

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Tuesday, September 20, 2011

Deportation Order Upheld Against Detroit-Area Man Who Shot Jews as Nazi Policeman During World War II

WASHINGTON – The Board of Immigration Appeals (BIA) has dismissed the appeal of John (Ivan) Kalymon of Troy, Mich., who was ordered removed from the United States earlier this year because of his participation in lethal acts of Nazi-sponsored persecution of Jews during World War II, announced Assistant Attorney General Lanny A. Breuer of the Criminal Division and U.S. Immigration and Customs Enforcement (ICE) Director John Morton.

The BIA upheld a Detroit immigration judge's Jan. 31, 2011, decision that Kalymon was removable for shooting Jews while serving voluntarily as an armed member of the Nazi-sponsored Ukrainian Auxiliary Police (UAP) in German-occupied Lviv, Ukraine.

"John Kalymon and his Ukrainian Police accomplices were indispensable participants in Nazi Germany's campaign to exterminate the Jews of Europe during World War II," said Assistant Attorney General Breuer. "Their actions ensured that tens of thousands of Jewish men, women and children were murdered in Lviv or rounded up and shipped to the Nazi death camp in Belzec or Nazi forced labor camps. The Justice Department remains steadfast in our resolve to ensure that Holocaust perpetrators are not granted safe haven in this country."

"We hope upholding this removal order helps bring justice to the families who were victimized by the reprehensible acts that this man committed," said ICE Director Morton. "The U.S. government will work tirelessly to identify and arrest those who have committed crimes against humanity so that they may not seek to gain safe haven in the United States."

In January 2011, U.S. Immigration Judge Elizabeth Hacker ordered Kalymon removed from the United States. Kalymon, 90, immigrated to the United States from Germany in 1949 and became a U.S. citizen in 1955. In 2004, the Department of Justice filed a lawsuit in U.S. District Court in Detroit seeking revocation of his U.S. citizenship. Following trial, a federal judge granted that request in 2007, finding that Kalymon had participated in the rounding up and shooting of Jews during his voluntary 1941-44 service in the UAP. The judge further found that Kalymon concealed his UAP service when applying for his U.S. immigrant visa. The evidence included a seized Aug. 14, 1942, report, handwritten by Kalymon, in which he informed his UAP superiors that he had personally shot to death one Jew and had wounded another "during the Jewish operation" that day. The evidence also included other reports from Kalymon's commander that Kalymon had fired his weapon during forcible round-ups of Jews, in the course of which Jews

were killed and wounded. Judge Hacker ordered Kalymon deported to Germany, Ukraine, Poland or any other country that will admit him.

The BIA reviewed Judge Hacker's decision and ruled that it agreed with the decision that "clear and convincing evidence" proffered by the Government "establishes the facts alleged" in the charging document.

"Ivan Kalymon was an integral part of the Nazi machinery of annihilation that ended the lives of more than 100,000 innocent men, women and children in L'viv," said Eli M. Rosenbaum, Director of Human Rights Enforcement Strategy and Policy for the Criminal Division's Human Rights and Special Prosecution Section (HRSP). "This case is one of more than a hundred cases successfully prosecuted by the Department of Justice against wartime Nazi perpetrators, and it reflects the government's continuing commitment to pursuing justice on behalf of the victims of the Holocaust and other human rights crimes."

The Department of Justice's Criminal Division announced the formation of HRSP on March 30, 2010, as part of the U.S. government's efforts to bring human rights violators to justice and deny those violators safe haven in the United States. The new section represents a merger of the Criminal Division's former Domestic Security Section (DSS) and Office of Special Investigations (OSI).

This case is a result of the Justice Department's ongoing efforts to identify, investigate and take legal action against former participants in Nazi persecution who reside in the United States. Since the inception of this program in 1979, the department has won cases against 107 individuals who assisted in Nazi persecution. In addition, 180 suspected Axis persecutors who sought to enter the United States have been blocked from doing so as a result of the department's "watchlist" program, enforced in cooperation with the Department of Homeland Security. The removal case against Kalymon was litigated by HRSP Senior Trial Attorney William H. Kenety V, with assistance from Frank Ledda, Senior Chief Counsel in the Detroit Office of U.S. Immigration and Customs Enforcement (ICE).

Additional information about the Justice Department's human rights enforcement efforts can be found at www.justice.gov/criminal/hrsp.

11-1216
Criminal Division