

NAVY DEPARTMENT
WASHINGTON 25, D. C.

JAG:I:THH:thh
Mil. Com. SHINOHARA, Samuel T./
AL7-10/00 (6-4-48) 144704

24 Aug 1948

To: Commander Marianas Area.
Via: Commander in Chief, United States Pacific Fleet.

Subj: Military Commission case of Samuel T. Shinohara,
inhabitant of Guam, tried by order of the Island
Commander, Guam, on 28 July 1945.

1. The Military Commission before which Samuel T. Shinohara, inhabitant of Guam, was tried found him guilty of Charge I, Treason (1 specification); Charge III, Assault and Battery (1 specification); Charge IV, Taking a Female for the Purpose of Prostitution (2 specifications); Additional Charge I, Treason (3 specifications); and Additional Charge II, Assault and Battery (2 specifications); acquitted him of Charge II, Theft (1 specification); and Additional Charge III, Desecration of the Flag (1 specification); and adjudged the following sentence:

"The Commission, therefore, sentences him, Samuel T. Shinohara, a civilian, to death, to be executed by hanging the said Samuel T. Shinohara by the neck until he is dead, two-thirds (2/3) of the members of the Commission concurring."

2. The Island Commander, Guam, the convening authority, on 13 October 1945, approved the proceedings, findings and sentence in this case.

3. The Commander in Chief, United States Pacific Fleet and Pacific Ocean Areas and Military Governor, Guam, the reviewing authority, on 30 January 1946, subject to remarks, approved the proceedings, the findings as to all charges and specifications except that on the first specification of Charge IV, which he disapproved, the sentence and the action of the convening authority except as it referred to the first specification of Charge IV.

4. The acting Secretary of the Navy, on 24 Aug 1948 approved the remarks and recommendations of the Judge Advocate General dated 28 April 1948, set aside the findings on Charge I and II and the specifications thereunder, and specification 3 of Additional Charge I, and the action of the convening and reviewing authorities thereon; in accordance with the provisions of Section D-14, Naval Courts and Boards, 1937, commuted the sentence of death in this case to imprisonment at hard labor for a period of fifteen years, time served by Shinohara since the thirteenth day of October 1945 to be regarded as time served in respect to the sentence as commuted; and directed that Shinohara be transferred to Japan for imprisonment at such place as may be designated by the Supreme Commander for the Allied Powers.

/s/ John Nicholas Brown
acting Secretary of the Navy.

CC:
Chief of Naval Operations.

the specification thereunder, Charge III and Additional Charge