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CANBERRA TIMES

11/4/94

US deportee free to enter Australia

An 80-year-old man, deported from the United States for allegedly serving in a World War II German army unit which killed civilians, will be free to return to Australia, the Australian Federal Police said yesterday.

Konrads Kalejs, who had been living in Illinois and Florida, was deported last week because of his service in an execution squad during the German occupation of Latvia.

The US Government had been trying to deport Mr Kalejs since 1984, after he admitted that he had lied about his war service when he had entered the US in 1959.

(Reports from the US Justice Department in Washington said that Mr Kalejs had avoided deportation proceedings by leaving the country and assuming a new identity, but had returned later and was arrested.)

He was deported to Australia, of which he became a citizen in the 1950s, and is expected to arrive back in the country some time this week.

An AFP spokesman said that Mr Kalejs was an Australian citizen and was entitled to return to this country. The AFP did not have the right, and was not willing, to discuss Mr Kalejs.

"The indications were that he was coming in a couple of weeks ago, but his travel arrangements are his business," he said.

The AFP had the power to investigate war crimes, "But it would be inappropriate to discuss these issues through the media," he said.

Alleged Nazi war criminal in Sydney

By TONY WRIGHT
and SANDRA HARVEY

An alleged Nazi war criminal is back in Australia after being deported from the United States, but he is unlikely to face the Australian courts for his suspected role in the killings of Jews, Gypsies and other civilians in Latvia.

The US Justice Department announced at the weekend that Conrad Kalejs, 80, had been deported on Friday night (US time).

A spokeswoman for the Australian Minister for Immigration, Senator Bolkeus, confirmed that Mr Kalejs had arrived in Sydney yesterday morning.

She did not know who met him, and said he had no difficulty passing through immigration controls — he holds an Australian passport.

Attempts to discover Mr Kalejs's whereabouts were unsuccessful last night.

Mr Kalejs's alleged role as a member of the Arajis Kommando — a Nazi execution squad — was investigated by the war crimes Special Investigations Unit (SIU) of the Attorney-General's Department in the late 1980s.

But the SIU, which did not recommend prosecution, has been

disbanded. Its final report — to be tabled in Parliament next month — is understood not to recommend further action, despite calls from Australia's Jewish community that the case be reopened.

The Attorney-General, Mr Lavarch, was considering whether anything would be gained by reopening the case, after submissions from Jewish community leaders, a spokesman said last night.

However, there appeared a distinct lack of interest in the matter in official circles.

A spokesman for the Department of Foreign Affairs and Trade said the Australian Embassy in Washington had not informed Canberra that Mr Kalejs had been deported, and he did not know when or if Mr Kalejs had left the US.

A spokesman for the Australian Federal Police, Mr Brian Swift, said the AFP was not aware if Mr Kalejs had arrived.

Mr Swift said that as far as the police were concerned, Mr Kalejs was an Australian citizen and was entitled to come to Australia. In any case, the AFP would not monitor his arrival.

The only reason the AFP would have an interest in Mr Kalejs was because of their obligation and

jurisdiction to investigate war crimes.

But it was highly unlikely the Federal police would take any action against Mr Kalejs, Mr Swift said.

"Nor is it a matter we should or would discuss through the media," he said.

Mr Kalejs first arrived in Australia during the post-war immigration program of the early 1950s, and became an Australian citizen.

He moved to the US in 1959, saying he had been a farm labourer during the war.

But in 1984 he admitted he had lied about his war service in gaining entry to America, and the US has been trying to deport him ever since.

He avoided deportation proceedings by leaving the country — taking \$350,000 in cash with him — and assuming a new identity, but returned later and was arrested, the US Justice Department said.

In 1988 he was tried by a US court and ordered to be deported. The decision was delayed on appeal until March 21 this year, when Kalejs's petition for a hearing was rejected by the US Supreme Court.

Australia gets alleged Nazi

THE United States has deported a man, who was accused of serving in a World War II German army unit which killed civilians, to Australia.

The 80-year-old man was deported because of his alleged service in an execution squad which operated during the German occupation of Latvia, the US Justice Department said yesterday.

It said Mr Konradz Kalejs, who became an Australian citizen in the 1950s, was deported back to Australia.

The Arajs Kommando in which he served allegedly killed civilian Jews and gipsies.

The US Government had tried to deport Mr

Kalejs since 1984 when he admitted he had lied about his war service on entry into the US in 1959.

He avoided deportation proceedings by leaving the country and assuming a new identity, but returned and was arrested.

In 1988, he was tried and ordered to be deported.

The decision was delayed on appeal until March 21, when the Supreme Court rejected his petition for a hearing.

The Executive Council of Australian Jewry has called on the Federal Government to evaluate the American judgment to see if Mr Kalejs could be tried here.

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4 NEW YORK TIMES
SUNDAY AUGUST 31, 1997

Furor Splits Australians Over a Link To Nazi Era

By CLYDE H. FARNSWORTH

PERTH, Australia, Aug. 30 — Konrad Kalejs was one of 170,000 displaced persons who immigrated to Australia after World War II. Latvian by birth, he arrived in the country in 1950 and became a citizen seven years later, settling in Melbourne and working as a civil servant in immigration. In 1959 he moved to the United States. He lived in Chicago for more than three decades and prospered in real estate.

Now, after two years in Canada, he has returned — involuntarily — to Australia and is in hiding in a suburb of Melbourne. Both the United States and Canada deported him because of evidence that he took part in war crimes.

Despite his denials, tribunals in both countries found that in Nazi-occupied Latvia he held a leadership position in a killing unit known as the Arajs Kommando, which operated in at least four concentration camps from 1941 to 1944. The Australian Government has opened a federal police investigation into his past.

As the authorities consider what to do, a debate is taking place showing divisions in Australia between those who want him brought to justice and those who say it may be too late and that Mr. Kalejs, now 84, should be forgiven and left to a peaceful old age.

Jewish organizations are in the forefront of those demanding his prosecution under Australian war crimes legislation and the revocation of his citizenship. Around 100,000 Jews live in Australia, more than half in the Melbourne area, and many are Holocaust survivors.

"Many members of the Jewish community will find it difficult to rationalize their faith in Australia if nothing is done," said Jeremy Jones, executive vice president of the Executive Council of Australian Jewry. "How can we live in a country with people who have killed our families?"

Jeff Kennett, Premier of the state of Victoria, of which Melbourne is the capital, said he sympathized with the Jewish outrage, but noted the events were "50 years down the track."

"If you want to take an entirely Christian point of view," he said, "I think the last words Jesus uttered on the cross were, 'Forgive them for they know not what they do.'"

Jewish leaders in Melbourne called such comments inappropriate and offensive. Nina Bassat, a lawyer and president of the Jewish Community Council of Victoria, said that Jews are not seeking revenge in a personal vendetta.

"This has nothing to do with revenge, everything to do with justice," she said. "We're talking about mass murder. If you have murdered someone, no matter how long ago, and you're found out, the police must prosecute."

Accusations of war crimes were first made against Mr. Kalejs in 1985, while he was living in the United States. For nine years he fought deportation. In 1994, a Federal Court found that he had commanded a unit of the Arajs Kommando, part of the Latvian Auxiliary Security Police, which killed tens of thousands of Jews and Gypsies.

He was not prosecuted as a war criminal because of the vulnerability of such a case to legal challenges of decades-old evidence. So the Justice Department chose to seek deportation. The issue before the court was whether he had lied about his past. The Government has the right to deport those who state falsehoods on their immigration forms, and Mr. Kalejs, who lived in the United States as a nonresident alien, maintained he had spent the war years as a farm worker.

He was deported to Australia a first time in 1994. He stayed in Melbourne for only a few months. When his presence started drawing attention, he fled to Canada. But there too he failed to make himself invisible. He chose to live in a building in north Toronto that also happened to be the home of several Holocaust survivors.

Canadian Jewish organizations learned of his presence in Canada and the Canadian Government opened its own deportation proceedings. A Canadian immigration tribunal found enough evidence to support assertions that he had helped run a slave labor camp on the outskirts of Riga where prisoners were starved, tortured and executed.

"Kalejs was an accomplice to the brutality and criminal acts" committed there, the Canadian tribunal adjudicator, Anthony Iozzo, concluded.

The Australian authorities have already been through one criminal investigation of Mr. Kalejs. He was among 800 suspected war criminals targeted by a unit set up in 1987. But the unit was able to obtain enough evidence to bring only three cases to court. The Kalejs case was not one of the three.

"Time is the big enemy," Bob Greenwood, the Sydney lawyer who headed the investigation unit, told The Australian newspaper. "You haven't got the witnesses you would have had when these briefs should have been looked at. A lot of people are dead."

METRO

Los Angeles Times

Deported Nazi Tries to Reenter U.S.

■ **Borders:** He is intercepted at airport and sent back to Australia by INS officials with help from little-known agency that tracks war criminals.

By ALAN ABRAHAMSON
TIMES STAFF WRITER

A documented Nazi war criminal who arrived at Los Angeles International Airport last weekend, apparently seeking to enter the United States, was instead put back on a plane to Australia, where he holds citizenship, authorities said Thursday.

Konrads Kalejs, 84, whom a U.S. appeals court once labeled a "key officer" in the killings of tens of thousands of Latvian Jews during World War II, told immigration agents when he arrived at the airport Saturday that he was only passing through from Australia en route to Mexico.

U.S. authorities, however, suspected that he wanted to go to Mexico so that he could sneak across the border to the United States, where he lived for nearly 35 years before being deported in 1994.

Kalejs was identified at the airport from a little-known "watch list" of suspected or documented Nazis and collaborators. That list, which contains about 70,000 names, is compiled by an agency familiar to only a few—the U.S. Justice Department's Office of Special Investigations, which probes war crimes allegations involving the Nazis and their allies.

The agency shares the list with the Immigration and Naturaliza-

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METRO NEWS

NAZI: Deported War Criminal Tries to Reenter U.S.

Continued from B1

tion Service. Typically, prompted by alert INS agents, the Office of Special Investigations gets one call each week about suspected former Nazis or those with ties to the former Third Reich—trying to enter the United States, said Eli M. Rosenbaum, its director.

The 70,000 names on the list are those suspected of involvement in "Axis acts of persecution," the legal standard for exclusion from the United States. Computer technology has given agents the ability to quickly check the names of passengers on incoming flights against the "watch list" and other lists.

"People would be amazed to learn what's happening at U.S. airports," Rosenbaum said. "We're talking about a weekly phenomenon.

"Most of these people are [former] SS," he said, referring to the notorious Nazi special police. "If they deny having been in the SS, we instruct the INS agent at the scene to instruct the individual to ask him to take off his shirt—it's always men—and allow the agent to look under the left bicep. We're looking for the telltale blood-type tattoo the SS gave to most of its men.

"Can you imagine," he said, "it's 52 years after the war and this is going on at all our major airports?" "Really difficult to imagine, he

said, was Kalejs' appearance at a U.S. airport—for American authorities had fought a long and protracted battle to deport him. Although not an SS officer, Kalejs "was involved in some of the most gruesome crimes of the Holocaust," Rosenbaum said Thursday.

Some experts on the Holocaust said they too were stunned to learn of Kalejs' brief appearance at the airport. He was detained for about 12 hours, then forced—at his own expense—to board the Australian-bound jet, Rosenbaum said.

"The tragedy of all of this is that when people read about this, some people will think, 'Oh, he's an old man,'" said Rabbi Marvin Hier, dean and founder of the Simon Wiesenthal Center in Los Angeles. "Why don't they let him be?"

"We're talking," Hier said, "about a mass murderer who has never faced the bar of justice for the crimes he committed."

Kalejs has repeatedly denied involvement with Nazi-sponsored death squads. He has maintained that he was a university student or farm laborer during World War II.

But according to a 1993 opinion from the Chicago-based U.S. 7th Circuit Court of Appeals, he was a company commander in a pro-Nazi unit that killed thousands of Latvian Jews and took part in other

persecutions at the brutal Salaspils labor camp.

That unit was formally known as the Latvian Auxiliary Security Police. Informally, it was called the Arajs Kommando, after its leader, Viktors Arajs, who was convicted by a German court and sentenced to life imprisonment in 1979 for complicity in the deaths of 13,000 Jews. Arajs died in prison.

Kalejs, meanwhile, moved to Australia after Germany's defeat. He became a citizen there.

In 1959, he entered the United States. On his entry application he said he had been a farm laborer during the war.

From 1959 to 1984, he lived in the United States, becoming a financial success with several homes and assets in the millions.

In 1984, as the Justice Department was closing in on him, he took \$350,000 in cash and fled to Canada and Australia, the 7th Circuit court said.

When Kalejs returned to the United States, he tried to assume a new identity and managed to elude capture for six months, the court said.

He was arrested in Florida in April 1985—launching a lengthy court fight that ended with his April 8, 1994, deportation to Australia.

Later that year, according to

Rosenbaum, Kalejs was discovered near Toronto.

After a series of court battles in Canadian courts, he was deported from that country in August 1997, Rosenbaum said.

On Saturday morning, Kalejs appeared in Los Angeles, arriving via a United Airlines flight from Melbourne. INS agents were waiting for him because his name was on the passenger list.

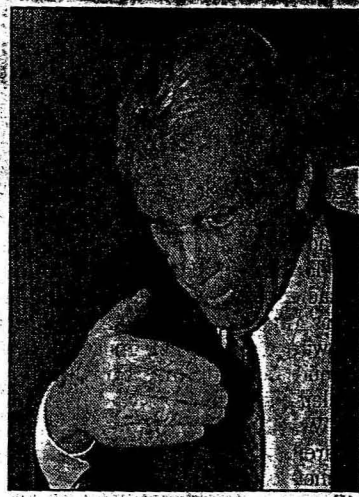
In the transit lounge for international flights, a source said, Kalejs "tried to get away" from INS agents.

With nowhere for him to escape, however, agents detained Kalejs and conferred with an Office of Special Investigations staffer at home in the Washington suburbs.

Kalejs then told authorities he was merely connecting at the airport to a Mexico-bound flight.

INS agents, however, put him on a United flight back to Melbourne that night.

Even if he had in fact been bound for Mexico, Rosenbaum said, "one suspects he wanted be near the United States because it's not terrifically difficult to cross from Mexico. It's easier to do it from Canada—but he can't go to Canada anymore."



Associated Press
Konrad Kalejs, accused of belonging to a wartime death squad in Latvia, arrives in Australia.

Nazi War Crimes Suspect Arrives Back in Australia

From Associated Press

SYDNEY, Australia—A Nazi war crimes suspect, thrown out of several countries on suspicion of participating in mass killings, arrived Friday in his adopted home country, Australia.

Konrad Kalejs arrived in Melbourne on a Singapore Airlines flight. At the airport, dozens of Jewish students gathered to protest what they said was the government's failure to do more to investigate the allegations against him.

"We're here to prove that he's not welcome here," said one protester.

Kalejs was helped through customs by airport officials, a spokeswoman said.

Latvian-born Kalejs, 86, migrated to Australia after World War II and became a citizen in 1957. He had been living in Britain but left Thursday after authorities launched proceedings to deport him for alleged wartime atrocities.

He is accused of belonging to the Arajs Kommando, a squad responsible for the deaths of 30,000 people, mostly Jews, in Latvia during World War II. He has denied the allegations.

Nazis Find an Aussie Sanctuary

■ Despite tough laws, the nation has never taken action against a single suspected war criminal. That leniency is about to be tested.

By RICHARD C. PADDOCK
TIMES STAFF WRITER

MELBOURNE, Australia—Over the past 18 years, one country after another chased out Konrad Kalejs, first the United States, then Canada and Britain.

Judges in Chicago and Toronto ruled that Kalejs was an officer in a notorious Nazi unit that exterminated thousands of Jews during World War II and guarded concentration camps in his native Latvia.

But Kalejs always knew there was one place he could live in peace: his adopted homeland, Australia.

Over the past decade, Kalejs has become the poster child for Australian tolerance of suspected Nazi war criminals. As other democratic countries have sought to keep out Kalejs and his kind, Australia has gained a reputation as a haven.

Now, at 87, Kalejs is about to test the limits of Australian leniency.

In September, Latvia charged Kalejs with genocide for his alleged role in killing Jews during World War II. The Baltic nation requested Kalejs' extradition, and Australian police arrested him Dec. 13 at his home here. Kalejs, who denies any part in war crimes, was released after agreeing not to leave Australia. Officials expect him to contest extradition in a court tussle that could last two years.

If the Australian courts agree to hand over Kalejs, it would be a first.

"Australia remains the only Western country to which numerous Nazi war criminals emigrated after World War II that has never taken action against a single one," said Efraim Zuroff, director of the Simon Wiesenthal Center in Jerusalem. "There has never been a conviction on criminal charges, there has never been a denaturalization or a deportation or an expulsion or an extradition."

Perhaps it is Australia's origin as a penal colony that has made its people willing to overlook the past. Or maybe it is the continent's distance from the horrors of World

Please see NAZIS A10

The ultimate impact of any deal on consumers is unclear. The power producers agreed in the short run to give Pacific Gas & Electric and Southern California Edison "forbearance," or more time to pay the billions of dollars they owe for wholesale electricity purchased on the expensive spot market.

Davis refused to make any commitment at the meeting to supporting additional rate increases for residential and business consumers. He also refused to promise that some of the state's budget surplus could be used to help the utilities and ease the burden on consumers, an idea that has been suggested by some federal officials.

The California Public Utilities
Please see UTILITIES, A17

Power Plant Juggernaut Slowed by Internet Giant

By MARK ARAX
and TERENCE MONMONEY
TIMES STAFF WRITERS

COYOTE VALLEY, Calif.—In its push to provide California an 8,000-megawatt fix, the Calpine Corp. has traveled border-to-border hawking and building its newest model of power plant, encountering scarcely a bump on the long road.

Then it arrived in this gentle valley where the electricity-guzzling Internet is seeking to make its own grand stand.

Now Calpine's proposal for a new power plant here, one of the bulwarks in the state's massive buildup to grow California out of its current energy crisis, has been derailed by a giant of even bigger girth—Cisco Systems, the world's leading e-commerce provider.

Efforts to revive the project, whose merits are being debated before the California Energy Commission, have captured the attention.

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More Inside

Energy bills: State legislators work on measures to overhaul energy distribution system. Votes could come as early as Friday, A3

Startled Astronomers, Fishing for Planets, Hook a Whopper

■ **Space:** One newly found



Linda Chavez pulls the plug on he

'Angel of Death' in 6 Glendale

By PAUL LIEBERMAN
TIMES STAFF WRITER

Almost three years after respiratory therapist Efrén Saldivar told authorities he was an "angel of death" who had killed as many as 50 patients, the former Glendale hospital worker was arrested Tuesday and accused of murdering at least six people under his care.

Glendale Police Chief Russell Siverling said that six murder counts will be filed today against Saldivar, 31. The charges are based on the discovery by Lawrence Livermore National Laboratory of paralyzing drugs in the bodies of patients who died at Glendale Adventist Medical Center. The six were among 20 patients whose bodies were exhumed as part of a painstaking investigation set off by Saldivar's own 1998 statements.

Police did not publicly disclose the names of the alleged victims, but informed relatives. One victim, 77-year-old Eleanora Schlegel of Pasadena, was on the verge of leav-

After an Agony Families Learn

By PAUL LIEBERMAN
and MICHAEL KRICKORIAN
TIMES STAFF WRITERS

Eleanora Schlegel was not well, her son knew. At 77, she suffered from multiple sclerosis, and other ailments. And pneumonia had sent her to Glendale Adventist Medical Center on Dec. 30, 1996. But she also was improving steadily at the hospital and the next day—New Year's Eve—she spoke to him

they spin in orbits so synchronized that scientists compare them to

NAZIS: After 3 Tries, Australia Gave Up on War Crimes Trials

Continued from A1

War II Europe. But after unsuccessful efforts in the early 1990s to put three war crimes suspects on trial, Australia gave up trying.

In Canberra, the capital, Justice Minister Amanda Vanstone said that Australia has adopted tough war crimes laws but that the standard of proof required for a conviction can be difficult in cases where the incidents occurred long ago in another country.

Furthermore, naturalized Australians such as Kalejs cannot be stripped of their citizenship and deported for lying their way into the country as long as they held their citizenship for 10 years before 1997, when the law was changed.

"Everybody would like people who are war criminals to be in jail—everybody I know anyway," Vanstone said. "With respect, it's not always one person's fault or one country's fault. Sometimes things don't work out the way you want."

After War, Nazis Lied to Gain Entry

Australia fought on the side of the Allies during World War II, primarily against Japan in the Pacific. After the war, the continent opened its borders to refugees from war-torn Europe, including survivors of the Holocaust. In theory, Nazi war criminals were denied entry, but hundreds lied about their

lieutenant in the Arajs Kommando, a Latvian unit organized by the Germans that killed an estimated 30,000 Jews, Gypsies and suspected communists. By some accounts, every member of the unit participated in the killings. The unit was named for its leader, Viktor Arajs, who was caught in Germany after the war and sentenced to life in prison, where he died.

According to witnesses and documents, Ozols led a Kommando company that killed 12,000 Jews in Belarus. He allegedly ordered his men to carry out mass killings and shot some victims himself.

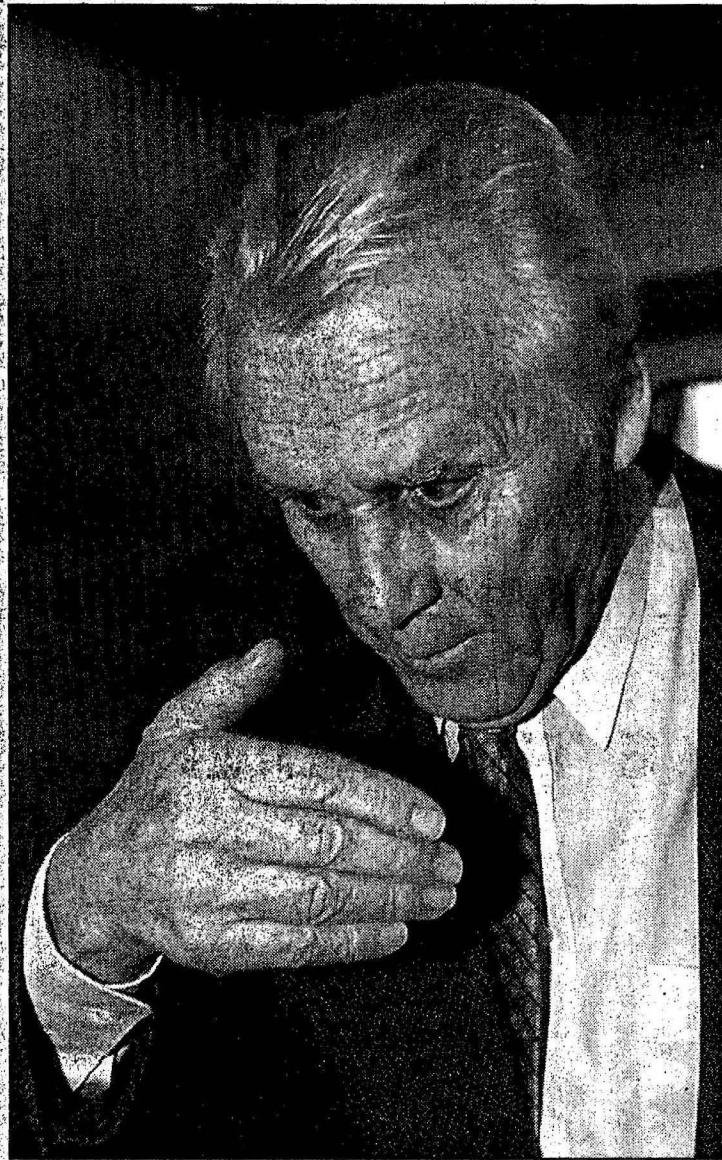
After the war, he immigrated to Australia and was naturalized as a citizen. In 1958, he became the national chess champion and later traveled abroad representing the country at tournaments.

The Special Investigations Unit was on the verge of completing its case against Ozols when the government pulled the plug on all of its investigations. Later, officials declined to reopen the case, citing a lack of funds.

Now 88, Ozols is in failing health and lives in a Melbourne nursing home. Asked by a reporter about the Arajs Kommando, Ozols breathed heavily and moaned, but said nothing.

At the Ozols' home nearby, his wife, Erika, blamed Jews for the allegations against her husband.

Another war crimes suspect living in Australia is Antanas Giedraitis,



Agence France-Presse

Konrad Kalejs as he arrived in Melbourne, Australia, a year ago.



executed and worked to death.

Kalejs appealed, and it took another six years before the government won. He was finally deported to Australia in 1994.

Wanted: More Religion Everywhere Except

■ **Survey:** Many Americans support signs of faith at home and in schools but are wary of it in campaigns, poll finds.

From the Associated Press

NEW YORK—Americans are wary of religion in the political arena but want more of it in public schools and think U.S. society would benefit if more people became devout, according to a poll released Monday by a secular think tank.

Religion is the best way to strengthen moral behavior and family values, according to 69% of those polled by Public Agenda, a nonpartisan New York-based policy research agency founded by former Secretary of State Cyrus Vance and pollster Daniel Yankelevich. Decreasing greed, materialism and crime, increasing volunteerism and charity work and better child-rearing would be likely if "many more Americans were to become deeply religious," participants said by majorities ranging from 69% to 87%.

The November poll of 1,507 U.S. adults had a margin of error of 3 percentage points.

Nearly three-quarters of those polled agreed that "it's a bad idea for families to raise children with-

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Lied to Gain Entry

Australia fought on the side of the Allies during World War II, primarily against Japan in the Pacific. After the war, the continent opened its borders to refugees from war-torn Europe, including survivors of the Holocaust. In theory, Nazi war criminals were denied entry, but hundreds lied about their past, won permission to immigrate and eventually became naturalized citizens. Australia was not alone; hundreds entered the U.S., Canada and Britain in the same way.

In Australia, charges began surfacing as early as the 1950s that war criminals had gained sanctuary, but for decades no serious investigation was carried out. Most of the Nazi immigrants lived out their lives and died in peaceful obscurity.

In 1986, Sydney journalist Mark Aarons produced a series of reports documenting the presence of Nazi war criminals in Australia. He found that the nation's intelligence agents knowingly let war criminals enter the country because of the Nazis' staunch opposition to communism, which was perceived in the postwar climate as a greater threat than fascism.

His reports prompted the government to examine its record, and in 1987 it established the Special Investigations Unit to collect evidence and prepare charges against war crime suspects.

Robert Greenwood, the unit's first director, said the agency investigated 880 suspects and found evidence implicating more than 200 in serious war crimes, although by then many had died.

Despite Evidence, Cases Dropped

Australia's independent Department of Public Prosecutions agreed to bring three of the unit's cases to trial. A judge threw out the first for lack of evidence. The second ended in acquittal. Prosecutors abandoned the third after the defendant had a heart attack. Despite evidence against dozens more—including Kalejs—the government shut down the Special Investigations Unit in mid-1992, citing lack of success in winning convictions and the high cost of pursuing cases.

In contrast, the U.S. created the Office of Special Investigations within the Justice Department in 1979 and adopted a strategy of denaturalizing and deporting suspects for lying at the time they entered the country. So far, the office has stripped 64 of their citizenship and removed 53 after they were accused of being Nazis. Seventeen cases are in the courts and more

lack of funds.

Now 88, Ozols is in failing health and lives in a Melbourne nursing home. Asked by a reporter about the Arajs Kommando, Ozols breathed heavily and moaned, but said nothing.

At the Ozols' home nearby, his wife, Erika, blamed Jews for the allegations against her husband.

Another war crimes suspect living in Australia is Antanas Gudelis, a native of Lithuania. The Australian investigators found evidence that he commanded a Lithuanian Nazi unit that killed thousands of people in the towns of Kupiskis and Kaunas.

Now 89, nearly deaf and suffering from heart problems, he lives in the city of Adelaide, where he declines to discuss his past. His wife, Jude, also blames Jews for raising the charges against her husband but concedes that they could be correct. She said she has never asked her husband. "I cannot say guilty or not guilty," she said. "I hope it's not true."

Alleged Child-Killer Dies a Free Man

One of the biggest disappointments for Australian investigators was the case of Heinrich Wagner, a member of a Nazi police unit in the Ukraine. Wagner allegedly took part in the extermination of more than 120 people in the village of Izraylovka.

After learning of his presence in Australia, investigators traveled to Ukraine and found witnesses who said Wagner helped arrest and shoot 104 Jews in the village in 1942. After the slaughter, the witnesses alleged, Wagner rounded up 19 half-Jewish children ages 4 months to 11 years and shot them. He tossed one toddler into the air and opened fire as the child fell, they said.

Based on the statements of the witnesses, the Australians exhumed the mass grave and found the skeletons of 19 children.

The government was about to put Wagner on trial in 1993 when he suffered a heart attack. Doctors testified that his chances of recovery were "remote" and that a trial could kill him. Prosecutors dropped the case. Apparently, they never checked to see if his condition had improved.

In December 1999, the ABC news program "20/20" visited Wagner's home in Adelaide and videotaped him in seemingly good health, working in his garden and carrying in bags of groceries from his car. Still, the government took no action.

Wagner died last November at age 78.

Konrad Kalejs as he arrived in Melbourne, Australia, a year ago.



Reuters

Kalejs is shown in his Nazi uniform in a Latvian magazine in 1942.

Justice Minister Vanstone, however, defended the government's conduct in the cases of Wagner, Ozols, Gudelis and Kalejs.

"They have been handled according to the proper processes," she said. "People may wish in their heart of hearts that more evidence could have been found and they could have been prosecuted. But wishing is not the reality of what you have to present in court."

If Kalejs had stayed put in Australia, he would likely have gone unnoticed by the outside world.

Kalejs entered Australia in 1950 after telling immigration officials that he had been a farmer and student during the war.

Soon after, the former Nazi officer was hired as a clerk at Australia's main refugee camp, where his job was to issue identity papers to new immigrants.

Kalejs was naturalized as a citizen in 1957. Using his new Australian passport, he left in 1959 for the United States, where his mother and sister had moved after the war. He remained there for 35 years, where investigators say he made a fortune in real estate.

In 1982, U.S. officials began looking into allegations that Kalejs had committed war crimes. Six years later, immigration Judge Anthony Petrone ordered Kalejs deported for lying about his past when he entered the United States.

The judge concluded that Kalejs had joined the Arajs Kommando as a lieutenant in July 1941 and served in the unit during the period

executed and worked to death.

Kalejs appealed, and it took another six years before the government won. He was finally deported to Australia in 1994.

Later that year, the Canadian government learned that Kalejs had taken up residence in Toronto and began deportation proceedings.

In 1997, Immigration and Refugee Board Adjudicator Anthony Iozzo ordered Kalejs deported after concluding that he was an officer of the Arajs Kommando and in charge of guards at the three concentration camps. Like Petrone, Iozzo found no direct evidence that Kalejs was involved in specific killings, but said he was an accomplice to acts of murder, enslavement and torture.

Once again, Kalejs was deported to Australia. Not content to remain down under, he flew to Los Angeles four months later. He was sent back to Australia on the next flight.

Kalejs later traveled to Britain and took up residence in a retirement home in Rugby. His presence there was made public in December 1999 by "20/20." An embarrassed British government quickly ordered him returned to Australia.

When Kalejs returned from Britain last January, Australian officials provided a car to whisk him past reporters at the airport.

Kalejs Is Expected to Plead He Is Too Sick

In a rare interview with SBS radio in Australia shortly after his return, Kalejs acknowledged commanding men who had served in the Arajs Kommando but denied any part in killing civilians. "I have never participated in anything like that," he said.

Kalejs now lives at the Latvian Village Retirement Hostel in a suburb of Melbourne. He is said to stay fit by swimming and is occasionally seen going for walks. The manager of the complex screens all of Kalejs' visitors and refuses entry to any who are uninvited. "He won't talk to anybody, so that's the end of it," said the manager, who refused to give his name.

Kalejs' extradition hearing is scheduled to begin Jan. 25. Like other elderly people accused of war crimes, he is expected to plead that he is too sick to be sent abroad to stand trial.

Colin Rubenstein, executive director of the Australia/Israel & Jewish Affairs Council, said illness and old age are no excuse for not

Despite Evidence, Cases Dropped

Australia's independent Department of Public Prosecutions agreed to bring three of the unit's cases to trial. A judge threw out the first for lack of evidence. The second ended in acquittal. Prosecutors abandoned the third after the defendant had a heart attack. Despite evidence against dozens more—including Kalejs—the government shut down the Special Investigations Unit in mid-1992, citing lack of success in winning convictions and the high cost of pursuing cases.

In contrast, the U.S. created the Office of Special Investigations within the Justice Department in 1979 and adopted a strategy of denaturalizing and deporting suspects for lying at the time they entered the country. So far, the office has stripped 64 of their citizenship and removed 53 after they were accused of being Nazis. Seventeen cases are in the courts and more will be filed this year, said Eli Rosenbaum, director of the office.

One of the most infamous suspects living in Australia is Karlis Ozols.

Like Kalejs, he was allegedly a

1942. After the slaughter, the witnesses alleged, Wagner rounded up 19 half-Jewish children ages 4 months to 11 years and shot them. He tossed one toddler into the air and opened fire as the child fell, they said.

Based on the statements of the witnesses, the Australians exhumed the mass grave and found the skeletons of 19 children.

The government was about to put Wagner on trial in 1993 when he suffered a heart attack. Doctors testified that his chances of recovery were "remote" and that a trial could kill him. Prosecutors dropped the case. Apparently, they never checked to see if his condition had improved.

In December 1999, the ABC news program "20/20" visited Wagner's home in Adelaide and videotaped him in seemingly good health, working in his garden and carrying in bags of groceries from his car. Still, the government took no action.

Wagner died last November at age 78.

"We had a very good case against Wagner," Greenwood recalled. "There are lots of people who have health problems who are still brought to justice. It's pathetic."

...he would likely have gone unnoticed by the outside world.

Kalejs entered Australia in 1950 after telling immigration officials that he had been a farmer and student during the war.

Soon after, the former Nazi officer was hired as a clerk at Australia's main refugee camp, where his job was to issue identity papers to new immigrants.

Kalejs was naturalized as a citizen in 1957. Using his new Australian passport, he left in 1959 for the United States, where his mother and sister had moved after the war. He remained there for 35 years, where investigators say he made a fortune in real estate.

In 1982, U.S. officials began looking into allegations that Kalejs had committed war crimes. Six years later, immigration Judge Anthony Petrone ordered Kalejs deported for lying about his past when he entered the United States.

The judge concluded that Kalejs had joined the Arajs Kommando as a lieutenant in July 1941 and served in the unit during the period it committed mass killings. He also determined that Kalejs was in charge of guards at the Porkhov, Salaspils and Sauriesi concentration camps, where Jews and other prisoners were starved, tortured,

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Colin Rubenstein, executive director of the Australia/Israel & Jewish Affairs Council, said illness and old age are no excuse for not prosecuting those accused of genocide. "We say, learn from the Wagner case," Rubenstein said. "It is important for Australia's integrity and image that we get one run off the board."

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