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COURT OF APPEALS UPHOLDS DEPORTATION OF FORMER MEMBER OF NAZI MOBILE KILLING UNIT

WASHINGTON, DC – The U.S. Court of Appeals for the Seventh Circuit unanimously affirmed yesterday a February 2000 U.S. Board of Immigration Appeals decision upholding the deportation from the United States of Juozas Naujalis, a retired machinist living in Chicago, based on his admitted World War II service with the infamous Nazi-sponsored 12th Lithuanian *Schutzmannschaft* Battalion in wartime Lithuania and Byelorussia (present-day Belarus).

"This decision is a powerful reminder that, even as we begin a new century, individuals responsible for the most infamous crimes of the century just ended can -- and must -- still be brought to justice," said Eli M. Rosenbaum, Director of the Justice Department's Office of Special Investigations (OSI), which prosecuted the case. "Men like Naujalis helped ensure that those whom the Nazi regime targeted met the horrible fate that was intended for them."

The Court of Appeals' decision noted that, during October 1941, the Battalion assisted the Germans "in a series of killing missions in which they executed over 11,000 men, women and children." The court went on to conclude that members of the Battalion participated in these missions by surrounding villages, marching victims to killing fields, forcing them to undress and lie in pits and then shooting them.

Naujalis claimed that he merely guarded a railway station in Byelorussia. The Board of Immigration Appeals had rejected this claim as "implausible" and found Naujalis' account of his wartime activities "not credible." The Court of Appeals ruled that even if these claims were true, Naujalis' service as a guard allowed other members of the Battalion to "be deployed on large-

scale killing missions." Without Naujalis' contributions, the court held, "the Battalion would not have been able to murder so many civilians as efficiently and effectively" as it did. OSI Director Rosenbaum said, "Mobile killing units, like the one in which Naujalis served, were an essential component of the Nazi effort to wipe out the entire Jewish population of Eastern Europe."

The 12th Lithuanian *Schutzmannschaft* Battalion killed thousands of Jewish men, women, and children, suspected communists and their families, and Soviet POWs in mass shootings in Lithuania and Byelorussia. Members of the Battalion assisted the Nazis by rounding up the victims, marching them to execution pits, and participating in their mass murder by gunfire.

Naujalis, who immigrated to the United States in 1949 and never became a United States citizen, was tried in U.S. Immigration Court in Chicago in 1997. During the deportation hearing, federal prosecutors introduced wartime documents as well as evidence from Holocaust survivors and former members of the Battalion. Former Battalion members recounted in chilling detail how their unit, along with German personnel, surrounded villages, forcibly assembled the victims, and then drove them to pits where they were murdered by gunfire. In 1962, Major Franz Lechtauer, the German officer under whose command the Battalion conducted the killing operations in Byelorussia, was convicted in Germany on murder charges.

Rosenbaum said that the proceedings to deport Naujalis were the result of OSI's ongoing efforts to identify and take legal action against former participants in Nazi persecution residing in this country. Since OSI began operations in 1979, 64 Nazi persecutors have been stripped of U.S. citizenship, and 53 such individuals have been removed from the United States.

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