

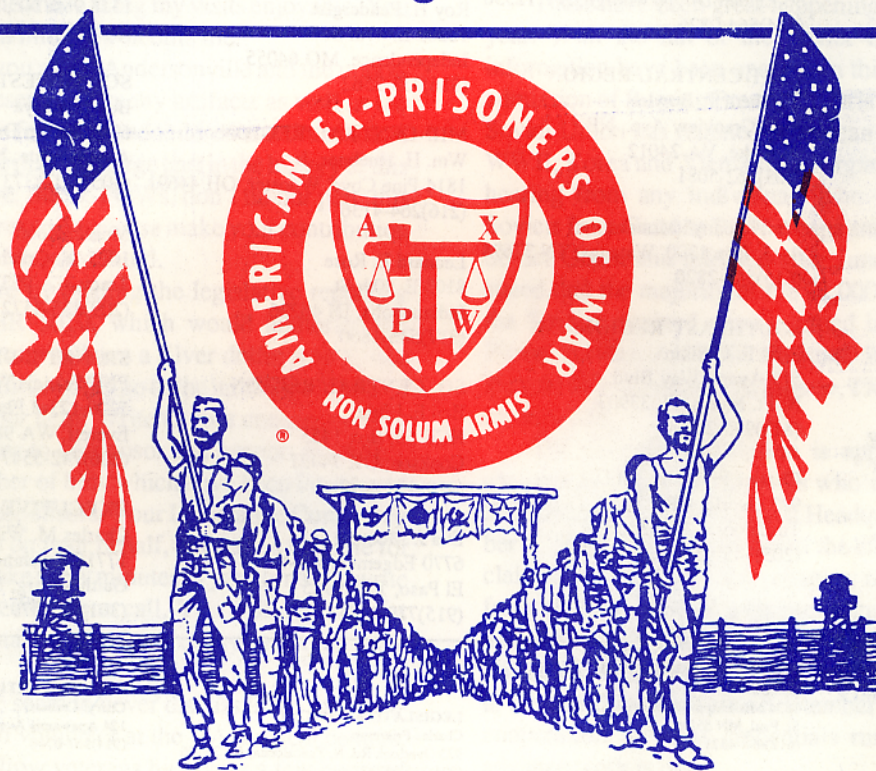
EX-POW BULLETIN

American Ex-Prisoners of War

Volume 49

August 1992

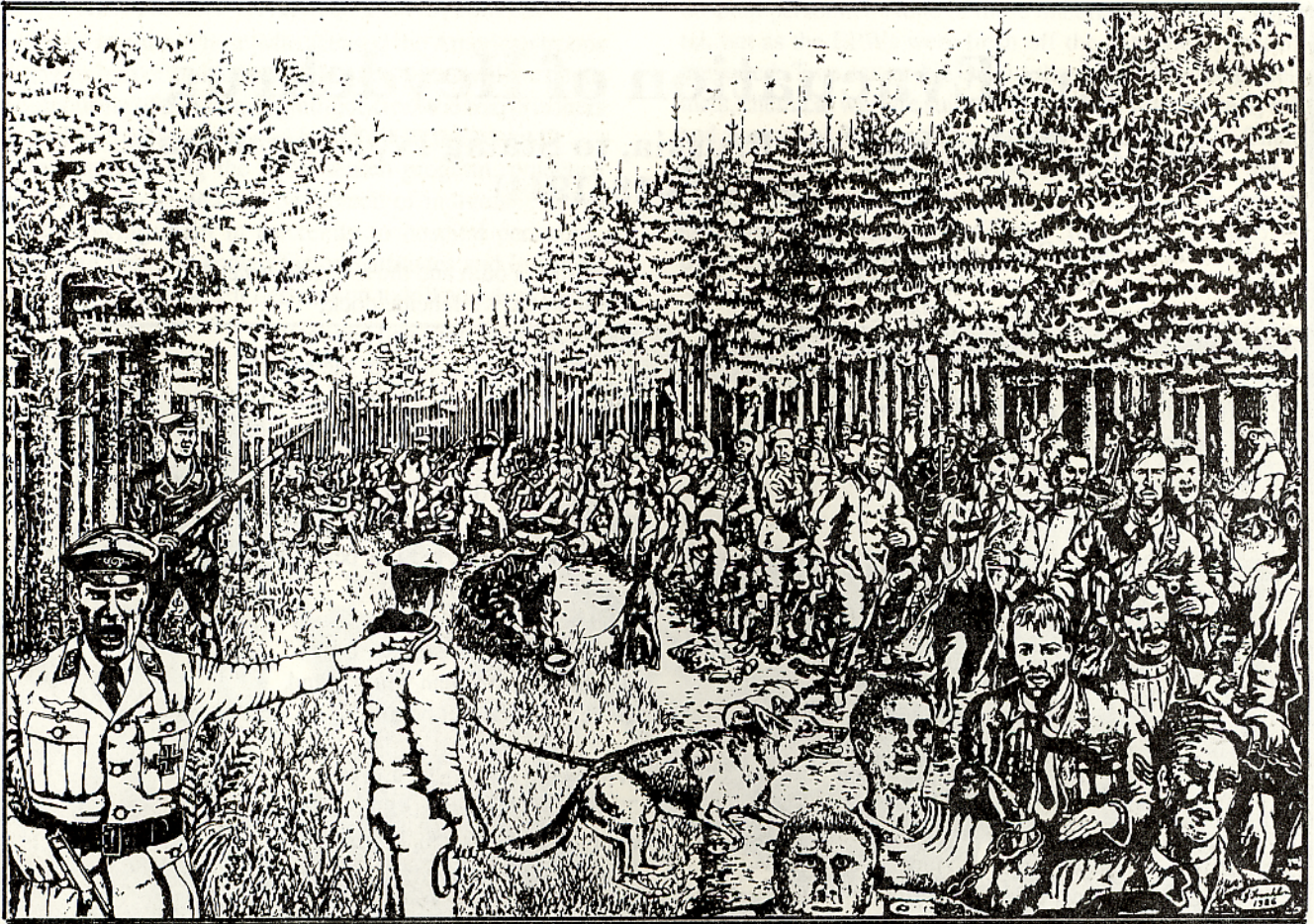
No. 8



*The Golden Anniversary of Freedom
American Ex-Prisoners of War
45th National Convention*

SEPTEMBER 22-27, 1992

EXECUTIVE INN • EVANSVILLE, INDIANA



HEYDEKRUG RUN

BY R.J. FRANKLIN (O'DONNELL COLLECTION)

#1628/U.S. Against Germany - Case 1

by Gregory Hatton
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Six former POWs were gathered around, chatting about a ballgame played long ago on the sandy fields of Stalag Luft VI, Heydekrug, East Prussia. They savoured the memory of every inning, until they remembered that the ball had been hit over the barbed wire fence. It called to mind the mean spiritedness of their captors, who might easily have waited several days to return the ball to play. The officers and guards of Stalag Lufts VI and IV became the topic of discussion.

The first to come to mind was "Big Stoop", known by all as an oafish brute. There is a special place where men lock away their most bitter memories; this day, all recalled "the Butcher of Berlin", also known as "the Mad Captain". Charles Fouzie spoke through taut lips, and all present seemed to agree, "In my mind, until the day I die, he'll go by the name of 'son of a bitch'."

Although thousands of allied airmen suffered at their hands, the men who ran the camp have remained largely anonymous. Rumors have persisted for decades about their real identities and their fates at war's end. Only the most

determined of efforts has revealed who these men were, and what were their deeds. Records held at the National Archives and the U.N. Archives had to be combined with personal narratives from people directly involved in the legal process.

The most discernable documents along the widely dispersed trail are the War Crimes Trial briefs filed by England and the United States. Hauptman Richard Pickhardt and his associates were held responsible for an organized reign of terror, lasting from March 1944 until May 1945. Four unarmed American POWs had been shot. In particular, the transfer of 2,000 prisoners from Heydekrug to Kiefeheide (in July 1944) was cited as a violation of Article 2 of the Geneva Convention, which states:

Prisoners are in the power of hostile governments, but not of the individuals. They shall at all times be treated humanely, particularly against acts of violence...and measures of reprisal...

German POW camps are acknowledged to have observed the letter of the law, but were often a world unto themselves, isolated kingdoms, in far off places, where men of cruelty and ill-will could do their worst — away from the prying eyes of civilization and the rule of law. Rank and

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CASE I, cont'd...

military necessity were their cloak and disguise. The Mad Captain (Pickhardt) and Big Stoop (Hans Schmidt) were two of those who were known more for their heinous actions than their personalities or motives.

The legal machinery for investigation, apprehension and trial of these men began in January 1944. The Judge Advocates General was directed to establish a War Crimes Office. Later, a coalition was set up between the Navy, the War Department and the State Department to oversee these matters. The job was expected to be completed by 1948. War Crimes offices were established in both the Pacific and European theaters; these joined a network of agencies set up by other Allies. Before the invasion, SHAEF (Supreme Headquarters Allied Expeditionary Forces) was the operational authority. After the surrender of Germany, SHAF (Supreme Headquarters Allied Forces Europe) took over the job. The 12th Army Group was assigned the duties of occupation.

In July of 1945, Military Government Tribunals were assigned the task of dealing with "cases involving offenses against the laws and usages of war." The military occupation government was the logical authority because they had direct control of both German and Allied prisoners of war, as well as the population of former Axis territories.

The 12th Army Group had its own Judge Advocate Section with four War Crimes branches. Each one had its own investigating teams. After an incident was reported, they would determine the names and descriptions of the perpetrators, then investigate, locate and arrest them.

The U.N. War Crimes Commission had a list and the investigating team could file a wanted report with CROW-CASS. The Central Registry for War Criminals and Security Suspects was set up to pool all the data and issue regular reports to the agencies involved with detention and security work. The task of identifying and tracking down thousands of suspects across Europe was an extraordinary effort. Their mandate was short, and the teams from the War Crimes Branch were involved with both civilian and military crimes. Two notorious cases where American infantry and airmen were shown no quarter and murdered after capture were the Malmedy Massacre and the Vienenberg Incident. Concentration camps also came under their jurisdiction, and the Dachau Detachment was one of the units assigned to investigate War Crimes perpetrated at Lufts VI and IV.

The process was similar to a grand jury hearing. Prosecutors prepared a trial brief containing a short "statement of facts", the "particulars of the crime" and the evidence. An evaluation was made by Committee I of the U.N. War Crimes Commission. Their job was to advise if "prima facie" case existed, to give legal opinions or suggest penalties. The authority to go ahead with a trial rested with the commanding officer within the zone of occupation.

Over 8,000 cases were examined, which named nearly 37,000 individuals. The Luft IV case was typical, in that much of the early evidence was vague or incomplete. By mid-1945, testimony of released prisoners was available, making

it somewhat easier to form a precise charge. Ironically, as it became easier to collect evidence, the committee tightened its rules for the submission of a case. Only five cases were completely rejected and 58, in part; the degree of thoroughness required was the reason.

The prosecution had to show that a war crime of "reasonable importance" had been committed, and that a trial would lead to a conviction. It was not only the nature of the offense, but could the offenders be identified? Was the offense committed in obedience to orders and what would be the probable defense?

The record shows that an extraordinary effort was mounted to bring to justice the officers and key guards from Stalag Lufts VI and IV. The paper trail begins with a letter to the Swiss legation and the commandant of Luft IV (Lt. Col. Bombach). It is signed by Man of Confidence Frank Paules and dated July 20, 1944:

I have the honor to submit the following complaints and request that they be forwarded to the protecting powers: On the 15th of July 1944, approximately 1,700 prisoners were transferred from K6F N4.6 to KGF Nr4. (1) on board the ship...the prisoners were crowded into the hold...without provisions for hygienic necessities...or water...no life preservers were provided...conditions were enforced for over 40 hours. (2) Upon disembarking, prisoners were handcuffed for the duration of their journey...then forced to march from the train...in charge of guards with fixed bayonets and dogs...(who made it)...impossible to carry their baggage. (3) Upon arrival at KGF lagar Nr4...the prisoners...were struck with gun butts and subjected to insults...(others) suffered bayonet wounds. I protest that these points were violations of the Geneva Conventions relative to prisoners of war...(which) are to be observed by the German military authorities.

Richard Chapman, the camp leader at Luft IV, protested the continued abuse of newly arriving prisoners who were forced to run the gauntlet on at least two other occasions in August. An exhaustively complete account of the four day journey from Heydekrug to Kiefeheide was detailed on October 10 by the Swiss delegate Albert Kadler. The early basis for British and American prosecutor's claims that a war crime had occurred relied on these documents. Kadler's report included a hint that camp administrators rather than their superiors could be held responsible:

One...German officer...accompanying prisoners from Dulag Luft...protested very strongly against the treatment received...on the way to camp. The result (was) that the head of the (POW) section of the OKW, Oberst Westhoff, made an inspection of Luft IV. Since then...the treatment prisoners receive between the station...and the camp...can be considered as satisfactory.

The Germans, for their part, issued a reply to Sgt. Frank Paules' protest, through their State Department:

Investigations (by the Minister of Aviation) revealed that the statements...are considerably exaggerated. The distance of 3 km from the station to the camp was easily covered in 25 minutes. As the prisoners were young and athletic men...the

CASE I, cont'd...

marching pace was in no way too fast...For reasons of security, the distance had to be covered (rapidly). A slow pace might have favored escapes...The guards had been ordered to be severed towards stubbornness or provocative behavior...if injuries occurred, they are light, according to the German troop doctor.

In September there had been a repatriation of four Americans from Luft VI. Following this, on November 1, 1944, the Judge Advocate received a "Report on War Crimes Cases" forwarded by MIS (Military Information Service). Specific knowledge of the German personnel was limited at the time, but the file of names had begun. It was known that Luft VI was administered by Col. Von Hoerman, an aging Prussian officer, who struggled to run his camp in a military fashion. Indications were that his efforts were being compromised by Gestapo tactics and red tape. In theory, the commandant's job was to oversee the activities of the OKW officers (army), the Luftwaffe guards and the Abwehr (security). In addition, there was a civilian Gestapo man who worked closely with the security forces. Any notions about prisoners' rights were eroded by the internal struggles for power at the camp.

Before the repatriation, MIS had been in communication with camp leaders by means of coded letters. Now they could supply the testimony of actual witnesses:

...certain soldiers, under the command of Major Gruber (Luft VI), did, on July 18, 1944, (inflict) cruel treatment on prisoners of war. Also accused is Captain Raypert and unidentified German soldiers.

Although new and disjointed, the investigation widened each month, like a beacon searching the dark. Col. Bombach, second in command at Heydekrug, had assumed total control of the new camp. Surrounded by a cadre of dedicated Nazis, he had a penal colony approach to authority; there would be no escapes and the guards' behavior was unrestrained.

Stalag Luft IV swelled its ranks to nearly 10,000 Allied prisoners during its existence from May 1944 until February 1945. At that time, camps all over the Eastern front were evacuated and the men began their long "Black March" on the "Shoe Leather Express" back into Germany. The officers and guards from the camp accompanied them along their several routes of march.

The British were pursuing an aggressive policy towards war crimes (the U.K. had filed 1,077 cases by May of 1946, compared to only 318 for the U.S.). There were nine cases against the commandant, officers and guards of Luft IV. An early brief states:

The accuses have to be identified, but an investigation was held by the Germans. (This) should at least identify the senior officer...However, the indications are that wholesale destruction of records is taking place, whenever possible. Further evidence may be taken from prisoners concerned...it is hardly conceivable that (the names) are not known to the protecting powers.

Regarding the boat trip across the Baltic, British investigators noted:

It will be said that conditions were distorted by the course of military operations...but...even if it was necessary to have so many men on the boat, conditions could have been improved...and the German authorities refused...

Commenting on the "run up the road":

The guards will no doubt plead that they were acting under orders...by their officers to ill treat the prisoners. It is also clear that they were given a free hand...to act on their own initiative. The defense will be...that stern measures were necessary for security...owing to the...provocative attitude of the prisoners. Neither of these defenses can be considered as good (since) conditions improved after the inspection by Oberst Westhoff.

By April of 1945, the general assessment was: "There is a good prima facie case and further evidence will be obtainable." Between April and August, briefs were filed against Otto Rottig (Inspector General of POW camps) and then against "the commandant and officers of Luft IV". As things came into focus, the case was named for Pickhardt, as the major perpetrator. At least six provisions of the Geneva Conventions had been violated, the main thrust involving Articles 2 and 11. These dealt with assault and unlawful wounding of prisoners. In December the British turned the case over to the Americans in order to avoid duplication of effort: "The accused will be dealt with in one case...which is #1628/U.S. against Germany case #1."

Included in the evidence were some extraordinary documents; the arrest reports for three of the accused: Pickhardt, Bombach and Fahnert. They had been picked up on November 11, 1945, in Austria just south of Salzburg. At 10:00 p.m., in the town of Kukels (a stone's throw from Berchtesgarden), Aribiert Bombach was apprehended.

Information was received that this man is wanted...as a war criminal by the U.S.A...for ill treatment of American POWs. A quantity of cigarettes and food from Red Cross parcels was found in possession of a woman living with the accused. This property was believed looted from (the camp)...

An hour later, Reinhard Fahnert was arrested at the same location: "Former Abwehr NCO of Luft Stalag IV — suspected as a war criminal."

The actual filing of a War Crimes Brief by the U.S. was a watershed event. It was received by the U.N. Commission on October 6, 1945, and represented months of intensive work by many individuals. Lt. Col. Gilbert Allen had been appointed Investigator-Examiner for the matters at hand. His report, dated May 18, cited:

The treacherous and unprovoked shooting of an American POW, in violation of Article 23, Laws and Customs of War, Hague Convention No. IV; and violation of Article 2, Geneva Convention.

As liberated prisoners streamed back into Allied control, scores of investigators took testimony from them at Camp Lucky Strike in France. Later, back at hospitals in the States, case files were developed around the shooting deaths of Aubry Teague, George Walker, Walter Getsey and Walter Nics. The identities of the guards involved remained a mystery, but profiles of their officers began to emerge. Capt.

CASE I, cont'd...

Pickhardt and Sgt. Schmidt were the most notorious of the Germans associated with the "run up the road". Col. Bombach, Capt. Raypert and Maj. Gruber were identified as the officers in charge of the evacuation of Luft VI. In a memorandum of May 23, the Judge Advocate states:

There is sufficient evidence to support a charge of cruel treatment...it is believed that with further investigation...a charge of murder can be proven...The German officers'...names (should) be placed on the wanted list for war criminals.

Through June and July, statements by American prisoners broadened the scope of events and focused attention on others in the Luft IV cadre. The apprehension of Maj. Gruber became the key to solving the shootings of Sgts. Walker and Nies (it was felt he was the officer in charge). Feldwebel Fahnert and Hauptman Mueller were sought in connection with the Teague investigation. Mistreatment of prisoners in camp and on the Black March was attributed to Cpls. Stemberger and Greenwald and Sgt. Schmidt.

As the months wore on, the cases were consolidated under the name of Pickhardt. Lager officers Schliep, Wienart, Zallman and Wolf were added to the growing list of the accused, and the file was given an "A" classification (ready for prosecution). Key testimony was given by Frank Paules about the inner workings of the German staff. Their shadowy world was thrown into the spotlight, revealing character and deeds for the record.

In its final form, Reg. #1648 - United States against Germany - case #1, named 14 officers and guards as the perpetrators of crimes against prisoners during the evacuation of Luft VI and afterwards at Luft IV.

In spite of the capture of Pickhardt, Bombach and Fahnert, the case languished. In 1946, special agents were sent out to confirm the identities of the accused who had been caught. They showed photos to a number of those who had witnessed the shootings or been on the camp staff. It appears that few German records were obtained by the Judge Advocate, the American camp files were buried when the camp was evacuated. No "paper link" was established between the accused and the events. In a letter dated September 19, 1947, Maj. Walter L. Parker wrote the epitaph for the case:

This case consists of 58 volumes of testimony, 44 of which (are) statements of liberated prisoners. No (further) investigation has been made of this case...because of the highly contradictory nature of the statements...A thorough investigation would be necessary to prepare...for trial...and would be much more difficult than normal (because) the camp is in Poland...The attitude of...local witnesses may have changed with the lapse of time...A good many leads are offered...among them: records buried at the camp...pictures from which other perpetrators might be identified...if they could be located...It does not appear that the case can be developed into a triable...(murder) category. Bombach, Pickhardt, and Fahnert are the only (ones) ever to have been in our custody (and) have been released.

The question arises: Were the War Crimes Trials to exact

retribution or to demonstrate principals of law? In a world of such intense and widespread savagery, could the deeds of Pickhardt and "Big Stoop" be considered crimes of "reasonable importance"? Capt. John Wolff and his associates wrestled with that very dilemma. He was the deputy co-chairman of Committee 1:

I was sent to England in early 1944 by the Judge Advocate to represent the U.S. The task was to set up the legal apparatus for the trials, because it was certain they would be held. The subject we dealt with was grim, and life in London was by no means pleasant. My associates had come from all over Europe, and many of them were distinguished legal minds. There was a sense of purpose and our people were highly motivated. An extraordinary effort was made by the Allies to determine when war crimes had occurred. The function of Committee 1 was to look at the evidence and examine each case on its own merits. Although there were not a great many trials dealing with allegations by prisoners, one of the outcomes of the tribunals was to re-affirm conventions requiring humane treatment. It was also held that obeying illegal orders could be the basis for a charge.

There is a legend among former POWs from Luft IV that justice was served with at least one of the perpetrators. Robert Scalley was a witness:

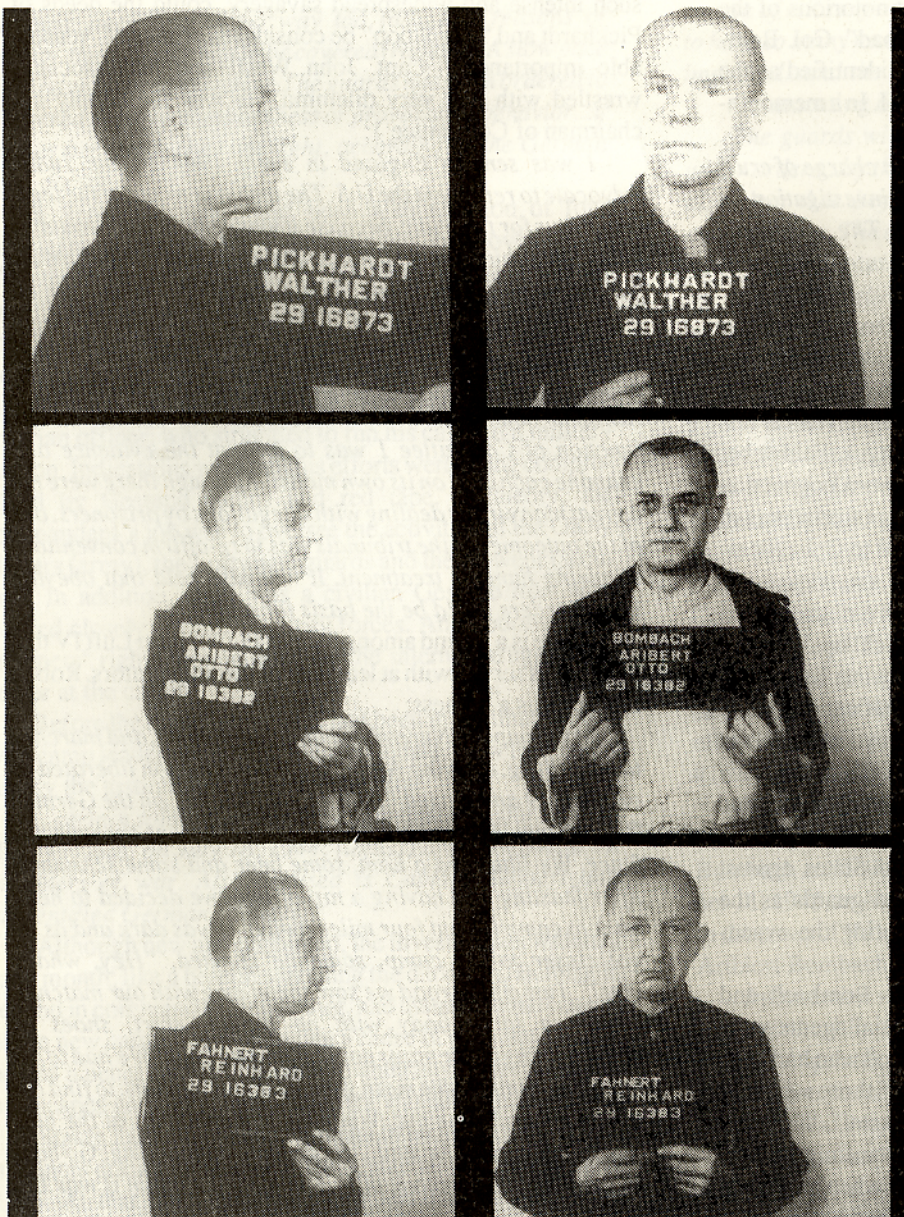
My group left Nuremberg on April 8, 1945, and marched to Moosburg, arriving April 16. General Patton liberated us on April 29 and played "Don't Fence Me In" on the German P.A. system. Later, three buddies and I went through the fence. We liberated a ham, some beer and some schnapps. After feasting and having a nip or two, we decided to head back to camp (about four miles away). It was dark and as we got closer to the camp, someone shouted, "Hey, what's that?" Just off the road we saw something with our matches. It was a large body with no blouse, shirt, shoes or belt...nothing in the pants pockets and no head! We had to get back into camp by the main gate, as it was too dark to find out where we had gone out. When we told the M.P. at the gate what we had seen, he said, "It can wait 'til morning! Go back to your tent and sleep it off!" I'm almost certain it was Big Stoop.

Officers and Guards of Stalag Lufts IV and VI

Lt. Col. Bombach: 38, 5'6", thin features, black hair combed back, spoke English; aka Snaggletooth or The Big Wheel. Deputy commandant at 6, top man at 4; Nazi Party man, possibly pre-war agent in France, refused to acknowledge POW complaints.

Maj. Gruber: 5'8", stocky 170, wore patch on left eye, thin straight blond hair; aka Hollywood, Medals, Snake Eyes. Security officer at 6, lager officer compound A at 4, in charge of Baltic boatride, set pace on run up the road.

Hauptman Voltz: 45, 5'5", 200 lbs, bald, wore tortoise shell rim glasses, gold teeth, walked with hands behind his back. Lager officer at 6, in charge of guards on Baltic boatride, on duty when Sgts. Nies and Walker were shot.



Hauptman Pickhardt: 45, 5'3", reddish complexion, bulky, wore white coat; aka Ice Cream Man, Mad Captain, Butcher of Berlin. Captain of guard at 4, fanatical Nazi in charge of Run, abused POWs physically, pilfered belongings and supplies.

Hauptman Wolf: appeared to work for POWs' benefit, had influence, often left camp. Lager officer of compound B, opposed Pickhardt and Fahnert.

Hauptman Weinert: limped, spoke English, wore leather coat, boots, demanded salute from POWs and guards. Lager officer compound C at 4, said to be repatriated pilot with leg shattered from crash.

Major Zallman: elderly Prussian military officer, no match for Abwehr. Lager officer compound D at 4, responsible for deaths of two POWs on Black March due to neglect.

Hauptman Sommers: 40, 5'10", dark hair, grey at temples, unsympathetic to POW suffering. Chief medical officer, diagnosed 200 dog and bayonet wounds as "sunstroke", refused aid on march.

Oberfeldwebel Fahnert: 50, 6', thin, horn rimmed glasses, sharp features, aka Iron Cross. OKW sgt. in charge of security at 4, possible Nazi agent with Bombach, key role on Run, led searches with Big Stoop, implicated in Teague shooting and theft of supplies.

Feldwebel Schroeder: Interpreter at 6 and 4, made constant attempts to aid POWs in camp and on Black March.

Feldwebel Schmidt: 6'7", oafish heavysset, fair hair, large hands, mean face, aka Big Stoop, Slap Ears, Ham Hands. Notorious guard at 4, triggerman for Fahnert, physically abused hundreds of POWs, pilfered supplies.

Major Stahle: aka Rigor Mortise. Adjutant and second in command at 4.

Hauptman Schliep: First lager officer of compound A at 4.

Hauptman Lindemann: Abwehr officer, weak, passive, left operations to Fahnert.

Hauptman Mueller: short, slender build, light complexion, light hair. Officer in charge of lager at time of Teague shooting, at 4.

Hauptman Raypert, Zimmerman: officers at Heydekrug (6).

Feldwebel Goldstein, Schultz: guards at Kiefeheide (4).

Cpl. Heitz, Peschel: guards at Heydekrug.

Cpl. Greenwald, Steinberger: abused POWs on Black March.

Cpl. Birtel: 50, 6', 150 lbs, glasses, dark hair, thin face, grey eyes, Austrian. Liaison between POWs and camp doctor.

CASE I, cont'd...

Crowbar Pete: 32, 5'8", 170 lbs, big nose, hard eyes, leathery skin, dark complexion. Guard at Luft 6 & 4.

Trigger Happy: 55, 6', 180 lbs, medium build, blue eyes, large ears, pointed chin, two chevrons. Guard on duty, north-east corner tower, morning Sgt. Nies was shot at Luft 6.

Green Hornet: spoke English, wore green wehrmacht coat. Guard at 6 & 4, compounds A & B, worked in U.S., on Black March.

Chick: mild mannered, talkative, guards compound A; butcher in Chicago.

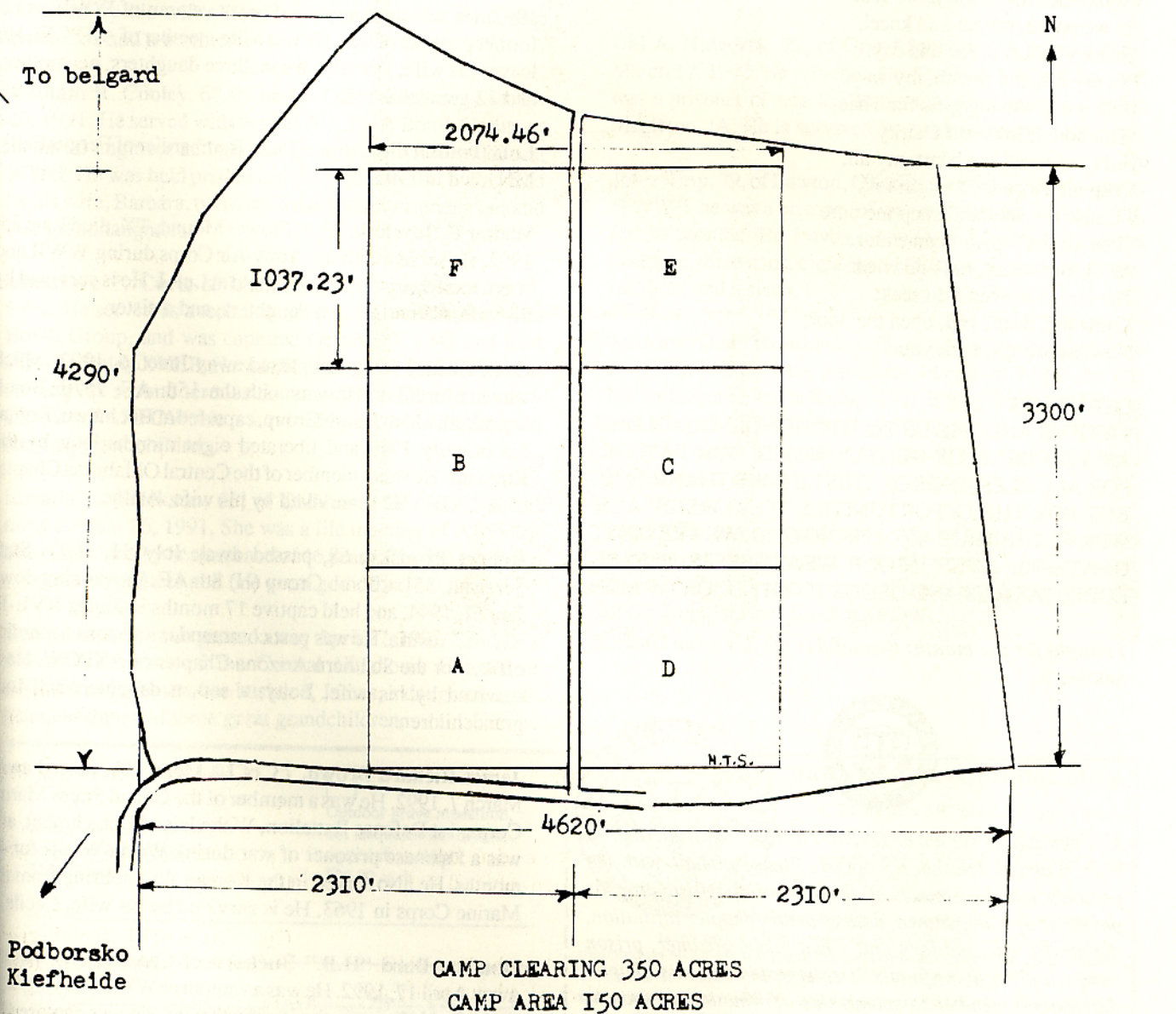
Upsteen: short, stocky, dark hair. Handyman, loved coffee, x-rated cartoon books.

Fritz, Seven Dwarfs, Rifle Butt, Dirty Gus, Twenty Kilometer Joe, the Spider, Emil, Pop.

SOURCES: ex-POWs—C. Fouzie, R. Scalley, R. Kennett, J. Shirley, J. O'Donnell, V. Kuricina, E. Jurist, G. Guderley, F. Paules, L. Nordstrom, D. Kremper, L. Fink, G. Christoff, D. Kirby, R. Doherty, records of J.A.G. and U.N. W.C.C.

Stalag Luft IV

Map by Joseph P. O'Donnell



STALAG LUFT IV: Sketch drawn by AXPOW Joe O'Donnell from a map sent to him by the Hitler War Crimes Commission in Kosalin, Poland.