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The ‘Prevention Department’ within the Criminal Police

An Example of Learning Administrations and the Core of Organizing Transports of Sinti and Roma to Concentration Camps

Abstract: The criminal police transported Sinti and Roma to concentration camps based on a division of labor and relying on older and well-established infrastructures for prisoner transports, in which concentration camps and special trains (*Sonderzüge*) were integrated. Comparing the transports organized by the criminal police Magdeburg in the course of the ‘work-shy Reich’ action (*Aktion ‘Arbeitsscheu Reich’*) in June 1938 and the deportation to Auschwitz-Birkenau in March 1943, this micro-historical analysis highlights the structures within the apparatus of the criminal police. It is further argued that with the criminal police’s option to incarcerate people in concentration camps on the basis of ‘police preventive detention’, special ‘prevention departments’ (*Vorbeugungsreferate*) for this task were created on all levels of the police to which departments as well as case officers for ‘gypsy questions’ (*Dienststellen für ‘Zigeunerfragen’* and *Sachbearbeiter für ‘Zigeunerfragen’*) were attached.

Introduction

The genocide of Sinti and Roma was a state-organized crime by the Nazis that was implemented in a division of labor.¹ The core of the network of perpetrator collectives² was the scientific-police complex³ consisting of the criminal police and the *Rassenhygienische und bevölkerungsbiologische Forschungsstelle* (Racial

1 Herbert Jäger: “Arbeitsteilige Täterschaft. Kriminologische Perspektiven auf den Holocaust”, in Hanno Loewy (ed.): *Holocaust: Die Grenzen des Verstehens. Eine Debatte über die Besetzung der Geschichte*, Hamburg: Rowohlt, 1992, 160 – 165; idem.: *Verbrechen unter totalitärer Herrschaft. Studien zur nationalsozialistischen Gewaltkriminalität*, Hamburg: Suhrkamp, 1966.

2 Frank Bajohr: “Neuere Täterforschung”, in *Docupedia-Zeitgeschichte. Begriffe, Methoden und Debatten der zeithistorischen Forschung*. Available at: http://docupedia.de/zg/bajohr_neuere_taeterforschung_v1_de_2013. Last accessed: 31.01.2022.

3 Michael Zimmermann: *Rassenutopie und Genozid. Die nationalsozialistische “Lösung der Zigeunerfrage”*, Hamburg: Christians, 1996.

Hygiene and Population Biology Research Center, RHF). This chapter sheds light on the actions of the perpetrators within the criminal police, who were responsible for transfers of Sinti and Roma to concentration camps. A special focus is put on the Kriminalpolizeistelle Magdeburg⁴ and the transports of Sinti and Roma from the Magdeburg area to concentration and extermination camps in 1938 and 1943.⁵ The organization of the transports from Magdeburg in the course of the ‘work-shy Reich’ action (*Aktion ‘Arbeitsscheu Reich’*) to the concentration camps of Buchenwald and Sachsenhausen in June 1938 as well as the deportation to the ‘gypsy family camp’ in the Auschwitz-Birkenau extermination camp in March 1943 are diachronically analyzed in this chapter both from the perspective of institutional and regional history.

Analyzing two temporally and structurally different transfers of Sinti and Roma to concentration camps makes the main responsibilities within the ‘prevention department’ (*Vorbeugungsreferat*) of the criminal police evident. Furthermore, this essay argues that this specific department in fact emerged after 1938 due to the increasing number of transfers the criminal police organized to concentration camps. Its evolution as a specialized task force thus was highly dependent on experience gained throughout the years. Its role in the context of the deportations will not only be analyzed on the vertical level from the highest criminal police department within the Reichskriminalpolizeiamt (RKPA, see fig. 1⁶) in the Reichssicherheitshauptamt (Reich Main Security Office, RSHA), via the intermediate Kriminalpolizeileitstellen to the subordinate Kriminalpoli-

⁴ The superordinate criminal police office in this region was the Kriminalpolizeileitstelle Halle, which was in charge of the Kriminalpolizeistellen Halle, Magdeburg, Erfurt, Dessau, and Weimar. See region map of the *Reichskriminalpolizei* with the regions of the *Kriminalpolizeileitstellen* and the subordinate *Kriminalpolizeistellen*, R 58/9711, n.p., Bundesarchiv (BArch). According to IV (4) of the circular decree for the structural reorganization of the criminal police in the Reich from 20 September 1936 a Kriminalpolizeileitstelle was at the same time the Kriminalpolizeistelle for that respective city. See reorganization of the state’s criminal police, circular decree of the Reich Minister of the Interior, Pol. S. – V 1–272/36-, 20.09.1936, R 58/241, sheets 71–76, here 74, BArch. In this essay, the English term ‘criminal police’ is used when generally referring to this institution. The German term Kriminalpolizeistelle Magdeburg is mainly used when the rank of the Kriminalpolizeistelle in Magdeburg is relevant to the implementation of measures as well as in distinction to the responsibilities of the superordinate Kriminalpolizeileitstelle.

⁵ This focus is due to the author’s dissertation project *Kriminalpolizei und Völkermord. Die nationalsozialistische Verfolgung von Sinti und Roma in Magdeburg und die Aufarbeitung dessen unter den Alliierten sowie in der DDR*.

⁶ Chart created by the author based on an organizational chart of the Kriminalpolizeistelle Magdeburg, as of January 1, 1945, K 14, no. 299, n.p., Landesarchiv Sachsen-Anhalt (LASA); Arthur Nebe: “Organisation und Meldedienst der Reichskriminalpolizei”, in *Schriftenreihe des Reichskriminalpolizeiamtes Berlin*, 1, 1939, 21–22.

zeistellen. It will also be examined on the horizontal level within the Kriminalpolizeistelle Magdeburg and within relation to other departments such as the identification department (*Erkennungsdienst*) and the reporting department (*Melddienst*), as well as the female criminal police (*Weibliche Kriminalpolizei*) and the case officers for 'gypsy questions' (*Sachbearbeiter für 'Zigeunerfragen'*) (see fig. 2).

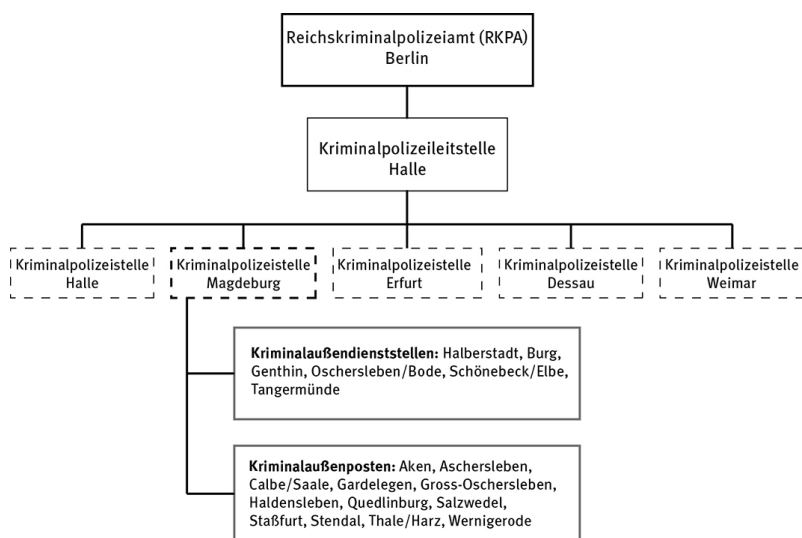


Fig. 1: Organization of the criminal police on the vertical level from the RKPA to the Kriminalpolizeistelle Magdeburg.

In existing studies on the persecution of Sinti and Roma, generally, no differentiation is made between the various departments of the criminal police. Where differentiations are discussed within the police apparatus, they primarily concern demarcations of the Kripo from the Gestapo and the uniformed Schutzpolizei. Analyses of the internal structures of the criminal police therefore represent a desideratum in the still young research on the Nazi persecution of Sinti and Roma, Yenish, or others who fell under the stigmatizing term 'gypsy' ('*Zigeuner*'). By including the female criminal police, the current chapter also makes an important contribution to hitherto scarcely existent gender-historically differentiated research on the persecution of Sinti and Roma. The responsibility of female

perpetrators in the genocide has so far been addressed primarily in relation to female employees of the RHF and the Youth and Welfare Offices.⁷

In the following, the mass arrests and transports will be historically classified and the question will be asked to what extent earlier experiences from the prisoner transport system of the police and judiciary as well as the police and court prisons played a role in the implementation of these transports. By comparing both transfers with regard to a) regulations and implementations in Magdeburg, b) the role of the police prison and provisional assembly spaces, as well as transports with the Reichsbahn, and c) selection criteria, this essay argues that there was a crucial difference between collective transports and deportations into concentration and extermination camps in the course of mass arrests such as 1938 and 1943.

In this chapter, the term ‘transport’ is used to describe the transfers of people by the criminal police to SS-run concentration and extermination camps in general. The term ‘deportation’ on the other hand refers to the systematic and forced mass transportation to and incarceration of persecuted Sinti and Roma in camps and ghettos in occupied Central and Eastern Europe with the ultimate death of the deportees.

‘Police Preventive Detention’ and ‘Prevention Departments’ within the Criminal Police

The legal basis for the criminal police’s admissions to concentration camps was the ‘police preventive detention’ (*polizeiliche Vorbeugungshaft*). Similar to the Gestapo’s ‘protective custody’ (*Schutzhaft*), it was a detention for an indefinite period of time without prior judicial proceedings, without judgment and without legal protection of the person to be detained.⁸ This form of incarceration was first used in Prussia on the basis of a secret decree issued by the Prussian Ministry of the Interior on November 13, 1933, for the ‘application of police preventive deten-

7 Karola Fings and Frank Sparing: “Vertuscht, verleugnet, versteckt. Akten zur NS-Verfolgung von Sinti und Roma”, in Christoph Dieckmann: *Besatzung und Bündnis. Deutsche Herrschaftsstrategien in Ost- und Südosteuropa*, Berlin: Verlag der Buchläden, 1995, 181–201, here 187; Josef Henke: “Quellenschicksale und Bewertungsfragen. Archivische Probleme bei der Überlieferungsbildung zur Verfolgung der Sinti und Roma im Dritten Reich”, in *Vierteljahrshefte für Zeitgeschichte*, 1, 1993, 61–77.

8 Karl-Leo Terhorst: “*Polizeiliche Überwachung und polizeiliche Vorbeugungshaft im Dritten Reich. Ein Beitrag zur Rechtsgeschichte vorbeugender Verbrechensbekämpfung*”, Heidelberg: C. F. Müller Juristischer Verlag, 1985, 4–7.

tion against professional criminals'. Between 1933 and 1937, a development phase followed with different mechanisms for implementing police preventive detention in the different Länder of the Reich. The 'Basic Decree on Preventive Crime Control by the Police' issued by the Reich Ministry of the Interior on December 14, 1937, established a uniform Reich-wide regulation for 'police preventive detention' as well as 'police planned surveillance' and extended it to other groups of persons such as those designated as 'asocials'.⁹ With this decree, the criminal police was given the legal basis for more 'freedom of action' and thus increasingly took over the functions of the judiciary.¹⁰

The police's 'prevention mandate' was significantly expanded under the Nazi regime. This was also reflected in the new self-image of the police apparatus. The deputy chairman for police law in the Academy for German Law, Reinhard Höhn, wrote in 1937 on the old and new conception of police law:

Thus, the criminal police had changed from a police force that, according to liberal principles, was oriented towards defense against individual cases to a police force that proceeded from the protection of the Volksgemeinschaft and that could organize this protection of the community in a planned manner.¹¹

In the first volume of the series of publications of the *RKPA* in 1939, Arthur Nebe, head of the criminal police, also clarified the new field of activity of the criminal police, emphasizing the importance of 'police preventive detention':

Crime investigation and crime prevention are the fields of work in which the criminal police will be active in the new Reich. [...] [In addition to solving crimes], it is also to act preventively and in a forefending way according to dutiful discretion in the sense of the idea of averting harm to the general public.¹²

To this end, the "police preventive detention" and the "planned surveillance of habitual and sex offenders, and of all antisocial elements in general"¹³ served this purpose. The investigation of the causes of crime as well as the genesis of criminality was to be the starting point of the 'preventive work'. By this, Nebe understood above all hereditary biology and demanded that the criminal police

⁹ Wolfgang Ayaß: "Asoziale" im Nationalsozialismus, Stuttgart: Klett-Cotta, 1995.

¹⁰ Terhorst, Polizeiliche Überwachung, 4–7, 56–59.

¹¹ Reinhard Höhn: "Altes und neues Polizeirecht", in Hans Frank (ed.): *Grundfragen der deutschen Polizei*, Hamburg: Hanseatische Verlagsanstalt, 1937, 21–34, here 31. Translation by the author.

¹² Nebe, Organisation, 21–22. Translation by the author.

¹³ Both quotes *ibid.*, 22. Translation by the author.

should be placed “more and more in the service of race and hereditary research”.¹⁴

For the implementation of this new mission, special task forces were created within the criminal police departments between 1938 and 1940. Thus ‘prevention’ was not just a concept but structurally embedded in the criminal police apparatus. Their fields of focus were the two main measures of ‘prevention’: the ‘police preventive detention’ and ‘police planned surveillance’. These measures were directed against all people who were classified as ‘professional criminals’ (*Berufsverbrecher*) or ‘habitual criminals’ (*Gewohnheitsverbrecher*) as well as Sinti and Roma and so-called asocials. A ‘prevention department’ had existed on the level of the RKPA since 1938, then called S-KR.3. Since 1939/1940 a specialized ‘prevention’ group abbreviated as ‘VB’ dealt with this task. This group was reorganized in March 1941 and now operated as V A 2 under the section ‘criminal politics and prevention’.¹⁵ This reorganization of the structures of the criminal police apparatus also becomes evident in testimonies of former criminal police officers. They demonstrate that this department was created at the RKPA in the course of the mass arrests and transports during the ‘work-shy Reich’ action.¹⁶

Until 1940, on the regional and local level, most Kriminalpolizei(leit)stellen did not have a distinctive ‘prevention commissariat’, instead the criminal police inspectorates were in charge of ordering ‘police preventive detention’ and ‘police planned surveillance’. In the daily work routine, criminal police officials of the commissariats for the investigation and persecution of specific crimes started an individual case by collecting relevant documents and creating a ‘criminal resume’. They then reported the case to the director of the police inspectorate for a decision, e.g., whether someone should be taken into custody. The request for a detention arrangement was throughout all its years of operation signed by the head of the respective Kriminalpolizei(leit)stelle. The final decision of the individual case, however, would be taken in the RKPA as they needed to confirm the order. The implementation of the decision was then conducted by the reporting commissariats and their case officials in the Kriminalpolizeistellen.¹⁷ Thus, with their request for a detention arrangement to the RKPA, the local criminal

¹⁴ Ibid., 21. Translation by the author.

¹⁵ Zimmermann, *Rassenutopie*, 114.

¹⁶ Interrogation of Ferdinand Hardegen, former criminal police officer of the RKPA, 28.03.1966, B 057–01, no. 449, sheet 156, Landesarchiv Berlin (LAB).

¹⁷ Interrogations of Hermann Keil, 26.01.1966, Karl Lorenz, 27.01.1966, and Johannes Pfaar, 01.02.1966, B 057–01, no. 449, sheets 63, 65–66, and 83, LAB.

police authorities played a decisive role in the selection of people to be transferred to a concentration camp on the basis of 'police preventive detention'.

This subject matter was in later years appointed to specific 'prevention commissariats' on the level of the Kriminalpolizei(leit)stellen as well as a special 'prevention working group' on the level of the RKPA. Whereas the working group of the RKPA was established parallel to the mass transports to concentration camps in June 1938, the subordinate Kriminalpolizei(leit)stellen subsequently created similar organizational structures. Furthermore, the years between 1938 and 1940 show an important shift in the structural organization of the case officers at the Kriminalpolizeistellen and the departments for 'gypsy questions' at the Kriminalpolizeileitstellen altogether.

This structural reorganization also started on the level of the RKPA. The 'Zigeunerpolizeistelle' Munich (formerly 'Zigeunernachrichtenstelle'), which had collected identification material of Sinti and Roma since 1899 for all regions of Germany and was attached to the identification department at the criminal police in Munich, was moved to the RKPA in November 1938. There it formed a new department called 'Reichszentrale zur Bekämpfung des Zigeunerunwesens'.¹⁸ It was integrated in the aforementioned 'prevention working group' within the RKPA. Thus, the close connection between the 'prevention department' and the 'Reichszentrale zur Bekämpfung des Zigeunerunwesens' was clearly expressed on a structural institutional level.¹⁹

A mirroring structural reorganization is apparent on the subordinate levels of the Kriminalpolizei(leit)stellen from 1940 (see fig. 2).²⁰ At the Kriminalpolizeileitstelle Hamburg for instance the commissariat BK 2 focused on 'police preventive detention' and 'police planned surveillance' of whom they considered as 'gypsies', 'asocials' and prostitutes since 1940. Attached were 'criminal genealogical researches' ('*Kriminalgenealogische Forschung*') as well as the – since renamed and now called – 'Zigeunerdienststelle'. Before this structural reorganization and the attachment to the new 'prevention commissariat', the then named 'Zigeunernachrichtendienststelle' had been part of the identification department.²¹

18 Zimmermann, *Rassenutopie*, 108–109; Karola Fings and Frank Sparing: *Rassismus – Lager – Völkermord. Die nationalsozialistische Zigeunerverfolgung in Köln*, Cologne: Emons, 2005, 241.

19 Organizational chart of Office V (RKPA) of the RSHA from 1941, R 58/1055, sheet 1, BArch.

20 Organizational chart, C 29 Annex I, segment 3 no. 154, volume 12, n.p., LASA. See also organizational chart of the Kriminalpolizeistelle Magdeburg, as of January 1, 1945, K 14, no. 299, n.p., LASA.

21 Interrogation of Kurt Wedeking, 13.01.1966, B 057–01, no. 449, sheets 119a–119k, LAB.

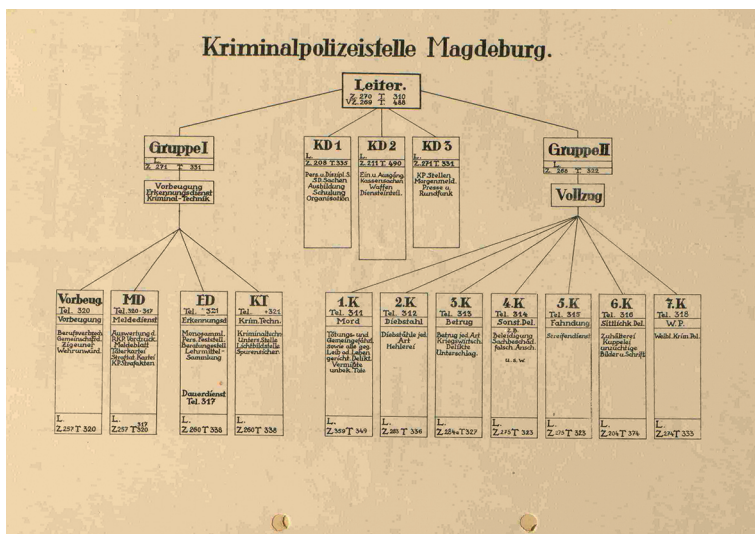


Fig. 2: Organizational chart of the Kriminalpolizeistelle Magdeburg, as of April 1, 1942, C 29 Annex I, segment 3 no. 154, volume 12, n.p., Landesarchiv Sachsen-Anhalt.

The Kriminalpolizeileitstellen, other than the Kriminalpolizeistellen, created at least two ‘prevention commissariats’, which focused on different groups of persecutees.²² Six to seven officers worked in the ‘prevention commissariats’ here, whereas at the level of the Kriminalpolizeistellen three positions can be made out and only one ‘prevention commissariat’ existed.²³ Thus, a clear organizational shift is apparent on all levels of the criminal police: With the reorganization, the case officers for ‘gypsy questions’ were linked to the ‘prevention commissariats’ or ‘prevention working group’ and the attachment to the identification department or to the reporting department was dissolved. Many of these criminal police officers working as case officers had thus been experts in the field of identification and in sharing personal information of wanted people across borders.²⁴ Kriminalinspektor Josef Eichberger²⁵ and Kriminalkommiss-

²² Interrogation of Kurt Wedeking, 13.01.1966, B 057–01, no. 449, sheets 119a–119k, LAB; interrogation of Hans Espenschied, 22.02.1966, B 057–01, no. 449, sheet 231, LAB. At the Kriminalpolizeileitstelle Hamburg two ‘prevention commissariats’ existed, whereas the Kriminalpolizeileitstelle Berlin had four.

²³ See interrogation of Hans Gassner and his estimation of staff for the Kriminalpolizeileitstelle Stuttgart, 06.04.1966, B 057–01, no. 449, sheet 179, LAB.

²⁴ Interrogation of Karl Lorenz, 27.01.1966, and interrogation of Peter Kenten, 04.03.1966, B 057–01, no. 449, sheets 65–67 and 108, LAB.

sar Wilhelm Supp²⁶ were criminal police officers of the 'Reichszentrale zur Bekämpfung des Zigeunerunwesens' at the RKPA in Berlin and both had been working for the identification department and for the reporting department before. After the war these perpetrators characterized their work in the 'Reichszentrale' as continuous tasks from the fields of the identification department and the reporting department and thereby downgraded their responsibilities in racial persecution.²⁷

However, this structural reorganization also highlights the enforcement of racial-biological paradigms in police work since 1938. Two decrees from 1938 and 1939 were crucial for making racial-biological paradigms the foundations of practical police work and the persecution of Sinti and Roma by the criminal police. With his decree of December 8, 1938, Heinrich Himmler announced that the "gypsy question must be tackled from the essence of the race"²⁸ and therefore decreed institutional cooperation with the Reich Health Office. With the so-called *Festsetzungserlass* the RSHA ordered on October 17, 1939, the registration of all Sinti and Roma between October 25 and 27, 1939.²⁹ This registration required the information the identification departments had gathered since the 1920s. In Magdeburg, the case officer for 'gypsy questions' was also mainly responsible for organizing the registration in 1939. He arranged the collected data according to areas and finally forwarded it to the 'Reichszentrale zur Bekämpfung des Zigeunerunwesens' via the 'Dienststellen für Zigeunerfragen' at the Kriminalpolizeileitstelle Halle. At this highest level of authority, the material was then evaluated and 'racial reports' ('*Rassegutachten*') were passed on from the RHF. Thus, alongside the registration, a racial categorization was carried out

25 "Schreiben Josef Eichbergers an die Spruchkammer IV München", 22.07.1948, SpK box 344, Staatsarchiv Munich. Eichberger had worked since 1930 for the criminal police in Munich and initially for the identification department. In 1937, he was transferred to the 'Zigeunerpolizeistelle München'.

26 Supp had been case officer of the reporting department (*Kriminalnachrichtendienst*) and in the tracing division (*Fahndungsabteilung*) at the Kriminalpolizeileitstelle Nuremberg-Fürth from 1935 to 1941. The 'Zigeunerdienststelle' was a subordinate institution. He transferred to the RKPA in February 1941 and became its manager. See "Personalakte Supp LKA Bayern", LKA, no. 219, Bayerisches Hauptstaatsarchiv.

27 Interrogation of Wilhelm Supp, October 1963, B Rep. 057-01, 2692, 2713-2714, LAB.

28 Circular Decree, 08.12.1938, in *Ministerialblatt des Reichs- und Preußischen Ministeriums des Innern*, 51, 1938, columns 2105-2106. Translation by the author.

29 Urgent instruction by the RSHA - diary no. RKPA. 149/1939 g, 17.10.1939, concerning 'gypsy registration', C 30 Osterburg A, no. 161, sheets 29-30, LASA.

by the medical staff in this institution of the Reich Health Office.³⁰ Members of the RHF came to Magdeburg between February 2 and 5, 1939, for an inspection and racial examination of 35 Sinti and eight Roma on the spot.³¹

The learning administration of the criminal police had a crucial impact on the organization of the transfers of Sinti and Roma to concentration and extermination camps in 1938 and 1943, which will be analyzed subsequently with a focus on the Kriminalpolizeistelle Magdeburg.

Instructions for and Implementation of the Incarceration in Magdeburg in 1938

The basic decree issued by Reich Minister of the Interior Wilhelm Frick on 'Preventive Crime Control by the Police' on December 14, 1937, as well as the urgent instruction from Reinhard Heydrich in the Reich Criminal Police Office to the State Criminal Police Offices of June 1, 1938, formed the legal basis for the mass arrests and transports to concentration camps in the course of the 'workshy Reich' action.³² At least 200 men, who were able to work but were classified as 'asocials' in the view of Nazi ideology, were to be placed in 'police preventive detention' in the region of each Kriminalpolizeistelle.³³ Among them mostly people who the responsible police officers classified as 'vagrants', 'beggars', 'gypsies' or 'pimps' were to be arrested. Exempted were those who were in permanent employment. Additionally, all male Jews who fined imprisonment of at least a month were to be incarcerated in this action between June 13 and 18, 1938.

The Kriminalpolizeistelle Magdeburg forwarded this basic decree together with additional orders by the Kriminalpolizeistelle Halle to their subordinate

30 Karola Fings: "Gutachten zum Schnellbrief des Reichssicherheitshauptamtes – Tgb. Nr. RKPA. 149/1939 -g- – of 17.10.1939 betr. 'Zigeunererfassung' ('Festsetzungserlass')", 2–3. Available at: https://sintiroma.org/images/sinti-roma/zr_2020_karola_fings_gutachten_festsetzungserlass.pdf. Last accessed: 03.06.2021.

31 "Sinte-Zigeuner Liste", no. 1 to 35, and "Türken-Liste III", no. 501 to 508, n.p., R 165/108, BArch.

32 Basic decree on 'Preventive Crime Control by the Police', Pol. S-Kr.3, no. 1682/37–2098, 14.12.1937, n.p., R 187/399, BArch; urgent instruction by the RKPA on 'Preventive Crime Control by the Police', Tgb. Nr. RKPA 60⁰¹/295.38, 01.06.1938, n.p., R 187/399, BArch.

33 Urgent instruction by the RKPA on 'Preventive Crime Control by the Police', Tgb. Nr. RKPA 60⁰¹/295.38, 01.06.1938, n.p., R 187/399, BArch; implementation order by the *Kriminalpolizeistelle* Halle, K 1. K, 02.06.1938, n.p., C 30 Osterburg A, no. 163, LASA.

criminal police departments on June 4.³⁴ These additional orders by the Kriminalpolizei(leit)stellen Magdeburg and Halle further reveal local dynamics. The intermediate department in Halle ordered that the number of registered people in their area was to be increased to 250 in total as exemptions were predictable. For the Kriminalpolizeistelle Magdeburg the superordinate department in Halle calculated, based on the population, 60 'asocials' and Jews to be considered. This number could have been "arbitrarily exceeded but not undershot".³⁵ The number of imprisoned people was to be reported to Halle by June 19, distinguishing between Jews and 'asocials'. The Kriminalpolizeistelle Magdeburg further specified the people affected for their district: predominantly 'gypsies' as stated in the RSHA order as well as all male Jews that had been fined with imprisonment for at least one month in the past. Generally, only people able to work were to be registered and eventually transported.

The transport of a total of 96 persons designated as 'work-shy' from Magdeburg to the concentration camps took place in three waves on June 14, 17 and 20, 1938.³⁶ Contrary to the guidelines of April 1938, the transports were not only heading towards the Buchenwald concentration camp but also to the Sachsenhausen concentration camp.³⁷ The reasons for the change from the order have not yet been identified. The prison record book shows that the Kriminalpolizeistelle Magdeburg began to carry out this action already two days before the date set by Heydrich. On June 11 and 12, 1938, 13 people from Magdeburg, 11 of whom were Jewish, were arrested and taken to the police prison. From there the majority was transported to a concentration camp; two were released again.³⁸ In the early morning hours of June 13, 1938, between 6:30 a.m. and 7:00 a.m., officers of the Kriminalpolizei and Schutzpolizei Magdeburg arrested a total of 29 male Sinti and Roma and two persons designated as 'vagrants' ('*Landstreicher*') at

34 Implementation order by the Kriminalpolizeistelle Magdeburg, L 2538/38, 04.06.1938 and implementation order by the Kriminalpolizeileitstelle Halle, K 1. K, 02.06.1938, both n.p., C 30 Osterburg A, no. 163, LASA.

35 Order *Kriminalpolizeistelle* Magdeburg, L 2538/38, 04.06.1938, C 30 Osterburg A, no. 161, LASA. Translation by the author.

36 The quantitative evaluation here is based primarily on the entries in the prison record book of the Magdeburg police prison. See C 29 Annex III, no. 9, LASA.

37 Guidelines to the basic decree on 'Preventive Crime Control by the Police' by the RKPA, Tgb, Nr. RKPA 60⁰¹25/83, 04.04.1938, in Kameradschaft Verlagsgesellschaft mbH, (ed.): *Kriminalpolizei. Sammlung der für die kriminalpolizeiliche Organisation und Tätigkeit geltenden Bestimmungen und Anordnungen*, Berlin: Kameradschaft Verlagsgesellschaft Gersbach & Co., 1937, section VII.7 to VII.39, here VII. 23.

38 Prison record book, C 29 Annex III, no. 9, list no. 546–552, 556–558, 565–567, LASA.

the municipal detention camp for Sinti and Roma on Holzweg in Magdeburg.³⁹ Twenty-two of them were transported to a concentration camp, the seven others were released again.⁴⁰ The first transport from Magdeburg in the course of the action then took place at 1:30 p.m. on June 14, 1938, to Buchenwald concentration camp with a total of 33 people of the aforementioned arrests.

A second transport left Magdeburg to the concentration camp in Sachsenhausen on June 17, 1938, with a total of 30 persons designated as 'work-shy'. Among them were eight Sinti and Roma who had been arrested in the municipal detention camp in a raid in the late afternoon of June 13.⁴¹ Other arrested people who were designated as 'work-shy' followed till June 16 to the police prison. The second transport to the Sachsenhausen concentration camp left Magdeburg on June 17. The third transport left Magdeburg three days later, on June 20, for the Sachsenhausen concentration camp with 33 people. The majority of those brought to Sachsenhausen with the second and third transports did not live in Magdeburg but came from the areas of the criminal field offices (Kriminalaußenstellen) in Genthin, Halberstadt, Oschersleben, Schönebeck, and Tangermünde or the field offices (Kriminalaußenposten) in Quedlinburg, Thale, and Wernigerode. Among them were three Sinti aged 38 to 50 from Quedlinburg.⁴²

The orders for 'preventive detention', together with the alleged individual reasons for the arrests noted on them, were always signed by the head of the Kriminalpolizeistelle, Kriminaldirektor Friedrich Wilhelm Oberbeck.⁴³ The medical officer of the Kriminalpolizeistelle Magdeburg, Dr. Haubner, confirmed that those arrested in the Magdeburg area were "fit for camp detention and work".⁴⁴ For the criminal field offices and posts, the local medical officers signed

³⁹ Prison record book, C 29 Annex III, no. 9, list no. 570–599, LASA.

⁴⁰ Michael Zimmermann recorded for the Kriminalpolizeistelle Magdeburg that at least 44 male Sinti and Roma and 12 other male Magdeburg residents were among the deportees. See Zimmermann, *Rassenutopie*, 115.

⁴¹ Prison record book, C 29 Annex III, no. 9, list no. 606–610, LASA.

⁴² Prison record book, C 29 Annex III, no. 9, list no. 661–663, LASA.

⁴³ "Anordnung der polizeilichen Vorbeugungshaft", L 2676/38, 13.06.1938, personal file, C 29 Annex II, no. 135/1, sheet 3, LASA. According to the NSDAP Gau card index (*Gau Kartei*), Oberbeck moved to Magdeburg in 1938 and joined the NSDAP local group there on 22 November 1938. In 1942, he moved to Bochum to head the local Kriminalpolizeistelle. Cf. Gau card index of Friedrich Wilhelm Oberbeck, R 9361–IX Kartei/30951364, BArch; RSHA address list of 01.10.1941, R 58/9804, sheet 14, BArch; "Verzeichnis Dienststellen von 1943–1944", R 58/9706, sheets VI/4 (Bochum) and VI/43 (Magdeburg), BArch.

⁴⁴ Certification by a medical professional to be 'fit for camp detention and work', L 2677/38, 13.06.1938, personal file, C 29 Annex II, no. 127/1, sheet 8, LASA. Translation by the author.

a corresponding certificate.⁴⁵ On all relevant forms for requesting the incarceration on the basis of 'police preventive detention' the initials of Kriminalkommissar Kläbe can be found; on some forms Kriminalkommissar Klaus confirmed the accuracy of the information with his initials. Both were members of the identification department. Klaus had also been responsible for obtaining the information in advance from the criminal register at the public prosecutor's office in charge. While mainly the lower ranks of the civil service took part in the arrests, higher officials filled out documents for the imposition of 'police preventive detention'.

Instructions for and Implementation of the Deportation from Magdeburg to Auschwitz-Birkenau in 1943

The instructions for the deportations to Auschwitz-Birkenau in 1943 were different and only affected Sinti and Roma. On December 16, 1942, *Reichsführer-SS* and Chief of the German Police Heinrich Himmler ordered that Sinti and Roma were to be sent to the concentration and extermination camp at Auschwitz-Birkenau. The implementing regulations, which can be taken from the RSHA circular of January 29, 1943, ordered that the "preparatory measures (i.e., selection of individual persons, dispatch and filling out of forms, etc.) [...] are to begin immediately so that the action can take place on March 1, 1943".⁴⁶ The main action was to be completed by the end of March 1943.⁴⁷ The main book (*Hauptbuch*) of the so-called gypsy family camp in Auschwitz-Birkenau lists 470 arrivals from Magdeburg, 219 men and boys and 251 women and girls.⁴⁸

Prisoner records attest to the fact that the Kriminalpolizeistelle Magdeburg began implementing the deportation order on February 23.⁴⁹ Kriminalkommissar

⁴⁵ Certificate by the director of the health office in Quedlinburg, 13.06.1938, personal file, C 29 Annex II, no. 98/1, sheet 6, LASA.

⁴⁶ Transcript of urgent instruction of the RSHA, V A 2 no. 59/43 g, 29.01.1943, sheets 385–391, Ms 410, Institut für Zeitgeschichte (IfZ). Translation by the author.

⁴⁷ Ibid.

⁴⁸ Reimar Gilsenbach: *From Tschudemann to Seemann. Two Trials from the History of German Sinti*, Berlin: Edition Parabolis Gogoli, 2000, 161.

⁴⁹ Files on the implementation of prison arrest and the transfer of Anna Rose from the court prison to the police prison in preparation for the deportation, personal file, C 29 Annex II, no. 224, sheets 31–39, LASA.

Schmidtke of the reporting department and the ‘prevention commissariat’ started the transfer of two Sinti women from the court prison to the police prison in Magdeburg “for the purpose of imposing preventive measures”.⁵⁰

Only a few individuals were affected by these preparatory arrests, whereas the vast majority of the Sinti and Roma deported from Magdeburg were arrested during the so-called Main Action (*‘Hauptaktion’*) on March 1, 1943, in the municipal detention camp in Magdeburg. Interviews with eyewitnesses reveal that in the early morning hours of that day, around 4 or 5 a.m., the police came to the camp with about 10 to 15 trucks and surrounded it with dogs. From there the victims were taken to the Magdeburg police headquarters where they remained in a large room. Sinti and Roma from subordinate departments of the Magdeburg Kriminalpolizeistelle were also brought there. Afterwards, they were all deported by train from Magdeburg freight station to Auschwitz-Birkenau.⁵¹ Between the arrest on March 1 and the transport to Auschwitz-Birkenau on March 2 only one day passed. The train with the deportees eventually arrived in Auschwitz-Birkenau on March 6.⁵²

The reporting department and the ‘prevention commissariat’ were thus mainly responsible for the organizational implementation of the deportations in Magdeburg. The reporting department maintained a basic collection and evaluation activity and, together with the identification department’s collections and the personal files, formed “the center of the police information system”.⁵³ Preparatory measures and later transports were organized by Kriminalkommissar Schmidtke of the reporting department and the ‘prevention commissariat’ in Magdeburg. Schmidtke’s signature is found on most documents relating to the implementation of the deportation measures in 1943, which hints at main responsibilities at the level of higher-ranking police officers. In the prison record books, Schmidtke and another subordinate member of the reporting department, Kriminalinspektor Karl Frenzel, noted under ‘departure’ that the prisoners, who had been arrested before, were transferred to the Auschwitz-Birkenau concentration camp on March 1, 1943.⁵⁴

⁵⁰ Ibid. Translation by the author.

⁵¹ Interview with Günther St., 30.08.1991, no.18, sheet 14, Stiftung niedersächsische Gedenkstätten.

⁵² Gilsenbach, Tschudemann, 161.

⁵³ Stephan Heinrich: *Innere Sicherheit und neue Informations- und Kommunikationstechnologien. Veränderungen des Politikfeldes zwischen institutionellen Faktoren, Akteursorientierungen und technologischen Entwicklungen*, Berlin: LIT-Verlag, 2007, 145. Translation by the author.

⁵⁴ Notice on the arrest in the police prison, personal file, C 29 Annex II, no. 568, sheet 1(r), LASA. This information corresponds to the entries in the prison record book: Kriminalsekretär

Furthermore, officers of the identification department were responsible for a registration if this had not been done in the course of the '*Festsetzungserlass*' or if deportees were registered at another criminal police office.⁵⁵ Some of the registrations were carried out by the identification department in the course of the mass arrests on March 1 and 2, 1943, when the would be deportees were first brought to the Magdeburg police prison.⁵⁶ There they were held for the time of consultation with the Kriminalpolizei(leit)stellen of the previous place of residency until the responsible authority arranged for further action.

The case of two sisters from Halle shall be emphasized at this point as it highlights the work between different criminal police commissariats and within the institution in Magdeburg. The two sisters Maria and Katharina M. were picked up by the station police (*Bahnhofspolizei*) in Magdeburg on February 27, 1943.⁵⁷ According to the so-called *Festsetzungserlass* from 1939, they were not allowed to leave their place of residence in Halle. Interrogation records reveal that their mother had sent them to Magdeburg to fetch food and that they had received a letter from their father in a Magdeburg prison. Since the children were minors, the case was taken up by the female criminal police, to be precise by Kriminalkommissarin Paris, head of the female criminal police, and Kriminalsekretärin Ladage. The sisters were picked up in Magdeburg by an officer of the female criminal police from the Kriminalpolizeileitstelle Halle, only to be brought back there via a collective transport.⁵⁸ Later, they were deported from Halle to Auschwitz-Birkenau.⁵⁹

In contrast to the transports in the course of the 'work-shy Reich' action, the detention records from 1943 and the accompanying internal correspondence

Hanke was noted here as the admitting officer, Kriminalkommissar Schmidtke as the transporting officer, and the identification department was named under 'remarks'. See prison record book, C 29 Annex III, no. 18, list no. 4692–4799, LASA.

55 Notice on the arrest in the police prison, personal file, C 29 Annex II, no. 568, sheet 1, LASA.

56 Prison record book, C 29 Annex III, no. 18, list no. 4692–4799, LASA.

57 In this essay, the names of those natural persons are stated anonymously if the date of death was less than 30 years ago or the date of birth was less than 110 years ago. With these data protection provisions, the author follows the currently valid provisions of the Landesarchiv Sachsen-Anhalt of June 28, 1995. See Land Sachsen-Anhalt: "Archivgesetz Sachsen-Anhalt". Available at: <https://www.landesrecht.sachsen-anhalt.de/bsst/document/jlr-ArchGST1995rahmen>. Last accessed: 11.01.2022.

58 Notice on the arrest in the police prison, personal file C 29 Annex II, no. 570, LASA; prison record book, C 29 Annex III, no. 18, list no. 4761–4762, LASA.

59 "Seite aus dem Hauptbuch des sog. Zigeunerlagers des KL Auschwitz-Birkenau (1943–1944): Weibliche Häftlinge (Nummernserie 1–10849)", registration numbers 1494 and 1497, 1.1.2.1/530982/ITS Digital Archive, Arolsen Archives.

show that responsibilities for imposing detention were distributed differently on the vertical axis and within the authorities' hierarchical order from the Kriminalpolizeistelle to the Reichskriminalpolizeiamt. According to the urgent instruction from January 29, 1943, and different from 1938, a confirmation of detention did not have to be requested from the RKPA.⁶⁰ A speedy implementation could be ensured by relaxing the requirements for the imposition of 'police preventive detention' of December 14, 1937. The Kriminalpolizeistellen did not have to submit an application with attachments to the RKPA for the imposition of 'police preventive detention', which no longer had to be approved by the supreme criminal police authority before the person was transported to a concentration camp. The heads of the intermediate Kriminalpolizeileitstellen were primarily responsible for the implementation of this measure and the compliance with the conditions for the deportations in 1943. The RKPA had sent the 'racial report' by the RHF before, which were crucial for the selection at the level of the intermediate Kriminalpolizeileitstellen. In contrast to the authorities in the Rhineland, no written evidence of regional conferences at which selection criteria were discussed and deportation lists were subsequently drawn up could be found for the Magdeburg or Halle criminal police offices.⁶¹ Officers of the Kriminalpolizeileitstelle in Berlin reported after the war that the head Leo Karsten created lists of deportees based on their index cards and files. This list was then sent for approval to the RKPA.⁶²

Furthermore, subsequent transports after the deportations in March 1943 reveal the larger network of perpetrators involved in the persecution. The transport of a 13-year-old Roma boy from Magdeburg to the 'Polish youth detention camp' in Litzmannstadt was implemented in June and July 1943 by the female criminal police in cooperation with the 'Reichszentrale zur Bekämpfung der Jugendkriminalität' and the 'Reichszentrale zur Bekämpfung des Zigeunerunwesens' as well as the welfare and youth office in Magdeburg.⁶³ Another case is Paul Gerste, as

60 Transcript of urgent instruction of the RSHA, V A 2 no. 59/43 g, 29.01.1943, sheets 385–391, Ms 410, IfZ. Translation by the author.

61 Fings and Sparing, *Rassismus*, 298.

62 Interrogation of Oskar Bülow, 19.11.1965, B 057–01, no. 448, sheet 117, LAB; Patricia Pientka: *Das Zwangslager für Sinti und Roma in Berlin-Marzahn. Alltag, Verfolgung und Deportation*, Berlin: Metropol, 2013, 162.

63 Personal file, C 29 Annex II, no. 524, LASA. The 13-year-old Rom of Croatian citizenship and his family were excluded from the deportations to Auschwitz-Birkenau on March 2, 1943, on the basis of the foreign citizenship certificate. On June 16, 1943, the Kriminalpolizeistelle Magdeburg filed an application for admission to this camp, which was confirmed by the Reichskriminalpolizeiamt and the 'Reichszentrale zur Bekämpfung der Jugendkriminalität' ('Reich Central Office for Combating Juvenile Delinquency') on July 9, 1943. On July 16, 1943, the transport from Mag-

his transport from Magdeburg to Auschwitz on October 12, 1943 highlights the cooperation of the criminal police with other branches of the police. Gerste had been wanted by the Staatspolizeileitstelle Magdeburg (Gestapo) for breach of his employment contract.⁶⁴ Since further admissions to the camp in Auschwitz were not possible, placement in a 'labor education camp' (*Arbeitserziehungslager*) was agreed upon by telephone with Kriminalrat Richmann of the Gestapo. There he was to be "beneficially employed"⁶⁵ in the meantime.⁶⁶

Infrastructures of Detaining and Transporting: Prisons, Provisional Assembly Spaces, and Transports by the *Reichsbahn*

In 1943, as in the 'work-shy Reich' action, the police prison became an important space for the exercise of police power and repression and was of central importance for the preparation and organization of the deportations. After the arrests in June 1938, the persons designated as 'work-shy' were first taken to the police prison. During their time in custody there, the criminal police officers filled out all the necessary paperwork for the disposition of the 'police preventive detention'. The prison record books of the police prison show that those to be transported were generally placed in larger group cells.⁶⁷

However, during the deportation of the Sinti and Roma from the municipal detention camp in Magdeburg in 1943, the officers of the Magdeburg criminal police did not resort to the police prison. Point IV.2 on the imposition of preventive detention in the urgent instruction by the RKPA from January 29, 1943, explicitly referred to the need to avoid prolonged detention prior to deportation: "In order to avoid prolonged police detention, the arrest of gypsy persons is not to take place until their immediate removal to the concentration camp is assured"⁶⁸.

deburg took place. At that time, there was an admission stop in the 'gypsy family camp' in Auschwitz-Birkenau.

⁶⁴ Telegram from the Kriminalpolizeileitstelle Hannover to the Kriminalpolizeistelle Magdeburg, pp hvr nr. 123 1075 1245, 10.06.1943, personal file, C 29 Annex II, no. 413, sheet 20, LASA.

⁶⁵ File note and transcript of a letter from the Kriminalpolizeistelle Magdeburg to the Staatspolizeileitstelle Magdeburg, K. MD. 2246/43, 23.06.1943, personal file, C 29 Annex II, no. 413, sheet 26, LASA. Translation by the author.

⁶⁶ See footnote 92 on page 201.

⁶⁷ Prison record book, C 29 Annex III, no. 9, file nos. 613, 614, 618, LASA.

⁶⁸ Transcript of urgent instruction of the RSHA, V A 2 no. 59/43 g, 29.01.1943, sheets 385–391, Ms 410, IFZ. Translation by the author.

Points VI.2 and VI.3 again refer to the timetable and emphasize that the preparatory measures such as the selection of individuals, clarification of transportation and guarding issues, as well as sending and filling out the forms should be started immediately. Eyewitnesses also remembered that they were shortly kept in a larger assembly room in the criminal police station, to which also Sinti and Roma from other regions around Magdeburg had been taken.⁶⁹ Similarly as during the deportations of Jews and their brief transit (*‘Durchschleusung’*, ‘channeling’) through the assembly camps,⁷⁰ belongings and valuables were taken from Sinti and Roma before the transport.⁷¹ This is remarked upon in the files of three persons who had been registered in Berlin – according to the *‘Festsetzungserlass’* from October 1939 – and who subsequent to the raid in the Magdeburg municipal detention camp were transferred from the police prison in Magdeburg to Auschwitz-Birkenau with a collective transport on March 9, 1943.⁷² The Gestapo handed over larger personal belongings and objects of the deportees to the Oberfinanzdirektion for further utilization.⁷³ The identification cards were taken from the deportees and their money and valuables were confiscated.⁷⁴ For the Kriminalpolizeileitstelle Breslau a former female employee of the criminal police remembered after the war that she was delegated from the ‘prevention department’ to the case officer for ‘gypsy questions’ in the course of the deportations for three days for this task only. Her duty was to register in lists all the belongings that had been confiscated from the deportees.⁷⁵

The criminal police and SS could rely on well-established transport mechanisms within the criminal justice system for integrating new transports to con-

69 Interview with Günther St., 30.08.1991, no.18, sheet 14, Stiftung niedersächsische Gedenkstätten.

70 Philipp Dinkelaker: *Das Sammellager in der Berliner Synagoge Levetzowstraße 1941/1942*, Berlin: Metropol, 2017, 73–83; Martin Friedenberger: *Fiskalische Ausplünderung. Die Berliner Steuer- und Finanzverwaltung und die jüdische Bevölkerung 1933–1945*, Berlin: Metropol, 2008.

71 Zimmermann, *Rassenutopie*, 319; Hans-Dieter Schmid: “... wie Judensachen zu behandeln’: die Behandlung der Sinti und Roma durch die Finanzverwaltung”, in *Zeitenblicke*, 3, 2004. Available at: <https://www.zeitenblicke.de/2004/02/schmid/schmid.pdf>. Last accessed: 16.01.2022.

72 Prison record book, C 29 Annex III, no. 18, file nos. 4773, 4778, 4779, LASA.

73 Lutz Miehe: “Die Verfolgung von Sinti und Roma”, in Ministerium des Inneren des Landes Sachsen-Anhalt (ed.): *Vom Königlichen Polizeipräsidium zur Bezirksbehörde der Deutschen Volkspolizei. Die Magdeburger Polizei im Gebäude Halberstädter Straße 2 zwischen 1913 und 1989*, Halle: Mitteldeutscher Verlag, 2010, 62–77, here 75.

74 File note and transcript of a letter from the Kriminalpolizeistelle Magdeburg to the Kriminalpolizeileitstelle/‘Zigeunerdienststelle’ Berlin, K.MD. 633/43, 04.03.1943, personal file, C 29 Annex II, no. 564, sheet 1, LASA.

75 Interrogation of Else Pohl (former criminal police employee at the Kriminalpolizeileitstelle Breslau), 04.04.1966, B 057–01, no. 449, sheets 170–171, LAB.

centration camps. The transfer of prisoners from police prisons to correctional facilities, known in the jargon of the judiciary and the prison system as *Schub* (pushing), had been regulated since the late nineteenth century by a wide variety of regulations concerning routes, connecting trains, guarding, wagon queuing, and cost accounting.⁷⁶ On April 24, 1939, a circular of the Reichsführer-SS and Chief of the German Police, issued together with the Reich Minister of Justice, newly regulated prisoner transports throughout the Reich.⁷⁷ According to these 1939 regulations, case-by-case decisions were to apply to the execution of special transports.⁷⁸ This referred to deportations, for which the Reichsbahn provided special trains (*Sonderzüge*) that ran independently of timetables and were prepared in terms of planning at the central level of the RSHA and the Reichsbahndirektionen.⁷⁹

In the mid-1930s, the Deutsche Reichsbahn owned 64 prisoner cars with room for 28 to 30 people in each wagon.⁸⁰ The newer wagons with four axles could transport 56 inmates. These were built in 1936, and in 1938 the Reichsbahn only operated two of them: one for ring I in Berlin and another one for ring VIII in Cologne.⁸¹ Until 1937, the Länder were responsible for the financial expenses of these transports but with the centralization of the police apparatus the administration under Heinrich Himmler took over.⁸²

Transports were organized from the transport office of the Ordnungspolizei and officers of this police branch acted as transport escorts. The police and judiciary – and also the SS – had to follow the regulations of the Reichsbahn for such collective transports. The Reichsbahn published its own course books for prisoner wagons, according to which the collective transports of the police and judiciary were based.⁸³ These collective transports played a crucial role in preparatory measures for the transports and deportations in 1938 and 1943, as

76 Dietmar Schulze: “‘Sonderzug nach Lichtenburg’ – Häftlingstransporte ins Konzentrationslager”, in *Hallische Beiträge zur Zeitgeschichte*, 41, 2007, 39 – 54.

77 Der Reichsführer SS und Chef der Deutschen Polizei: *Dienstvorschrift für den Gefangenen-transport. Gültig vom 1. Juni 1939 an*, Berlin: Berlin Buchdruckerei des Gefängnisses Plötzensee, 1939, 5.

78 Ibid.

79 Alfred C. Mierzejewski: *The Most Valuable Asset of the Reich. A History of the German National Railway 1933 – 1945*, volume 2, Chapel Hill: University of North Carolina Press, 2000, 116 – 119; Zimmermann, *Rasputie*, 167 – 173.

80 Reichbahndirektion Berlin: *Kursbuch für die Gefangenenwagen. Gültig vom 16. Mai 1938*, Berlin: Reichsbahndirektion Berlin, 1938; Schulze, *Sonderzug*, 42.

81 Schulze, *Sonderzug*, 42.

82 Ibid.

83 Ibid.

Sinti and Roma who were not in Magdeburg were brought to the police prison there via these collective transports.⁸⁴ Furthermore, the Kriminalpolizeistelle relied on collective transports and this well-established system when transferring people to concentration camps in 'police preventive detention' after the mass arrests and transports.⁸⁵

The Reichsbahndirektion had to provide special trains for the mass transports and deportations. This was in accordance with the urgent instructions from January 20, 1943, (VI.5) for the deportations to Auschwitz-Birkenau and it was the same practice as during the deportations of the Jewish population. If it was not possible to provide such special trains, not less than 50 persons were to be deported in one transport. This was the minimum number of a group fare (*Sammelfahrschein*) for half of the price of a third class ticket for regular passenger cars (*Personenwagen*).⁸⁶ The deportees were transported in passenger cars and in Magdeburg trains coming from Hannover and Braunschweig were coupled.⁸⁷

For the transports from Magdeburg to the Buchenwald and Sachsenhausen concentration camps in June 1938, the number of people who were transferred was between 30 and 33, which resembles the highest number of people that could fit into a wagon for the collective transports of prison inmates. It is unclear, however, whether the criminal police relied on these trains for collective transports or on special trains, as the release time of the police prison in Magdeburg does not match the schedule of such trains mentioned in the course book from 1938.⁸⁸ Since the establishment of the early concentration camps, the police apparatus (in particular the SA and Gestapo) relied on special trains for the mass transport of people who were placed in 'protective custody' (*Schutzhaft*) into concentration camps. In his analysis of the transports to the concentration camp Lichtenburg (Prettin), Dietmar Schulze concluded that special trains were always used for mass transports of several hundred people. Already for

⁸⁴ Prison record book, C 29 Annex III, no. 9, file nos. 613, 614, 618, LASA.

⁸⁵ Prison record book, C 29 Annex III, no. 18, file nos. 4773–4779, LASA.

⁸⁶ This was the case in the deportation of Sinti and Roma from Mosbach, Herbolzheim, Karlsruhe, and other cities in the southwest between March 23 and 27, 1943. See Zimmermann, *Rassenutopie*, 318; train connection Herbolzheim–Auschwitz, B 698/5 no. 5195, Landesarchiv Baden-Württemberg/Staatsarchiv Freiburg. Schmid was also able to reconstruct this for Hannover and Braunschweig, cf. Schmid, *Judensachen*, 2. The deportation route from Hannover via Magdeburg to Auschwitz-Birkenau was the same, though the timetable has not yet been found.

⁸⁷ Testimony of Adolf P. in the investigation procedure against Willi Rudolf Sawatzki, 17.11.1966, N 2403/1645, sheets 65–69, here 65–66, BArch.

⁸⁸ Reichsbahndirektion Berlin, *Kursbuch*, 22–23, 50–51.

the first transport of 450 persons on 20 June 1933, the number of transportees was so large that a quarter of all trains for collective transports in the entire German Reich would have been needed to conduct the transportation to this camp.⁸⁹ For the mass arrests in June 1938 in Berlin, eyewitnesses remember that special trains were used there as well.⁹⁰

Thus, the means of transportation is not a criterion that distinctively differentiates the transfers into concentration and extermination camps in 1938 and 1943. For both transfers it seems like the criminal police and SS relied on special trains, which were provided by the local Reichsbahndirektion. Special trains were also used for the deportation of Sinti and Roma to the Generalgouvernement in May 1940.⁹¹ The persecution history and the subsequent transport of individual Sinti and Roma from Magdeburg to the camp complex in Auschwitz finally highlights that the criminal police again relied on the system of collective transports for transfers to concentration and extermination camps.⁹² Thus, similarly to the Gestapo, which organized the transportations and deportations of Jews, the criminal police could rely on a well-established infrastructure for prisoner transports in which concentration camps and special trains were integrated.

Registration, (Re-)Categorization, and Selection: Responsibilities and Authorities between the Center and the Peripheries

Registering, defining, and selecting played a central role in the preparatory measures of the transportations, both in the 'work-shy Reich' action in 1938 and in the deportation to Auschwitz-Birkenau in 1943. Whereas in the case of the trans-

⁸⁹ Schulze, Sonderzug, 43.

⁹⁰ Report by Mr. Z. from Berlin, protocol from a beneficial organization sent to the Foreign Office in London, 28.10.1938, in Christian Faludi: *Die 'Juni Aktion' 1938. Eine Dokumentation zur Radikalisierung der Judenverfolgung*, Frankfurt am Main: Campus, 2013, 250.

⁹¹ Fings and Sparing, Völkermord, 175.

⁹² One example is Paul Gerste, who was ordered to be transported to Auschwitz on October 12, 1943, but who arrived in mid October in the 'gypsy family camp' of Auschwitz-Birkenau after the sanitary closure had been lifted. See file note by Kriminalsekretär Bernhard Michaelis, K. Vorb. 2246/43 Mi, 25.10.1943, and file note and transcript of a letter from the Kriminalpolizeistelle Magdeburg to Kriminalpolizeileitstelle Halle, K. Vorb. 2246/43 Mi, 20.10.1943, personal file, C 29 Annex II, no. 413, sheets 18, 35, LASA; "Seite aus dem Hauptbuch des sog. Zigeunerlagers des KL Auschwitz-Birkenau (1943–1944): Männliche Häftlinge (Nummernserie 1–10094)", 1.1.2.1/530982/ITS Digital Archive, Arolsen Archives.

ports in June 1938 there was still a stronger influence of the Kriminalpolizeistelle Magdeburg on the selection of those to be transported, this was eliminated in 1943 in favor of the intermediate Kriminalpolizeileitstelle; additionally, the information the RHF and RKPA provided on the racial status of the deportees became more important. While in 1938 the selection of persons was made locally at police headquarters, by the time of the raid on March 1, 1943, it was already clear who would be deported. This meant that the deportation to Auschwitz-Birkenau could take place within a short period of time, whereas the three transports in 1938 to the Buchenwald and Sachsenhausen concentration camps lasted more than a week.

In the deportations of 1943, the use of ‘racial research’ and ‘hereditary biology’ by the criminal police also prevailed, as evidenced by the selection criteria and institutional cooperation with the RHF. For the selection of those to be deported, ‘racial-biological’ criteria played a decisive role in 1943. A list of criteria for the exclusion makes clear that aspects such as social conformity and employment situation had to be taken into consideration prior to selections for deportations;⁹³ decorated war veterans were exempted, too. The main criteria that prevented a deportation were if one could prove that he or she was what the Nazis called a ‘*reinrassige*’ Sinti and Lalleri or if they were married to a partner of ‘German blood’. The cooperation with the RHF was therefore crucial to the selection process. If a racial report by the RHF was not present, the Kriminalpolizei(leit)-stellen gave an evaluation themselves and judged according to heredity, lifestyle, and appearance. As the RKPA did not ask for a specific number of deportees, the scopes of action for implementation were wider.⁹⁴ A systematic analysis of the selection process for the deportations from Magdeburg is still pending.

As in Cologne, Sinti or Roma with foreign citizenships or those married to partners of ‘German blood’ were not deported. However, the latter needed to agree to be sterilized.⁹⁵ According to the racial report by the RHF, a Roma family should have been deported but the family managed to get a confirmation letter by the Croatian ambassador in Berlin a few days before that, confirming the Cro-

⁹³ Transcript of urgent instruction of the RSHA, V A 2 no. 59/43 g, 29.01.1943, sheets 385–391, Ms 410, IfZ. Translation by the author.

⁹⁴ Fings and Sparing, Lager, 298.

⁹⁵ Files notes and transcripts of letter exchanges between the Kriminalpolizeistelle Magdeburg and the Ortspolizeibehörde Quedlinburg regarding the forced sterilization, June–August 1943, personal file, C 29 Annex II, no. 96/1, sheets 85–89, LASA.

atian citizenship of the family. This non-German citizenship exempted them from being deported.⁹⁶

The three leading officers of the 'Reichszentrale zur Bekämpfung des Zigeunerunwesens' – Heinrich Böhlhoff, Johannes Otto, and Wilhelm Supp – visited the 'gypsy family camp' in Auschwitz-Birkenau in 1943 at least twice. In 1960 and 1963, Supp remembered during interrogations that one of their tasks was to check whether the inmates were 'rightfully' deported by the Kriminalpolizei(leit)stellen or whether they fell under the exemptions.⁹⁷ This underlines again that the Kriminalpolizeileitstellen implemented the deportations mainly independently. The Kriminalpolizei(leit)stellen, however, always sought the advice and order for forced-sterilization in the cases of non-deported Sinti and Roma from the superordinate 'Reichszentrale'.

In contrast to these 'racial-biological' criteria, social and economic criteria were predominant in 1938. The practical implementations of 'police preventive detention' of 'work-shy' in Magdeburg in June 1938 confirm the thesis that this action aimed at providing labor resources for the concentration camps and that the context of the *Vierjahresplan* (four-year plan) was elementary for this action.⁹⁸ Mainly younger people were transported and most of them were not providing wage labor but were self-employed. This kind of occupation was not regarded as proper work by the police officers and was grounded in a specific anti-gypsy sentiment.⁹⁹ This action was characterized by many local specificities as the selection of the people to be transferred and the number of arrested and transported varied immensely on the local level. All in all, way more than the ordered number of at least 200 people per Kriminalpolizeileitstelle was reached in many areas, so that a lot more than 10,000 people were transported to the concentration camps.¹⁰⁰ These local specificities are in general characteristic of the mass transports in 1938.

Subsequent transports to concentration camps after the deportations in March 1943 – for instance when further admissions to the 'gypsy family camp' in Auschwitz-Birkenau were not possible due to the medical and sanitary conditions between spring and fall 1943 – were implemented in accordance with the measures for the 'police preventive detention' and the RKPA needed to confirm

⁹⁶ File notes and transcripts of letter exchanges between the Kriminalpolizeistelle Magdeburg and the Kriminalpolizei-Außenposten Teplitz-Schönau, April 1944, personal file, C 29 Annex II, no. 522, sheets 40–45, 50, LASA.

⁹⁷ Personal file of Wilhelm Supp, B Rep. 057–01, no. 2692, sheets 1638–1639, 2734–2735, LAB.

⁹⁸ Ayaß, *Asoziale*, 161–165.

⁹⁹ The same observations were made for Cologne; see Fings and Sparing, *Lager*, 95–105.

¹⁰⁰ *Ibid.*

the request for incarceration. In order to be transferred to a concentration camp on the basis of ‘police preventive detention’, a recategorization of the person had to be undertaken and the label ‘asocial’ was added. Personal files from Magdeburg reveal that the Kriminalpolizeistelle asked the ‘Reichszentrale zur Bekämpfung des Zigeunerunwesens’ how to deal with these cases.¹⁰¹ Subsequently, they asked for a request of transfer to a concentration camp for someone labeled as ‘asocial’ on the basis of ‘police preventive detention’. On the level of the RKPA, special case officers for ‘police preventive detention’ collected the relevant material from the Kriminalpolizeistellen for their own data collection and made a proposal for a case decision. The ‘prevention department’ and working group directors Kriminalrat Heinrich Böhlhoff and his deputies Kriminalrat Johannes Otto or Kriminalrat Hans Maly (the latter between January and September 1943 only) were then in charge of confirming the transport to a camp on the basis of ‘police preventive detention’.¹⁰²

Conclusion

The investigation of the arrest and deportations of Sinti and Roma in 1938 and 1943 with a focus on the division of labor among the perpetrators in the Kriminalpolizeistelle Magdeburg shows the diversity of the officers involved. The fine-grained analysis also demonstrated that the extent of involved officers in the persecution of Sinti and Roma was much larger than the few specializing in what the Nazis called ‘gypsy questions’. It has become clear, however, that the ‘prevention commissariats’ and ‘prevention departments’ on all levels of the criminal police played a central role in the transfers to concentration camps. This structural component, however, only emerged with the mass transports to concentration camps in 1938 within the criminal police apparatus. The comparison of the transfers thus highlighted the fluidity of practical police work and how a learning administration created structures that matched ideological foundations and later ‘racial biological’ paradigms.

The comparison reveals the special features of the deportation to the ‘gypsy family camp’ in Auschwitz-Birkenau. The analysis also shows the advantages of taking institutional structures – besides (collective) biographies – into consider-

101 Letter from the Kriminalpolizeistelle Magdeburg to the ‘Reichszentrale zur Bekämpfung des Zigeunerunwesens’ concerning ‘immigrant gypsy’, K. ED./43, 03.09.1943, personal file, C 29 Annex II, no. 582, LASA.

102 Regulation concerning the organization and staff of the department V A 2 in the RKPA for the RSHA trial investigation (1 Js 13/65), B 057–01, no. 461, sheet 103, LAB.

ation when researching Nazi crimes from a perpetrator's perspective. Overall, this essay has shown how approaches of new perpetrator research and a precise evaluation of the responsibilities of local criminal police officers can contribute fresh insights not only into the deportations but also into the practice of persecution in general. For future research, such a view can be fruitful in order to avoid the disappearance of perpetrators behind passive constructions or the reference back to the institution of 'criminal police' in general.

