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City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Details (With Text)

File #: R2022-75
Type: Resolution **Status:** Adopted
File created: 1/26/2022 **In control:** City Council
Final action: 7/20/2022
Title: Call for Governor J.B. Pritzker to grant late Ira Hayes posthumous pardon
Sponsors: Burke, Edward M., Villegas, Gilbert, Cardenas, George A., Taliaferro, Chris
Indexes: ILLINOIS, STATE OF
Attachments:

Date	Ver.	Action By	Action	Result
7/20/2022	1	City Council	Adopted	Pass
7/15/2022	1	Committee on Health and Human Relations	Recommended to Pass	
1/26/2022	1	City Council	Referred	

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RESOLUTION

WHEREAS, a pardon—posthumous or otherwise—allows an individual to be relieved of the legal consequences resulting from an arrest or criminal conviction, and can be granted unto deserving individuals who have demonstrated that they have paid their debt to society; and

WHEREAS, when applied to the deceased, a posthumous pardon is an effective healing mechanism that can be used to correct past harms and send a message that the diminished values of the past are no longer the values of the present nor future; and

WHEREAS, a posthumous pardon does not carry an interpretation of innocence, but rather is a symbol of remembrance and acknowledging human error in which demonstrable good is felt principally by relatives and friends of the deceased—not the deceased, themselves—or simply those moved by the remarkable lives they lived; and

WHEREAS, as of January 2022 an estimated 176 posthumous pardons have been issued in United States history, and nearly all such pardons have been granted at the state level; and

WHEREAS, of the estimated 176 posthumous pardons, roughly 85 percent have been awarded in the 21st century; and

WHEREAS, nearly 40 percent of the posthumous pardons issued in the 21st century have been awarded to ethnic minorities, with only one such pardon awarded to a person of Native American descent; and

WHEREAS, Ira Hayes was an Akimel O'odham, formerly "Pima," Native American and United States Marine during World War I who is generally known as one of the six flag raisers immortalized in the iconic

photograph Raising the Flag on Iwo Jima by Joe Rosenthal; and

WHEREAS, Ira Hayes enlisted in the Marine Corps Reserve on August 26, 1942 and shortly thereafter was assigned as a paratrooper to Company K, 3rd Parachute Battalion, 1st Marine Parachute Regiment of the I Marine Amphibious Corps; and

WHEREAS, on December 4, 1943, Ira Hayes landed with the 3rd Parachute Battalion on Bougainville and fought against the Japanese as a platoon automatic rifleman (BAR man) with Company K during the Bougainville Campaign; and

WHEREAS, upon returning to the states after Bougainville, Ira Hayes was transferred to Company E, 2nd Battalion, 28th Marine Regiment of the newly activated 5th Marine Division and began training for the invasion and capture of Iwo Jima; and

WHEREAS, Ira Hayes and the 5th Marine Division—the first wave of Marines—landed on the beaches of the coast of Iwo Jima on February 19, 1945; and

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WHEREAS, on February 23, 1945, after an initial, unsuccessful attempt by another combat patrol, Ira Hayes and five other Marines—Sgt. Michael Strank, Cpl. Marlon Block, Pfc. Franklin Sousley, Pfc. Harold Schultz, and Pfc. Harold Keller—ascended, seized, and occupied the top of Mount Suribachi to raise the American flag and signal to the thousands of Marines fighting on the other side of Iwo Jima that it was secure; and

WHEREAS, the raising of the American flag on Mount Suribachi was immortalized by Associated Press combat photographer Joe Rosenthal and became an icon of World War II; and

WHEREAS, after the iconic flag-raising, Ira Hayes continued to fight on the island of Iwo Jima until it was secure on March 26, 1945; and

WHEREAS, when Ira Hayes left Iwo Jima on March 27, 1945, he was one of five Marines remaining from his original platoon of forty-five, and one of only three flag-raisers to survive the battle; and

WHEREAS, after returning home from the Pacific in 1945, Ira Hayes and the surviving flag-raisers participated in the Seventh War Loan drive to help defray the massive war debt by selling war bonds; and

WHEREAS, due in part to Ira Hayes's participation and continued service to his country, the Seventh War Loan bond tour traveled to 33 American cities and raised over \$26 billion to help pay for and win the war; and

WHEREAS, Ira Hayes, then the distinguished rank of corporal, was honorably discharged from the Marine Corps on December 1, 1945; and

WHEREAS, a decorated war hero, Ira Hayes was awarded the Navy and Marine Corps Commendation Medal with Combat "V" for sustained acts of heroism or meritorious service; and

WHEREAS, in addition to his military decorations, on November 10, 1954, President Dwight D. Eisenhower dedicated the Marine Corps War Memorial in Arlington, Virginia, where he lauded Ira Hayes as a hero; and

WHEREAS, after his service in the Marine Corps, Ira Hayes was instrumental in revealing the correct identity of one of the Marines in the historic photograph, Harlon Block, who had been misrepresented publicly as another marine, and his activism ultimately resulted in an official resolution by the Marine Corps in January 1947; and

WHEREAS, in counter to his post-war activism, Ira Hayes—like many other U.S. military veterans today who experience combat—descended into the depths of alcoholism in attempting to cope with violent trauma he experienced in the Pacific theater; and

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WHEREAS, post-traumatic stress disorder (PTSD) is a mental and behavioral disorder that can develop as a result of exposure to a traumatic event, such as warfare, in which individuals suffer mental or physical distress to trauma-related cues in their everyday lives and are often placed at a higher risk of drug and alcohol abuse, suicide and intentional self-harm; and

WHEREAS, the term "post-traumatic stress disorder" initially came into use in the 1970s in large part due to the diagnoses of U.S. military veterans of the Vietnam War, and was officially recognized by the American Psychiatric Association in 1980; and

WHEREAS, before PTSD was officially termed in 1980, the type of post-traumatic stress service members were afflicted with during the world wars was known as "combat neurosis" or "shell shock"—a reaction to the intensity of combat that produced a helplessness appearing as panic, fear, flight, or an inability to reason, sleep, speak, or walk; and

WHEREAS, more than half a million service members suffered some sort of psychiatric collapse due to combat in World War II, and a staggering 40 percent of medical discharges during the war were for psychiatric conditions according to the National World War II Museum; and

WHEREAS, according to the U.S. Department of Veterans Affairs, an estimated 75 percent of individuals who survived violent traumatic events report alcohol use problems; and

WHEREAS, in regards to military veterans who experienced combat, the U.S. Department of Veterans Affairs reports that 60-80 percent of Vietnam veterans seeking PTSD treatment have alcohol use problems; and

WHEREAS, similar to the thousands of other World War II veterans who survived combat, Ira Hayes suffered from PTSD upon his return home from the war and his inability to cope with the trauma he experienced ultimately led to a life of alcohol abuse; and

WHEREAS, unable to hold onto a steady job while struggling with PTSD and alcoholism, Ira Hayes moved

to Chicago as part of the Bureau of Indian Affairs' relocation program and found employment with the International Harvester Company; and

WHEREAS, according to a September 1953 article published by the Chicago Sun-Times, and described later on by author James Bradley in his book "Flags of Our Fathers," Ira Hayes was arrested and subsequently jailed on five separate occasions by Chicago police for public drunkenness; and

WHEREAS, upon publication of its September 1953 article detailing his arrest, the Chicago Sun-Times created the "Ira Hayes Fund," which asked Chicagoans for contributions to pay Ira Hayes's bail and assist him toward a new life of rehabilitation; and

WHEREAS, according to a personal letter from Ira Hayes featured in the book "Flags of Our Fathers," in which he describes his September 1953 arrest in Chicago, Ira Hayes was sentenced to a work crew in lieu of a \$25 fine by a local judge; and

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WHEREAS, by January 1955, Ira Hayes was arrested a total of 52 times for public drunkenness in various towns and cities across the country, including Chicago, Los Angeles, and Phoenix; and

WHEREAS, Ira Hayes was found dead on January 24, 1955 on his familial Indian reservation in Arizona as a result of alcohol poisoning; and

WHEREAS, almost seventy years after his untimely and unfortunate demise, Ira Hayes is still known today for his heroism in the Pacific theater during World War II and his unrelenting dedication to the United States and his fellow Americans; and

WHEREAS, in addition to his well-known bravery and heroism in warfare, Ira Hayes also had a profound effect on the future of ethnic minorities within the United States armed forces; and

WHEREAS, the everlasting effect of Ira Hayes's memory on future ethnic minorities within the armed forces is best encapsulated by USMC Commandant General Carl Mundy, who said of Ira Hayes: "One of the pairs of hands that you see outstretched to raise our national flag on the battle-scarred crest of Mount Suribachi so many years ago, are those of a Native American, Ira Hayes.. .were Ira Hayes here today.. .I would tell Ira Hayes that our Corps is what we are because we are of the people of America...the people of the broad, strong, ethnic fabric that is our nation...[and] that fabric will broaden and strengthen in every category to make our Corps even stronger;" and

WHEREAS, pursuant to Article V, Section 12 of the Constitution of the State of Illinois, the Governor may grant reprieves, commutations and pardons, after conviction, "for all offenses on such terms as he thinks proper;" and

WHEREAS, posthumous pardons that have previously been issued by state governors across the United States typically involve one of several types of cases, including those in which a defendant is proved innocent, those in which social mores have changed, and those in which an individual's accomplishments are believed to compensate society for the crimes committed against it; and

WHEREAS, Ira Hayes's integrity, determination, and courage in service of this great nation and the ethnic

fabric that continues carry it forward today, both home and abroad, more than compensates society for the crimes he committed against it while struggling with PTSD and alcoholism; and

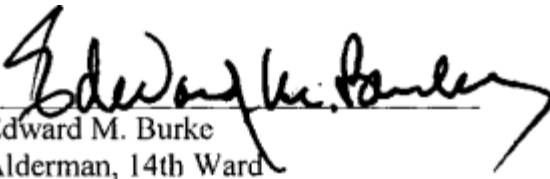
WHEREAS, a posthumous pardon granted onto Ira Hayes for his convictions in Chicago is a constructive step to show that the Illinois of the 21st century, as well as the City of Chicago, is a different place than it was 70-plus years ago, when PTSD was not recognized as an official psychiatric diagnosis nor treated with respect to those who experienced the grave perils of war; now, therefore

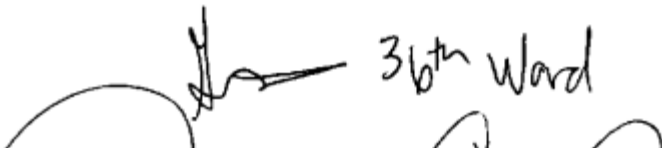
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, that the City Council of the City of Chicago does hereby petition Illinois Governor J.B. Pritzker to officially grant unto the late Ira Hayes—the proud, Native American war hero who raised the flag atop Mount Suribachi at the Battle of Iwo Jima—a posthumous pardon, expunging his crimes against the City of Chicago and the State of Illinois; and

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BE IT FURTHER RESOLVED, that a suitable copy of this resolution be presented to Governor J.B. Pritzker.


Edward M. Burke
Alderman, 14th Ward


36th Ward