Murder and Mayhem: Japanese American Crime Histor

by Greg Robinson

Since the beginning of Japanese settlement in the United States, one phenomenon that commentators have often remarked upon is what was perceived as the supremely law-abiding nature of the Nikkei. Sociologists and criminologists have offered various theories as to why Japanese Americans have such an outstanding record in this regard. They have pointed variously to the impact of close-knit family structures, feelings of collective responsibility, and fear of intervention by outsiders on preserving collective morality and reducing illegal activities. Such good citizenship became a point of pride for Issei and Nisei before World War II.

In the same way, wartime defenders of Japanese Americans underlined the community's low crime rate, first as an argument against mass incarceration under Executive Order 9066, later to promote their desirability as neighbors after their return from the WRA camps. (One such public statement was put out by a progressive Santa Maria

The first case was of Jugiro Shibuya, an Issei sailor living in a boarding house in Brooklyn. In 1889, Shibuya was convicted of stabbing a fellow Japanese sailor to death in a brawl following a card game. He was convicted of murder and sentenced to death under New York's then-brand new electric chair law. Because the electric chair, like the guillotine 100 years earlier, immediately became a gruesome symbol of death, the law was controversial, especially after William Kemmler became the first criminal to be executed by electrocution in August of 1890.

Roger M. Sherman, a distinguished lawyer and opponent of capital punishment who had served as Kemmler's counsel, applied for a writ of habeas corpus on Shibuya's behalf, attracting nationwide attention to the case. The United States District Court refused to issue a writ of habeas corpus, and Sherman then appealed the decision to the United States Supreme Court, which heard the appeal on November 12, 1890. Sherman argued that the electric chair was "cruel and unusual punishment" under the 8th amendment, since "burning by wire" did not kill the prisoner instantaneously but tortured him to death by jolts to his body. Two weeks after the argument, the high court upheld the lower court decision without issuing an opinion.

Shibuya was scheduled for execution in January 1891.



Sherman then commenced another habeas corpus petition in which he argued, among other points, that following his initial conviction Jugiro had been assigned as counsel a lawyer who was not admitted to the bar. Meanwhile, lawyers for a fellow prisoner who had been scheduled for execution, an African American named George Wood, protested his conviction on the grounds that Blacks were regularly excluded from jury service in New York, and there had been none on the jury that convicted him. Sherman took a leaf from their book, and argued that Shibuya's sentence was unconstitutional because there were no Japanese permitted on his jury!

In May 1891, the United States Supreme Court ruled in the two cases that there was nothing in New York's law that barred members of minority groups from jury service, so any protests over the informal practice of exclusion should have been brought up at trial. Since they had not been, the Court could not intervene to uphold constitutional rights – it was not until 75 years later, in Swain v. Alabama (1965), that the high court overturned a death penalty conviction because of exclusion of minorities from juries. On July 7, 1891, Jugiro, Wood, and two other prisoners were fried in the electric chair, its first victims after Kemmler.



Enichi Kato and his family disappeared in February 1937; his family's bodies were found weeks later.

A second capital case involving a Japanese immigrant named Enichi Kato was more poignant than grisly. In February 1937, Kato, a 35 year old Issei truck farmer and his family disappeared from their home in Auburn, Washington. All their belongings were still inside the house, so after no trace had been seen of the family for two weeks, Japanese community members grew concerned and launched a search. Soon, the bodies of Mrs. Kato and the four children were found together in a low patch of ground near a neighbor's house. Suspicion immediately fell on Enichi. A neighbor boy recalled that he had driven Kato to the train station, and the ticket clerks confirmed that a man answering his description had bought a ticket to Sacramento, California. Police began a search for Kato in the Portland and Sacramento areas. Meanwhile, Mr. Z. Itayama, the owner of a flower shop in Richmond, CA, decided that the new employee he had hired on February 19 was acting very strangely. Itayama confronted him, and the employee admitted that he was Enichi Kato and that he had slain his family.

minister with the wonderfully apropos name of Aaron Heist!).

In actual fact, the prewar Japanese population had its share of petty lawbreakers (even ignoring the mass evasion of alien land laws and other discriminatory legislation that Nikkei perpetrated). Gambling, in particular, was widespread among Issei men on the West Coast, and bootlegging during the era of Prohibition. Still, there was a certain truth in the reports of the pro-Japanese boosters. According to official statistics, arrest rates were extremely low within the Japanese community, especially in comparison to those of other minority groups, and violent crime exceedingly rare. Nevertheless, in the half century before World War II, there were three notable Japanese American felons, whose grisly crimes attracted public notice and whose capital cases had a large public impact.

Itayama immediately took Kato to the police station, where he confessed. Kato told police that he had killed his wife Tora and their four children—his wife had been ill for several years, and he had been unable to find work and earn sufficient money to care for the family. Unable to obtain relief, Mrs. Kato had finally expressed the desire to die. After a family conference, Kato agreed to kill his wife. Feeling hopeless without her and pitiful because he could not feed his hungry children, he resolved to end their suffering as well. Thus, on February 12, he shot his wife and the older two children, 9 year old Tom and 7 year old Betty. He then strangled 10-year old Sam and 5 year old Mary with scarves knotted around their necks. He took their bodies out and buried them in shallow grave under a mattress. He had intended, he explained, to kill himself as well, but insisted that the sect he belonged to (identified in newspaper articles as the Konkokyo Shinto church) required that all graves be marked with a tombstone. He therefore resolved to earn the money for the tombstones before killing himself as well.

Kato was rapidly arraigned and brought back to Auburn to stand trial. He refused counsel, explaining through an interpreter that he needed to keep what little money he had to buy gravestones for his family. Superior Court judge Hugh Todd then appointed a pair of lawyers to represent him. Kato's case went to trial in May. He pleaded guilty, and was sentenced to death by a jury. Either Kato reconsidered his wish to die, or still hoped to earn money for his family's tombstones before dispatching himself. His lawyers successfully appealed the conviction on the grounds of juror misconduct, and he went through a second trial. His lawyers argued that he went insane due to excessive consumption of polished rice! In the end, he was sentenced to life imprisonment, after which his story remains lost to history.



Upon being taken into custody, Kato confessed immediately.

The Nikkei capital case that inspired the most widespread publicity in the mainstream press was the Jamieson murder, in which a Nisei was the accused. On September 18, 1928, Gill Jamieson, the 10-year old son of prominent local banker Frederick Jamieson, was called out of school and told that his mother had been injured in an automobile accident. A young Japanese American in a white coat, who resembled a hospital orderly, picked him up at the school entrance and took him away. In fact, the young man was a 19 year old Nisei, Myles Yutaka Fukunaga. Although Fukunaga was employed at a local hotel, working 80 hours per week in the pantry, he desperately needed money in order to assist his destitute parents. A lonely, antisocial boy wounded by prejudice against Japanese Americans, he was inspired by reports of child murderers—notably the case of Nathan Leopold and Richard Loeb four years earlier in Chicago—to show his courage and intelligence by performing "the perfect crime."

Fukunaga thus plotted the kidnapping and ransom of Gill Jamieson, the son of the man whose bank had humiliated his parents by attempting to evict them from their home. Fukunaga took the boy to a hideout, and killed him by beating him over the head with a steel chisel. He then sent a ransom note to Jamieson's parents, demanding $10,000 for the boy's safe return, and signed it the "Three Kings." That evening, Fukunaga telephoned Frederick Jamieson and gave him instructions to meet him. His face hidden by a handkerchief, and armed with a hammer, he took $4,000 from the banker, promising to get the boy in return, but then vanished.

Murder and Mayhem: (continued)

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The news quickly spread. Honolulu society was shocked by the kidnapping. Police immediately set up roadblocks to search cars at intersections and Boy Scouts and local volunteers organized into posses to conduct house-to-house searches. The "oriental" phrasing of the ransom note and the racial identity of both the chauffeur and the note's sender led to immediate suspicion that the kidnappers were local Japanese. Harry Kaisan, a discharged former chauffeur of the Jamieson family, was called in for questioning by police and drugged in order to get him to confess to the crime.

Fukunaga eventually decided it was best to end the suspense and halt the useless searching for the abducted boy. On the morning of September 20 a note, accompanied by a piece of the ransom money to authenticate it, was received at the offices of the Honolulu Star-Bulletin newspaper. The note said "Mas. Gill Jamieson, poor innocent lad, has departed for the unknown, a forlorn 'Walking Shadow' in the Great Beyond, where we all go to when the time comes." The "Three Kings" promised in the letter to reveal themselves in five days. Later that day, Gill Jamieson's body was found in a glade near the Ala Wai canal.

Meanwhile, suspicion heightened against the local Japanese community, and a dozen local Japanese were detained and questioned. As terror gripped the larger population, Issei parents frightened of race riots warned their children to come home straight after school. Japanese community organizations telegraphed condolences to the Jamieson family, offered rewards for the killer's capture and volunteered to help search for the criminals.

Ironically, Fukunaga himself, remorseful and confused over his deed, offered to help police search for the Three Kings, but was refused on the grounds that he was too young and small to help.



On September 22, Myles Fukunaga visited his old town of Waialua. The railroad station agent he purchased his return ticket to Honolulu from recognized the bill Fukunaga paid with as part of the ransom money, and warned police of his identity. Police searched the Fukunaga family home and found evidence linking Myles to the crime. With the aid of his younger sister, police tracked Myles down the following evening. He immediately admitted that he alone had killed the Jamieson boy, and upon being taken to the station made a full confession.

As Fukunaga was taken in, a siren sounded from Honolulu's Aloha Tower to signal the apprehension of the "Three Kings". With vigilante mobs howling for lynching or immediate execution of the "Kiawe Killer," Fukunaga's case was set down for trial just ten days later. Fukunaga did not deny his crime, but the judge refused to permit him to plead guilty. Despite the serious evidence that the defendant was mentally disturbed, and an open letter from Professor Lockwood Myrick of the University of Hawaii that Fukunaga was insane, the court-appointed defense counsel called no witnesses to testify on his sanity. The defendant's boyishness and polite demeanor nonetheless impressed the counsel and members of the jury, some of whom shed tears as the foreman announced the guilty verdict. Three days later the judge sentenced Fukunaga to death by hanging. ✺

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The Japanese community had been heavily stigmatized by the crime and by the summary nature of official justice. Both as a protest against discrimination and to distance themselves from Fukunaga, community leaders guided by Hawaii Hochi editor Fred Makino launched a series of appeals, saying that the conviction was unjust because Fukunaga was insane. The Supreme Court of the Hawaii Territory denied the petition, and the United States Supreme Court refused to hear an appeal. On November 19, 1929, Fukunaga was hanged in Honolulu. The sensational crime and the racial bias shown in the trial would heavily foreshadow the 1932 Massie-Kahahawai case, in which five young men of various nonwhite ancestry, including one Nisei, Horace Ida, were falsely accused of raping a white woman.

The involvement of Issei and Nisei defendants in sensational murder cases has not been much studied. Obviously, it is an aspect of the community's history that most people would prefer to forget rather than to commemorate. Still, it is worth noting the community's role in both the Kato and Fukunaga cases (there was no community to speak of at the time of the Shibuya case). In both cases, Japanese Americans were quick to assist the authorities in apprehending the assailants. At the same time, the Japanese press expressed sympathy for the disturbed killers, without approving their actions, and reported their cases to ensure that justice was done. Their actions reveal a fine combination of community spirit and humanity.