

By Leo Noonan
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The cries of protestors became more shrill as the deportation of accused Nazi war criminal Karl Linnas drew closer last month. The protestors were incredulous because they could not understand how American courts could permit evidence from the Soviet Union to damn a man. They also were furious that he would be forcibly shipped to the Soviet Union to face a death sentence that, the protestors contended, was at best shakily arrived at 25 years earlier.

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Jeffrey Mausner, of Los Angeles, was a central figure in the Linnas case. He has practiced law in Century City for the past year and a half. Previously, he was on the Justice Department's Office of Special Investigations prosecuting team that spent close to a decade trying to chase Linnas back to a country where he could be punished for wartime activities.

How could our courts effectively convict a man on information from the Soviet Union? Mausner was asked.

"Before I answer that," he said, "it is important to understand that the evidence against Karl Linnas was extremely strong, what we had from the Soviets and what we had from others, including, I would say, Linnas himself. It is only logical that some evidence came from the Soviets since his crimes took place in an

The Russians and Karl Linnas

area (Estonia) that currently is part of the Soviet Union (and has been since 1940)."

The original claims against Linnas were that he applied for U.S. citizenship on false grounds (failing to acknowledge his Nazi past) and that as the commandant of a concentration camp in Tartu, Estonia, he was responsible for the killings of 12,000 Jews.

Close to 500 cases of suspected Nazi war criminals are being probed by the Justice Department in this country, and in a number of them, Mausner said, our government routinely has turned to the Soviets for help in gathering evidence.

"The Soviets feel strongly about murders (by Nazis) that took place in their country," Mausner said. "These were Soviet citizens who were killed. They may not want to recognize them as Jews, but they do acknowledge they were citizens of the Soviet Union."

With the coldness and assurance of a man who is positive of his ground, Mausner says that "without question" the Soviets are reliable partners in the quest to weed out Nazis who have blended into the American landscape in the last 40 years. Since the Justice Department

set up a special division in 1979 to track suspected Nazis, "there never has been a case where information from the Soviet Union has been shown to be false or where witnesses were found to have been coerced."

Of course, the Justice Department doesn't blindly accept the information on the basis of



Jeffrey Mausner, left; Ivars Burzin, center, Karl Linnas' former attorney; and Allan Ryan, then head of Justice Department's OSI team, in Estonia to interview witnesses.

faith or trust. They check it out, thoroughly, and that is why our government is so sure that the Soviet-developed information it uses in U.S. courts is beyond reproach. Mausner says that evidence from Israel, the Soviet Union, West Germany is treated all the same — skeptically, and none of it is accepted until it has been intensely examined by an array of experts.

"As far as documents go, and there were a number in the Linnas case, in every case from every country, our handwriting experts, ink experts, paper experts subject the documents to their own tests," Mausner said. "They can date the paper, the ink, exactly when the ink was put on the paper. Handwriting evidence really is airtight. When you don't have the signature of the accused, you have evidence that the paper is at least 30 or 40 or 50 years old. We (the Justice Department) use the FBI, the Treasury Department and the Immigration Service to test our evidence. These are the same people who have found that evidence (outside of Nazi suspect cases) from the Soviet Union has been a forgery."

Soviet cooperation in prosecuting Nazis "does not change my perspective of conditions under which people live," said Mausner. "It merely shows that in these cases the evidence they have given us is true."

Is this an aberration? I don't know, Mausner says.