

City of Greentop, Iowa v. U.S. Army P.O.W. Camp for Italian Prisoners

Mock Trial

History Through the Arts



For more information, contact:

Iowa Department of Cultural Affairs
600 East Locust
Des Moines, Iowa 50319
Phone: 515-281-5111
Fax: 515-242-6498

Or

U.S. Magistrate Judge Celeste F. Bremer
U.S. District Court
123 E. Walnut St., Suite 435
Des Moines, IA 50309
515-284-6200

Instructions for Moderators

Moderators may be non-lawyers. This program is for middle school through high school students. Moderators will set up the room with two counsel tables, a judge's bench, clerk's station, and witness chair. Place the exhibits on the bench.

You are here to facilitate the mock trial and jury deliberations. You will have 20 minutes for the trial, 10 minutes for deliberations, and 10 minutes for discussion and questions.

Once your group arrives, please do the following:

1. Assign roles. Don't ask for volunteers (takes too long, and causes confusion). Ask the students if they are comfortable reading out loud, if not, find someone else. Try to balance the number of roles between boys and girls. Anyone not selected for a role in the trial is a juror, so tell everyone they will get to participate in some manner.
2. Hand out scripts to each cast member (the scripts are highlighted with the person's part). Give any hats, props, etc., to the correct witness.
3. Seat the attorneys, parties, and witnesses at the counsel tables.
4. Have the judge go to the back of the room to put on the robe. Then, when court is announced (clerk bangs gavel, and everyone stands), the judge comes forward and sits at the bench.
5. Attorneys are free to use the exhibits during opening and closing arguments. Help the attorneys/witnesses show and pass the exhibits to the jurors during relevant testimony (keep testimony going while the exhibits are passed around).
6. After closing arguments, have the jury deliberate. If the group is large, split into two or more panels. If the mock trial participants and adults in the room want to deliberate too, that's fine, but the verdict should be the result of the jurors' discussion.
7. After the verdict is returned, answer any questions the students have, or use the discussion questions until your time is up. The students would also enjoy hearing a short biography about you, and, if you are an attorney, why you think being a lawyer is a good career.

P.O.W. CAMP MOCK TRIAL SCRIPT

Cast:

Judge:	The Honorable Judge Jones
Clerk of Court:	
Plaintiff's Attorney:	
Defense Attorney:	
Plaintiff's Witness:	Teacher Pat
Plaintiff's Witness:	Guard Sam
Defense Witness:	Dr. Vern
Defense Witness:	Tony Macaroni

About this case (Moderator reads or summarizes the following):

During World War II, enemy soldiers were taken as prisoners. They were called Prisoners of War, or P.O.W.s. P.O.W.s were taken to camps (including camps in Iowa) where they were held until the War ended. The Geneva Convention made sure that P.O.W.s were treated well. This agreement required each country to give prisoners enough food to keep them healthy. If America violated the Geneva Convention and mistreated its P.O.W.s, then American soldiers who were P.O.W.s in other countries might be mistreated.

During World War II, Iowa had P.O.W. camps; two large P.O.W. camps were in Clarinda and Algona. Iowa camps held prisoners from Germany, Japan, and Italy. The United States had 53,000 Italian P.O.W.s; many were in Iowa camps. Italy surrendered to the United States and Allied Troops in 1943, before Japan and Germany surrendered. After Italy surrendered, the Italian P.O.W.s had better living conditions than other P.O.W.s in the United States. Because of the War, food was rationed for everyone in the U.S. Many people in Iowa complained that the Italian P.O.W.s had more and better food than Iowans had. This case involves one of those complaints.

(Note: This is not an actual lawsuit. This script has been created for the purpose of this mock trial, although the situation is based on actual facts.)

IOWA P.O.W. CAMP FACTS

- The first P.O.W.s came to the United States in 1942.
- In August 1943, the United States built two P.O.W. camps in Iowa.
- Each camp cost \$1 million and could hold 3,000 prisoners.
- Each camp had 500 guards and 8 officers.
- For all P.O.W.s, the Geneva Convention required healthy living conditions, medical care, religious freedom, and encouragement of learning and sports.
- The P.O.W.s could work, and, if they did, they earned 80¢ per day, paid in the form of coupons.
- Some of the prisoners worked on Iowa farms.
- Many P.O.W.s, who spent time in Iowa, later relocated to Iowa with their families after the war.
- The German P.O.W.s in Algona used their own earnings to pay for the materials to make a Nativity set, which was given as a gift to the people of Algona, and is in a museum available for viewing today.

Sources:

Mike Chapman, *What's In a Name: P.O.W.s Made Big Impact on City of Algona*, IOWA HISTORY JOURNAL, November/December 2011, at 27-28, 34.

Some Thoughts on Prisoners of War in Iowa, 1943 to 1946, THE PALIMPSEST, March/April 1984, at 68-80.

Martin Tollefson, *Enemy Prisoners of War*, 32 IOWA L. REV. 51 (1946).

Chad W. Timm, *Working With the Enemy: Axis Prisoners of War in Iowa During World War II*, 70 THE ANNALS OF IOWA 225 (2011).

Moderators use as needed:

Discussion Questions and Vocabulary

1. What are the arguments for and against not allowing the prisoners to order ice cream from the Greentop grocery store?
2. Is there a better option than not allowing the prisoners to order ice cream from the Greentop grocery store?
3. What other choices besides filing this lawsuit, did the City of Greentop, Iowa have?
4. Did the trial seem fair? Why or why not?
 - a. Did the trial leave out important information? What else did you want to know?
 - b. Should this case be decided by a judge alone? Or by a jury? Why?
5. Should the prisoners in this case be required to grow their own crops?
6. The P.O.W.s in the United States who worked were paid through coupons, instead of money. Why do you think they were not allowed to have money?

Vocabulary:

Defendant: The person who has to go to court to respond to the plaintiff and try to solve the problem at a trial.

Geneva Convention: Made up of four treaties, and three additional rules, that set the standards of international law for the treatment of victims of war.

Honorable: Used as a title of respect for certain ranking government officials.

Plaintiff: The person who has a problem with someone else, and files a lawsuit to have a trial, so a jury or judge will decide how to fix the problem.

Prisoner of war: A person, especially someone in the military, who is captured and held by an enemy during war. Abbreviation: P.O.W. or POW.

Ration: A set allowance of items or food, especially for soldiers or civilians during shortages or wars.

Verdict: The jury's decision solving the problem with the facts and law in the case.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

City of Greentop, Iowa,)	Civil No. 4:1944-cv-00012
)	
Plaintiff,)	
)	
vs.)	
)	
U.S. Army P.O.W. Camp)	Trial
for Italian Prisoners,)	
)	
Defendant.)	

Clerk: [Hits gavel 3 times] All rise, the United States District Court is now in session for the case of City of Greentop, Iowa v. U.S. Army P.O.W. Camp for Italian Prisoners, the Honorable Judge Jones presiding.

Judge: In this case, the City of Greentop claims the Italian prisoners, living in the P.O.W. camp nearby, eat almost all of the available ice cream in Greentop, even though the prisoners get ice cream up to three times a week in camp. The City asks that the prisoners not be allowed to buy ice cream from the city's grocery store.

The U.S. Army P.O.W. Camp claims the Italian prisoners should be allowed to buy ice cream from the city's grocery store, just like U.S. soldiers can, because the Geneva Convention requires that the prisoners get the same treatment as the U.S. soldiers get.

Plaintiff will now give an opening statement.

OPENING STATEMENTS

Plaintiff's Attorney: May it please the Court; opposing counsel. Ladies and Gentlemen of the Jury, we are here today because the Italian prisoners are greedy and eat almost all of the ice cream available in Greentop, even though they already get ice cream in the P.O.W. camp. Because of the war, all of us in the city get less food, and we have to buy food with ration coupons. The Italian prisoners get food from the Army. In addition, some prisoners order extra ice cream and other food from the city's grocery store. That means the people in the city have even less ice cream and other food. The prisoners should not be allowed to buy any ice cream from the city's grocery store.

Judge: Thank you. Defense counsel will now give an opening statement.

Defense Attorney: May it please the Court; opposing counsel. Ladies and Gentlemen of the Jury, I represent the Army's P.O.W. camp. Under the Geneva Convention, the prisoners are entitled to the same variety of good food as our soldiers are. U.S. soldiers are allowed to buy ice cream from Greentop's grocery store. The prisoners must be allowed to buy the same things. If we don't treat our prisoners well, our enemies won't treat American P.O.W.s well. The Italian prisoners should be allowed to buy ice cream from the city's grocery store.

Judge: Thank you. Plaintiff may now call the first witness.

TEACHER PAT - DIRECT EXAMINATION

Plaintiff's Attorney: Plaintiff calls Teacher Pat to the stand.

Clerk: Raise your right hand. Is the testimony you are about to give the truth?

Teacher Pat: Yes.

Clerk: You may take the stand.

Plaintiff's Attorney: Please state your name and why you are here today.

Teacher Pat: My name is Teacher Pat, and I am here because prisoners are eating most of the ice cream in Greentop, where I live.

Plaintiff's Attorney: Before the prisoners arrived, did Greentop have enough ice cream and other food for everyone?

Teacher Pat: Yes. We had to use ration books to get food, but we could save our rations to buy nice food, like ice cream.

Plaintiff's Attorney: Teacher Pat, I am now handing you what has been marked Plaintiff's Exhibit 1 (*hand Exhibit 1 to witness*). Can you tell us what this is?

Teacher Pat: Yes. It is a picture of the ration books we use now to buy food.

Plaintiff's Attorney: Now how hard is it to buy food?

Teacher Pat: Much harder. The Italian prisoners get whatever food they want, while the rest of us get stuck with whatever food is left over in the grocery store. Because of the food shortage, you have to wait in line for 3 to 4 hours at the meat store. Then, you have to wait in line for 3 hours to buy bread at the bakery. I lost 20 pounds last year

because of the food shortage. We'd have more food and shorter lines at the store if the prisoners grew their own vegetables.

Plaintiff's Attorney: Why do you think that?

Teacher Pat: Because now the prisoners can order food from the city's grocery store. That means the store has less food for us. The prisoners should grow their own food to help with the food shortage.

Plaintiff's Attorney: Was there a time you wanted ice cream, but couldn't get it?

Teacher Pat: Yes, last July, when I planned a party for my son's tenth birthday. I invited his friends and made a cake. I saved our ration coupons for weeks to buy ice cream to eat with the cake. But when I went to the grocery store to buy the ice cream, the owner said he was out of ice cream, because the prisoners had bought it all. I asked if the store could get more ice cream soon, but the owner said no.

Plaintiff's Attorney: How often do you find ice cream in the grocery store?

Teacher Pat: Only about once a month now.

Plaintiff's Attorney: Do you know about food shortages in other cities?

Teacher Pat: Yes, when I visited my sister in Kansas City, I read newspaper stories complaining about how the Army gives P.O.W.s too much food. I have seen newspaper stories like that in Iowa cities, too.

Plaintiff's Attorney: Do you know of anyone who has died in the war?

Teacher Pat: Yes. All four of my friend's sons were killed by Italian soldiers. My two nephews died fighting the Germans. Many other soldiers from Greentop have been badly hurt, maybe lost a leg or arm.

Plaintiff's Attorney: No further questions.

TEACHER PAT – CROSS EXAMINATION

Judge: Defense Attorney, do you have any questions for Teacher Pat?

Defense Attorney: Yes, Your Honor. Was the weather last July hot?

Teacher Pat: Yes, very hot.

Defense Attorney: Is it true that many prisoners worked outside every day last July?

Teacher Pat: Yes, on farms.

Defense Attorney: The Italian prisoners helped Iowa farmers plant more crops than the farmers could plant on their own, isn't that true?

Teacher Pat: Yes.

Defense Attorney: No further questions.

Judge: You may return to your seat. Plaintiff may call the next witness.

GUARD SAM - DIRECT EXAMINATION

Plaintiff's Attorney: Plaintiff calls Guard Sam to the stand.

Clerk: Raise your right hand. Is the testimony you are about to give the truth?

Guard Sam: Yes.

Clerk: You may take the stand.

Plaintiff's Attorney: Please state your name and why you are here.

Guard Sam: I am Guard Sam, and I watch over the Italian prisoners at the camp.

Plaintiff's Attorney: How do the Italian prisoners get their meals?

Guard Sam: The P.O.W.s chose one of the prisoners to be the chef and to cook their meals. The Army brings the food to the camp in a truck.

Plaintiff's Attorney: Do prisoners get food any other way?

Guard Sam: Yes. They can buy some food and other items from the small store, called a canteen, at the camp. Also, the prisoners can order extra food from the city's grocery store.

Plaintiff's Attorney: Do the prisoners get good food at camp?

Guard Sam: Yes. Their chef cooks much better food than what I get.

Plaintiff's Attorney: What do you know about the ice cream the prisoners ate last July?

Guard Sam: The Italian prisoners had ice cream for dessert three nights a week in camp last July. Also, many prisoners ordered extra ice cream from the grocery store in Greentop.

Plaintiff's Attorney: Is the Army feeding the P.O.W.s too well?

Guard Sam: No. The Army is trying to follow the Geneva Convention, because if we don't, our soldiers will not be treated well if they are P.O.W.s in another country.

Plaintiff's Attorney: The food you and the other American soldiers eat here is much better than the food you ate fighting in Europe, isn't it?

Guard Sam: Yes.

Plaintiff's Attorney: You weren't able to buy ice cream and other treats at the canteen or in grocery stores when you were fighting in Europe, were you?

Guard Sam: No.

Plaintiff's Attorney: No further questions.

GUARD SAM - CROSS EXAMINATION

Judge: Defense Attorney, do you have any questions for Guard Sam?

Defense Attorney: Yes, Your Honor. Where is the Greentop P.O.W. camp located?

Guard Sam: In eastern Iowa.

Defense Attorney: Guard Sam, I am now handing you what has been marked Defendant's Exhibit A (*hand Exhibit A to witness*). Can you tell us what this is?

Guard Sam: Yes, it is an Army map of the P.O.W. camps in Iowa and Minnesota.

Defense Attorney: Does the red "X" on the map show where the Greentop P.O.W. camp is located?

Guard Sam: Yes.

Defense Attorney: Isn't it true that many prisoners work hard for Iowa farmers all day long in the hot sun?

Guard Sam: Yes.

Defense Attorney: Do you agree that last July was very hot and humid?

Guard Sam: Yes.

Defense Attorney: Do you and the other American soldiers buy food from the camp's canteen and also from the grocery store in Greentop?

Guard Sam: Yes. We often buy treats at both places.

Defense Attorney: Do you worry about how well American P.O.W.s in other countries are treated?

Guard Sam: Yes, because my brother was captured by the Germans, and five men from my Army unit are prisoners in Italy.

Defense Attorney: Isn't it true that the Army gives the P.O.W.s food they like, and lets them order ice cream from the city's grocery store, to reward good behavior, and to help the guards control the P.O.W.s?

Guard Sam: Yes, that's right.

Defense Attorney: No further questions.

Judge: You may take your seat. Does Plaintiff have any more witnesses?

Plaintiff's Attorney: No, Your Honor, the Plaintiff rests.

Judge: Defense may call the first witness.

DOCTOR VERN - DIRECT EXAMINATION

Defense Attorney: The Defense calls Dr. Vern.

Clerk: Raise your right hand. Is the testimony you are about to give the truth?

Dr. Vern: Yes.

Clerk: You may take the stand.

Defense Attorney: Please state your name and why you are here.

Dr. Vern: My name is Dr. Vern. I am the doctor at the P.O.W. camp.

Defense Attorney: What do you do as the doctor at the camp?

Dr. Vern: I keep the prisoners healthy and make sure they get enough food.

Defense Attorney: Why is that important?

Dr. Vern: If we don't feed the prisoners well and keep them healthy, then other countries will not have to follow the Geneva Convention and treat our soldiers well if they are captured. Right now, about 90,000 Americans are prisoners of war in Europe. I've heard Germany treats American P.O.W.s better than P.O.W.s from Russia and other countries, because of how well we treat P.O.W.s here.

Defense Attorney: Is it important to keep the prisoners healthy so they can work on Iowa farms?

Dr. Vern: Yes. With so many men away fighting in the war, farmers need the prisoners' help.

Defense Attorney: Is it healthy for the P.O.W.s here to eat ice cream?

Dr. Vern: Yes, because in the summer it is very hot, and the prisoners usually work eight hours every day in the sun. They use up a lot of calories. Ice cream is a dairy food. It keeps bones strong, and helps give the prisoners energy. Also, treats like ice cream can be used as a reward for good behavior.

Defense Attorney: No further questions.

DOCTOR VERN - CROSS EXAMINATION

Judge: Plaintiff's Attorney, do you have any questions for Dr. Vern?

Plaintiff's Attorney: Yes, Your Honor. Doctor, would you ever recommend that someone eat ice cream three times a week or more?

Dr. Vern: It depends on the person's size, health, activity level, and how much ice cream they eat. The prisoners work very hard, but three or more times a week for ice cream could be too much.

Plaintiff's Attorney: Greentop gets a limited amount of ice cream. Is there something else the prisoners could eat to rebuild their strength?

Dr. Vern: Probably.

Plaintiff's Attorney: Is it true that many of the prisoners have gained weight since coming to Iowa?

Dr. Vern: Yes, my records show that almost every prisoner has gained five to fifteen pounds each year in the camp.

Plaintiff's Attorney: The prisoners are gaining weight because they're eating too much ice cream and other sweets, isn't that right?

Dr. Vern: I'm not sure; they came to Iowa in fairly poor health.

Plaintiff's Attorney: No further questions.

Judge: You may take your seat, Dr. Vern. Does the Defense have another witness?

TONY MACARONI – DIRECT EXAMINATION

Defense Attorney: Yes, Your Honor. The Defense calls Tony Macaroni to the stand.

Clerk: Raise your right hand. Is the testimony you are about to give the truth?

Tony Macaroni: Yes.

Clerk: You may take the stand.

Defense Attorney: Please state your name and why you are here.

Tony Macaroni: My name is Tony Macaroni. I am a P.O.W, and the Italian prisoners' chef.

Defense Attorney: What was your job in Italy?

Tony Macaroni: I owned my own restaurant. I was the best chef in northern Italy.

Defense Attorney: Did you plan and prepare the Italian prisoners' meals last July?

Tony Macaroni: Yes, I did.

Defense Attorney: Why did you serve so much ice cream?

Tony Macaroni: Because it was so hot and humid out; it never gets this hot at home.

We aren't used to the heat, and the ice cream helps us cool down at the end of a long work day, and get some calcium. Also, I thought ice cream would be a nice treat.

Most of us have been prisoners for two or more years. We can write letters home, but it takes forever for our families' letters to get here. The ice cream helps us forget how lonely we are.

Defense Attorney: No further questions.

Judge: Plaintiff's Attorney, do you have any questions for Tony Macaroni?

TONY MACARONI - CROSS EXAMINATION

Plaintiff's Attorney: Yes, Your Honor. Did you know that everyone in Iowa is on food rations?

Tony Macaroni: Yes, I know that. I have seen some of the ration books.

Plaintiff's Attorney: The prisoners get enough food without having to use ration books, right?

Tony Macaroni: Yes, that's true.

Plaintiff's Attorney: The camp gets food delivered by the Army, right?

Tony Macaroni: Yes.

Plaintiff's Attorney: Isn't it true the Army has started bringing the prisoners more of the foods they liked to eat in Italy, such as spaghetti and olive oil?

Tony Macaroni: Yes. But that's because we weren't eating the other food, because we didn't like it, and the food had to be thrown out.

Plaintiff's Attorney: The prisoners get more food from the Army than the people in Greentop get in their grocery store, right?

Tony Macaroni: Maybe. I'm not sure. But, we get the same amount of food that the American soldiers here get.

Plaintiff's Attorney: Many prisoners eat ice cream at the camp, and also buy more ice cream from the grocery store in Greentop, is that correct?

Tony Macaroni: Yes.

Plaintiff's Attorney: The prisoners already get enough ice cream at the camp, and the ice cream supply in the city's grocery store is very low, so isn't it unfair to the people in the city when the prisoners buy ice cream from the grocery store?

Tony Macaroni: No, because the U.S. soldiers buy just as much ice cream from the grocery store as the prisoners.

Plaintiff's Attorney: No further questions.

Judge: You may return to your seat. Does the Defense have any more witnesses?

Defense Attorney: No, Your Honor, the Defense rests.

Judge: Now that we have heard all the testimony, both sides will make closing arguments. Plaintiff will go first.

CLOSING ARGUMENTS

Plaintiff's Attorney: May it please the court; opposing counsel. Ladies and Gentlemen of the Jury, the evidence today shows the Italian prisoners are greedy and eat most of the available ice cream in Greentop, leaving little for the people in the city. The prisoners get a lot of ice cream at the P.O.W. camp. But people in the city can buy ice cream at the grocery store only once a month. The Italian prisoners get much better food than our American soldiers fighting in the war overseas. The prisoners have no need to buy more ice cream in the grocery store. The Defense says the prisoners needed the ice cream last July because it was very hot, but it's not always hot in Iowa. Don't allow the prisoners to buy ice cream from Greentop's grocery store. Don't make the city sacrifice more than it should.

Judge: The Defense may now present its closing argument.

Defense Attorney: May it please the Court; opposing counsel. Ladies and Gentlemen of the Jury, the Italian prisoners should be allowed to buy ice cream from Greentop's grocery store. It was very hot last July, and the prisoners were working hard all day helping Iowa farmers. The ice cream helped them cool off, get the dairy products they needed for a healthy diet, and helped them not be so sad about being away from their families. Also, the ice cream helped the guards keep control of the prisoners. If we don't treat the P.O.W.s well, our soldiers will not be treated well if they are P.O.W.s. That's why the Army wants to follow the Geneva Convention and give prisoners here the same treatment as American soldiers. American soldiers buy ice cream from the grocery store, and the prisoners should be allowed to do the same thing. You should allow the Italian prisoners to buy ice cream from the city's grocery store to ensure that the American P.O.W.s will be treated well.

Judge: This case is now submitted to the jury for a verdict. If you decide that the Italian prisoners should not be allowed to buy ice cream from Greentop's grocery store, you must decide in favor of the City of Greentop. If you decide that the prisoners should be allowed to buy ice cream from the grocery store, you must decide in favor of the U.S. Army P.O.W. Camp.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

City of Greentop, Iowa,)	Civil No. 4:1944-cv-00012
)	
Plaintiff,)	
)	
vs.)	
)	
U.S. Army P.O.W. Camp)	Verdict Form
for Italian Prisoners,)	
)	
Defendant.)	

Choose only **ONE** of these two, and mark an “X” in only one box:

- We, the jury, find that the Italian prisoners should not be allowed to buy ice cream from Greentop’s grocery store. We decide in favor of the Plaintiff, City of Greentop, Iowa.

--OR--

- We, the jury, find that the Italian prisoners should be allowed to buy ice cream from Greentop’s grocery store. We decide in favor of the Defendant, U.S. Army P.O.W. Camp.

Signed by: _____

Presiding Juror

Date: _____