

An act to establish a Judicial system for the Heart Mountain Relocation Center to hear cases and apply penalties for violations of regulations of law and order prescribed by the Community Council or authorized to be tried by the Project Director.

BE IT ENACTED BY THE COMMUNITY COUNCIL OF HEART MOUNTAIN:

1. The Judicial Commission of Heart Mountain shall hear all cases and apply penalties for violations of regulations of law and order prescribed by the Community Council or authorized to be heard by the Project Director.

2. There shall be two representatives elected from each block so as to constitute a body of forty members from which a panel of five Judicial Commissioners and two alternates shall be selected for each case. Said representative shall be a qualified elector over the age of twenty-five years, with a reasonable speaking knowledge of the English language, and free from disqualifications. The method of selection shall be as follows to wit: The clerk of the Commission shall prepare the names of all members of the body on appropriate slips and put them in a container. The chairman of the Judicial Commission shall then select five Judicial Commissioners and alternates if he shall deem alternates necessary to act in the particular case. The names so selected shall be set aside until all members of the body shall have served once in the hearing of a case submitted to the Judicial Commission. After each member has acted once at the hearing, then all names shall again be put back in the container and drawn as is hereinbefore set out.

3. In order to find the accused guilty, there must be four commissioners voting for his guilt and if four commissioners cannot agree to find the accused guilty, the accused shall be declared not guilty.

4. There shall be a presiding commissioner or chairman of the Judicial Commission to properly conduct the hearing and shall have full authority as a presiding commissioner, but he shall take no part in the voting to determine the guilt or innocence of the party accused. Other offices may be created within the Commission as deemed necessary by the Judicial Commission which shall be approved by the Council.

5. The presiding commissioner shall be appointed by the Community Council for a term of six months and shall be eligible for reappointment.

6. The Judicial Commission shall be empowered to make such rules of procedure for the conducting of hearings, from time to time, as it shall be necessary which shall be approved by the Community Council, and which rules shall be codified if necessary by the Judicial Clerk and shall apply to all hearings before the Judicial Commission until superseded.

7. The Prosecutor's office shall be set up by the Community Council who shall represent the people at all stages of the case and shall have the right to question the suspect and to investigate all violations and shall do all other necessary duties.

8. The Council shall set up a public defender's office who shall be known as an advisor or counselor who shall act as an adviser to the defendant to help him present his case if he doesn't choose one for himself. The public defender's office shall have the right to interview all suspects.

9. There shall be a secretary to the Judicial Commission who shall be known as the Judicial Clerk and who shall perform all duties as may be prescribed by the Judicial Commission or by the Community Council.

10. There shall be court reporters who shall take all the proceedings and testimonies of hearings before the Judicial Commission and shall make a typewritten record.

11. There shall be an interpreter at all proceedings at all stages of the proceedings.

12. This act shall take effect and be in force as provided for in the charter.

Dated this 4 day of November, 1943.

/s/ Thomas Sashihara  
Chairman, Community Council

/s/ Shogo Iwamoto  
Secretary, Community Council

Approved, November 4, 1943

/s/ D. M. Todd  
Acting Project Director