

New York Daily News July 8, 1983 p.7

Saw no war crimes proof

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There was "no suggestion of racist motivation" on the part of alleged Nazi war criminal Boleslavs Maikovskis, charged with helping execute some 20,000 Jews and Latvians in 1941, and that Maikovskis was, in effect, simply following orders, according to an immigration judge who ruled against government efforts to deport the man.

The ruling Wednesday by Judge Francis Lyons in Manhattan Federal Court will allow Maikovskis, 76, a retired carpenter who lives on Grant Ave., Mineola, to remain in the United States.

"Given his (Maikovskis') statements and own admissions, this case is one we consider significant in an effort to bring to justice those who participated in the worst outrages in human history," said Malcolm Hoenlein, executive director of the Jewish Community Relations Council of New York.

LYONS SAID Maikovskis' past con-

duct did not rise to the "level of depravity" needed to make his alleged crimes "contrary to human decency."

"The arrest of the Audrini (a Latvian town destroyed by the Nazis) villagers and the burning of the village under orders of the German invaders of Latvia was a reprisal against the killing of one or more Latvian police officers," said Lyons in his ruling.

"That event ultimately led to the Audrini massacre (15,000 persons eventually died, including everyone in Audrini)," said Lyons, but "there has been no suggestion of racist motivation in that atrocity.

A native of the Baltic state of Latvia, Maikovskis emigrated to this country with his wife, Janina, in 1951. He said he was a bookkeeper during World War II, when his homeland was occupied by the Germans.

HOWEVER, THE Justice Department charged him with being a member of the Latvian Police Guard, which it is claimed exterminated about 20,000 Latvian Jews and others. In 1965

Maikovskis was convicted in absentia for war crimes by a Soviet court in Riga and was sentenced to death.

But Lyons ruled that Maikovskis' failure to disclose his past as a police chief was academic, since many other persons with similar backgrounds—who did disclose their past—were admitted.

Lyons said also he did not believe the witnesses who had testified against Maikovskis through depositions taken in the Soviet Union.

Finally, the judge said that the killings were done under orders and were not racially motivated. Neil Sher, acting director of the Justice Department's Office of Special Investigations, said his office was considering an appeal.

"IT WAS A GOOD decision—my husband didn't do anything to anybody," said Maikovskis' wife, Janina, yesterday at their Mineola home. Maikovskis attorney, Ivars Berzins, refused comment.