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HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Staff Judge Advocate

Yokohama, Japan
18 May 1948

UNITED STATES OF AMERICA VS KOSAKU HAZAMA

Review of the Staff Judge Advocate

Our
#142

1. The attached record of trial of Kosaku Hazama at Yokohama, Japan, from 3 February 1947 to 19 March 1947, by a Military Commission appointed by paragraph 40, Special Orders No. 23, Headquarters Eighth Army, United States Army, dated 28 January 1947, having been referred to the Staff Judge Advocate, this review thereof is submitted to the Commanding General.

Personal Data Concerning Accused

| | |
|--|--|
| NAME: Kosaku Hazama | DATE OF CONFINEMENT: 26 Nov 1945 |
| AGE: 38 | DATE OF ARRAIGNMENT: 3 Feb 1947 |
| RESIDENCE: Not shown | PLACE OF TRIAL: Yokohama, Japan |
| MARITAL STATUS: Married | PERIOD OF TRIAL: 3 Feb 1947 to 19 Mar 1947 |
| RELATIVES: Wife, daughter, age 10 | DATE OF SENTENCE: 19 Mar 1947 |
| EDUCATION: Bachelor of Economics from Kyoto Imperial University | SENTENCE: CHL for fifteen (15) years |
| OCCUPATION: Osaka municipal employee | CLEMENCY RECOMMENDED BY COMMISSION: No |
| MILITARY CAREER: Inducted Japanese Army 1 Dec 1935, serving one year in Tokyo with 3rd Infantry Regiment; as Sgt. became a reservist; inducted again 20 Mar 1942, assigned to 22nd Regiment; saw service in Philippines; in Jan 1943 ordered to Tanagawa Branch Camp for command duty; transferred on 17 Aug 1943 to command of Oeyama Branch Camp, where he remained until 15 Sep 1945. | |

2. Synopsis of Charges, Pleas, Findings, Legal Sufficiency, and Sentence.

| <u>Charges and Specifications:</u> | <u>Pleas</u> | <u>Findings</u> | <u>Legally Sustained</u> |
|--|--------------|-----------------|--------------------------|
| Ch: Accused at the times and places set forth in the specifications hereto attached, did violate the Laws and Customs of War. | NG | G | Yes |
| Sp. 1: Between 5 January 1943 and 21 August 1945, at or near Tanagawa PW Sub-Camp, Osaka Area, Honshu, Japan, accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp by failing to provide and maintain for Allied PW's adequate rations, quarters, clothing, shelter, heat, hygiene, medicines, medical care and attention and supplies, thereby | NG | NG | --- |

(p 1, HAZAMA, Case #143)

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contributing to the deaths or sickness of numerous Allied PW's.

Sp 2: At divers times, between 5 January 1943 and 21 August 1943, at or near Tanagawa PW Sub-Camp, accused, then commander of said camp, did unlawfully permit Allied PW's to perform work and services connected with the operations of war, namely, on dry docks for the use and maintenance of the Japanese Navy.

NG

NG

Sp 3: At divers times between 5 January 1943 and 21 August 1943, at or near Tanagawa PW Sub-Camp, accused did unlawfully order, impose or permit collective punishment on groups of Allied PW's for offenses alleged to have been committed by individual PW's by running said PW's excessive distances, by keeping them standing at attention for excessive periods of time and by slapping, beating and otherwise abusing them.

NG

G,

Yes

except the words "unlawfully order, impose or".

Sp 4: On or about 15 April 1943, at or near Tanagawa PW Sub-Camp, accused, then commander of said camp, did view and willfully and unlawfully permit, cause, and condone the unlawful mistreatment administered by one Takagi of Master Technical Sergeant Jesse L. Stewart, an American PW, by beating and otherwise abusing him.

NG

G,

Yes

except the words "view" and "cause".

Sp 5: In or about April 1943, at or near Tanagawa PW Sub-Camp, accused, then commander of said camp, was present at and did willfully and unlawfully permit, cause, and condone the unlawful mistreatment administered by one Takagi of one Pfc Ridenbaugh, an American PW, by beating, kicking and otherwise abusing him.

NG

G,

Yes

except for the words "was present at and" and "cause".

Sp 6: Between 5 January 1943 and 21 August 1943, at or near Tanagawa PW Sub-Camp, accused, then commander of said camp, did willfully and unlawfully misappropriate, misuse and convert to his own use Red Cross and other supplies intended for the use and benefit of Allied PW's.

NG

NG

Sp 7: At divers times between 5 January 1943 and 21 August 1943, at or near Tanagawa PW Sub-Camp, accused, then commander of said camp, did view and willfully and unlawfully permit, cause and condone the

NG

G,

No

except for the words "view" and "cause".

(p 2, HAZAMA, Case #143)

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unlawful mistreatment of numerous Allied PW's.

Sp 8: At divers times between 5 January 1943 and about 21 August 1943, at or near Tanagawa PW Sub-Camp, accused, then Commander of said Camp, did willfully and unlawfully mistreat, torture, abuse and beat numerous Allied PW's

NG G, Yes except for the words, "torture, abuse and beat".

Sp 9: At divers times between 5 January 1943 and 21 August 1943, at or near Tanagawa PW Sub-Camp, accused did unlawfully disregard and fail to discharge his duties as Commander of said Camp to control and restrain the members of his command and persons under his supervision and control, by permitting them to commit the following atrocities and other offenses against Allied PW's:

NG G Yes

a. At divers times, between 5 January 1943 and 21 August 1943 the unlawful stealing, withholding and misuse of Red Cross supplies and food, medical and other supplies intended for the use and benefit of Allied PW's.

NG G Yes

b. In or about April 1943, the unlawful mistreatment and abuse by one Takagi of 1st Lt. C. W. Pflager, Jr., an American PW, by beating and otherwise abusing him, thereby contributing to his death on or about 10 August 1943.

NG G, Yes except the words "thereby contributing to his death on or about 10 August 1943".

c. In or about March 1943, the unlawful mistreatment and torture by one Takagi of 2nd Lt. C. H. Smith, an American PW, by beating and kicking him.

NG G Yes

d. In or about March 1943, the unlawful mistreatment and abuse by one Takagi of Capt. C. W. Kuhns, an American PW, by beating him.

NG G Yes

e. In or about June 1943, the unlawful mistreatment and torture by one Takagi of Pvt. Joe Day, an American PW, by beating him with fists, a rubber shoe and a club until he was unconscious and then confining him to the guardhouse without food for approximately four days.

NG G, Yes except the words "and then confining him to the guardhouse without food for approximately four days".

f. In or about April 1943, the unlawful mistreatment of four unidentified American PW's, by beating them with sticks.

NG NG ---