

CLASSIFICATION

TO : Chief, EB
FROM : Chief of Base, Munich
SUBJECT GENERAL: Operational/CAPT
SPECIFIC: Anton HARTGASSER, Franz Josef HUBER, Hans HARTNER

DATE: 22 May 53

INFO: (S) Frankfurt

1. While [redacted] was working with [redacted] in the old area near Munich he was put in touch with one Kriminalrat Anton HARTGASSER, the chief of the Kriminal Abteilung of the Bayerischen Landpolizei for Kreis Landsberg, by officers of the Landsberg OSI detachment. HARTGASSER was considered pro-American by OSI since he had always been friendly and cooperative and had often furnished American security agencies with information, sometimes going to considerable personal inconvenience to do so. [redacted] therefore developed HARTGASSER as an informant and gradually built up good personal relationships with him. Even after [redacted] was transferred to Munich he maintained contact with HARTGASSER and still goes to see him in Landsberg fairly regularly.

2. HARTGASSER was born 27 December 1908 in Flötzing, Germany. He is a career police officer and during the Hitler regime he was transferred into the Gestapo from the regular police. During the war he commanded a thirty man Gestapo unit near Vienna in Nieder Osterreich and after the war was interned in Hooburg until 1947 by the Americans. About 18 months ago the Austrians demanded his extradition for war crimes and HARTGASSER was suspended from the Landpolizei pending a court settlement. During the last week of April the matter was finally cleared up, the allegations against him were disproven and he has been reinstated in his old position in the Landpolizei.

HARTGASSER is a bluff, uncomplicated, Bavarian policeman. He is conservative in all things, bitterly anti-Communist and seems to have little respect for the security organs of the Federal Republic. He has always been willing to be of assistance, providing it doesn't mean sticking his own neck out too far, and from all appearances he is a pretty valuable contact. He has never asked for payment in exchange for the small favors he has done for us and has never displayed any special curiosity about [redacted] interests or connections.

3. HARTGASSER is a little sensitive about his past employment in the Gestapo and doesn't like to talk about it with Americans. However, he feels that his present position is quite a comedown and after overcoming his original caution with [redacted] he often talked about his interesting war time experiences in Austria and his work against Russian partisans. About six weeks ago he told [redacted] the following story:

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SOURCES METHODS EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2001 2008

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4. During the war HARTGASSER's commanding officer in Austria was one Gen. Franz Josef HUBER. HUBER was an extremely intelligent man, a career police officer who had formerly represented Germany at several international police conventions. During the Hitler regime he had been transferred into the Gestapo and during the war had commanded all Gestapo units and activities in Vienna and Nieder Oesterreich. Notwithstanding the high rank he held in the Gestapo HUBER was not a brutal man and discouraged brutality in his subordinates. He even, at great personal risk, forbade the carrying out of certain of Himmler's orders in his district, thereby saving the lives of many Allied airmen.

After the war HUBER was interned until 1949. Three months after his release from the American prisoner of war camp at Garmisch the Austrians demanded his extradition for war crimes and the German police came to arrest him. HUBER had no intention of allowing himself to be extradited anywhere within reach of the Russians so he simply took off and since that time has been living black in Bavaria, still hunted by the police.

5. In Austria during the war one of HUBER's subordinates and HARTGASSER's colleagues was a certain Hans SANITZER. SANITZER was an extraordinarily competent police officer and a brutal, die hard Nazi. He was a specialist in double agent cases and had run many successful operations by capturing and doubling Russian radio operators dropped into Austria by parachute. At the close of the war SANITZER was captured by the Austrians and sentenced to twenty-five years hard labor for war crimes. However, the Russians one day appeared at the Austrian prison in which SANITZER was incarcerated and simply took him along. No more was heard from SANITZER for some time but suddenly several of SANITZER's old Gestapo comrades reported that they had received letters from him, or visitors sent by him, and had been offered responsible, well paid positions in the Russian service. Several articles concerning SANITZER's new activities subsequently appeared in Vienna and Munich newspapers. HARTGASSER, of course, knew SANITZER well in Austria and although he was never contacted by SANITZER he guaranteed [] [] that SANITZER would send someone to proposition him if he would write SANITZER a letter and indicate any willingness to go along with his proposals. After some hesitation HARTGASSER even volunteered to try to get in touch with SANITZER and try to decoy somebody out of the Russian occupied areas for our benefit.

6. [] [] next asked HARTGASSER to arrange for him to meet HUBER. This was a little difficult to arrange since HUBER, a fugitive from justice, is understandably reluctant to come into contact with representatives of law and order. After [] [] gave assurances that he had no intention of arresting HUBER a meeting was finally laid on and on 24 April [] [] met and talked to HUBER for about two hours. Another three hour meeting was held on 13 May 1953. During these two long conversations HUBER, after his original caution and reserve were broken down, talked rather freely and confirmed the information previously received from HARTGASSER concerning his past background and activities. During the conversation he also brought up SANITZER's name and declared that he believed SANITZER and his Russian superiors are most responsible for the Austrian attempt to extradite him. He is convinced that as soon as he arrived in Austria the Russians would grab him and compel him to work for them. HUBER added that only last summer his wife had been visited by two men who announced that they had come from "da drusen" to get in touch with her husband. At that time his wife told the visitors that she had no

knowledge of her husband's whereabouts and the two men never returned. HUEBER believes that these two men were sent to him by SANITZER to recruit him for the Russians.

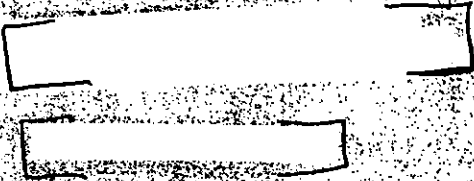
After some hesitation HUEBER also announced his general willingness to cooperate with American authorities in an attempt to make contact with SANITZER. He has known SANITZER for a long time and is positive that SANITZER could be defected. He is sure that his former subordinate is still anti-Communist at heart and works for the Russians only through compulsion. HUEBER has at the present time no exact knowledge of SANITZER's whereabouts. He heard in 1951 that SANITZER was a Volkspolizei officer at Bautzen and was engaged in running agents into West Germany but since that time he has heard nothing about him. However, he believes that by inquiring around among his old acquaintances and getting in touch with some of his old contacts he could locate SANITZER and open up a channel to him.

7. During the two long conversations [] [] formed the following impression of HUEBER. The man is extremely intelligent and extremely shrewd. Judging from his past background he is probably one of the most competent police types in Eastern Germany. He comes from an upper middle class family, is well educated and speaks very fluently, employing a very large vocabulary and forming long, perfectly constructed sentences. He loves to philosophize and seems to enjoy hearing himself talk. Although extremely polite and deferent to [] [] he is inclined to be a little arrogant. He fancies himself, understandably, a pretty high level type. He is capable of brutality and the charges brought against him the Austrians, specifically, allowing prisoners under his jurisdiction to be beaten during interrogation, are probably justified. Politically he is bitterly anti-Communist, contemptuous of the Russians, and hopes for a united Europe backed by the United States. He is by no means an enthusiastic democrat and the idea of a free press and other democratic institutions are repugnant to him. He disclaims any official or unofficial connection with German police or security organizations and [] [] has the impression that thus far in the conversations HUEBER has stuck pretty close to the truth.

8. When questioned about his exact legal status HUEBER declared that the American authorities in Germany are the only ones interested in extraditing him. As far as he knows in his case is right now on the docket of the HICOG court in Frankfurt although no court proceedings have ever been initiated since nobody has ever been able to get a hold of him to put him on trial. The German police were put on his trail by the Americans and at first searched vigorously and almost caught him on two or three occasions but at the present time the heat is definitely off. His name has been taken out of the Fahndungsbuch and for some time no one has inquired about him. He lives and works in Munich under his own name and spends considerable time with his wife in his old apartment. He has never dared apply for a new Kennkarte and his freedom of movement is curtailed in that he cannot stay overnight in a hotel but must always sleep with friends or relatives. That is, however, the only important restriction on his freedom. He has the definite impression that neither the American nor the German authorities are really interested in taking action against him but are perfectly content to let the matter rest. For the time being HUEBER does not intend to do anything to get his legal status settled since his attorney has informed him that he will probably be amnestied when the Peace Treaty is fully ratified. If he is not amnestied the Americans will no longer be responsible for extradition and according to the new German constitution German citizens cannot be extradited. HUEBER will then simply surrender to the police and is pretty sure that he will get off scot free. In the meantime he requested [] [] not make any inquiries about him locally since the German authorities may develop a sudden interest in him and make his life uncomfortable again.

9. We would like to emphasize in this connection that we have made absolutely no commitments to HUBER. Nor have we proposed any definite future action on his part. On the contrary, he has been discouraged from believing that we are interested in using him before his legal status is cleared up or that we can or will intervene with the American or German legal authorities in his behalf. We have simply felt him out, trying to evaluate his possible future usefulness to this organization. Pending instructions from Headquarters we will maintain contact with him but continue to move very cautiously. Although we are by no means unmindful of the dangers involved in playing around with a Gestapo general, especially one wanted by the police, we also believe, on the basis of the information now in our possession, that HUBER might be profitably used by this organization to run some positive GE operations. Is Headquarters interested in following up the case? If so, does Headquarters have any suggestions as to how we should proceed?

10. We request name traces and all available information on the three above mentioned individuals.



Distribution:

- 3 - KE
- 3 - GOM
- 2 - MOB
- 1 - [illegible]
- 1 - [illegible]

21 May 1953