



Agenda

- **CORE VALUES**

- **SAPR**

- **JAPAN FAMILIARIZATION**
 - **JAPAN LIBERTY POLICY**
 - **JAPANESE CUSTOMS AND COURTESIES**
 - **ALCOHOL CONSUMPTION**
 - **TRAFFIC VIOLATIONS**
 - **SOFA & LEGAL PROTECTIONS**
 - **JAPANESE CRIMINAL PROCEDURE**



Sailors Creed

I am a United States Sailor.

**I will support and defend the Constitution of the United States of America
and I will obey the orders of those appointed over me.**

**I represent the fighting spirit of the Navy and those who have gone before
me to defend freedom and democracy around the world.**

**I proudly serve my country's Navy combat team with Honor, Courage and
Commitment.**

I am committed to excellence and the fair treatment of all.



Navy-Marine Corps Core Values

HONOR –

I am accountable for my professional and personal behavior. I will be mindful of the privilege I have to serve my fellow Americans. *I will do what I believe to be right, even if no one is watching.*

COURAGE –

The value that gives me the moral and mental strength to do what is right, with confidence and resolution, even in the face of temptation or adversity. *I will do what I believe to be right, even if everyone is watching.*

COMMITMENT –

The day-to-day duty of every man and woman in the Department of the Navy is to join together as a team to improve the quality of our work, our people and ourselves. *I will always do what I believe to be right.*



Training Prerequisites

COMUSJAPAN memo of 13 Feb 2013 states:

- **Before** any military member is granted liberty off-installation the member must have completed:
 - Sexual Assault Prevention and Response Training IAW Service-Specific instructions and Department of Defense Directive 6495.01—available as “Sexual Assault Prevention and Response Awareness at Navy Knowledge Online —**provide copy of completion certificate to command N1**
 - Japan Indoctrination Training (USFJI 36-2811) with added emphasis on Service Core Values within the past 12 months (**this presentation—use certificate example at end of presentation**).

Important Phone Numbers for in Japan:

Sexual Assault Prevention and Response Victim Advocate:	090-8046-5783
Sexual Assault Response Coordinator:	080-6592-6629



USFJ Liberty Policy Dated: 29 May 2013

Consumption of Alcohol:

For all military personnel, regardless of grade, **off-installation** public consumption of alcohol is **prohibited between 2400-0500**.

Public consumption of alcohol is any consumption of alcohol off of a military installation, except when in an off-installation residence, quarters or hotel room.

***See Military installation definition on next slide**



USFJ Liberty Policy Continued

Curfew:

Military personnel, including those who are in a TDY/TAD, leave, pass status in Japan, in the **grade of E-5 and below are subject to curfew between the hours of 2400 and 0500** on all days including holidays. Military personnel in other grades are not subject to curfew, unless otherwise directed by their authorized commander.

Military Installation definition

- Military installations are DoD installations, bases, posts, camps, stations and ships.
- This includes DoD-controlled facilities such as DoD lodging and armed forces recreation facilities or areas.
- The New Sanno Hotel, Hardy Barracks Compound, Okuma Recreation Center and similar facilities or areas, are considered military. U.S. military may remain in lounges, bars, casinos and all other areas within those installations even during curfew hours.



USFJ Liberty Policy Continued

“Liberty buddy” program:

Applicable to all military personnel in the grades of E-5 and below.

From **2100 to 0500 hours**, if off-installation in Japan, such personnel must be accompanied by a liberty buddy.

The buddy may be:

- An active duty military member
- Another person with SOFA status
- Other family members
- Another responsible individual who has been approved by an authorized commander



Additional Okinawa-Specific Provisions

The following additional provisions are in effect for all military members on Okinawa. These provisions apply to any personnel located and operating on Okinawa (including assigned, TDY, and leave personnel in Okinawa). Personnel who are stationed in Okinawa, who are TDY or on leave to non-Okinawa locations, are not subject to these additional Okinawa restrictions while they are absent from Okinawa.

1. **On-Installation Alcohol Consumption:** Individuals may consume alcohol on-installation. Individuals who consume alcohol on-installation may be permitted off-installation liberty (the .03 BAC limitation is hereby rescinded). Individuals are expected to exercise common sense and a due regard for safety.

2. **Off-Installation Purchase/Consumption of Alcohol:** Off-installation purchase/consumption of alcohol is prohibited, except as follows:

- a. When in an individual's own private residence or hotel;
- b. During the hours of 1800 to 2200 at off-installation restaurants in conjunction with evening meals. A restaurant is an establishment where the primary business is the sale and service of food (i.e., not a bar/club). Personnel shall not consume more than two alcoholic beverages; or
- c. When authorized by a general or flag officer in the chain-of-command for designated official events.



Introduction to Japan

Japan Familiarization





Japanese Customs and Courtesies

Cultural Awareness

The development of an etiquette-oriented culture in Japan originated in the native religion called Shinto, which translates as “Way of the Gods.”



The foundation for the social system is harmony - between men and gods, and among men - all within the context of the superior- junior structure of the society.





Japanese Customs and Courtesies

Bowing

- **Bowing has been the Japanese method of expressing greetings, saying farewell, apologizing and indicating understanding and acceptance.**
- **If you are greeted with a bow, return with a bow.**
- **Bow as low as the one you received.**
- **When you bow, keep your eyes low and your palms flat next to your thighs.**





Japanese Customs and Courtesies

Table Manners

- **Do not stick your chopsticks into the rice. Chopsticks are stuck into the rice only at a funeral.**
- **Do not give or pass food from chopstick to chopstick: This is only done with bones of dead person at a funeral.**
- **There is no tipping in Japan.**





Japanese Customs and Courtesies

*Etiquette & Manners that are
NOT recommended in Japan*



Japanese Customs and Courtesies

Do not talk loudly when in a crowd or on trains





Japanese Customs and Courtesies

Do not call out loudly or wave to people at a distance





Japanese Customs and Courtesies

No Eating, Drinking or Smoking in most public areas





Status of Forces Agreement & Legal Protections



Status of Forces Agreement

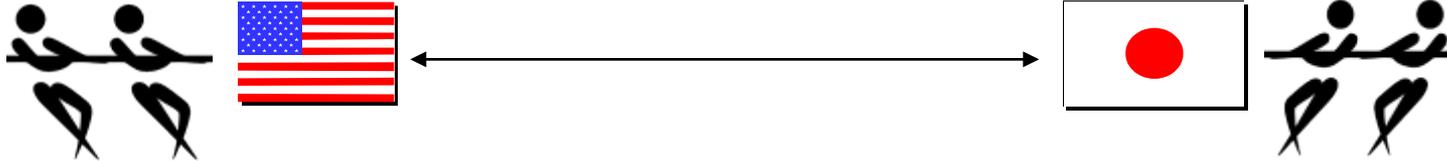
The Basics...

- **The Status of Forces Agreement (SOFA) is an international agreement between the governments of the United States and Japan.**
- **The SOFA provides rights, privileges, and special protections to US Forces (including civilians and dependents).**
- **Benefits**
 - **Exempt from certain immigration regulations (passports and visas)**
 - **SOFA driver's licenses**
 - **exemption from certain local taxes**
 - **Special provisions relating to the exercise of criminal jurisdiction by the government of Japan.**
- **Responsibilities:**
 - **Adhere to Japanese customs and laws**
 - **You are an Ambassador of the United States Navy**



Status of Forces Agreement

Who can prosecute SOFA members?



Both countries have concurrent jurisdiction (both countries have the authority to prosecute but depending on the offense, one nation will exercise primary jurisdiction).



Primary Jurisdiction

The Basics...

- US primary jurisdiction
 - **Crimes against U.S. Property or U.S. Security only**
 - **Crimes against SOFA Personnel or their Property only**
 - **Acts committed while performing Official Duties**
- Japanese primary jurisdiction (in all cases not falling under the categories above, Japan has primary jurisdiction to include the below)
 - **Crimes against Citizens of Japan**
 - **Assault, rape, murder, public drunkenness, public indecency**
 - **Crimes against Japanese Property**
 - **Trespass, larceny, destruction,...**
 - **Possession of Contraband**
 - **Drugs, weapons, etc...**



SOFA and Criminal Investigation

Servicemembers' Rights when faced with a criminal investigation

- SOFA Rights read before questioning
- Right to an attorney
- Right to an interpreter
- Right to a speedy trial
- Right to have a U.S. representative present at a trial;
and
- Right to refuse to sign any statement not in English.



Alcohol Consumption





Alcohol Consumption

Drink Responsibly...

- **Most serious criminal violations are related to the consumption of alcohol**
- **Alcohol is never a legal excuse for misconduct – you are responsible for your actions**
- **It is your responsibility to take care of your shipmates**
- **Drink in moderation**





Alcohol Consumption

Drinking and Driving



- Drinking and driving is a serious offense in Japan, both on base and off base.
- Simply being a passenger in a car operated by a person who is intoxicated may subject you to prosecution.
- **Implied Consent:** Failure to submit to a BAC test upon request by security forces leads to automatic 1-year revocation of driving privileges.
- Failure to submit to a Japanese Kitagawa BAC test can lead to 3 months imprisonment or 500,000 yen fine.



Drinking and Driving

Rules of the Road...

On Installation

BAC	Automatic Punishment
.03%-.049%	60 Day suspension of driving privileges
.05% - .079%	1 year revocation of driving privileges
.08% or higher	2 year revocation of driving privileges

You may also be subject to Captain's Mast or a Court-Martial



Drinking and Driving

Rules of the Road...

Off Installation

Offense	Forced Labor	Fine
.03% BAC (DWDI)*	3 years	\$5,000
.10% (DWI)	5 years	\$10,000
Providing alcohol to driver	2 years	\$3,000
Riding as a passenger with a driver who has consumed alcohol	2 years	\$3,000
Providing a car to an impaired driver	3 years	\$5,000

** You may also be taken to Captain's Mast or a Court-Martial*



Drinking and Driving

Off Base...

Example

- An Officer was drinking at a bar off base, and commenced to drive home.
- He was pulled over by Japanese police and blew a .029% BAC
- As the Japanese law enforcement went thru his bags, they found a pocketknife . . .
- He spent **THREE WEEKS** in a Japanese jail before he was released to USN
- Japanese may hold someone in jail for up to 23 days before Charges are filed
- The officer was separated from the USN





Traffic Violations





Traffic Accidents and Violations

In Japan, all drivers are considered “Professional Drivers”

- **If you make even a minor mistake, it is considered “professional negligence.”**
- **If there is a moving accident, both drivers will be found to be at fault**
- **Don’t speed!**
- **Report accident(s) immediately to proper authorities.
Investigation/interview by Japanese police**
- **Hit and Run—don’t do it ...Cameras are everywhere in Japan, you will be found**
- **Payment of fine, or criminal trial**
- **NOTE: Failure to report an accident (with or without injuries) is a violation of Japanese Penal Code 72**



Traffic Accidents and Violations

Example

- A sailor was speeding outside base
- He ran a red light
- He collided with another car - the other driver died
- RESULT: Sailor was arrested, went to trial, and spent **three years** in a Japanese prison
- He was not drinking, and it was not a hit and run
- Traffic Accidents with Injuries: Max 5 years in prison and fine of \$10,000





Japanese Criminal Procedure



Three Weeks in Jail

You can spend up to 23 days in jail even if you are not charged

- If SOFA member is apprehended/detained police will issue Agreed View (AV) 40: official notification of apprehension and/or detention
- Japanese Police can hold you for 48 hours before they present your case to the Prosecutor's Office
- The Prosecutor has 24 hours to decide whether to take the charges forward
- Prosecutors can request a judge to order your detention
- The court can order your detention for 10 days
- And if the prosecutor requests an extension, the judge can order 10 more days

48 hrs+24 hrs+10 days+10 days=23 days



Japanese Jail

- Only allowed to shower or bathe 3 times a week, not on weekends or holidays
- Only given two cigarettes/day, not on weekends or holidays
- You will never be allowed to make phone calls
- Letters and cards will be censored before going out
- Only allowed to use toiletries provided by Japanese police
- No food or drinks from outside sources
- No more than five books
- You will share your room with 6 or 7 new friends



Kurihama Prison

- Located in Yokosuka
- Servicemembers convicted of a crime serve time here

[Click here to view video](#)



What do I do if Japanese Police Question Me?



- Right to **REMAIN SILENT**, but
- No right to stop questioning
- No right to counsel during questioning
- Questioning can continue for HOURS, or even DAYS

BE COOPERATIVE, BE TRUTHFUL



What do I do if Japanese Police Question Me?

Don't Argue with Police

- An E-3 argued with police
- He walked away while they were still talking to him
- The E-3 was held in Japanese jail for over 20 days
- Ultimately, Japanese authorities did not press charges
- Remember: You can be held for **23 days** in Japanese jail before charges need to be filed



Trials in Japan

- **No jury trials in Japan**
 - Japan is implemented a jury system in Summer 2009 for serious offenses
- **Conviction rate in Japan is 99%**
- **Japanese Police Officers and Prosecutors are meticulous!**
 - They are professional and relentless in their investigation and prosecution of cases

Japanese police will bring as many personnel as they feel they need to contain the situation





Possession of a Knife

- **Do not carry them on or off base, period**
- **Even a small one can get you in trouble**
- **A knife more than a couple inches equates to a max punishment of 1 year in prison and a \$3,000.00 fine**



Why is this training Relevant?

- The Japanese provide SOFA (military AND civilian) personnel with special trust, respect, and privileges
- SOFA personnel are held in the same regard as:
 - Police, fire-fighters, teachers, elected officials, and Self-Defense Forces
- In return for this special status, the Japanese expect us to act responsibly and appropriately toward their citizens

*Violation of this trust **negatively impacts** our relationship with our host nation and threatens our alliance*



Have Fun, Learn Something, and Enjoy Japan

- **You are not in America – you are in Japan**
- **Understand Japanese customs and traditions**
- **Apology and responsibility are cultural and serious**



However, also Remember:

- **You are in one of the most amazing countries in the world.**
- **The Japanese people are very kind and gracious.**
- **The Japanese cities and society are extremely safe, crime is rare.**
- **Venture out – See Japan and the world!**



Respect America

Respect Japan



*Respect your
Community*

**YOU ARE AN
AMBASSADOR**

*Respect
Yourself*



Certification Sample

Each member must complete a certificate to be kept on file at their home unit showing completion of this training.

MEMORANDUM FOR [individual's unit] N1

FROM: [INDIVIDUAL]

SUBJECT: Acknowledgement of the Commander Naval Forces Japan Guidance, COMUSJAPAN Liberty Policy and Training Prerequisite Requirement

1. I will be on official [TDY orders] [leave] to Japan from [DATES]. I will be lodged at [LOCATION].
2. The following training is required to be accomplished by the COMUSJAPAN Liberty Policy:
 - a. Sexual Assault Prevention and Response (SAPR)—separate certificate required
 - b. Core Values & COMUSJAPAN Liberty Policy
 - c. Japan Indoctrination
3. I acknowledge receiving the required training IAW the COMUSJAPAN Liberty Policy dated DD MMM YY. I understand infractions to this policy are punishable under Article 92 of the Uniform Code of Military Justice.

[SIGNATURE BLOCK OF INDIVIDUAL]