

DEPUTY JUDGE ADVICATE'S OFFICE
7708 " R CRIMES GROUP
EUROPEAN COMMAND
AFO 207-1

6 August 1947

UNITED STATES)

v)

Johann ADOLF)

Case No. 000-50-2-58

REVIEW AND RECOMMENDATIONS

I. TRIAL DATA: The accused was tried at Dachau, Germany, during the period 24-25 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 Johann ADOLF, acting in pursuance of a common design to commit the acts hereinafter alleged, and as individual 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 Johann ADOLF, acting in pursuance of a common design to commit the acts hereinafter alleged, and as individual 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. DATA AS TO ACCUSED:

JOHANN ADOLF

This accused was acquitted (R 179).

IV. SUMMARY OF EVIDENCE:

Accused ADOLF was a political prisoner at Dachau Concentration Camp from 1941 to 2 April 1945, when he was made capo and sent out to work on a tank trap detail two kilometers from Camp Dachau. He was still an inmate at the end of the war. Prosecution's P-By 1 is a certified copy of the charges, particulars, findings and sentences in the parent Dachau Concentration Camp Case (U. S. v Weiss et al., OOC-50-2, March 1945; R 6). The Court apparently concluded that the evidence concerning the nature and extent of his participation in the mass atrocity operation was inadequate to form the proper basis for sentencing the accused.

V. JURISDICTION:

It is clear that the Court had jurisdiction of the person of the accused and of the subject matter.

VI. RECOMMENDATION:

It is recommended that the record of trial be filed in the records of this office and that a copy of this Review and Recommendations be forwarded to the Judge Advocate, European Command, for his information.

/s/ Louis T. Fischer
/t/ LOUIS T. FISCHER
Attorney
Post Trial Branch

Having examined the record of trial, I concur:

/s/ C. E. Straight
/t/ C. E. STRAIGHT
Lieutenant Colonel, JAGD
Deputy Judge Advocate
for War Crimes.