policy was set Nov. 1st.

Collins filed on the 14th.

Justice backed down to voluntary repatriation end of last month.

That's the historical background to where we stand at present.

Last night an announcement was made that the Justice Department will give hearings either to release or leading to deportation. Since we in the defense committee have legal protection, we have the best protection against deportation. However we must realize also that there have been a lot of pressure on the Justice to modify its policy as you can see from the above history--the court case was a major importance leading to their decision. Favorable outside publicity and public sentiment plus the recommendations from Secretary Iches to Clark was a helping factor. (read report)

This is a mitigation hearing Collins stated today. The Department of Justice is now trying to justify their past actions, in other words saving face or rectifying their wrongs by individual hearings for everybody. "Some administrative relief as Collins puts it". This hearing is definitely based on loyalty--whether a person is hostile to this country or not. This new announcement is so far - merely a preliminary statement of government policy - They have not yet determined the type of rehearing or the procedure to be taken. The machinery here has to be set up and preparations are under way - but the date for rehearing is unknown. Nevertheless keep in mind that this is not a rehearing for the restoration of citizenship rights or privileges.

If release is accomplished, then the individual or persons released will be placed in a category as person citizenless or stateless. If evidence is found contrary to the person's requirements for release, he will be definitely deported. To what percentage release will be granted it is still an unknown factor. Everything hinges on the loyalty question. This leaves the restoration of citizenship still up to the court action. As there is a declared war existing and because of emergency powers granted the Attorney General, the Justice Department can either deport or release individuals within a reasonable time but they are not bound. Collins states that we will not oppose granting of a rehearing - but will take negative position. We are waiting for full policy to be determined. If proven unsatisfactory, we won't be bound by it. We'll depend on our court action. He further stated that the Justice Department has been rushing, working against time for the date of center closure is near and therefore he predicts we should know before January 10th the actual process. Collins received a call from Burling and Ennis from New York and from Cooley in Washington he knew we knew of this in the center. Regardless of these hearing, Collins case will continue. Even under present policy you don't regain citizenship. It is obvious though, if some get releases - it strengthens Collins case for restoration of citizenship. Members! Just remember this is just one step up a ladder (a concession) we are out for larger stakes, that of regaining citizenship rights--We do not have any worry, we have the benefit of the best legal counsel. We have increasing possibility. If some of the others do get releases we in the case are sure to be released. They are gambling on their last chance--We of the Defense Committee have nothing to lose; everything to gain. This alone is

worth a hundred bucks. Do not antagonize the others if they give argument just fortify yourself with these facts and smile it off--we have the law on our side.

Do not listen to center rumors, we have the actual knowledge of up to date facts. On the other hand the advantage of legal guidance and council. Others are depending on boiler room gossip and hearsay. Let's keep our membership intact and solid with direct informations from Wayne M. Collins. He gets his dope hot, right off the press.

People should begin thinking of their hearing. Maybe Collins will decide it the best way to have lawyers at each defense committee members hearings, at any event get ready. Hearing maybe arranged for January, though no dates have been announced. Maybe Collins can get release even before and without hearings. That's both unknown and improbable. Here are two general instructions for being prepared for the hearing - letters of support from relative's in army- ministers and friends (from all sources.)

Collins request that we of the defense committee be on the alert for further instructions as policy is determined.