

DEPUTY JUDGE ADVOCATE'S OFFICE
7708 WAR CRIMES GROUP
EUROPEAN COMMAND
APO 407

16 October 1947

UNITED STATES)

v.)

Ludwig DEUTSCH, et al.)

Case No. 000-50-2-63

REVIEW AND RECOMMENDATIONS

I. TRIAL DATA: The accused were tried at Dachau, Germany, during the period 30 January - 3 February 1947, before a General Military Government Court.

II. CHARGES AND PARTICULARS:

FIRST CHARGE: Violation of the Laws and Usages of War.

Particulars: In that Ludwig Deutsch and Herbert Stroessenreuther acting in pursuance of a common design to commit the acts hereinafter alleged, and as individual(s) aiding in the operation of the Dachau Concentration Camp and camps subsidiary thereto, did, at or in the vicinity of DACHAU and LANDSBERG, Germany, between about 1 January 1942 and about 29 April 1945, willfully, deliberately, and wrongfully encourage, aid, abet and participate in the subjection of civilian nationals of nations then at war with the then German Reich to cruelties and mistreatment, including killings, beatings, tortures, starvation, abuses and indignities, the exact names and numbers of such civilian nationals being unknown but aggregating many thousands who were then and there in the custody of the German Reich in exercise of belligerent control.

SECOND CHARGE: Violation of the Laws and Usages of War.

Particulars: In that Ludwig Deutsch and Herbert Stroessenreuther acting in pursuance of a common design to commit the acts hereinafter alleged, and as individual(s) aiding in the operation of the Dachau Concentration Camp and camps subsidiary thereto, did at or in the vicinity of DACHAU and LANDSBERG, Germany, between about 1 January 1942 and about 29 April 1945, willfully, deliberately and wrongfully encourage, aid, abet and participate in the subjection of members of the armed forces of nations then at war with the then German Reich, who were then and there surrendered and unarmed prisoners of war in the custody of the then German Reich, to cruelties and mistreatment, including killings, beatings, tortures, starvation, abuses and indignities, the exact names and numbers of such prisoners of war being unknown, but aggregating many hundreds.

III. SUMMARY OF EVIDENCE: Accused DEUTSCH was an inmate of Dachau Concentration Camp and served as a chief capo. Accused STLOESSEN-REUTHER was a Waffen SS master sergeant and served as manager of a cable dissection works at Dachau Concentration Camp. Both accused served at Dachau Concentration Camp for considerable periods of time between the dates alleged and were shown to have participated in the Dachau Concentration Camp mass atrocities. Prosecution's exhibit P-Ex 1 is a certified copy of the charges, particulars, findings and sentences in the parent Dachau Concentration Camp case (United States v. Weiss, et al., 000-50-2, March 1946, DJLWC, hereinafter referred to as the "Parent Case"; see Section V, post, R 9).

IV. EVIDENCE AND RECOMMENDATIONS:

1. LUDWIG DEUTSCH

Nationality:	German
Age:	56
Civilian Status:	Unknown
Party Status:	Unknown
Military Status:	None
Plea:	NG Charge I; NG Charge II
Findings:	G Charge I; G Charge II
Sentence:	5 years, commencing 3 February 1947

Evidence for Prosecution: The accused was chief capo of the cable dissection detail at Dachau Concentration Camp (R 10). Seven hundred to nine hundred inmates worked on this detail, which was made up of Russians, Poles, Italians, French, Greeks, Belgians, Dutch and Germans. The Germans were employed as supervisors (R 13). Habitual criminals of German nationality were assistant capos on this detail. The accused beat inmates almost daily and took food and clothing from them (R 14). He was famous as a beater throughout the detail (R 15). The accused did most of his beating in order to "embezzle" and not to keep inmates from being reported

for minor offenses (R 22). Inmates who were assigned to a punishment detail that worked outside the barracks were able to return to work inside the barracks by bribing the accused with cigarettes, sugar or sardines (R 11-13). On one occasion the accused struck an inmate over the head with a stick two yards long (R 22). The accused beat inmates with his hands and, if he did not like the inmate, he sent him on an inmate transport. On another occasion when an insane Yugoslavian inmate hit the accused over the head with a hammer, he beat him over the head with the handle of the hammer so severely that the victim could not see any more. The accused kicked inmates when they fell to the floor as a result of these beatings (R 33, 49, 51, 70; P-Ex 2). The accused spent most his working day kicking, beating and hitting the inmates in his detail (R 37). Young inmates between the ages of 8 and 14 who worked on the cable dissection detail said that the accused beat them (R 54, 72). The accused testified that he beat inmates for stealing things from their comrades (R 117); and that he was at Camp Dachau ever since 1936 except for a period of four months in 1939 (R 116). The accused stated in his extrajudicial sworn testimony that he was a capo at Camp Dachau from 5 January 1944 until 29 April 1945 (R 121; P-Ex 5).

Evidence for Defense: A former inmate of Camp Dachau testified that he never saw the accused beat or slap any inmates when he was present nor did any inmate ever tell him that the accused beat them (R 109). The accused testified that he never beat any young inmates. If he had not slapped some inmates now and then in the presence of the SS men, they would have received 25 lashes with a stick, been confined six days in the standing bunker, or would have been deprived of one week's extra rations (R 117). He never took anything from the inmates (R 129). He got four extra buckets of food every day for the inmates on his detail (R 133). Another former inmate at Camp Dachau testified that he knew the accused since 1940 and that he never heard any complaints about

him nor saw him beat anybody. The accused brought potatoes and wood to the inmates (R 147). A former inmate testified that, if it had not been for the help of the accused, he would have perished in Camp Dachau (R 150, 151).

Sufficiency of Evidence: The findings of guilty are warranted by the evidence. The sentence is not excessive.

Petitions: No Petitions for Review nor Petitions for Clemency were filed.

Recommendation: That the findings and sentence be approved.

2. HERBERT STROESSENREUTHER

Nationality:	German
Age:	55
Civilian Status:	Unknown
Party Status:	Allgemeine SS
Military Status:	Waffen SS Master Sergeant, manager of the Cable Dissection Works at Camp Dachau
Plan:	NG Charge I; NG Charge II
Findings:	G Charge I, G Charge II
Sentence:	10 years, commencing 3 February 1947

Evidence for Prosecution: The accused was manager of a cable dissection detail (R 10). In November 1944 the accused hit an inmate over the head with a long stick for smoking after work although smoking was permitted. The accused then assigned this inmate to a punishment detail that had to work outside in the cold (R 11). The accused beat inmates almost every day and took clothing away from them (R 14, 49, 51, 70, 70). The accused with the assistance of the chief capo, accused DEUTSCH, appointed German criminal inmates as assistant capos (R 15, 16). The accused prohibited inmates from washing their hands before eating. Violation of this order on the part of an inmate would result in his receiving a beating or an assignment to a punishment detail (R 16). There were two or three

useable toilets in the lavatory for 700 to 800 inmates (R 17). Inmates on the cable detail had to make up on Sunday for time lost due to air raids (R 19). As a result of working on Sundays inmates were unable to take baths (R 20). The accused beat inmates when they entered the factory in the morning. During an air raid in June 1944, the accused locked the inmates in the barracks (work shop) while he took shelter in the potato cellar (R 18, 95; P-Ex 3). Ten inmates of German, Polish, Yugoslavian and Italian nationality were killed when the barracks were hit by bombs (R 125, 136). Inmates who bribed the accused were permitted to smoke during working hours (R 23). The accused beat a Polish inmate with a rubber hose so severely that he sustained head injuries and remained in the dispensary for five or six weeks. The accused was the greatest sadist in camp (R 31). For minor offenses such as carrying too little cable to the scale to be weighed or washing their filthy hands, inmates were deprived of their so-called second breakfast (R 37). The accused threatened to send an inmate who was suffering from a stomach ailment on an inmate transport for cooking peppermint tea on the stove in the work shop (R 42). The accused was feared and hated by all the inmates in his detail (R 42, 46). He beat inmates until they were unconscious. The accused sent inmates on inmate transports (R 79). He threatened to shoot inmates with his pistol (R 80). One day the beating table was brought into the work shop and a mass whipping took place on orders of the accused. Forty inmates were flogged. A capo, who refused to take part in administering this punishment, was himself severely beaten by the SS men present and lost seven teeth (R 81, 82, 97). His eyes were so swollen from this beating that he could not see for four weeks (R 98). The accused invited five or six SS men to this mass flogging and told them, "Come over here; there is something for you to see." The accused was a 100% SS man. Hundreds of inmates were whipped at his instigation (R 103; P-Ex 4).

Evidence for Defense: A former inmate testified that he never saw or heard that the accused beat or slapped inmates (R 109). Inmates said that the accused secured extra food for them (R 111). The accused was not a "bad guy". When he was mad he would beat inmates immediately, but five minutes later he would give them his bread and soup (R 86). A former employee of Dachau Concentration Camp testified that he never saw the accused beat any inmates (R 144).

Sufficiency of Evidence: While the evidence is not too clear as to the period of time during which the accused participated, the court would have been warranted in concluding that he participated over a considerable period of time. Moreover, the sentence is fully warranted solely by the evidence as to the accused individual acts of atrocity.

The findings of guilty are warranted by the evidence. The sentence is not excessive.

Petitions: A Petition for Review was filed by the accused, 6 February 1947. No Petitions for Clemency were filed.

Recommendation: That the findings and sentence be approved.

. QUESTIONS OF LAW:

Jurisdiction: It is clear that the Court had jurisdiction of the persons of the accused and of the subject matter.

Application of the Parent Case: The Court was required to take cognizance of the decision rendered in the Parent Dachau Concentration Camp case, including the findings of the Court therein, that the mass atrocity operation was criminal in nature and that the participants therein, acting in pursuence of a common design, subjected persons to killings, beatings, tortures, etc., and was warranted in inferring that those shown to have participated knew of the criminal nature thereof (Letter, Headquarters United States Forces, European Theater, File AG 000.5 JAG-AGO, subject: "Trial of War Crimes Cases," 14 October 1946, and the Parent Case). The accused were shown to have participated in the mass atrocity and the

them that they not only participated to a substantial degree but that the nature and extent of their participation were such as to warrant the sentences imposed.

Examination of the entire record fails to disclose any error or omission which resulted in injustice to the accused.

VI. CONCLUSIONS:

1. It is recommended that the findings and sentences be approved.

2. Legal Forms Nos. 13 and 16 to accomplish this result are attached hereto, should it meet with approval.

MURRAY J. ANDROVETTE
Attorney
West Trial Branch

Having examined the record of trial, I concur,
this _____ day of _____ 1947.

C. E. STRAIGHT
Lieutenant Colonel, JAGD
Deputy Judge Advocate
for War Crimes

DISCHARGE

Entlassung

FROM
aus

WAR CRIMINAL PRISON NO. 1
LANDSBERG GERMANY

000-502-63

TO WHOM IT MAY CONCERN

An alle, die es angeht.

This is to certify that
Es wird bescheinigt, daß

Ludwig DEUTSCH

is hereby discharged from the War Criminal Prison No. 1 Landsberg/Lech, (Germany)
hiermit aus dem War Criminal Prison No. 1 Landsberg/Lech, (Deutschland)

by reason of expiration of sentence being credited "Good Conduct Time"
aus folgendem Grund entlassen wird Strafbende unter Gewährung "Guter Führungszeit"

Said Ludwig DEUTSCH was born in
Bezeichneter ist geboren in

Frankenthal in the state of reg-bezirk Frankenthal

subject is 60 years of age and by occupation driver
Er ist 60 Jahre alt und ist von Beruf Kraftfahrer

he has blue eyes brown hair ruddy complexion
Er hat blaue Augen braune Haare frische Gesichtsfarbe

and is 5 feet 7 inches in height
und ist 1.72 in groß

Said Ludwig DEUTSCH was confined in
Bezeichneter war inhaftiert in

War Criminal Prison No. 1, Landsberg/Lech, (Germany) from 3 Febr. 1947
War Criminal Prison No. 1, Landsberg/Lech, (Deutschland)

to 25 August 1950 his conduct while in confinement was excellent
bis 25. August 1950 Seine Führung während seiner Halt war. ausgezeichnet

Given under my hand at Landsberg/Lech, (Germany) this twentyfifth
Ausgefertigt in Landsberg/Lech, (Deutschland) am fünfundzwanzigsten

day of August one thousand nine hundred and fifty
Tag des August Eintausendneuhundert und fünfzig

W. R. Graham

HOME ADDRESS:

Frankenthal,
Karl Theodorstr. 17

W. R. GRAHAM, Col., Inf.
PRISON-DIRECTOR
Gefängnis-Direktor

Under the provisions of § 199, Bavarian Ministry of Justice Bulletin Number 1, dated 1 February 1949

Ludwig DEUTSCH
(Name)

was furnished the sum of

DM 18.00 (In Words) eighteen

from the Bavarian Ministry of Justice through the Prison Director War Criminal Prison No. 1, Landsberg/Lech (Germany) as provided under these regulations, as pertains to support and discharge of inmates.

Unter den Bestimmungen des § 199, Bayerisches Justizverordnungsblatt No. 1, vom 1. Februar 1949 wurde dem oben Bezeichneten der obige Betrag von dem Bayerischen Justizministerium durch den Gefängnisdirektor des Kriegsverbrechergefängnisses No. 1 in Landsberg/Lech gemäß obiger Bestimmung hinsichtlich Unterstützung und Entlassung von Gefangenen ausbezahlt.

Ludwig DEUTSCH was furnished Railroad Ticket from
Landsberg/Lech to **Frankenthal**

Dem oben Bezeichneten wurde eine Fahrkarte von Landsberg/Lech nach
Frankenthal ausgehändigt.

I have been notified to report to police and labor office within 72 hours after reaching my destination.

Ich wurde unterrichtet, daß ich mich innerhalb 72 Stunden nach Erreichen meines Bestimmungs-ortes bei der Polizei und dem Arbeitsamt zu melden habe.

I acknowledge to have received the above moneys and railroad tickets from the Prison Director, War Criminal Prison No. 1, Landsberg/Lech (Germany) on date of discharge.

Ich bescheinige hiermit, daß mir der oben erwähnte Betrag und die oben erwähnte Fahrkarte durch den Gefängnisdirektor des Kriegsverbrechergefängnisses No. 1 in Landsberg/Lech (Deutschland) am Tage meiner Entlassung ausgehändigt wurde.

Witnessed by (Zeuge):

D.E. Hauberg
(Signature - Unterschrift)

D.E. HAUBERGER, M/Sgt.
(Name and Rank - Name und Dienstgrad)

Deutsch Ludwig
(Signature - Unterschrift)
(Ludwig DEUTSCH)

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