

1604

Declassified E.O. 12356 Section 3.3/NND No. 785016

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10000/142/419
(VOL. 2)

10000/142/419
(VOL. 2)

ITALIAN PRISONS
FEB. 1946 - JAN. 1947

AC/4049/L.

VOLUME 2

Opened : March 1946.

Closed : 31 January 47

SUBJECT : ITALIAN PRISONS (ACCOMODATION ETC. SEE ALSO FILE 4049/L.
CONGESTION OF PRISONS IN SARDINIA.)

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SUBJECT : ITALIAN PRISONS (ACCOMMODATION ETC. SEE ALSO FILE 4049/L.
CONGESTION OF PRISONS IN SARDINIA.)

100000 / 142 / 419

THIS FOLDER
CONTAINS PAGES
FROM MAR. 46
TO JAN. 47
CATALOGUE.

HEADQUARTERS ALLIED COMMISSION
APR 794
LEGAL DISTRICT

FILE
96A

KG/4019/1.

AP/m.
9 January 1947.

TO : Prisoners of Italian origin serving
sentences in the Reichsgaue.
TO : Minister of Prisons and Justice
(Attn: Dr. BERNHARD)

1. Reference to this Sub-Commission's letter
KG/4019/1 of 20 November 1946 and our 156632/8 BIR VI "Trevan-
gische Form" of 1 December 1946.

2. Further to the conversation between Dott. M. M. I.
and Dott. BIRN on the same subject, please be advised that
the Allied authorities of Rhodes are requesting that necessary
papers be sent out from Italy on board the next repatriation
ship to escort the prisoners.

3. Please consider the matter as very urgent.

34
G. C. HARRISON,
Lt. Colonel,
Deputy Chief Legal Advisor.

Ministero di Grazia e Giustizia
DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DIPENA

UFF. VI

Let. N.° 187894/3

Roma 18 DIC 1946

Ala Commissione
Sottocommissione Legale

Risposta al f. del 20/11/1946
Dir. Leg. N.° 1049/1

OGGETTO: Rimpetrio dal Dodecannesso di detenuti di
origine italiana.

Con riferimento alla nota sopra indicata, si conferma che i detenuti di origine italiana, attualmente ristretti nelle carceri del Dodecannesso, possono essere tradotti in istituti penali italiani.

Per quanto si riferisce al detenuto N.5547, è stata ancora una volta interessata la competente Direzione Generale degli Affari Penali, la quale comunicherà direttamente con codesta Commissione.

LEGAL COUNSEL - COMMISSION	
ONE	Per Ministro
TWO	
THREE	
FOUR	
FIVE	
SIX	
SEVEN	
EIGHT	
NINE	
TEN	
ELEVEN	
Twelve	

27 DEC 1946

94A

Subject: Italian Prisoners.

U.R. D.D.A.
Dodecanese MAF 2

Legal Dept.

Ref: I/54190/16
20th December 1946

To: Legal Sub-Commission,
Headquarters Allied Commission,
ROME C.I.P.

I am directed to refer to this HQ
letter I/OA 13/1 of 13th Sept 1946 and to this HQ
letter I/54190/11 of 1st Nov 1946 and to request
you to expedite a reply.

As you are aware the British Occupation of
this Territory is expected to come to an end at a
very early date and it is important that the convicts
of Italian nationality should be repatriated before
it does so terminate.

There are only two convicts awaiting such
repatriation, both convicted of murder and not due
for release ordinarily until 1955 and 1960 respectively.

Muller

(M.M. CHARLZ)
Legal Adviser,
for Chief Administrator.

LEGAL SUB-COMMISSION

1946

1946

CHIEF COUNSEL

1611

REF: D/041907
20th December 1946

To: Legal Sub-Commission,
Headquarters Allied Commission,
ROME G.I.T.

I am directed to refer to this HQ
letter L/CA 13/1 of 13th Sept 1946 and to this HQ
letter I/54190/11 of 2nd Nov 1946 and to request
you to expedite a reply.

As you are aware the British Occupation of
this Territory is expected to come to an end at a
very early date and it is important that the convicts
of Italian nationality should be repatriated before
it does so terminate.

There are only two convicts awaiting such
repatriation, both convicted of murder and not due
for release ordinarily until 1955 and 1960 respectively.

McLarlee

(R.M. CLARKE)
Legal Adviser, 32
for Chief Administrator.

LEGAL SUB-COMMISSION	
MR R.A.	
MR B.	
MR J. COUNSEL	
MR A. SECTION	
NOTED 5 JAN 1947	

4043 file

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

93A

Livorno, Date: 8 February 1946

Ref : L.O. 1829.

Subject : Lists of prisoners detained in Livorno Province Jails.

To : HQ., Allied Commission, A.P.O. 394.
(Attn: Chief Legal Advisor, Legal Sub-Commission).

8A 4043/2

1. As stated in note to Final Legal Report, ref. L.O. 1806, dated 28 January 1946, by this office, lists of A.M.G. prisoners detained in Portofino, one, Gorgona and Capraia Jails as on 31 December 1945, are attached hereto.

2. Report as to not collected fines, still outstanding because of delay in reporting on the part of law enforcing agencies, is expected to be forwarded to you within a few days.

For the Chief Liaison Officer A.C.:



Lt. Eric Feldman
Lt. ERIC FELDMAN

Asst to the Legal Liaison Officer.

Incls: 3.

31

→	DCLO	<i>[Signature]</i>
→	Chief Counsel	<i>[Signature]</i>
→	CIO	
	Italian Section	
	CL RKS	
	12-2-46	

HEADQUARTERS ARMED CO
APO 794
LEGAL DIVISION

FILE

92A

AC/AD44/5

20 November 1946.

SUBJECT : Prisoners of Italian origin serving sentences in the Podcanese.

TO : Ministry of Prison and Justice.

88A

1. Reference is made to this Division's letter AC/AD44/5 of the 24 September 1946.

2. Further to the conversation between Col. Bonelli and Col. Fiore on the same subject, please be advised that a prompt answer to our letter is being requested.

3. Correspondence and index cards relating to the above mentioned matter are enclosed.

G.D. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

Encls.: Copy of letter from
M. A. A., Podcanese

: Index card of ONORI Alberigo
: " " " " ASUNCI Podcanico
: " " " " GIACCAIA Giacomo.

20

Ministero di Giustizia
DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA
UFF. VI

Roma 28 NOV 1946
Mod. 805 MG.
Alla Commissione Allea-
ta-Sottocommissione Legale
ROMA

Prot. N. 186682/8 Compl. Risposta al f. del 24/9/1946
Dir. N. AC/4049/L

Oggetto: Rimpatrio dal Dodecanneso di detenuti
di origine italiana.-

Con riferimento al foglio sopra indicato, si comunica che nulla osta a questo Ministero perchè i detenuti di origine italiana attualmen-
te ristretti nelle carceri del Dodecanneso siano tradotti in istituti penali italiani.-

Per quanto si riferisce al detenuto n. 5547 si rende noto che è stata interessata del caso la competente Direzione Generale degli Affari Penali presso questo Ministero, la quale avrà cura di rispondere direttamente a codesta Commissione.-

Si restituiscono gli allegati.-

Per il Ministro

Carcere : 5547
Cognome : MASUCCI
Nome : Domenico
Padre : Antonio
Madre : CIRDI Giuseppina
Luogo di nascita : BOSCOREALE (Italia)
Data di nascita :
Professione : Taglialegna.

Q1A

Imputato di essere in possesso di oggetti appartenenti al B.M.A.
(Procl.32 Art.2(n) e di essere in possesso di esplosivi (Procl.32 Art 1(j)
e condannato a 3 mesi di reclusione per la prima imputazione e ad 1 anno
di reclusione per la seconda dalla Corte Militare Sommaria di Rodi in data
3 luglio 1946 (Causa n.718 /Rodi/2/1946.)

Ministero di Grazia e Giustizia
Cabinetto - Ufficio di Collegamenti PAC
Posta Tradotta

{Dewell

pena = 1a - 3 m.

1/2 pena = 4 mesi 09/15

quando i dati sono 28

Carcere N. : 5425
Cognome : EUSANIO
Nome : Pietro
Padre : Eugenio
Madre : COZZAGNI Anastasia
Luogo di nascita : Smirne (Turchia)
Data di nascita : 10 Aprile 1910
Professione : Bracciante.

Imputato di omicidio (Art.576 e 61 dell'I.P.C.) e condannato
a morte dalla Corte Militare generale di Rodi in data 19 Ottobre
1945.

(Causa n.367/Rodi/1/1946.) In appello la condanna venne ridotta ad
anni 21 di reclusione.

Ministero della Giustizia
Ufficio di Roma
Pasta Traccia

Belli

Carcere : 5430
Cognome : PONZIANI
Nome : Biagio
Padre : Vincenzo
Luogo di nascita : S Maria di Rieti (Italia)
Eta : 23 anni
Professione : Soldato in servizio nell'Esercito Italiano

Imputato di omicidio (Art.575 I.P.C.) e condannato a 14 anni
di reclusione dalla Corte Militare Generale di Rodi in data 11 Gen-
naio 1946.

(Causa n.383/Rodi/1/1946.)

Ministero di Giustizia
Sezione di Giustizia
Pace, Franchi
Bent

Prison No : 5425

Surname : EUCANTIO

Name : PIETRO

Father : EUGENIO

Mother : COZZACHI ANASTASIA

Place of birth : Shiraz (Turkey)

Date of birth : 10th April 1910

Occupation : Manual worker.

Convicted of homicide (Art. 575 and 61 of the I.P.C.) and sentenced to death by the Rhodes General Military Court on the 19th day of October 1945 (Case No. 367/Mho/1/1945). Sentence reduced on appeal to 21 years imprisonment.

Prison No : 5430

Surname : POKZIANI

Nome : BIAGIO

Father : VINCENZO

Place of birth : S. Maria di Pieti (Italy)

Age : 23 Years

Occupation : Soldier serving in the Italian Army.

Convicted of homicide (Art. 575 I.2.2.)
and sentenced to 14 years imprisonment by the
Rhodes General Military Court on the 14th January 1946.
(Case No. 383/Rno/1/1946)

23

Prison No : 5547
Surname : MASUCCI
Name : DOMENICO
Father : ANTONIO
Mother : GIARDI GIUSEPPINA
Place of birth : BOSCOREALE (Italy)
Date of birth :
Occupation : Wood-cutter

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Convicted of being in possession of Articles belonging to the B.M.A. (Procl. 32 Art. 2 (n)) and of being in possession of explosives (Procl. 32 Art. 1 (j)) and sentenced to 3 months imprisonment on the first charge and 1 year imprisonment on the second charge by the Rhodes Summary Military Court on the 3rd of July 1946 (Case No. 718/Rho/2/1946).

Subject: Prisoners/^{of} Italian origin serving sentences
in Dodecanese.

H.Q. B.M.A.

Dodecanese

Legal Dept.

Ref: L/54190/H

2nd November 1946

To: Legal Sub-Commission
Headquarters Allied Commission
Rome C.M.F.

I am directed by the Chief Administrator to refer to this H.Q. letter L/CA 13/1 of 13th September 1946 and to inform you that prisoner No. 5547 MANSUCCI DOMENICO has had his sentence commuted by the Chief Administrator and has been to day put on board the repatriation ship S.S. MIRACLIA which is due to arrive in Naples on the 4th inst.

2. The criminal cards relating to this man and to two other prisoners, MONTERISI ALBERICO and ERMACOLA GIACOMO, whose sentences have been similarly commuted, have been extracted from the local Casellario and are enclosed herewith for transmission to the Italian Ministry of Justice.

3. I am to request from you an answer as soon as possible to cover the remaining prisoners mentioned in our previous letter and any similar cases which may occur during the remainder of the British Occupation of this Territory. In the event of the Italian government agreeing to accept their repatriation as prisoners, it is requested that the necessary guards may be sent out from Italy on board the next repatriation ship and that this H.Q. may be informed accordingly.

LEGAL SUB - COMMISSION

(J. MORE)

Lieut. Col.

Legal Adviser

Taspen More Lt Col

87A

Legal Dept.
Ref: L/54190/11
2nd November 1946

To: Legal Sub-Commission
Headquarters Allied Commission
Rome C.M.F.

87A
I am directed by the Chief Administrator to refer to this H.Q. letter L/CA 13/1 of 13th September 1946 and to inform you that prisoner No. 5547 MANSUCCI DOMENICO has had his sentence commuted by the Chief Administrator and has been to day put on board the repatriation ship S.S. MIRAGLIA which is due to arrive in Naples on the 4th inst.

2. The criminal cards relating to this man and to two other prisoners, MONTERISI ALBERICO and ERMACOLA GIACOMO, whose sentences have been similarly commuted, have been extracted from the local Casellario and are enclosed herewith for transmission to the Italian Ministry of Justice.

3. I am to request from you an answer as soon as possible to cover the remaining prisoners mentioned in our previous letter and any similar cases which may occur during the remainder of the British Occupation of this Territory. In the event of the Italian government agreeing to accept their repatriation as prisoners, it is requested that the necessary guards may be sent out from Italy on board the next repatriation ship and that this H.Q. may be informed accordingly.

LEGAL SUB - COMMISSION	
CIO - CLA	
DCLO	
CHIEF COUNSEL	
ITALIAN SECTION	
Recd	NOV 15 1946

Taspen More
(J. MORE)
Lieut. Col.
Legal Adviser.
for Chief Administrator

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

89A

FILE

AC/4049/L

AP/RS

27 September 1946

SUBJECT : Prisoners of Italian origin
serving sentences in the Dodecanese

TO : Ministry of Pardon and Justice
(Attn: Dr. Bonelli)

88A

1. Reference is made to this Sub-
Commission's letter AC/4049/L of 24 September 1946.

2. Herewith enclosed inclosures found
missing in the above mentioned letter.

G.C. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

HEAD OFFICE ALIEN COMMISSION
APO 734
LEGAL SUB-COMMISSION

PPA
NY/NO

24 September 1945.

AC/4049/1

SUBJECT : Prisoners of Italian origin.
serving sentences in the Dodecanese.

TO : Ministry of Pardon and Justice.

1. The U. S. A. Dodecanese requested this H. O. to contact your Ministry in view of obtaining your advice about the following.

2. In view of the impending hand-over of the Dodecanese to the Greek Government the Legal Branch of the U. S. A. is desirous to transfer all prisoners of Italian origin to judicial jails in Italy.

3. You will find enclosed copies of criminal records of three prisoners of Italian origin. It is quite likely that number 5547 will be included in an amnesty to be granted at the time of the hand-over.

4. As to No 5525 and 5530 would you please advise us whether arrangements could be made for the transfer of these men to Italian jails.

5. In case No 5547 is not included in the amnesty would you kindly let us know whether the remainder of his prison sentence could be served in Italy and if he is to be sent as a prisoner or at liberty.

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6. This Sub-Commission is of the opinion that in case No 5547 is entitled to conditional liberty, a proper Ministerial Decree should be issued to his benefit. This could avoid the necessity of a transfer.

7. Your views as to this matter will be appreciated.

1625

Declassified E.O. 12356 Section 3.3/NND No. 785016

 PARTITO FASCISTA REPUBBLICA

Federazione Fascista del

Il Sig.

desidera conferire con

.....

- 2 -

8. Please return enclosures as soon as
dealt with.

G.C. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

58

Subject: Prisoners of Italian origin serving sentences in the
Dodecanese.

M.Q., B.M.A.,
Dodecanese, R.M.L.S.2.

Ref.: L/CA 13/1
13th September 1946.

To: Legal Sub-Commission,
Headquarters Allied Commission,
Rome.

I am directed by the Chief Administrator to enquire whether arrangements can be made with the Italian Government for the repatriation to Italy of two or three prisoners of Italian origin at present serving long-term prison sentences, in this Territory?

2. In view of the impending hand-over of this Territory to the Greek Government, this Administration is attempting as far as possible to effect the prior deportation of all prisoners of non-Greek origin. Copies are enclosed herewith of the records of three prisoners of Italian origin, taken from the Casellario records kept here. It will be seen that No. 5425, an Italian born in Turkey, is serving a 24 years sentence; this was in respect of an offence committed before our occupation. No. 5430 is serving a term of 14 years imprisonment on a conviction for homicide under Civil law. No. 5547 is serving a sentence of 1 year and 3 months imprisonment on a conviction under a Proclamation offence.

3. It may be, as regards No. 5547 that the Chief Administrator will decide to include him in an amnesty to be declared at the time of the hand-over. It is however desired to know whether, if he is not so included, arrangements could be made with the Italian Government for the remainder of his prison sentence to be served in Italy, and in any case, if he is to be sent to Italy, whether the Italian Government would prefer that he should be sent as a prisoner or at liberty?

4. If arrangements for the repatriation of these men can be made, this Administration would like to arrange for deportation forthwith irrespective of the date of the hand-over.

LEGAL SUB COMMISSION	7
Chief L-G-L & DV-SC	
DEPUTY CHIEF	

Taspenore

H.Q., E.M.A.,
Dodecanese, H.M.L.A.2.

Ref.: L/CA 13/1
15th September 1946.

To: Legal Sub-Commission,
Headquarters Allied Commission,
Rome.

I am directed by the Chief Administrator to enquire whether arrangements can be made with the Italian Government for the repatriation to Italy of two or three prisoners of Italian origin at present serving long-term prison sentences, in this Territory?

2. In view of the impending Hand-Over of this Territory to the Greek Government, this Administration is attempting as far as possible to effect the prior deportation of all prisoners of non-Greek origin. Copies are enclosed herewith of the records of three prisoners of Italian origin, taken from the Casellario records kept here. It will be seen that No. 5423, an Italian born in Turkey, is serving a 24 years sentence; this was in respect of an offence committed before our occupation. No. 5430 is serving a term of 14 years imprisonment on a conviction for homicide under Civil law. No. 5547 is serving a sentence of 1 year and 3 months imprisonment on a conviction under a Proclamation offence.

3. It may be, as regards No. 5547 that the Chief Administrator will decide to include him in an amnesty to be declared at the time of the Hand-Over. It is however desired to know whether, if he is not so included, arrangements could be made with the Italian Government for the remission of his prison sentence to be served in Italy, and in any case, if he is to be sent to Italy, whether the Italian Government would prefer that he should be sent as a prisoner or at liberty?

4. If arrangements for the repatriation of these men can be made, this Administration would like to arrange for deportation forthwith irrespective of the date of the Hand-Over.

LEGAL SUB-COMMISSION	/
CHIEF LEGAL ADVISOR	
DEPUTY CHIEF LEGAL ADVISOR	
CHIEF COUNSEL	
CHIEF OFFICER	
ITALIAN SECTION	
MEMBERS REVIEW BOARD	
JM/TE	
SEP 23 1946	

Taspen More

lt Col.

(J. More)

Major,

Legal Advisor,

for Chief Administrator

FILE

4049

BY
ANG COURT
OF

This list submitted to N. of J. for
information regarding what prison they are
being held.

JUL 13 1946

KOA

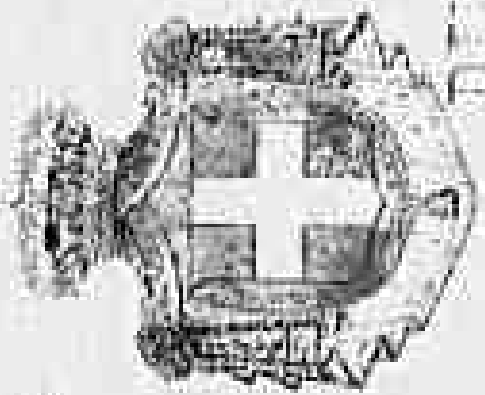
DI MARTINO Francesco	Reg. an Sup. Ct.	11 Jan 44	3 yrs	Pr n 12 Jan 44
FATTORI Umberto	" " "	" " "	3 "	" " " "
SOLARI Lorenzo	" " "	" " "	3 "	" " " "
PERLBERGHESE Pietro	" " "	" " "	3 "	" " " "
BENTONISMI Danilo	" " "	" " "	3 "	" " " "
BUCICCIARDI Iollio	" " "	" " "	3 "	" " " "
BRUNI Manfi	" " "	" " "	3 "	" " " "
TANOSI Giovanni	Ravenna	29 June 45	3 yrs	On review reduced to 2 years
RIVARDA Attilio	"	" " "	3 "	" "
STE LUTTI Francesco	Manfredonia	19 July 45	10 yrs	Reduced to 5 yrs
MUSSE Anna	Milano	25 Oct 45	8 yrs	Reduced to 2 yrs
ANTONINO Pietro	Milano	" " "	7 yrs	
LEONE Salvatore	"	" " "	7 yrs	
BUONDI Sebastiano	"	" " "	4 yrs	
GARGI Andrea	"	" " "	4 yrs	
SCOLARO Antonio	"	" " "	5 yrs	
MARTINALE Lino	Torino	10 July 1945	4 yrs	
BIGGARO Antonio	"	" " "	6 yrs	
LELLI Bruno	Cesena	21 Mar 45	2 yrs	Pr n 7 Mar 45
GAGGIANI Giuliano	Pologne	29 June 45	2 yrs	8
COSTELLI Omero	"	" " "	2 yrs	
ERRAVEO Antonio	Reg. an	28 Nov 44	4 yrs	
TACCARINI Giovanni	Ancona	20 Apr 45	2 yrs	
SCANDALI Guerriero	"	" " 45	2 yrs	

NAME	DEFERRED by the COURT of	DATE OF SENTENCE	SENTENCE	REMARKS
GIORDANO Taddeo fu Gaetano	Bari Sup Ct.	19 Jan 45	3 yrs	From 27 Nov 44
GIARDINO Giuseppe fu Vito	" " "	" " "	3 yrs	From 23 Nov 44
TRUZZI Alfredo fu Mario	Naples	1 Dec 44	7 yrs	
GIUSEPPE Salvatore	Pesaro	20 Oct 44	4 yrs	
TERRELLI Salvatore	"	" " "	4 yrs	
TORTI Arturo	Ancona	6 Apr 45	3 yrs	
FRANCINI Ruggiero	Bologna	16 July 45	2 yrs	
GAROFALO Ciro	Torre Annunziata	20 Apr 44	3 yrs + 50,000 lire fine	1 yr in default
GIARDI Salvatore	Naples	27 Apr 44	3 yrs + 150,000 lire fine	or 2 yrs in default
AQUINO Fortunato	Reggio Calabria	21 Feb 44	7 yrs	Reduced to 3 1/2 yrs
POSTIGLIONE Domenico	Naples	4 May 44	10 yrs	
GARCIA Polinto fu Napoleone	Milan	13 June 45	5 yrs	
GRASCO Vincenzo	Salerno	22 Jan 44	3 yrs + 3 months	
MARFETTONE Biagio	Naples	23 June 44	6 yrs + 1,000,000 lire fine	or 4 yrs addit.
MUZZO Domenico	Caserta	9 Feb 44	3 yrs	
SALVINO Ferdinando	Castellanza	9 June 44	3 yrs	
RAIMONDI Antonio	"	" " "	3 yrs	

NAME	SENTENCED BY COURT OF	DATE OF SENTENCE	SENTENCE	REMARKS
ESPOSITO Francesco fu Gennaro	Naples	24.7.44	7 years	
SCARFINO Arturo di Nicola	Chieti	5.1.44	3 years	
SERRA Evodio	Chianopobasso	14.6.44	Death	Reduced to 20 yrs.
QUERPA Umberto	Frattamaggiore	13.4.44	2 1/2 years	
ZONARO Vincenzo	Nola	23.3.44	30 mos	From 23 March 44
TERRACCI NO-Duigi	Nola	23.3.44	33 mos	From 23 March 44
VITI Mino	Jesi	3.5.45	2 1/2 years	
MESLINI Celestino	Macerata	4.1.45	2 years	
MAZZINA Fulvio	Fano	30.1.45	3 yrs & 50,000 lire fine or 2 yrs. addt.	
MAZZINI Antonio	Fano	30.1.45	3 yrs & 50,000 lire fine or 1 yrs. addt.	
MAZZACCIARO Giuseppe	Fano	30.1.45	3 yrs & 50,000 lire fine or 2 yrs. addt.	
PICARDI Vincenzo	Naples	25.4.44	5 yrs & 100,000 lire fine or 1 yr. in default	
D'AGOSTINO Ezio	Ancona	26.2.45	3 years	
LEONE Olga	Rome	6.7.44	18 yrs.	For espionage
D'ANGELO Tu. info	Rome	14.3.45	7 years	
DI STEFANO Rittore	Naples	14.4.44	3 years	
DE LENA Carmine di Giuseppe	Frattamaggiore	27.4.44	3 years	

DI SANTO Ciro	Taranto	12.7.44	13 years	
DI TULLI Vincenzo	Terni	17.10.44	2 yrs.	
MILINI Ugo	Terni	17.10.44	2 yrs.	
DI ZINNO Vincenzo	Termoli	13.5.44	3 yrs.	
GANGINI Dante	Pesaro	16.1.45	7 yrs.	
MASMINO Francesco	Catania	8.12.43	3 yrs.	
MALESCA Giuseppe	Giussanelli (Stella)	10.1.44	3 yrs.	
DI SCITA Arcangelo	Avellino	26.7.44	7 yrs.	
CESARANO Carmine	Naples	10.8.44	3 yrs.	
IACOPOLA Giambattista	Bari	17.1.45	2 yrs.	
GIAMBERI Michele	Bari	17.1.45	2 yrs.	
CAROLI Giovanni	Ancona	26.2.45	3 yrs.	
DIASCHINI Felice	Pesaro	26.1.45	3 yrs & 200,000 lire fine or 4 yrs in default	
DIAMANTI Oddino	Pesaro	26.1.45	3 yrs & 200,000 lire fine or 4 yrs in def.	
CAMPANALE Giacomo	Ancona	6.4.45	3 yrs.	
DI ZIO Alfonso	Giussanelli	23.12.43	3 yrs.	
MONTAUDI Giuseppe	Reggio Emilia	20.7.45	4 yrs.	
MALESTRI Jovanti	"	"	4 yrs	
BARCELLI Livio	"	"	4 yrs.	
GERVILLERA Antonio fu Martino	Bari	12.3.45	Life imprison	For homicide
BARTELLI Emilio	Ancona	11.12.44	2½ yrs.	

ANTONELLI Giuseppe	Ancona	19.3.45	4 years	
ANGELINI Umberto	Ancona	19.3.45	6 years	
ASTORI Angelo di Angelo	Naples	2.5.44	10 years	From 2 May 44
BARONCI Francesco	Naples	9.8.44	12 years	Reduced to 6 yrs.
BROGGI Emilio	Catania	19.1.44	3 years	
BRUCOTA Giovanni di Paolo	Catania	20.11.43	3 years	
CACCIOLA Ser. fino a Gennaro	Rome	1.2.44	3 years	
CARATI Filippo di Giuseppe	Palermo	31.12.43	10 years	



DIREZIONE GENERALE AFFARI PENALI
UFF. I.S.A.F. - Prot. n. 34.88.1510

CIRCOLARE N. 3206

Roma, li 22 giugno 1946

AI PROCURATORI GENERALI
presso le Corti d'Appello

OCCETTO: Evasioni dalle carceri.

A seguito dei numerosi inconvenienti (evasioni, ermutamenti etc.) lamentati in questi ultimi tempi, e derivanti dall'imperfetto funzionamento del servizio di vigilanza dei detenuti negli stabilimenti carcerari, questo Ministero ritiene opportuno richiamare su quanto segue l'attenzione delle LL.SS. e subordinatamente dei Capi degli uffici del P.M., dei Pretori e dei Giudici di Sorveglianza, ai quali è in particolar modo affidata la vigilanza stessa, ai sensi degli art. 13 del R.D. 28 maggio 1931, n. 602, e 4, 56 e 263 del R.D. 18 giugno 1931, n. 787.

All'uopo va ricordato, in forza delle predette disposizioni, che il Capo dell'Ufficio del P.M., almeno una volta al mese, ha l'obbligo di recarsi nelle carceri giudiziarie della sua circoscrizione per la vigilanza sui detenuti e che eguale obbligo spetta al Pretore per le carceri mandamentali (art. 13 citato), che i Giudici di Sorveglianza deve esercitare la vigilanza sull'esecuzione delle pene detentive, visitando ogni due mesi gli stabilimenti, accertando se sono state osservate le disposizioni delle leggi e dei regolamenti e inviando di dette visite relazione al Ministero (art. 4 citato); che gli stabilimenti carcerari non possono essere visitati senza il permesso del Ministro della Giustizia, eccezion fatta per i Presidenti delle Corti e dei Tribunali, per i giudici di sorveglianza e per i capi degli Uffici del P.M., rispettivamente nei distretti e circondari di loro giurisdizione (art. 56 citato); che, infine, il giudice di sorveglianza deve vigilare sull'esecuzione delle misure di sicurezza, visitare frequentemente gli sta-

CIRCOLARE N. 3206

Roma, li 22 giugno 1946

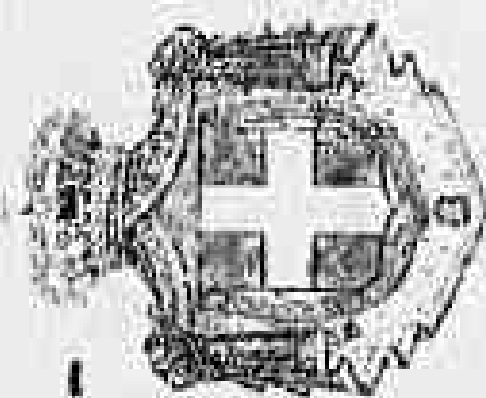
AI PROCURATORI GENERALI

presso le Corti d'Appello

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Ministero di Grazia e Giustizia

- 2 -

tiene opportuno.

Per le stesse finalità è necessario che le predette Autorità evitino la inutile permanenza nelle carceri dei detenuti trattati indebitamente e senza limite di tempo a disposizione dell'Autorità di P.S. e da trasferire in altre località.

In considerazione dei danni che le evasioni determinano, con pericolo per la sicurezza pubblica e dispersione tra l'altro di attività delle forze di polizia per il riarresto degli evasi, è opportuno che le LL.SS. impartiscano disposizioni precise ai dipendenti Uffici del P.M. e Pretori, curando, inoltre, che vengano scrupolosamente osservate le disposizioni di legge e le numerose circolari in materia, con particolare riguardo a quelle del 17 ottobre 1945, num. 229747/6 c.uff.IZ, e del 10 novembre 1945 n. 148835/11 uff.VI (Direzione Generale Istituti di Prevenzione e di Pena), e suo tempo trasmesse a ccdeste Procure Generali.

Si raccomanda, per ultimo, di accertare mese per mese i casi di violazione delle norme sulla durata dell'arresto preventivo e del fermo di polizia, riferendone a questo Ministero.

Si resta in attesa di un cortese cenno di assicurazione. ²

IL MINISTRO
Togliatti

PER COPIA CONFORME

IL DIRETTORE CAPO DELL'UFFICIO I° AFFARI PENALI
(G.Semeraro)

Chief Counsel

CJO

Italian Section

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IL MINISTRO
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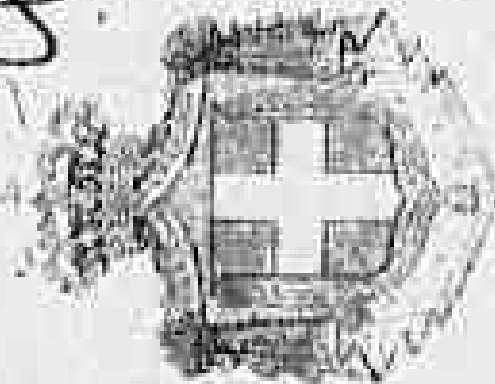
CIO

Station Section

CL RKS

JUN 28 1946

1637



4049
 Ufficio Collegamento con l'AC.

31 Maggio 1946

Protocollo 1 4234-1

OGGETTO Sfollamento dalle carceri di Udine di 150 detenuti.

INTERCOMMISSIONE

ALLA COMMISSIONE ALLIATA
 Sottocommissione di P. S.

→ e per conoscenza:

Alla Sottocommissione Legale

ROMA

Questo Ministero si trova nella urgente necessità di sfollare le carceri di Udine, trasferendo altrove almeno 150 detenuti.

In considerazione che la provincia anidetta trovasi tuttora sotto l'Amministrazione A.M.G., per incarico del Ministro si chiede, il necessario nulla-osta da parte di codesta Sottocommissione per potere procedere al trasferimento dei detenuti anidetti.

Si prega volere dare conferma con cortese urgenza.

L'UFFICIO DI COLLEGAMENTO

David

am. Folkm 132

Subito di N. C. di Ministe
Ufficio Collegamento con l'AC.

31 Maggio 1946

Intervall. 1 4238-1

OGGETTO Sffollamento dalle carceri di Udine di 150 detenuti.

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Sottocommissione di P. S.

→ e per conoscenza:

→ Alla Sottocommissione Legale

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L'UFFICINE DI COLLEGAMENTO

Paul

en. Toller 132



Ministero
di Grazia e Giustizia

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENNA

UFF. VI

Prot. N. 182521/8 Compl.

OGGETTO : Trasferimento di condannati per i fatti
di Schio.

20 APR 1946

Mod. 1545 MG

Alla Commissione Allente
Sottocommissione Legale

ROMA

Respostato del

5-4

Dir. Leg.

182521/8/L.

Con riferimento al foglio sopra indicato, si comunica che, con biglietto urgente n. 182123 del 15 corrente mese, diretto all'Ispettore delle carceri del Veneto in Padova, è stato disposto il trasferimento dei condannati Franceschini Renzo, Fuchessato Antonio e Bortoloso Valentino dalle carceri giudiziarie di Udine alla casa penale di Volterra.

Non si è ritenuto opportuno destinare i predetti condannati in una delle case penali di Portofino e Procida, trovandosi ivi ristretti attualmente numerosi detenuti politici fascisti.

Codesta Commissione, pertanto, potrà dare le opportune disposizioni per la immediata traduzione dei predetti tre condannati alla casa penale di Volterra, la cui direzione è stata già preavvertita del loro arrivo.

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

Pel Ministro

23 April 46

80

Ministry of Grace and Justice.

Subject: transfer of prisoners sentenced for the facts
committed at Schio

With reference to yours AC/4049/L, we advise you
that the transfer of prisoners, named FRANCESCHINI
RENZO, FUCHESATO ANTONIO and BORTOLOSO
VALENTINO from the prison of Udine to that of
Volterra has been ordered on 15th April by an urgent
note N° 182123, addressed to the Inspector of persons at
Padova.

It was not found advisable to send the above na-
med prisoners to Portolongone or to Procida, because there
are actually detained numerous fascist prisoners.

This S/C therefore can take the necessary steps, in
order to transfer immediately the above named persons
to the prison of Volterra, the director of which is al-
ready informed of their arrival.

(Signature.)

MOD. N° 12
(riveduto)FORM No. 12
(revised)

COMUNICAZIONE DI AVVENUTA SCARCERAZIONE

Al Capo delle Carceri di _____

Oggi, il _____

è stato messo in libertà dal Tribunale Militare Alleato perchè

gli è stato concesso la cauzione

è stato prosciolto

ha pagato la multa inflittagli

è stato giudicato ad una pena condizionale

Data: _____ 194 _____
(Presidente del Tribunale Militare Alleato)

Traslation

STATEMENT OF RELEASE FROM PRISON

TO: The Head of the Prison of _____

Today _____

has been set free by the Allied Military Court because he has

been granted bail

been acquitted

paid the fine imposed on him

been sentenced to a suspend sentence

Dated: _____ 194 _____
(President of Allied Military Court)

HEADQUARTERS ARMY COMMISSION
ATC 9
LEGAL SUB COMMISSION

AC/AGAU/

MP/hs
5 April 1940.

SUBJECT : Transfer of prisoners.

TO : Ministry of Pardon and Justice.

1. Confirming the conversation between
Dott. BORELLI and Dott. FIORE I take the liberty to
remind you that the transfer of the three prisoners
convicted for the murders occurred at Schio is
considered to be of the greatest urgency.

2. As agreed verbally I believe that a
penitentiary in some island would be best suited for
this purpose.

3. As soon as you will have indicated
to this Sub Commission the prison or penal settlement
in which the prisoners should be interned, AMG Edine
will provide escort and transport to ensure the safe
handing over of the said prisoners to the Italian
authorities.

G.G. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

Copy to: Public Safety
" " File 4083/90

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub Commission
APO 394

AC/14155/10/23

Tel : 489081-365
4 April 1946

SUBJECT : Prisons - Overcrowding

TO : Venezia Giulia Police Force

1. Reference is made to your VHP/18/34 dated 27 Feb. 46.

2. This matter was taken up with Legal S/C and referred to the Italian Government. It has been arranged that 200 prisoners can be transferred as follows :

49	prisoners	to	the	penal	jail	of	Padova
12	"	"	"	"	"	"	Piacenza
30	"	"	"	"	"	"	Firenze
37	"	"	"	"	"	"	Perugia
19	"	"	"	judicial	jail	of	Torino
33	"	"	"	"	"	"	Belluno
20	"	"	"	"	"	"	Urbino

3. Judicial prisons should only receive prisoners whose term of penal servitude does not exceed 5 years. Former members of Partisan Forces should not be sent to BELLUNO.

4. Transfers can take place immediately, but prior notice of arrival should be given to the Prison directors concerned.

JOHN S. CHAPMAN
Colonel, JAGD
Director

ALLIED COMMISSION

CJO

DCIC

Chief Counsel

CJO

Italian Section

CL RKS

5 April 46

Copy to :

AFHQ 4-5

Legal S/C

Legal Officer AM 13 Corps

Inf. only.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/nda.

21 March 1946.

AT/409/L.

SUBJECT : Overcrowding of prisoners.
Venetia Giulia.

TO : Ministry of Prison and Justice.

1. Further to telephone conversation (Lt. MIRA -
Reg. BISANTIA) would you be good enough to advise this Sub-
Commission on what exact date the expected transfer can
take place. (Your Ref. No. 1.1612/6 Uff. VI of 16 March 1946
refers).

2. Please consider the matter as urgent.

ANTHONY P. WUGRET,
Major, A.S.,
Chief Counsel,
for Chief Legal Advisor.

Copy to Public Safety.

HEADQUARTERS ALLIED COMMISSION
APC 594
LEGAL SUB-COMMISSION

AP/ada.

AC/1049/L.

19 March 1946.

SUBJECT: Overcrowding of Prisons.

TO: SCAC (attn: Chief Legal Officer)
VENICE-GHIA.

1. Reference is made to your letter 13c/AC/L/167/5/3 of 22 February 1946.

2. The Ministry of Prison and Justice has now advised this Sub-Commission that the 200 prisoners can be transferred as follows:

49	prisoners	to the penal jail of Padova
12	" " " "	" " Piacenza
30	" " " "	" " Firenze
37	" " " "	" " Perugia
19	" " " "	judicial jail of Parma
33	" " " "	" " Belluno
20	" " " "	" " Urbino

3. It is deemed advisable, however, that the judicial jails (carceri giudiziari) should receive only prisoners whose term of penal servitude does not exceed five years.

4. For no reasons whatever, shall prisoners who were former members of the partisan forces be transferred to Belluno jail.

5. Further arrangements will be made with the Ministry in regard to the date of transfer.

By Command of Rear Admiral STONE.

Anthony Nugent
ANTHONY P. NUGENT
Major, A.C.,
Chief Counsel,
for Chief Legal Advisor.

Copy to Public Safety S/C.

copy



file

**Ministero
di Grazia e Giustizia**

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Post. N. 181612/8 Compl.

OGGETTO: Sfilamento delle carceri della Venezia Giulia.

16 MAR 1946

48/1345 MG

*Commissione Allse
Sottocommissione Legale*

ROMA

Reparto del 6/3/46

Dir. La M.C. 4094 VI

Con riferimento al foglio sopra indicato, si comunica che i 200 detenuti da sfollare dalle carceri della Venezia Giulia possono essere trasferiti nei seguenti stabilimenti penali:

49	detenuti	alla	casa	penale	di	Padova
12	"	"	"	"	"	Piacenza
30	"	"	"	"	"	Firenze
37	"	"	"	"	"	Perugia
19	"	alle	carceri	giudiziarie	di	Parma
33	"	"	"	"	"	Belluno
20	"	"	"	"	"	Urbino

Sarebbe opportuno che nelle carceri giudiziarie siano destinati possibilmente detenuti con pena non eccedente gli anni 5 e che nelle carceri di Belluno non siano, per alcun motivo, trasferiti detenuti ex partigiani.

CLO
DCLO
Chief Counsel
CIO

6
Tel. MINISTRO

18 March 46.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ME/mda.

6 March 1946.

AC/4049/L.

SUBJECT : Overcrowding of Prisons.

TO : Ministry of Pardon and Justice.

1. Reference this morning conversation (BONEILLI - FIGURE).
2. Herewith enclosed copy of a letter from Headquarters VENEZIA GIULIA which is self-explanatory.
3. Would you kindly take necessary steps in accordance with para. 5 of said letter and inform this Sub-Commission of your proposals.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

4049 ✓
76A
ALLIED ~~CONTROL~~ COMMISSION
INTER-OFFICE MEMORANDUM

SUBJECT: Prisons
TO : Legal Sec.

FILE NO. Public Safety
27 Feb 1946.

The question of UDINE prison has already been dealt with in conjunction with the P.P.S.O. Memo.

The action suggested in Par 5 of Subject letter would no doubt ease the Venezia Giulia problem.

Wm. J. Wilson
WHL

Encl 365.

F. Safety

26.2.46.

This letter as you
will see is addressed "LEGAL".
Mr. Nugent says show it to F.S.
Please let me know if you intend
to keep this letter or not.

DB LEGAL

PARTITO FASCISTA REPUBBLICANO

Federazione Fascista dell' Urbe

Il Sig. _____

desidera conferire con _____

Motivo : _____

Roma, _____ 194 XXII

FIRMA

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

E/RV

LEGAL DIVISION

FILE REF.: 13C/AMG/LDI 167/513

SUBJECT: Overcrowding of prisons.

Date 22 February 1946

TO: Allied Commission Headquarters
(Attn. Legal Sub-Commission*)
A.P.O. 394

1. There are at present in the prisons administered by the Allied Military Government 13 Corps a large number (70 or 80) long term prisoners, all sentenced before our arrival in the Area.

2. In normal times such prisoners are transferred to penal institutions in other parts of Italy.

3. In view of the fact that there is not adequate accommodation for such prisoners here and that the prisons are at present overcrowded the Venezia Giulia Police Force has already requested the Minister of Grace and Justice, to authorize the transfer of these prisoners.

4. This Division is anxious that the prisons here should be capable of accommodating any large influx as a result of political disturbances which might occur in the future.

5. Your help in persuading the Minister of Grace and Justice to speed the removal of the above-mentioned long term prisoners would be much appreciated.

For the acting Senior Civil Affairs Officer.

R. E. Strain
A.E. GOLD
Law Major A.U.S.
Chief Legal Officer

Chief Counsel *OK refer to P.S.*

1 6 5 3

A.P.O. 394

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For the acting Senior Civil Affairs Officer.

1

DEIC

↑

Chief Counsel



Italiani Seconda

2000

25-245

R. B. Ethington
A. E. GOLD
for Major A. U. S.
Chief Legal Officer
kind

A.E. GOLD

for Major A.U.S.
Chief Legal

Major A.O.S.
Chief Legal Officer

Ch. refer to P.S.

1654