

ACC

10000/143/967

UNAU
DEC. 1

10000/143/967

UNAUTHORIZED RELEASE OF PRISONERS
DEC. 1945 - JULY 1946

I

To legal SFC.

Please see 8^a. May a decision
be given per?

A. P. 46.

E. J. Dyk. Col.

II

Amnesty offered by Italian decree
does not reach AMB prisoners; the language
of the decree plainly states such proposition.

These prisoners were tried by AMB
courts, and on conviction, were committed
~~by~~ to the Italians for retention. A
commitment order accompanied each
prisoner. Thereafter they were released
by means of grand practiced on
the prison authorities. As the release
~~was~~ void, the commitment order is
not being obeyed as long as these prisoners
are at liberty. It is not the concern
of the judicial authorities to request \$700

II

Amnesty offered by Italian decrees do not reach AMC prisoners; the language of the decree plainly states such proposition.

These prisoners were tried by AMC courts, and on conviction, were committed ~~to~~ to the Italians for retention. A commitment order accompanied each prisoner. Thereafter they were released ~~to~~ by means of fraud practiced on the prison authorities. As the release ~~was~~ void, the commitment order is not being obeyed as long as these prisoners are at liberty. It is not the concern of the judicial authorities to request ~~\$200~~ trial papers in AMC cases; rather the ~~involves~~ a police function, requiring the re-arrest of prisoners who have escaped confinement while thru means of fraud while undergoing imprisonment, ordered by an AMC Court.

AMC.

TRANSLATION M.C.

10A

MINISTRY OF INTERIOR
P.S. General Direction
Police Division - Sect. I
No. 1032252/11200

Roma - 26 July 1946

ADPS - *[Signature]*
loc - *[Signature]*
To: Allied Commission
Public Safety S.C.
ROME

SUBJECT: Ancona - Irregular release of prisoners. *9A*

In connection with your request numbered A.G./
14208/2/PS, dated 15th inst., the Prefecture of Ancona
by letter dated 21st inst was concerned as follows:

"""" Those warrants of arrest issued by the Allied
Military Tribunal must be equally carried out as the
persons charged do not benefit of recent amnesty. The
same applies to those already in prison.

We furthermore add that, all trial papers and
other documents can be had from Allied Legal Commission
Department. """"

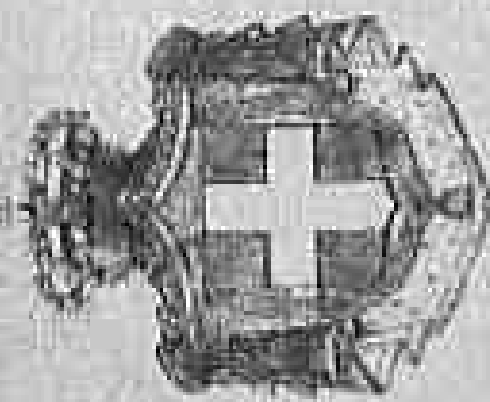
For the Minister
Ferrari

Recd. 30/7
" by translator
Trans. 30/7

6200

26. 7. 46

S/no



Mod. 839

Tradate.

Ministero dell'Interno

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA

Divisione Polizia - Sezione I

N.10.32252/11200

Roma 26 Luglio 1946

OGGETTO : ANCONA - Irregolare liberazione di detenuti

Rec. 30/7

ALLA COMMISSIONE ALLEATA

Sottocommissione per la P.S.

R O M A

In merito a quanto è stato richiesto con la nota di cotesta On/le Commissione, n° M.A.G./14209/2/P.S., del 15 corrente, è stata interessata la Prefettura di Ancona, con la seguente lettera del 21 corrente mese.

""""Poichè dal recente decreto di amnistia non beneficia-
no, com'è noto, i condannati del Tribunale Militare Allea-
to, gli ordini di cattura emessi nei confronti di coloro,
che, irregolarmente, vennero liberati da coteste carceri,
devono, senz'altro, essere eseguiti.

Si comunica, inoltre, che gli atti processuali e gli
altri documenti relativi sono presso il Dipartimento Le-
gale della Commissione Alleata. """"

per M I N I S T R O

Amato
8204

N.10.32252/11200

Roma 26 Luglio 1946

OGGETTO : ANCONA - Irregolare liberazione di detenuti *Recd 30/7*

ALLA COMMISSIONE ALLEATA

Sottocommissione per la P.S.

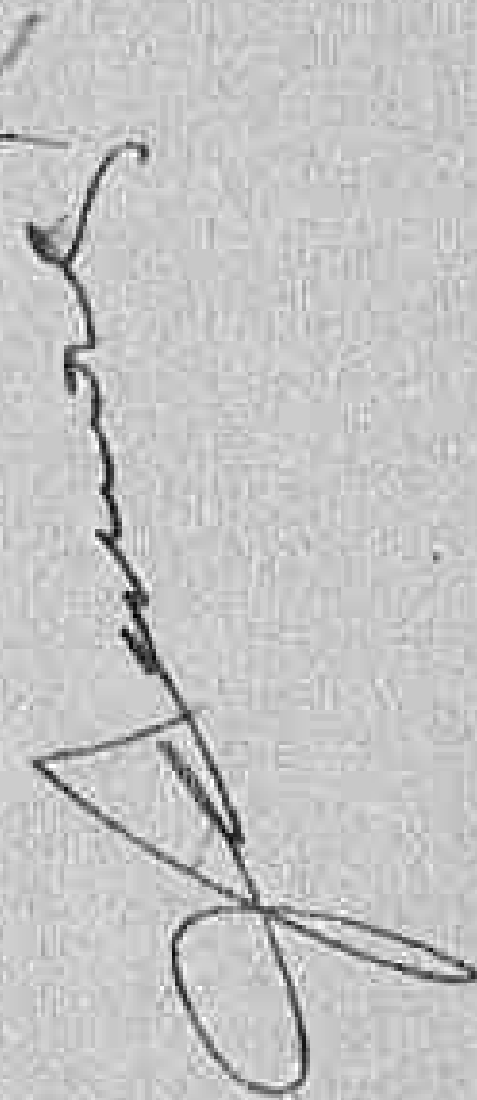
ROMA

In merito a quanto è stato richiesto con la nota di cotesta On/le Commissione, no. N.A.C./14200/2/P.S., del 15 corrente, è stata interessata la Prefettura di Ancona, con la seguente lettera del 21 corrente mese.

""""Poichè del recente decreto di amnistia non beneficia-
no, com'è noto, i condannati del Tribunale Militare Allea-
to, gli ordini di cattura emessi nei confronti di coloro,
che, irregolarmente, vennero liberati da coteste carceri,
devono, senz'altro, essere eseguiti.

Si comunica, inoltre, che gli atti processuali e gli
altri documenti relativi sono presso il Dipartimento Le-
gale della Commissione Alleata.""""

pel MINISTRO



8204

HEADQUARTERS ARMY COMMISSION
Public Safety Sub-Commission
ATC 794

Tel : 473427

15 July 1946

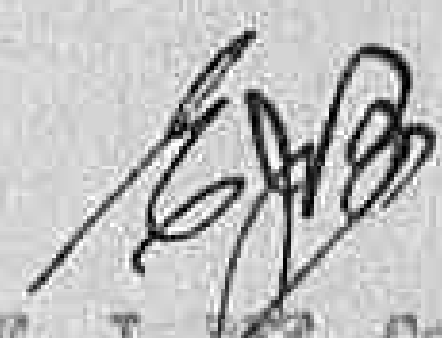
AC/14203/2/PS

SUBJECT : Rearrest of Convicted Persons.

TO : Ministry of Interior,
Director General of P.S.

1. With reference to your letter No. 10.3202.11200 dated 5th July 1946 regarding the rearrest of persons convicted by AMG and who were irregularly released.
2. It is pointed out that the amnesty granted by the Italian Decree does not apply to persons convicted by AMG. This is clearly shown in the Decree.
3. The persons in question were convicted by AMG Courts and were committed to the Italian authorities for retention. A Committal Order accompanied each person, such order is still in force as the prisoners were irregularly released. So long as the convicted persons remain at large the Committal Order is not being obeyed.
4. The trial papers are with the Legal Department A.C. who regret they cannot be forwarded to the Italian Judicial Authorities.
5. It will be appreciated if steps can be taken without delay for the rearrest of the persons named in the list supplied to you on 15th March 1946 for completion of their sentences as shown in the Committal Orders.

EJA/ae


E. J. H. S., Colonel
Acting Director.

6205

TRANSLATION M.C.

M
8A

MINISTRY OF INTERIOR
P.S. General Direction
Divv Police Sect. I
No. IO 32042
11200

ROME - 5 July 1946

Ref; to AC/14208/2.PS of 15.3.1946

see
SA
p. 50

To: Allied Commission
Public Safety S.C.
ROME

SUBJECT: Non-authorized release of the Ancona Jail prisoners.

With reference to a/v letter, we beg you to inform us if irrespective of recent amnesty, the persons named in the enclosed list have to be equally arrested.

In case of an affirmative reply, we beg to point out that the Judicial Authorities request all the trial papers of each individual charged, and measures to be adopted in regard.

TO	INIT	DATE
DIRECTOR	AB	97
DEPUTY DIRECTOR		
EXEC. OFFICER		
ADJ. GEN.		
SEC. GEN.		
ADJ. GEN.		
SEC. GEN.		
CHIEF CLERK		

For the Minister
Ferrari

820~

Mar.



Ministero dell'Interno

DIREZIONE GENERALE
DELLA PUBBLICA SICUREZZA

Direzione Polizia Sc. Prima

Prot. N. 10.32042 Allegati

11200

OGGETTO

Rilascio non autorizzato di detenuti delle carceri
di Ancona.

5 luglio

1946-

AL COMANDO DELLA COMMISSIONE ALLEATA
- Sottocommissione per la P.S. -

R O M A

Risposta al Teleg. del 15.3.1946
Div. Sc. AC/14208/2 P.S.

Con riferimento alla lettera su indicata, si prega di far conoscere se, in relazione alla recente amnistia, si debba, egualmente, procedere all'arresto delle persone di cui all'elenco allegato alla lettera stessa.

Nell'affermativa, si fa presente che l'Autorità Giudiziaria richiede per ciascun nominativo la relativa sentenza di condanna, il fascicolo giudiziario e copia dei provvedimenti di esecuzione.

per MINISTRO

Amisano

6201

Divisione Polizia Sec. Prima

*Prot. N. 10.32042 Allegati
11200*

R O M A

AL COMANDO DELLA COMMISSIONE ALLEATA

- Sottocommissione per la P.S. -

*Risposta al. Foglio del 15.3.1946
Duc. R. AC/14208/12.P.S.*

OGGETTO Rilascio non autorizzato di detenuti delle carceri
di Ancona.

Con riferimento alla lettera su indicata, si prega di far conoscere se, in relazione alla recente amnistia, si debba, egualmente, procedere all'arresto delle persone di cui all'elenco allegato alla lettera stessa.

Nell'affermativa, si fa presente che l'Autorità Giudiziaria richiede per ciascun nominativo la relativa sentenza di condanna, il fascicolo giudiziario e copia dei provvedimenti di esecuzione.

pel M I N I S T R O

De Amadei

6201

TRANSLATION D.S.Rome, 24 March 1946. 7A

MINISTRY OF INTERIOR
 General Direction of P.S.
 Police Division - 1st Sect.
 No IO.31135/11200

TO ALLIED COMMISSION
 PUBLIC SAFETY S/C

R O M E

SUBJECT : Unauthorized release of prisoners
 from the Prison of Ancona.

Reference to your letter No AC/14208/2-P.S.
 dated 15 inst.

The Prefect of Ancona was to-day invited to
 urgently dispose proper researches for tracing and arrest-
 ing the persons pointed out by your Commission in a/m
 letter.

Moreover the same authority was invited to dispose,
 if necessary, the publication of their names in the Bul-
 letin of Researches.

Further communications on the result of enquiries
 carried out will follow.

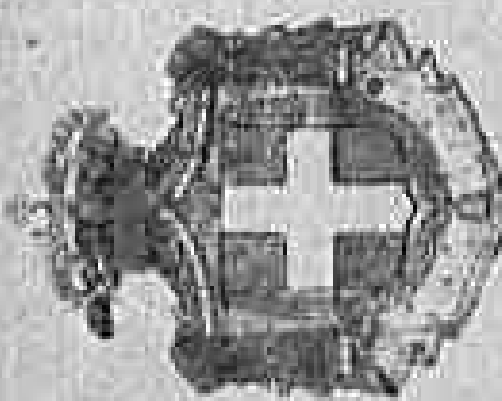
For the Minister
 (sgd) FERRARI.

TO	INT	DATE
DIRECTOR	<i>[initials]</i>	24/3
DEPUTY DIRECTOR	<i>[initials]</i>	26/3
HEAD OFFICER	<i>[initials]</i>	26/3
SECRETARY	<i>[initials]</i>	26/3
AC. & REG.	<i>[initials]</i>	26/3
PRISONS		
ADJ. OFFICER		
SECURITY		
CHIEF CLERK		

620~

Mod. 839

S/no



Ministero dell'Interno

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA
Divisione Polizia - Sezione I^a

N. IO. 31135/11200

Roma 24 Marzo 1946

OGGETTO : Rilescio non autorizzato di detenuti dalle carceri di
Ancona.-

AL COMANDO DELLA COMMISSIONE ALLEATA
Sottocommissione per la P.S.

R O M A

In relazione alla nota del 15 corrente, n. AC/14208/2-P.S., relativa all'oggetto, si comunica che, in pari data, è stato interessato il Prefetto di Ancona perchè disponga urgenti ricerche per il rintraccio ed arresto delle persone indicate nell'elenco trasmesso da codesta On.le Commissione con la nota sopraindicata.

La stessa Autorità è stata pure invitata a disporre, qualora se ne ravvisi la necessità, per la segnalazione dei medesimi nel Bollettino delle Ricerche.

Si fa riserva di comunicare l'esito delle indagini svolte.-

PEL MINISTRO

M.IO.31135/11200

Roma 24 Marzo 1946

OGGETTO : Rilascio non autorizzato di detenuti dalle carceri di Ancona.-

AL COMANDO DELLA COMMISSIONE ALLEATA
Sottocommissione per la P.S.

R O M A

In relazione alla nota del 15 corrente, n.AC/14208/2-P.S., relativa all'oggetto, si comunica che, in pari data, è stato interessato il Prefetto di Ancona perchè disponga urgenti ricerche per il rintraccio ed arresto delle persone indicate nell'elenco trasmesso da codesta On/le Commissione con la nota sopraindicata.

La stessa Autorità è stata pure invitata a disporre, qualora se ne ravvisi la necessità, per la segnalazione dei medesimi nel Bollettino delle Ricerche.

Si fa riserva di comunicare l'esito delle indagini svolte.-

PEL M I N I S T R O



3190

6A

TRANSITIVE T.P.

MINISTRY OF DEFENSE
P.S. General Direction

Receiv 10/3/46

Div. Police Sec. 1^{re}

F. 13/30351/11200

DPS - *sub*
DPS *seg*
Rel *in*
2 *del*

TO : ALLIED COMMISSION
P.S. Sub Commission - APC 394

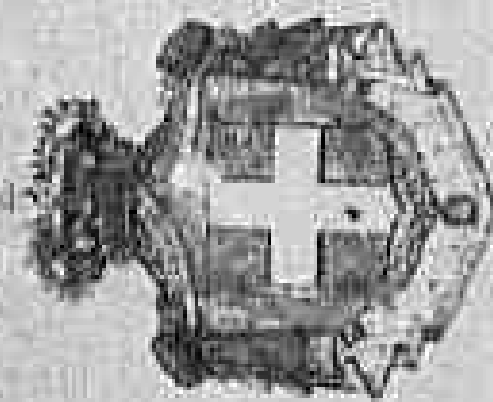
30.11.46

SUBJECT : Irregular release of Prisoners. -

Referring to letter of that Commint. dated 11/12/45 concerning the irregular release of Prisoners convicted by the Assone Tribunal, and with reference to report of 3/1/46, in connection with inquiry in regard carried out by P.S. General Inspector Dr. Tommaso Vennetta, we beg to communicate as the result of the investigations carried out in connection with the authenticity of the signature of Major Manifold which is mentioned at the end of the report.

Answered on 5th
For the MINISTER
/s/ Illegible

6190



Mod. 624

Ministero dell'Interno

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA
Divisione Polizia - Sezione I

n. 10.30961/11200

Roma 10 marzo 1946

Oggetto : Rilascio irregolare di detenuti -

AL COMANDO DELLA COMMISSIONE ALLEATA
Sottocommissione per la P.S.-APO 394-

- R O M A -

In relazione alla lettera di cotesto Comando, in data 11 dicembre decorso anno, concernente le indebite scarcerazioni di detenuti condannati dal Tribunale di Ancona, e con richiamo alla relazione, del 30 gennaio us., sulla inchiesta al riguardo eseguita dall'Ispettore Generale di P.S. Dr. Tomaso Pennetta, si prega di far conoscere il risultato delle indagini espletate per l'autenticità della firma del Maggiore Manifold e di cui è cenno nell'ultima parte della relazione stessa .-

PEL MINISTRO

819

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

File 5A

Tel : 478427

AC/14808/2/PS

15 March 1946

SUBJECT : Unauthorized Releases from
Prisons.

TO : Ministry of Interior,
Director General of P.S. *5 B*

1. With reference to the enquiry carried out by
Signor Tommaso Pennetta, Inspector General of P.S. into
the unauthorized releases from Ancona Prison.

2. Attached hereto is a list of persons sentenced
to lengthy terms of imprisonment and who were released
after serving only a short period of time. All the
releases were irregular and unauthorized, therefore it
would be greatly appreciated if instructions could be
given for all the persons named therein to be rearrested
and serve the remainder of their respective sentences.

JOHN W. CHAPMAN
Colonel, JAGD
Director.

EJB/ae

Copy:- Legal S-C.
Encl.

See 6A

6190

5 B

LIST OF PRISONERS RELEASED FROM PRISONS

Date of Admission				
NAME	Sentence	Date of Sentence	Date of Rel. ord.	Release Date
CAROLA Giovanni di Giovanni	3 yrs	5.3.45	30.1.45	21.8.45
PETRUCCI Alessandro di Alfredo	5 yrs	26.3.45	24.3.45	19.5.45
CLEMENTI Attilio di Enrico	1 yr	23.4.45	16.4.45	24.5.45
ROMAGNOLI Eugenio di Sebastiano	1 yr	21.5.45	25.4.45	11.6.45
RONDINA Fulvio di Ivo	3 yrs	30.1.45	15.6.45	18.6.45
RONDINA Antonio di Giuseppe	3 yrs	30.1.45	15.6.45	18.6.45
CIASCHINI Felice fu Nazzareno	3 yrs	27.1.45	18.6.45	18.6.45
CIASCHINI Oddino fu Nazzareno	3 yrs	27.1.45	18.6.45	18.6.45
BERNACCHIA Giuseppe di Domenico	3 yrs	29.1.45	18.6.45	18.6.45
PEDRONI Mario fu Arturo	16 mos	28.3.45	19.6.45	19.6.45
PACALITI Giovanni di Oddo	2 yrs	20.4.45	26.6.45	30.6.45
PACALITI Giovanni di Oddo	2 yrs	20.4.45	5.3.45	19.5.45
D'AGOSTINO Ezio fu Raffaele	3 yrs	5.3.45	20.6.45	20.6.45
ROSI Carlo fu Cesare	8 mos	10.7.45	10.7.45	25.7.45
BALDI Evelina fu Antonio	18 mos	12.4.45	5.6.45	8.6.45
CONUCCI Salvatore di Attilio	4 yrs	20.10.44	-	1.9.45
CIBELLI Salvatore fu Prime	4 yrs	20.10.44	-	1.9.45
GARGINI Dante fu Enrico	6 yrs	21.11.44	-	1.9.45
FARANO Giovanni di Geraldo	2 yrs	19.2.45	-	1.9.45
PIAGGESI Ezio di Antonio	4 yrs	2.2.45	15.10.45	unknown
MANCINELLI Goffredo	18 mos	3.8.45	1.11.45	"
FREDDI Mario	18 mos	3.8.45	1.11.45	"

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

AG/4091/4/L.

14 March 1946.

SUBJECT : Irregular release of prisoners
sentenced by the Allied Courts
of Ancona.

TO : Public Safety Sub-Commission.

1. There can be no doubt whatsoever about one premise in the above matter: That the release of prisoners was without authority of law, and that the persons released should be returned to prison to complete their prison sentences.

2. There is attached herewith two lists of such persons who should be re-arrested under fugitive warrants. We pass this list to you for whatever action, if any, you can take. There can be no doubt that Allied prestige reached a record low in this unfortunate situation, and that to allow these persons to remain at large would be mockery to Allied processes. It is bad enough to allow these to go unpunished who brought this about. But to allow the prisoners to go unmolested appears unthinkable.


JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

LIST OF PRISONERS RELEASED FROM ANCONA AND PESARO GAOLS

Released after 1 Sept.

<u>ANCONA</u>	<u>Date of Sentence</u>	<u>Sentence</u>	<u>Date Released</u>
Baldoni Amedeo fu Enrico	31/7/45	4 mos.	1/9/45 X
Tommaretti Alberto di Teodoro	31/7/45	4 mos.	1/9/45 X
 <u>PESARO</u>			
Conucci Salvatore di Attilio	20/10/44	4 years	1/9/45
Cibelli Salvatore fu Prima	20/10/44	4 years	1/9/45
Gargini Dante fu Enrico	21/11/44	6 years	1/9/45
Farano Giovanni di Geraldo	19/2/45	2 years	1/9/45

STATEMENTS OF RELEASE (signed by Major Manifest) FORWARDED TO HQ AC BY
MINISTRY OF GRACE AND JUSTICE:

	<u>Date of sentence</u>	<u>Sentence</u>
Piaggese Ezio di Antonio	2/2/45	4 years

Statement of Release dated 15 October 1945

Mancinelli Cofredo
Freddi Mario

3/8/45
3/8/45

18 mos.
18 mos.

Statement of Release dated 1 November 1945.

Date of A mission

N A M E	Sentence	Sentence	Date	Release Date
CAROLA Giovanni di Giovanni	3 yrs	5.3.45	30.1.45	21.8.45
CARLONI Reginaldo fu Angelo.....	1 yr	30.1.45	30.1.45	16.3.45 X
PETRUCCI Alessandro di Alfredo.....	5 yrs	26.3.45	24.3.45	19.5.45
CLEMENTI Attilio di Enrico.....	1 yr	23.4.45	16.4.45	24.5.45
ROMAGNOLI Eugenio di Sebastiano.....	1 yr	21.5.45	25.4.45	11.6.45
RONDINA Fulvio di Ivo.....	3 yrs	30.1.45	15.6.45	18.6.45
RONDINA Antonio di Giuseppe.....	3 yrs	30.1.45	15.6.45	18.6.45
CIASCHINI Felice fu Nazareno.....	3 yrs	27.1.45	18.6.45	18.6.45
CIASCHINI Oddino fu Nazareno.....	3 yrs	27.1.45	18.6.45	18.6.45
BERNACCHIA Giuseppe di Domenico.....	3 yrs	29.1.45	18.6.45	18.6.45
PEDRONI Mario fu Arturo.....	16 mos	28.3.45	19.6.45	19.6.45
PACCALITI Giovanni di Oddo.....	2 yrs	20.4.45	26.6.45	30.6.45
PACCALITI Giovanni di Oddo.....	2 yrs	20.4.45	5.3.45	19.5.45
D'AGOSTINO Ezio fu Raffaele.....	3 yrs	5.3.45	20.6.45	20.6.45
ROSI Carlo fu Cesare.....	8 mos	10.7.45	10.7.45	25.7.45
ALESSANDRELLI Emilio di Attilio.....	1 yr	24.4.45	3.6.45	6.6.45 X
ALESSANDRELLI Emilio di Attilio.....	1 yr	20.4.45	5.3.45	19.5.45 X
BALDI Evelina fu Antonio.....	18 mos	12.4.45	8.6.45	8.6.45



Ministero dell'Interno

Direzione Generale della P.S.

=====

Divisione Polizia *La* Prima

Prot. N. 40444 Allegato
11200

28 dicembre

LA COMMISSIONE ALLEATA

Sottocommissione per la P.S.

APC-394 -

ROMA

Prospetto al. Foglio del
Gi. 24/3

Oggetto Carceri di Ancona - Inchiesta -

In relazione alla richiesta di codesta Cn. Sottocommissione, si comunica che l'Ispettore Generale di P.S. Dott. Tommaso Pennetta è stato incaricato di eseguire in Ancona l'inchiesta relativa all'abuso va scarcerazione di detenuti.

Il predetto Ispettore è stato invitato a prendere i preliminari accordi con codesto ufficio.

Si fa riserva di comunicare l'esito degli accertamenti.

IL CAPO DELLA POLIZIA

Spaviale

done-

810v

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

file

3A

Tel: 478427

AC/14208/2/PS

31 December 1945

SUBJECT : Investigation by Italian Police Officials
into Alleged Investigations.

TO : All Allied Personnel.

1. The Bearer Inspector General of P.S. Dr. Tommaso Pennetta is making enquiry into the unauthorized release of civilian prisoners from Prisons in the Ancona district.

2. Will you please give him every facility possible in carrying out his enquiries especially by allowing him to interrogate any Italian Personnel who may now or formerly have been employed in positions where participation in the irregularities was possible.

EJB/tm

JOHN W. CHAPMAN
Colonel, JAGD
Director

6189

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

AC/14208/2/PS

2 January 1946

SUBJECT : Receipt for documents.

TO : Legal Sub-Commission

I undersigned, Dr. Tommaso PENNETTA have received the following documents from Legal S/C thru Public Safety S/C Allied Commission, from file No AC/4091/4/L.

- a) - Statement of Release from Prison Mancinelli Goffredo/ Freddi Mario, dated 1 Nov. 1945.
- b) - Statement of Release from Prison Piaggese Ezio di Antonio, dated 15 October 1945.
- c) - File AC/4091/4/L with 3 attachments (A.B.C.) dated 6 Dec. 1945.
- d) - Original letter from Mj.G.W. Manifold dated 27 Nov. 1945 from 118 Springfield Road Sheffield 7 to Legal S/C

From File No AC/4091/5/L.

- a) - Elenco dei detenuti per "pena sospesa" o per "licenza" di tutto ordine del Tribunale Alleato.

Tommaso Pennetta

6180

(Translation M.B.)

2A

MINISTRY OF INTERIOR
P.S. General Direction
Police Div. 1st Sect.

Rome, 16/12/1945

Nr. 10.40382

To: ALLIED COMMISSION
Sub Commission of P.S.

R o m e

see 1B

14238 R

SUBJECT: Irregular release of convicts.

Note dated 11th inst, concerning the irregular release of a pretty high number of convicts from the Ancona jail during the last months, has been forwarded to the Ministry of Grace and Justice for competency as it was about provisions issued by the Judicial Authorities.

For The Minister
s/ Ferrari.

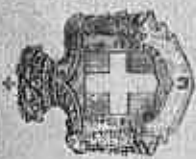
mb/

TO	INIT	DATE
DIRECTOR	[initials]	21/12
DEPUTY DIRECTOR	[initials]	21/12
EXEC. OFFICER		
POLICE	[initials]	28/12
LIC. & REG.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

Please attach
to the same
file as original
letter to Minister
of Interior dated
11 Dec. EYB

[Handwritten signature]

what file is the letter on
please



Ministero dell'Interno

Direzione Generale della P.S.

=====

Divisione Polizia Sc. Prima

Prot. N. 10.40382 - Allegati

Roma, 16 dicembre

1945-

ALLA COMMISSIONE ALIBATA
Sottocommissione per la P.S.

APC 394

R O M A

*Risposta al Foglio del
Sc.*

OGGETTO Rilascio irregolare di detenuti.

La nota dell'11 corrente relativa al rilascio irregolare dalle carceri di Ancona, durante i mesi scorsi, di un rilevante numero di detenuti, è stata rimessa al Ministero di Grazia e Giustizia per motivi di competenza, trattandosi di provvedimenti emanati dalle Autorità Giudiziarie.

per il MINISTRO

Quarati

8180

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB-COMMISSION

New File

IC/mda

AC/1091/L/L.

10 December 1945.

SUBJECT : Improper release of Prisoners.

TO : Public Safety Sub-Commission.

1. The information set forth below reveals that many individuals confined under order of Allied Courts have been released prior to the expiration of the sentence imposed. It is requested that an investigation be made of this matter of improper releases.

2. Under former practice, prisoners were released on order of Allied authorities without reference to the Italian authorities. The present policy however is for Italian authorities to effect the release after approval has been obtained from this Headquarters.

3. Indications of improper releases came to light recently when, in accordance with the present practice, the Italian Ministry of Grace and Justice forwarded to this Headquarters two AMG Release Forms bearing the official stamp and what purported to be the signature of Major G.W. Manifold, former PSO Ancona. Major Manifold departed Italy for the UK in August, but the Release Forms were dated 15 October and 1 November 1945.

4. Inquiries at Ancona and other prisons revealed that a great number of persons had been released prior to the expiration of their sentence on the authority of like instruments bearing the signature of Major Manifold. Many of these instruments were executed after the date this officer departed Italy.

5. It is requested that the matter be investigated and it be determined whether military personnel are guilty of issuing unlawful releases, or whether third parties are forging said releases. It is further requested that all persons released under such authority be apprehended and imprisoned for the unexpired term of their sentence.

6. Record of releases and instruments bearing the signatures referred to above are in the files of this Sub-Commission and will be available for use by the investigating authorities.

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JOHN K. WEBER
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

LB

11 December 45.

SUBJECT : Improper Release of Prisoners.

TO : Ministry of Interior
Director General P.S.

1. Information has been received at this Headquarters that during recent months a large number of prisoners, confined in prisons in the Ancona District under orders of the Allied Courts, have been improperly released.

2. Under former practise, prisoners were released on order of Allied Authorities without reference to the Italian Authorities.

The present policy however is for Italian authorities to effect release after approval has been obtained from this Hqs. (Legal Division).

3. Recently the Italian Ministry of Grace and Justice forwarded to this Hq. two A.M.C. Release Forms bearing the Official Stamp and what purported to be the signature of Major G.W. Manifold, former Public Safety Officer, Ancona. Major Manifold departed from Italy for the United Kingdom in August 1945. The Release forms were dated 15 Oct and 1st November 1945.

4. Enquiries show other similar cases have occurred at Ancona.

5. As there is no doubt serious irregularities have occurred, it is requested that a thorough investigation be made by very experienced officers of your Department to ascertain the true state of affairs and for appropriate action to be taken.

6. In view of the fact that collusion by personnel in the Ancona district cannot be ignored, it is suggested the Agents selected for the enquiry be drawn from Rome or other

1. Information has been received at this Headquarters that during recent months a large number of prisoners, confined in prisons in the Ancona District under orders of the Allied Courts, have been improperly released.
2. Under former practise, prisoners were released on order of Allied Authorities without reference to the Italian Authorities.
The present policy however is for Italian authorities to effect release after approval has been obtained from this Hqs. (Legal Division).
3. Recently the Italian Ministry of Grace and Justice forwarded to this Hq. two A.M.G. Release Forms bearing the Official Stamp and what purported to be the signature of Major G.W. Manifold, former Public Safety Officer, Ancona. Major Manifold departed from Italy for the United Kingdom in August 1945. The Release forms were dated 15 Oct and 1st November 1945.
4. Enquiries show other similar cases have occurred at Ancona.
5. As there is no doubt serious irregularities have occurred, it is requested that a thorough investigation be made by very experienced officers of your Department to ascertain the true state of affairs and for appropriate action to be taken.
6. In view of the fact that collusion by personnel in the Ancona district cannot be ignored, it is suggested the Agents selected for the enquiry be drawn from Rome or other district distant from Ancona.
7. Before taking up the investigation it is also requested the Agents concerned attend this Hq. where possible further information can be given and where documents, concerned in the case, can be examined.
8. It is also asked that directions be given for all persons released under the improper authority mentioned above be apprehended and imprisoned for the unexpired portion of their sentence.

JOHN W. CHAPMAN
Colonel J.A.G.D.
Director Public Safety.

1539