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

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ILLEGAL SEARCHES BY ALLIED PERSONNEL
MAR. 1945

Translation.

MINISTRY OF GRACE & JUSTICE

Reply to AC/14166/PS dated 22/3/45.

30th March, 1945.
N. 72053/1.16.8

Subject : Search in the penal establishment of Procida.
To : A.C. Public Safety Sub-Commission - Rome.

In thanking you for the information furnished, this Ministry agrees in regard to the inopportunity of further investigations concerning the incident mentioned as subject of the letter.

The above has been communicated to the Prison Inspectorate of the Southern Region and the attention has been called to the strict observance of the regulations in force, which prohibit any person whomsoever to visit without authorisation any prison establishments and adding that such observance - always necessary - is much more requested in the actual conditions.

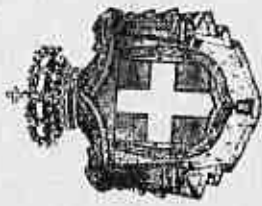
For the Minister

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Ministero di Grazia e Giustizia

Direzione Generale
per gli Istituti di prevenzione e di pena

N. 72053/I.16.3
Risposta a nota
N. AC/I4166/PS
del 22.3.1945

Roma, 30 marzo 1945

Alla Commissione Alleata
Sottocommissione di P.S.

Roma

OGGETTO: Perquisizione nello stabilimento penale di Procida.

Nel ringraziare delle notizie fornite, questo Ministero conviene circa la inopportunità di ulteriori indagini circa l'incidente accennato in oggetto.

Ha provveduto a comunicare quanto sopra anche all'ispettorato delle carceri della Regione Meridionale, richiamando alla rigorosa osservanza delle norme regolamentari, che vietano a chiunque la visita non autorizzata degli stabilimenti carcerari e soggiungendo che tale osservanza - sempre necessaria - è maggiormente reclamata dalle attuali contingenze.

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pel MINISTRO

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HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

Ref: 4001/163/EC

27 March 1945.

SUBJECT: Relations with Italian Government.

TO : VP, Economic Section (15)
 VP, Civil Affairs Section (10)
 Director, Communications Sub-Commission
 Director, War Material Disposal &
 Italian PW Sub-Commission

1. Vice Presidents will impress upon the Directors of their Sub-Commissions, and Directors of Independent Sub-Commissions upon their officers, the necessity of implementing the policy of the CCS directive defining the new relations of the Allied Commission with the Italian Government, especially with respect to the following paragraph:

"The Staff of Allied Commission Headquarters should occupy itself primarily with consultation and advice to the Italian Government at high levels."

2. Experience during the last six months has shown that whereas officers in the field have been careful to avoid executive action or speech with officials of the Provincial governments, there has been a tendency at HQ for officers in the Sub-Commissions to forget that the dropping of the "Q" from A.C.C. was intended to convert the relations between the Allied Commission and the Italian Government to those of adviser (and provider of supplies) on the one hand and of a sovereign government on the other. I have heard reports of discussions and conferences which lead me to think that more forceful measures than advice have been used to persuade - if indeed not to compel - the Italian Government to accept the views of the Allied Commission and come into line. In some instances these measures have been taken by subordinate officers of Sub-Commissions speaking perhaps to subordinate officials of the Italian Government. But the effect has been the same - and is unfortunate. The Italians presume that every member of the Commission speaks with the authority of the Chief Commissioner and they suffer, in their estimation, from a multiplicity of masters, and the application of conflicting policies of "advice" and "control".

3. In future, therefore, Vice Presidents and Directors of Sub-Commissions

3. In future, therefore, Vice Presidents and Directors of Sub-Commissions will ensure that such formal advice as it may be necessary to convey to the Italian Government is given by Vice Presidents or their Deputies or by Directors of Sub-Commissions, to Ministers or Under-Secretaries. At lower levels officers should refrain from giving formal advice and should restrict their functions to verbal consultation and discussion, expressing informally and unofficially any advice which they may feel should be given and would have the complete approval of their Director or Vice President. Generally speaking, in all their dealings with members of the Italian Government on matters affecting Italian Government territory, officers must act with diplomacy and tact rather than as mentors or governors. Only thus will the Italian Government learn to shoulder its responsibility.

ELERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Copies to: Acting President
Political Advisers (2)
VP Establishment Section
Navy Sub-Commission
Land Forces Sub-Commission
Air Forces Sub-Commission
Public Relations Branch
Liaison Division.

5703

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478709

22 March 1945

AC/14166/PS

SUBJECT : Search of Penal Establishment at Procida

TO : Ministry of Grace and Justice

1. With regard to your communication of 2 March, 1945 (Ref. 70649/1.16.5) and in continuation of our letter of 8 March 1945 (Ref. AC/14166/PS) concerning a reported search of the personnel and penal establishment at Procida, you are advised that the following report has been received from the Provincial Public Safety Officer at Procida :-

a) The incident had been previously reported and an investigation had been made immediately following the incident/

b) The persons in American uniforms could not later be found or identified.

c) One Italian was involved and his identity likewise was never discovered.

d) There is evidence that these persons made an unauthorized search while under the influence of liquor.

2. In view of this report, and the fact that this incident happened approximately 6 months ago, it does not appear advisable to carry the investigation further. This Sub-Commission will, however, be glad to know of your wishes in the matter.

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

RMF/wg. *M.R.*

See for reply

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
PUBLIC SAFETY DIVISION

Ref: PS/9.1
AC/14166/PS

14166
Date 13 March 1945

SUBJECT: Reported search of Penal Establishment of Procida.

TO : Director, Public Safety Sub-Commission, HQ Alcom,
(Attention of: R.M. Freeman Capt. C.M.P.)

The writer contacted Capt. J. Whyte, the Provincial Officer of Procida, at the time in question who reported that an enquiry was made and brought out the following data :-

- (1) Several unidentified soldiers in American uniforms and an Italian were involved in this affair.
- (2) The trip appeared to be inspired by a drunken spree.
- (3) Further searching made at that time among American units, situated on the mainland, were unfruitful as to identifying any of the personnel of the group in question.

For the Regional Commissioner:

Fred C. Stiles Capt. C.M.P.

G. RICHARDSON
Major,
Regional Public
Safety Officer.

FCS/tp.

TO		
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
POLICE		
LIC. & REG.		
PRISONS	NMD	19/3
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

See 5A
To Ministry
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HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
PUBLIC SAFETY DIVISION

Ref: PS/9.1
AC/14166/PS
SUBJECT:

Reported search of Penal Establishment of Procida.

Date 13 March 1945

TO :

Director, Public Safety Sub-Commission, HQ Alcom,
(Attention of: R.M. Freeman Capt. C.M.P.)

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For the Regional Commissioner:

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FCS/tp.

TO		
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
POLICE		
LIC. & REG.		
PRISONS	RMD	19/3
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

See 5A 37
To Ministry

3A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478709

8 March 1945

AC/14166/PS

SUBJECT : Reported search of Penal Establishment
of Procida

TO : Regional Commissioner, Southern Region

1A

A communication from the Ministry of Grace and Justice (translation attached) reporting what may be an illegal search of the home of the Director of Procida prison, and the prison itself, by Allied soldiers, is forwarded for any information that you can give this Sub-Commission. Said information will be used to base our reply to the Ministry.

R. M. Q.

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

1 Enclosure

RMF/wg. B I. when reply is received

Q.

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HEADQUARTERS ALLIED COMMISSION
Public Safety Sub/Commission
APO 394

Tel : 478709

8 March, 1945

AC/12166/PS

SUBJECT : Penal Establishment of Procida
TO : Ministry of Grace and Justice
Attn: Sig. Aurienma

1. In reply to your communication of 2 March, 1945, (Ref. No 70649/1.16.8), you are advised that this Sub-Commission is requesting the Regional Commissioner, Southern Region to conduct an investigation of the reported incident and forward his findings to this Office.

2. You will be advised as to the result of this action.


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

RMF/wg. 

Translation.

MINISTRY OF GRACE & JUSTICE

2nd March, 1945.
N. 70649/1.16.S

Subject : Penal establishment of Procida.

To : A.C. Public Safety Sub-Commission - Rome.

We have been informed, that on the 18th Sep.44. Allied soldiers, together with an Italian P.S. N.C.O., presented themselves at the penal establishment of Procida, in order to effect - without authorisation - a search in the home of the director and to inspect the establishment, questioning prisoners, visiting the infirmary, the library, the kitchen.

For the eventual measures to be taken, it would be appreciated to know the reasons which have caused the a/m action.

For the Minister
Auriemma

rv.



Ministero di Grazia e Giustizia

Direzione Generale
per gli istituti di prevenzione e di pena

N. 70649/I.16.S

Roma, 2 marzo 1945

Alla Commissione Allenta
Sottocommissione per la F.S.

Roma

OGGETTO: Casa penale di Procida.

Giunge notizia che, il 18 dicembre scorso, militari allenti, insieme ad un sottufficiale della F.S. italiana, si presentavano alla casa penale di Procida, per provvedere - senza mandato - a perquisizione nel domicilio del direttore e per ispezionare lo stabilimento, interrogando detenuti, visitando l'infermeria, la biblioteca, la cucina.

Si gradirebbe conoscere i motivi che hanno determinato il fatto, per gli eventuali opportuni provvedimenti.

pel MINISTRO

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per il MINISTRO

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TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
CHIEF OFFICER		
SEC. E		
& REG.		
CHIEF		
CHIEF OFFICER		
SECURITY		
CHIEF CLERK		

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