

DEPUTY JUDGE ADVOCATE'S OFFICE  
7708 WAR CRIMES GROUP  
EUROPEAN COMMAND  
APO 207-1

15 August 1947

UNITED STATES )

v. )

Wilhelm OHNMACHET )

Case No. 000-50-2-81

REVIEW AND RECOMMENDATIONS

I. TRIAL DATA: The accused was tried at Dachau, Germany, on 6 May 1947 before a General Military Government Court.

II. CHARGES AND PARTICULARS:

FIRST CHARGE: Violation of the Laws and Usages of War.

PARTICULARS: In that Wilhelm OHNMACHET, acting in pursuance of a common design to commit the acts hereinafter alleged, and as individual aiding in the operation of the Dachau Concentration Camp and camps subsidiary thereto, did, at or in the vicinity of DACHAU and LANDSBERG, Germany, between about 1 January 1942 and about 29 April 1945, willfully, deliberately, and wrongfully encourage, aid, abet and participate in the subjection of civilian nationals of nations then at war with the then German Reich to cruelties and mistreatment, including killings, beatings, tortures, starvation, abuses and indignities, the exact names and number of such civilian nationals being unknown but aggregating many thousands who were then and there in the custody of the German Reich in exercise of belligerent control.

SECOND CHARGE: Violation of the Laws and Usages of War.

PARTICULARS: In that Wilhelm OHNMACHET, acting in pursuance of a common design to commit the acts hereinafter alleged, and as individual aiding in the operation of the Dachau Concentration Camp and camps subsidiary thereto, did at or in the vicinity of DACHAU and LANDSBERG, Germany, between about 1 January 1942 and about 29 April 1945, willfully, deliberately and wrongfully encourage, aid, abet and participate in the subjection of members of the armed forces of nations then at war with the then German Reich, who were then and there surrendered and unarmed prisoners of war in the custody of the then German Reich, to cruelties and mistreatment, including killings, beatings, tortures, starvation, abuses and indignities, the exact names and numbers of such prisoners of war being unknown, but aggregating many hundreds.

WILHELM OHNMACHT

This accused was acquitted (R 39).

IV SUMMARY OF EVIDENCE: By his own admission, the accused was a member of the SS (R 34) and served as a guard and detail leader at Dachau Concentration Camp and its outcamps for considerable periods of time between the dates alleged. He was also an escort guard on the evacuation prisoner march from Camp Dachau to Walbrechtshausen 24-29 April 1945, with 100 prisoners under four or five guards (R 7; P-Ex 3). Prosecution's P-Ex 2 is a certified copy of the charges, particulars, findings and sentences in the parent Dachau Concentration Camp Case (United States v. Weiss et al., 100-50-2, March 1946; R 7).

The Court apparently concluded that the evidence concerning the nature and extent of his participation in the mass atrocity operation was inadequate to form a proper basis for sentencing the accused.

V. JURISDICTION:

It is clear the Court had jurisdiction of the person of the accused and of the subject matter.

VI. CONCLUSIONS:

It is recommended that the record of trial be filed in the records of this office and that a copy of this Review and Recommendations be forwarded to the Judge Advocate, European Command, for his information.

/s/ Louis T. Fischer  
 /w/ LOUIE T. FISCHER  
 Attorney  
 Post Trial Branch

Having examined the record of trial, I concur.

/s/ C. E. Straight  
 /t/ C. E. STRAIGHT  
 Lieutenant Colonel, JAGD  
 Deputy Judge Advocate  
 for War Crimes