

ACC

10000/143/832

10000/143/832

SHOOTING OF PIRELLI, ALBERTO
NOV., DEC. 1944

1853

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

785016

AC/14142/PS

Shooting of PIRELLI, Alberto.

Min 1. CA-16/12.

~~Min 1. CA-16/12.~~

CA ~~1000000000~~

PS ~~1000000000~~

Attn: L. C. - 16/12.

~~Price of CO₂ 1.100.000~~

CA

RS

10000 / 43 / 832

2000-2001

NOV. 44

DEC. 44

CATALOGUE-

C. A. Section

1.

Re 6A.

The CCRB report on the shooting of PIRELLI is attached at 5B.

The papers regarding this case have been passed to the Procuratore del Regno, in accordance with Italian law, & the matter is therefore sub-judice.

W. L. Cox Lt. Col.
Public Safety etc

14th Dec. 1944

2

CA Sec

Minute 1 noted & file returned.

19 Dec 44

W. L. Cox Lt. Col.

1858

785016

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION
APO 394

5A
D-2261

Public Safety Division.
11/12/44

File No. :- LUR/6/8/PS.

Subject :- Shooting of Italian Civilian
by CC.RR.

To :- Director, Public Safety Sub-Commission,
HQ., A.C., APO 394.

2A
With reference to your letter No.
AC/140601/29/PS dated 21/11/44 and 2/12/44.

bb
I attach a report, with translation,
received from Legione Territoriale Carabinieri Reali
di Roma on the shooting of PIRELLI Alberto at 2.45 a.m.
31st October, 1944, by a member of CC.RR.

TO	DATE	DATE
ADM. STAFF		
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C.T. Francis

C.T. FRANCIS.
Lt. Colonel.
RPSO., LAZIO-UMBRIA REGION.

5732

PS

Subject: Report on findings shooting ~~227~~
PIRELLI. 201OS is asking for a reply on his ~~227~~3604/11/cos of 30 Nov. Please submit
minutes on your file showing present
positionReferred to PS
1/Rev.

JH White H.A.

13 DEC 1944

5733

Translation

Transl. C. Doplicher
 Recd. ed. Dec. 9/44
 Del. reg.

Document: Report 678/2
 Date: Nov. 9/44
 From: Legione territoriale CC.RR. Roma - Tenenza Viminale
 To: Capt. Hopkins

Subject: Report about the death of PIRELLI Alberto son of Alfredo and Ottaviani Amalia, born in Rome on Sept. 1/1906, living in via Tuscolana 42, employed at P.W.B., killed by CC.RR. SPIGA Ovidio son of Emanuele, of via Milano station.

On Oct. 31st about 2.30, CC.RR. COREN Nello and Spiga Ovidio, on duty at via del Cardello food storehouse, heard excited talking coming from Via dell'Impero. Coren stayed on the spot, whilst Spiga reached via dell'Impero, where, near via Cavour opening, he saw a truck with 10 persons complaining against the driver, because he did not want to drive them ~~until~~ porta S. Paolo where they were living.

Whilst Spiga was inducing the driver to comply to their request, two P.S. agents riding on a little lorry came there and told Spiga that shortly before, while perusing the travel documents of a taxi driver, ~~he~~ ^{she} suddenly off. Shortly afterwards both the truck and the little lorry rode off towards the Colosseo and Spiga was leaving to reach his duty place, when, crossing via dell'Impero, he saw a car coming from Piazza Venezia.

From the ~~perimeter~~ footway, at Via dell'Impero-via Cavour crossing, he waited for the car, and on seeing it turning towards via Cavour, reached the middle of the street and from there summoned the driver to stop. But as the taxi was continuing its way, Spiga who, from where he was standing ~~was~~ in the clear moonlight night, had surely been perceived by the driver, intimated once more the driver to stop when the taxi was driving by, but without any result. Upon which, believing that something was wrong, he fired a shot when the car was already 30-35 m. off, namely at the height of the 3rd iron pole, located at the farthest corner of the garden.

After 30-40 m. the car stopped near the footway, just after the paper kiosk at Via Cavour - via del Colosseo corner, viz. before the first petrol distributor.

On reaching the taxi, Spiga perceived inside ~~the~~ it a man

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From the pavement footway, at Via dell'Impero-via Cavour crossing, he waited for the car, and on seeing it turning towards via Cavour, reached the middle of the street and from there summoned the driver to stop. But as the taxi was continuing its way, Spiga who, from where he was standing, in the clear moonlight night, had surely been perceived by the driver, intimated once more the driver to stop when the taxi was driving by, but without any result. Upon which, believing that something was wrong, he fired a shot when the car was already 30-35 m. off, namely at the height of the 3rd iron pole, located at the farthest corner of the garden.

After 30-40 m. the car stopped near the footway, just after the papers kiosk at Via Cavour - via del Colosseo corner, viz. before the first petrol distributor.

On reaching the taxi, Spiga perceived inside it a man reclined on the knees of a woman and moaning.

He hopped in and made the car drive at once to S. Giovanni hospital where the wounded man was identified as PIRELLI Alberto and found to have been wounded by a shot entering the 8th intercostal space, on the medium axillary line and leaving through the 9th left intercostal space on the hemiclavear line, with injuries to the liver and the hollow entrails. The man died about one hour afterwards.

The driver FORCHETTA Giuseppe, son of the dead Angelico and of Saliola Giovannina, born in Pietracupa on March 13th 1891, living in Rome, via Luigi Tosti 21, and Miss RINI Maria daughter of the dead Emanuele, and of the dead Cecchini Francesca, born in Spoleto on Dec. 25/1899, living in via Leopardi 54, employed at the P.W.B.

- 2 -

denied, in their statements, to have seen or heard the carabinieri when he summoned the driver to stop.

Spiga states to have been litfully by the glare of the car lights and rejects the driver's statement not to have been seen by him, all the more as he started to signal when the taxi was still several meters from him.

Both the car and the persons in it were bearing permits to circulate after curfew, in their capacity as P.W.B. employees.

Spiga fired the musket shot aiming at the right tire, but the projectile deviated about 50 cm. and entering the rear of the car, and grazing the tire of escort, hit Pirelli, who was sitting on the left rear seat, in the abdomen.

From the inquiries operated on the spot and the examination made on the following day about 2.30, in the same conditions as in the previous day, it appears that:

It is impossible for the driver not to have seen the carabinieri when summoning him to stop or not to have heard him, because the carabinieri was wearing the grey-green overcoat with white cross-belt and was located almost in the middle of via Cavour, the width of which is there about 15 m.

The taxi was driving, as per Porchetta's statement, at about 20-30 km. speed, allowing thus Spiga to reach the middle of the street and to start, when the car was still far, the signals in order to stop it.

As the car continued the drive without stopping, it passed 3 meters far from Spiga, whose words must surely have been heard by the driver.

It is not to be excluded - although very unlikely, that Miss Rini did not see or hear the carabinieri, as she was talking with Mr. Pirelli.

From the above it appears that Porchetta is not telling the truth when stating to have neither seen nor heard the Carabinieri; his attitude is however quite likely, ~~when~~ ^{as} by doing thus he wishes to reject whatever responsibility, both ^{personal} and a moral point of view. In our own ~~an~~ opinion, Porchetta, although having seen and heard Spiga's summons, being duly authorized to circulate and feeling himself protected by the allied offices where he is employed, did not care about Spiga's intimations, being far from forecasting the consequences of his act. As for Miss Rini, she either did not see or hear Spiga's summons, as she was talking to Mr. Pirelli, or is stating so to help Porchetta

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With regard to Spiga, this Command believes that under the circumstances, he could not behave otherwise.

First of all, the information given to Spiga ^{secretly} ~~secretly~~ before by two P.S. agents about a taxi, that being obviously in an irregular position, drove off without stopping, is to be considered. The suspicion, on seeing his intimation disregarded, that the taxi was the same that disregarded the agents' intimation was quite legitimate.

Similar facts happened often lately and agents have always made use of arms in such cases.

In this occasion, carabinieri Spiga complied with all settled rules: he halted the taxi ~~xxx~~ at a distance, putting

- 3 -

himself in the required position, and ~~was~~ signalling the car to stop; when in spite of this the car continued its drive passing close to him, he shouted to the driver to stop; only when he saw that all had been useless and that the car was escaping him he had recourse to the last mean left to him to stop the car and fired, aiming at the right tire.

The reasons on account of which the shot reached instead the rear part of the car, have already been exposed and anyhow they are not to be imputed to Spiga's will.

Above conclusions were drawn also in consideration of Spiga's personality, who although being young, is steady, skilful in his work and not at all impulsive.

Considering the above as well as the state of war and considering further that curfew is still in force in the city of Rome, to carabinieri Spiga's case ought to be applied art. 53 C.P.C. (lawful use of arms) establishing that a public officer who is making use of arms in the performance of his duty, in order to overcome a violence or a resistance to the authority, is not to be punished.

The investigations made to find out the two F.S. agents who talked with carabinieri Spiga shortly before the incident, have been resultless so far.

Carab. Spiga is ~~xxxxxxxxxxxxxxxxxxxx~~ being detained at via Milano CC. RR. station

signed: il Tenente comandante la
Tenenza
Giulio Grassini

P.C.C.

Il Capitano Aiutante magg. in seconda
Giovanni Bassi

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Il Capitano Aiutante magg. in seconda
Giovanni Bassi

5729

LEGIONE TERRITORIALE CARABINIERI REALI DI ROMA

Tenenza Viminale

N° 678/2 di prot.

Roma, li 9 novembre 1944

OGGETTO: Rapporto circa la morte di PINELLI Alberto di Alfredo e di Ottaviani Amelia, nato a Roma il 1°-9-1906, domiciliato in Via Tuscolana n. 42, impiegato presso l'ufficio allcato P.W.B., ad opera del carabiniere SPIGA Ovidio di Emanuele, della stazione di Roma-Via Milano. =

AL COMANDO DELLA LEGIONE TERRITORIALE CARABINIERI REALI DI

R O M A

Alle ore 2,30 circa del 31 ottobre u.s. i carabinieri COREN Nello e SPIGA Ovidio, della stazione CC.NR. Via Milano, trovandosi di servizio di vigilanza al magazzino vâveri di Via del Cardello, udirono voci confuse e concitate provenire da Via dell'Impero. =

Rimasto sul luogo il Coren, il carabiniere Spiga si avviò nella direzione dalla quale venivano le voci e, giunto in Via dell'Impero, alla altezza di Via Cavour, notò la presenza di un autocarro sul quale si trovavano una diecina di persone, tra donne ed uomini, le quali altercavano con l'autista in quanto questi voleva farle scendere dall'automezzo anzichè trasportarle fino a Porta S. Paolo nei cui pressi quelle asserivano di avere le proprie abitazioni. =

Il carabiniere intervenne e persuase l'autista a proseguire per Porta S. Paolo; nel frattempo sopraggiunse un camioncino sul quale si trovavano due agenti di P.S. in divisa ed armati di moschetto i quali sostarono brevemente e narrarono al carabiniere che poco prima era loro sfuggito un taxi il cui autista, mentre essi erano intenti ad esaminare i documenti di viaggio, aveva improvvisamente rimesso in moto la vet-

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Successivamente tanto l'autocarro che il camioncino, partirono dirigendosi entrambi verso il Colosseo, e il carabiniere Spiga si avviò per ritornare sul posto di servizio. Nell'attraversare, però, Via dello Impero, vide in lontananza un'autovettura che avanzava proveniente da Piazza Venezia.-

Il militare si pose sul marciapiedi, precisamente all'angolo fra Via dell'Impero e Via Cavour, e, allorchè vide che l'automobile, individuata per un taxi, anzichè proseguire per Via dell'Impero accennava a deviare per Via Cavour, si pose quasi in mezzo a quest'ultima strada,

.../...

facendo in direzione della macchina, reiterati cenni affinché si fermasse. Vedendo però che l'autovettura proseguiva, il militare, che non poteva non essere stato veduto data la sua posizione e la chiarissima e serena notte di plenilunio, allorché la vettura gli passò vicino ripetè ad alta voce l'invito a fermarsi; l'intimazione però rimase senza esito perché il taxi continuò a camminare. Alla vista di ciò il carabiniere, convinto che la vettura non fosse in regola con la legge, si tolse il moschetto dalla spalla e portatosi con due salti ai margini del marciapiedi la raggiunse con un colpo quando essa era già a 30-35 metri di distanza e cioè quando si trovava pressoché all'altezza del terzo pennone di ghisa eretto all'angolo estremo del giardinetto.-

La vettura dopo avere percorso altri 30-40 metri circa si fermò rasente al marciapiedi, appena oltrepassata l'edicola dei giornali sita all'angolo di Via Cavour-Via del Colosseo, e precisamente dinanzi al primo distributore di benzina.-

Il carabiniere cautamente avvicinatosi, notò che nell'interno della vettura, un uomo, certamente raggiunto dal proiettile, si lamentava stando accasciato sulle ginocchia di una donna, sua compagna di viaggio.

Salito subito sulla vettura fece dirigere il taxi all'ospedale di S. Giovanni ove il ferito, identificato per PIRELLI Alberto, sopra generalizzato, veniva ricoverato in osservazione per ferita d'arma da fuoco penetrante in corrispondenza dell'ottavo spazio intercostale sull'ascellare media e con fuoriuscita in corrispondenza del nono spazio intercostale sinistro, sulla linea emiclavare, lesione del fegato e dei visceri cavi; lo stesso, dopo circa un'ora, decedeva.

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1869

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L'autista PORCHETTA Giuseppe fu Angelo e fu Salicola Giovannina, nato a Pietracupa il 13 marzo 1891, qui domiciliato in Via Luigi Tosti n. 21 e la signorina NINI Maria fu Emanuele e fu Cecchi Francesca, nata a Spoleto il 25 dicembre 1899, abitante in Via Leopardi n. 54, impiegata presso l'ufficio alleato P.W.B. in Via Veneto, nelle loro dichiarazioni a verbale, hanno escluso di aver veduto od udito il carabiniere quando intinò l'alt alla vettura.

Il carabiniere Spiga asserisce che fu persino investito dalla luce dei fari del taxi e che è quindi impossibile che l'autista non lo abbia veduto, tanto più che iniziò a far corni di fieno quan-

.../...

do la macchina si trovava ancora a parecchi metri da lui.-

Oltre l'autista, Porchetta Giuseppe, e la Rini Maria non vi sono altri testimoni al fatto.-

Sia l'autovettura che le persone che vi viaggiavano erano autorizzate a circolare durante il coprifuoco perché dipendenti dallo Ufficio Alleato P.W.D. di Via Veneto.-

Il carabiniere esplose il colpo di moschetto, mirando alla ruota destra dell'autovettura, ma, o per la difficoltà della mira causata dall'inefficiente chiavore prodotto dalla luna, e dal fatto che il militare era rimasto abbagliato dalla luce dei fari dell'autovettura, o per i continui spostamenti dell'autovettura in marcia, il proiettile, con una deviazione di circa 50 centimetri rispetto al punto mirato dal militare, penetrò nella parte posteriore della macchina, in senso obliquo, perché la macchina stessa si trovava sulla sinistra rispetto alla posizione del carabiniere, sfiorando la gomma di scorta e colpendo allo addome il Pirelli che si trovava seduto alla sinistra del sedile posteriore.-

Le indagini condotte sul posto e la ricognizione effettuata, alle ore 2,30 circa del giorno successivo al fatto in condizioni precise a quelle del mattino del 31 ottobre, hanno portato alle seguenti conclusioni:-

E' impossibile che l'autista Porchetta non abbia visto il carabiniere nell'atto in cui gli intimava l'alt e non abbia sentito le sue intimazioni. Ciò perché : il carabiniere Spiga, vestito con cappotto grigio-verde e bandoliera bianca e quindi ben visibile, si pose quasi al centro di Via Cavour (larga, allo sbocco in Via dell'Impero, circa 15 metri) facendo ampi cenni all'autovettura affinché si fermasse.-

Nel punto ove si trovava il carabiniere Spiga la visuale è bene

posizione del carabiniere, sfiorando la gonna di scorta e colpendo allo addome il Pirelli che si trovava seduto alla sinistra del sedile posteriore.

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Nel punto ove si trovava il carabiniere Spiga la visuale è bene aperta e, essendo notte di plenilunio, vi erano ottime condizioni di visibilità.-

L'autovettura procedeva, secondo le stesse dichiarazioni dell'autista Porchetta, a 20-30 chilometri all'ora, velocità quindi ridotta, che consentì al carabiniere Spiga di avere tutto il tempo per raggiungere il centro della strada e di iniziare, quando la macchina era ancora lontana, i segni per intimare l'alt.-

La macchina, proseguendo nonostante l'alt dato dal carabiniere, passò a circa 3 metri da questi e l'autista, a tale distanza dovè necessariamente udire le intenzioni del carabiniere.-

.../...

E' invece possibile, per quanto poco probabile, che la signorina Rini non abbia nè visto nè sentito il carabiniere Spiga, in quanto stava conversando coi suo compagno di viaggio.-

Da quanto sopra sembra evidente che l'autista Porchetta sia in mala fede quando asserisce di non aver visto nè sentito il carabiniere Spiga; il suo atteggiamento è però facilmente comprensibile quando si pensi che così facendo egli vuole evitare di essere considerato, sia dal punto di vista penale che morale, il diretto responsabile dell'incidente.- A parere di questo comando il Porchetta al momento del fatto, pur avendo visto il carabiniere fargli cenno di fermarsi e sentito le lusinghe di alt, sapendo di essere regolarmente autorizzato a circolare e di essere alle dipendenze di un ufficio alleato e quindi sufficientemente protetto, non si curò delle intimazioni del carabiniere Boigs, non prevedendo certo le conseguenze che avrebbe avuto il suo atto. La signorina Rini, invece, o, essendo occupata a conversare col Pirelli, non vide nè udì nulla, e afferma ciò per senso di solidarietà col Porchetta che dipende dal suo stesso ufficio e che può averla influenzata in tal senso.-

Per quanto riguarda il carabiniere Spiga questo Comando ritiene che, vagliate tutte le circostanze del fatto e quelle ad esso anteriori, il suo comportamento sia stato aderente alla situazione verificatasi.-

Occorre innanzi tutto considerare il precedente dell'avvertimento dato poco prima dell'incidente, ai militari dai due agenti di P.S. ai quali era sfuggito un taxi in evidenti condizioni di irregolarità.- Legittimo, in dipendenza di ciò, fu il sospetto, avuto dal militare, che si trattasse della stessa macchina, quando vide che il taxi al quale aveva intimato l'alt, non s'era fermato.-

E' opportuno poi tener presente che negli ultimi tempi molti fatti simili si sono verificati e che in questi casi, quando cioè, durante il

...protezione, non si cura delle intimidazioni del carabiniere Spiga, non prevedendo certo le conseguenze che avrebbe avuto il suo atto. La signorina Mini, invece, o, essendo occupata a conversare col Pirelli, non vide nè più nulla, o afferma ciò per senso di solidarietà col forchetta che dipende dal suo stesso ufficio e che può averla influenzata in tal senso. -

Per quanto riguarda il carabiniere Spiga questo Comandante ritiene che, vagliate tutte le circostanze del fatto e quelle ad esso anteriori, il suo comportamento sia stato aderente alla situazione verificatasi. -

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Il carabiniere Spiga osservò, nella circostanza, tutte le norme stabilite; intimò l'alt a distanza, mettendosi in posizione perfettamente idonea, fece ampi cenni in direzione dell'autovettura perchè si fermasse, e quando, ciò nonostante, la vettura proseguì e gli passò vicino, gridò ad alta voce all'autista di fermarsi; solamente quando vide che tutto era stato inutile e, cosciente di aver fatto tutto il possibile, si accorse che l'autovettura sospetta stava per sfuggirgli, sola-

.../...

= 5 =

mente allora ricorse all'ultimo mezzo che aveva per fermare l'auto vettura, e sparò mirando alla ruota destra. =

Le probabili ragioni per cui il colpo raggiunse invece la parte posteriore della macchina sono state già esposte e non sono in ogni caso da imputarsi alla volontà del carabiniere. =

Alle conclusioni sopra enunciate porta anche l'esame delle personalità del carabiniere Spiga il quale, per quanto giovane, è militare serio, professionalmente capace e affatto impulsivo. =

Per quanto sopra esposto si ritiene che, anche in considerazione dello stato di guerra e dell'esistenza del coprifuoco nella città di Roma, debba venire applicato nei riguardi del carabiniere Spiga il contenuto dell'Art. 53 C.P.C. (uso legittimo delle armi) il quale stabilisce che non è punibile il pubblico ufficiale che, al fine di adempiere un dovere del proprio ufficio, fa uso, ovvero ordina di fare uso, delle armi o di altro mezzo di coazione fisica, quando vi è costretto dalla necessità di respingere una violenza o di vincere una resistenza all'autorità. =

Le ricerche diramate al fine di rintracciare i due agenti di P.S. che si intratternero col carabiniere Spiga, poco prima dell'incidente, hanno dato finora esito negativo. =

Il carabiniere Spiga è trattenuto, a disposizione, nella caserma della stazione cc.rr. di Via Milano. =

-o-

Allegati omisis. =

IL TENENTE COMANDANTE LA TENENZA
f/to Giulio Grassini

1875

Spiga il contenuto dell'Art. 53 C.P.C. (uso legittimo delle armi) il quale stabilisce che non è punibile il pubblico ufficiale che, al fine di adempiere un dovere del proprio ufficio, fa uso, ovvero ordina di fare uso, delle armi o di altro mezzo di coazione fisica, quando vi è costretto dalla necessità di respingere una violenza o di vincere una resistenza all'autorità.-

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-0-

Allegati omisis.-

IL TENENTE COMANDANTE LA TENENZA
f/to Giulio Grassini

IL CAPITANO P. C. C.
IL CAPITANO LUIGI MACCARELLI IN 2°
(Giovanni Nassio)

5724

LEGIONE TERRITORIALE DEI CARABINIERI REALI DI ROMATenenze di Viminale

Rome 9 November 1944

Subject

: Report concerned the death of PIRELLI Alberto, living in Rome at via Tuscolana 42, employed with P.V.F., who was killed by carabinieri Spiga and Ovidio, belonging to Via Milano Station.

On 30th November, ss RR. SS. Coren Nello and Spiga Ovidio were on duty at via del Cavaliello, they heard some people crying at via dell'Impero. Carabinieri Spiga went to see what had happened. About 10 persons were complaining against the driver of a motor-truck, because he did not want take them until Porta S. Paolo where they were bound. In the meantime two P.V. agents came to the spot and told ~~tax~~ carabinieri Spiga that while they were examining the documents of a taxi-driver he went away in full speed. The motor-truck rode towards Colosseum and Carabinieri Spiga went away to his duty place, but while he was walking he saw a taxi coming from Piazza Venezia. He intimated the driver to stop but he did not care and the taxi continued its way. Carabinieri Spiga fired a shot and the taxi after a few meters stopped. A man, named Pirelli Alberto, who was in the car was badly injured. He was brought to the hospital where he died. The driver, a certain Porchetta Giuseppe stated that he did not see the carabinieri, but the latter stated that it was impossible. As the driver and as the persons who were in the car held regular curfew permits.

Actually, carabinieri Spiga is in the barracks at disposal of the competent authorities, but this Command retains that he is not guilty.

Giulio Grassini

Lt.

a motor-truck, because he did not want take them until Porte 3. Paolo where they were bound. In the meantime two P.S. agents came to the spot and told the carabinieri Spiga that while they were examining the documents of a taxi-driver he went away in full speed. The motor-truck rode towards Colosseum and Carabinieri Spiga went away to his duty place, but while he was walking he saw a taxi coming from Piazza Venezia. He interrupted the driver to stop but he did not care and the taxi continued its way. Carabinieri Spiga fired a shot and the taxi after a few meters stopped. A man, named Fierelli Alberto, who was in the car was badly injured. He was brought to the hospital where he died. The driver, a certain Porchatta Giuseppe stated that he did not see the carabinieri, but the latter stated that it was impossible. As the driver and as the persons who were in the car held regular overflew permits.

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Giulio Grassini

Lt.

MS/

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4A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

AC/14601/29/PS

2 Dec 1944

SUBJECT : Shooting of Italian Civilian by CC.RR.

TO : Regional Commissioner, Lazio-Umbria Region.
(Attn: R.F.S.O.).

2A

Please expedite your reply to our letter AC/14601/29/PS dated 21st November, 1944, regarding the killing of Albert PIRELLI on 31st October 1944.

John W. Chapman
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission

AFB/jmf

5726

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HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Chief of Staff

1 DEC 1944 3
= 1 DEC 1944
cc.

Tel: 735
30 November 1944.

Ref: 3604/11/COS

SUBJECT: Report on findings on the shooting of
PIRELLI, Alberto di Alfredo.

TO : Civil Affairs Section.

Reference 3604/COS of 16 Nov 44 enclosing letter dated 14 Nov
from PWB on the subject of the shooting of PIRELLI, Alberto di Alfredo,
please inform this Office what action has been taken in this matter.

	DATE
COL CH PM N	
COL YOUNG	
LT. COL WICK	
MAJ LUCK	
MAJ WILSON	
MAJ HANBU	
MAJ BALLANCE	
CAPT POWEL	
CHIEF CLERK	

Received & passed
17/11/44

E. H. ...
Chief Staff Officer
to the Chief of Staff.

572

5215

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APC 394

file 2A

AC/14601/29/45

21 Nov 1944

SUBJECT : Shooting of Italian civilian by CC.RP.

TO : Regional Commissioner, Lazio-Umbria Region
(Attn: R.P.S.O.).

see 1A/B

1. At 2.45 a.m. 31 October, 1944, at Via Cavour, Rome, ~~PIRELLI~~ Alberto, a civilian employee of P.S.B., was shot and killed while riding in a P.S.B. taxi.

2. The shot was fired by a CC.RP. ~~SPICA~~ who had apparently called on the taxi to stop without result.

3. May we be informed please of the short facts of this occurrence, with an indication of how the case now stands.

[Signature]
JOHN J. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission

FJW/JWF

see 23A

5720

ALLIED CONTROL COMMISSION
INTER OFFICE MEMO

11 NOV 1944

From: Office of the Chief of Staff

Tel. 289

FILE No. 3604/cos.
16 Nov 1944

SUBJECT: Report on Findings on the shooting
of PIRELLI, Alberto di Alfredo.
TO: Civil Affairs Section.

Attached letter dated 14 Nov from P.B., subject Shooting of
PIRELLI, Alberto di Alfredo, is passed to you for appropriate
action please.

E. Horden
Chief Staff Officer
To the Chief of Staff.

5719

Copy to: S.C. to C.C.

ALLIED FORCE HEADQUARTERS
~~INFORMATION AND CENSORSHIP SECTION~~
PSYCHOLOGICAL WARFARE BRANCH
ITALIAN THEATRE HEADQUARTERS
P.W.B. UNIT No. 12 U.S.A.P.O. 512

14 November 1944.

16 Nov Recd

Subject : Attached Report.

To : Commodore Ellery W. Stone, USNR,
Chief Commissioner,
Allied Commission Headquarters,
APO 794 U.S. Army.

1. It is requested that the attention of the Italian Government be directed to the subject of this report through your office, as suggested under paragraphs 4, 5 and 6 of "Recommendations".


O. PAUL HERZIG
Major Inf.
Detachment Commander.

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WHL

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Allied Force Headquarters
PSYCHOLOGICAL WARFARE BRANCH
Italian Theatre Headquarters
Unit No. 12 APO 512 U.S. Army

3rd November 1944.

Subject : Report on Findings on the shooting of
PIRELLI, Alberto di Alfredo.

To : Mr. John Rayner, D.P.W.O., P.W.B., I.T.H.Q.

1. In the early morning of October 31st 1944 at approximately 0245 hours, PIRELLI Alberto di Alfredo, a locally hired Italian employee in the Monitoring Section of PWB, was shot at and killed by an Italian Carabinieri, SPIGA Ovidio, in Via Cavour while being transported to his home under competent orders in a PWB taxi driven by PORCHETTA Giuseppe.

Mr. Pirelli was sitting in the back seat of this automobile on the left hand side, and was accompanied by Miss RINI Maria, also an employee of PWB.

2. Carabinieri Spiga, chauffeur Porchetta and Miss Rini have all been interviewed and they present the following testimonies :

Testimony of Carabinieri SPIGA Ovidio.

The Carabinieri states that in the early morning of October 31st 1944 at around 1230 hours, while manning his post with another Carabinieri, he heard a considerable amount of noise from a group of people a distance away from his post. After consulting with the other Carabinieri it was decided that their post could not be abandoned so Carabinieri Spiga went to investigate this commotion and left his colleague to man their assigned station.

Upon arrival at the scene of the disturbance, which was on the Via dell'Impero near the corner of the Via dell'Impero and the Via Cavour, Carabinieri Spiga found a group of individuals around a taxi which had come from Naples, arguing over its destination. The driver of this

1 8 8 4

Mr. Pirelli was sitting in the back seat of this automobile on the left hand side, and was accompanied by Miss RINI Maria, also an employee of PWB.

2. Carabiniere Spiga, chauffeur Porchetta and Miss Rini have all been interviewed and they present the following testimonies :

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Upon arrival at the scene of the disturbance, which was on the Via dell'Impero near the corner of the Via dell'Impero and the Via Cavour, Carabiniere Spiga found a group of individuals around a taxi which had come from Naples, arguing over its destination. The driver of this car was asked for his circulation permits and documents and they were found to be in order.

While investigating this incident, a truck proceeding along Via dell'Impero with one light was observed by the Carabiniere and he stopped it. Upon enquiry he found that it was manned by two members of the Carabiniere Force who advised that a new green taxi which they had stopped earlier in the evening, and which was circulating without an authorised permit, had escaped them while they were examining the papers which had been presented. They also advised him to examine thoroughly the documents of the vehicle the Carabiniere had been investigating.

Carabiniere Spiga made a mental note of this and proceeded with his original investigation, eventually sending the taxi and its group on their way.

(cont.)

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- 2 -

He then claims that he continued to walk to the corner and then along Via Cavour.

He says that just as he passed a corner he saw a taxi approaching the Via dell'Impero of the description afforded to him a few minutes previously and he stepped out into the road at a point approximately two metres from the sidewalk and attempted to stop the vehicle as it turned the corner at the Via dell'Impero and Via Cavour.

He claims that the lights of the car shone on him and that he called several times "Stop, stop". He says the taxi made no effort to stop and passed him at a distance of about five to six metres, continuing on its way at an estimated speed of 25/30 km. per hour.

He then says that he removed his rifle which was slung from his shoulder and loaded, released the locking device, aimed at the rear right tire and fired. He claims that he fired when the taxi was at a distance of approximately 100 metres, and about at the next intersection of Via Cavour, and that it proceeded across the intersection and stopped immediately on the right hand side of the road.

He states that at the time he fired he could not aim too well as it was too dark. He then says that he ran towards the taxi but halted and watched from behind the nearest lamp-post to the taxi before reaching it, in order that he might see, without exposing himself, what the chauffeur would do.

He says the chauffeur got out of the car and that he could hear him talking with the lady in the back seat, that she said the man was sick or hurt and she wanted help, or words to that effect.

The chauffeur got out of the left hand side of the car, proceeded round the front of the car and opened the door on the rear right-hand side.

Carabinieri Spiga then says that, since the moonlight was rather brilliant, he was able to see that the chauffeur did not have a weapon or any threatening instrument in his hand, and he came from behind the lamp-post and proceeded up to the car.

Upon reaching it he demanded of the chauffeur to see the circulation and curfew permits to use the car at this time of night. He says the chauffeur produced a pass, but in the meantime the lady in the back of the car had discovered that Mr. Pirelli was bleeding badly and she demanded that he be taken to a hospital immediately.

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Upon reaching it he demanded of the chauffeur to see the circulation and curfew permits to use the car at this time of night. He says the chauffeur produced a pass, but in the meantime the lady in the back of the car had discovered that Mr. Pirelli was bleeding badly and she demanded that he be taken to a hospital immediately.

Carabinieri Spiga is a bit confused at this point as to exactly what the ensuing conversation was but agrees that all accompanied Mr. Pirelli to the hospital San Giovanni and they arrived there at approximately 0310 hours.

Mr. Spirelli died within an hour of his arrival and after his death the Carabinieri returned to his post where he remained until relieved after 0400 hours when he went to his home to prepare a report of the evening's incident, which he submitted to his Commanding Officer the next morning.

Testimony of chauffeur PORCHETTA Giuseppe.

Chauffeur Porchetta claims that at approximately 0230 hours he was dispatched from 56 Via Veneto with three passengers, Mr. PIRELLI Alberto di Alfredo, and Miss PIRELLI Maria, who sat on the back seat of his taxi, Mr. Pirelli on the left-hand side, and a third individual, and he proceeded to take them home in accordance with his instructions.

(cont.)

- 3 -

He says that after having brought the third individual to his home, he was proceeding at approximately 25 km. per hour on Via dell'Impero, going towards the Colosseum, and when he turned the corner at Via dell'Impero and Via Cavour the moonlight was very bright and he had no trouble in seeing the road. He continued up Via Cavour at his previous speed and as he approached the first intersection he heard a noise. He did not know what it was so continued on his way until he heard Miss Rini in the rear seat asking him to stop because Mr. Pirelli had suddenly become ill and she did not know what was the matter. He continued across the intersection and stopped the car at the right-hand side of the road, and then got out.

He says he got out on the left-hand side of the car and opened the rear side door immediately behind him. As he was opening the door, he says, he saw a Carabinieri approaching him, asking him why he had not stopped and where his circulation permits were.

The chauffeur says he then became a bit confused and started to look for his papers.

In the meantime Miss Rini had discovered that Mr. Pirelli was bleeding and told them to quit their arguing about permits, that Mr. Pirelli was hurt and they should take him to a hospital right away.

In the confusion the chauffeur says the Carabinieri asked him why he did not stop and the chauffeur told him that he had not heard any call to stop and had not seen anyone, and therefore he had no reason to stop.

It was eventually decided that Mr. Pirelli should be taken to hospital so Porchetta drove to the hospital San Giovanni, where Mr. Pirelli was taken in for medical treatment. The chauffeur did not know exactly what time this was.

He claims that during the ride to the hospital was the first time he had known Mr. Pirelli was shot, and that he had no idea what had happened.

He then said a general discussion concerning the Carabinieri's command to stop and the shooting took place between himself and Carabinieri Spiga.

After Mr. Pirelli died, the chauffeur says, he took Miss Rini to her home, and returned to FNB at 56 Via Veneto where he reported the incident.

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After Mr. Pirelli died, the chauffeur says, he took Miss Rini to her home, and returned to FVB at 56 Via Veneto where he reported the incident.

Testimony of Miss RINI Maria.

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Miss Rini says she left the Monitoring Section of FVB, 56 Via Veneto, at approximately 0230 hours on the 31st October 1944, in a FVB taxi driven by PORCHETTA Giuseppe, and that she sat on the right-hand side of the back seat with Mr. Pirelli on the left.

She says that while proceeding up Via Cavour near the first intersection from Via dell'Impero, she heard a noise which sounded like a bursting tire but paid no particular attention to it except that immediately after Mr. Pirelli complained of being sick. She says she called to the chauffeur to stop the car, which she says he did immediately after crossing the intersection, and upon examination she found Mr. Pirelli was bleeding severely.

She continues, that after the chauffeur stopped the car he got out and came round to the rear right door and opened it, and that she told him something was wrong with Mr. Pirelli and they should take him to hospital right away.

(cont.)

- 4 -

She further says that meanwhile the Carabinieri had approached the chauffeur asking to see circulation and curfew passes, but that she was so nervous she could not be bothered with such forms of procedure at this time and insisted that Mr. Pirelli should be taken to hospital immediately, which she says was done.

On examination she stated that the moonlight was particularly brilliant and that in turning the corner she observed no one nor saw anyone and that the windows of the car were partly open on the right side so that if anyone had called she feels she could have heard it.

She further claims that when she heard the shot she had no idea that it was the report of a gun.

.....

It is interesting to add that in an interview with the Marshal and a Captain of the Carabinieri it was revealed that in accordance with military regulations the first shot should be fired into the air as a warning shot before the guard fires an aimed shot into the target.

FINDINGS.

Upon ~~officer~~ examination of Carabinieri Spiga, Miss Maria Pini and chauffeur Porchetto, and examination of the vehicle involved, it was found that the shot penetrated the spare tire at the rear of the car, entered the rear of the car at a point almost in the dead centre, passed through the rear cushion, through Mr. Pirelli and the rear left door of the car, thence leaving the vehicle.

It was discovered that the four visible holes made by the projectile were in a direct line, indicating that it had passed through Mr. Pirelli without changing its course.

The line of the projectile made an angle of approximately 30 degrees with the longitudinal axis of the car, indicating that when the shot was fired the gun had been aimed at an angle of about thirty degrees to the direction of travel of the vehicle.

Carabinieri Spiga claimed that when he fired the shot he stepped back about a pace from his original position when the car passed him, which would mean that he would have been approximately six metres behind the longitudinal axis of the vehicle in its direction of travel.

As illustrated by the accompanying diagram "A", the shot could not have been fired under any circumstances at a range of more than twelve metres, and make the physical angle of penetration which was indicated.

FINDINGS.

Upon off-site-examination of Carabinieri Spiga, Miss Maria Rini and chauffeur Porchetta, and examination of the vehicle involved, it was found that the shot penetrated the spare tire at the rear of the car, entered the rear of the car at a point almost in the dead centre, passed through the rear cushion, through Mr. Pirelli and the rear left door of the car, thence leaving the vehicle.

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As illustrated by the accompanying diagram "A", the shot could not have been fired under any circumstances at a range of more than twelve metres, and make the physical angle of penetration which was indicated.

Further, the calibre of the shell fired was such that to pass ⁵⁷¹⁴ through the car and the body of Mr. Pirelli, and leave the car without changing direction would indicate that it would have to be travelling at a high velocity, and therefore would of necessity have been fired at a close range.

The scene of the incident was visited by Carabinieri Spiga, chauffeur Porchetta, Miss Rini, Capt. Passaglia and myself, and the incident reconstructed.

It was found that if Carabinieri Spiga was in the road at approximately the point he claims he was at the time the vehicle passed him, it would have been utterly impossible for him to have been able to get behind the lamp-post nearest the point where the vehicle stopped, before the chauffeur had got out of the car, walked round and opened the rear door and attempted to lend assistance to Mr. Pirelli.

(cont.)

- 5 -

It was further found that if he were at this spot and fired the shot when the vehicle was approximately at the first intersection of Via Cavour from Via dell'Impero, as agreed by himself, the chauffeur and Miss Rini, the angle of penetration of the projectile in the vehicle would have been between eight and ten degrees.

Further questioning of the Carabinieri indicated that he was walking on the sidewalk on the right-hand side of the street in the same direction as the vehicle, therefore it would have been impossible for him to have seen the car until it was practically opposite him, without turning round which cross-examination reveals he did not do.

It was also discovered that at the time he fired the shot there was a bright moon and visibility was fair.

The accompanying diagram "B" indicates the relative positions of the Carabinieri and the car when the shot was fired, as claimed by Spiga, and also the relative positions as mathematically deduced to be the only physically possible relative positions under the circumstances.

It is believed that from the position it is calculated the shot was fired, the driver of the car could have seen the Carabinieri but probably would not have seen him unless he was deliberately looking for him, as the car is a left-hand drive and the calculated position would have been on the far right-hand sidewalk.

It was found that the windows of the right-hand side of the car were partially open, and if the Carabinieri had called prior to the time the car passed him it would have been possible for the occupants to have heard him; since neither the chauffeur nor Miss Rini saw or heard anyone it is plausible to believe that if the Carabinieri ordered them to halt he did so at a point when the car was opposite or just passing him.

Points of Deduction :

1. Time of incident : Approximately 0245 hours on October 31st 1944.
2. Place of incident : Via Cavour, between Via dell'Impero and the first intersection on Via Cavour.
3. Individuals involved : Carabinieri SPICA Ovidio,
Chauffeur PORCHETTA Giuseppe,

would not have seen him unless he was in the car is a left-hand drive and the calculated position would have been on the far right-hand sidewalk.

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Points of Deduction :

1. Time of incident : Approximately 0245 hours on October 31st 1944.
2. Place of incident : Via Cavour, between Via dell'Impero and the first intersection on Via Cavour.
3. Individuals involved : Carabinieri SPIGA Ovidio,
Chauffeur PORCHETTA Giuseppe,
Passenger Miss RINI Maria
Passenger PIRELLI Alberto di Alfredo.
4. Conditions : Bright moonlight, visibility fair, roads dry,
speed of car approximately 25 km.p.h.
5. Shot fired by : Carabinieri SPIGA Ovidio.
6. Calibre of projectile : . 38.
7. Range : Approximately 12 metres.
8. Position of Carabinieri when shot was fired : See diagram "B".
9. That the Carabinieri did not make any effort to halt the car in time to give ample warning to the chauffeur or its occupants of his intention.
10. That the Carabinieri did not follow the military regulation governing the firing of a gun by a guard while on duty, namely, to fire a warning shot into the air before directing any subsequent well-aimed shot at the target.

(cont.)

- 6 -

11. That the chauffeur was not aware of the presence or intention of the Carabiniere.
12. That the chauffeur was proceeding at a reasonable speed.
13. That the story of the Carabiniere did not coincide with the physical facts, that it was not true and could not have been so under existing circumstances.
14. That the story of the chauffeur in principle was true and accurate and is corroborated by the remaining passenger of the car, Miss Rini.
15. That, since at the time the car was approaching the position of the Carabiniere he was walking away from it, he did not have ample time to see it, step into the road, and make a plausible effort to stop it; thus, it is believed that in his haste, when the car passed him making no signs of stopping, he fired immediately.
16. That the Carabiniere could not possibly have arrived at the lamp-post before the chauffeur got out of the car if the former fired the shot from the position he claims he did.

RECOMMENDATIONS.

It is recommended that :

1. The chauffeur be absolved of all blame in the incident.
2. Carabiniere Spiga be held responsible for not carrying out the duties of his post in its charged manner.
3. Since Mr. Pirelli was an employee of this organization and was killed in line of duty through no fault of his own, the family of Mr. Pirelli be afforded some consideration by this Command.
4. The Italian Government be properly notified of these findings so that any benefits available to the family of Mr. Pirelli be forthcoming.
5. The proper Allied and Italian officials be notified of this incident to prevent a recurrence.
6. Some formidable punishment be administered to Carabiniere Spiga for negligence in the performance of duty.

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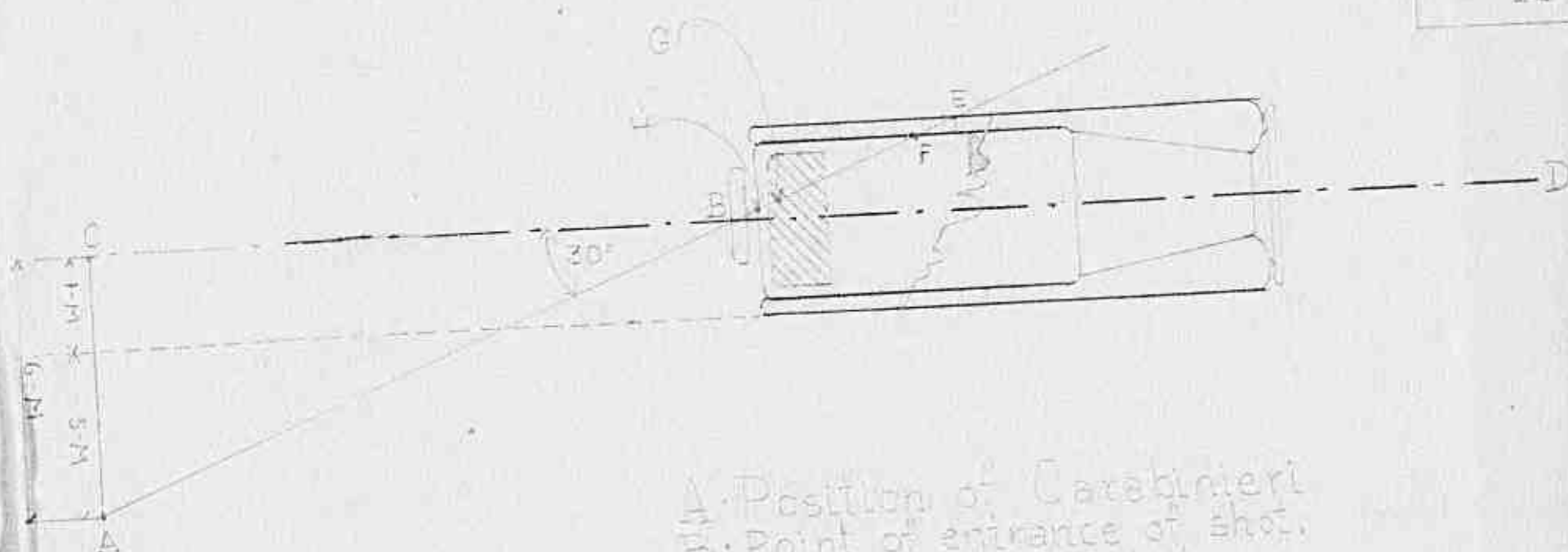
5716

Paul H. Hering
O. PAUL HERING
Major, USA
Detachment Commander.

Cc. Mr. Edman, ADFWO (Lib.)
Mr. Francisco, Pers. O.
Capt. Passaglia, Chief Monitoring Div.
CG RAAC
Chief Com. AC
Lt. Col. Cayley, AO.

SKETCH OF CONDITIONS WHEN SHOT WAS FIRED.

DIAGRAM
A



A - Position of Carabinieri
B - Point of entrance of shot.
E - Point of exit of shot
E, F, G, H, B - Holes made by projectile
ABE - Direction of projectile.

Deductions.

$$1 - \frac{6}{AB} = \sin 30^\circ$$

$$2 - AB = \frac{6}{\sin 30^\circ}$$

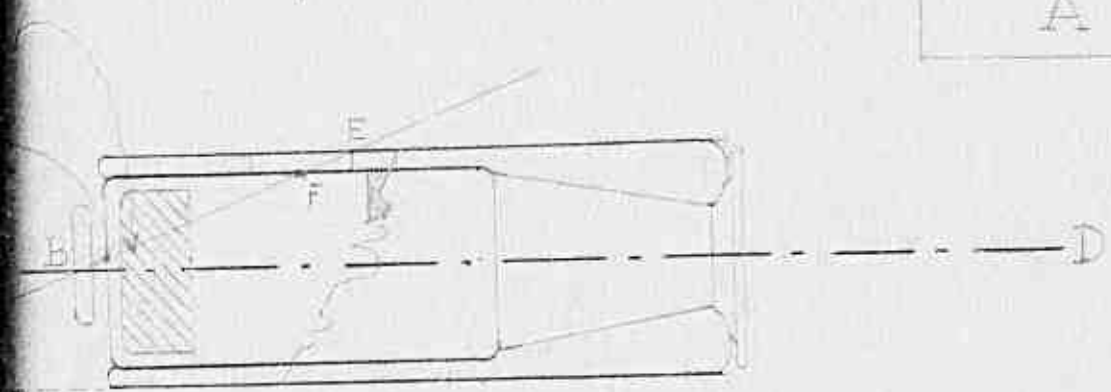
$$= \frac{6}{.5}$$

$$= 12 \text{ metres} = \text{range}$$

3 - $\therefore$ Shot must have been fired at range of 12 metres or after vehicle traveled approx. 10.4 M

OF CONDITIONS WHEN
SHOT WAS FIRED.

DIAGRAM
A



- A - Position of Carabinieri
- B - Point of entrance of shot.
- E - Point of exit of shot
- F, G, H, B - Holes made by projectile
- ABE - Direction of projectile.

ons.

le 30°

e 30°

metres = range

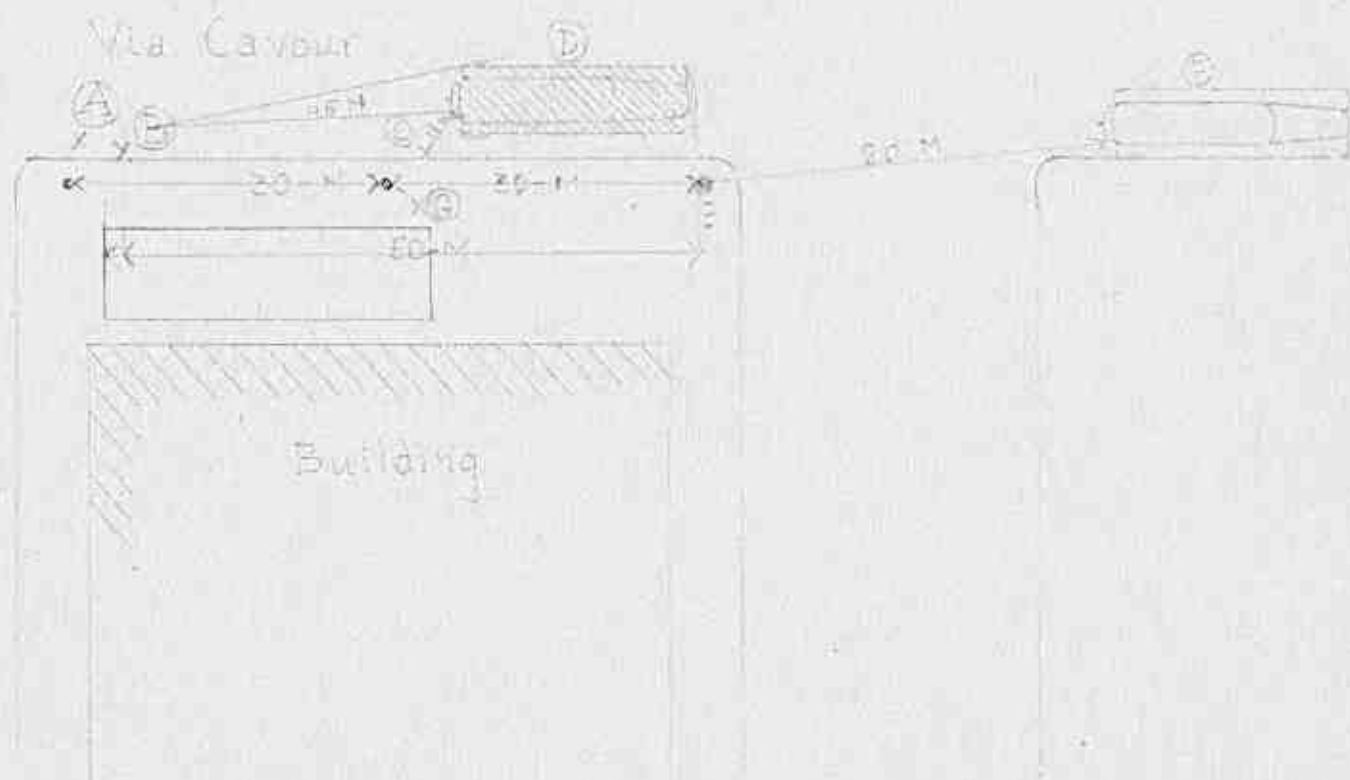
must have been fired at range of 12 metres
or vehicle traveled approx. 10.4 M

HHH

General Schematic Diagram

- A.-Position from which Carabinieri says he first warned car.
 B.-Position from which Carabinieri says he fired shot.
 C.-Position it is believed he fired shot.
 D.-Position all agree car was in when shot was fired.
 E.-Lampost from which Carabinieri watched Chauffeur get out of car.
 F.-Position of car when it stopped.
 G.-Position from which it is believed Carabinieri first saw car.

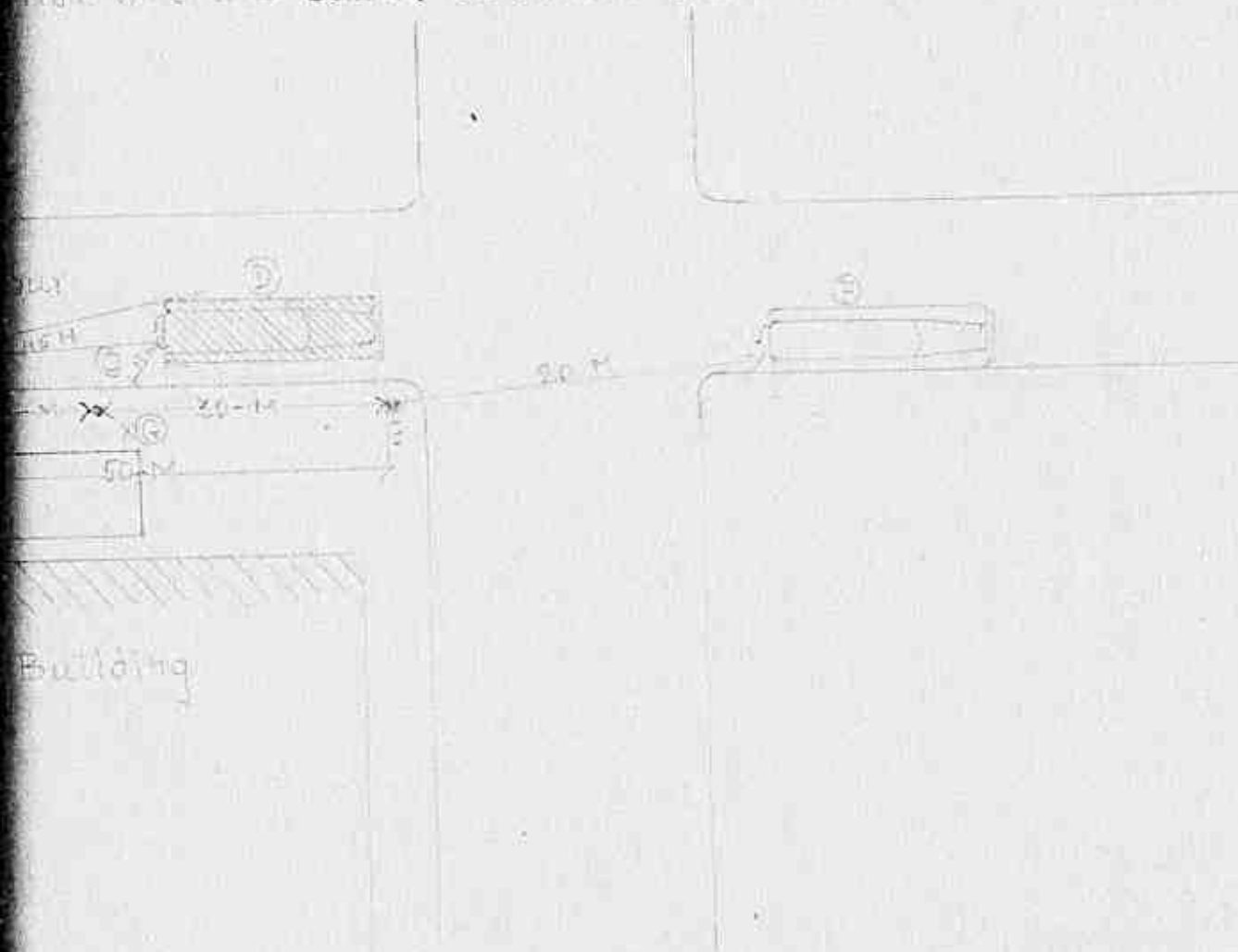
Via dell'Impero



General Schematic Diagram

DIAGRAM
B

from which Carabiniere says he first warned car.
 from which Carabiniere says he fired shot.
 it is believed he fired shot.
 all agree car was in when shot was fired.
 from which Carabiniere watched Chauffeur get out of car.
 of car when it stopped.
 from which it is believed Carabiniere first saw car.



11/11

1899

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