

HEART MOUNTAIN RELOCATION PROJECT

September 16, 1944

CASE 181 - TOM YAMADA 28-7-E

JUDICIAL COMMISSIONERS:

K. Doi, Chairman
Goro Terui 27-14-D
Seichiro Nagamori 30-17-B
Otamatsu Maye 27-23-F
Taisuke Takahashi 30-24-E
Kichitaro Okagaki 29-17-E
Satoru Tsuneishi 2-7-C (Alternate)
Hiroshi Matsushige 6-23-B (Alternate)

REPORTERS:

Mikiko Yamane, Acting Secretary, Community Council
Hideko Takehara, Internal Security, Secretary

PRESENT:

Stanley E. Adams, Chief of Internal Security
"Rosie" Matsui, Chief of Police
M. O. Anderson, Assistant Project Director
Clifford D. Carter, Superintendent of Education
Howard D. Bugbee, Elementary School Principal
Adeline S. Kell, Social Welfare Counselor
Karl W. Miller, Associate Chief of Internal Security
R. W. Wilkins, Internal Security Officer

CLERK:

Keen Yanagi

INTERPRETER:

Kumezo Hatchimonji

WITNESSES:

Bobby Kiuchi 25-18-C
John Ogata 28-7-D

Clerk Everybody please rise. The Judicial Commission of Heart Mountain is now in session. Chairman Doi presiding. Everybody be seated.

Chairman Doi The case before this Commission today is: The people of Heart Mountain Relocation Center versus Tom Yamada. The Commissioners sitting today are: Messrs. Terui, Nagamori, Maye, Takahashi, Okagaki, Tsuneishi, and Matsushige. I understand that there is no objection to these Commissioners from the defense or from the Police Department.

Chief Matsui No objection

Chairman Doi Tom Yamada, who is Tom Yamada? Stand up. You are being charged with assault and battery, involving injury upon another person using an air rifle. Do you understand what I said?

Tom Yamada Yes.

Chairman Doi I believe that you should have an advisor. Is there anyone in the Court who would want to act as his advisor?

Miss Nell Your honor, if there is no one else to carry on in that capacity, as Counselor of the Social Welfare Section, I would like to.

Chairman Doi Will you be seated there? Chief Matsui, will you present the case against Tom Yamada?

Chief Matsui My Assistant Chief of Police, Kubo, will. Mr. Kubo, will you?

Mr. Kubo Yes sir.

Chairman Doi You are the Assistant Chief of Police of Heart Mountain?

Mr. Kubo Yes. At this time may I present to the Judicial Commission the report that Mr. Bugbee, Principal of the Elementary School of Block 25 gave to the Chief of Police that one of his students, Robert Oka, had been shot by a B.B. gun at approximately 8:50 A.M., September 13, 1944. In turn, Chief Matsui assigned the case to Assistant Chiefs, F. G. Nakamura and J. Kubo and Detective Ogata. The three with Mr. Bugbee went to the Block 25 recreation hall, 25 south, to investigate evidences of target practice on the walls. They found the following articles: a split B.B. shot, a couple of library textbooks, two tablets and a card on a table. A powerful B.B. gun and a padlock were discovered in the south-west corner above the ceiling. Tom Yamada was called to the Police Station and was questioned by Chief Matsui. Upon questioning, Tommy stated that he was in the rec. hall at that time and had shot through the window and also had shot at another boy within the rec. hall and also at various other targets.

Chief Matsui Pardon me, may we at this time have a black board in here so it will be easier to explain the statement to you?

Chairman Doi Yes, have it brought in.

Mr. Kubo (indicating to board) I will have to repeat what I have said.....

Chairman Doi Where is rec. hall 25?

Mr. Kubo This is the rec. hall 25-25 south. On the morning of September 13, 1944 Tom Yamada and his friend John Ogata came into this rec. hall.....

Chairman Doi John Ogata. Is John Ogata here in the Court House?

John Ogata Yes.

Mr. Kubo (continuing) about 7:30 or 8 in the morning and located a B.B. gun behind the chimney at this corner placed there by Bobby Kiuchi, the owner of the gun. After finding the gun and B.B. shots, they commenced to shoot at the various targets which were: tin cans, cards, and light bulbs.

Chairman Doi They shot at the light bulbs?

Mr. Kubo Yes, they did.

Chairman Doi What kind of card did they shoot at?

Mr. Kubo Playing card. Most of the shots fired by Tommy.

Chairman Doi Did the other boys shoot too?

Mr. Kubo Yes. But, Tommy was the only party to shoot through the window at some of the youngsters who were sitting or standing out on the lot. Roy Okumura is the party who was shot within this rec. hall. Tommy also admitted that he shot Roy Okumura.

Chairman Doi Is Roy Okumura here?

Roy Okumura Yes.

Chairman Doi Was Roy injured at that time?

Mr. Kubo He was hit on his left thigh, There was no mark, it didn't penetrate his skin.

Chairman Doi It didn't penetrate?

Mr. Kubo No, it didn't hurt him.

Chairman Doi Were there any other boys there?

Mr. Kubo The other boys shot too, but they didn't shoot through the window.

Chairman Doi What other boys?

Mr. Kubo Bobby Kiuchi and Smoky Sunahara.

Chairman Doi Smoky here?

Smoky Sunahara Yes.

Chairman Doi And, of course, Roy Okumura. Four boys?

Mr. Kubo Five boys.

Chief Matsui Five boys.

Chairman Doi They all handled the gun?

Mr. Kubo Yes, all except Smoky.

Chairman Doi Well, all the boys who handled the gun are responsible.

Mr. Kubo But they didn't do any damage.

Chairman Doi They shot at the bulbs didn't they?

Mr. Kubo Only Tommy Yamada.

Chairman Doi We will find out from the other boys, they might be just as guilty. You may proceed.

Mr. Kubo We got all of this information through questioning each and every one of these boys and they all seem to agree on the facts of this statement. We have evidence of this being true. This is the bulb that Tom Yamada shot, this is the hat found in there belonging to Bobby Kiuchi and also the pellets and the B.B. gun.

Chairman Doi Do you know anything about B.B. gun?

Chief Matsui This is a powerful gun. This B.B. gun is a pump gun, the more you pump the more power you get in a shot. A shot may go as far as 150 yards. The victim, Robert Oka, was about 165 feet from the place the shot was fired and it went into his arm about half an inch. I wish you would ask Mr. Bugbee, as to what this Robert Oka was doing there, he is responsible for the youngsters there.

Chairman Doi What about Roy Okumura who was shot?

Chief Matsui It was within the same room. Ten or fifteen feet, the fact that it didn't penetrate him was because he pumped only once.

Chairman Doi Or perhaps he had thick clothing on?

Mr. Kubo He had jeans on. When we saw it the next morning it was slightly sore. There was another boy with Robert Oka. His name is Kushino. He was also shot but not injured. May I also add, going back a bit, how Tom Yamada came into possession of the gun. It goes back to the night before when Tommy, knowing that Bobby Kiuchi had an air rifle suggested that they go rabbit hunting the following day. It seems that Bobby's mother had warned him not to play with Tom, so, Bobby left the gun at the rec. hall the following morning. This is what accounts for Tommy and John going there at such an early hour. Bobby, Smoky and Roy got to the rec. hall a little after eight. They were at the depot seeing some people off, and on the way to school they stopped to see if Tommy had picked up the gun. After entering the rec. hall, they saw Tommy with the gun. The shooting of Robert Oka took place before Bobby, Smoky, and Roy came into the rec. hall. Those three boys knew nothing of the incident. According to John Ogata, Tom's first target was at a light bulb. (indicating) If you came in this door, it would be the second bulb to the right. The pellet penetrated through that and made a big mark in the celotex. That is some indication of the power of the gun. On the northern end of the rec. hall on the chimney, there is a tin can, they must have used that as a target because there were two holes there. Whether they shot at the can from a foot away or from the other end of the room, I do not know.

Chairman Doi About how many children were playing there?

Mr. Kubo In the re. hall?

Chairman Doi No, where the injured boy was playing.

Mr. Kubo There were a group of youngsters playing there when Tom shot at them. John Ogata warned Tommy not to do this. Tommy said it wouldn't hurt them much because he wouldn't pump it much.

Chairman Doi John told him not to do it?

Mr. Kubo Yes.

Chairman Doi And yet he did it?

Mr. Kubo He must have. Robert Oka was hurt.

Chairman Doi Is that all?

Mr. Kubo There are these B.B. shots.

Chairman Doi Where did they get these B.B. shots, from the outside?

Mr. Kubo Yes, they were purchased in the town of Powell. We have discovered that Bobby, Tommy and John borrowed a bicycle from some other youngsters and bought them at Powell from one of the feed stores.

Chairman Doi Who bought it?

Mr. Kubo They didn't say. They have made five trips to Powell.

Chairman Doi Powell?

Mr. Kubo Yes. First trip legally with passes, the other trips without passes.

Chairman Doi They went without passes?

Mr. Kubo The last time they made a trip they came back at approximately 2:00 a.m.

Chairman Doi That's pretty serious coming back 2 o'clock in the morning. What were they doing all night?

Mr. Kubo In one case a bicycle broke down and they had to wait in town to have it fixed. One or two of the spokes broke off the bicycle wheel and they had to have it fixed.

Chairman Doi Mr. Bugbee took the B.B. shot from Robert's arm?

Chief Matsui We have a medical report by Dr. Kimura.

Chairman Doi May I see that? Have you got any transcripts of your questioning?

Chief Matsui I have.

Chairman Doi May I see it?

Chief Matsui Certainly. Also a statement signed by Tom Yamada.

Chairman Doi Well, I'll check that, and may ask the same questions. They better think hard and not lie or make any errors. Is that all, Chief?

Chief Matsui I believe that is all unless....there are some questions I would like you to ask Mr. Bugbee about what the children were doing in Block 25.

Chairman Doi We will question him as we come to the point. Miss Kell, is there any question you would like to ask at this point of the case?

Miss Kell No, you honor, I attended the preliminary hearing and I am acquainted with most of the facts.

Chairman Doi As advisor to the defendant, you are entitled to ask any question that might be beneficial to the defendant. You may take all advantages you can accorded to defendant. Will the Supervisor of the Grammar School, Mr. Bugbee, will you please take the stand?

Howard Bugbee sworn in (Apt 20-B Personnel Headquarters)

Chairman Doi Mr. Bugbee, will you kindly explain to us what happened that day so far as you know?

Mr. Bugbee About 8:40, I believe, some children came running into the school room and told me that some boy was shot. At first I was scared and went to my office. My office is in Barrack 7, that's in the front.

Chairman Doi Was this place near to barrack 7?

Mr. Bugbee Yes. When I went there, there was a group of children standing around Robert Oka. His arm was bleeding, it didn't seem very bad so I applied some first aid of gauze and mercurochrome. That was about all, I think. I tried to find out what happened. I saw the boys in the rec. hall but I didn't go in. Last Winter I had difficulty because I took things into my own hands, so I called the Police. We went there and found the evidence and an air rifle, that's all.

Chairman Doi How old was the boy that was injured?

Mr. Bugbee I think, ten or eleven.

Chief Matsui Nine.

Chairman Doi And the child is under your care, is that right? This happened between 8:30 and 9 as this boy was going to school?

Mr. Bugbee It wasn't during school, it was before.

Chairman Doi And they started shooting this boy?

Mr. Bugbee Evidently, they started shooting when the children were coming down the alley, or whatever they call it. Robert was evidently sitting on the bench and facing east.

Chairman Doi In your opinion, had the boy been shot in his eye, he would have been blind?

Mr. Bugbee Definitely.

Chairman Doi It was lucky that it hit his arm.

Mr. Bugbee Very.

Chairman Doi Any questions, Gentlemen?

Commissioners No questions.

Chairman Doi You may be excused if you have other matters. You may stay, of course, if you prefer.

Mr. Bugbee I will stay.

Chairman Doi Any other matters that you want to present, Mr. Matsui?

Chief Matsui We have Mr. Carter who can report on the youngsters' school attendance.

Chairman Doi I would like to find out about that very thoroughly.

Mr. Carter I don't know the child personally, I just know about him through the reports submitted by the teachers. He is a problem child. His first run in was in November, 1942, in Block 7 school. He swore at the teachers and was chastised by the teachers in two different class rooms. According to the attendance report of last year he missed more than a month of school. You see, at that time we took the attendance during the first period class only. Sometimes he would report for first period class and sometimes he wouldn't. I have his attendance report and I would say probably out of the whole year of school, he attended only two-thirds of the time. He might come in for the afternoon class and miss the morning class. I will say this much for him, the teachers that have corrected him got along better with him. This year, his attendance report is not so good. I think he missed all of last week. He goes to school only once in a while. He has completed the 8th grade. The law is sixteen.

Chairman Doi What about the other boys? Have you the records of the others?

Mr. Carter Bobbie is better. The others had a little trouble, but not as bad as Tommy. They attended school much better.

Chairman Doi You are the Superintendent of Schools?

Mr. Carter Yes, your honor.

Chairman Doi Where is Mr. Corbett?

Mr. Carter Sorry, Mr. Corbett couldn't be here. He had some business in Graybull. Smoky has a spotty attendance, he skipped part of this week.

Chief Matsui Your honor, if you so wish we have a previous case of Tom Yamada.

Chairman Doi I would like to go into that.

Chief Matsui At this time I wish to give you an idea of Mr. Yamada: He had come into my office many times concerning his son. He came in to ask us to do something about his son. It seems that it is difficult for him to watch his son because he is not so well. I know Mr. Yamada on the outside and he talked to me personally and I have talked to Tommy a number of times. First, about going to school, and his not coming home after school. He would go out and come back late at night or early in the morning.

Chairman Doi What was he doing?

Chief Matsui He was going out with the boys in the Center, roaming around and etc. Ate wherever he felt like. On June 19, 1943 he was out-of-bounds and was warned by the Project Directors, he was put on probation for a period of 30 days.

Chairman Doi He was on probation before.

Chief Matsui Twice before. He was to report to the Police Station every day between the hours of 1 to 2 p.m., to keep him from going out-of-bounds.

Chairman Doi Did he report every day

Chief Matsui Yes, he reported to my desk sergeant and signed his name. Later we had some trouble with him concerning the telephone girls. He would lift the receiver up and ask foolish questions. The operator reported it to us. Once, when he was bothering her, she called us up and we told her to keep him busy while we get down there. We caught Smoky and Tommy doing this and put them on probation for a period of 20 days. They covered it nicely.

Chairman Doi They reported every day?

Chief Matsui Yes, they reported every day.

Chairman Doi They should have been put on probation for a period of 3 months.

Chief Matsui Also, on March 14, 1944 there was a report that Mr. Yoshida of Block 14 came into the station worried about his son, for he had not come home. They came to my house about 2 or 3 in the morning and I reported to the office we had a car and we went to call on his friends to look for him. After about an hour and a half, we found him and Tommy sleeping behind the stove in the men's latrine at Block 23-28, so I brought Tommy back to the station and asked him why he was there. There was snow outside and it was cold. It seems that Tommy had had an argument with his father and didn't want to go home. I talked to him and told him that he was to come with me and talk with his parents.

Chairman Doi Three in the morning?

Chief Matsui About 4. I told his parents about the incident and asked them to give him one more chance, which was agreed to. One week later his father came in again and asked us to do something about the boy. It seems he didn't eat at their mess hall so he couldn't watch him. We put him on probation again for a period of 90 days. He was to eat three meals at his own mess hall with his family, at 28-30, and he was to have a curfew of 8 p.m. with the exception of getting permission of his parents, and they are to be informed as to his whereabouts. We have no official record but I understand he broke the probation.

Chairman Doi Broke the probation?

Chief Matsui Yes, but we have no record. About three days before this incident a member of the family came in with a neighbor of his, as you know Mr. Yamada is a crippled man and his coming in to see me so often shows that he has interest in his son's welfare. He walked that distance to ask us to do something about this problem boy. A few minutes later Mr. Bugbee reported this matter.

Chairman Doi You had a man there?

Chief Matsui No, at that particular time Tommy was in that rec. hall so we followed a "hunch" and took him in. As to Smoky Sunahara, after the last probation, he was a very good boy as far as we know.

Chairman Doi What is his connection with the shooting?

Chief Matsui He was not there, he had just come in there. He was told not to play with Tommy. He is the only party among the five who didn't touch the gun.

Chairman Doi He didn't touch the gun at all?

Chief Matsui No, he knew he was late for the first period so he was waiting for the second period.

Chairman Doi He got in time for the second class?

Chief Matsui Yes.

Chairman Doi You think a gang of them are in the same group of boys that Tommy got to play with him? You think these five boys are a gang?

Chief Matsui They are friends. I have a report that Mrs. Kikuchi had warned her son not to play with Tommy.

Chairman Doi But he played with him?

Chief Matsui Yes. A report shows that he went to Powell with him. John is a transferee from Tule Lake. This is his first case we have on him. He did not shoot anyone.

Chairman Doi The Commission will file charges against each and everyone of the boys if we find sufficient evidence. Johnny Ogata, take the stand.

John Ogata sworn in.

Chairman Doi Take off your colored glasses, John, so we can look at you. Take it off. How old are you?

John 16.

Chairman Doi 16? You go to school?

John No.

Chairman Doi You don't go to school? You come from Tule Lake?

John Yes.

Chief Matsui John was scheduled to go to Provo, Utah to work but he had been put on the stop list.

Chairman Doi We shall see whether he shall be permitted to go after a while. Stand up and let me look at you. How tall are you?

John 5'2".

Chairman Doi 5'2"? What kind of work did you intend to do?

John Picking peaches.

Chairman Doi All right, sit down. You do not intend to go to school?

John No.

Chairman Doi You were in Block 25 rec. hall that day weren't you?

John Yes.

Chairman Doi Who was there with you at that time?

John Tom

Chairman Doi Where did you meet Tommy before you went to rec. 25?

John I went to call him and walked together from 28 to 25 rec. hall.

Chairman Doi How did you get in?

John The door was open, so we walked in.

Chairman Doi And you started looking for a rifle, is that right?

John Yes.

Chairman Doi Where was the rifle?

John Behind the stove, behind the celotex.

Chairman Doi Where were the pellets?

John On the side behind the wood.

Chairman Doi And then you picked up the gun. Who did?

John I found it so I took it out.

Chairman Doi Who started using it?

John I gave it to him.

Chairman Doi And he started using it, is that right? And then shot at that bulb and broke it? And shot at a wooden horse, that right?

John Yes.

Chairman Doi And then, what happened?

John We went to the window, Tommy first, and opened the window.

Chairman Doi Some kids were playing there?

John Yes.

Chairman Doi About how many?

John A bunch of them.

Chairman Doi Then what did Tom do? Shoot in the crowd?

John Yes.

Chairman Doi What did you say?

John I told him not to do it, it might hurt someone.

Chairman Doi It was nice of you, but did he hit somebody?

John Yes.

Chairman Doi Did he cry?

John He didn't say anything. It didn't hurt him.

Chairman Doi Did you say Tommy hit him with the rifle?

John Yes.

Chairman Doi You ran away?

John No.

Chairman Doi You stayed there?

John Later, Bobbie and some other guys came in.

Chairman Doi Bobbie and who else?

John Smoky and Roy, they came up.

Chairman Doi Well, I've got your answers here, what you told Chief Matsui, so don't make any mistakes because I am checking up on what you say. So, Bobbie, Smoky, and Roy came up; they came into the rec. hall?

John Yes.

Chairman Doi What did they do? They came up after the boy was shot or before?

John After

Chairman Doi After the boy was shot? So they started to fool around with the rifle, is that right?

John Yes, then he made a target.

Chairman Doi A cap? This thing here?

John Yes.

Chairman Doi So, that was the target and you all shot the gun to see who could hit it. Is that right?

John Yes.

Chairman Doi So, you shot too, didn't you?

John No.

Chairman Doi Bobbie shot too?

John Yes.

Chairman Doi How many times?

John Twice.

Chairman Doi How many times did Smoky shoot?

John Didn't shoot any.

Chairman Doi Well, you told Chief Matsui that Smoky shot too.

John I don't remember. Smoky didn't shoot at the yard.

Chairman Doi Did Smoky shoot or didn't he, as far as you remember now.

John I think so.

Chairman Doi You think he shot?

John That's what he told me.

Chairman Doi Did Roy shoot?

John Yes.

Chairman Doi So they all shot, is that right?

John Yes.

Chairman Doi Now, pretty soon a police car drove there.

John After we left.

Chairman Doi Did you hide the gun?

John I didn't hide it.

Chairman Doi Who hid it?

John I think one of the boys.

Chairman Doi Do you know who hid it?

John No.

Chairman Doi You knew the police were after you. Did you all walk out together?

John Smoky and Roy left first and went to school.

Chairman Doi And you and Tommy and Bobbie were left. Why didn't Bobbie go with them?

John He wanted to stick around with us.

Chairman Doi He stayed to stick around with you? Then who left?

John We all three left.

Chairman Doi Where did you go?

John The block across the street, 22.

Chairman Doi You three walked to Block 22. Where did you go after that?

John To a guy's house.

Chairman Doi Who was it?

John I don't know.

Chairman Doi You ought to know.

John Tommy's friend.

Chairman Doi You went to the house and what did you do there?

John Went to see someone.

Chairman Doi Did Tommy's friend go to?

John Bobbie?

Chairman Doi No, that friend in Block 22.

John No, we went to his house.

Chairman Doi How long did you stay there?

John Ten minutes.

Chairman Doi Then you walked out. How many?

John Three.

Chairman Doi Then, Tommy's friend didn't go?

John No.

Chairman Doi Then, where did you go? Went to Block 23, is that right?

John We went to the next Block across from there.

Chairman Doi That's 15, is that right? So you three went to Block 15, where did you go?

John Tommy's friend's place.

Chairman Doi Was it in Block 15?

John Tommy? No, he went to the Police Station.

Chairman Doi Are you lying to me?

John No, he went to school.

Chairman Doi He went to school. From there he went to school, let me get this straight, you went to Block 22 from the rec. hall and stayed there ten minutes and went to Block 15, is that right?

John I think that's right.

Chairman Doi You think it's right. First, three of you went there, Bobbie was with you. You went to Tommy's friend's house, all three of you? You're sure?

John Yes.

Chairman Doi Now, what did you do in that house?

John Monkeyed around.

Chairman Doi I thought so, in that friend's house, what barrack was it?

John I don't remember.

Chairman Doi What did you monkey with?

John Uke.

Chairman Doi How many did you have around, three?

John Three.

Chairman Doi You played too?

John No.

Chairman Doi Who played.

John Them two.

Chairman Doi Tommy?

John Yes

Chairman Doi Bobbie?

John Yes.

Chairman Doi Bobbie didn't go to school yet because he was playing the uke with you. How long did you play the uke? Now, the truth is coming out!

John About 15 minutes.

Chairman Doi Then, what did you do?

John We went out.

Chairman Doi Then what did you do?

John Went to Block 22 again.

Chairman Doi Tommy went too, and Bobbie and the other guy, did he go?

John No.

Chairman Doi The three of you went to Block 22. What did you do?

John Monkeyed around the baseball field.

Chairman Doi How long?

John 5 minutes.

Chairman Doi Then, what did you do?

John Went back to school.

Chairman Doi Then you went to school, High School?

John Yes.

Chairman Doi Three of you went to school?

John Tommy went to the police station.

Chairman Doi And where did you go?

John I went to school with Bobbie.

Chairman Doi Did Bobbie go to school? Why did Tommy go to the Police station?

John I do n't know.

Chairman Doi Because they wanted to see him, and Bobbie went to school; and what did you do?

John I went to the canteen, and later went to get a hair cut.

Chairman Doi And did you see the boys that afternoon?

John Roy?

Chairman Doi Bobbie or Tommy. Did you see them that afternoon?

John I don't think so. I think I saw Tommy.

Chairman Doi You didn't see Bobbie.

John No.

Chairman Doi You didn't see the other boys?

John No.

Chairman Doi How did you know the gun was behind the stove?

John We were looking around for it.

Chairman Doi So you boys went to Powell and got these B.B. shots.
How many?

John Three.

Chairman Doi On a bicycle? Each had a bicycle?

John Yes.

Chairman Doi Where did you get out, through the hog farm?

John Yes.

Chairman Doi You sneaked out there and went to Powell? Who bought
them?

John Tommy.

Chairman Doi Who paid for it?

John Tommy.

Chairman Doi And you boys bought it, what else did you buy in the
same store?

John Nothing.

Chairman Doi What did you buy at another store?

John Cigarettes.

Chairman Doi And you boys smoked the cigarettes? You smoked a little?
Tommy smoke?

John Yes.

Chairman Doi Bobbie smoke?

John Yes.

Chairman Doi So you all smoked. How many packages did you buy?

John Four.

Chairman Doi Four?

John I brought some home.

Chairman Doi But you all smoked, everyone of you. Then you got a package?

John Yes.

Chairman Doi Where did you sneak in from? By the coal pile?

John Yes.

Chairman Doi So you sneaked in by the coal pile and who kept the B.B. shots?

John Bobbie.

Chairman Doi Bobbie kept them?

John Yes.

Chairman Doi Oh, and Bobbie took it home? And he brought the gun and the pellets over to the rec hall?

John Yes.

Chairman Doi Any questions, Gentlemen?

Judicial Comm. How many times did you go to Powell by this time? All together how many times did you go?

John Around five.

Judicial Comm. You got passes every time you went out? Four times you sneaked out?

John Yes.

Chairman Doi Any other questions, Gentlemen? Do you boys fool around every night you get together?

John Yes.

Chairman Doi Where do you gather?

John Showhouse, any place.

Chairman Doi You go to Block 8, don't you?

John I guess so.

Chairman Doi So, you go to Block 8 to smoke sometimes? Sometimes you smoke?

John Yes.

Chairman Doi All of you including Bobbie?

John Yes.

Chairman Doi I thought so.

Judicial Comm. How many times did Tommy shoot in the crowd? Once or twice?

John Once or twice, I don't remember.

Chairman Doi All right, John, well, you'll not be excused yet. We're not through. We'll have to decide. It is a good thing that you told Tommy not to shoot. That's one credit for you there. You may step down. I've got all of the questions and answers you told to Chief Matsui so we know what you told him and we are going to find out what you are going to tell us. Do you think we better continue the case today? I don't think we can get through today.

Chief Matsui Your honor, if it is agreeable with the court I would like to have the case continued until Monday.

Chairman Doi How many boys have you got in the jail now?

Chief Matsui Just Tommy. The other two boys are released on their own recognizances and in the custody of their parents. Do you think we had better keep them in jail? The parents have been responsible for the two of them. The first time I ordered both of them to show up at the Police Station, they didn't cooperate. If you say so, I'll order all of them to stay in jail, or should they be kept in the custody of their parents?

Chairman Doi Are the parents present now? Sunahara, are your parents here?

Smoky Sunahara No.

Chairman Doi Mr. Kiuchi here?

Chief Matsui Mr. Kiuchi is here so is Mrs. Kiuchi.

Chairman Doi It is quite evident that Bobbie Kiuchi had something to do with this matter. We will release Bobbie to your custody if you prefer it, or if you want us to do it, we will keep Bobbie in jail until the case is over. What is your desire in the matter?

Mr. Kikuchi I wish to have him in our custody.

Chairman Doi Bobbie will be released to the custody of Mr. Kikuchi.

Chief Matsui What about Johnny? Both mother and father are present in the court.

Chairman Doi Mr. Ogata, what is your desire in the matter in reference to the custody of John until the disposition of this case?

Mr. Ogata I would like to have him in my custody.

Chairman Doi The case will be continued until Monday morning at 9:30 a.m. All people who were ordered to appear today, will appear at 9:30 a.m. without further notice.

Chief Matsui In the case of Tommy Yamada, he will be kept in jail, what do you think?

Chairman Doi I am not in a position to state.

Miss Kell In the interest of Tommy, who is a minor, I think the parents should be consulted in this matter.

Chairman Doi Mr. Yamada, the case has been continued and until disposition of the case, it is within the jurisdiction of the Commission to decide on the custody of Tommy. What is your opinion or desire in the matter?

Mr. Yamada It is my desire, your honor, that the boy be released to myself. I shall hold myself responsible.

Chairman Doi Is there any objection so far as the police are concerned? Chief Adams, is there any objection so far as the boys' being released to their parents?

Chief Adams I don't know Tommy personally and I believe it would be wise that they be in the custody of the police.

Chairman Doi Miss Kell, what is your opinion in this matter?

Miss Kell Judge, I feel that the Police Department is better capable of making the final decision. I want to have an explanation both from the police and the parents. I think we should follow the Police at this time as this is something that effects the whole community, so I prefer the Police Department's decision.

Chairman Doi What do you think, Gentlemen? We can do one of two things, keep him in jail or release him to his parents. You Gentlemen talk it over.

Short recess.

Chairman Doi

It is the decision of this commission that Tommy shall be held in the custody of the Police until further notice. We are very sorry that we could not extend to you your request this morning.

Miss Kell

Your honor, may I request that his parents and I be permitted to visit him at the Police Station?

Chairman Doi

You may, at any time. The court is adjourned.

September 18, 1944. Continuation of the case of Tommy Yamada.

Chairman Doi The Commission is now in session again. Who was on the stand last?

Chief Matsui Johnny Ogata.

Chairman Doi Johnny, will you take the stand, again? Johnny how long have you been smoking?

John About four months.

Chairman Doi About four months? Did you teach the other boys to smoke?

John No.

Chairman Doi That's all. Bobbie you take the stand, now.

 Bobbie Kiuchi duly sworn in.

Chairman Doi How many days of school did you miss last year?

Bobbie Last year?

Chairman Doi Yes.

Bobbie About a month all together.

Chairman Doi You didn't go to school for one month?

Bobbie No, all together in that year.

Chairman Doi Why didn't you go to school?

Bobbie Didn't feel like it.

Chairman Doi You didn't feel like it. Didn't you tell your mother about it?

Bobbie No.

Chairman Doi How did you get back to school. You had to have an excuse, didn't you?

Bobbie In Block 7?

Chairman Doi Where did you go to school?

Bobbie Block 16.

Chairman Doi Where did you go when you didn't go to school?

Bobbie To the Block 8 canteen.

Chairman Doi Canteen?

Bobbie Yes.

Chairman Doi You fooled around with the boys didn't you?

Bobbie Nobody.

Chairman Doi Didn't you need an excuse.

Bobbie Some teachers didn't ask for it.

Chairman Doi Who gave you the excuse?

Bobbie I didn't ditch every period. Just first and sixth periods take attendance.

Mr. Carter You see, they had a system to take the attendance only the first period, and if the boys missed the next period nobody would know about it. We would know about it after, when he comes back to class. Now we have a different system.

Chairman Doi Who wrote your excuses? You have a sister?

Bobbie Yes. She signed them for me.

Chairman Doi So, your sister and you were together and she signed your excuses?

Bobbie She didn't know I was ditching.

Chairman Doi Now, on that day when Tommy shot this boy, you went to see somebody off at the gate?

Bobbie Yes.

Chairman Doi You came back and went to Block 25?

Bobbie Went to Block 25 to Smoky's house to get a book and stopped at the rec hall.

Chairman Doi And to shoot some pellets. What did you shoot at?

Bobbie Targets.

Chairman Doi And then Smoky and the other boys left for school. You stayed with Tommy and Johnny and went to Block 22. Where did you go in Block 22?

Bobbie We went to a friend's house in 15.

Chairman Doi You went to Block 22, didn't you?

Bobbie We stopped at somebody's house there and stayed for a while, maybe 5 or 10 minutes. Shig Higa.

Chairman Doi Who was he?

Bobbie I don't know.

Chairman Doi Was Shig home?

Bobbie No, his brother, George was.

Chairman Doi Didn't you smoke there?

Bobbie No.

Chairman Doi And then you went to Block 15?

Bobbie Yes.

Chairman Doi Whose house did you go to?

Bobbie I don't know. It was the last barrack.

Chairman Doi What is the kid's name? You don't mean to tell us you don't know his name. What was his name?

Bobbie Shoji, I think.

Chairman Doi Who else, was he the only kid? You went to Shoji's home. Was it Shoji's house?

Bobbie A lot of guys hang around there. I think it's Bert's.

Chairman Doi Bert who?

Bobbie Miyahara.

Chairman Doi So you went to Bert's house, what other guys were around? Was Bert there?

Bobbie No. I don't think so.

Chairman Doi Shoji there?

Bobbie Yes.

Chairman Doi Who else was there?

Bobbie Three other guys.

Chairman Doi What are their names? Come on now.

Bobbie I don't know.... Shoji. They all were playing the uke.

Chairman Doi Then you went to school, is that right?

Bobbie Yes.

Chairman Doi You brought that gun to 25 rec hall from your house, is that right?

Bobbie Yes

Chairman Doi You brought it there, and where did you put it?

Bobbie Behind the stove.

Chairman Doi You brought the pellets out there and hid that behind the stove?

Bobbie I hid them in the chimney.

Chairman Doi Who told you to bring the gun?

Bobbie Tom.

Chairman Doi Tom told you to bring that gun?

Bobbie Yes.

Chairman Doi Your mother told you not to take the gun out?

Bobbie Yes.

Chairman Doi She told you not to take the gun out before. What did you tell her?

Bobbie I told her I wouldn't.

Chairman Doi And you did it anyway. Yes or no?

Bobbie Yes.

Chairman Doi That's pretty bad, Bobbie, and your mother told you not to play with Tommy. Didn't you promise her you wouldn't, and you broke your promise? Is that right?

Bobbie Yes.

Chairman Doi How long have you been smoking?

Bobbie About four weeks.

Chairman Doi Where did you smoke. Block 8?

Bobbie Nine.

Chairman Doi Whose place?

Bobbie In a latrine.

Chairman Doi Who bought the cigarettes?

Bobbie Johnny had it.

Chairman Doi Sometimes you had it too, didn't you?

Bobbie Yes.

Chairman Doi Sometimes Tom had it too?

Bobbie Yes.

Chairman Doi Who showed you how to smoke?

Bobbie Nobody.

Chairman Doi Did John teach you to smoke?

Bobbie No.

Chairman Doi Do you think it was nice of you to break your promise to your mother?

Bobbie No.

Chairman Doi Why didn't you leave with the other boys when they went with Smoky? Why didn't you go with them to school?

Bobbie I didn't feel like it.

Chairman Doi What time do you get up in the morning?

Bobbie 7:15.

Chairman Doi You go to breakfast?

Bobbie Yes.

Chairman Doi Do you do any work, get coal, and etc?

Bobbie Yes.

Chairman Doi Once in a great while?

Bobbie Most of the time.

Chairman Doi Most of the time, what else do you do at home?

Bobbie Water the garden.

Chairman Doi Sometimes, that right?

Bobbie Summer time, I do it every other day.

Chairman Doi If you hadn't brought that gun like you promised your mother, nothing would have happened. Do you think that you should be a little responsible for that? Don't you think so?

Bobbie Yes.

Chairman Doi Are you willing to assume some responsibility?

Bobbie Guess so.

Chairman Doi Are you willing?

Bobbie Yes.

Chairman Doi Any questions, Gentlemen?

Judicial Comm. None.

Chairman Doi You may step down Bobbie and stay in the court house. You may step outside if you wish. Mr. Yamada, will you please take the stand?

Mr. Yamada Yes.

Mr. Hatchimonji duly sworn in as interpreter.

Chairman Doi Mr. Hatchimonji, you will translate the English to the Japanese, and the Japanese to the English to the best of your ability?

Mr. Hatchimonji I do.

Mr. Yamada sworn in.

Chairman Doi You are the father of Tommy Yamada?

Mr. Yamada Yes.

Chairman Doi Tommy has been in trouble before?

Mr. Yamada He has never been taken to court before. But sometimes he doesn't come home from school, and sometimes he doesn't go to school.

Chairman Doi And you have reported to the Police Station about this?

Mr. Yamada Yes. I went to Chief of Police, Mr. Matsui, and asked him to investigate and see if Tommy was attending school or not and asked him to investigate where he went at night time. This happened two or three times.

Chairman Doi You had difficulties with Tommy, is that right?

Mr. Yamada Yes, I have difficulties with him and I told him to stay in our own block and eat in our own mess hall so we can watch him because my leg is not quite well so I can't go around looking for him.

Chairman Doi Tommy does not get up in the morning?

Mr. Yamada No, he doesn't get up very early in the morning.

Chairman Doi You have to shake him, to get him up, is that right?

Mr. Yamada Yes, your honor, I have to call him about 5 or 6 times first, and he doesn't get up, so I have to shake him to get him up.

Chairman Doi Do you have any report from the school that your boy was not attending school?

Mr. Yamada Your honor, I never got any notice from the school, however, I did get a notice from Mr. Matsui but not from the school.

Mr. Carter In order to clear this up, a report card is sent home every 6 weeks.

Chief Matsui I wish to clarify the situation. Two truant officers receive daily reports on attendance from the schools. We contacted Mr. Yamada through that.

Chairman Doi Mr. Yamada.

Mr. Yamada Yes?

Chairman Doi Tommy doesn't come home at night sometimes until very late, is that right?

Mr. Yamada Yes sir.

Chairman Doi Sometime as late as 1 or 2 in the morning?

Mr. Yamada Yes.

Chairman Doi Do you know where he is during that time?

Mr. Yamada No. We ask him, he says, "wennie bake". I don't like to disturb the neighborsso, that is all I ask him.

Chairman Doi Was Tommy on probation before?

Mr. Yamada Yes, your honor, once before.

Chairman Doi Did you sign any excuses for him to go back to school?

Mr. Yamada I made my daughter sign once when he had a cold. My hand is affected with paralysis so I let my daughter sign for her brother, Tommy.

Chairman Doi Brother?

Mr. Yamada His sister to sign for him, his sister, my daughter.

Chairman Doi Your wife, Mrs. Yamada is not well?

Mr. Yamada She has been troubled with heart trouble for the past 20 years.

Chairman Doi Does Tommy do any studying at home, his home work?

Mr. Yamada No sir. He doesn't.

Chairman Doi He doesn't study at all?

Mr. Yamada Almost none at all.

Chairman Doi What does he do after supper?

Mr. Yamada He goes out and I tell him to come back, but he seldom comes back early.

Chairman Doi Have you told him to stay at home?

Mr. Yamada Many times.

Chairman Doi But he never does?

Mr. Yamada Never.

Chairman Doi Never gets up in the morning? Does he do any work in the home?

Mr. Yamada He gets water or coal once in a while.

Chairman Doi He never helps his mother?

Mr. Yamada No.

Chairman Doi How old is he?

Mr. Yamada 15. This June 15th, 15 years and three months old.

Chairman Doi You see him smoke?

Mr. Yamada I never see him but a lot of people tell me.

Chairman Doi He never obeys you does he?

Mr. Yamada He obeys us but when I call him in the morning he doesn't.

Chairman Doi And he doesn't obey when you tell him to study?

Mr. Yamada No.

Chairman Doi And so you had to go to Mr. Matsui many times to ask him to do something about it?

Mr. Yamada I went to Chief Matsui's place about 3 or 4 times about this and that.

Chairman Doi So, in other words, you are unable to control him, is that right?

Mr. Yamada Yes, as a whole when I tell him to do this or that, he does lots of things contrary to my orders.

Chairman Doi You feel badly about this matter, this time?

Mr. Yamada Yes. I think it is pretty serious.

Chairman Doi Whose bicycle was it?

Mr. Yamada That bicycle belonged to Mr. Kimoto of Block 28.

Chairman Doi What other bicycle did your boy use?

Mr. Yamada I guess about two other bicycles. He borrowed them.

Chairman Doi That will be all, any questions, Gentlemen?

Judicial Comm. No.

Chairman Doi That will be all, you may step down. Tommy Yamada, take the stand.

Tommy sworn in.

Chairman Doi Tommy, you have been on probation before?

Tom Yes.

Chairman Doi Speak louder so we can hear, the reporters have to take the record. How many times, Tommy?

Tom Once for 30 days.

Chairman Doi What was the probation for?

Tom Going to the lake.

Chairman Doi The lake?

Tom The reservoir, I don't know.

Chairman Doi For being out of bounds?

Tom Yes.

Chairman Doi Have you been on probation for being a nuisance to the phone operators?

Tom No.

Chairman Doi But you have been bothering the operators asking silly and foolish question?

Tom I don't know. Yes.

Chairman Doi What did you tell her, the phone operator?

Tom I forgot.

Chairman Doi Why did you do that for?

Tom Have some fun.

Chairman Doi The phone is placed there for emergency purpose. Do you know that?

Tom Yes.

Chairman Doi What if there was an emergency? Now, when you went to Powell, you went on a bicycle. Where did you get it?

Tom 29.

Chairman Doi Whose bicycle was it?

Tom I don't know.

Chairman Doi He lives in Barrack 23?

Tom No 22.

Chairman Doi Come, now, Tommy, whose bicycle was it? We won't stand for that sort of nonsense. What is his name?

Tom Kiyo.

Chairman Doi You asked that the bicycle be loaned to you and told him if he didn't lend it to you that you were going to lick him.

Tom No. He's a big boy.

Chairman Doi Any other bicycle that you used?

Tom Block 15.

Chairman Doi Who is he?

Tom Yosh Kiokawa.

Chairman Doi How old is he?

Tom 16 or 15, I don't know.

Chairman Doi What other bicycle did you use?

Tom Block 14.

Chairman Doi What is his name?

Tom Wakino, Tad.

Chairman Doi Now, you got on a bicycle and sneaked from near the hog pen and went to Powell, is that right?

Tom Yes.

Chairman Doi And bought some cigarettes and B.B. shots. Who paid for it?

Tom I did, dime.

Chairman Doi And bought some cigarettes, how many did you buy? You paid for it?

Tom Yes.

Chairman Doi Where did you get that money?

Tom From my father.

Chairman Doi From your father?

Tom Yes.

Chairman Doi What did you tell him what you were going to buy when you asked him for the money?

Tom I just asked for money to spend.

Chairman Doi Was that money change from something you bought at the shoe shop?

Tom No, the time I went to Powell was when I went to the shoe shop.

Chairman Doi And you had some loose change in your pocket and you used that money?

Tom No, I didn't use that money, that was the change from the shoes, that was different.

Chairman Doi What time did you come back?

Tom About 2.

Chairman Doi Two in the morning?

Tom Yes.

Chairman Doi What did your parents say when you came back two in the morning?

Tom I didn't go home.

Chairman Doi Where did you go?

Tom Slept in the rec hall.

Chairman Doi Block 25?

Tom Yes.

Chairman Doi Who else?

Tom Bobbie and John.

Chairman Doi Oh, Bobbie didn't go home either, he slept in the rec hall and John, so you three kids slept in the rec hall, is that right?

Tom Yes,

Chairman Doi And you told Bobbie to bring the gun, that right?

Tom That wasn't the night.

Chairman Doi When was it?

Tom Next day when we went to show.

Chairman Doi You and who?

Tom Me and Bobbie.

Chairman Doi Anybody else?

Tom No.

Chairman Doi So going home from the show you told Bobbie to bring the B.B. gun?

Tom Yes.

Chairman Doi And you told Bobbie to bring the gun to the rec hall?

Tom Yes.

Chairman Doi And Bobbie brought the gun? When did he bring the gun?

Tom Morning, I think.

Chairman Doi You don't know, you heard Bobbie say so?

Tom Yes.

Chairman Doi How did you know he had a gun?

Tom I went to his house once.

Chairman Doi So, you went to his house and saw the gun? And you went to the rec hall the next day, did John go too?

Tom We both went. He came to call me.

Chairman Doi Did John know the gun was to be there?

Tom John came to the show. That was when he treated us.

Chairman Doi So John knew the gun was to be there too? What time did he come to call you?

Tom A little past 8.

Chairman Doi It's a wonder that you got up that early, isn't it? What time do you usually get up?

Tom About nine or eight, just when the mess hall closes.

Chairman Doi Where do you eat? Who brings the breakfast to you?

Tom My sister.

Chairman Doi So, you eat your breakfast in bed, is that right?

Tom No.

Chairman Doi So, John came to call you that morning and said, "Let's go to the rec hall". So you went together?

Tom No, we knew. He just came to call me, that's all.

Chairman Doi He came to call you several times didn't he, on other occasions too?

Tom Some times.

Chairman Doi Many times, that right?

Tom I went to call him too.

Chairman Doi So you went to the rec hall that morning and looking around, found the gun and you hit the other boy's thigh and what happened that day is all true?

Tom Yes.

Chairman Doi You shot at the electric bulbs and shot at other various targets, is that right?

Tom Not the hat.

Chairman Doi Whose hat is that?

Tom Bobbie's.

Chairman Doi Bobbie Kiuchi's hat? How come the hat was there?

Tom He had it on.

Chairman Doi How come he left it there?

Tom I don't know, he must have forgotten it.

Chairman Doi And then you took the gun and shot at those kids from the window, is that right?

Tom Yes.

Chairman Doi Little kids, the child was nine year old, is that right?

Tom Yes.

Chairman Doi You had a lot of fun didn't you, shooting at those kids like rabbits or mice?

Tom I don't know.

Chairman Doi And you thought you were doing a brave thing shooting at those kids, didn't you?

Tom No.

Chairman Doi You didn't think that what made you shoot them?

Tom I don't know, I just shot them, I aimed for the legs.

Chairman Doi And if you missed the legs and hit the eyes the child may have been blinded, isn't that right?

Tom I was doing it low, thouth.

Chairman Doi How come it hit the arm?

Tom I hit the boy in the leg.

Chairman Doi So you shot the boy in the leg?

Tom Yes he was looking down.

Chairman Doi So you took several shots at him then?

Tom Two or three.

Chairman Doi Maybe 4 or 5?

Tom Not that much.

Chairman Doi You thought that was a lot of fun didn't you.

Tom I guess so.

Chairman Doi John stopped you and told you not to shoot at them?

Tom Yes.

Chairman Doi "Don't shoot, Tom, because they're little kids and they might get hurt, you can't tell what might happen," isn't that what he told you?

Tom He just told me, "Don't shoot".

Chairman Doi But he meant that. So you thought you were brave, a great guy, you thought that was.....

Tom No.

Chairman Doi No? And then Smoky and the other boys left for school and you three were there?

Tom Yes.

Chairman Doi And then you walked out. You were afraid that the police would get you. Someone told you that the police were looking for you?

Tom For me?

Chairman Doi You walked away from the rec hall and went to Block 22. Whose house?

Tom Shig.....I don't know him so good.

Chairman Doi What did you do there?

Tom I don't know, we just went in there, his brother was going out on indefinite to Chicago so we said good-by.

Chairman Doi And then you went to 15, whose house was it?

Tom I don't know. They all go there, I don't know.

Chairman Doi You were there, you needn't try to protect them. I'm advising you to come clean for your own sake.

Tom I just know a couple of them, Shoji.

Chairman Doi Shoji who?

Tom I don't know his last name. Bert was there too.

Chairman Doi Bert? What did you do?

Tom Played a uke.

Chairman Doi How long?

Tom About 15 minutes.

Chairman Doi Did you smoke there?

Tom No.

Chairman Doi When did you find out that the police were looking for you?

Tom When we went to Block 22, after going to 15.

Chairman Doi When did you find out that the police wanted you?

Tom The car was parked by the 25 rec hall.

Chairman Doi Were you hiding?

Tom No. We were at the Block 22 baseball diamond sitting on a bench and looking around, and saw the car by the Block 25 rec hall. I thought it was for ditching school, so I went to the police station.

Chairman Doi So you had a guilty conscience?

Tom No. Didn't know the police knew about the gun.

Chairman Doi So you boys went to find out what was the matter? You went to 15 then walked back to 22 again and then examined if you could see the 25 rec hall?

Tom No. You can't see from the diamond, then we happened to see the car.

Chairman Doi You wanted to find out if the police knew about the shooting or not?

Tom We didn't know the police knew about it.

Chairman Doi And so you followed the police to see if they got wise to you?

Tom We thought it was for ditching school or the bike.

Chairman Doi And then you went to the police station. How did you know they were looking for you?

Tom I don't know, someone told me.

Chairman Doi Who told you?

Tom I don't know. Someone told me at school, I don't go to school.

Chairman Doi So they thought that the police were looking for you because you didn't go to school, is that right?

Tom Yes.

Chairman Doi How long have you been smoking, Tommy?

Tom I don't know, quite a while.

Chairman Doi About four months?

Tom I don't know how long.

Chairman Doi Maybe about five months, what is your guess?

Tom I don't know when I started.

Chairman Doi Oh, it's been so long that you can't remember, is that right?

Tom Maybe.

Chairman Doi And did you tell Bobbie Kiuchi that if he didn't bring the gun that you were going to get him?

Tom No.

Chairman Doi When you borrowed the bike from these various boys did you tell them that if they didn't loan you the bike, you were going to get them?

Tom No.

Chairman Doi How many times did you sneak out?

Tom Four or five times.

Chairman Doi You go to school?

Tom I went the first week.

Chairman Doi You went the first week, and then you quit going, is that right?

Tom I had diarrhea.

Chairman Doi Last year you didn't go to school for 34 days, is that right?

Tom Yes.

Chairman Doi And this year you missed two full days out of 8 and skipped 6 periods on top of that, is that correct?

Tom Yes.

Chairman Doi And you are very discourteous to the school teachers?

Tom What?

Chairman Doi Discourteous, no respect, talk back and all that? Discourteous? Do you intend to go back to school?

Tom Yeah, nothing else to do.

Chairman Doi You been smoking down in Block 8 or 9?

Tom Yes.

Chairman Doi And you are the leader of the gang, is that right?

Tom No.

Chairman Doi Who is the leader?

Tom I don't know.

Chairman Doi John?

Tom I don't know.

Chairman Doi Who is the oldest?

Tom John.

Chairman Doi And you been sleeping down there, sometimes?

Tom Where?

Chairman Doi Block 8 or 9 in the latrine?

Tom No.

Chairman Doi Were you caught by the police once, that was at 20?

Tom Yes.

Chairman Doi Your mother has a weak heart, hasn't she?

Tom Yes.

Chairman Doi And your father is not well either, is he?

Tom No.

Tommy breaks out crying. Cannot continue with the hearing.
Short recess.

Chairman Doi Miss Kell, do you think that Tommy is now ready?

Miss Kell Yes, he is ready.

Chairman Doi Tommy, do you help your parents at home? Carry coal and water, like that?

Tom Sometimes.

Chairman Doi Sometimes, you do. Do you realize that you have done wrong at this time?

Tom Yes.

Chairman Doi Do you realize that you haven't been a very good boy in the past, do you realize that?

Tom Yes.

Chairman Doi Any questions, Gentlemen? You may step down, Tom.

Miss Kell Your honor, may I speak for the record, I would like to say that he comes from a good family, because his parents are interested in his welfare and have had success with the other children, two boys have relocated. He has a sister working at the mess hall so he didn't go to eat when he was in jail because he didn't want to embarrass her. At the Preliminary Hearing Board it was decided that a court trial was necessary. Tommy realized the situation was serious and asked for some other method so his parents would not be disgraced.

Chairman Doi Tommy, you are charged with assault and battery, the Commission at this time will retire and deliberate whether or not you are guilty of the charge. We will leave the matter of the punishment until we come to a decision. The Commission will take a very short recess at this time to deliberate on the question of your guilt. We will take a short recess at this time.

Recess.

Chairman Doi Tommy stand up. It is the unanimous decision of this Commission that you are guilty as charged. The Commission will take time before sentence is pronounced upon you. The Commission will first request that the Social Welfare under Miss Kell make a report of Tommy and at the same time will recommend to the Commission what sentence should be pronounced upon you. He has a brother in Denver. Perhaps it will do him good if he is given to his older brother to look after him. Perhaps it's best to send him to a reform school but, as I say, the Commission will study the case thoroughly and study the report very carefully and will most likely follow the recommendation of Miss Kell. Sentence will be pronounced at 10:00 A.M. Saturday morning, September 30, 1944. We will like to have that report and recommendation before that time. You will appear at that time for sentence, Tommy do you understand?

Tom Yes.

Chairman Doi Meantime, Tommy is released and shall be permitted to go home immediately after this session. We will watch in between and see how he behaves and that will perhaps have influence on this Commission in pronouncing sentence also. Do you intend to go to school, Tommy?

Tom Yes.

Chairman Doi In the meantime, I don't care what you do, but, we'll warn you from now on until September 30th the decision of this Commission will greatly depend upon Miss Kell's recommendation and your behavior. So I advise you to act accordingly. So far as this rifle is concerned, I don't know whether this could be classified as firearms or deadly weapon by the Government. If it is prohibited, it is the order of this Commission that it shall be turned over to the Internal Security and they shall dispose of it in any way they desire. If it is not prohibited, it could be returned to the rightful owner or it could be held until such time that the owner shall leave camp. It is my off-hand opinion that an air rifle is not prohibited, I do not know. So, will Chief Adams check up on that matter and inform us accordingly? So far as the other evidences are concerned, Captain Kubo may I see what you have there? Is there anything of importance there?

Mr. Kubo I don't think so.

Chairman Doi Bobbie, is this your hat?

Bobbie Yes.

Chairman Doi The hat shall be returned to Bobbie. We don't need it as further evidence. What is this?

Mr. Kubo That is a lock, padlock.

Chairman Doi Whose padlock is this?

Mr. Kubo It may belong to the Block or to an individual.

Chairman Doi Tommy, do you know the owner?

Tom No.

Chairman Doi The police department will return this padlock to the rightful owner. I don't see the necessity of keeping these things. The pellet that was embedded in the child's arm shall be held by the Police Department. These other pellets shall be kept by the Police Department and shall be determined as they seem fit. You may either destroy it or throw it away, or whatever you want to do with it. Of course, this shall be thrown away. Do you understand that you will be sentenced on the 30th? You may be seated. Bobbie Kiuchi, stand up, come forward. Bobbie, you were very fortunate that no charges were brought against you in this matter. Had the Commission so desired, from the evidence that came out during the course of the trial, you might have been charged. You came pretty close to being sentenced too. But you have stated that you would assume responsibility for taking the gun over there. It is the order of this Commission, Bobbie, that you go to school everyday unless you have a reasonable valid excuse. Do you understand?

Bobbie

Yes.

Chairman Doi

That you will obey your father and that you will obey your mother. Further, that you will carry all the coal that your family will use during the winter. Do you understand? Your mother is not to carry the coal, or your sister, you are to carry it, understand? Further, that you will study every night for one hour and a half, that is your school study, that is home work, work hard. I don't believe that you are a genius and your report is not very good so you are ordered to study every night, that is, the week nights and do your home work and you may play after you have finished your home work, do you understand that? And if there is any violation of these conditions, the Commission may see fit to file charges against you and you will be sentenced, do you understand? Mrs. Kikuchi, will you please rise? You have heard the order of this Commission. The Commission is taking this stand because there is no charge against him; and this order is given because he has stated that he would assume some responsibility for taking the gun over there. And the order was that he was to obey his parents. Anytime that Bobbie doesn't, please report to us right away. Do you understand?

Mrs. Kikuchi

Yes.

Chairman Doi

The court will be adjourned until September 30 at 9:30. Court is adjourned.