

Declassified E.O. 12356 Section 3.3/NND No.

785021

ACC

10000/141/490

10000/141/490

PROSTITUTION & VD
JAN. - JUN. 1944

Date

Minute sheet No.

Page

102 ~~Public Health~~

Unfortunately I have not a copy of A.F.A with me, but the regulations or law should, in my judgement, be as follows if we are to achieve our object of reducing V.D.

1. Each woman certified as suffering from V.D. will be treated in hospital.
2. Each woman discharged by M.O. will be issued with an M.O.'s order to report to an authorized clinic for such period as he may decide.
3. Each V.D. woman should have a card containing such an order with columns for date of report to be inserted, for M.O.'s signature.
4. Not essential to it, but at clinic, woman may change hospital, if she so desires, but card goes with her, & must notify change of address to original clinic.
5. Failure to report may entail prosecution on M.O.'s initiation. Penalty should be severe without delay.
6. M.O. at any time recalls woman to hospitalization if he so decides.

R. A. M. M.
Colonel

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

3 June 44

ACTION REPORT reference meeting on Control of Venereal Disease held at War HQ
AGO APO 394, 0930 hours 3 June 44. (Items for Agenda).

- 1 Measures to be taken to prevent infected women being released from hospital.
ACTION: By Admin Section (Thru' HC & MG).
a We want evidence from the military that women are being released from hospital prior to their having reached the non-communicable stages of their venereal diseases. (HC & MG Section is to take steps to advise the military - A.I. - that specific instances are to be reported to AGO.)
- 2 Measures to be taken to supervise them after release.
ACTION: By Admin Section. (HC, Legal and Interior).
a draft decree to be prepared as a war time measure, and passed by the Italian Government, which will ensure that
a VD patients will be given conditional releases only from hospitals, and are to be required to make weekly visits to specifically designated clinics for further treatment and/or examination until finally cured.
b Hospitals will send weekly (periodical) reports to clinics with reference to the names and addresses of patients being released to these clinics for further treatment.
c Clinics are advised that defaulters (or those who do not make these required visits for treatment) are to be reported to the police for disciplinary action
d All hospital VD patients are advised of the necessity for visiting the clinics
e All persons requiring clinical treatment will, upon making change of address so notify the clinic to which they have been reporting, and will then be given the address and location of a clinic near their new home. This clinic will be informed of the addition to its list of patients by the clinic releasing the patient.
- 3 Action that can be taken against medical personnel who allow, either wilfully or negligently, women to be released while still infectious.
ACTION: Admin Section (Thru' HC & MG Section).
Military field personnel must be asked to report each instance discovered, and representations will be made to the Italian Government for the prosecution of each individual.
- 4 Measures to be taken to improve the distribution of drugs. 3510
ACTION: Admin Section (Thru' HC & MG Section).
Individual cases of inefficiency or negligence are to be reported to AGO, and Public Health Sub-Commission will act on each one independently.
- 5 General situation as to state of law enforcement in the matter.
ACTION: Admin Section (Thru' HC & MG Section).
Representations be made to A.I. to increase the control over uniformed personnel especially as regards their conduct.

- also prior to their having reached the non-communicable stages of their venereal diseases. (RC & MG Section is to take steps to advise the military - AAI - that specific instances are to be reported to ACG.)
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ACTION: Admin Section (Thru' RC & MG Section).
 Individual cases of inefficiency or negligence are to be reported to ACG, and Public Health Sub-Commission will act on each one independently.
- 5 General situation as to state of law enforcement in the matter.
ACTION: Admin Section (Thru' RC & MG Section).
 Representations be made to AAI to increase the control over uniformed personnel especially as regards their conduct.
- 6 Recommendations as to points to be made to the Italian Government.
ACTION: Embodied in #2.

J. M. [Signature]
 E. A. [Signature]
 Major, Infantry,
 50 II Admin Section.

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

8 June 44

Minutes of Meeting on Control of Venereal Disease held at Heer H, APO 394
0930 hours, 8 June 44.

Present:	Lord Stansgate	(VP Admin Section)
	Brig. G.S. Parkinson	(Public Health)
	Col R.G.B. Spicer	(Interior)
	Col G.E. Upjohn	(Legal)
	Lt. Col. R. Wilcox	(Public Safety)
	Major J. Lewis	(Public Health)
	Major E.A. Parsell	(Admin Section)
	Major J.B. Hecker	(PC & MH)

The meeting was convened at 1930 hours.

- 1 Lord Stansgate announced that the purpose of this meeting was to determine what steps should be taken to prevent venereal disease from being spread by women released from hospitals as cured, while still not completely past the infectious stages of the disease for which they were hospitalized. He asked if this meeting was originated because of the complaints made to any member present.
- 2 Col Upjohn explained that the meeting was called at his suggestion which was concurred with by Brig. Parkinson. Col Upjohn added that this Regional Legal Officers had expressed concern at the number of cases noted of infectious prostitutes who had been released from hospitals as cured when in fact they were not.
- 3 Brig. Parkinson asked if there was any proof of this and was answered by Major Lewis that it was probably true in some instances. Major Lewis added that such a condition had existed in LSCOE, and that investigations on similar complaints were now being scheduled for ARI and TAIKATU.
- 4 Major Lewis explained that while dispensaries were available, there was no system of check-up to see that the prostitutes visited them.
- 5 Col. Wilcox stated that under the present regulations, there was no way to legally force prostitutes to visit dispensaries unless they were convicted prostitutes.
- 6 Col. Spicer asked if we could not propound some regulation which would require all women treated for venereal disease in hospitals, upon discharge therefrom, to report to dispensaries or clinics regularly over a period of six months for medical inspections purely for safeguarding them - as well as the public.
- 7 Major Lewis stated that something similar to this was in operation in the US.
- 8 Col Upjohn asked if "brothels" were supervised for the protection of Allied Troops.

Major J. Lewis
(Public Health)
Major H.A. Parsell
(Admin Section)
Major J.S. Peakes
(RC & MI)

The meeting was convened at 1930 hours.

- 1 Lord Stanagata announced that the purpose of this meeting was to determine what steps should be taken to prevent venereal disease from being spread by women released from hospitals as cured, while still not completely past the infectious stages of the disease for which they were hospitalised. He asked if this meeting was originated because of the complaints made to any member present.
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- 3 Brig. Parkinson asked if there was any proof of this and was answered by Major Lewis that it was probably true in some instances. Major Lewis added that such a condition had existed in LEGOS, and that investigations on similar complaints were now being scheduled for Bari and Taranto.
- 4 Major Lewis explained that while dispensaries were available, there was no system of check-up to see that the prostitutes visited them.
- 5 Col. Wilcox stated that under the present regulations, there was no way to legally force prostitutes to visit dispensaries unless they were convicted prostitutes.
- 6 Col. Spicer asked if we could not propose some regulation which would require all women treated for venereal disease in hospitals, upon discharge therefrom, to report to dispensaries or clinics regularly over a period of six months for medical inspections purely for safeguarding them - as well as the public.
- 7 Major Lewis stated that something similar to this was in operation in the US.
- 8 Col Upjohn asked if "brothels" were supervised for the protection of Allied Troops.
- 9 Maj. Lewis stated that in general they were supervised properly, and that only occasionally was an Allied soldier found in one.
- 10 The subject of brothels for military use was discussed, and Maj Lewis said that venereal disease rates soared wherever brothels were tacitly permitted.
- 11 Lord Stanagata raised the point of how to make the Italian doctors more meticulous in the performance of their duties in connection with VD control.
- 12 Maj. Lewis informed the group that the activities of the doctors were proving more valuable since the adoption of a more or less standard form of test for VI.
- 13 Brig. Parkinson stated that the best answer to the VD problem was to enforce and encourage proper ~~VD~~ control. He suggested that commanding officers be made to tighten up their control over their men.

- 2 -

- 14 Maj. Reakes stated that a curfew for children had been discussed and a note against it had been sent to ALI. All present agreed that a curfew was not a solution to be considered.
- 15 Further discussion as to the desirability of patrols to keep children and "pimps" off the streets, and disciplinary measures against soldiery were treated briefly.
- 16 Lord Stanegate then presented the items for the agenda for discussion.
- a(1) Measures to be taken to prevent infected women being released from hospitals. It was decided that actual evidence is required in order to make proper representations to the Italian Government. This will necessitate steps being taken through NC & MP Section to ask all concerned to report each case.
- (11) Measures to be taken to supervise them after release. It was decided that VP patients in hospitals should be given conditional releases only. The conditions being that they report weekly (periodically) to clinics until completely cured. All hospitals should keep clinics informed of the patients they are to keep tabs on, and all patients should be informed that unless they actually continue to visit clinics until discharged they will be subject to police action. Patients should also be advised that upon changing residence they must notify the clinics they attend and will be given cards or instructions to report to clinics nearer their new residences for continued treatment.
- It was decided that the Public Health, Legal and Interior Sub-Commissions should draft a decree to be issued by the Italian Government reference the above. It was further agreed that this was to be a wartime measure only, designed to protect not only our own troops but Italians as well.
- b Action that can be taken against racial personnel who allow, either wilfully or negligently, women to be released while still infectious. (Item B of the Agenda), was then discussed. It was agreed that specific instructions must be reported by personnel in the field in order that proper representations be made to the Italian Government. Each case will be handled independently.
- c Item C of the Agenda - Measures to be taken to improve the distribution of drugs was next discussed. Major Lewis stated that although there were dispensaries in nearly every town, there were only 19 hospitals presently involved. He suggested that each case involving inefficiency, shortage or delay be handled separately as it arises. This was agreed to.
- d As to Item D on the Agenda - General situation as to state of law enforcement, it would be necessary to make representations to ALI (through NC & MP) to emphasize the necessity of better control over the conduct of the individual soldier. It was agreed that MP's rather than civil police should supervise the control due to lack of power over Allied soldiery on the part of Italian police.
- e As to Item E, it was considered that the inclusion of this was embodied in the draft decree mentioned in a (ii).
- 17 Major Lewis raised the question of asking the Italian Government to improve the condition of the dispensaries, particularly with respect to increasing their staffs. After a short discussion this was left to be dealt with by the Public Health Sub-Commission.

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It was decided that certain steps being taken entations to the Italian Government. This will necessitate steps being taken through RC & MI Section to ask all concerned to report each case.

- (ii) Measures to be taken to supervise them after release. It was decided that VD patients in hospitals should be given conditional releases only. The conditions being that they report weekly (periodically) to clinics until completely cured. All hospitals should keep clinics informed of the patients they are to keep tabs on, and all patients should be informed that unless they actually continue to visit clinics until discharged they will be subject to police action. Patients should also be advised that upon changing residence they must notify the clinics they attend and will be given cards or instructions to report to clinics nearer their new residences for continued treatment.

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- 17 Major Lewis raised the question of asking the Italian Government to improve the condition of the dispensaries, particularly with respect to increasing their staffs. After a short discussion this was left to be dealt with by the Public Health Sub-Commission.

- 18 Col. Upjohn informed the group that he had caused the cessation of the "Prostitute Court" in Naples. All agreed that this was a proper move.

- 19 In connection with fixing the responsibility of taking action on the above paragraph, it was decided that the Admin Section would co-ordinate the activities of the Sub-Commissions mentioned and would present so much of the requirements to MC & MI Section as pertained to action taken of ALI and ACC personnel in the field.

The meeting was concluded at 1030 hours.

W. P. Lewis
W. P. LEWIS,
Major, Infantry.

Italian Sub Commission - 2

ITALIAN SUB COMMISSION
LEGAL SUBCOMMISSION
APR 1944

ADD/4026/1

SUBJECT: Prostitution and V.D.

TO : HOS Regions 1, 2, 3, 4, 5 & 6 (NEW ROE)
SIOs Gen & 6th Divs (NEW ROE).

19 April 1944

1. The military authorities are constantly requesting assistance from the various subcommissions of the central (Public Health, Public Safety, Social, etc.) in order to secure from the Italian authorities all cooperation in their endeavors to minimize the diffusion of venereal diseases among Allied troops.

2. The Legal Subcommission in turn has made strong representations to the Ministry of Justice with a view to obtaining the result that the rather loose measures followed by Italian judicial and police officials in relation to VD offences be tightened up.

3. Consequently, the Ministry has issued a number of directives and memoranda to the various officials concerned and it will be the duty of LOS in the field to see that these directives are implemented.

4. It must be borne in mind that Italian law gives the judicial and police officials ample means to fight prostitution and the various activities connected therewith. It should be noted that the "pubblico ministero" and the judge are given no latitude in applying the letter of the law in the spirit set out in the Minister's instructions to all Procuratori Generali and Procuratori del Re.

5. A synopsis of the provisions of the law in relation to prostitution together with copies of a number of directives and memoranda published by the Minister of Justice are enclosed in order that LOS may be in a position to supervise the activities of the Italian officials concerned.

6. Such supervision will obviously be easier in the territory where LOS can give direct instructions to all Italian officials. In restored territory particularly, however, LOS should be on at once to their Subcommissions all actions by Italian judicial personnel tending to evade, cut aside or ignore the formal instructions received by them from their superior officials in the above connection.

G. G. HANCOCK, Major
Officer in Charge Italian
For Chief Legal Officer.

Hand

3502

92°

7/1/13

ACC/4009/2

10 April 1944

SUBJECT: Prostitution and V.D.

TO : His Regions 1, 2, 3, 4, 5 & 6 (MTRU Nos.)
SIOs 9th & 6th Divisions (MTRU Nos.).

1. The military authorities are constantly requesting assistance from the various Subcommissions of the concerned (Public Health, Public Safety, Legal, etc.) in order to secure from the Italian authorities full cooperation in their endeavors to minimize the use of prostitution among Allied troops.

2. The Legal Subcommission in turn has made letters of representation to the Minister of Justice with a view to obtaining the result that the rather loose procedure followed by Italian judicial and police officials in relation to VD offences be tightened up.

3. Consequently, the Ministry has issued a number of directives and memoranda to the various officials concerned and it will be the duty of LOS in the field to see that these directives are implemented.

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Appendices:

- 1 - Synopsis of Law.
- 2 - Compulsory Report of Doctors (Ministry of Interior).
- 3 - Instructions to Judges and Prosecutors (Minister of Justice).
- 4 - Memorandum for Allied Authorities.
- 5 - Rights of Appeal and Provisional Freedom.

C. G. MARSHALL, Major
Officer i/c Italian ~~Legal~~ *Legal* Officer.

2-2004 1044

[illegible]

Ref: your PRO/37/438 dated 20 Feb. 44.

1. Unearned contribution is not allowed in England, but there is no Federal law in the U.S. - in this regard most State further the own legislation on the matter.

2. In Italy licensed prostitution is regulated by the provisions of the law of Public Safety of 18 June 1931 No. 273, Chapter VII, articles 190 to 208.

as the law is concerned are also referred to
as follows:

Art. 190: At the request of the keeper or at their discretion, Radio Safety authorities may refuse prizes where prohibition is excused to be licensed prizes.

Art. 191: No provision of this type can be opened without the licence referred to in the preceding articles; this provision is also applicable to vehicles where one person only occupies this practice. Power up to one year and 1,000 l.t.s. max.

2.1.13: Apple's by negotiations to close any such companies in the interest of stability, decency and public order.

47.173. However, having to open a house of prostitution must fill in a special form provided by Public Safety authorities. If which are described the conditions and at which no way existed for profession.

Article 12 has been used for a long time and has been published in the official gazette of the P.O. authority. List of persons who have been granted a license to exercise private security must be submitted to the P.O. authority. If there are any other persons, even for a short time, in the license period, they must be submitted to the P.O. authority. If there are any other persons, even for a short time, in the license period, they must be submitted to the P.O. authority.

Art. 197: Letters of official are destroyed by the P.S.
6810100000

30011201 General Discharge, Brothers, Pines, etc.

10 : Deputy Provost Marshall, W. 3 District

for your FHO/32/139 dated 26 March 44.

1. Licensed prostitution is not allowed in England, but there is no federal law in the U.S. - In this respect each State issuing its own legislation on the matter.

2. In Italy licensed prostitution is regulated by the provisions of the Law of Public Safety of 10 June 1931 No. 773, Chapter VII, articles 190 to 200.

3. As far as the law is concerned the above referred to articles provide:

Art. 190: At the request of the keeper or at their discretion, Public Safety authorities may declare premises where prostitution is exercised to be licensed premises.

Art. 191: No premises of this type can be opened without the license referred to in the preceding article; this provision is also applicable to premises where only persons only exercise this practice. Penalty up to one year and 1,000 lire fine.

Art. 192: Public Safety authorities can close any such premises in the interest of morality, decency and public order.

Art. 193: Whoever desires to open a house of prostitution must fill in a special form provided by Public Safety authorities in which are determined the conditions under which he may exercise his profession.

Art. 194: No premises used for prostitution can be notified without the authorization of the P.S. authority. List of persons who exercise prostitution in licensed premises must be notified to the P.S. authority. If anyone violates security measures are not taken and an infected person is admitted, even for a short time, in the licensed premises, penalties up to one year and 5,000 lire can be applied.

Art. 195: Hours of opening are determined by the P.S. authorities.

Art. 196: The following are forbidden in premises where prostitution is exercised:

- (a) Gambling, dancing and any type of celebration,
- (b) the ready sale of food and drink,
- (c) access to minors under 18,
- (d) entering the premises carrying arms.

Penalties up to 6 months and 3,000 lire.

- Art. 197: Full rights of requisition at any time by P.S. authorities - and also of evacuation of all inmates.
- Art. 198: The keeper cannot receive gifts of money or other articles from the inmates. Penalty - up to 3 months and 5,000 lire.
- Art. 199: The keeper cannot retain an inmate wishing to leave the premises. Penalty up to 3 months and 5,000 lire.
- Art. 200: Prostitution premises shall be closed when:-
1. Venereal diseases are prevalent.
 2. Minors are found among the inmates.
 3. Sanitary visits are not properly carried out.
 4. The keeper tries to prevent such visits.
 5. The keeper becomes an habitual offender under Art. 195 & 196.
 6. The lease is over.
- Art. 201: All such premises can also be closed for general hygiene motives or other persons left at the discretion of P.S. authorities.
- Art. 202: The keeper who re-enters the premises open after the date of closing is liable to one year's imprisonment and 5000 lire fine.
- Art. 203: Whoever contravenes the above provisions cannot receive a license for a period of five years.
- Art. 204: One year is the minimum limit of time before any closed premises can be opened.
- Art. 205: P.S. authorities can at any time order sanitary visits of the inmates or send them to special care places.
- Art. 206: Licenses are withdrawn if the keeper requests it when the premises are not used anymore for the exercise of prostitution.
- Art. 207: All appeals against P.S. authority action can be made to a Commission convened by the Prefect, etc.
- Art. 208: Incitement to debauchery is also forbidden, even by indirect means, in any public place.
- It is also expressly forbidden:
- (a) to solicit by words or words in the streets.
 - (b) to stand in public places in an indecent attitude.
 - (c) to expose one's person at the windows or on the threshold of licensed premises.
 - (d) to give the address or indicate in any way the location of licensed premises or to offer rooms or procurers.
- Penalty up to six months.

Art. 200f

Prostitution premises shall be

1. Venereal diseases are prevalent.
2. Liquors are sold about the inmates.
3. Sanitary visits are not properly carried out.
4. The keeper tries to prevent such visits.
5. The keeper becomes an habitual offender under Art. 195 & 196.
6. The license is any other.

Art. 201 : All such premises can also be closed for general hygiene motives or other reasons left at the discretion of P.S. authorities.

Art. 202 : The keeper who maintains the premises open after the date of closing is liable to one year's imprisonment and 5000 lire fine.

Art. 203 : Whoever contravenes the above provisions cannot receive a license for a period of five years.

Art. 204 : One year is the minimum limit of time before any closed premises can be opened.

Art. 205 : P.S. authorities can at any time order sanitary visits of the inmates or send them to special cure places.

Art. 206 : Licenses are withdrawn if the keeper requests it when the premises are not used anymore for the exercise of prostitution.

Art. 207 : All reports against P.S. authority action can be made to a Commission composed by the Prefect, etc.

Art. 208 : Incitement to debauchery is also forbidden, even by indirect means, in any public place.

- It is also formally forbidden :
- (a) to solicit by words or words in the streets.
 - (b) to stand in public places in an inducement attitude.
 - (c) to expose one's person at the windows or on the threshold of licensed premises.
 - (d) to give the address or indicate in any way the location of licensed premises or to offer signs of prostitution.

Penalty up to six months.

4. It is hoped that this short synopsis of Italian legislation on the subject will answer most of the legal questions you are interested in. As prostitution control is entirely a police responsibility your letter has been passed to the Public Safety Sub-Commission together with a copy of our reply for their comments thereon and their views clear on the question of effect.

C. G. H. HAZARD, Major
Legal Sub-Com.

Ministry of the Interior

APPENDIX "B"

7/1/40

To all Prefetti.

The Allied authorities have informed the Italian Government that private doctors who treat military personnel for venereal diseases do not report the cases to proper quarters, as they are required to do by law. Thus the adoption of disciplinary and sanitary measures by the military authorities is made impossible. In order to obviate these difficulties, will you please inform the medical associations to the effect that soldiers are considered as "living in the community" and therefore in pursuance of the provisions of the Ministerial Decree of 23 April 1940, it is compulsory for the doctors to report all cases of syphilis, gonorrhea and venereal disease affecting military personnel which they may obtain knowledge of in the course of their professional activities.

All defaulters shall be punishable under the terms of art. 254 of the consolidated text of the existing sanitary legislation. Please acknowledge.

3903

The Minister.

ATTENTION

Instructions to the following effect have been issued to all. Recipients
General - Amvocali General - Amvocali General - Amvocali

Instructions for the cooperation with the Allied authorities in order to
eliminate the spreading of V.D. among them.

A.S.O. have requested the attention of the Allied authorities in order
to be able to prevent the spread of V.D. among Allied troops.

It has been found that the majority of the Italian soldiers, there neces-
sary, mixed groups of Allied and Italian soldiers are committed to street
the streets and recent prostitution has developed with frequency and thus
gaining easy contact with Allied soldiers. The prostitution centers have also
been created in town to increase the possibility of curing venereal disease
and of detecting symptoms of a venereal disease (increased venereal disease
keeps at these centers on a daily basis).

It has been reported that the majority of the Italian prostitutes (prosti-
tutes, who have been either abandoned (abandoned) or abandoned (abandoned),
and who have not been seen since a few days ago, they seem to be in the
spread of the disease, especially where there are large numbers of these
women.

The attention of all concerned has been directed to the fact that the Italian
soldiers, who have been either abandoned (abandoned) or abandoned (abandoned),
have actively and they are working hard to prevent the spread of the disease in
their town in their connection to the Allied authorities. The Italian
the judicial police will be instructed to take all necessary steps to pre-
vent prostitutes from working in the streets and to prevent the spread of the
disease.

Furthermore, in order to prevent the spread of the disease among the
public safety of the town, the following measures are being taken:

(1) Prostitutes are prohibited from working in public places in connection
of Article 25 of the Italian Penal Code (Article 25 of the Italian Penal Code)
and treatment centers. They will not be permitted to work in the streets and
doctors at the centers have decided that they will be free to work or even
from suspected disease.

(2) Prostitutes are prohibited from working in public places in connection
of Article 25 of the Italian Penal Code (Article 25 of the Italian Penal Code)
the doctors at the centers. They will not be permitted to work in the streets and
doctors at the centers have decided that they will be free to work or even
from suspected disease.

(3) The names of all prostitutes are being kept in a list and the names of
these persons are being kept in a list and the names of these persons are being
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70933

Instructions for the concentration with the Allied authorities in order to eliminate the spreading of V.D. and AIDS.

A.C.C. have requested the appropriate authorities of the United States in order to prevent the spreading of V.D. and AIDS.

It has been suggested with the authorities of the United States, where necessary, mixed groups of Allied countries should be organized to control the streets and control prostitution. It is suggested with authority that the training area contact with AIDS and AIDS. Not observation centers have also been created in order to increase the possibility of seeing venereal diseases and of detecting symptoms of a venereal disease after infected persons may be kept at these centers until cured.

It has been suggested that the system in order of unregulated prostitution, who have been offered a reward (financial) or arrested (arrested), and who have not been arrested from the city may be able to increase the spread of the disease, especially where there are large numbers of these persons.

The attention of all in current delinquency and disorder is therefore directed to the gravity of these facts which have a direct effect on Allied military activity and they are hereby instructed to take every measure in their power in this connection to the Allied authorities. Now especially, the judicial police will be instructed to take all necessary steps to prevent prostitutes exercising their shameful trade away from the special authorized houses.

Furthermore, in cases of prostitutes of color, appropriate measures of public safety or arrest of the following shall apply:

(1) Prostitutes are prohibited from working in pursuance of article 15 of Law on Public Morality (Article 15) shall be subject to the observation and treatment centers. They shall not be returned to the persons unless the doctors at the centers have declared that so by law from disease or even from untreated disease.

(2) Prostitutes are prohibited from working in the case of Penal Proceedings, or prostitutes arrested (arrested) shall be carefully examined by the doctors at the prisons. All those found to be infected or infected of being infected shall be transferred from the hospital and given adequate treatment at the prisons. If any "unregulated" person (i.e. a prostitute) whose persons are detained temporarily as distinct from one in which long-term prisoners serve sentences) is not equipped for such treatment, the prostitutes shall be transferred to a judicial prison.

(3) The names of all prostitutes arrested from jail, for any reason whatsoever, shall be communicated by the doctors concerned to the Italian Public Safety authorities who shall observe the relevant regulations of public safety in their cases.

(4) Care shall be taken to exercise extra medical interventions and all proceedings connected with prostitution and other offenses included in that general category in order to ensure that the various cases are adequately and properly dealt with.

3904

MEMORANDUM FOR THE ATTORNEY GENERAL IN CONNECTION WITH THE PROSECUTION OF THE CASE OF THE ITALIAN POLICE

(A) By Italian law there are two different ways in which a person can be arrested by the police:

(1) "Arresto". This corresponds exactly to our own ideas of arrest and is regulated by Italian law in the Code of Penal Procedure Arts. 248 and 250. It is usually effected under an order or warrant issued by the judicial authorities. But even when "arresto" can be made without such an order or warrant are set out in the Code of Penal Procedure Arts. 251, 256, 257, 258 and following and these cases are mainly those where a person is caught in the act of committing an offence (delinquente delicto).

The Code, then, sets out when the police (a) must have a warrant before making an arrest, (b) when they need not have a warrant, and (c) when they must proceed to arrest without a warrant.

In all cases however the person arrested must be placed by the police at the disposal of the judicial authorities within 24 hours of making the arrest unless a longer period of detention shall be ordered by the signature or return (Arts. 244 - 246 Code of Penal Procedure).

(2) "Perno". The distinction between this method of arrest and "arresto" above lies not in its in edict effect upon the person arrested, for in either case he is taken into custody, but in the procedure adopted towards such a suspected person after arrest.

(a) "Perno" is regulated by Art. 250 of C.P.P. modified by a Royal Decree No. 15 of 20 January 14 where the police are empowered to apprehend or take into custody any person suspected of having committed a crime or who, in being interrogated by the police, attempts to escape. But the police may apprehend in this manner only such persons regarding whom they have reasonable ground for suspecting as having committed or being concerned in, a crime for which the issue of a warrant of arrest would be necessary. Detention in such cases must be immediately notified to the judicial authorities.

(b) Under Art. 157 of the "Regole di Polizia Giudiziaria" a person may be apprehended by the police without being accused or even being asked or questioning an offence, simply because he leads a suspicious or immoral life and when questioned by the police refuses to give them any explanation. By Art. 158 however the powers of the police in such cases are limited to ordering that the suspected person return to his domicile of origin, by a compulsory travel order (Regole di Polizia Giudiziaria).

However, when it is difficult to establish the identity of the person so apprehended, he or she can be detained in custody for such a period of time until the police are satisfied as to his identity and records.

(E) It is to be observed that, in so far as prostitution was concerned, many more are apprehended by police patrols operating in town during the hours of darkness than are arrested for a similar offence.

Prostitution is regulated by the police who are found to be licensed may be detained in prison until cured. Persons arrested for prostitution (arrestati), with or without warrant, must be dealt with in accordance with the Code of Penal Procedure, where it is laid down that such persons may be treated outside the law.

3803

(4) By Italian law there are two distinct ways in which a person can be arrested by the police:-

(1) "Arresto". This corresponds roughly to our own ideas of arrest and is regulated by rules laid down in the Code of Penal Procedure Arts. 242 and 250. It is usually effected under an order or warrant issued by the judicial authorities. But cases when "arresto" can be made without such an order or warrant are set out in the Code of Penal Procedure Arts. 243, 246, 257, 259 and following, and these cases are mainly those where a crime is caught in the act of committing an offence (il-fatto delitto).

The Code, then, sets out when the police (a) must have a warrant before making an arrest, (b) when they need not have a warrant, and (c) when they must proceed to arrest without a warrant.

In all cases however the person arrested must be placed by the police at the disposal of the judicial authorities within 24 hours of making the arrest, unless a longer period of detention shall be ordered by the Procuratore on Tre-tore (Arts. 244 - 246 Code of Penal Procedure).

(2) Perse. The distinction between this method of arrest and "arresto" above lies not in the fact that the person arrested, for in either case he is taken into custody, but in the procedure adopted towards such a suspected person after arrest.

(a) "Perse" is regulated by Art. 258 of C.C.P., modified by a Royal Decree No. 45 of 20 January 14 where the police are directed to arrest and or take into custody any person suspected of having committed a crime or who, in being interrogated by the police, attempts to escape. But the police may apprehend in this manner only such persons regarding whom they have reasonable grounds for suspecting as having committed or being concerned in, a crime for which the issue of a warrant of arrest would be necessary. Detention in such cases must be immediately notified to the judicial authorities.

(b) Under Art. 157 of the "Regole di Procedura" a person may be apprehended by the police without being accused or even implicated or committing an offence, simply because he leads a disreputable or immoral life and when questioned by the police refuses to give them any explanation. By Art. 158 however the powers of the police in such cases are limited to ordering the suspected person return to his domicile or office, or a compulsory travel order (Regole di Procedura).

However, when it is difficult to establish the identity of a person so apprehended, he or she can be detained in custody for such a period of time until the police are satisfied as to his identity and morals.

(5) It is to be observed that, in so far as prostitution is concerned, many more are apprehended by police patrols operating in town during the hours of darkness for morality offences than are arrested for a specific offence.

Prostitutes so apprehended by the police who are found to be diseased may be detained in prison until cured. If such persons are cited (arrestati), with or without warrant, must be dealt with in accordance with the Code of Penal Procedure, where it is laid down that such persons may be treated outside the jail.

3503

The Minister.

7/1/8

MINISTRY OF JUSTICE

ATTACHMENT "E"

PROVISIONAL LIBERTYOBJECT AND RIGHT OF APPEAL AND PROVISIONAL LIBERTY IN CASES OF PROSTITUTION

When a prostitute arrested, tried and sentenced lodges an appeal or a recourse in Cassation, the provisions of Art. 277 and following of the Code of Penal Procedure shall apply. These articles concern provisional freedom granted in order to protect the interests of the sentenced person.

Provisional freedom may be granted at any time during the proceedings and also (in accordance with the terms of R.P.L. of 31.1.1924 No. 42) pending recourse in Cassation, but cannot be granted in cases set out in Art. 255 of the Code of Penal Procedure.

The order of provisional liberty can be contested by the Pubblico Ministero. Liberty may be granted under bail.

In conclusion, the detainee has no right to be liberated pending appeal unless her preventive detention exceeds the amount of the sentence.

Provisional Freedom falls within the discretionary powers of the judge, except in cases under Art. 255 of Code of Penal Procedure as stated above.

On the other hand the granting of Conditional Liberty under Art. 176 of the Penal Code is not applicable, as the sentence is not final (if an appeal is lodged).

Note: "Provisional Liberty" is freedom granted by a judge before sentence is actually pronounced.

"Conditional Liberty" is probationary freedom granted after pronouncement of sentence which has imposed imprisonment under a final judgment.

3902

545

7/130
7/117

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
Administrative Section

ACG/3023/PH

11 March 1944

Subject: Venereal Disease.

To : Legal
PS
PH

1. Reference attached copies of correspondence from Executive Commissioner, the following action will be take.

(a) Legal will make necessary arrangements with Minister of Justice to effect Para 4 and Para 2 insofar as it concerns that Ministry.

(b) PS in conjunction with PH will make the representations required in Para 2 with Ministry of Interior.

2. Sub-Commissions concerned will report progress and action taken by Ministries to their section by 17 March.

Stansgate

STANSGATE
VP Adm Sec.

Copies to:
Interior
AC & AL Sec.

3501

COPY

Ref: 234/14/CA.

8th March 1944.

SUBJECT: Venereal Disease.

TO : Vice President,
Administrative Section.

1. I attach copies of letters addressed to Chief Administrative Officer, H. I. A.G.M.F. and Regional Commissioners on the subject of venereal disease.
2. I should be grateful if the strongest representations could be made to the Minister of Interior and the Minister of Justice in order that directions may be given from the Italian Government to give effect to the Italian law on prostitution in the most drastic manner.
3. Our present experience is that the Italian medical authorities play their part well in the prevention of venereal disease but there is no doubt that the law, which is comprehensive, is not being effectively administered either by the Carabinieri or the Courts.
4. I would ask that special instructions be given by the Minister of Justice that cases affecting prostitution should be dealt with rapidly and that severe sentences should be imposed.

MGL/JC.

/s/ M. S. Luch
Brigadier,
Executive Commissioner

3900

COPY

HEADQUARTERS
ALLIED CONSOLE COMMISSION
APO 394

Regional Control and Military Government Section

Ref: 234/12/CA

3th March 1944

SUBJECT: Venereal Disease.

TO: Chief Administrative Officer,
Headquarters, A.C.M.F.

I refer to your AGMF/3073/A (C) dated 1 Mar 44.

1. The Chief Commissioner is most anxious to co-operate in the prevention of venereal disease amongst Allied troops and I am directed by him to say that everything will be done both in areas under Military Government to assist the troops.

2. In the opinion of the Chief Commissioner, the law, both A.M.G. and Italian, is sufficient as it stands. Pimping, procurement, solicitation, are offences under Italian law which is administered by both Italian and Allied Military Courts and which deals with the matter as comprehensively as possible.

3. The weakness at the present moment lies in the knowledge by Allied Military Police of the offences under Italian law and in the application of that law by the civil police and the courts of justice. It appears to the Chief Commissioner that in these respects much improvement could be made and it is his intention to issue a directive to Regional Commissioners instructing them in areas under A.M.G. to see that the Allied Military Courts deal severely with all cases affecting the morals of the troops and in the territory under the Italian Government to advise the Italian courts to do the same. A strong representation will also be made to the Minister of Justice in the Italian Government and it is hoped that this will have the desired effect. At the same time the Chief Commissioner feels sure that you will agree that basically the prevention of venereal disease lies in the degree of discipline amongst the troops themselves.

REL/JG.

/s/ H. B. Lush,
Brigadier,
Executive Commissioner.

3853

C O P Y

✓ 7/27
7/1/4

Subject: AMS Penal Code.

Hq ACME (Admin Con)
CMF.
ACME/3073/A (3)
1 Mar 44

Executive Commissioner,
A.C.C.

1. It is desired to take all possible steps in regard to the prevention of V.D. It is understood that pimping, procuration and soliciting are not at present offences against the AMS penal code.
2. Will you kindly inform this H.Q. whether it would be possible to include these actions as offences by the publication of a further proclamation, prescribing penalties of a suitable severity. It appears that the inclusion of brothel-keeping as an offence would not be practicable.
3. If such procedure is possible in the case of the three actions named, may it be stated in what portion of ITALY the proclamation would have effect.

277
Major General.
Chief Administrative Officer

C O P Y

3893

HEAD QUARTERS
ALLIED CONTROL COMMISSION,
APO 394

Regional Control and Military Government Section.

Ref: 234/13/CA

8th March 1944.

SUBJECT: Venereal Disease.

TO : Regional Commissioners,
Regions I, II, III, IV, V, VI, VII & IX.
S.C.A.O., AMO, 5 Army.
S.C.A.O., AMO, 8 Army.

1. It is essential that we should, in co-operation with military formations, take all possible steps to prevent the spread of venereal disease amongst Allied troops. While the matter is basically one of discipline in the units and formations themselves, the authorities who administer the law to the civilian population have a very great responsibility in ensuring that every thing is done to reduce prostitution and the evils resulting therefrom.

2. The Italian law with regard to prostitution, procurement, and solicitation, is sufficiently comprehensive and severe to reduce the evil to a minimum provided that the law is properly and firmly administered.

3. It is the duty of Regional Commissioners, whether in AMO or in territory under the Italian Government, to see that the laws against prostitution are administered rigorously and effectively.

4. In order to attain this end Regional Commissioners will see that the full details of the Italian law are brought to the notice of the Military Provost authorities in order that the Military Police may know what is an offence and what is not. Regional Commissioners will also ensure that the Carabinieri enforce the law in co-operation with the Military Police, and finally, they will ensure that Allied Military Courts and Italian Courts deal with such cases severely and rapidly.

5. Provided a concerted drive is made by the Allied Military and Italian Police, by the Allied Courts and Italian Tribunals, and provided that Regional Commissioners instill into their provincial staffs the menace to the Allied Forces which the spread of venereal disease is now causing, and provided that Regional administrative staffs see that this law is applied, much can be done to reduce the incidence of disease and assist the Allied troops. Every effort will be made by Regional Commissioners to see that the medical staff, both

3897

TO : Regional Commissioners,
Regions I, II, III, IV, V, VI, VIII & IX.
S.C.A.O., AMG, 5 Army.
S.C.A.O., AMG, 6 Army.

1. It is essential that we should, in co-operation with military formations, take all possible steps to prevent the spread of venereal disease amongst Allied troops. While the matter is basically one of discipline in the units and formations themselves, the authorities who administer the law to the civilian population have a very great responsibility in ensuring that every-thing is done to reduce prostitution and the evils resulting therefrom.

2. The Italian law with regard to prostitution, procurement, and solicitation, is sufficiently comprehensive and severe to reduce the evil to a minimum provided that the law is properly and firmly administered.

3. It is the duty of Regional Commissioners, whether in AMG or in territory under the Italian Government, to see that the laws against prostitution are administered rigorously and effectively.

4. In order to attain this end Regional Commissioners will see that the full details of the Italian law are brought to the notice of the Military Provost authorities in order that the Military Police may know what is an offence and what is not. Regional Commissioners will also ensure that the Carabinieri enforce the law in co-operation with the Military Police, and finally, they will ensure that Allied Military Courts and Italian Courts deal with such cases severely and rapidly.

5. Provided a concerted drive is made by the Allied Military and Italian Police, by the Allied Courts and Italian Tribunals, and provided that Regional Commissioners instill into their provincial staffs the menace to the Allied Forces which the spread of venereal disease is now causing, and provided that Regional administrative staffs see that this law is applied, much can be done to reduce the incidence of disease and assist the Allied troops. Every effort will be made by Regional Commissioners to see that the medical staff, both Allied and Italian, fulfil their duties with regard to the inspection and control of prostitutes.

6. Regional Commissioners will be asked from time to time to go beyond the law and to take extraordinary steps such as the internment of clandestine prostitutes, etc., but provided the law is drastically administered there should be no need to go beyond it.

7. It is of paramount importance that Regional Commissioners should do their utmost to assist the Allied troops in this matter.

M.S. LUSH,
Brigadier,
Executive Commissioner.

MSL/JC.

SECRET

HEADQUARTERS
JOINT MILITARY GOVERNMENT
APO 394

Public Health Sub-Commission

AMG/9023/TH

12 January 1944

SUBJECT: - Venereal Disease

TO: - R.C.C.O., Region I
R.C.C.O., Region II

1. Attached report of Surgeon General of 6 December 1943 on the incidence of Venereal Disease is forwarded.
2. Please comply with paragraph 4 of this report and advise this office by 31 January 1944 of action taken.

By order of General Stewart

AM/344/13

H. S. BARNETT, Brigadier
Director, Public Health Sub-Commission.

1 Inclosure

Copy 576/24/1 (please note both sides).

DISTRIBUTION:

HCAD Region I
HCAD Region II
Public Safety Sub-Commission
Interior Sub-Commission
Legal Sub-Commission
Administrative Directorate
Surgeon VII Army
Surgeon IHS
Surgeon PSC
and 15th Army Group

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3868

SECRET

ALLIED FORCE HEADQUARTERS

OFFICE OF THE SITUATION

Ref: - H.56/2A/1.

SUBJECT: - Venetian Islands.

TO: - C.C.A.D.,
A.E.A.C.

PART I - REPORT

1. The increase in the V.I. rate in our charges; there has been a steady rise since the occupation of Sicily and Italy.

2. This is due to:

- (a) The presence and availability of large numbers of infected women in our charge on the ground.
- (b) The abundance of wine.
- (c) Inadequate welfare facilities.
- (d) Misconduct of life in quarters.

PART II - SUMMARY

Formation

A.C.S.

A.C.S.

A.C.S.

Hq. Command

Fifth Army

Seventh Army

13th Air Force

P.E.S.

I.C.S.

C.C. Gas

TOTAL

V.I. rate/1000/men

100.13

42.06

10.04

61.19

69.66

56.79

65.57

105.79

297.05

232.10

40.97

NOTE: - These rates are based on incomplete returns.

Formation

1st Army

10 Corps

2 District Total

Baltic Area

Total Italy

1 District

North Africa

TOTAL ROLES

21.6

108.9

104.0

195.9

51.2

72.7

28.2

13.7

3863

1. The increase in the G.P. rate is not alarming; there has been a steady rise since the occupation of Sicily and Italy.

2. This is due to:

- The presence in the G.P. rate of the cost of imported resources in the fields and on the front.
- The standard of living.
- The cost of military facilities.
- The cost of life in the front.

Summary

Formation

1st Army
2nd Army
3rd Army
4th Army
5th Army
6th Army
7th Army
8th Army
9th Army
10th Army
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12th Army
13th Army
14th Army
15th Army
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98th Army
99th Army
100th Army

Total

NOTE: - These rates are based on incomplete returns.

Formation

1st Army
2nd Army
3rd Army
4th Army
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100th Army

Total

Formation

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99th Army
100th Army

NOTE: - These figures are not in any sense comparable with the figures of many factors which are not common to both armies.

3855

PART II - A-30, 1944, 146.

1. The attention of Commanding Generals of formations again be drawn to the present serious menace of V.V.
2. The services of Sergeant F. S. Lewis, Sergeant Major Frederick M.E., who is now available, be accepted to work in conjunction with the advisers in Virology, A.D.O. and Chief Medical Officers, A.D.O.
3. That the present campaign against V.V. be intensified, i.e. talks by Commanding Generals, divisions by A.D.O., by propaganda and discussions by Chaplains be carried out as vigorously.
4. A.D.O. be responsible to organize and coordinate treatment for all women to whom V.V. is attributable, including police surgery, and compulsory segregation.
5. Working hours to be restricted.
6. Strains to be placed off limit.
7. American Red Cross and other activities to be ordered and assisted in every possible way. This includes a reduced entertainment and recreation facilities bars and canteens staffed by suitable ladies. It is suggested that every static unit is held responsible for the day organization.
8. Static units and formations to organize adequate prophylactic treatment. Contact with 1000 contact formations in London and all cases contracted V.V.
9. These recommendations will apply to all units.
10. The V.V. rate has seriously threatened to limit the effectiveness of static and formations. In case instances to V.V. rate is equal to the malaria rate; higher than the infective hepatitis rate and to the malarial cases of malaria.
11. In conclusion:
 - (I) the V.V. rate is everywhere steadily rising.
 - (II) V.V. is now a serious menace to the health and effectiveness of troops in all formations.
 - (III) Urgent and effective action is required.

6 Dec. 43.
D.C./T.S.(Sgt) (S.D.O. 1944)
to J.C. 1944
Garrison, A.D.O., A.D.O.

3. That the present campaign against V.D. be intensified, i.e., issues by Commanding Officers, addressed by M.O., in correspondence and discussions by Chaplains be carried out to capacity.
4. V.D. be removed to individuals and units, be arrested for all reason to show V.D. is attributable, and with police support, if a compulsory segregation.
5. Drinking hours to be restricted.
6. Prohibits to be placed on all.
7. American Red Cross and other activities to be allowed and assisted in every possible way. This includes organized entertainment and recreation, coffee bars and canteens staffed by suitable ladies. It is suggested that every service unit is held responsible for its own organization.
8. Biologic units and formations to organize adequate prophylactic treatment centers. Out of 17,000 combat treatment in Africa only 11 cases contracted V.D.
9. These recommendations apply chiefly to Italy and Italy.
10. The V.D. rate has seriously threatened to limit the effectiveness of Armed and formations. In some instances the V.D. rate is equal to the malaria rate, larger than the infectious hepatitis rate and in the chief cause of sickness.
11. In conclusion: -
 - (I) The V.D. rate is everywhere steadily rising.
 - (II) V.D. is now a serious menace to the health and effectiveness of troops of all formations.
 - (III) Urgent and immediate action is required.

6. sec. 43.
ENCLOSURE

(100-1000000000)
Major-General,
Surgeon, A.F.S., A.F.S.D.

Reproduced A.D. 24.
1. January 1944

0682