

*Question
Peters
& Grothmann
about this*

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LMG/y

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7708TH WAR CRIMES GROUP
APO 205

15 November 1946

SUBJECT: Status of Personnel in Concentration Camps
TO : Counsel Section

1. In order to avoid any misunderstanding with respect to the status of concentration camp personnel, the following summary, taken from the testimony of Lt Gen Gottlob Berger of the "affen SS, in the trial of the Ploesenburg Concentration Camp on 1 and 4 November 1946, is submitted for your guidance:

The Death's Head Units of the SS (Totenkopf Verbände) were organized in 1933-34 and were placed under the control of Theodor Eicke. The mission of these units was to administer all phases of the concentration camps including both staff and guard duty. The Units were composed of volunteers whose periods of enlistment ranged from two to twelve years. This service in the Death's Head Units was not considered military service and as soon as any one of these volunteers reached the age for mandatory military service he was required to complete two years of compulsory military training. Upon completion of his military service he reverted to the Death's Head Unit and finished his previous term of enlistment.

The Death's Head Units as such were deactivated on 31 December 1939. Prior to this time, approximately September 1939, seven thousand five hundred members of the Units were transferred into the newly activated Waffen SS Panzer Division "Totenkopf" (Death's Head). This Death's Head Division, of course, was thereafter engaged in active military operation and saw duty on the Eastern Front. From 1 January 1940 there were approximately three thousand four hundred members of the former Death's Head Units who were capable of performing front line duty and who were gradually drafted for front line duty. This number did not include personnel who composed the staff of the concentration camps, but only the guards.

The status of those persons who were formerly members of the Death's Head Units remaining on duty in concentration camps was in doubt from 1 January 1940 until sometime in the early part of 1942. That is, there was a question as to whether such personnel were engaged in military or non-military service. This question was clarified by a decision of Himmler which determined that those persons who (1) constituted the guards of the prison compound, (2) guarded the prisoners while going to and from their place of work, and (3) guarded the prisoners while they were at their place of work, were guards and were in the military service; all other personnel which included the staff and persons actively engaged in the administration of the camp were not in the military service but were employees of the SS Main Economic and Administrative Department of the Reich, located at Oranienburg.

The concentration camp personnel was therefore divided into two categories: (1) guards who were engaged in military service, and (2) all others who were not engaged in military service but were merely employees of the Reich SS Main Economic and Administrative Department. This second classification was later modified by including as being on military service

those members of the armed forces who had been so severely wounded as to be no longer fit for front line duty and who had been assigned for duty in concentration camps either as guards or as members of the staff.

The members of the second class were not subject to the normal operation of the draft laws for military service. The only way a man who was a member of this second class of personnel could get out of his concentration camp duty was to volunteer for front line duty.

During 1941 Hitler issued a decree which stated in substance that any man could be relieved from his present duty by volunteering for duty at the front and that request must be honored. In the light of this decree, those who continued to remain on duty in concentration camps may be considered as volunteers.

Whether or not personnel can rightfully claim, in mitigation of their offenses, that they were merely soldiers acting in accordance with the noble profession of bearing arms and under orders, is dependent upon which of the two afore-mentioned categories they belong.

WM. D. DENSON
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