

ACC

10000/143/1009

INVESTIGATION
BY ALLIED OFF
NOV. 1944 - DEC.

10000/143/1009

INVESTIGATION OF RELEASE OF ITALIAN PRISONERS
BY ALLIED OFFICERS
NOV. 1944 - DEC. 1945

MINUTE SHEET

①

To: C.A-Sec.

For: Information - 1A+2A.

11 Dec-1964

E W Hauling - Major
Public Safety.

2

To: Security

Ref. folio 3A.

For action as deemed necessary.

R. M. Freeman, Captain
for D.P.S.

1357

87A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub Commission
APO 394

AC/14209/2/PS

2 Oct. 45

SUBJECT : Ancona Prison

TO : Ministry of Grace and Justice

Reference your communication office B,
44654.14.I.B.CARCERI dated 2 August 1945.

Information has been received, this date,
that the machinery referred to in your letter was
returned to Ancona prison on 31 August 1945.

R. M. 2
JOHN W. CHAPMAN
Colonel, JAGD
Director

RMF/pl

1590

INCOMING MESSAGE *7A*

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: 1050

Date/Time of Origin: OCT 011720A

Message Centre No: *F* 9651

Date Time Rec'd: OCT 012115A

Precedence: ROUTINE

FROM AMG LIGURIA REG

TO : HQ ALCOM CITE ACPSF

RESTRICTED

~~XXXX~~

RESTRICTED

14236

On 25 September 17 prisoners escaped from detention room
at Questura GENOA by means of hole made by removing bricks
from wall. Escapes all minor offenders. End signed HEFFORD.

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFF.	<i>27</i>	<i>2-10</i>
ADJ. GEN.		
CHIEF OF STAFF	<i>plg</i>	<i>2-10</i>
CHIEF OF POLICE		
SECURITY		
CHIEF CLERK		

Dist

Action - P Safety SC

Info - Chief Commissioner

CA Sect

File 2 Float

ACTION

RESTRICTED

159~

HEADQUARTERS

7 OCT 1945

HEADQUARTERS ALLIED COMMISSION
A.P.O. 394
PUBLIC SAFETY SUB COMMISSION
SECURITY DIVISION

REF : SD/266.01-13

9 August 1945

SUBJECT : DURELLO Metale
COLO Luigi
DALLA PRIA Agostino

TO : G-5 AFHQ

1. Reference your cable #X20772 dated 11 July 1945.
2. Enquiries have been made respecting the circumstances of the arrest of the above named, and attached for your information and whatever action you may deem necessary is a copy of a report dated 1 August 1945 submitted by P.P.S.O. Padova.

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

ACCB/nb

Copy to: AC/14236/PS ←

1594

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

LWT/wsm

3 August 45.

TO : Headquarters, Allied Commission, APO 394. ✓
(attention of Public Safety Sub-Commission,
Security Division.)

SUBJECT : DURELIO Patale
COLO Luigi
DALLA PRIA Agostino

FILE NO. : RXII/PS/14.3

1. Reference your SD/266.01 of 17 July 45.
2. Enquiries have been made respecting the circumstances of the arrest of the above-named, and enclosed for your information is copy of a report, dated 1 August 45, submitted by P.P.S.O., Padova, which is self-explanatory.

L.W. Lee Capt
for F.G. GREEN
Lieut. Colonel,
Regional Public
Safety Officer.

Security
Division
Rec'd .. 6/8
Index No 9333
File No 266.01-13
Approved ..

1590

PADOVA PROVINCE

VENEZIA REGION

ALLIED MILITARY GOVERNMENT

APC 394

1/3/1945

TO : R.P.S.O. Venezia Region.

SUBJECT: DURELLO Natale
GOLO Luigi
DELLA FRIA Agostino

FILE NO: RXII/PAD/11-71

1. Ref- your letter RX/PS/14/3 enclosing H.C. A.C. letter SD/266.01 of 17 July 45.

2. The above subjects are now confined in the Casa di Pena Prison Padova, and the Pubblico Ministero, Court of Assize Procuratore del Regno and the Director of the Casa di Pena were advised on 16 July 1945 that these men were believed responsible for the murders of 2 British P.W.s and were not to be released or brought to trial in the Italian courts pending instructions from A.F.H.Q.

3. This action was based on letter from R.L.O. Venezia Region LE/Reg/K/C3 of 13 July 1945 quoting signal received from legal Sub-Com-mission H.Q.A.C.

4.a) DURELLO Natale arrested 29 April 1945 by patriots of Piove di Sacco on charge of murdering 2 British P.W. The Questura at Padova states that Durello has confessed to these 2 murders and has also confessed to the murder of a patriot at Piove di Sacco. Was a member of black brigade and actively collaborated with the Germans.

b) GOLO LUIGI surrendered to C.U.R. at Piove di Sacco on 30 April 1945 as he was a member of the black brigade and was afraid of this safety. Is charged with being one of the 5 men who murdered the 2 P.W.s.

c) DELLA FRIA AGOSTINO arrested 29 April 1945 by patriots at Campo = longo Maggione, Venice Province, charged with being active member black brigade.

Please note this is the father of Della Fria di Agostino¹⁵⁸ in Venice prison formerly detained in Dolo prison, and mentioned in your letter as the man wanted.

The father is the man involved and was one of the 5 men who committed these crimes. The son is not involved but is held in Venice on other charges.

According to the Italian public prosecutor the following facts have developed.

FILE NO: RAIL/PAD/11-71

1. Ref- your letter EX/28/14/3 enclosing H.C. A.C. letter SD/266.01 of 17 July 45.
2. The above subjects are now confined in the Casa di Pena Prison Padova, and the Pubblico Ministero, Court of Assise Procuratore del Regno and the Director of the Casa di Pena were advised on 16 July 1945 that these men were believed responsible for the murders of 2 British P.W.s and were not to be released or brought to trial in the Italian courts pending instructions from A.F.H.C.
3. This action was based on letter from R.L.O. Venezia Region LE/Reg/ K/03 of 13 July 1945 quoting signal received from legal Sub-Commission H.C.A.C.
- 4.a) DURELIO NATALE arrested 29 April 1945 by patriots of Piove di Sacco on charge of murdering 2 British P.W. The Questura at Padova states that Durelio has confessed to these 2 murders and has also confessed to the murder of a patriot at Piove di Sacco. Was a member of black brigade and actively collaborated with the Germans.
- b) COLO LUIGI surrendered to C.C.R.R. at Piove di Sacco on 30 April 1945 as he was a member of the black brigade and was afraid of this safety. Is charged with being one of the 5 men who murdered the 2 P.W.s.
- c) DELLA PIA AGOSTINO arrested 29 April 1945 by patriots at Campo = Longo Magione, Venica Province, charged with being active member black brigade. Please note this is the father of Della Pira di Agostino^{WAO} is in Venice prison formerly detained in Dolo prison, and mentioned in your letter as the man wanted. The father is the man involved and was one of the 5 men who committed these crimes. The son is not involved but is held in Venice on other charges. According to the Italian public prosecutor the following facts have developed.
- d) ALLEGRO ANTONIO arrested 30 April by patriots at Piove di Sacco was commander of the black brigade, and gave orders to.
- e) FONTANA SILVIO to form a squad of 5 men to go out and capture the 2 British escaped prisoners of war, who were hiding in the country. (Allegro and Fontana are now detained in the Padova prison)

PADOVA PROVINCE

VENEZIA REGION

ALLIED MILITARY GOVERNMENT

APO 394

TO :

SUBJECT :

FILE NO : RXII/PAD/

HQ. VENEZIA REGION

Doc. No. 1404 c

Date Rec'd

Fontana ordered Della Pria Agostino to select a squad, which was made up as follows: Della Pria, Cicio Durello and 2 others who are still at large named:

f) LUNARDI GIACOMOg) BALASSO RINO

The patriots and Quastura are still carrying on a search for the last two named persons, but their whereabouts is unknown.

For Provincial Commissioner

S. Decker
S. DECKER CAPT.

Provincial Public Safety Officer
Padova Province

Copies to:

R.L.O. Venezia Region

R.L.O. Padova Province

1500

HEADQUARTERS ALLIED COMMISSION
A.P.O. 354
PUBLIC SAFETY SUB COMMISSION
SECURITY DIVISION

BA.

REF : SD/266.01 — 13

17 July 1945

SUBJECT : DURELLO Natale
 GOLD Luigi
 DALLA FRILA Agostino
TO : Regional Commissioner, Emilia Region

1. DURELLO Natale di Giovanni and GOLD Luigi di Agostino are in civil prison at PIERRE DI SASSO - DALLA FRILA Agostino is in civil prison of DOLO, Padova. They are believed responsible for killing 2 British PW's. They are not to be released or tried on this charge pending instructions from AFHQ. Report as to circumstances of their arrest is requested.

CH
JOHN W. CHAPMAN,
Colonel J.A.G.C.,
Director Public Safety,
Sub Commission.

CEM/nb

Copy to: File AG/14236/PB ←

SECRET

EX 20772

JULY 112443

AFHQ SHINGO SACRED CITE TIGAB

ALCON INFO UNITER MAIN

1/9216

JULY 120830

PRIORITY

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR	W	12/7
EXEC. OFFICER		
POLICE	W	13/7
CH. AGENT		
PROSEC	W	13-7
ADM. OFFICER		
SECRETARY	W	
CHIEF CLERK		

SECRET.

Following reported in Italian custody. **MURILIO NATALE DI GIOVANNI**, **COLO BUIGI DI AGOSTINO** both civil prison **PIOVA DI SACCO**, **DALLA PIA** **AGOSTINO** civil prison **MOLO** Province of **PIENOVA**. Not known what charges being preferred by Italians but all above believed responsible for killing 104121 **EDM LINGUE** and 6016185 **E GOODWIN** **EX-PM**. Request local **AND** Legal Officers instructed arrange that accused not released from custody and that trial for killing of above **EX-PM** should not take place by Italian courts pending instructions from this HQ. For **UNITER MAIN** only. Above information received after despatch **EX 14882** dated 29 June.

DET

ACTION LEGAL SC
INFO CHIEF COMMISSIONER
C A SEC
PUB SAFETY SC
FILE 2
FLOAT

SECRET

HEAD BARTON'S ALLIED COMMISSION
Public Safety Sub-Commission
APC 394

Tel : 473709

10 December, 1944.

AC/11236/PS

SUBJECT : Release of Italian Civilians by
Allied Officers.

To : Minister of Interior.

1. In reply to your letter 500-12636 dated 22 November 1944 to the Minister of Grace & Justice which has been investigated by this sub-commission, the following facts are brought to your attention.

2. SPERDINI BERTOLLO. Before the release of this person by Major Coxhead of the Public Safety Division of Rome, the name of Sperdini Sergio was presented to Dr. Guido of the Questura Political Section who indicated to Major Coxhead he had no interest in the case and it was the day after his release the Rome Questura realized the mistake and came to Major Coxhead to explain and the Major suggested to rearrest him which was done.

3. PERAZZINI PASQUALE. The Questura was present at a conference which was held by Allied and Italian officials which included the director of Regina Coeli Prison on the overcrowded conditions in this institution and it was agreed at that conference that after the Allied Command had expressed that it had no interest in a case it would pass to the Questura and if there was no violation of Italian law the prisoner would be released. Col. Pollock did send a slip of paper with two names on it to Regina Coeli to show that the Allied Command had no interest in the case and the director who was present at the above mentioned conference should have checked with the office of the Questura.

4. It is the opinion of the investigating officer that in both of these cases the Allied Officers did not intend to interfere with the Italian Government authorities but were only anxious to help in the unsettled conditions that prevailed in Regina Coeli.

[Signature]
JOHN A. CHAFFIN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission. 1580

Copy to Minister of Grace & Justice.

EWH/G.

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

1A
Tel. 478709
6 December 1944.

SUBJECT : Investigation of release of Italian Prisoners by Allied Officers.
TO : Director of Public Safety.

1. In compliance with your instructions an investigation was made in reference to the above subject and the following is a full report.

(A) The records of Regina Coeli Prison show the following entries:

a. Spadari Sergio fu Remigio arrested on July 3, 1944, by Questura Military Political Section placed in Regina Coeli at their disposition released on 18 October, 1944, by letter signed by Capt. Freeman, C.M.P. Lazio Umbria Region, letter also states this is by order of Major Coxhead Provincial Public Safety Officer. Spadari Sergio was re-arrested 19 October, 1944, by Questura and held in Regina Coeli.

b. Perfetti Pasquale fu Antonio - Arrested on 13 June, 1944, by Questura Military Political Section and placed in Regina Coeli at disposition of Questura on 12 July, 1944. He was transferred to the 3rd Wing (CIC Wing) of Regina Coeli and receipt given by Lt. Bulchelde G-2, R.A.A.C. on the 5th August, 1944. Prefetti Pasquale was transferred back to the Civilian Wing by order of Major Battersby Public Safety Officer Rome Area A.C.C. on November 16, 1944. He was released by letter signed by Lt. Col. Pollock Regional Public Safety Officer Lazio Umbria Region.

(B) Interviewed Capt. Freeman C.M.P. Prison Officer Lazio Umbria Region who states as follows:

a. Spadari Sergio - I signed the letter which is on file at Regina Coeli for the release of Spadari Sergio and 4 others on an order received in writing by me from Major Coxhead who was Provincial Public Safety Officer and acting as assistant Regional Public Safety Officer. I cannot find on my file now the original of the letter from Major Coxhead but it was in writing and I remember it distinctly as does my secretary.

b. Perfetti Pasquale - I do not know how he was released. I did not see any letter on this subject. As to the entry for Perfetti's transfer to the 3rd Wing (CIC Wing),^{ME} was asked for by the G-2 Section of R.A.A.C. We had a working agreement that if they wanted any one in Regina Coeli they presented their request and signed a receipt for him. When the C.I.C. found they had no evidence to hold him, he was returned to the Civilian Section by a release order, signed by Lt. Col. Snowden, R.A.A.C. It was not until just lately that I knew he was released. I did not have any part or have even seen any letter ordering the release.

(C) Interviewed Major Coxhead P.P.S.O. Allied Commission Rome Province who stated:

a. In our endeavour to relieve the over-crowding and complaints from Regina Coeli many conferences were held with the legal Section of Allied Commission, Prison Officials, the Questura, and members of the Italian Courts. It was agreed that if Allied Commission, Rome, and Allied Area Command, had no interest in the case it would be passed to the Questura, and if there was no charge under Italian law they (the prisoners) would be released. In reference to Spadari Sergio he was one of four on a list which I passed to Dr. Guido, Questura Political Section, and which he indicated he had no interest under these conditions. I wrote to Capt. Freeman, prison officer, directing the release of the four names on the list. The next day the Questura came with Dr. Guido to my office and said a mistake has been made. Spadari Sergio, should not be released and we want him. I replied: "Well, go and re-arrest him." He was re-arrested the next day 19 October, 1944. I do not know about Perfetti Pasquale, but I assume it was under the same conditions as above, since we have used this system with a number of prisoners.

(D) Interviewed Lt. Colonel Pollock Regional Public Safety Officer Lazio-Umbria Region.

a. I signed a slip of paper to release Perfetti Pasquali from any charge that Allied Commission had, with the agreement, that if CIC or AMG/ACC had no interest in the case it would be passed to the Questura Office, and if they had no charges against a person they would be released. The Director of Regina Coeli as well as yourself was present when these arrangements were made and all understood them at that time, so when I sent the slip of paper to the Regina Coeli Prison I did not intend it to be a release from confinement, but a release from any charge by C.I.C., with whom I had checked, or AMG/ACC. I was under the impression that the prison director understood what had been agreed on at the conference, since, we had no interest in the case he would pass it on to the Questura before actually allowing a prisoner go free, especially as he was entered on the books as a Questura arrest.

This was a mistake on the part of the Prison Director who should have checked with the Questura before taking any action. You realise the trouble we had to get the Italian authorities to act on prisoners confined for months without even being questioned or tried. In this case of Perfetti Pasquale he was arrested on 13 June 1944, and was in Regina Coeli up to the date he was released in error 16 November, 1944. The Questura never gave any indication that it was interested in the case.

2. It is the opinion of the investigating officer that in the case of Spadari Sergio the fault is in the office of the Questura as they informed Major Coxhead they had nothing to hold him on, however, the day after his release they realised their error. In the case of Perfetti Pasquale it was unfortunate that Colonel Pollock's note to Regina Coeli did not fully explain its purpose, but again the prison director who had been at the conference should have satisfied himself that the Questura had no interest in the case, or he should have contacted Lt. Colonel Pollock before the actual release, to determine if it had the approval of the Questura.

3. I do not believe that in either of these cases the Allied Officers intended to interfere with the Italian Government Authorities, but were only anxious to help the unsettled conditions that prevailed in Regina Coeli.

E. W. Hanbury
EDWARD W. HANBURY
Major, F.A.
Prison Officer
Public Safety Sub-Commission

EWHjwf

14236/PS

File

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel. 478709
6 December 1944.

SUBJECT : Investigation of release of Italian prisoners by Allied Officers.
TO : Director of Public Safety.

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158-

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1580

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E. W. Hanbury
 EDWARD W. HANBURY
 Major, F.A.
 Prison Officer
 Public Safety Sub-Commission

BW/jwf

18
HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

MEMORANDUM:

TO : Major E.W. Hanbury.
Prison Officer, Public Safety Sub-Commission.

1. You are ordered to conduct an investigation into the subject of the attached letter.
2. You will render a full report to me.

John W. Chapman 1580
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

MEMORANDUM:

To : Major E.W. Hanbury.
Prison Officer, Public Safety Sub-Commission.

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2. You will render a full report to me.

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

157

MC/
Ministry of Interior

22 November 1944

500 - 12536

To : Ministry of Grace and Justice
and for Information
: H.E. the High Commissioner for Fascist Crimes
: Cabinet of H.E. the Ministry of Interior

According to what the Rome Questura, has already communicated to that Penal and Prevention Institutes Gen. Directorate, with letter 059908, dated 20 inst., twice, in a few days, some prisoners have been set free, while they had been arrested and put in jails by the Questura, which had not still put them at disposal of any authority.

They are Spadari Sergio of I. Remigio and Perfetti Pasquale of I. Antonio, who, after long inquiries, have been arrested, as belonging to the ill-famed Koch band.

We cannot agree, regards, with the statement of the matriculation office of the Prison, saying that they have been set at free, by order of the Allied H.Q.; this, first of all, because it is well known that, since August 15th, Rome has been given back to Italian administration and also because, had the matriculation been doubtful, it should at least, before setting them at free, inform the Questura and ask its approval.

Consequently, it arises that, while it has been possible to arrest Spadari again, this has not been possible for Peretti Pasquale, who is still unfindable, notwithstanding we are actively looking for him.

According to seriousness of the matter, we beg that Ministry to carry out an accurate and severe inquiry, in order to ascertain whom is the responsible in view to these provisions that you will deem advisable to take.
we would like a kind answer.

for the Minister
Ferrari

R.



RISERVATISSIMA - RACCOMANDATA

5712

Bontà

Roma, 22 Novembre 1944

Ministro dell'Interno

DIREZIONE GENERALE
DELLA PUBBLICA SICUREZZA

AL MINISTERO DELLA GIUSTIZIA

Gabinetto ROMA

e p.c. ALTO COMMISSARIATO PER LE SANZIONI
CONTRO IL FASCISMO

Divisione A.G.R. Sez. IV

500-12656 Allegato

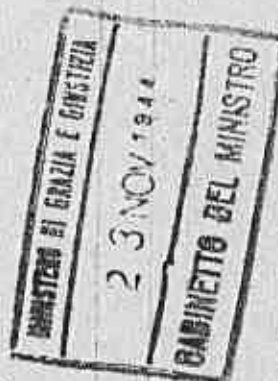
GABINETTO DI S.E. IL MINISTRO DELL'INTERNO

S E D E

Risposta al foglio del

S E D E

OGGETTO



Come è già stato comunicato, direttamente dalla Questura di Roma con rapporto 20 corr. N.059908, a codesta Direzione Generale degli Istituti di Prevenzione e Pena, per la seconda volta, nel giro di pochissimi giorni, sono stati rimessi in libertà detenuti che, arrestati e ristretti in carcere dalla Questura, non erano stati, dalla medesima, messi a disposizione di alcun'altra Autorità.

Trattasi, specificamente, dei nominati Spadari Sergio fu Remigio e Perfetti Pasquale fu Antonio, che erano stati arrestati, dopo laboriose ricerche, perchè appartenenti alla famigerata banda Koch.

La dichiarazione fatta, in proposito, dall'ufficio matricola delle Carceri, di aver, cioè, liberato i due, per disposizione del Comando Almato, non può essere accolta, sia perchè, com'è noto, dal 15 Agosto u.s. la città di Roma è stata restituita all'Amministrazione Italiana e sia perchè, quanto meno, il citato ufficio matricola, qualora fosse caduto in dubbi, avrebbe dovuto, quanto meno, curare, prima di effettuare la scarcerazione, di avvertirne la Questura e richiedere ed avere anche il suo benestare.

Intanto ne è conseguito che, mentre è stato possibile riacciuffare lo Spadari, non così è accaduto per il non meno pericoloso Perfetti Pasquale, il quale, rimane tuttora latitante, nonostante che sia

Divisione A.G.R. IV
Prot. N. 500-636 Allegato

Gabinetto ROM A
e p.c. ALTO COMMISSARIATO PER LE SANZIONI
CONTRO IL FASCISMO

GABINETTO DI S.E. IL MINISTRO DELL'INTERNO
S E D E
Risposta al foglio del S E D E



OGGETTO

Come è già stato comunicato, direttamente dalla Questura di Roma con rapporto 20 corr. N.059908, a codesta Direzione Generale degli Istituti di Prevenzione e Pena, per la seconda volta, nel giro di pochissimi giorni, sono stati rimessi in libertà detenuti che, arrestati e ristretti in carcere dalla Questura, non erano stati, dalla medesima, messi a disposizione di alcun'altra Autorità.

Trattasi, specificamente, dei nominati Spadari Sergio fu Remigio e Perfetti Pasquale fu Antonio, che erano stati arrestati, dopo laboriose ricerche, perchè appartenenti alla famigerata banda Koch.

La dichiarazione fatta, in proposito, dall'ufficio matricola delle Carceri, di aver, cioè, liberato i due, per disposizione del Comando Al-leato, non può essere accolta, sia perchè, com'è noto, dal 15 Agosto u.s. la città di Roma è stata restituita all'Amministrazione Italiana e sia perchè, quanto meno, il citato ufficio matricola, qualora fosse caduto in dubbi, avrebbe dovuto, quanto meno, curare, prima di effettuare la scarcerazione, di avvertirne la Questura e richiedere ed avere anche il suo benestare.

Intanto ne è conseguito che, mentre è stato possibile riacciufrare lo Spadari, non così è accaduto per il non meno pericoloso Perfetti Pasquale, il quale rimane tuttora latitante =====, nonostante che sia stato e viene attivamente ricercato.

Data la gravità della cosa, si prega codesto On. Ministero di voler far procedere ad una accurata e rigorosa inchiesta al fine di stabilire

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re a chi ne spetti la responsabilità, ai fini degli eventuali provvedimenti che codesto Ministero crederà del caso.

Si sarebbe grati di un cortese cenno di riferimento.

PEL MINISTRO

A handwritten signature in dark ink, appearing to be a stylized name, possibly "J. F. Kennedy", written over the typed text "PEL MINISTRO".

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