

ACC

10000/143/923

ITALIA
(DEC. 1

10000/143/923

ITALIAN PRISON STAFF, DOTT. FLAMMIA
(DEC. 1943); MAR. - SEPT. 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 994

ACC/14201/1/1/PS

23 Sept 44

SUBJECT : Dr Flammia Michele.

TO : Minister of Grace and Justice.

1. In reply to your letter 71330/467, 16 Sept 1944, re above named. The under signed officer has personal knowledge of this case and does not agree with the report of the Kings General Attorney that this person was confused because of the conditions of War Agrigento was occupied in June 1943 and it was not until Sept 1st that he was dismissed by Lt Col Mc Caffery. In this period of 2 months he did not show that he had the qualities necessary for a director of Prisons.

2. This Sub-Commission feels that if the Italian Government wishes to again place this man in service it may do so, but it asks that he be placed in service in some locality other than Agrigento and that he not be given a position as director as suggested by the Kings Attorney.

A.E. Young
A.E. YOUNG Col.
Acting Director
Public Safety
Sub-Commission

EWH/jaf

2721

transl. MC.

Ministry of Grace and Justice

71330/437

14201/11

to AGC. - P.S. subcomm.

Subj: Dr. Flaminio Michele, ^{the} Director of Penal Settlements of Agrigento

The director of Penal Settlement of Agrigento, Dr. Michele Flaminio, was on the 1st of Sept. 1943 removed, according to an order of the A.M.G. signed G.H. Mc Carrey Lt. Colonel. Inf. 800.

Since then Dr. Flaminio is in that situation and has sent many applications to the Ministry to be resumed in service.

Having the General Attorney of the Court of Appeal of Palermo, by means of the Attorney of the Region of Agrigento, made inquiries, we got the answer of which was enclosed a copy, with a proposal to resume in service Mr. Flaminio, using him in a submitted position.

As this Ministry accepts the proposals, we inform of it the AGC., applying for authorisation.

for the Minister

allegd.

Ministry of Grace and Justice

n. 95/C

subj: Dr. Flaminio Michele, ^{the} director of the Penal Settlement of Agrigento.

Palermo, 21th of June 1944

Referring to letter n. 17 inst, 42207, I send you the here enclosed documents, concerning the inquiry made by King's Attorney in Agrigento, upon Dr. Flaminio Michele, former director of those Penal settlements.

It appeared that at the moment of the entry of Allied Troops, he was ill with a suppurated in his feet, which practically prevented him to move. So he lost self control and quickness of decision, the emergency needed. The facts went on so suddenly that there was no time to reflect. The order given by A.M.G., to set free the prisoners, should have been translated in Italian by an interpreter less interested than one of them, who precisely was asked to translate what the American A.M.G. had said. But would have he consented to wait for an other interpreter? - This we don't know.

The sudden arrival of the Allied Forces, the lack of previous orders about relations with them, a natural sense of preoccupation, at that moment, they naturally create, had certainly an influence on the mind of Mr. Flaminio, who is inclined to mildness and not adequately energetic.

These circumstances and mostly the illness, explain why ²⁷² requested provisions have not been taken, as it should have been done, not even in the following days and why the orders issued by the Allied Command Officers, were not followed who came there at a second moment, to regulate the Penal settlement, were not followed. It is also possible that the dependents were not so quick in executing them, as he had been there, or that he had been much faithful on them.

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As this Ministry accepts the proposals, we inform of it the A.C.O., applying for authorization.

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Ministry of Grace and Justice

n.95/C

Palermo, 21th of June 1944

sub: Mr. Flammia Michele, in director of the Penal Settlement of Agrigento.

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It appeared that at the moment of the entry of Allied Troops, he was ill with a supuration in his foot, which practically prevented him to move. So he lost self control and quickness of decision, the emergency needed. The facts went on so suddenly that there was no time to reflect. The order given by a n.o.o., to set free the prisoners, should have been translated in Italian by an interpreter less interested than one of them, who precisely was asked to translate what the American n.o.o. had said. But would have he consented to wait for an other interpreter? - This we don't know.

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These circumstances and mostly the illness, explain what happened. These provisions have not been taken, as it should have been done, not even in the following days and why the orders issued by the Allied Command Officers, were not followed who came there at a second moment, to regulate the Penal settlement, were not followed. It is also possible that the dependants were not so quick in executing them, as he had been there, or that he had been much faithful on them.

This is for, I think that Mr. Flammia, should not be charged with an absolute insufficiency and a complete defect of character and capacity. The circumstances have been exceptional and this must be kept in mind, in judging Mr. Flammia.

We can only say that he doesn't deserve a dismissal, but that when he will be resumed in service, a submitted task should be given to him, instead of the directive one, he had.

the King's General Attorney

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 394

ACC/14201/1/PS

May 5, 1944

SUBJECT : Italian Prison Personnel - Dott. Flammia.

TO : C.P.S.

1. Dott. Michele Flammia, formerly director of the judicial prison at Agrigento, was removed, effective 1 Sept. 43, by Lt. Col. McCaffrey, S.C.A.O. *IC refers*
2. Flammia repeatedly petitions for re-employment. *ID*
3. The Italian Ministry have asked ACC direction on the question. They feel that Flammia has been the victim of political maneuvering on the part of the Chief of the Carabinieri, Agrigento.
4. Attached is a communication from the Prefect of Agrigento, *ID* a copy of the order removing Flammia, a copy of a petition on the part of Flammia seeking re-employment, a copy of a report on the subject made by Col. McCaffrey, and a copy of a letter by Col. Snook refusing re-instatement. *2A* *1A* *1A*
5. It is suggested that copies of Col. McCaffrey's report be furnished The Ministry, with an indication that they should not re-employ Flammia without a hearing on the charges.

Henry Young Jr.
HENRY YOUNG, Jr. Capt.
Prison Sub-Division

*Send him as directed
(checked) by*

3A

2719

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 394

File 3A
in place of
draft

May 8, 1944

ACC/14201/1/1/PS

SUBJECT : Italian Prison Personnel - Dott. Flammia

TO : Ministry of Grace and Justice.

1. In accord with a request from the Ministry for advice as to the policy to be pursued in regard to the re-employment of Dott. Michele Flammia, formerly Director of Agreento prison, inquiry has been made into the cause for his removal, and it has been found that the reasons therefor were as follows:

On at least three occasions the prison was inspected and found to be in a filthy and insanitary condition, the prisoners were found to be inadequately fed, though sufficient stores were available, and the Director appeared unable to answer questions with regard to the Administration of the Prison, in addition, discipline and administration were lax and inefficient.

2. In view of the reports with regard to the manner of Dott. Flammias administration, the Ministry is informed that, in the interest of efficient operation, it appears inadvisable to re-employ Dott. Flammia.

A. E. Young

A. E. YOUNG, Colonel
Deputy Chief, Public Safety
Sub-Commission.

HY:hgd

2713

C O P Y

File RPS 014.5 3d Ind.

ALLIED MILITARY GOVERNMENT SICILY REGION HEADQUARTERS APO 394.

December 5, 1943

To = Sup't = Prisons Section

1 = In view of the information contained in 2nd indorsement the question of the re-instatement of FIAMMIA Michele cannot be considered.

BY ORDER OF CHARLES POLETTI RAO

RUSSELL A SNOOK
Lt. Col.,
Chief Public Safety Division.

Encl 1 appl of Fiammia
2 transl.
3 discharge

2717

C O P Y

ECA/147/5

2nd Ind.

HQ. AMG, Region II, A.P.O. 394, 29 Nov 43

To: Chief, Public Safety Div., AMG, HQ, Region I A.P.O. 394

1. The individual discussed in the basic communication was dismissed from office for gross incompetence, and I would vigorously object to his reinstatement for the following reasons:-
2. There was a general jail delivery from this prison on the night of July 17th when the city was taken by assault. The accounts as to responsibility for this are confused. One story is to the effect that American soldiers released the prisoners. The other, from Italian sources, is that the Director of the prison was instructed to release minor offenders, and did so. The more serious offenders, including some persons charged with rape, and some prisoners serving long terms, raised a clamor and the Director let them all out. That is a doubtful case.

3. Coming to definite matters, a CIC agent within a week after the general jail delivery, inspected the prison and found it in filthy condition. He ordered the place cleaned, but nothing was done.

4. About the middle of August it was learned by accident that 29 persons arrested by orders of the Allied Forces had been released from Agrigento prison upon the authority of a Private soldier and an agent of the CIC. Included were some of the persons who had escaped in the general jail delivery on July 17th, charged with serious sexual crimes.

5. Thereupon I had the prison visited and inspected by Lt. Col. Richard H. Hill, Prov. Legal Officer, and separately by Ms. J. Raymond Ashworth, Prov. Police Officer. They both reported that the prison was in filthy condition; the prisoners herded into a few overcrowded cells, although ample space was available; that they were being fed inadequate meals although there was an ample supply of food on hand to last two or three months; that the discipline and administration of the prison generally was extremely lax; and that the Director of the prison was unable to answer even simple questions concerning the place, the prisoners, or its administration from his own knowledge. He referred everything to a subordinate official, who was apparently a sort of chief clerk.

6. Although several days elapsed between the visits of Lt. Col. Hill and Major Ashworth, according to the latter's report little or nothing had been done to correct the condition to which Lt. Col. Hill had objected. The head of the Carabinieri in the province, the acting Questore, when questioned, stated that they considered the Director very inefficient and untrustworthy.

7. It is quite possible that an inquiry to the provincial S.C.A.O. at Agrigento would develop additional information and details concerning this Director's incompetence.

8. In view of his failure to act upon orders when means were

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8. In view of his failure to act upon orders when means were available to carry them out, and upon the vigorous recommendation from Lt. Col. Hill and Maj. Ashworth, I ordered his immediate dismissal. I do not see that 22 years of service, most of which was, of course, under the fascist regime; the fact that he is the father of six children; that his only source of income was his salary as a public employee; or that he is a veteran of the first World War

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are in any way justification for reinstating him to a position for which he has demonstrated unfitness, and which would subject many helpless prisoners to hardships and misery resulting from his incompetence and neglect.

G.H. McCaffrey, Lt. Col., Inf.
R.C.A.C.

2710

REGIA PREFETTURA DI AGRIGENTO

G. Young

13

AGRIGENTO 25 MARZO 1944

DIV.GAB.
PROT.529OGGETTO/DOTT. FLAMMIA MICHELE, già Direttore del Carcere Giudiziario di
AGRIGENTO

ALL/ON. MINISTERO DI GRAZIA E GIUSTIZIA

S A L E R N O

Con riferimento al telegramma del 17 corrente, preghi a comunicare a cedere ON. Ministero che questa Prefettura nella locale Procura del Re, ignotano ufficialmente i motivi che determinarono il licenziamento del Dott. Flammia Michele da direttore di questo Carcere Giudiziario. L'interessato ha al riguardo esibito l'acclusa copia dell'ordine ricevuto dalle Autorità Militari Alleate che lo dispensava dal servizio.

Il Procuratore del Re riferisce che durante il periodo di tempo che il Dott. Flammia ha prestato servizio alle sue dipendenze nella sua qualità di direttore del Carcere non ha dato luogo a rimarchi di nessun genere.

Crede opportuno aggiungere, perché noterle in questa città, che il Dott. Flammia, nel primo momento dell'occupazione a semplice richiesta di una pattuglia di Militari Americani aprì le porte delle prigioni a tutti i detenuti che erano ivi rinchiusi e che questa circostanza forse determinò il licenziamento.

IL PREFETTO

F.to A. PANCAMO

P . C . C .

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18
Allied Military Government-5governo Militare Alleato)
Province of Agrigento.

Civil Affairs Office(Ufficio degli affari Civili)
1^o September 1943

SUBJECT: Dismissal from position of Director of Provincial Prison at Agrigento

TO: Flammia Michele fu Giuseppe e di Rosa Mescati.

I. Effective at the close of business this date
you are formally dismissed as Director of the Provincial Prison
at Agrigento. Not later than 5 September 1943 your personal
possessions and your family must be moved from their present quarters
in the prison.

By Order of the Allied Military Government

G.H. mc Inf. CAFFREY

Lt.Col.Inf.

Scce

A SUA ECCELLENZA IL MINISTRO DI GRAZIA E GIUSTIZIA

S A L E R N O

In merito a quanto mi è stato comunicato dalla locale Regia Procura il 24 corrente mese, circa i motivi del mio licenziamento da direttore del carcere giudiziario di Agrigento, avvenuto il 1° settembre 1943 da parte del Comando Militare Alleato, e con la coscienza di avere scrupolosamente adempiuto sempre ai miei doveri di funzionario, come di desumere dai precedenti di carriera, mi permette, Eccellenza, di esporre, in breve, quanto segue: Trasferito nella mia predetta qualità, dal carcere di Modica a quello di Agrigento, presi possesso del mio ufficio il 20 aprile 1943 e cioè appena tre mesi prima dello stato di emergenza tale trasferimento fu determinato dal Ministero di Grazia e Giustizia, dal quale venni inviato ad Agrigento, con incarico riservato e di fiducia, dato che il regolare e dignitoso andamento del carcere era stato compromesso dal mio predecessore, sottoposto ad inchiesta amministrativa. - Durante lo stato di emergenza fui sempre all'altezza della situazione, anche durante il bombardamento aereo-navale di Agrigento, che si protrasse per una settimana circa, privo di comunicazioni con l'esterno l'ordine e la disciplina tra i detenuti e gli agenti di custodia, mai vennero meno, ogni servizio funzionò regolarmente, ogni rifornimento assicurato ed i detenuti, in numero abbastanza notevole, furono collocati nei ricoveri del carcere, sorvegliati giorno e notte da sentinelle armate, non offrendo gli stessi la benchè minima sicurezza, perchè incompiuti e sforniti di cancelli di chiusura. - Non esatante fossi ferito ad un piede da un frammento di roccia e febbricitante, non curante del pericolo, fui sempre personalmente a contatto dei detenuti, dando loro esempi di solidarietà e di comprensione dei loro bisogni, sia fisici che morali, in momenti in cui il panico collettivo poteva determinare delle pericolose conseguenze. Posso fare fede di ciò, il Procuratore del Re Comm. Ponte ed il segretario capo della Procura del Re Cav. Tafi, i quali, furono da me ricoverati nel rifugio della direzione. Se fui sempre attivo, competente e cosciente delle mie responsabilità nei momenti del pericolo, non si può concepire che, ristabilita la calma, dopo la presa di possesso della città da parte delle truppe alleate, io abbia perduta completamente la testa, rendendomi colpevole delle deficienze di cui il Comando Alleato mi fa addebito, guidato da un giudizio molto superficiale che il capitano dei CC.RR. Sig. Di Dio, allora funzionante da Questore, poteva avere di me che da soli tre mesi ero stato trasferito ad Agrigento e che io non conoscevo personalmente, né con lui avevo avuto rapporti di ufficio. -

In quanto alle accuse mossemi, osservo: La liberazione dei detenuti, avvenuta le stesse giornate della occupazione della città, in seguito ad ordine delle truppe Americane, fu operata materialmente da un graduato delle Esercito stesso, ed io dati i momenti e le circostanze, non avevo né l'autorità né i mezzi per oppermi. - Per quanto riguarda le condizioni generali del carcere, mi permette ancora osservare: se si tratta di pulizia quotidiana, questa fu sempre eseguita regolarmente dai detenuti sotto la sorveglianza degli agenti e sotto il controllo del capo guardia

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responsabile sia della disciplina che dell'andamento dei vari servizi fra cui quelle della pulizia, come per regolamento. Se si tratta di condizioni di deterioramento delle camerate, dei muri è ovvio che da parte mia non poteva essere cambiata la situazione di fatto, sia per il tempo trascorso (tre mesi) dalla mia presa di possesso, sia per le norme amministrative in vigore. Il momento grave in cui fui chiamato a dirigere il carcere, richiedeva lo studio e la risoluzione di problemi ben più vitali di quelle dirittamente dei locali che tuttora si trovano nelle medesime condizioni e forse più aggravate. - Non risponde a verità il fatto della liberazione di 29 persone, arrestate dalle Autorità Alleate. I detenuti sono stati sempre rilasciati dietro ordine scritto delle autorità competenti, come può essere ancora controllato ed accertato ispezionando i vari registri di matricola. - Quando le Autorità Alleate vennero a visitare il carcere, i detenuti erano appena un centinaio e quindi non tutte le celle erano da essi occupate. Restavano altri locali a disposizione nella eventualità, che si verificasse, che potessero sopraggiungere altri. Circa la nutrizione dei detenuti, risulta da appositi registri e da apposite tabelle compilate dall'ufficio di ragioneria e controllati dal direttore, che nulla è mai mancato alla alimentazione regolamentare dei detenuti tanto è vero che

nei magazzini del carcere vi era sufficiente riserva di viveri a cui si era precedentemente provveduto. I regolamenti stabiliscono il vitto che il direttore non può elargire a suo capriccio dovendo renderne conto del consumo grammo per grammo. Il vitto fu sempre sano, sufficiente e variato con l'aggiunta di grammi 500 di pane giornaliero. Nelle carceri giudiziarie si verifica sempre un afflusso e riflusso di detenuti e pertanto il Direttore non può conoscere questi, a memoria uno per uno, senza prima averne consultato i registri relativi che sono tenuti aggiornati dall'ufficio di matricola. Tongo a dichiarare che le Autorità Alleate non mi fecero mai alcuna contestazione in merito alle deficienze lamentate, altrimenti avrei saputo rispondere a giustificazione della mia asserita trascuratezza e disobbedienza agli ordini che non ricevo da nessuno. In merito al giudizio del capitano

dei RR.CC. esso non può essere formulato da un cospicuo esame dei fatti e della mia personalità di funzionario che nessuno può mai intaccare nella onestà e nella giustizia dei provvedimenti. Se non ispirai fiducia al capo dei carabinieri, che, come sopra ho detto non ebbi l'onore di conoscere né ebbi con le stesse rapporti di sorta, ispirai invece per ventidue anni piena fiducia ai miei superiori, meritando loro, promozioni ed ogni anno la qualifica di ottimo. - Le accuse rivelanti terminano con queste precise parole: "I suoi 22 anni di servizio effettivo, il fatto che esso è padre di sei bambini e non ha altra fonte di entrata che il salario, che è un veterano della guerra mondiale, non sono sufficienti per riammetterlo in servizio dato che la sua riammissione assoggetterebbe molti indifesi carcerati a sofferenze e miserie, data la sua incompetenza e trascuratezza. -

Questo epilogo mostra chiaramente quale concetto gli Alleati si siano formati di me, probabilmente per malvagità di diligenti informatori che tenevano ad un mio allontanamento dal carcere, dove avrei preso quei provvedimenti che si rendevano necessari ad una sua completa epurazione.

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Io sono stato sempre come un padre, giusto, benevolo e comprensivo sia verso i miei dipendenti che verso i detenuti che mi stimavano e non si lamentavano mai del trattamento umano e generoso che usai loro sempre.

Se la giustizia umana corrispose così male ad ogni sforzo, all' mio lavoro trascorrensi di tanti anni, alle inconfutabili prove di onestà che come funzionario diedi all'amministrazione e come padre ai miei figli che crebbero nelle ristrettezze e nei sacrifici, spero nella giustizia divina che ispiri le Autorità Italiane a riesaminare il mio caso restituendomi la stima e la fiducia dei miei superiori. Gran parte della cittadinanza della città di Agrigento, che ebbe occasione di conoscermi, ha deplorato il provvedimento grave preso nei miei riguardi ed è pronta a testimoniare in mio favore.

Agrigento 25 marzo 1944. =

f.to Flammia Michele

dott. Flammia Michele - Direttore degli Istituti di prevenzione e di Pena - Via Piano Francesco Sala-
Cortile Sala n° 4 - Agrigento.-

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