

Deportation of Karl Linnas

Your editorial (March 18) "Whose Justice?" opposes the deportation of the Nazi war criminal Karl Linnas to the Soviet Union. However, the editorial fails to state what Karl Linnas did to merit deportation or what the evidence against him was. I served as trial attorney in the Justice Department Office of Special Investigation (OSI), and was one of the prosecutors in the Linnas case.

The case against Linnas has been heard by five U.S. courts. Each of those courts found the evidence against Linnas to be "overwhelming." That evidence consisted of the following:

1—Linnas wrote several documents in 1941 that he signed "Karl Linnas, Chief of the Tartu Concentration Camps." These documents were examined by an FBI forensic document expert, who testified that there was no evidence that these documents were not authentic. At his trial, Linnas took the Fifth Amendment and refused to testify regarding these documents, claiming that his answer would incriminate him.

2—In interviews with the New York Times and Newsday in 1961, Linnas admitted being in charge of the guard duty detail at the Nazi concentration camp in Tartu, Estonia.

3—A friend of Linnas who lives on Long Island testified at the trial. This individual testified that Linnas told him that he had served as a guard at the concentration camp.

4—Witnesses who currently live in Tartu, Estonia, testified by videotape at Linnas' trial that he was chief of the concentration camp. They testified that Linnas supervised the transportation of innocent Jewish women and children from his camp to a nearby anti-tank ditch. At the ditch, the women and children were tied by their hands and brought in their underwear to the edge of the ditch and forced to kneel. The guards then opened fire and murdered them. There was eyewitness testimony that Linnas, on at least one occasion, announced the victims' death sentence at the side of the ditch and gave the order to fire.

Witnesses testified that on at least one occasion, Linnas personally approached the edge of the ditch and fired into it. Another eyewitness recounted having seen Linnas help direct Jews out of a school and onto a school bus. That witness recalled that Linnas helped a small child with a doll onto the bus, and that the doll was later placed in a storage area for the

personal effects of those who had been killed.

At his trial in a U.S. District Court, Linnas did not deny his guilt—he took the Fifth Amendment, claiming that his answers would incriminate him.

Five U.S. courts, including two panels of the U.S. Court of Appeals, have found that Linnas served as chief of a Nazi concentration camp and participated in murders and other atrocities against men, women, and children. Thirteen U.S. judges have unanimously found against Linnas. The U.S. Supreme Court refused to hear his case on three occasions. Certainly, if there was any question as to his guilt, the Supreme Court would have heard the case. Linnas has received much more consideration in the U.S. courts than most criminals receive.

The law is clear that Linnas must be deported to the Soviet Union. That is where his crimes took place. Misplaced sympathy for this man, who showed no sympathy for his innocent victims, or antipathy for the Soviet Union, should not stand in the way of justice.

JEFFREY N. MAUSNER
Los Angeles

We applaud your editorial dealing with the case of Estonian national Karl Linnas convicted in absentia by a Soviet court in 1962 for allegedly running a prison camp in Tartu during World War II.

Americans must not accept the deportation of Linnas to the Soviet Union as the final solution. Because of the serious nature of the belated pursuit and prosecution of alleged Nazi war criminals, the United States not only has a duty to use the highest standards of justice in these cases but also must exercise great care not to strengthen or give credibility to the totalitarian regimes in the Soviet Union and other Communist countries.

Because of its role as willing partner with Nazi Germany (1939-1941), its continuing human, religious, and national rights abuses, and systematic anti-Semitism, the U.S.S.R. desecrates the memory of the Holocaust and is the least acceptable nation to serve the cause of justice.

Deportation to the Soviet Union of any former refugee from Estonia, Latvia or Lithuania would constitute an explicit violation of the longstanding U.S. policy of non-recognition of the forcible and illegal seizure of the Baltic nations by the U.S.S.R. in June, 1940.

The extension of moral and legal equivalency to the Soviet Union in U.S. courts establishes a dangerous precedent with long-term consequences: lowering of high standards of democratic jurisprudence to meet those of a totalitarian system; undermining of U.S. substantive, moral, and ethical support for human and religious rights movements.

By deporting Linnas, the United States will ratify a conviction and death sentence in absentia at a Soviet show trial.

We reiterate our support for the only acceptable solution, namely initiation of criminal trials of alleged war criminals in the United States. (The Canadian government has proposed a similar course of action.) A federal war crimes statute would provide for criminal proceedings with criminal evidentiary standards. Both the U.S. piracy statute and the "universality" principle have been upheld by the U.S. Supreme Court.

Both the ethnic and Jewish communities want the same end: justice. Under current civil proceedings (Holtzman Amendment), neither communities are satisfied. Deportation is not incarceration. There is no better solution to this dilemma than immediate imposition of criminal war crimes proceedings in the United States.

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Mission Viejo

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As one who survived the infernos of Auschwitz, Birkenau and Buchenwald, I am at a loss as to why The Times finds it necessary to editorialize about a former chief-tain, Karl Linnas, of the concentration camp in Tartu, Estonia, in the years 1941-42, when Nazism ruled that country and Karl Linnas was fully and voluntarily collaborating with them.

By no means was Karl Linnas an ordinary concentration camp guard. He was the chief of the entire concentration camp system in Tartu and that is, by the way, not an allegation. There are witnesses right here in our own land who testified against Linnas and can confirm as to who Karl Linnas was in those days and what crimes he perpetrated against innocent men, women and children in Estonia.

MEL MERMELSTEIN
Huntington Beach

Your editorial made me very angry. It sounded just like the rhetoric the American Civil Liberty Union would come up with, always worrying about the rights of the bad guys, and thereby ignoring and diminishing the suffering of the victims.

In the case of Karl Linnas, who was charged with unspeakably horrible crimes against humanity, it would be only fitting and proper that he should be turned over to the Russians for trial. If he is then sentenced to death, so be it!

The Soviets have no bleeding hearts who worry about his rights. You admit yourself that it is doubtful that he would actually be put on trial in the United States.

The last sentence in your editorial upset me the most, stating commitment to the rules of law should be more important than seeing that this war criminal should be brought to justice. In this case, justice can only be done if



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