



1st Ind.

6 JAN 1945

From: War Department, Branch Office of the Judge Advocate General
with the European Theater of Operations.

To: Commanding General, European Theater of Operations, APO 987,
U.S. Army.

1. In the case of Private EDDIE D. SLOVIK (36896415), Company G, 109th Infantry, attention is invited to the foregoing holding by the Board of Review that the record of trial is legally sufficient to support the sentence, which holding is hereby approved. Under the provisions of Article of War 50 1/2, you now have authority to order execution of the sentence.

2. This is the first death sentence for desertion which has reached me for examination. It is probably the first of the kind in the American Army for over eighty years, - there were none in World War I. In this case, the extreme penalty of death appears warranted. This soldier had performed no front line duty. He did not intend to. He deserted from his group of fifteen when about to join the infantry company to which he had been assigned. His subsequent conduct shows a deliberate plan to secure trial and incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe sentence would only have accomplished the accused's purpose of securing his incarceration and consequent freedom from the dangers which so many of our armed forces are required to face daily. His unfavorable civilian record indicates that he is not worthy of clemency.

3. When copies of the published order are forwarded to this office, they should be accompanied by the foregoing holding, this indorsement and the record of trial which is delivered to you herewith. The file number of the record in this office is CM ETO 5555. For convenience of reference, please place that number in brackets at the end of the order: (CM ETO 5555).

4. Should the sentence as imposed by the court and confirmed by you be carried into execution, it is requested that a full copy of the proceedings be forwarded to this office in order that its files may be complete.



E. C. McNEIL
E. C. McNEIL,

Brigadier General, United States Army,
Assistant Judge Advocate General.

I Pvt Eddie D. Slovick #36896415
Confess to the Desertion of The
United States Army. At The Time
of my Desertion we were in
ALBUFF in France. I come to
ALBUFF as a Replacement. They
were shelling the town and we
were told to dig in for the night
The following morning they were
shelling us again. I was so
scared nerver and Trembling
that at the time the other
Replacements moved out I
couldn't move. I stayed there
in my fox hole till it was quite
and I was able to move. I then
walked in town. Not seeing any of
our troops so I stayed over night at
a French hospital. The next morning I
turned myself over to the Canadian
Provost Corp. After being with them six
weeks I was turned over to American
M.P. They turned me loose. I told my
commanding officer my story. I said that if
I had to go out there again - I'd
run away. He said there was nothing he
could do for me so I ran away again
AND I'll RUN AWAY AGAIN IF I
HAVE TO GO OUT THERE.
Signed Pvt. Eddie D. Slovick
Q.S.N. 36896415

Postscript: When twenty-two-year-old Eddie D. Slovik was released from the Michigan Reformatory in 1942, the US Army rated him 4-F (unfit to be drafted) because of his criminal record, which included convictions for petty theft, breaking and entering, and a joyride in a stolen car. After release, he married a bookkeeper, Antoinette Wisniewski, and settled into domestic life in Dearborn. In 1943, as the ground war in Europe dragged on, the Army changed its mind, and Slovik was reclassified 1-A (available). A few months later, Slovik reported to basic training, leaving behind Antoinette, now pregnant and suffering from epilepsy.

Like many draftees, Eddie Slovik was afraid to go to war. In boot camp, he considered going AWOL, and on his way to Europe, he told a friend that he had no intention of ever shooting his rifle. He arrived in France in August of 1944 and joined G Company, 109th infantry, but a miscommunication led to Slovik and a few other new soldiers being left behind when the company departed for combat. For the next six weeks, they awaited their company's return, and all the while, Slovik stewed.

When Slovik rejoined his company, Slovik met with his commanding officer, Captain Ralph O. Grotte, and admitted he was terrified. He begged Grotte to reassign him to the rear, but Grotte refused. Slovik mulled over the refusal, then asked, "if I leave now will it be desertion?" Grotte confirmed his suspicions. Slovik's friends in the company attempted to persuade him to stay, but his mind was made up. He left that evening, and the next day, he wrote the first of this week's letters—a scribbled confession concluding, "ILL RUN AWAY AGAIN IF I HAVE TO GO OUT THEIR." A military police officer brought him to headquarters, where Lieutenant Colonel Ross C. Henbest read the confession and advised Slovik to tear it up. When he refused, Henbest wrote on it that Slovik had written the confession of his own free will and had Slovik sign to confirm, then escorted him to the stockade.

In late October, the division's judge advocate, Colonel Henry P Sommer, visited him and offered to drop charges if he reported to the frontline. Slovik refused this last chance to avoid a court-martial, believing his chances of surviving a trial were better than his odds on the front lines. Statistically, Slovik was right. The US military had softened its handling of deserters considerably since the American Civil War, when Union generals bristled at the continual interference of President Abraham Lincoln, who pardoned desserts so often that General Daniel Tyler once publicly berated him, "If we attempt to shoot a deserter you pardon him and our army is without discipline." General Grant worked around Lincoln's penchant for leniency by executing deserters on the spot.

Since the Civil War, no American deserter had been executed. That was not for lack of deserters. Nearly 50,000 American soldiers were arrested for desertion during World War II, but less than 10% faced a general court-martial, the body which could mete out severe punishment. Those who were tried by general court-martial faced a process much more friendly to defendants than at any time prior in American military history. Changes to the Army's Articles of War in the 1920s (the Navy had its own set of rules) guaranteed defendants the right to an attorney and to cross-examine witnesses, strengthened double-jeopardy protections, and required unanimity among jurors for death penalties. The result of these changes was that almost every convicted deserter received at most a few years in prison. Forty-nine deserters were sentenced to death during the war, but only one was executed. Slovik was that one unlucky exception.

At the moment of Slovik's court-martial, desertion was on the rise, and the Army was looking to make an example of someone. Slovik, unrepentant and with a criminal past, was an easy target. He mounted no defense in his court-martial, and the court spent more time deciding whether to sentence him to death by hanging or by musketry than determining his guilt. They chose the latter, deeming it the more humane option.

In his appeal, Slovik's criminal record worked against him again, as did the fact that he'd turned himself in immediately in hopes of a prison sentence. Sending him to the stockade seemed to be exactly what he wanted. On November 2nd, Major General Norman D. Cota, divisional commander, reviewed Slovik's death sentence and approved it, triggering a final thirty-day legal review to be carried out by Brigadier General Edwin C. McNeil, Assistant Judge Advocate General for the European Theater.

General McNeil, a 1907 West Point graduate, was one of the Army's most experienced legal minds. In addition to teaching law at his alma mater, McNeil had tried and reviewed thousands of courts-martial throughout his career when the Slovik case came across his desk. Even he had never seen a case quite like this one. Still, though

the penalty was harsh, he could find no error in the legal reasoning. Desertion in a time of war was technically punishable by death under the Articles of War, even if this most severe of punishments was almost never doled out. In his review, he also found little in the way of mitigating circumstances, finding that Slovik's "unfavorable civilian record indicates that he is not a worthy subject of clemency." In this week's second letter, McNeil summarizes his findings for General Dwight D. Eisenhower, who authorized Slovik's execution a few days later.

On January 31st, 1945, at 10:00 a.m., in a snowy courtyard in St. Marie aux Mines in eastern France, Sergeant Frank McKendrick secured the condemned man with parachute cord to a post and said, "Take it easy Eddie. Try to make it easy on yourself... and on us." Slovik supposedly replied, "I'm OK. They're not shooting me for deserting... They're shooting me for bread and chewing gum I stole when I was 12 years old." Then, on command, a twelve-man firing squad fired a volley into Slovik, eleven loaded with live ammunition, and one loaded with a blank, as was customary. Somehow, Slovik survived the volley for a minute or two but eventually succumbed to his wounds.

Immediately after, the Army spread the word throughout the ranks that a deserter had been executed, hoping to discourage future desertion. News of the execution may have had the desired effect, but it also caused shock and outrage throughout the ranks, and Eisenhower soon abandoned plans to execute two more deserters. Slovik's widow was notified that her husband had died under "dishonorable circumstances" (making her ineligible for widow's benefits), but she was not told that he'd been executed. Antoinette Slovik did not learn of her husband's fate until 1953, when journalist William Bradford gained access to Slovik's case file and published a story on it. Slovik's life and death was later the focus of a TV movie starring Martin Sheen. Slovik remains, as of 2023, the only member of the US military executed for desertion after the Civil War.