

MODULE #3 HANDOUT: KRISTALLNACHT CASE STUDY DOCUMENTS

Document #1: Police Report on *Kristallnacht*¹

The Police President

Hanover, 3 December 1938

To: The District Presidents, Hanover

Regarding: Action against the Jews on November 10 of this year

The measures against the Jews were carried out according to the decree of the Chief of the Order Police from November 10, 1938—Special Command Staff—O-Kdo G A 200. German life and property were not endangered. The Action was limited to the destruction of 94 Jewish shops and 27 Jewish apartments, as well as the destruction of the synagogue and the cemetery chapel in Bothfeld. The SS and the uniformed police (*Schutzpolizei*) took over standing guard in front of the shops, whose window panes were shattered. Plunderers were not found. The individual police officers were not aware of the destruction of the apartments, so they were not present at this Action themselves. A few days after the end of the Action, Jews, attorneys, and large suppliers—who had delivered goods to Jewish shops conditional upon their sale—submitted letters in which they stated that objects were missing from the inventory of the destroyed shops and they had not yet been able to determine the whereabouts [of these objects], or that business documents—and in some cases also gold and securities—had been seized and taken from the apartments without a receipt. I forwarded the original letters to the Secret State Police (*Gestapo*) Headquarters in Hanover, as they have partial jurisdiction. I have not been informed of the outcome of the investigations undertaken [as the result of the letters]. The destroyed apartments were visited by precinct officials on December 1. The Jewish renters/owners continued to use all but three of the apartments, and they are busy cleaning them up.

Three of the apartments belong to Polish Jews who were deported back to Poland on October 28. [In these apartments] the furniture is partially destroyed; however, the apartments could still be used at any time. Two of the apartments have since been rented to someone else, one to the relative of an army soldier, and the other to the local Buchholz group. In the second case, [the space] is the club room of the Jewish Tennis Club with a two-bedroom apartment. In a large number of the cases, the destruction of the apartments is minimal and limited to the destruction of individual everyday objects or pieces of furniture, or furniture that was turned over as well as a few windows or mirrors that were smashed in.

Unfortunately, a young police officer (24 years old) failed completely in his duties during the Action resulting in his immediate dismissal from the police force. He was assigned to stand guard outside a Jewish-owned store on November 10, 1938. He was to ensure that no valuables would be taken from the store by

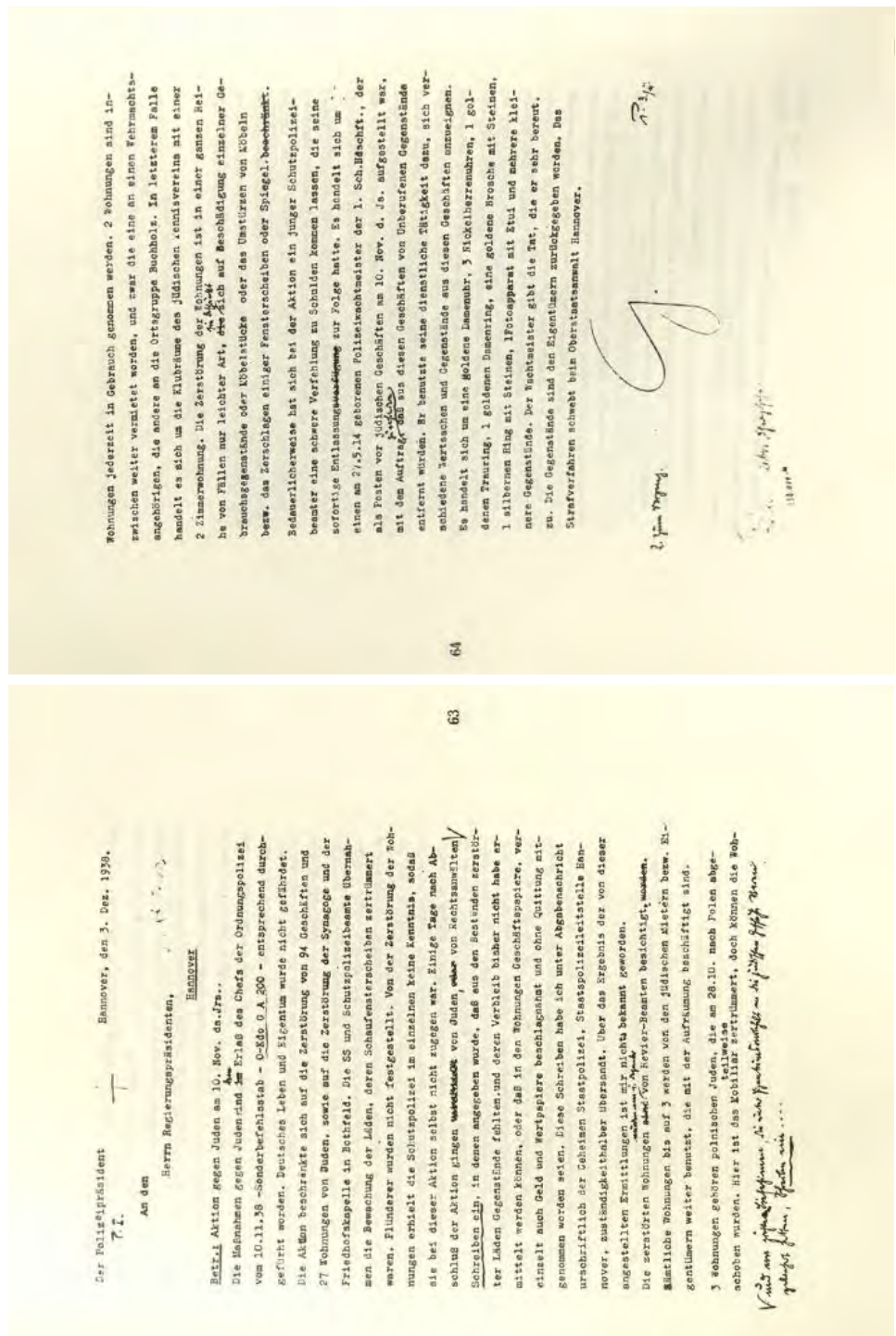
¹ Translated from Marlis Buchholz and Waldemar R. Röhrbein, “Reichskristallnacht” in *Hannover: eine Ausstellung zur 40. Wiederkehr des 9. November 1938* (Hannover: Historisches Museum am Hohen Ufer, 1978), 122–23.

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unauthorized persons. He used the opportunity to take several items of value for himself, including a gold watch, three nickel watches, one gold engagement ring, one gold ladies ring, a gold brooch with valuable stones, one silver ring with valuable stones, one camera with case, and several other small items. The police officer confessed his failings and is repentant. The valuables have been returned to the store. Criminal proceedings [against him] are pending with the Senior State Prosecutor in Hanover.

[signed] G[eyer]

Document #1: Police Report on *Kristallnacht*—German Original²



² John Mendelsohn and Donald S. Detwiler, *The Holocaust: Selected Documents in Eighteen Volumes*, Vol. 3: The Crystal Night Pogrom (New York: Garland Pub., 1982), 63–64, <http://catalog.hathitrust.org/api/volumes/oclc/8033345.html>.

Document #2: Timeline of Events: *Kristallnacht* in Hanover

November 9, 1938

8 p.m.: Hanover SS begins rally in local concert hall for swearing in of new candidates and to listen to a radio broadcast of a commemoration of the Beer Hall Putsch in Munich.

10:30 p.m.: Regional party leaders share instructions with local party offices to carry out a massive pogrom, based on speech by Goebbels that night.

11 p.m.: End of SS commemoration in concert hall; attendees remain in the hall.

11:55 p.m.: Heinrich Mueller, Chief of the Gestapo, issues internal notice of a large-scale action against the Jews; orders the arrest of 20,000–30,000 Jewish men, particularly “wealthy Jews.”

November 10, 1938

Between midnight and 1 a.m.: An SS Kommando robs the synagogue in Hanover and sets it on fire.

1:20 a.m.: Chief of Security Police, Reinhard Heydrich, issues instructions to police.

1:30 a.m.: SS units march out of the concert hall to form a perimeter around the synagogue and prevent anyone from intervening in the violence.

2:35 a.m.: Local police sound the fire alarm; firemen arrive at the synagogue to put out the fire.

3 a.m.: Some of the SS units withdraw from the synagogue to be deployed in the destruction of Jewish apartments and businesses across Hanover.

5 a.m.: The remaining SS units withdraw from the synagogue, and the local police take over securing the perimeter.

7:30 a.m.: Technical Emergency Responders demolish the dome of the synagogue with an explosion, stating that the dome is structurally unsound after the fire.

12:15 p.m.: Chapel at the Jewish cemetery in Bothfeld is set on fire.

6 p.m.: Jewish shops and apartments once again attacked and destroyed by SS units, who also seize valuables. Attacks end around midnight.

November 11, 1938

6:15 a.m.: 275 of the 334 Jews arrested in Hanover and the surrounding towns during *Kristallnacht* are taken to the train station and deported to Buchenwald concentration camp.

Document #3: Instructions to Police on *Kristallnacht*

SECRET!

Copy of Most Urgent telegram from Munich on November 10, 1938, 1:20 a.m.

To all: Headquarters and Stations of the State Police

To all: Local and Regional Offices of the Nazi Party Security Service (SD)

Urgent! To be presented immediately to the Chief or his deputy!

Re: Measures against the Jews Tonight

Because of the assassination of Legation Secretary vom Rath in Paris, demonstrations throughout the Reich are to be expected tonight—November 9–10, 1938. The following orders are issued for dealing with these occurrences:

1) Upon receipt of this telegram, the Chiefs of the State Police or their deputies must immediately contact the appropriate political authorities for their district [the local Nazi Party leaders] ... by telephone to arrange a discussion about how the demonstrations will be conducted. This discussion should include the responsible Inspector or Commander of the Uniformed (Order) Police ...

[The local] political authorities are to be informed that the German police have received the following orders from the Reich Leader of the SS and Chief of the German Police [Himmler], and that they should adjust their response accordingly:

- a) Only such actions may be carried out which do not threaten German lives or property (e.g., burning of synagogues only when there is no threat of fire spreading to the surroundings).
- b) Stores and residences of Jews may only be destroyed but not looted. The police are instructed to monitor compliance with this order and to arrest looters.
- c) Special care is to be taken on commercial streets that non-Jewish businesses are completely secured against damage.
- d) Foreign citizens, even if they are Jewish, must not be molested.

2) Presuming that [demonstrators] comply with the guidelines set out in paragraph 1, the police should not prevent the demonstrations, but should only monitor them for compliance with the guidelines.

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3) Upon receipt of this telegram, the police are to immediately impound existing archival materials in all synagogues and Jewish community offices, to prevent their destruction in the course of the demonstrations. This only applies to materials of historical value, not to contemporary tax records, etc. [This material] is to be turned over to the responsible office of the Nazi Party Security Service.

4) The direction of Security Police (*Sicherheitspolizei*) operations relating to the anti-Jewish demonstrations resides with State Police authorities, except when orders have been issued by Security Police inspectors. Officials from the Criminal Police (*Kriminalpolizei*) as well as members of the Nazi Party Security Service, of SS paramilitary units, and regular members of the SS may be called on to carry out Security Police operations.

5) As soon as the course of events on this night allows them to be freed up for this purpose, the officials mentioned above are to arrest as many Jews as can be accommodated in existing detention facilities—particularly affluent Jews. For the time being, only healthy male Jews whose age is not too advanced are to be arrested. Immediately after the arrests have been carried out, the appropriate concentration camps should be contacted to place the Jews into camps as quickly as possible. Special care should be taken that Jews arrested on the basis of this instruction are not mistreated.

6) The contents of this order are to be passed on to the competent Inspectors and Commanders of the Uniformed (Order) Police and to the local and regional offices of the Nazi Party Security Service with the further notice that the Reich Leader of the SS and Chief of the German Police [Himmler] ordered these police measures. The Chief of the Uniformed (Order) Police shared equivalent instructions with the Uniformed Police (including the fire brigade police). Close cooperation between the Security Police and the Uniformed Police is to be preserved while the measures ordered here are being carried out.

The Chief of the State Police or his deputy should acknowledge receipt of this telegram by sending a telegram directed to [Chief of the Secret State Police Heinrich] Müller at the Secret State Police Office.

signed: [Reinhard] Heydrich
SS General, Nazi Chief of Security Police

Document #3: Instructions to Police on *Kristallnacht*—German Original³

worden.

4) Ausländische Fremdenangehörige dürfen - auch wenn sich Juden sind - nicht beteiligt werden.

5.) Über die Vernehmung, auf die unter 1) angegebenen Punkte hinaus möglichsten werden, sind die straffrechtlichen Konsequenzen dieses von der Polizei nicht zu berücksichtigen, sondern nur auf die Bekämpfung der Unruhen zu übertragen.

6.) Sofort nach Eingang dieses Fernschreibens ist in allen Symptomen und Beschäftigungen der jüdischen Kulturgemeinden das vorhandene Archivmaterial vollständig zu beschlagnahmen. Auf keine Weise ist die Lage der Demonstranten zu berücksichtigen. Es kommt dabei auf das Material wertvollere Material an, nicht auf andere Unterlagen nur. Das Archivmaterial ist an die zuständigen SD-Abteilungen abzugeben.

7.) Die Leitung der sicherheitspolizeilichen Maßnahmen hinsichtlich der Demonstrationen gegen Juden liegt bei den Staatspolizeistellen, soweit nicht die Zuständigkeit der Sicherheitspolizei vorliegen. Bei Durchführung der sicherheitspolizeilichen Maßnahmen können Personen der Kriminalpolizei sowie Angehörige des SD, der Volkspolizei und der allgemeinen SS eingesetzt werden.

8.) Gehört der Einsatz der Einheiten dieser Nacht als Vernehmung der Angehörigen keinem dieser Punkte, sind in allen Fällen nur die jüdischen - insbesondere rabbinische - Synagogen, die in den vorhandenen Unterlagen untergebracht werden können. Es sind zunächst nur Synagogen, jüdische Schulen nicht in hohen Maßstab festzunehmen. Nach Durchführung der Festnahmen ist sofort Meldung an den zuständigen Kommandanten zu machen. Die sofortige Überführung der Juden in die Lager für Vernehmung ist zu betonen. Es ist besonders darauf zu achten, daß die Vernehmung dieser jüdischen Festgenommenen nicht abgebrochen wird.

9.) Der Inhalt dieses Befehls ist an die zuständigen Inspektoren und Kommandanten der Ordnungspolizei und an die SD-Abteilung der Sicherheitspolizei weiterzugeben mit dem Hinweis, daß der Befehl Nummer 10. und über die Deutschen Polizei dem polizeilichen Kommando übergeben ist. Der Chef der Ordnungspolizei hat für die Ordnungspolizei hinsichtlich der Festnahmen der

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Abschrift.

1. S. S. H. A. S. S. I. S. S. Z.

31118 München 47 767 10.11.38 0120 - Gba -

An alle Synagogen und Synagogen, an alle SD-Abt. und alle SA.

- RUFEN, Abgang, sofort vorlegen! -

Dringend sofort dem Leiter oder seinem Stellvertreter vorlegen

Befehl: Maßnahmen gegen Juden in der heutigen Nacht.

Auf Grund des Attentats gegen den Leg. Botsch. R. Rath in Paris sind in Laufe der heutigen Nacht - 9./10.11.38 - in ganzen Reich Demonstrations gegen die Juden zu erwarten. Für die Bekämpfung dieser Vorgänge ergeben folgende Anordnungen:

1.) Die Leiter der Staatspolizeistellen oder ihre Stellvertreter haben sofort nach Eingang dieses Fernschreibens mit den für ihren Bezirk zuständigen polizeilichen Stellen - Gendarmerie oder Erfassung - förmlich Verbindung aufzunehmen und eine Besprechung über die Durchführung der Demonstration zu vereinbaren, an der der zuständige Inspektor oder Kommandeur der Ordnungspolizei teilnehmen ist. In dieser Besprechung ist der polizeilichen Leitung mitzuteilen, daß die Deutsche Polizei vom Leiter der SA und Chef der Polizei die folgenden Leistungen ersehen hat, denen die Maßnahmen der polizeilichen Stellen zweckmäßig anzupassen sind:

a) Es dürfen nur solche Maßnahmen getroffen werden, die keine Gefährdung menschlichen Lebens oder Eigentums mit sich bringen (z.B. Synagogenbesuche nur, wenn keine Brandgefahr für die Umgebung ist).

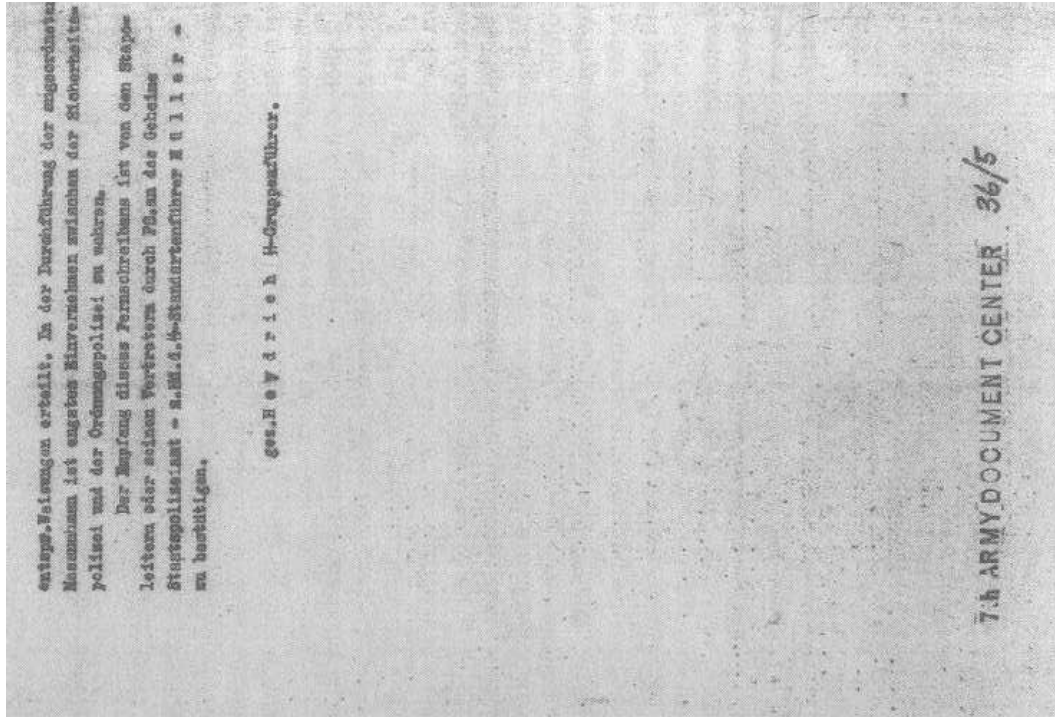
b) Geschäfte und Wohnungen von Juden dürfen nur kurzzeitig, nicht geplündert werden. Die Polizei ist angewiesen, die Durchführung dieser Anordnung zu überwachen und Plünderer festzunehmen.

c) In Geschäftsräumen ist besonders darauf zu achten, daß nicht jüdische Geschäftskunden gegen jüdische Geschäftspartner

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³ "Heydrich, Fernschreiben zur Pogromnacht," NS-Archiv, Dokumente zur Nationalsozialismus, <https://www.ns-archiv.de/verfolgung/pogrom/faksimile/index.php?img=0#thumbs>

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST



Document #4: Instructions to Prosecutors after *Kristallnacht*

Reich Minister of Justice Berlin, November 19, 1938

To: The Senior State Prosecutor or His Official Representative in Hamburg

Secret!

Re: Antisemitic Demonstrations from November 9–11, 1938

As my assistant shared with you over the telephone and as is confirmed here, the following instructions were issued regarding the handling of criminal cases related to the antisemitic demonstrations of November 9–11, 1938:

- a) Plunder should be prosecuted (including cases where someone received plundered goods [as a result of the demonstrations]).
- b) Property damage to synagogues, cemetery buildings, and cemeteries through fire, arson, etc. should not be prosecuted.
- c) Furthermore, the following cases should not be prosecuted:
 - i) Damage to Jewish shops under any circumstances
 - ii) Damage to Jewish residences, so long as [the destruction was] not conducted out of selfish motives and so long as the Secret State Police (*Gestapo*) requests that the state prosecutor's office [not pursue these cases]
- d) Homicide cases and severe criminal assaults are to be prosecuted and these cases are to be discussed, insofar as they were committed out of selfish motives and the Secret State Police therefore requests that the state prosecutor's office [pursue them].
- e) Insofar as crimes are reported directly to the state prosecutor's office, they are to be forwarded to the Secret State Police and the [state prosecutor's office] should await a response.
- f) Correspondingly, cases of harm done to Aryans during the course of the demonstrations should be pursued.

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- g) Criminal cases related to the Treachery Act (*Heimtücke-gesetz*) ... that are connected to the demonstrations are to be handled in the same way as all Treachery Act cases, with the stipulation that indictments according to Par. 1 of the Treachery Act should not be immediately filed, but instead a draft of the indictment should be included in the files.
- h) The criminal cases mentioned under a)–f) are to be handled as politically sensitive and of particular importance given the obligation to report them [to the Ministry of Justice].
- i) The justice system should not issue press releases.
- j) Criminal cases involving an antisemitic motive that occurred before the specified dates are to be reported [to the Ministry of Justice], in order to avoid issuing sentences that are too harsh.

On behalf of [the Minister of Justice]
Signed Dr. Kramer

Document #4: Instructions to Prosecutors after *Kristallnacht*—German Original⁴

1) Presseveröffentlichungen durch die Justiz erfolgen nicht.
 k) Bei Strafzwecken, die vor der genannten Zeit begangen sind und deren antisemitische Motive zu Grunde liegen, ist, um Härten zu vermeiden, zu berichten. In Auftrag
 gen. Dr. Krauer.

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Abschrift
 Der Reichsminister der Justiz. Berlin, den 19. November 1938.
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An den
 Herrn Generalstaatsanwalt
 oder Vertreter im Amt
 in H a m b u r g.

Betreff: Antisemitische Kundgebung vom 9.11.-11.11.1938.

Über die Bekundung der seit der antisemitischen Kundgebung vom 9.-11.11.1938 in Zusammenhang stehenden Strafsachen ist, wie Ihnen mein Sachbearbeiter heute fernmündlich mitgeteilt hat, folgende Weisung ergangen, die hiermit bestätigt wird. Bei folgenden sind Forderungen (einschließlich datusus erlösender Reklamationen).

b) Sachbeschädigungen an Synagogen, Friedhofshallen und Friedhöfen durch Brand, Sprengung usw. werden nicht verfolgt.
 c) Nicht verfolgt werden ferner:
 Beschädigungen von jüdischen Geschäften in jedem Falle, Beschädigungen von jüdischen Wohnungen, soweit sie nicht aus eigensichtlichen Motiven begangen sind und die St. o. ers. rechend in die Staatsanwaltschaft hertritt.
 d) tätungen und schwere Körperverletzungen werden verfolgt bzw. erörtert, soweit eigensichtige Motive zu Grunde liegen und die St. o. entsprechend an die Staatsanwaltschaft herantritt.
 e) Soweit Anzeigen unmittelbar bei der Staatsanwaltschaft einlaufen, sind sie an die St. o. weiterzuleiten und es ist die Forderung durch diese abzuwarten.
 f) Entz. rechend sind in Zuge der Kurdbewerber entz. rechende Schäden bei Anz. zu behandeln.
 g) Strafverfahren nach des Reichstagesgesetz oder §§ 134a, b StGB, die in Zusammenhang mit den Kundgebungen stehen, sind wie die übrigen HG-Verfahren zu behandeln mit der Maßgabe, dass die Einreichung von Anklageschriften nach § 1 HG. nicht sofort erfolgt, vielmehr der Entzurf der Akteinschrift mit den Akten einzuüberichten ist.
 h) Die unter a) - f) genannten Strafsachen sind hinsichtlich der Berichtspflicht als politisch wichtig und von besonderer Bedeutung zu behandeln.

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⁴ John Mendelsohn and Donald S. Detwiler, *The Holocaust: Selected Documents in 18 Volumes*, Vol. 3: The Crystal Night Pogrom, (New York: Garland Pub., 1982), 301–2, <http://catalog.hathitrust.org/api/volumes/oclc/8033345.html>.

Document #5: Biography of Wilhelm Krützfeld⁵

Wilhelm Krützfeld was born on December 9, 1880. He was a police officer of the old Prussian mold whose guiding principles were diligence, the rule of law, and the fulfillment of duty. He never joined the Nazi Party. In 1907 he was released from military service and promptly joined the police force, working first in the state police office and then in police headquarters in Berlin.

Upon his 25th year of police service, the police president of Berlin praised Krützfeld as an officer who was “always true to the most responsible of professions and conscientiously fulfilled his duties.” In the 1930s he took over command of Police District 65 in Prenzlauer Berg in eastern Berlin, then served as commander of District 16 in Hackescher Markt in the heart of Berlin. His district included Oranienburger Street and the New Synagogue, which was one of the city’s largest and most notable synagogues and a proud architectural landmark.

1933–39

During the pogrom of November 1938 (*Kristallnacht*), an officer in Krützfeld’s precinct telephoned to report that he saw smoke coming from the synagogue. Krützfeld and several other officers, including Otto Bellgardt, then marched toward the New Synagogue. Witnessing Nazi Storm Troopers setting fire to the building, Krützfeld brandished his weapon and ordered them away. He produced documentation of the synagogue’s protected status as an important architectural structure and ordered the fire department to douse the flames to prevent any further damage. Although Nazi officials—including the police director of Berlin, Wolf Heinrich Graf von Helldorff—heard of Krützfeld’s behavior the next day, they took no action against him. He was neither fired nor arrested; Helldorff merely admonished him and defended the violence and arson. Krützfeld’s son remembered that his father had been outraged by this conversation and insisted that it was the duty of the police to promote peace, order, and respect for the law.

1940–45

As part of a reorganization brought on by the outbreak of war in 1939, Krützfeld was transferred to a different police district. In 1943 he retired from the force at his own request.

Postwar

Krützfeld passed away in Berlin in 1953. His son revealed that a high-ranking police official had hinted about the Holocaust to his father and that this had sparked his request for retirement. Neither a resistance fighter nor a victim of the Nazi regime, he is memorialized for his act of civil courage in standing up to the Nazi Storm Troopers with a plaque on Oranienburger Street in Berlin. In 1993 the state of Schleswig-Holstein (where Krützfeld’s hometown is located) renamed its police academy in his honor. Unfortunately, the New Synagogue was destroyed in the Allied bombing of Berlin on November 23, 1943, during World War II.

⁵ Adapted from Knobloch Heinz, *Der Beherzte Reviervorsteher: Ungewöhnliche Zivilcourage Am Hackeschen Markt*, 1. Aufl ed. (Berlin: Jaron, 2003), 87–89 and 102–103.