

HOW TO KEEP YOUR HOLIDAYS MERRY AND NICE

By John F. James, International Law attorney

The New Year holiday season is a wonderful time to be on Okinawa. The weather is warm but not unbearable and festivities abound everywhere. What could spoil this festive atmosphere? Spending your holidays in jail and/or paying a hefty fine.

The Japanese police realize that people are prone to increase their consumption of alcohol this time of the year so there will be increased checkpoints on the roadways. The military police will also increase their vigilance. Japanese fines for drinking and driving routinely average from 300,000 to 500,000 Yen while the US punishment could be disciplinary actions for Soldiers and civilian employees, administrative sanctions for Family Members, and loss of driving privileges for all. In the past Soldiers have been caught leaving a drinking establishment and getting into their car and driving away only to be stopped by a police car a few blocks down the road because the police had staked out the drinking establishment. How do you spell STUPID? A cab ride is a lot cheaper than a 500,000 yen fine or losing a stripe or your career. Plan ahead and make sure you have a way home that does not include driving if you decide to drink. Remember it only takes one drink to put you over the Japanese blood alcohol threshold of .03%. Also remember that fleeing the scene of an accident could literary turn a minor crime into a major crime and could justify a prison sentence.

In the past year the Japanese criminal justice system has added a new wrinkle called the lay jury. For serious crimes (such as homicides, rapes, sexual assaults, and robberies) the accused will be tried by a panel of three judges and a six person lay jury who will decide guilt and impose a sentence. Recently a Marine member was tried by this new system and received a 42 month unsuspended sentence for assaulting a female. During the press conference following the court decision, some of the jurors stated that they judged the case without being bound by feelings of Okinawa people against US military issues, stating, "I made my own decision free of anti-American sentiment." The Marine claimed not to have known what he had done because he was drunk. How do you spell STUPID? This person will have 42 months in a Japanese prison to reflect on what can happen if you overly consume alcohol. Not only watch your own behavior but watch out for your buddy as well because stiff sentences can be expected.

Another crime that can ruin your holidays is shoplifting. Just about every store from the Exchange to JUSCO to convenience stores, to the mom and pop stores have cameras and other security devices. I see numerous cases of juveniles taking clothes items, food, jewelry, cosmetics, and getting caught. Educate your family so your holidays are not ruined.

Finally don't mess with the taxi drivers. After years of being victimized by robberies and customers failing to pay fares, the taxi drivers have developed a fairly sophisticated network of helping the police nab the culprits.

Wishing everyone merry and nice holidays, because if your holiday is nice so will mine.