

62.03

THE GESTAPO (DIE GEHEIME STAATSPOLIZEI)

a. The Gestapo (Die Geheime Staatspolizei or Secret State Police) was created by the Nazi conspirators immediately after the accession of the NSDAP to power in the Reich as a weapon for the terrorization and suppression of all persons, groups and elements considered hostile to the policies and theories of the Nazi regime. By a law of the Prussian State Ministry of 26 April 1933, promulgated by the defendant Goering as Prime Minister of Prussia, and by implementing executive decree of the same date, issued by the defendant Goering as Minister of the Interior of Prussia, a Secret State Police (Geheime Staatspolizei or Gestapo) was created in Prussia to investigate and combat all tendencies hostile to the state and to act in all matters of political crimes. Similar organizations were set up in all other Länder in the Reich under the control of Reichsfuehrer SS Heinrich Himmler as Politische Polizeikommandeur der Länder. The Gestapo was established as the supreme political police power in Prussia by a law of 10 February 1936 promulgated by the defendant Goering as Prime Minister of Prussia and by the defendant Frick as Reich Minister of the Interior and by implementing executive decree of the same date issued by the same defendants. Under this law and decree the power and jurisdiction of the Gestapo to investigate and combat all tendencies inimical to the State, to collect political intelligence, and to administer the concentration camps were redefined and its decrees and acts were declared valid throughout the Reich and not subject to judicial review. All Gestapo agencies in Germany were consolidated under the jurisdiction of the Reich in June 1936 through the creation of the new post of Chef der deutschen Polizei (Chief of the German Police), the appointment to the position of Heinrich Himmler, then Deputy Chief of the Prussian Gestapo and commander of the Gestapo in all other Länder, and the combining by Himmler of all Gestapo and criminal police in Germany into a single branch of the Reich police, the Sicherheitspolizei (Security Police). In September 1939, when all the principal security police and intelligence services of the Party and State were joined to form the Reich Main Security Office (Reichssicherheitshauptamt), the Gestapo became Amt IV (Department IV, of the Reichssicherheitshauptamt).

b. Originally established on the basis of separate regional forces, attached in some degree to the general police system, the Gestapo became an independent centralized, uniform Reich organization operating through a vast network of regional headquarters throughout Germany and in conquered and occupied territories outside Germany. Its officials and operatives were selected on the basis of unconditional acceptance of Nazi ideology, largely drawn from members of the SS, and were specially trained in schools for SS and SD personnel.

c. The Gestapo acted to suppress and eliminate all tendencies, groups, organizations, and individuals hostile or potentially hostile to the principles of National Socialism, the Nazi Party, its leaders and objectives, to implement and assist in carrying out Nazi racial policies against those not of "German blood," and to detect and repress all resistance or potential resistance to German control in occupied territories outside Germany. In

performing these functions, it operated free from legal control and judicial review, taking any measures it deemed necessary for its mission. At its discretion it ordered the arrest and confinement in concentration camps without judicial process of such persons as it deemed hostile to the Nazi regime or otherwise undesirable, and controlled the release of persons so confined from such camps. It utilized third degree methods of interrogation, and ill treated, tortured and murdered prisoners. It unlawfully seized and confiscated or destroyed private property and possessions. Together with the SD and units of the SS it served as a principal means of control and exploitation of occupied territories, unlawfully seized and murdered hostages, deported large segments of the population of such territories and participated in the persecution, despoilment and extermination of persons not of "German blood."