

December 23, 1943  
Tuesday  
9:30 AM - 11:45 AM

Attended: Messrs. Anderson, Assistant Project Director; Campbell, Chief of Internal Security; "Bossie" Matsui, Chief of Police.  
Absentees: Messrs. Nakaki, Ritchie. Tardy: Messrs. Masumaga, Ozazaki, Motoyoshi.

Minutes of December 24 meeting were read and approved without correction.

COMMUNICATIONS:

Letter of appreciation from Block 23 to the Community Activities.  
Letter from the Granada Community Council endorsing the resolution of Heart Mountain Council of November 29 on relocation conference.  
Copy of a letter from Mr. Robertson, Project Director, to Chairman, Community Council of the Colorado River Relocation Project on information re bakery establishment here.  
The Council Food Committee was reminded to inquire supply of sugar to the mess halls for shoyu sweetening.  
Letter of appreciation for information re evaduce doctors and resolution on relocation problem from the chairman of the community council at Jerome Relocation Center.

Messrs. Anderson, Campbell, and Matsui were present to give personal opinions concerning addition of a subsection to the Section 6 of the enacted Criminal Code. Exact wording of the proposed sub-section was attached to the minutes of December 21.

The summary of Mr. Campbell's opinion was such that he is in favor of providing said sub-section in view of the fact that such a clause may give a strengthened police protection. However, he recommended a change of wording in said proposal wherein "the premises, building, or structure" should be written to read "a room" so as not to involve innocent residents of such an apartment where a raid should take place in one of its units. This sub-section, if amended and passed by the Council, will tend to discourage practice of gambling which otherwise will inevitably contribute to juvenile delinquencies. When asked as to filing a record of apprehension of 32 persons at the place of gambling in the last raid, he stated no record were kept as of those persons save 4 principles found guilty. The present enacted Criminal Code does not provide any charge or penalty for persons just being present at the place where gambling was conducted. This new provision, if adopted, will find any persons guilty of misdemeanor if found at the place of gambling when raid is made. Mr. Campbell replied to question by Mr. Kinote who asked whether innocent persons should happen to enter such unit where gambling is conducted and should be found present when a raid is made is guilty of misdemeanor or not. Mr. Campbell added that anybody who frequent the place of gambling is guilty in intent as if he would gambling.

Mr. Matsui's opinion concurred with that of Mr. Campbell's. Mr. Anderson stated if the Council does not adopt amendment as proposed, the Project Director may still choose to prosecute persons found present at the gambling place when raided. (as per Administrative Inst. No. 85, Section II, Parag. B.). In answer to Mr. Nakashima's proposal that an imposition of imprisonment be provided for persons found guilty of promoting gambling, Mr. Anderson referred to the Manual of Community Government (.4A) wherein stated:

".....the Judicial Commission, in any cases tried before it, permit a defendant to pay a fine of a fixed sum of money as an alternative to serving a fixed period of imprisonment."

Mr. Anderson read a letter from Director D. E. Myer to Mr. Guy Robertson, Project Director, commenting on the Criminal Code of this center which was enacted by the Council and approved by the Acting Project Director as being a very good job.

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Ht. Mt. Community Council Minutes

Comment 1 states that the jurisdiction of the Project Director in the case of misdemeanors is wholly omitted in the first paragraph of the enacted clause of the Criminal Code, and suggests a substitution for the clause, "...except..." to the end of the sentence, as: "except as may otherwise be required by the Project Director pursuant to regulations of the War Relocation Authority." Regarding the second paragraph, the new manual section on community government takes away from the Community Council power to authorize suspension of pay or other WRA privileges. Also attention was called to the authority of the Judicial Commission on imposing a fine is limited to imposing a fine as an alternative to a fixed term of imprisonment, with the option of paying the fine or serving the term; a fine cannot be imposed without such an option being left to the defendant. Also there are a few typographical errors in paragraph number 16, 26, and 29. In conclusion of said letter, congratulations are extended to the Council.

A discussion took place after Messrs. Anderson, Campbell, Matsui had left. Arguments in pros and cons with respect to the adoption of said proposal as an additional provision of the Criminal Code were exchanged. Those in favor of said adoption had based their opinion from the moral standpoint and upon the unique and abnormal, communal life of the center while those in opposition contended from the viewpoint of jurisprudence. A motion was made by Mr. Matsushige seconded by Mr. Masunaga to request the Council Legal Committee to further study this problem, and passed by a vote of 14:5.

A proposal was made by Mr. Tokimasa that a Council committee investigate the origin of fire which broke out at a recreation hall in Block 22 with the Fire Department. He further proposed that in the event the fire had been caused by the leakage of electricity, the Council committee warn the Fire Protection Officer that his statement made before the Council at the December 3 meeting was incorrect and was contrary to fact that "wiring system is not the main cause for fire hazards". The Housing Committee was referred to take charge of the matter following passage of proposals.

Meeting was adjourned at 11:45 AM.

Next meeting: December 31, 1943.