

Lore of the Corps

A Deserter and a Traitor: The Story of Lieutenant Martin J. Monti, Jr., Army Air Corps

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On October 2, 1944, Second Lieutenant (2LT) Martin J. Monti, Jr. deserted from his unit in Karachi, India. He was apprehended thousands of miles away, in Bari, Italy, on May 14, 1945 and was court-martialed for desertion and larceny three months later. An officer panel found him guilty and sentenced Monti to fifteen years confinement at hard labor.¹

A little more than three years later, in October 1948, Monti was indicted by a Federal grand jury for the crime of treason. In January 1949, he pleaded guilty to the offense in U.S. District Court in New York City, and was sentenced to 25 years imprisonment.² What follows is the amazing but true story of Monti's desertion and treason, and his trial by both court-martial and Federal civilian court.

Born near St. Louis, Missouri, in October 1921, Martin James Monti, Jr. was one of seven children. His parents, who were second generation Americans of Swiss-Italian and German ancestry, apparently raised him "in an environment later described as fervently religious, strongly anti-communist, laced with isolationist sentiments and opposed to the tenets of President Franklin D. Roosevelt's New Deal."³ Monti's views about life, people and politics also were shaped by Father Charles Coughlin. Known as the "Radio Priest" to his millions and millions of listeners, Coughlin broadcast weekly radio sermons in which he praised the leaders of Nazi Germany and Fascist Italy while blaming President Franklin D. Roosevelt, Jews, communists and capitalists for what ailed the United States.⁴ While there is no way to know whether Monti's subsequent treason was the direct result of his personal devotion to Coughlin, whom he visited in the summer of 1942, or his adherence to Coughlin's

worldview, these may be the best explanation for what happened.

In late November 1942, Monti enlisted as an aviation cadet in the U.S. Army Air Forces. He reported as an air cadet to Jefferson Barracks, Missouri in February 1943 and eventually qualified as a fighter pilot in both the Lockheed P-38 Lightning and the Bell P-39 Airacobra.⁵ In August 1944, now Second Lieutenant (2LT) Monti reported for duty with the 126th Replacement Depot in Karachi, India.⁶



Martin J. Monti, right, in light colored suit, is led from a federal court in Brooklyn after being sentenced to 25 years for treason.

Sometime after arriving in India, Monti decided to desert and defect to the Germans. On October 2, 1944, the now 22-year-old Monti talked his way onto a C-46 transport plane and flew from Karachi to Cairo. Although he had no official travel orders, or any paperwork indicating he was assigned to a unit in Europe, 2LT Monti managed to get another flight from Egypt to Tripoli, and then still another flight to Naples, Italy. Naples had been captured by the Allies only ten days earlier.

Lieutenant Monti then went to the nearby Foggia airfield, which was now the headquarters of the US Army Air Force's 82d Fighter Group. He reported to the commander, insisted that he wanted to fly in combat, and requested a transfer from his Karachi-based unit to the 82d. Monti received a "discouraging reply," which he concluded was equivalent of 'no.'⁷

But Monti was persistent. He now went to another airfield near Naples, where the 354th Air Service Squadron

¹ United States v. Monti, CM 291280, Records of the Office of the Judge Advocate General, Record Group (RG) 153, National Archives and Records Administration.

² United States v. Monti, 100 F. Supp. 209 (E.D.N.Y. 1951).

³ Ron Soodalter, *A Yank in the SS*, MILITARY HISTORY, Jan. 2017, at 40, 42.

⁴ *Id.*

⁵ Monti, *supra* note 1, at 31, U.S. War Dep't, Adj. Gen.'s Off. Form No. 115, Charge Sheet.

⁶ Today, Karachi is located in Pakistan. In 1944, however, Pakistan did not exist as an independent nation.

⁷ Monti, *supra* note 1, Statement, Captain Louis S. Wilkerson, Investigating Officer, Subject: Interrogation of 2LT Monti by U.S. CID Special Agent Anthony Cuomo, May 14, 1945.

was headquartered. This unit's mission was to repair and test aircraft before they were sent to air combat units.

Amazingly, 2LT Monti convinced the American military personnel at the 354th that he was a pilot from the nearby 82d and asked to take a Lockheed F-5E Lightning up for a "test flight." When told he would need to get permission for such a flight, Monti instead simply climbed into the cockpit of an F-5E, taxied out the runway, and took off.⁸ Once in the air, Monti flew north to German-occupied Milan. He landed, surrendered to the Germans, and professed his unwavering allegiance to the Third Reich. The Germans were more than happy to have a brand-new American airplane (the F-5E was the reconnaissance version of the P-38), and the Luftwaffe removed the USAAF insignia, affixed German aircraft markings to the plane (including swastikas), and sent the plane to Germany for use there.⁹

As for Monti, while the Germans initially were suspicious of him, they soon decided that he was the 'real deal.' In November 1944, they sent Monti to Berlin, and enrolled him as an *SS-Untersturmführer* (Second Lieutenant) in *SS-Standarte Kurt Eggers*, a Waffen-SS propaganda unit.

Monti now began broadcasting English-language propaganda on the radio. Using his mother's maiden name, he identified himself as "Captain Martin Wiehaupt," and tried to persuade GIs listening to his broadcasts "all over the European theater" that the United States should be fighting with Germany against the Soviet Union, as Communist Russia was the "true enemy of world peace."¹⁰

After a few broadcasts, however, the Germans were so unhappy with Monti's lack of talent that "they pulled him off the air" and instead tasked him to write propaganda pamphlets destined for American POWs in German camps.¹¹

In April 1945, with defeat imminent and the Wehrmacht needing all its assets on the front-lines, *SS-Untersturmführer* Monti was ordered to join a combat unit in northern Italy. A month later, Monti surrendered to the U.S. Fifth Army in Milan.

In the weeks that followed, 2LT Monti was interrogated by a series of Army intelligence agents. He freely admitted that he had left his unit in Karachi, but claimed that "he had done so in order to wage a one-man war against the Germans." Monti admitted that he had wrongfully appropriated the Lockheed F-5E Lightning, but only to take the fight to the Luftwaffe. As for the Waffen-SS uniform that he was wearing? Monti explained that he had been shot down and taken prisoner by the Germans. He claimed to have been in POW camps in Verona, Frankfurt and Wentzler. When he

was being moved by train to yet another camp, he escaped. He "roamed the countryside" and received help from Italian partisans, who dressed him in a German uniform so that he could more easily travel through Axis-held territory and return to Allied lines.¹²



The Lockheed P-38 Lightning flown by Monti repainted by the Luftwaffe with Germany markings

Monti may have thought that this story would get him out of trouble, but the Army was not pleased with his antics and, on May 31, 1945, charged him with desertion from October 2, 1944 to May 14, 1945, and with "wrongfully, knowingly and willfully" misappropriating "one P-38 aircraft."¹³

On August 4, 1945, 2LT Monti was tried by a general court-martial convened by General Joseph T. McNarney, the Commanding General, Mediterranean Theater of Operations. The trial was held in Naples, Italy. At the end of a two day proceeding, Monti was found guilty of being absent without leave (instead of desertion) and wrongful appropriation. The panel of officers sentenced him to be dismissed from the service, to forfeit all pay and allowances and to be confined at hard labor for fifteen years.¹⁴

After Monti's sentence was approved and after a brief period of confinement in Naples, Monti returned to the United States. He was imprisoned at the Eastern Branch, U.S. Disciplinary Barracks, located in Green Haven, New York.

But Monti did not stay idle for long in Green Haven. On the contrary, he was offered the opportunity to have his sentence remitted if he re-enlisted in the Army as a private. No doubt realizing that re-joining the Army was preferable to finishing his long sentence to confinement, Monti returned to

⁸ *Id.*

⁹ Soodalter, *supra* note 3, at 44.

¹⁰ *Id.*

¹¹ *Id.* at 46.

¹² Monti, *supra* note 7; Soodalter, *supra* note 3, at 46.

¹³ Monti, *supra* note 5.

¹⁴ Headquarters, Mediterranean Theater of Operations, Gen. Court-Martial Order No. 118 (18 Sept. 1945).

the ranks in February 1946. He was assigned to Eglin Field, Florida¹⁵ and, two years later, was wearing sergeant's stripes.

While Monti was serving his active duty in Florida, Army intelligence personnel were going through thousands and thousands of pages of captured German documents. Soon, these men discovered references to *SS-Untersturmführer* Monti and his treasonous activities while in the *Waffen-SS*. With this evidence in hand, the Department of Justice moved quickly and, on October 14, 1948, Sergeant (SGT) Monti was indicted by a Federal grand jury in the Eastern District of New York for the crime of treason; the indictment alleged 21 overt acts.¹⁶

On November 1, 1947, the *Washington Post* revealed the story of Monti's desertion and treason and this caused the Army to immediately detain him.¹⁷ The Army now transferred SGT Monti from Eglin Field to Mitchel Field, located on Long Island, New York. On January 26, 1948, "immediately upon his receipt of a General Discharge Under Honorable Conditions,"¹⁸ Monti was taken into custody by U.S. civilian law enforcement authorities pursuant to a warrant of arrest for the crime of treason.¹⁹

On January 17, 1949, Monti appeared in U.S. District Court in Brooklyn, New York. He had previously entered a not guilty plea to the crime. Now, standing before Chief Judge Robert A. Inch, Monti withdrew this plea and informed the judge that he desired to plead guilty.²⁰

The U.S. Constitution states that "No Person shall be convicted of Treason unless on the Testimony of two witnesses to the same overt Act, or on Confession in open Court."²¹ Mindful of this requirement, "the defendant was advised of his rights, was duly sworn . . . took the stand, and in response to the questions propounded by the prosecuting attorney confessed in open court that he had voluntarily performed acts which constitute the crime of treason, including various of the overt acts alleged in the indictment."²²

During his testimony, Monti also acknowledged that he had read the indictment, understood it, and had discussed its contents with his two attorneys. Prior to imposing a sentence, Chief Judge Inch asked: "Now, Mr. Monti, do you want to say anything for yourself?" The accused replied: "No, sir." The

judge then sentenced Monti to twenty-five years in jail and a \$10,000 fine.

Why did Monti withdraw his not guilty plea? Why did he not demand trial on the merits? It seems that Monti's counsel looked at a number of courses of action in preparing for trial, including offering psychiatric testimony about Monti's mental state at the time of his desertion and treason. Ultimately, however, his lawyers decided "that overwhelming proof was available to the government to substantiate the allegations in the indictment," starting with Monti's 102-page written confession.²³

Monti's lawyers soon came to believe that if they went to trial, the defendant would likely be sentenced to death, or at least life imprisonment, given the facts and circumstances of the treason and the aggravating factor that Monti had been a commissioned officer in the Army. After "a consultation with the Trial Judge [Chief Judge Inch] and government counsel," Monti's two defense counsel told him that he should plead guilty and throw "himself on the mercy of the court." Such a course of action would avoid death or life imprisonment and, while Monti could expect a "severe" sentence, it would not be more than 30 years.²⁴ When Chief Judge Inch sentenced Monti to 25 years in jail, Monti should have understood that he had received good legal advice.

Within a short time of the trial results, and his arrival at the U.S. Penitentiary in Leavenworth, Kansas, Monti decided he was unhappy. He appealed his conviction on a variety of grounds, including a claim that he had been coerced by his lawyers to confess in open court. Monti also argued that his court-martial conviction barred his treason trial on double jeopardy grounds. His first appeal was denied in 1951²⁵ and a second appeal was denied in 1958.²⁶

Martin James Monti was paroled from Leavenworth in 1960, after serving eleven years of his sentence. He resettled in his home state of Missouri, and died there in 2000. He was 78 years old.

The court-martial of 2LT Monti, his restoration to active duty, and his subsequent treason trial in U.S. District Court are a unique set of events in military legal history. Additionally, his trial in Federal court stands out as probably

¹⁵ Today's Eglin Air Force Base, located in the Florida panhandle near Panama City.

¹⁶ *Monti*, *supra* note 2, at 209.

¹⁷ Soodalter, *supra* note 3, at 47.

¹⁸ *United States v. Monti*, 168 F.Supp. 671, 672 (E.D.N.Y. 1958).

¹⁹ *Ex parte Monti*, 79 F.Supp. 651, 652 (E.D.N.Y. 1948).

²⁰ Robert A. Inch (1873-1961) served as the inaugural Chief Judge of the Eastern District of New York from 1948 to 1958.

²¹ U.S. CONST. art. III, § 3.

²² *Monti*, *supra* note 2, at 210.

²³ *Id.* at 212.

²⁴ *Id.* at 213.

²⁵ *Id.*

²⁶ *Id.* at 671.

the only American treason case involving a confession---the single exception to the two-witness rule in treason cases.²⁷

More historical information can be found at

The Judge Advocate General's Corps
Regimental History Website
<https://www.jagcnet.army.mil/8525736A005BE1BE>

Dedicated to the brave men and women who have served our Corps with honor, dedication, and distinction.

²⁷ For another unusual treason case arising out of World War II, see Fred L. Borch, *Tried for Treason: The Court-Martial of Private First Class Dale Maple*, ARMY LAW., Nov. 2010, at 4-6.