

Source Publication

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The Polish Criminal Police, the German Special Court in Lemberg, and the Prosecution of Poles for Giving Refuge to Jews, September 1943 to June 1944

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Abstract: This source publication contains three categories of documents related to the Nazi German occupation of Poland, specifically the city of Lwów (Lemberg) in District Galicia of the General Government, which have been translated from German to English. The documents were selected for their relevance to ongoing debates and research questions evoked by the “third phase” of the Holocaust characterized by both widespread police searches for Jews and help offered by non-Jews to the fugitives, here set in the multi-ethnic context of Eastern Galicia between September 1943 and June 1944. Documents 1 to 4 are the German laws that formed the legal basis of decrees limiting Jewish residence and sanctioning punishment for their violation. Documents 5 to 7 are verdicts handed down by the Special Court in Lemberg (Sondergericht im Lemberg) on the basis of these decrees, in which the judges imposed the death penalty on the accused for giving refuge to Jews. Documents 8 to 11 are final reports regarding the arrests of Poles and Ukrainians, and the Jews whom they were sheltering, written by members of the Third Commissariat of the Lemberg Polish Criminal Police (PPK), which were sent to their supervisors in the German Criminal Police (Kripo).

Keywords: Holocaust; General Government; Special Courts; District Galicia; Lviv; Nazi-occupied Poland

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1 Introduction

In the months following the launch of Operation Barbarossa in June 1941, German occupation authorities began establishing the police and civil administration in the territory newly annexed to the General Government (GG) as District Galicia, whose administrative seat was made the city of Lwów, renamed Lemberg.¹ The new regime was officially proclaimed on August 1, 1941.² Among the many new German institutions subsequently extended into the district was the German legal system,³ including its Special Courts (*Sondergerichte*) on October 13, 1941.⁴ Special courts were first instituted in the German Reich in 1933, then extended to annexed⁵ and occupied Polish territories⁶ following the German invasion in 1939. Initially these were

1 Prior to 1939, these lands had been part of the Second Polish Republic, after which they were incorporated into the Ukrainian Soviet Republic from 1939 to 1941, before subsequently falling under German rule. The name Lemberg was previously used during the period of Austro-Hungarian rule (1772–1918), when the city served as the capital of Eastern Galicia. For the many faces of Polish Lwów, Ukrainian Lviv, and German Lemberg, see Tarik Cyril Amar, *The Paradox of Ukrainian Lviv: A Borderland City between Stalinists, Nazis, and Nationalists* (Ithaca: Cornell University Press, 2015).

2 “Decree on the Administration of Galicia,” *Verordnungsblatt für das Generalgouvernement/Dziennik Rozporządzeń dla Generalnego Gubernatorstwa* [Journal of Decrees for the General Government] (Vbl. GG), Kraków, August 1, 1941, no. 67, pp. 443–444. See also Andrzej Wrzyszczyk, “Ustawodawstwo okupacyjne dla dystryktu Galicja 1941–1944” [Occupation legislation for District Galicia, 1941–1944], in *Studia z historii państwa, prawa i idei. Prace dedykowane Profesorowi Janowi Malarczykowi* [Studies in the history of the state, law and ideas: Works dedicated to Professor Jan Malarczyk], ed. Artur Korobowicz and Henryk Olszewski (Lublin: Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej, 1997), 483–500.

3 “Decree on the Reconstruction of the System of Justice in District Galicia of August 1, 1941,” Vbl. GG, no. 68, 1941, p. 445.

4 “Decree on the Creation of Special Courts in District Galicia of October 14, 1941,” Vbl. GG, no. 101, p. 603.

5 For some recent studies focused on the annexed territories, see Konrad Graczyk, *Sondergericht Kattowitz. Sąd Specjalny w Katowicach 1939–1945* [Sondergerichte Kattowitz: The Special Court of Katowice, 1939–1945] (Warsaw: IPN, 2020); Ingo Loose, “Special Courts in the Annexed Polish Regions (1939–1945): Occupation Period Instruments of Terror and Social History Source,” *Political and Transitional Justice in Germany Poland and the Soviet Union from the 1930s to the 1950s*, ed. Magnus Brechtken, Władysław Bułhak, and Jürgen Zarusky (Göttingen: Wallstein Verlag, 2019), 84–98; Maximilian Becker, *Mitstreiter im Volkstumskampf: Deutsche Justiz in den eingegliederten Ostgebieten 1939–1945* [Comrades in the people's struggle: German justice in the annexed eastern territories, 1939–1945] (Munich: De Gruyter Oldenbourg, 2014).

6 For studies touching on the GG, see Konrad Graczyk and Hubert Mielnik, “Special Courts (*Sondergerichte*) in the General Government (1939–1945),” *Tijdschrift Voor Rechtsgeschiedenis/Revue D’histoire Du Droit/the Legal History Review* 91 (1–2) (2023): 271–308; Konrad Graczyk, “Z działalności Sądu Specjalnego w Tarnopolu (Sondergericht Tarnopol) 1941–1944” [On the activities of the Special Court in Tarnopol (Sondergericht Tarnopol), 1941–1944], *Krakowskie Studia z Historii Państwa i*

autonomous institutions, but in an effort to simplify the judiciary in the GG to meet wartime demands, in 1943 the special courts were merged with German courts and their name was changed to the Special Court at the German Court (*Sondergericht bei dem Deutschen Gericht*).⁷ A total of 13 special courts were eventually established in the GG. Of the three in District Galicia, including in Stanisław (Stanisławów) and Tarnopol, the Special Court in Lemberg (*Sondergericht im Lemberg*) is known to have issued the highest number of verdicts, totaling 1317.⁸

Another new, though somewhat lesser-known institution, was the Polish Criminal Police (*polnische Kriminalpolizei*, *Polska Policja Kryminalna*, PPK). The PPK operated under the authority and oversight of the German Security Police and Security Service (*Sicherheitspolizei und Sicherheitsdienst*, Sipo/SD) and was directly supervised by the German Criminal Police (*Kriminalpolizei*, Kripo) within the Sipo. Its members are known to have included Poles, Ukrainians, and ethnic Germans, the so-called *Volksdeutsche*.⁹

Both of these institutions would come to play a role in what some scholars have referred to as the “third phase” of the Holocaust in the territory under discussion.¹⁰ Beginning in March 1942, the Germans carried out a series of violent deportation actions (*Aktionen*) of the Jewish population in the Lwów ghetto (Ghetto Lemberg) to

Prawa 16, no. 4 (2023): 511–531; Graczyk, “Z organizacji i działalności Sądu Specjalnego w Kielcach (Sondergericht Kielce) (1939–1945)” [On the organization and activities of the Special Court in Kielce (Sondergericht Kielce) (1939–1945)], *Zeszyty Prawnicze* 23, no. 1 (2023): 79–126; Bernward Dörner, “Justiz und Judenmord: Todesurteile gegen Judenhelfer in Polen und der Tschechoslowakei 1942–1944” [Justice and the murder of the Jews: Death sentences against helpers of Jews in Poland and Czechoslovakia 1942–1944], in *Ausbeutung, Vernichtung, Öffentlichkeit. Neue Studien zur Nationalsozialistischen Lagerpolitik* [Exploitation, destruction, the public: New studies on National Socialist camp policy], ed. Norbert Frei, Sybille Steinbacher, and Bernd C. Wagner (Munich: K.G. Saur, 200), 249–263.

⁷ Graczyk and Mielnik, “Special Courts,” 292.

⁸ Graczyk, “Z działalności Sądu Specjalnego w Tarnopolu,” 526.

⁹ For the only study focused on the PPK, see Tomasz Pączek, “Polnische Kriminalpolizei (Polska Policja Kryminalna) w dystrykcie lubelskim. Zarys historii” [Polnische Kriminalpolizei (Polish Criminal Police) in District Lublin: A history in outline], in *Policja granatowa w Generalnym Gubernatorstwie w latach 1939–1945* [The Blue Police in the General Government, 1939–1945], ed. Tomasz Domański and Edyta Majcher-Ociesa (Kielce: IPN, 2019), 208–236.

¹⁰ The term builds on a distinction introduced by Ruta Sakowska of “two stages” of mass murder, namely ghettoization and direct killing, see Sakowska, *Dwa etapy. Hitlerowska polityka eksterminacji Żydów w oczach ofiar: szkic historyczny i dokumenty* [Two stages. The Nazi policy of the extermination of Jews in the eyes of the victims: A historical sketch and documents] (Wrocław: Ossolineum, 1986), 7–9. Another term associated with this period is the *Judenjagd* (“hunt for Jews”), brought into wider academic usage by historians associated with the Polish Center for Holocaust Research in Warsaw. See, for example, Jan Grabowski, *Hunt for the Jews: Betrayal and Murder in German-Occupied Poland* (Bloomington: Indiana University Press, 2013).

the Belżec death camp, culminating in the final liquidation of the ghetto on June 1–16, 1943.¹¹ From this time onward until liberation, German police and civil authorities, together with various auxiliary police forces, pursued those fugitive Jews who were still alive and had managed to go into hiding. The Janowska concentration camp (*Zwangsarbeitslager Janowska*, ZAL-J), centrally located in Lwów, was a crucial part of this history.¹²

Presented below in English translation are several documents created by the Special Court and PPK personnel in Lemberg between September 1943 and June 1944, that furnish examples of the Germans' efforts to discover Jews in hiding and prosecute Poles and Ukrainians who were helping them. The documents were selected for their relevance to ongoing debates and research questions evoked by the "third phase" of the Holocaust, here set in the multi-ethnic context of District Galicia. An enduring research interest has concerned the nature and the functioning of Nazi German law in the GG.¹³ In particular, the study of the Holocaust in Poland has witnessed renewed debates surrounding the impact of German punitive measures for help offered to Jews.¹⁴ The files created by the special courts have increasingly been incorporated into the scholarship as an important source on wartime Polish-

11 See Eliyahu Yones, *Smoke in the Sand: The Jews of Lvov in the War Years 1939–1944* (Jerusalem: Gefen Publishing House, 2006).

12 See Wade Beorn Waitman, "Last Stop in Lwów: Janowska as a Hybrid Camp," *Holocaust and Genocide Studies* 32, no. 3 (2018): 445–471.

13 Hubert Melnik, "Nazistowski kolonializm prawny. (Nie)porządek prawny Generalnego Gubernatorstwa (1939–1945)" [Nazi legal colonialism: The legal (dis)order of the General Government (1939–1945)], *Studia nad Autorytaryzmem i Totalitaryzmem* 44, no. 3 (2022): 101–132; Wacław Uruszczak, "Perwersyjne funkcje niemieckiego 'prawa' w Generalnym Gubernatorstwie (1939–1945)" [The perverse function of German "law" in the General Government (1939–1945)], *Z Dziejów Prawa* 12 (2019): 681–707; Andrzej Wrzyszczyk, "Hierarchia aktów prawnych wprowadzonych przez okupanta niemieckiego w Generalnym Gubernatorstwie w latach 1939–1945" [A hierarchy of legal acts introduced by the German occupier in the General Government, 1939–1945], *Studia Iuridica Lublinensia* 22 (2014): 695–708; Wrzyszczyk, *Okupacyjne sądownictwo niemieckie w Generalnym Gubernatorstwie 1939–1945. Organizacja i funkcjonowanie* [Occupation-era German courts in the General Government, 1939–1945: Organization and functioning] (Lublin: Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej, 2008); Stanisław Salmonowicz, "The Legal Status of Poles under German Occupation (1939–1945): Some Remarks on the Need for Research," *Krakowskie Studia z Historii Państwa i Prawa*, special issue (2017): 95–110.

14 Martyna Grądzka-Rejak and Aleksandra Namysło, *Represje za pomoc Żydom na okupowanych ziemiach polskich w czasie II wojny światowej* [Repressions for help to Jews in occupied Polish lands during the Second World War], Vol. I (Warsaw: IPN, 2019); Krzysztof Persak, "Co dziś wiemy o niemieckich represjach za pomoc udzielaną Żydom? O książce *Represje za pomoc Żydom na okupowanych ziemiach polskich w czasie II wojny światowej*" [What do we know today about German repressions for helping Jews? On the book *Repressions for helping Jews in occupied Polish lands during the Second World War*], *Zagłada Żydów. Studia i Materiały* 16 (2020): 761–791; Bogdan Musiał, with Oliver Musiał, *Kto dopomoże Żydowi* [Who will help the Jew] (Poznań: Wydawnictwo Zysk i S-ka,

Jewish relations and the Holocaust.¹⁵ Another area of growing scholarly attention is the involvement of non-German police formations in the Holocaust, such as the Polish “Blue” Police (*Polnische Polizei*, PP).¹⁶ Here, amid the growth of scholarship on local collaboration, the subject of the Polish Kripo remains something of a blank spot.¹⁷ Though the Germans never extended the *Polnische Polizei* into District Galicia, where local police forces were mostly Ukrainian, the Polish Kripo was nonetheless drawn into aspects related to the Holocaust.¹⁸ Taken together, the selected documents are valuable for the study of the reactions of non-Jewish locals to anti-Jewish persecution.

The documents are set in an order that foregrounds the relevant decrees and their application in everyday life under occupation. Documents 1 to 4 are the German laws and decrees that formed the legal basis for the charges faced by Polish and Ukrainian defendants. Though these are familiar to students of the Nazi German occupation of Poland, we believe their comprehensive inclusion will be instructive to a less specialized readership with a broader, comparative focus in Europe and beyond. The three documents, 5 to 7, are verdicts handed down by the Special Court in Lemberg in which the judges imposed the death penalty on the accused for giving support or refuge

2019), 133–186, 209–224, esp. 247–317 for an appendix containing transcriptions of relevant German regulations.

15 Konrad Graczyk, “In the Shadow of Auschwitz ... Jews before Special Courts of the ‘Third Reich’ 1933–1945,” *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Germanistische Abteilung* 140, no. 1 (2023): 497–516; Witold Mijał, “Akta niemieckich sądów specjalnych jako źródło do badań represji za pomoc Żydom” [Files of German special courts as a source for research on repressions for helping Jews], in *Pomoc Żydom podczas II wojny światowej w źródłach archiwalnych* [Help given to Jews during the Second World War in archival sources], ed. Anna Krochmal (Przemyśl: Wydawnictwo Archiwum Państwowego, 2021), 55–78; Aleksandra Namysło, “Persecution of Polish Citizens for Providing Help to Jews in the Light of Procedural Files of German Special Courts,” in *The Holocaust and Polish-Jewish Relations: Selected Issues*, ed. Martyna Grądzka-Rejak and Adam Sitarek (Warsaw: IPN, 2018), 127–145. In the context of District Galicia: Igor Shchupak, “The Rescue of Jews from the Nazi Genocide by the Inhabitants of Eastern Galicia,” *European Spatial Research and Policy* 28, no. 1 (2022): 73–96.

16 Jan Grabowski, *Na posterunku: Udział polskiej policji granatowej i kryminalnej w zagładzie Żydów* [On duty: The role of the Polish Blue Police and Criminal Police in the Holocaust] (Wołowiec: Wydawnictwo Zarne, 2020); Tomasz Domański and Edyta Majcher-Ociesa, eds., *Policja granatowa w Generalnym Gubernatorstwie w latach 1939–1945* (Kielce: IPN, 2019).

17 The only extant study exploring the PPK in the context of the Holocaust remains: Jan Grabowski, “Hunting down Emanuel Ringelblum: The Participation of the Polish ‘Kriminalpolizei’ in the ‘Final Solution of the Jewish Question,’” *Holocaust: Studies and Materials* (2017): 11–41.

18 The Lemberg PPK is briefly discussed in: Grabowski, *Na posterunku*, 345–351; Tomasz Chinciński, “Gdyńscy policjanci w II wojnie światowej – losy funkcjonariuszy po wrześniu 1939 roku” [The policemen of Gdynia during the Second World War: The fate of its officers after September 1939], *Dzieje Najnowsze* 53, no. 3 (2021): 34–35.

to Jews. In the selected documents, those non-Jews who assisted Jews were accused of the so-called crimes of “*Unterschlupfgewährung an Juden*” (providing a hiding place to Jews) and “*Judenbeherbergung*” (providing accommodation to Jews).¹⁹ Guilty verdicts were not subject to appeal; those sentenced to death could only apply for a pardon from the Governor General, which was extremely rare.²⁰ Despite the growing body of literature, the Special Court verdicts, which display various defense strategies by the accused, have never been published in their original German language, or English translation. The verdicts also signal the question of the postwar fate of the German judges and prosecutors.²¹ Documents 8 to 11 are final reports that PPK personnel wrote and sent to their Sipo/SD supervisors regarding the arrests of Poles and Ukrainians, and the Jews whom they were sheltering; however, in the files there is no further information regarding the fate of these individuals.

As is the case with all documents created by the perpetrators, they must be treated with caution. These sources primarily convey the police and judicial rationale of those who were operating within these perpetrator institutions. They also exhibit the perpetrators’ determination to continue their pursuit of Jews and those aiding them up until the final days of the German occupation of Lwów. The perpetrators’ reports of the facts, as well as the statements made by subjects, witnesses, and defendants in the investigations, cannot be accepted uncritically. Considered together, these documents illustrate how the German police and courts drew upon assistance from the local, non-German police in order to apply German law in occupied Poland. At the same time, the arrest reports and death penalty verdicts against the Poles and Ukrainians who had given aid to Jews speak to the moral courage that these particular individuals had while living under the enormous social pressure of the German occupation.

The sources also speak to the specific Eastern Galician context, where the legacy of the Soviet occupation in 1939–1941 and the Volhynian massacre of 1943–1945 had influenced patterns of rescue (some Poles sheltered Jews who had sheltered them under Soviet occupation) and Jewish survival strategies (some fugitive Jews posed as displaced Polish Volhynian massacre survivors), and of those native inhabitants who barely escaped the clutches of the German police state, such as Simon Wiesenthal, who lived to become a pivotal figure in the prosecution of Nazi culprits after the war.

¹⁹ For a discussion of these and other legal terms that the Nazis introduced for this general “crime” and any activity related to it, see Namysło, “Persecution of Polish Citizens,” 131. In July 1944, the Lemberg Special Court was evacuated to Görlitz, where two cases related to Lwów are known to have been continued, Namysło, “Persecution of Polish Citizens,” 128–130.

²⁰ Graczyk and Mielnik, “Special Courts,” 300, 303; Musiał, *Kto допоможе Żydowi* [Who will help the Jew], 140–143.

²¹ See, for example, Konrad Graczyk, “Convicted Nazi Prosecutor: The 1950 Case of Josef Abbott before the Court of Appeals in Gdańsk,” *Pamięć i Sprawiedliwość* 41, no. 1 (2023): 323–350.

Apart from the decrees published in official German legal journals, the below documents originate from the Lviv State Oblast Archive in present-day Ukraine, copies of which are held by the David M. Rubenstein National Institute for Holocaust Documentation of the USHMM in Washington, D.C. All translations from the German are those of the authors. The wartime German spellings of Polish names, streets, and locations have been left unaltered as found in the documents.

Document 1: Decree of the *Führer* and Reich Chancellor on the Administration of the Occupied Polish Territories of October 12, 1939²²

In order to restore and maintain public order and public life in the occupied Polish territories,²³ I order:

§ 1

The territories occupied by German troops shall be placed under the control of the Governor General for the Occupied Polish Territories, insofar as they are not incorporated into the German Reich.

§ 2

- (1) As Governor General for the Occupied Polish Territories, I appoint Reich Minister Dr. [Hans] Frank.
- (2) As Deputy Governor General, I appoint Reich Minister Dr. [Arthur] Seyß-Inquart.

§ 3

- (1) The Governor General is directly subordinate to me.
- (2) All branches of the administration are assigned to the Governor General.

§ 4

The law in force up until now shall remain in effect, insofar as it does not conflict with the assumption of the administration by the German Reich.

§ 5

²² Source: *Reichsgesetzblatt* [Reich Law Gazette], Part I, Berlin, October 24, 1939, no. 210, pp. 2077–2078.

²³ In July 1940, the words “for the Occupied Polish Territories” were struck from the formal title of the General Government after the Foreign Ministry expressed concerns about its implications in international law, see Martin Winstone, *The Dark Heart of Hitler’s Europe: Nazi Rule in Poland Under the General Government* (London: I.B. Tauris, 2015), 29.

- (1) The Council of Ministers for the Defense of the Reich, the Commissioner for the Four-Year Plan, and the Governor General are able to establish law by decree.
- (2) The decrees shall be announced in the *Journal of Decrees for the Occupied Polish Territories*.

§ 6

The President of the Council of Ministers for the Defense of the Reich, the Commissioner for the Four-Year Plan, as well as the supreme Reich authorities can issue orders necessary for planning the German living space and economic area, as well as for the territories subordinated to the Governor General.

§ 7

- (1) The costs of the administration shall be borne by the occupied territory.
- (2) The Governor General shall prepare a budget. The budget shall be subject to the approval of the Reich Minister of Finance.

§ 8

- (1) The central authority for the occupied Polish territories is the Reich Minister of the Interior.
- (2) The Reich Minister of the Interior shall enact the necessary legal and administrative regulations to implement and supplement this decree.

§ 9

- (1) This decree shall enter into effect as soon as, and to the extent that, I withdraw the order given to the Commander-in-Chief of the Army to exercise military administration.
- (2) The power to exercise executive authority shall be reserved for a special regulation.

Berlin, October 12, 1939

Führer und Reich Chancellor, Adolf Hitler

President of the Council of Ministers for the Defense of the Reich and the Commissioner for the Four-Year Plan, General Field Marshall [Hermann] Göring

The Reich Minister of the Interior, [Wilhelm] Frick

Deputy *Führer*, R.[udolph] Heß

Chief of the Armed Forces High Command, [Wilhelm] Keitel

Commander-in-Chief of the Army, [Walther] von Brauchitsch

Reich Foreign Minister, [Joachim] von Ribbentrop

Reich Finance Minister, Count [Johann Ludwig] Schwerin von Krosigk

Reich Minister and Chief of the Reich Chancellery, Dr. [Hans] Lammers

Document 2: Decree on Restrictions of Residence in the General Government of September 13, 1940²⁴

On the basis of § 5, paragraph 1, of the Decree of the *Führer* and Reich Chancellor of October 12, 1939, I order:

§ 1

- (1) Restrictions on residence can be ordered:
 1. By the head of a county [*Kreishauptmann*] (or the head of a city [*Stadthauptmann*]), when the order is limited to the county (or city), or parts thereof.
 2. By the chief of a district, when the order applies beyond the territory of a county (or city), or to the area of the district.
 3. By the leader of the Department of Internal Administration in the Office of the General Governor, when the order applies beyond the area of a district or for the entire General Government.

§ 2

- (1) Restrictions on residence may be imposed generally, or on a limited group of people.
- (2) The scope of the restrictions on residence shall be determined in terms of location and duration.

§ 3

An order under § 1 can, when the circumstances so require, impose on the persons concerned an obligation to leave behind their household goods and other property, insofar as they are located in the area subject to the restriction on residence.

§ 4

For damages arising from the implementation of orders under § 1 to § 3, no compensation shall be paid.

§ 5

- (1) This ordinance shall enter into force on October 1, 1940.
- (2) If restrictions on residence that were enacted prior to the issuance of this decree, meet the requirements of this decree, they shall remain in effect.

24 Source: VBl. GG, Part 1, September 20, 1940, no. 55, p. 288.

Kraków, September 13, 1940
Governor General Frank

Document 3: Second Decree on Restrictions of Residence in the General Government of April 29, 1941²⁵

Article 1

In the Decree on Restrictions of Residence in the General Government of September 13, 1940, the following § 4 (a) is inserted after § 4:

§ 4 (a)

- (1) Whoever violates the orders that are issued on the basis of this decree shall be punished by administrative criminal proceedings according to the Decree on Administrative Criminal Proceedings in the General Government, of September 13, 1940.
- (2) The decision on punishment shall be issued by the head of a county head (or the head of a city).
- (3) If a punishment in administrative criminal proceedings does not appear sufficient, the head of a county (or the head of a city) shall refer the case to German prosecutors. The court can pass prison sentences and/or issue fines up to 10,000 zlotys.
- (3) In particularly serious cases, imprisonment can be imposed in a penitentiary [Zuchthaus] instead of a prison [Gefängnis].

Article 2

This decree enters into effect on the day of its announcement.

Kraków, April 29, 1941
Governor General Frank

Document 4: Third Decree on Restrictions of Residence in the General Government of October 15, 1941²⁶

On the basis of § 5 of the *Führer's* Decree of October 12, 1939, I order:

Article 1

²⁵ Source: VBl. GG, May 10, 1941, no. 41, pp. 274–275.

²⁶ Source: VBl. GG, October 25, 1941, no. 99, p. 595.

In the Decree on Restrictions of Residence in the General Government of September 13, 1940, as amended by the Second Decree on Restrictions of Residence in the General Government, of April 29, 1941, the following § 4 (b) is inserted after § 4 (a):

§ 4 (b)

- (1) Jews, who leave the residential area assigned to them without authorization, shall receive the death penalty. The same penalty shall be meted out against those persons who knowingly provide shelter [*Unterschlupf gewähren*] to such Jews.
- (2) Accessories before the fact and accomplices shall be punished in the same manner as perpetrators. Those who attempt to provide refuge shall be punished in the same manner as those who actually do so. Less serious offenders can be sentenced to prison or penitentiary terms.
- (3) Sentencing shall be carried out by the Special Courts.

Article 2

This decree enters into effect on the day of its announcement.

Warsaw, October 15, 1941

Governor General Frank

Document 5: Verdict of the Special Court against Wladyslaw Korbecki for sheltering Jews, September 28, 1943²⁷

The Special Court at the German Court

4 KLs. 84/43

In the name of the German people!

The criminal case against the laborer Wladyslaw Korbecki, born on April 22, 1899, in Stryj, resident of Turka-Zawalina, no. 10, a Pole, married, no prior convictions, in custody since May 7, 1943, in the German prison in Lemberg for providing shelter to Jews [*Unterschlupfgewährung an Juden*].

The September 28, 1943, session of the Special Court at the German Court in Lemberg, in which participated:

District Court Director [*Landgerichtsdirektor*] [Friedrich] Starcke,²⁸ as chairman [*Vorsitzender*],

²⁷ Source: USHMM, RG-31.001M, Selected Records from the Lviv State Oblast Archive, Fond R-77, Opis 1, Delo 504, pp. 38–40.

²⁸ In 1968–1974, an investigation was initiated against Friedrich Starcke, Friedrich Krüger, Pirk, and Norber for participation in issuing death sentences by the Special Court in Lemberg, see Bundesarchiv Ludwigsburg (BA-L), B 162/17015. Starcke is briefly discussed in Graczyk, “Z organizacji i działalności Sądu Specjalnego w Kielcach” [On the activities of the Special Court in Tarnopol], 86–88.

County Judge [*Amtsgerichtsrat*] [Erich] Beel,
 District Judge [*Landgerichtsrat*] Dr. [Emil] Heep, as associate judges
 [*beisitzende Richter*],
 Judicial Assistant [*Gerichtsassessor*] Maaß, as civil service officer of the Public
 Prosecutor's Office [*Beamter der Staatsanwaltschaft*],
 Justice Secretary [*Justizsekretär*] Borgmeyer, as Registrar of the Court Admin-
 istrative Office [*Urkundsbeamter der Geschäftsstelle*],

has ruled:

The accused is sentenced to death for giving refuge to Jews.

The costs of the proceedings shall be borne by the accused.

Grounds:

The accused is a quarryman by trade and works as such in Turka. He is married and has seven children, with whom he lives together in a house in Zawalina, a suburb of Turka. He admits that, in the period from November 1942 to May 1943, he took two Jewish women named Rosen and Kraus into his house, along with the three-year-old child of the Jewish woman, Kraus. In the very first days after taking them in, he received 1700 zlotys from the Jewish women.

The accused testified that he was not aware that giving shelter to Jews was a punishable offense. He learned of this ban for the first time during a conversation with a workmate in April 1943. As a result, on the very next day he expelled from his dwelling the Jewish women he had taken in out of necessity. Moreover, he had not been hiding the Jewish women, as they were able to move about freely on his property.

The testimony of the accused is not plausible. The town of Turka is the seat of a district commissar [*Landkommissar*]. At the end of November 1942, as was made clear from the questioning of witness Köhn, all Jews were ordered to go to their assigned Jewish residential district [*Judenwohnbezirk*] in Drohobycz or Stryj. Related to this, it was also made known to the populace of Turka that giving refuge to Jews was forbidden and would be punished with heavy penalties. The accused must also have known this. His residence was only 3 km from the municipality of Turka. He himself worked in a quarry where numerous Jews were also employed. Therefore, these measures and orders must have been discussed at the accused's workplace. That the accused was actually aware of this ban, is indicated by the fact that in the very first days he had the Jewish women hand the relatively considerable sum of 1700 zlotys over to him without an agreement with the Jewish women regarding their payment for accommodation. Furthermore, the defendant's testimony is contradicted by the fact that he, admittedly, ordered the Jewish women out of the house

after a house search by the police the previous day. This official measure apparently caused the accused to fear that his hiding of Jews could be discovered.

The accused thereby violated § 4 (b) of the decree regarding restrictions on residence in the General Government of September 13, 1940, as amended by the Decree on Restrictions of Residence of the General Government of October 15, 1941. The Jewish women taken in by him did not leave the residential district to which they had been assigned. In fact, they evaded the measures ordered at the end of November 1942, and left the residential district to which they had been newly assigned without authorization. The accused also provided refuge to the Jewish women within the meaning of § 4 (b) of the decree regarding restrictions on residence in the General Government of September 13, 1940. It may have been that the Jewish women were able to move about freely in the accused's house and, thus, were not in hiding. In these circumstances, the accused and the Jewish women apparently relied on the isolated location of the accused's home and believed that they would not have to fear discovery. The accommodation of the Jewish women in the accused's isolated residence and their provisioning over a long period of time clearly constitutes providing refuge within the meaning of the abovementioned provision. Therefore, the accused, who has no prior convictions, must be punished with the death penalty, the only authorized punishment under § 4 (b) of the aforementioned decree.

The decision regarding the costs [of these judicial proceedings] is based on § 465 of the Code of Criminal Procedure.²⁹

[three signatures, likely: Starcke, Beel, Borgmeyer]

Document 6: Verdict of the Special Court against Josef Bernatowicz and Anna Bernatowicz for sheltering Jews, April 28, 1944³⁰

The Special Court at the German Court
6 Kls. 11/44

In the name of the German people!

The criminal case against

- (1) the bricklayer Josef Bernatowicz, born on January 10, 1879, in Jaroslau [Jaroslów], resident of Lemberg, Wniebowstapiena-Strasse 82a, a Pole, married, no prior convictions,

²⁹ Code of Criminal Procedure (*Strafprozeßordnung*) § 465, as revised on March 23, 1934: The costs of the proceedings shall be borne by the accused, when the proceedings arise from an act for which he has been convicted or for which a court order has been issued against him. The costs of the proceedings shall also include those that arise from the preparation of the public action and the costs of implementing a sentence, legal penalties, or court orders.

³⁰ Source: USHMM, RG-31.001M, Fond R-77, Opis 1, Delo 1327, pp. 1–4. This case is briefly discussed in Dörner, “Justiz und Judenmord” [Justice and the murder of the Jews], 255.

- (2) his wife Anna Bernatowicz (maiden name: Halujko), born on July 13, 1878, in Przemyśl [Przemyśl], resident of Lemberg, Wniebowstapiena-Strasse 82a, a Ukrainian, married, no prior convictions,

both in pretrial detention for this matter since December 9, 1943, currently in the German prison of Lemberg for giving refuge to Jews [*Judenbeherbergung*].

The April 28, 1944, session of the Special Court at the German Court in Lemberg, in which participated:

District Court Director [*Landgerichtsdirektor*] [Friedrich] Starcke as chairman [*Vorsitzender*],

Assigned Judge [*beauftragter Richter*] Daude,

District Judge [*Landgerichtsrat*] [Hans] Krüger as Associate Judges [*beisitzende Richter*],

County Judge [*Amtsgerichtsrat*] Dr. Klien [sic] as civil service officer of the Public Prosecutor's Office [*Beamter der Staatsanwaltschaft*],

Clerk of the Court [*Justizangestellte*] Diesing as Registrar of the Court Administrative Office [*Urkundsbeamter der Geschäftsstelle*],

has ruled:

The accused Josef Bernatowicz is sentenced to death for giving shelter to Jews [*Unterschlupfgewährung an Juden*].

The accused Anna Bernatowicz is sentenced to three years in prison for aiding and abetting the giving of shelter to Jews, towards which the four months in pre-trial detention is counted.

The costs of the proceedings shall be imposed on the accused.

Grounds:

The accused Josef Bernatowicz is a Pole. He attended primary school for four years and learned masonry, which he practiced independently. From 1900 to 1903 he served in the Austrian army and served in a field bakery in the First World War. Subsequently, he worked again as a bricklayer. At the time when the crime was committed, he earned between 300 and 400 zlotys per week. In 1904, he married the accused, Anna Bernatowicz, who is of Ukrainian nationality [*Volkstum*]. The couple had two children, who are deceased.

In March 1943, the accused [Josef Bernatowicz] moved from Kulparkow to Lemberg, Wniebowstapien-Strasse 82a, a single-story, stand-alone house, of which he is the co-owner. Jews had lived in this house until the creation of the ghetto [*Ghetto*]. Two days after moving into the house, the accused discovered that Jews had been hiding in the cellar. Instead of prompting them to go immediately to the ghetto, or report them to the police, he permitted a total of 9 Jews – men, women, and children – to continue to stay from March 1943 until his arrest on December 9, 1943.

According to the confession of the accused, during these nine months, the Jews lived in the cellar of his home and prepared their meals in a special kitchen, mainly from food that they had procured themselves. From time to time, they visited the ghetto, until its dissolution [*Auflösung*], but they mostly stayed in the house of the accused. The accused denies that he received money in return, but admits that he occasionally received cigarettes, vodka, and food.

The accused's defense – that the local police authorities knew where the Jews were hiding, but were deterred from making arrests due to the bribes they received, and thus had decided not to take any action – is irrelevant from a factual and legal perspective. Provided that this statement is true, the accused must have known without a doubt that the state officials were in violation of their duty and it would have been his responsibility to inform the superiors of the corrupt officials or the German police about the Jews in his home. By not doing so, the accused, thereby, hid the Jews from the inquiries of the police and gave them refuge.

The accused Anna Bernatowicz moved into the house at Wniebowstapien-Strasse 82a a few days after her husband. Immediately, she became aware of the Jews and, at first, did not agree to shelter them. For this reason, she left her husband for a while, as she credibly states, but nevertheless returned, because she could not support herself outside the home. She admits, albeit reluctantly, but still of her own volition, to providing bread for the Jews on several occasions and having given them clothing to sell. She also claims to have given 5000 zlotys to the supposed police officials in bribes from the Jews. Thereby, she aided and abetted the crime of giving refuge to Jews that was committed by her husband, the head of the household.

As a result of the facts established at the trial, on the basis of the somewhat credible testimony of the accused, and according to the testimonies of Lastoweckij and Dombrowski, the accused, Josef Bernatowicz, has been sentenced to death for providing refuge to Jews, the only sentence permitted under § 4 (b) of the Decree on Restrictions of Residence in the General Government of September 13, 1940, as amended by the Decree on Restrictions of Residence in the General Government of October 15, 1941, and the accused Anna Bernatowicz has been sentenced for aiding and abetting this crime.

Anna Bernatowicz acted under the pressure of her husband, whom, due to her advanced age, she could not have been expected to do more to oppose. Therefore, the court accepted that hers was a less serious case of aiding and abetting and, under § 4 (b) (2) of the abovementioned decree, decided that a custodial sentence was sufficient. Nevertheless, since several Jews had been kept hidden for months, and the accused admitted that she acted in full knowledge of the consequences of her conduct, only a custodial sentence in a penitentiary could be considered, for which a three-year term was determined to be necessary and sufficient.

In view of the confession of the accused Anna Bernatowicz, her time in pretrial detention is counted towards her sentence, based on § 60 of the Penal Code.³¹ The decision regarding the costs [of these judicial proceedings] is based on § 465 of the Code of Criminal Procedure.

Signed Starcke, Daude, Krüger
 Certified:
 Lemberg, May 13, 1944
 [signature of Diesing]
 Clerk of the Court, Registrar of the Court Administrative Office
 The Special Court at the German Court

Document 7: Verdict of the Special Court at the German Court against Michalina Merska for sheltering Jews, June 30, 1944³²

The Special Court at the German Court
 6 Kls. 23/44

In the name of the German people!

The criminal case against the laborer Michalina Merska, born on November 12, 1889, in Radziechow [Radziechów], resident of Lemberg, Paderewski-Strasse 12/4, a Pole, single, no prior convictions, in pretrial detention regarding this matter since February 3, 1944, in the German prison in Lemberg, for giving refuge to Jews.

The June 30, 1944, session of the Special Court at the German Court in Lemberg, in which participated:

District Court Director [Friedrich] Starcke, as chairman [*Vorsitzender*],
 District Judge [*Landgerichtsrat*] Dr. [Emil] Heep, as associate judge [*beisitzende Richter*],
 County Judge [*Amtsgerichtsrat*] Dr. Klien [sic] as civil service officer of the Public Prosecutor's Office [*Beamter der Staatsanwaltschaft*],
 Clerk of the Court [*Justizangestellte*] Diesing as Registrar of the Court Administrative Office [*Urkundsbeamter der Geschäftsstelle*],

has ruled:

The accused is sentenced to death for giving refuge to Jews [*Judenbeherbergung*].
 The costs of the proceedings shall be borne by the accused.

Grounds:

³¹ Penal Code for the German Reich (*Strafgesetzbuch für das Deutsche Reich*) § 60, as of January 1, 1934: Time served in pretrial detention or temporary commitment can be counted, in whole or in part, towards the sentence passed at the judgment.

³² Source: USHMM, RG-31.001M, Fond R-77, Opis 1, Delo 1168, pp. 2–3.

During the trial, the following facts were established on the basis of the accused's own statements.

The accused was born in Radziechow and attended two years of elementary school. Subsequently, she worked as a housemaid in various places, primarily in Lemberg.

At the beginning of June 1943, a Jewish woman by the name of Blauer, an acquaintance, came to the accused and asked her to give shelter to Jews for one or two days. The accused did so and gave accommodation to the Jewish men Moses and Marek Bernstein, Kronwärter and the Jewish women Weintraub and Knauf in a cellar under her home. For the duration of their stay, the accused received 100 zlotys each day from the Jews. In exchange, she gave them soup once a day. If the Jews requested more food from the accused, it was charged extra.

The defendant claims that she only agreed to let the Jews stay with her for a day or two. However, the Jews, allegedly, refused to leave. She claims that she threatened to report the Jews to the police. Upon hearing this, so she claims, the Jews replied that she herself had to expect the most severe punishment for having given shelter to Jews. As a result, the Jews continued to stay with her until February 3, 1944.

On the basis of these facts, the accused is guilty of the crime set forth in § 4 (b) of the Decree on Restrictions of Residence in the General Government of September 13, 1940, as amended by the decree of October 15, 1941. At the trial it was not possible to ascertain whether the Jews taken in by the accused had, without authorization, left the Jewish residential district assigned to them, or whether the Jews had never entered a Jewish residential district at all to avoid informing themselves about the measures impending upon them. However, this does not change the legal judgment regarding the conduct of the accused. According to the fundamental principle of § 4 (b) of the Decree on Restrictions of Residence in the General Government, and the common sense of the people (according to § 2 of the Penal Code), the punishment imposed by the aforementioned provision must also apply to those who take in Jews, who did not leave the residential district to which they had been assigned, but only because they never entered the residential district assigned to them in the first place, in order to, thereby, escape the threat of resettlement.³³

The accused has no prior convictions. She also confessed without reservations. Nevertheless, according to the law, the death penalty is the sole permissible penalty that may be imposed on her.

³³ Penal Code for the German Reich (*Strafgesetzbuch für das Deutsche Reich*) § 2, as of September 1, 1935: Punishment shall be imposed on a person who commits an act that the law declares to be punishable or that, according to the fundamental principle of a penal law and the common sense of the people, deserves punishment. If no specific criminal law is directly applicable to an act, the act shall be punished according to the law, whose fundamental principle best applies to it.

The decision regarding the costs [of these judicial proceedings] is based on § 465 of the Code of Criminal Procedure.

Signed Starcke, Dr. Heep

Certified:

Lemberg, July 6, 1944

[signature of Diesing]

Clerk of the Court, Registrar of the Court Administrative Office

The Special Court at the German Court

Document 8: Polish Criminal Police arrest report of Peter Kulik et al.³⁴

Third Commissariat

Lemberg, June 29, 1944

Tgb. Nr. 2796/44/P.

Final report

1. Criminal offense: Sheltering Jews [*Judenbeherbergung*]
2. Time of the offense: In the years 1943 and 1944
3. Place of the offense: Lemberg
4. Perpetrators:
 1. The Pole, Peter Kulik, allegedly resident of Kamionka-Strumiłowa, exact address unknown.
 2. The Pole, Roman Dąbrowski, resident of Lemberg at Łyczakowska-Strasse 19.
 3. The Pole, Jozefa Jasinska, resident of Lemberg at Zamarstynowska-Strasse 67.
 4. The Jew, Safro Alter,
 5. The Jew, Aron Godzin, all residents of Lemberg
 6. The Jew, Mania Godzin, Łyczakowska-Strasse 19
 7. The Jew, Benio Hochberg,
 8. The Jew, Borys Pliskin.
5. Time of arrest: Except for Peter Kulik, all were arrested on June 16, 1944.
6. Place of imprisonment: Dąbrowski and Jasinska are in the police prison and the Jews are in a forced labor camp.³⁵
7. Extent of the damages: [no text]
8. Evidence: Admissions to the crime and the Jews' statements
9. The aggrieved party: [no text]
10. German interests in the case: Yes

Summary of the facts:

On June 16, 1944, Roman Dąbrowski and Jozefa Jasinska were arrested for giving shelter to Jews. They have been transferred to the police prison. The

³⁴ Source: USHMM, RG-31.001M, Fond R-77, Opis 1, Delo 847, unpaginated, two pages.

³⁵ The Janowska concentration camp.

abovementioned Jews were also arrested and transferred to the forced labor camp in Lemberg.

In the course of the investigation, it was confirmed that the Jew, Safró Alter, together with his wife Anna, had been hidden in the home of Peter Kulik, resident of Lemberg at Zamarstynowska-Strasse 106, from May to the end of July 1943. During this time, Alter was robbed by unknown perpetrators and thrown out of the house. After he was thrown out of the house, he went to Dąbrowski, and his wife went missing. Alter lived with Dąbrowski until his arrest. Besides Alter, Dąbrowski took other Jews into his home, namely Aron Godzin, Mania Godzin, Benio Hochberg, and Borys Pliskin. The suspect Dąbrowski made a hiding place for these Jews in his home and kept them hidden up until now.

In the course of the investigation, it was determined that the suspect, Jozefa Jasinska had not taken part in concealing the Jews and did not know that Dąbrowski had been sheltering these Jews. During this arrest, Jasinska, an acquaintance, had come to his home by chance to sell him potatoes. The identity of Jasinska was determined by information provided by Dąbrowski and Ivan Noskow, resident of Lemberg at Zamartynowska-Strasse 67.

In the course of the inquiry into Kulik, it was discovered that in autumn 1943, without giving official notice of his departure, Kulik, allegedly, moved to Kamionka-Strumiłowa.

A search for Kulik has been ordered.

Sergeant Czernik

Translated from Polish [to German] by interpreter Josef Wawrzyniak.

[stamp:] The Commander of the Security Police and SD for District Galicia, Criminal Directorate Lemberg

Document 9: Polish Criminal Police arrest report of Anne Romaniuk et al.³⁶

Third Commissariat

Lemberg, June 15, 1944

Tgb. Nr. 2796/44/p.

Final report

1. Criminal offense: Sheltering Jews [*Judenbeherbergung*]
2. Place of the offense: Lemberg, Balonowa-Strasse 12
3. Time of the offense: In the years 1943 and 1944
4. Perpetrators:
 1. The Ukrainian, Anne Romaniuk, born on July 2, 1908 (further details on page 3)
 2. The Ukrainian, Stefan Romaniuk (further details on page 5)

³⁶ Source: USHMM, RG-31.001M, Fond R-77, Opis 1, Delo 1111, pp. 13-13 verte.

3. The Pole, Marie Krodkiewska (further details on page 7)
5. Time of arrest: Perpetrators 1–3 were arrested on June 13, 1944
6. Place of imprisonment: Police prison in Lemberg on Loncki-Strasse 1.
7. Evidence: Admissions to the crime
8. German interests in the case: Yes

Summary of the facts:

On June 13, 1944, during a search of a residential building at Balonowa-Strasse 12 in Lemberg, seven Jews were found, who had been hiding for three-quarters of a year in the cellar of the accused Romaniuk. On the same day, during a search of the home of Marie Krodkiewskiej [sic], three Jews who had been hiding there since May 21, 1944, were arrested.

During her interrogation, the accused Romaniuk admitted to having hidden Jews in her cellar and exculpated herself for so doing, saying that the aforementioned Jews – see page 2 – [Arnold Kogus, b. July 23, 1903, in Lemberg; Leon Cerosona, March 26, 1903, in Lemberg; Siegmund Scheiner, November 30, 1913, in Lemberg; his wife Sonja, April 8, 1914 in Lemberg; his daughter, Tofilia, June 11, 1938 in Lemberg; Sara Reiner, in Kraków; and her child, Hamon, December 22, 1937, in Palestine] had been known to her since 1937, when she worked for them as a housemaid, and who had hidden her so that she would not be deported to Siberia by the Bolsheviks. The accused Romaniuk claims to have supplied the Jews with food. Additionally, the accused declares that she did so only out of compassion, desiring to repay them for the accommodation they had found with the Jews in question during the Soviet period.

The defendant Stefan Romaniuk did not confess to sheltering Jews, but rather admitted only that he had been aware that his sister, Anne Romaniuk, was hiding Jews and had explained to him that the Jews had helped her avoid being deported to Siberia by the Bolsheviks.

The accused Krodkiewska admitted during her interrogation that she had hidden the three Jews who had been found with her in her home [Max Zucker, b. May 28, 1907, in Lemberg; Simon Wiesenthal,³⁷ December 31, 1907, in Buczac; Eva Billiger, October 21, 1911, in Buczac]. She exculpated herself by saying that the Jews had been sent to her by her sister, Anne Skibowa, in Biała, Czortków County. She did not take

³⁷ Simon Wiesenthal, the future “Nazi hunter,” had previously escaped the Janowska concentration camp in October 1943. After the war, he described his subsequent capture together with his wife and friend in the apartment of Maria Krodkiewska (Paulina Bush), herself a fugitive Jew posing as a Polish Catholic. Wiesenthal noted the presence of “two Polish agents,” likely members of the PPK, who stole Wiesenthal’s two pistols without mentioning them in the police report, as they were allegedly trafficking in weapons. Fearful of police torture during investigation, Wiesenthal attempted suicide while in custody. See Tom Segev, *Simon Wiesenthal: The Life and Legends* (New York: Doubleday Books, 2010), 63–69.

any payment from them to stay with her. Afraid, because the Jews had threatened her with a gun, she did not report the Jews to the police.

The discovered Jews were transferred by the Fifth Criminal Commissariat to the forced labor camp in Lemberg. The clothing and furniture that belonged to the Jews were delivered to the SS administration office on Sigfried-Strasse.

The three abovementioned accused [Anne Romaniuk, Stefan Romaniuk, and Marie Krodkiewska] were delivered to the prison on Loncki-Strasse in Lemberg, where they are at present.

Hwuzdowitsch, Kr. St. F.

Translated [from Polish to German] by interpreter Strozynski.

Document 10: Polish Criminal Police Arrest report of Stefania Cieplik et al.³⁸

Third Commissariat

Lemberg, June 7, 1944

Tgb. Nr. 2796/44/P.

Final report

1. Criminal offense: Sheltering Jews [*Judenbeherbergung*]
2. Time of the offense: In the years 1943 and 1944
3. Place of the offense: Lemberg
4. Perpetrators:
 1. The Pole, Stefania Cieplik, born on April 4, 1918, in Wygoda, Stryj County, current place of residence unknown.
 2. The Pole, Stanisława Biłyk, born on November 11, 1922, in Mikoliczyn, Kołomyja County, current place of residence unknown.
 3. The Pole, Zofia Pakiet, born on May 6, 1888, in Vienna, current place of residence unknown.
 4. The Jew, Zygmunt Edel, born on April 4, 1909, in Lemberg, residing in Lemberg at Grüne-Strasse 29.
5. Time of arrest: May 24, 1944
6. Place of imprisonment: Forced labor camp in Lemberg
7. Extent of the damages: [no text]
8. Evidence: The statements of the Jew Edel, who was arrested.
9. The injured party: [no text]
10. German interests in the case: Yes

Summary of the facts:

On May 23, 1944, the Jew Zygmunt Edel was arrested on the street in Lemberg by the criminal police. Edel had forged identity documents in the name of a Pole, Zygmunt Bronisław Przyborowski.

³⁸ Source: USHMM, RG-31.001M, Fond R-77, Opis 1, Delo 1227, p. 13.

Edel admitted that he had been in hiding with the three abovementioned persons, whom he paid 400 zlotys a month. He also mentioned that Cieplik, Biłyk, and Pakiet left Lemberg to travel west at the beginning of May 1944. For this reason, he had to leave the house and found himself on the streets for several days. He subsequently found employment in the photography shop, “Galicia Photo Studio and Commercial Institute,” in Lemberg at Akademicka-Strasse 2. There, he was also betrayed by someone who knew that he was a Jew. He also stated that he had not revealed to the abovementioned women that he was a Jew, although they knew that he was a Jew.

The Jew Edel was sent to the forced labor camp in Lemberg on May 24, 1944.

Since Cieplik, Biłyk, and Pakiet left Lemberg in an unknown direction of travel and their whereabouts could not be determined, a search for them has been ordered.

Sergeant Mikołaj Czernik

Translated from Polish [to German] by interpreter Josef Wawrzyniak.

Document 11: Polish Criminal Police arrest report of Maks Ringer and Irena Barylak³⁹

Third Commissariat

Lemberg, June 16, 1944

Tgb. Nr. 2796/44/P.

Final report

1. Criminal offense: A Jew in hiding [*Verborgener Jude*]
2. Time of the offense: May 1944
3. Place of the offense: Lemberg
4. Perpetrators:
 1. The Jew, Maks Ringer, born on February 14, 1923, in Andrychow, without a permanent address.
 2. The Pole, Irena Barylak, born on October 9, 1923, in Lemberg, resident of Lemberg at Wasowicza-Strasse 49.
5. Time of arrest: May 21, 1944
6. Place of imprisonment: Police prison in Lemberg
7. Extent of the damages: [no text]
8. Evidence: Admission to the crime by the Jew.
9. The injured party: [no text]
10. German interests in the case: Yes

Summary of the facts:

On May 21, 1944, the Jew Maks Ringer and Irena Barylak, resident in Lemberg at Wasowicza-Strasse 49, who sheltered the Jew, were arrested.

³⁹ Source: USHMM, RG-31.001M, Fond R-77, Opis 1, Delo 1258, pp. 16–16 verte.

During his interrogation, the Jew Ringer admitted that he is a Jew and stated that his parents had been deported to Russia. In Lemberg, he had no permanent home and spent the nights in old sheds. In December 1943, he went to the construction company at Grünen-Strasse 9, where he presented himself as Piotr Rogosz, a refugee from Volhynia,⁴⁰ without any identification documents. He worked for the company until his arrest.

In May 1944, while he was staying in Cetnarówka, he became acquainted with Barylak. He told Barylak that he was from Kraków, and that he worked for a construction firm in Lemberg. Thereafter, he met her twice, on Sundays, and at their final meeting, he went with her to her home, where together, he and Barylak were arrested at 10 p.m. Ringer also stated that he had not revealed his past to Barylak, nor told her that he is a Jew.

During her interrogation, Barylak stated that she has a three-year-old child and that her husband had been drafted into the army by the Bolsheviks and up until now has not returned. In the beginning of May 1944, she met the man in Cetnarówka and he introduced himself as Piotr Rogosz. Because this person spoke Polish well with a Kraków accent, she invited him for their third meeting, and both were arrested at 10 p.m. Only on their way to the police station did she realize for the first time that Rogosz is a Jew. Barylak neither knew, nor suspected, that Rogosz is a Jew, because he did not look or behave like a Jew, nor could one tell from how he spoke.

When interrogated as witnesses, the nun Maria Łyszczak and the former Polish policeman Alexander Zimowski, both of whom reside in Lemberg at Wasowiczas-trasse 49, stated that they saw Maks Ringer in the courtyard and knew him as Piotr. In the course of their conversations, Ringer spoke Polish well, and did not look like a Jew. They were of the opinion that they were dealing with an Aryan, a refugee from Volhynia, because he had introduced himself to them as such. They also stated that they did not notice or see Barylak hide the Jew in her home. They also mentioned that Barylak could not have suspected that he is a Jew.

In the course of the investigation, I personally came to the conclusion that Barylak truly did not know that Ringer is a Jew and did not even suspect that she had made the acquaintance of a Jew. Ringer misled Barylak by presenting himself as Piotr Rogosz, for which, being a Jew, he had personal reasons. The evidence regarding the Jew Ringer has been handed over to the SS- and Police Leader in Lemberg.

Sergeant Nakoneczyny

40 The ethnic cleansing of Poles in Volhynia and Eastern Galicia in 1943–1945, carried out by Ukrainian nationalist organizations (OUN-UPA), prompted thousands of Polish refugees to flee westward and into urban centers. In East Galicia, the mass killing began in the second half of 1943 and increased in early 1944, see Grzegorz Motyka, *Wołyń '43. Ludobójcza czystka: Fakty, analogie, polityka historyczna* [Volhynia '43. Genocidal purge: facts, analogies, historical policy] (Kraków: Wydawnictwo Literackie, 2016), 75–79.

Translated from Polish [to German] by interpreter Josef Wawrzyniak.

[signature]

Lemberg, May 28, 1944

[stamp:] The Commander of the Security Police and SD for District Galicia, Criminal Directorate Lemberg

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