

ACTUAL DISCUSSION AROUND DEATH PENALTY IN JAPAN

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„One murder makes a villa;
millions a hero.
Numbers sanctify”

Beilby Porteus
(1731 - 1809)

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Introduction

I will report about the actual situation and discussion concerning death penalty in Japan.

At first I review statistics on crimes and incarceration, whereby the **number of reported cases** of Japanese Penal Code offenses amounted to 2.5 million in 1997 and increased every year, reaching 3.6 million in 2002 and 2003. However, from 2004 on the number decreased to 2.5 million in 2008. In this paper I call such rise and fall "Mt. Fuji-line" which shows a mountain-shaped curve on a graph.

Secondly I address death penalty in Japan, showing types of offences punishable by death, citing three principle judgments of the Supreme Court and analyzing statistics concerning death sentences and executions.

Thirdly I regard the lay judge system, so-called „SAIBANIN-SAIBAN“, and changes before and after its introduction, and explain backgrounds of the drastic up and down on death penalties. I can determine new criminal policies under Saibanin-Saiban as the background of changing sentences on the one hand and political regime change from the LDP to the DP as the background of changing numbers of executions on the other hand.

Finally I consider whether the „*Monsieur Verdoux*“- time is over or not.

I. Statistics on Crime and incarceration

1. A trend of reported crimes in Penal Code (1990~2011)

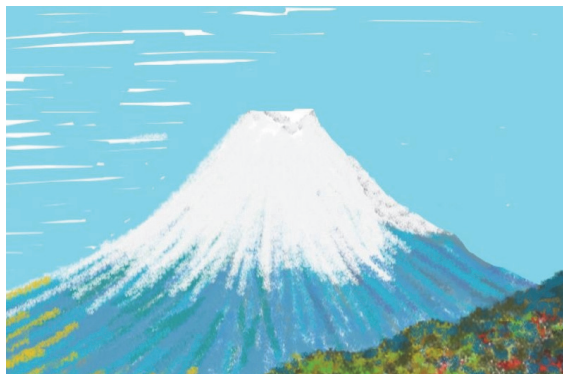
The **number of reported cases** of Penal Code offenses amounted to 2.5 million in 1997 and increased every year, reaching 3.6 million in 2002 and 2003. However, from 2004 on the number decreased to 2.5 million in 2008. Almost throughout the same period, the **number of cases** and persons **cleared** held comparatively steady between 1.3 and 1.5 million and 1 and 1.2 million respectively, but the latter finally fell below one million in 2011.

The United Nations body selected the mountain as a „cultural“ rather than a „natural“ heritage site. UNESCO said Mount Fuji had „inspired artists and poets and been the object of pilgrimage for centuries“.

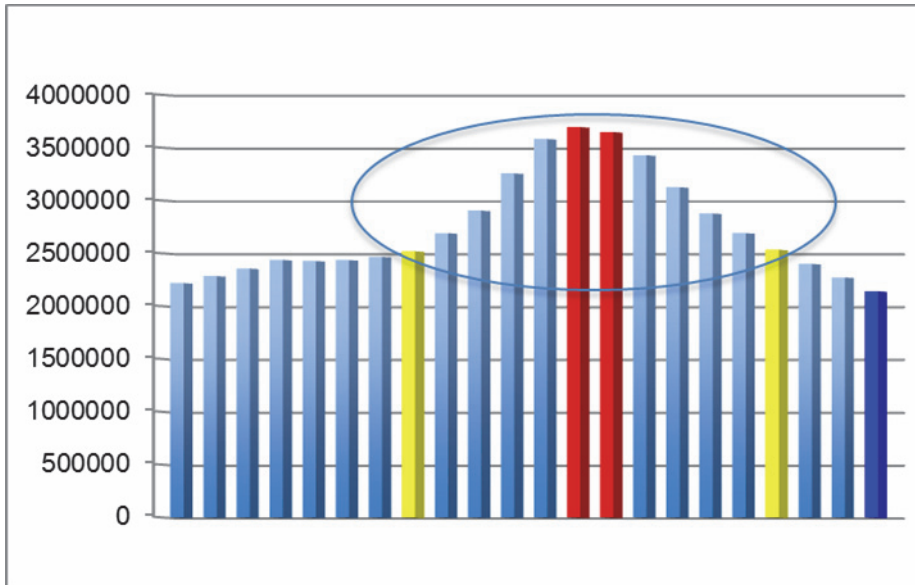
The dormant volcano, whose activity has ceased over 300 years since 1707 and which is located south-west from Tokyo, is Japan's highest mountain at 3,776m.

It is featured prominently in historic Japanese art work, including wood blocks prints.¹

[Figure] „Mt. Fuji“ by ISHIZUKA



¹ „Japan's cone-shaped, snow-topped volcano, Mount Fuji, has been granted World Heritage status, at a Unesco meeting in Cambodia.“ BBC News Asia 22. June 2013

[Graph 1] Numbers of reported crimes (1990-2011)*[Table 1] Numbers of reported crimes, crimes cleared and persons cleared (1990-2011)*

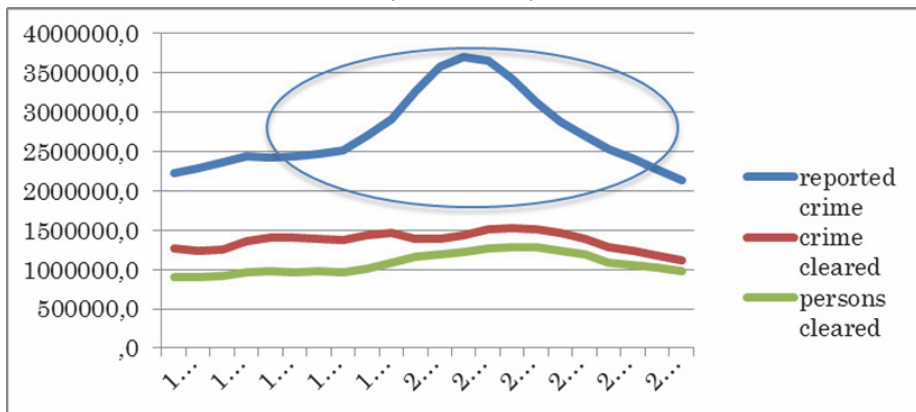
	reported crime	crime cleared	persons cleared
1990	2,217,559	1,273,524	899,650
1991	2,284,401	1,231,062	899,023
1992	2,355,504	1,249,428	922,953
1993	2,437,252	1,359,712	958,475
1994	2,426,694	1,410,106	974,158
1995	2,435,983	1,406,213	970,179
1996	2,465,503	1,389,265	979,275
1997	2,518,074	1,378,119	957,460
1998	2,690,267	1,429,003	1,006,804
1999	2,904,051	1,469,709	1,080,107
2000	3,256,109	1,389,410	1,160,142
2001	3,581,521	1,388,024	1,195,897
2002	3,693,928	1,432,548	1,219,564

2003	3,646,253	1,504,436	1,269,785
2004	3,427,606	1,532,459	1,289,416
2005	3,125,216	1,505,426	1,278,479
2006	2,877,027	1,466,834	1,241,358
2007	2,690,883	1,387,405	1,184,336
2008	2,533,351	1,288,720	1,081,955
2009	2,399,702	1,241,357	1,051,838
2010	2,271,309	1,182,809	1,029,117
2011	2,139,725	1,121,500	986,068

2. Trends of reported crimes, crimes cleared and persons cleared (1990-2011)

The **number of reported crimes** for PC has increased almost consistently after World War II. The **number** amounted to about 2.5 million in 1997, increasing every year, reaching over 3.6 million in 2002 and 2003. It has, however, suddenly turned to reduce since 2004, reaching about 2.5 million in 2008 again. The **number of crimes cleared** waved between 1.3 and 1.5 million and the number of persons cleared between 1 and 1.2 million in the meanwhile. The ‘Mt. Fuji-line’ cannot be found here. All three numbers continued decreasing, reaching 2,139,725 of reported crimes, 1,121,500 of crime cleared and 986,068 of persons cleared in 2011[Table 1]. They then returned to the same levels as in 1997, 2,518,074 of reported crimes, 1,378,119 of crimes cleared and 957,460 of persons cleared.²

[Graph 2] Numbers of reported crimes, crimes cleared and persons cleared (1990-2011)



² The data are cited basically from *White paper on crime in Japan 2012* (Ministry of Justice, 2013) and *The White Paper on Police 2013* (National Police Agency, 2014).

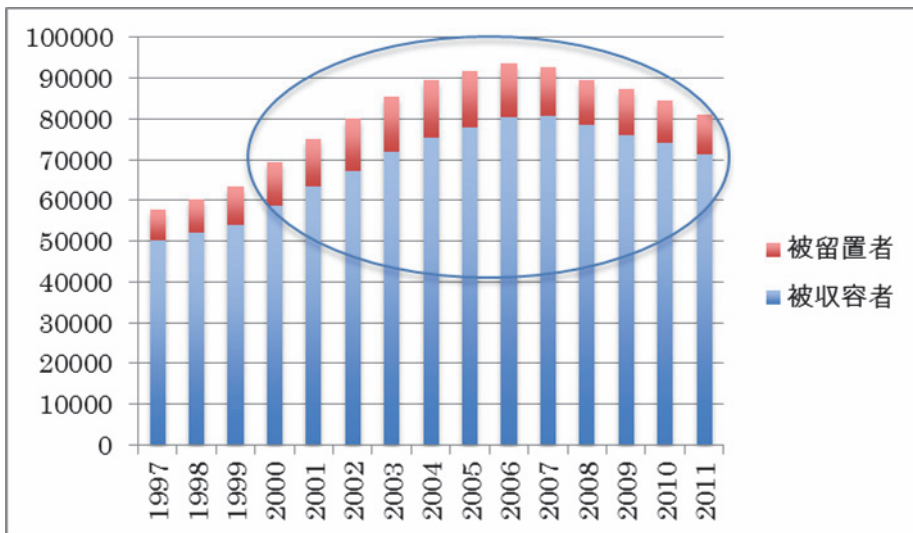
http://hakusyo1.moj.go.jp/en/nendo_nfm.html (March 11.2016)

3. Trend of total average number of inmates in prisons and police detentions (1997-2011)

[Table 2] Total average number of inmates in prisons and police detentions (1997-2011)

	prison	detention	total
1997	50091	7696	57787
1998	51986	8388	60374
1999	53947	9504	63451
2000	58747	10572	69319
2001	63415	11554	74969
2002	67354	12641	79995
2003	71889	13539	85428
2004	75289	14149	89438
2005	77932	13959	91891
2006	80335	13196	93531
2007	80684	11901	92585
2008	78533	11070	89603
2009	76019	11235	87254
2010	74232	10274	84506
2011	71378	9559	80937

[Graph 3] Trends of total average number of inmates in prisons and police detentions (1997~2011)



The total number of prisoners had increased gradually by some hundreds per year since 1994, then drastically by few thousands every year as of 1997, and ultimately reached more than 80,000 in 2006, when the rate of incarceration was more than 100% (115% for prisoners and 70% for suspects and defendants).

More severe sentences and longer imprisonments caused overcrowded prisons in the meanwhile, as the parole rate remained relatively stable. The Act to reform PC (Act No. 156 of 2004)³ in December 8 2004 confirmed harsher punishments to increase the limit of determinate sentence from 15 to 20 years for a single case and from 20 to 30 years for plural cases, therefore a new standard of sentences was established among judges.

4. Number of sentences by district courts: death penalty, life imprisonment, and imprisonment over 10 years (1997-2011)

The Government introduced a witness protection system in 1999, two Acts for victims in 2000, the Basic Act on Crime Victims in 2004, and Laws to revise a part of the Criminal Procedure Codes to protect rights of victims in 2007. As of recently victims' families can participate in criminal procedures and examine witnesses, give statements or demand penalties for defendants. These new polices for victims have influence on the standards of sentences.

Most lawyers had foreseen that lay judges would sentence much severer against defendants than professional judges. Capital punishments (see [Graph 6-1]) and life and long-term imprisonments (see [Graph 6-2] and [Graph 6-3]), however, decreased by comparison with before the Act came into force.⁴ Supreme Court had developed a PC-system concerning sentence precedents, preparing for a lay judge system. If lay judges would look for an appropriate sentence in similar cases, they could find it by using the PC-system. Lawyers could not present their own opinions but refer to judicial precedents. Supreme Court would maintain their control powers skillfully and effectively by using the system.⁵

Before the lay judge system started in 2009, district judges had sentenced over ten death penalties (2000-2007) and more than 70 life imprisonments per year (2001-2007). Long term, in more than 10 years, imprisonments had amounted to more than 400 (2004-2008). In the meantime the Prosecutors Office and Supreme Court obviously shifted the criminal justice towards harsher punishments.

³ The Act for partial amendment of PC (Act Nr.156 of 2004) passed for the purpose of severer statutory penalties in December 8. 2004 and became in enforce in January.1.2005. The Act raised the maximum of imprisonment from 15 to 20 years and the aggregative maximum from 20 to 30 years (150%).

⁴ Before a lay judges system was introduced, it was an implicit consensus insides layers that sentences were used to be decided according professional standards. Prosecutors should demand sever penalty than normal standards for defendants, to whom judges should sentence between 70 and 80% of demanded penalty. Prosecutors should be satisfied with average sentences and then defense lawyers also could not complain on appeal courts. Since these standards, however, were valid only in a closed circle of lawyers, they were anxious about lay judges who won't follow precedents in courts and will ignore professional advices. Especially bureaucrats and officials of courts feared that they couldn't control lay judges.

⁵ When prosecutors demand death penalty for defendants, they refer to „NAGAYAMA-case” (Judgments of Supreme Court on criminal cases, July 8. 1983, vol.37, Nr.6, p.609) and propose a list of cases in which courts had accepted capital punishment as evidences.

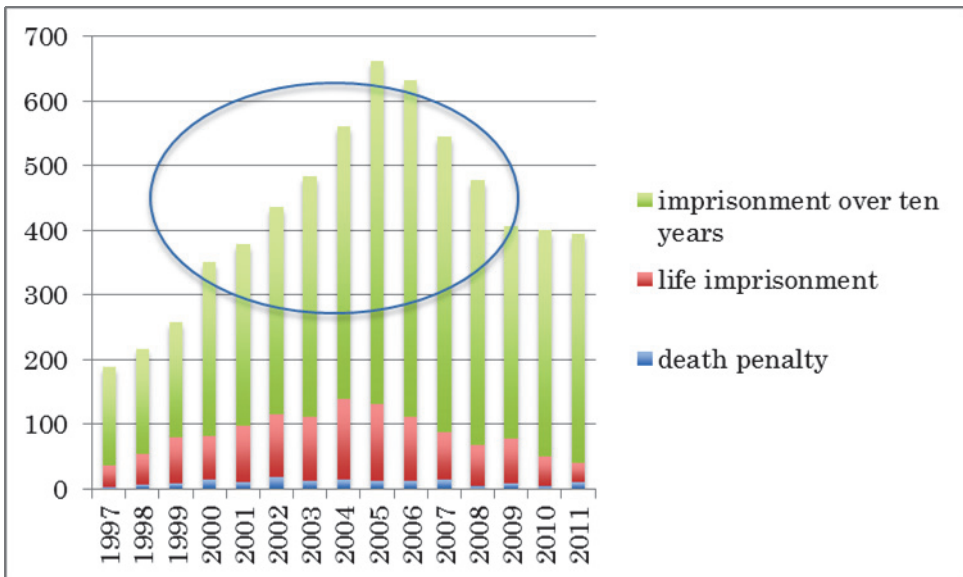
http://www.courts.go.jp/app/hanrei_en/detail?id=74

In spite of their anxiety and fears there is no evidence that lay judges make severer sentences. Death penalties and life imprisonments returned to the previous levels, those before the harsher punishment Era.

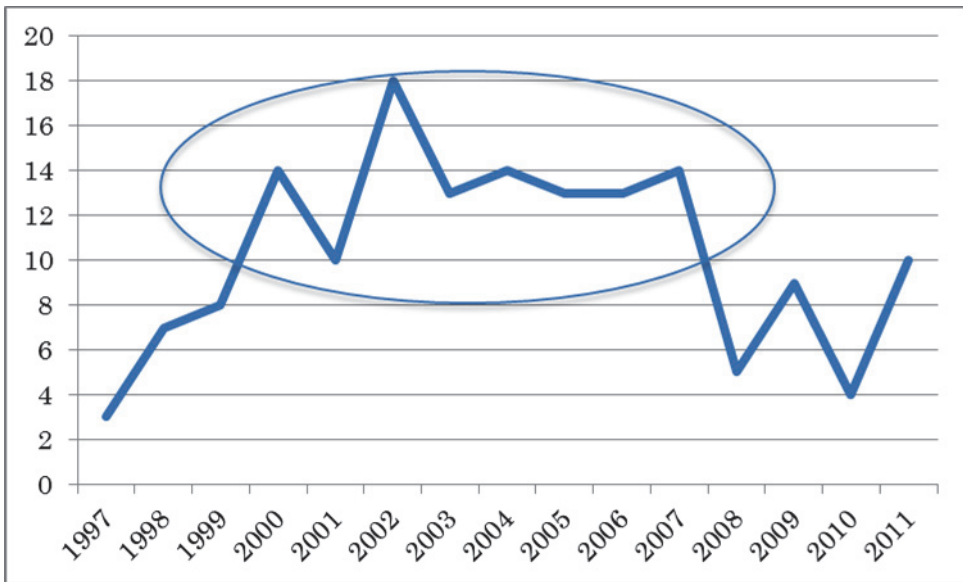
[Table 4] Numbers of death penalty, life imprisonment and imprisonment over 10 years in district courts (1997-2011)

	death penalty	life imprisonment	imprisonment over ten years	total
1997	3	33	153	189
1998	7	47	163	217
1999	8	72	178	258
2000	14	69	269	352
2001	10	88	281	379
2002	18	98	321	437
2003	13	99	372	484
2004	14	125	423	562
2005	13	119	531	663
2006	13	99	520	632
2007	14	74	457	545
2008	5	63	411	479
2009	9	69	329	407
2010	4	46	351	401
2011	10	30	354	394

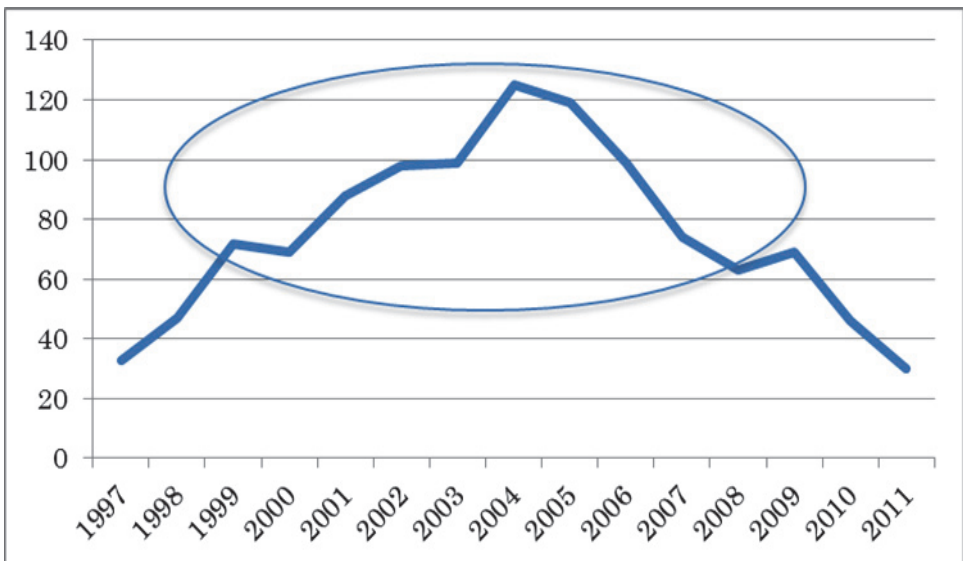
[Graph 4] Numbers of death penalty, life imprisonment and imprisonment over 10 years in district courts (1997-2011)



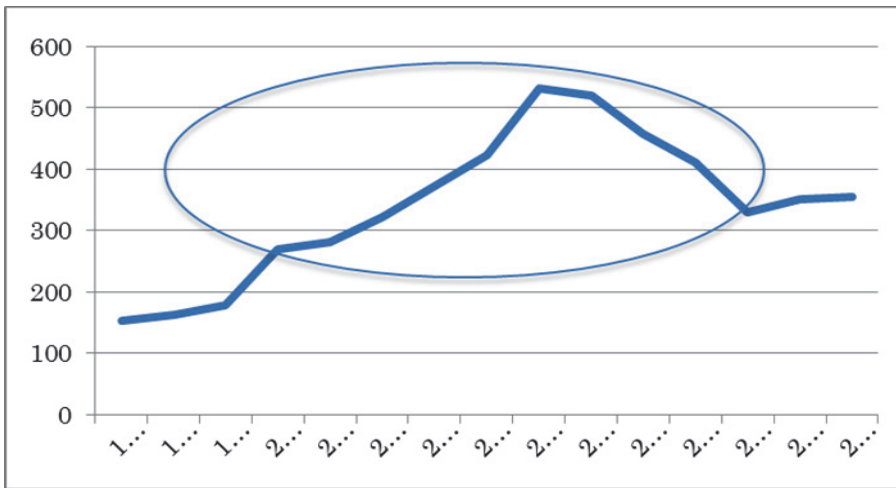
[4-]1.4.1. Trend of death sentences by district courts (1997 ~ 2011)



[4-]1.4.2. Trend of life imprisonment by district courts (1997 ~ 2011)



[4-(] 1.4.3. Trend of imprisonment over 10 years by district courts
(1997-2011)



II. Death penalty in Japan

1. Types of offences

[Twelve Offences in Penal Code of 24.04.1907]

- (1) homicide
(murder (§ 199), and robbery and rape resulting in death (§§ 240 und 241))
- (2) dangerous crimes against public interests
(arson of inhabited buildings (§108))
- (3) crimes Related to Insurrection
(rebelling against the state (§ 77 Nr.1), treason (§§ 81 und 82))
- (4) dangerous crimes resulting in death
(§§ 117 I,126 II,127 und 146 (I) und (§§ 240 und 241)

[Seven violations of special law]

- (1) 27.12.1884 Criminal Regulations to Control Explosives (§1)
- (2) 30.12.1889 Duel resulting in death (§3)
- (3) 18.05.1970 Hijacking resulting in death (§2)
- (4) 19.06.1974 Aviation hazard resulting in death (§3 II)
- (5) 16.05.1978 Murder of a hostage (§4)
- (6) 18.08.1995 Organized crime resulting in death (§3 I Nr.3)
- (7) 24.06.2009 Piracy resulting in death (§4)

2. Judgments of Supreme Court

a) The constitutionality of death penalty

The Japanese Supreme Court held that the death penalty is not a cruel and unusual punishment, and therefore does not violate the Japanese Constitution. „Article 13 of the Constitution stipulates that every person's right to live should be respected to the extent that it does not interfere with public welfare. The Supreme Court stated, „the death penalty had

the power to prevent social evil. Considering that the common good should be placed above the good of a single person, it judged that the death penalty benefited public welfare. Therefore, it concluded that the death penalty could in no way contravene Article 36.”⁶

b) The constitutionality of the method of execution

The Supreme Court judged that the method of execution (hanging) was in accord with Article 31.⁷

c) The constitutionality of regulations concerning death penalty

The Supreme Court held that 'Dajokan Fukoku 65 gou (Ordinance by Grand Council of State No.6 of 1873)' which stipulated the method of execution was applied under the present constitution. Therefore an execution in accord with this ordinance could in no circumstance be contrary to Article 31.⁸

d) Death sentences (865 [12.7]) and Executions (675 [9.9])

[Table 4] Death sentences and Executions (1946-2014)

(1) sentence (2) execution (1) (2) (1) (2) (1) (2)

1946	17	11	1966	13	4	1986	0	2	2006	20	4
1947	38	12	1967	13	23	1987	7	2	2007	23	9
1948	41	33	1968	13	0	1988	12	2	2008	10	15
1949	77	33	1969	13	18	1989	5	1	2009	18	7
1950	25	31	1970	13	26	1990	6	0	2010	8	2
1951	32	24	1971	13	17	1991	5	0	2011	24	0
1952	40	18	1972	13	7	1992	5	0	2012	10	7
1953	25	24	1973	13	3	1993	7	7	2013	7	8
1954	20	30	1974	13	4	1994	3	2	2014*	3	1
1955	15	32	1975	13	17	1995	3	6	<i>total</i>	517	422
1956	24	11	1976	13	12	1996	3	6	<i>average</i>	12.7	9.9
1957	27	39	1977	13	4	1997	4	4			
1958	20	7	1978	13	3	1998	7	6			
1959	14	30	1979	13	1	1999	4	5			
1960	33	39	1980	13	1	2000	6	3			
1961	22	6	1981	13	1	2001	5	2			
1962	14	26	1982	13	1	2002	3	2			
1963	17	12	1983	13	1	2003	2	1			
1964	9	0	1984	13	1	2004	15	2			
1965	7	4	1985	2	3	2005	11	1			

* Tanigaki, Minister of Justice, ordered to execute Masanori Kawasaki on June 26.2014.

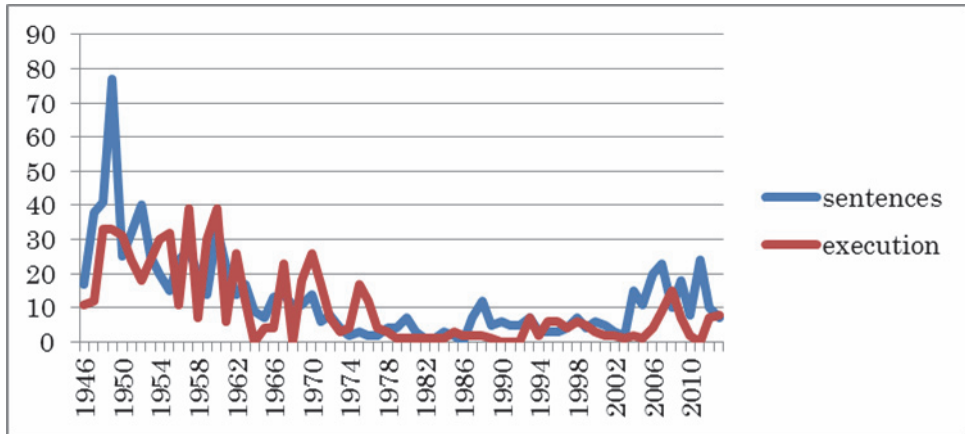
⁶ 12.03.1948, Grand Bench; Keishu Vol. 2, No.3, p.191.

⁷ 06.04.1955, Grand Bench; Keishu Vol. 9, No.4, p.663.

⁸ 19.07.1961, Grand Bench; Keishu Vol. 15, No.7, p.1106.

3. The Average of Death sentences and Executions every five years (1945-2012)

[Graph 5] Death sentences (finalized) and Executions (1945-2013)



III. A lay judge system, 'SAIBANIN-SAIBAN'

The lay judge system, which was established by the Act on Criminal Trials Examined under Lay Judge System (Act No.63 of 2004, (hereinafter referred to as the „Lay Judge Act”), aims to enable the general public to participate in criminal trials, for allowing their sound common sense to be reflected in judicial judgments, and deepen the general public’s understanding of and support for the judicial system, thereby establishing a stronger citizen-oriented basis for the criminal justice system over the long-term.

Cases subject to lay judge trials are of offenses punishable by the death penalty, life imprisonment with or without work (Type 1), and cases that need to be dealt with by a statutory collegiate court (offenses punishable by the death penalty, or life imprisonment or imprisonment for a minimum term of one year or more with or without work (excluding robbery, etc.)) and are of offenses resulting in death of the victim through an intentional criminal act (Type 2).

[Type Nr.1] crimes with death penalty or life imprisonment

[Type Nr.2] deliberate crimes resulting in death

1. Before SAIBANIN-SAIBAN”-system

Mission of investigation „The Death Penalty in Japan: A Practice Unworthy of a Democracy” (Report No. 359, 2003).⁹

In the time of raising crimes the ideology of New Liberalism prevailed widely and profoundly in Japanese society. „(T)he growing power of the victims’ lobby and press coverage of police investigative incompetence scandals, forced policing policy changes. Many previously unreported and/or relatively trivial crimes were formally recorded under the new police policy. This, in turn, produced a sudden and drastic increase in recorded

⁹ Tagusari, M., D. Johnson & M. Sato, A Report on the Death Penalty in Japan, March 2013.

<http://www.deathpenaltyproject.org/news/1421/dpp-launches-report-on-the-death-penalty-in-japan/> (March 11, 2016) ; International Federation for Human Rights, The Death Penalty in Japan: A Practice Unworthy of a Democracy. May 2003. <https://www.fidh.org/IMG/pdf/jp359a.pdf> (March 11, 2016)

crime and decrease in clearance rate. The Japanese press, inaccurately, raised the notion that the current ‘moral panic’, or ‘the myth of the collapse of security society’, has in turn contributed to the increasingly punitive public view about offenders and sentencing in Japan.”(Hamai & Ellis, 2008) Pratt named it ‘Penal-Populism’.¹⁰ The activism for victims’ rights, which was supported not only by mass media but also by police agencies and attorneys, had a strong hold on the public mind.

Japanese criminal justice had chosen a bigger one in 1990’s. Schematically speaking, an entrance of a system opened from 2.5 million to 3.6 wider (plus 44%), and length of incarceration grew up from maxims 20 to 30 years (plus 50%), therefore the total capacity of management (plus 116%). If one would make the capacity full, one should invest human and material resources in it. Thought the Government usually had to cut down personals and expense post babble economy, policemen and budgets for crime control were exceptionally increased almost every year. A fall of ‘Safety Myth’ was a simple and clear slogan that symbolized and legitimated the reinforcement of police powers.

In the term the Government campaigned for struggle against juvenile crimes and delinquencies. The campaign was supported by using criminal statistics, especially numbers and types of reported crimes. Indeed numbers of cleared cases and arrested suspects were relatively stable. The concurrent campaign of victims’ rights accelerated campaigns against monsters. Police officers accepted most cases that victims notified. They picked up dark figures most of which consisted of petty property crimes officers used to screen out. This resulted in the drastic increase of reported crimes, but the number of crimes cleared was relatively stable. The unbalance led to the lower rate of clearance, which made citizens fear crimes, in spite that the rate of serious crime kept a low level and the number of juvenile delinquencies was decreased.

Criminal justice system started changing into the crime control model. Reported crimes by police increased drastically, and then prosecutors took much more indictments to court. Professional judges sentenced much harsher than in the 1990’s. Thus it resulted in the increasing numbers of imprisonment, life imprisonment and death penalty. The outcome in the legislative revel was the act for harsher punishment of 2005. At the beginning of the 21th century prisons were overcrowded, used to more than 107%, and the criminal justice system suffered from excessive shortages of personal and material resources.

The Minister of Justice, Seiken Sugiura (31.10.2005: 331 days), decided upon a „Zero execution”-policy, while his following four ministers, Jinen Nakase (26.09.2006: 336 days:10), Kunio Hatoyama (27.08.2007: 342 days:13), Okiharu Yasuoka (02.08.2008: 54 days: 3) and Eisuke Mori (24.09.2008: 358 days: 9) ordered to hang 35 death raw prisoners in total at the end of ruling almost monopolistically cabinets more then 50 years by the Liberal Democratic Party. After the change the Democratic Party came to power at the election in August 2009.

In my opinion the increase of crimes and the broken security and safety functioned as evidences which justified the reinforcement of police power (increasing police officers and decreasing inhabitants per police officer) and setting a new criminal justice shift in motion which resulted in the lay judge system (reducing burdens through a new priority system) on the rising phase (1998-2003). The agencies such as the National Police Agency and

¹⁰ „[T]he criminal justice ‘establishment’ has had increasingly less influence on government policy. These twin developments – more public influence at the expense of that of the establishment – are now usually referred to as ‘penal populism.’” In: Pratt, J.,”Penal populism in New Zealand and its future: is penal populism inevitable?”, *Japanese Journal of Sociological Criminology*, No.33. 2008, p.30-45[p.30-31].

Prosecutors Office used their discretion to skip petty crimes out and divert suspects for the purpose of reducing excessive burdens and the inappropriate prison population. In 2004 they suddenly stepped on the next stage to adjust their burdens while keeping their own empowered framework of criminal justice system. These changing policies resulted in the falling phase (2004-2011).

2. *After Introducing SAIBANIN-SAIBAN"-system*

The Democratic Party came to power after the election in August 2009. Though two ministers of justice executed 7 prisoners after the regime change, other five ministers succeeded to maintain Sugiura's Zero policy, since the new ruling party held up a promise that it considered the introduction of life imprisonment without parole (LWOP). Because the Democratic Party chanted a slogan of financial retrenchment, the Government had to cut off resources surrounding the criminal justice too.

The number of reported crimes by police was decreasing, while the new public defender system for the suspected was introduced in preparation for a lay judge system. The Prosecutors Office originated a new priority system executed by prosecutors, suppressing simultaneously demands for the accused not only before lay judges courts but also professional judges ones. This resulted in milder sentences, decreasing life imprisonments and death penalties on one hand but in harsher punishment against sexual and mental disordered offenders on the other hand. In severe cases, especially in death penalty cases, trials burden heavily on lay judges' mentality. The Government had to reduce personal and material resources of a whole criminal justice.

In December 2003 the Government had already released an action plan to revive 'the Safest Country, Japan'¹¹, that aimed to keep the security and safety. It was, however, measured not by using quantitative parameters of reported crimes and clearance rate but by burdens for a policeman. Police Offices didn't need increase numbers and raise rates at any more. They wouldn't pick up unnecessary crimes and intervene in civil disputes. In 2008 the number of reported crimes returned to the level of 1988, about 2.5 million.

The Ministry of Justice and the Correctional Bureau tried to reach an appropriate number of inmates to resolve problems due to the overpopulation of prisons. The harsher standards of sentences might foster the high rate of incarceration and thus overcrowded prisons, hence policies of diversion were accepted by the authorities. The targets were drug users, old and mentally retarded criminals. The criminal justice system could divert and release them for medical and welfare fields. We can name these new policies a „priority system”¹².

In December 2008 the Government proposed „the action plan for a strong society against crime 2008” which aimed to reduce crimes further within five years and to remove the citizens' fear of crimes for the purpose of reviving the security and safety. After further regimes changes the coalition government of the Liberal Democratic Party and the KOMEI released „a fundamental action plan for a strong society against crimes” on May 28 2013. The number of reported crimes inclined to increase and the security became better to a certain degree. Despite the decrease of reported crimes, 40% of the nation felt, however, still unsafe on crime problems.¹³ The Government reinforces fears of cyber crimes and

¹¹ <http://www.kantei.go.jp/jp/singi/hanzai/index.html>.

¹² However, the total capacity of management maintains about 50% higher than in 1990's. PFI prisons are keep rooms for inmates. Occupied only 70%. The „maesabaki” by policemen, prosecutions by prosecutors and sentences by judges are all typified of discretionary powers. Since prisons stand at the end of a criminal justice, they ought to keep their capacities.

¹³ the public-opinion poll by Cabinet Office in Juli 2012

terrorism which threaten the nation and society. In order to revive ‘the securest and safest state, Japan’ the Government enforces policies to protect the nation’s inhabitants, bodies and properties against risks of crimes and terror and to maintain an environment of security and safety which is based on sustainable economic development and corporate activities. In contrast, policies against street crimes differ from policies in post bubble economy. In order to construct a strong society against crimes, the Government acts across ministries and cooperates with various civil sectors to prevent ex-prisoners from recidivisms, to let members of communities realize crimes and criminals exactly and to include people who will live without offenses into their own communities and make their rehabilitation sustainable. The conservative Government has changed crime policies from a model of post bubble economy to a model of new liberalism, which orientates towards free labor markets and strong corporations on one hand and prepares safety nets for weak and poor but law abiding people willing to work without any crimes on the other hand. Those who have committed crimes are accepted by a society, if they are able and willing to work without creating new offenses.

IV. Conclusion:

This paper assumes that the ‘Mt. Fuji-line,’ namely the rise and fall of reported crimes, cleared crimes and criminals and population of prisons, reflects the changes of crime control policies. There are two concepts of criminal policies, a bigger and smaller criminal justice system. In a rising phase the Government orientated towards a bigger one. Since this concept, however, needs an extensive amount of personal and material resources, the Government wasn’t able to sustain it. The phenomena happened mainly within the administrative system, whose disturbances radiated into legitimacy and socio-cultural systems.

Is the „*Monsieur Verdoux*”-time over?

[Tabel 6] Ministers of Justice and executions (2006-2014)

name	assumption	days	party	execution
<u>NAGASE</u>	2006.09.26	336	LDP	10
<u>HATOYAMA</u>	2007.08.27	342	<u>LDP</u>	13
<u>YASUOKA</u>	2008.08.02	54	<u>LDP</u>	3
<u>MORI</u>	2008.09.24	358	<u>LDP</u>	9
<u>CHIBA</u>	2009.09.16	367	<u>DP</u>	2
<u>YANAGIDA</u>	2010.09.17	67	<u>DP</u>	0
<u>SENGOKU</u>	2010.11.22	54	<u>DP</u>	0
<u>EDA</u>	2011.01.14	232	<u>DP</u>	0
<u>HIRAOKA</u>	2011.09.02	134	<u>DP</u>	0
<u>OGAWA</u>	2012.01.13	144	<u>DP</u>	3
<u>TAKI</u>	2012.06.04	120	<u>DP</u>	4
<u>TANAKA</u>	2012.10.01	23	<u>DP</u>	0
<u>TAKI</u>	2012.10.24	64	<u>DP</u>	0
TANIGAKI	2012.12.26	603	LDP	9

* 2014.08.20 Each executionsrate(days per execution) is 31.1days in the former FDP era (2006-2009: 1090days/35executions), 172.1days in the DP era (2009-2012: 7/1025) and 67days in the present FDP era (2012-2014: 603/9).