

11 October 1948

MEMORANDUM TO MR. LARKIN

Subj: Statistics indicating frequency of departmental action modifying action by convening authority.

Ref: (a) Memorandum from Colonel Curry to Mr. Larkin - same subject - of 24 Sept. 1948.

- Encls: (A) Summary of actions taken by the Navy Dept. on cases (convened by other authority than the Secretary of the Navy) on which final action was taken during fiscal year 1945.
- (B) Summary of actions taken by the Navy Dept. on cases (convened by other authority than the Secretary of the Navy) on which final action was taken during fiscal year 1944.
- (C) Summary of actions taken by the Navy Dept. on cases (convened by other authority than the Secretary of the Navy) on which final action was taken during fiscal year 1943.
- (D) Summary of actions taken by the Navy Dept. on cases (convened by other authority than the Secretary of the Navy) on which final action was taken during fiscal year 1942.
- (E) Summary of actions taken by the Navy Dept. on cases (convened by other authority than the Secretary of the Navy) on which final action was taken during fiscal year 1941.

1. Enclosures (A) through (E) supplement reference (a) which furnished like statistics of departmental actions taken during the fiscal years 1946, 1947, and 1948.

J. E. Curry
 J. E. CURRY
 Colonel, USMC

SUMMARY OF ACTIONS TAKEN BY THE NAVY DEPT. ON CASES (CONVENED BY OTHER AUTHORITY THAN THE SECRETARY OF THE NAVY) ON WHICH FINAL ACTION BY THE NAVY DEPT. WAS TAKEN DURING FISCAL YEAR 1945.

	<u>Officers</u>			<u>Enlisted Men</u>			<u>Total</u>
	Navy	Marine Corps	Coast Guard	Navy	Marine Corps	Coast Guard	
Acquittals or convictions as approved or disapproved by convening authority not disturbed by Department.....	320	96	9	24127	1970	905	27427
Convictions approved by convening authority but disapproved or set aside by department							
in whole.....	4	2	0	37 /	10	5	38 /
in part.....	14	1	2	32*	28	0	127*
Nolle Prossed.....	1	1	0	18	4	1	25
Plea in bar sustained	0	0	0	3	1	0	4
Total	339	100	11	24267	2015	911	27641/*

General Court Martial Cases
Merchant Marine Cases

Acquittals or convictions, as approved or disapproved by convening authorities, not disturbed by Department - - - - -	4
Conviction approved by convening authority but disapproved and set aside by Department - - in whole - - - - -	1a
	<u>5a</u>

Military Commission Cases
(Civilians) - - - -

Convictions Approved not disturbed by Department - - - - -	6
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* In addition during the period covered by this report, the Department, after further review and consideration of affidavits submitted on behalf of the accused, approved in part, disapproved and set aside in part a conviction approved by the convening authority on 31 March 1944.

∗ In addition, during the period covered by this report, the Department, after further review and consideration of affidavits submitted on behalf of the accused, disapproved and set aside in whole a conviction approved by the convening authority on 11 January 1946.

a The Department disapproved and set aside conviction, in whole, previously approved in part, disapproved and set aside in part by the convening authority.

SUMMARY OF ACTIONS TAKEN BY THE NAVY DEPT. ON CASES (CONVENED BY OTHER AUTHORITY THAN THE SECRETARY OF THE NAVY) ON WHICH FINAL ACTION BY THE NAVY DEPT. WAS TAKEN DURING FISCAL YEAR 1944

	<u>Officers</u>			<u>Enlisted Men</u>			<u>Total</u>
	Navy	Marine	Coast Guard	Navy	Marine	Coast Guard	
Acquittals or convictions as approved or disapproved by convening authority not disturbed by Department	143	53	5	7022	1193	213	8629
Convictions approved by convening authority but disapproved or set aside by Department....							
In whole.....	1	2	0	6	6	0	15
In part.....	11	5	0	45	22	2	85
Nolle Prossed.....	4	0	0	9	1	0	14
Total.....	159	60	5	7082	1222	215	8743

General Court-Martial Case
Merchant Marine Service

Convictions Approved..... 2
Not Distrubed by Department

SUMMARY OF ACTIONS TAKEN BY THE NAVY DEPT. ON CASES (CONVENED BY OTHER AUTHORITY THAN THE SECRETARY OF THE NAVY) ON WHICH FINAL ACTION BY THE NAVY DEPT. WAS TAKEN DURING FISCAL YEAR 1943.

	<u>Officers</u>			<u>Enlisted Men</u>			<u>Total</u>
	Navy Corps	Marine Corps	Coast Guard	Navy Corps	Marine Corps	Coast Guard	
Acquittals or convictions as approved or disapproved by convening authority not disturbed by Department	143	53	5	7022	1193	213	8629*
Convictions approved by convening authority but disapproved or set aside by Department							
In whole	1	2	0	6	6	0	15
In part	11	5	0	45	22	2	85
Nolle pressed	4	0	0	7	3	0	14
Total	159	60	5	7080	1224	215	8743*

* In addition: Two general court-martial cases (Merchant Marine Service), convictions approved.

SUMMARY OF ACTIONS TAKEN BY THE NAVY DEPT. ON CASES (CONVENED BY OTHER AUTHORITY THAN THE SECRETARY OF THE NAVY) ON WHICH FINAL ACTION BY THE NAVY DEPT. WAS TAKEN DURING FISCAL YEAR 1942.

	<u>Officers</u>			<u>Enlisted Men</u>			<u>Total</u>
	Navy Corps	Marine Corps	Coast Guard	Navy Corps	Marine Corps	Coast Guard	
Acquittals or convictions as approved or disapproved by convening authority not disturbed by Department	41	13	0	284	238	2	578
Convictions approved by convening authority but disapproved or set aside by Department							
In whole	0	0	0	7	5	0	12
In part	5	2	0	26	9	0	42*
Nolle prossed	0	0	0	3	1	0	4
Total	46	15	0	320	253	2	636*

* In addition: One conviction by a military commission set aside in part by the Department.

SUMMARY OF ACTIONS TAKEN BY THE NAVY DEPT. ON CASES (CONVENED BY OTHER AUTHORITY THAN THE SECRETARY OF THE NAVY) ON WHICH FINAL ACTION BY THE NAVY DEPT. WAS TAKEN DURING FISCAL YEAR 1941.

	<u>Officers</u>			<u>Enlisted Men</u>			<u>Total</u>
	Navy Corps	Marine Corps	Coast Guard	Navy Corps	Marine Corps	Coast Guard	
Acquittals or convictions as approved or disapproved by convening authority not disturbed by Department	38	2	1	160	76	16	293
Convictions approved by convening authority but disapproved or set aside by Department							
In whole	0	0	0	7	2	0	9
In part	3	0	0	19	3	0	25
Nolle prossed	0	0	0	1	0	0	1
Total	41	2	1	187	81	16	328