
Anatomy of a Murder

By Master Sergeant Patrick V. Garland (Retired)

People commit murder for many reasons. Some murders are committed in a fit of rage, while others are meticulously planned. This article describes a case that does not fit either category.

According to the Uniform Code of Military Justice, “Any person . . . who, without justification or excuse, unlawfully kills a human being when he—

- (1) has a premeditated design to kill;
- (2) intends to kill or inflict great bodily harm;
- (3) is engaged in an act that is inherently dangerous to another and evinces a wanton disregard of human life; or
- (4) is engaged in the perpetration or attempted perpetration of burglary, sodomy, rape, rape of a child, aggravated sexual assault, aggravated sexual assault of a child, aggravated sexual contact, aggravated sexual abuse of a child, aggravated sexual contact with a child, robbery, or aggravated arson

is guilty of murder and [if subject to the Uniform Code of Military Justice] shall suffer such punishment as a court-martial may direct, except that if found guilty under clause (1) or (4), he shall suffer death or imprisonment for life as a court-martial may direct.”¹

Although the case discussed in this article occurred before the 1951 adoption of the Uniform Code of Military Justice, the definition of murder at that time would have been similar.

Johannes Wilfried Helm was born to Charlotte and Hans Helm on 2 November 1930 in Dresden, Germany. During the latter years of World War II, the city of Dresden was subjected to several bombing attacks launched by air forces of England and the United States. Helm indicated that his parents were killed on 13 February 1944 in a raid on the town; however, the U.S. Air Force cites the date of the bombing as 13 February 1945.² The attack, conducted by the Royal Air Force, was an infamous one in which hundreds of bombers dropped high-explosive and incendiary bombs throughout the city. More than 90 percent of the Dresden city center was estimated to have been destroyed that day. In addition to the deaths of his parents, Helm also lost a younger brother in the incident. Two older brothers were serving on the Russian front at the time of the bombing.

Orphaned in the raid, Helm left school and ran away from the city. The teen traveled through Czechoslovakia and Austria before returning to Germany, where he first came into contact with American troops at Bad Woerishofen.³ Fluent in English, Helm was quickly hired as an errand boy and dubbed “Billy” by an antitank company of the 80th Division. He traveled to Czechoslovakia and on to Aschaffenburg, Germany, with the company. But, the unit soon rotated home and Helm was on his own again.

The transient status of many American units presented opportunities for Helm to improve his financial status. He began to take advantage of these opportunities by stealing cigarettes from Soldiers and selling them on the black market. Helm was first incarcerated after getting caught driving a stolen jeep, but he quickly escaped. He then went on to Nurnberg, where he befriended some military police of the 397th Railroad Military Police Company. He began working for them as an interpreter and errand boy, but he continued to steal cigarettes—even expanding the scale of his operation. Caught and confined several times, Helm began to avoid staying in one place too long by increasing his travel. Arriving in Bremerhaven, he again approached military police for work. He stole an American passport and began impersonating its rightful owner, taking advantage of clubs, post exchanges, and the U.S. Consulate. Helm’s tale about being an American who had been abandoned by his father, a colonel, was so convincing that he was transported to the United States, where it was learned that he was not a citizen at all. He was immediately shipped back to Bremerhaven in March 1947. Helm was tried by a military court and sentenced to one year of confinement; however, he escaped again and traveled from Bremerhaven, through Munich, to Garmisch, where he resumed selling stolen cigarettes (and also added gasoline coupons). Wanted by military police for breaking into about twenty barracks, Helm skipped town once more.

On 19 April 1948, Helm was arrested by military police and confined at a prison in Munich. He informed the prison director that he had information about the murder of an American Soldier. Prison authorities notified Munich police and they, in turn, contacted the

U.S. Army Criminal Investigation Command (USACIDC) (commonly referred to as "CID"). Although this was just another of Helm's ploys to improve his chances for escape, the story needed to be checked out.

Special Agent Walter E. Snyder, 13th Military Police Detachment (CID), and Mr. Franz Eichinger, Munich police detective, interviewed Helm on 4 May. He related a convincing story of a murder that took place in the vicinity of Rudesheim, and they arranged to take him to that vicinity the following day. Due to the length of the drive, the party stopped along the way and Helm spent the night in the Wiesbaden Prison. On 6 May, he was retrieved from the prison and the party completed their trip to Rudesheim, where it was quickly determined that Helm had no information at all. However, when Eichinger confronted him, he stuck to his story. Helm was returned to Wiesbaden Prison while Snyder checked with military authorities regarding any information about a missing or murdered Soldier. No such information was available.

On the following Sunday morning, Snyder and Eichinger stopped by the prison and picked up Helm for the return trip to Munich. Snyder drove the CID sedan, while Eichinger sat in the backseat with the handcuffed Helm. On their way out of town, they stopped by the CID Office at Wiesbaden, where Snyder briefed the local commander and informed him that they were headed back to Munich. Back at the car, Helm was again placed in the rear seat; however, Eichinger moved to the front passenger seat. After some time, Helm began complaining that his hands, which had been cuffed behind him, were swollen and hurting. Over Snyder's objections, Eichinger removed the handcuffs and refastened them with Helm's hands in front. Eichinger then positioned himself so that his back was against the door; this gave him a better view of Helm in the backseat. At some point, Eichinger reached into a briefcase that had been placed on the seat and removed a cigarette.

As the car traveled along the autobahn, Helm noticed that Eichinger had dozed off. He took that opportunity to reach into Eichinger's briefcase to steal the cigarettes; and as he did so, he felt a revolver. He grabbed the gun and straightened up just as Eichinger awoke. Helm shot Eichinger in the head and then turned on Snyder. His first shot missed Snyder and struck the windshield, another misfired, but the third attempt found its mark.⁴ Snyder slumped over onto Eichinger, and the car began weaving all over the road. Helm was able to reach the steering



Special Agent Snyder



Mr. Eichinger

wheel and control the vehicle until he could climb over the seat and get it stopped. He retrieved the handcuff keys from Eichinger's pocket and freed himself. He left the autobahn at Furstenfeldbruck and headed down a side road and then a dirt path into a forest. There, he removed the victims' clothing, identification cards, and jewelry and rifled through their pockets for cash. He used Snyder's coat to cover both bodies, saturated them with gasoline, and set the car and its occupants on fire. He buried Snyder's revolver and credentials, then tossed his briefcase into the woods. Helm, dressed in Snyder's clothing, walked into Augsburg and hitchhiked north. His plan was to travel to Belgium, where he would attempt to board a ship headed for America.

Local police apprehended Helm in Liège, Belgium, on 18 June 1948. Special Agent Albert "Nick" Nokutis, 13th Military Police Detachment, was dispatched to Belgium to bring Helm back for investigation.⁵ Upon his return, CID Agent Robert B. Shaw (the 13th Military Police Detachment case agent) and K.K. Schmitt (a Munich detective) interviewed Helm several times. Helm provided the agents with a thoroughly detailed account of his life of crime, including the murder of the two policemen.⁶ Helm directed the agents to the crime scene, where he dug up Snyder's revolver and identification papers. Other personal items were found scattered around the site.

Helm was tried by a military tribunal and convicted of the two murders. The court sentenced him to death, but the sentence was commuted to life imprisonment by General Lucius D. Clay, then military governor of the U.S. Zone of Occupation. In October 1958, The German Ministry of Justice reduced the sentence to fifteen years

and suspended the five years that had not yet been served. With the concurrence of the German-American Leniency Commission, Helm was released from the high-security prison in Straubing.^{7, 8} However, his life of crime was not over. In 1994, Helm was wanted by German authorities for additional criminal behavior. Further information regarding Helm has, so far, been unavailable.

Snyder, who was 37 years old at the time of his murder, was survived by his widow in Newark, New Jersey. Eichinger, who was 34, was survived by his widow and 7-year-old son.

Acknowledgement: Special thanks to the late Special Agent Nokutis and to Special Agent John W. Dillon, who reinvestigated this incident in 1994, enabling Special Agent Snyder's addition to the National Law Enforcement Officers Memorial, Washington, D.C.

Endnotes:

¹U.S. Code, Title 10, *Armed Forces*, Subtitle A, Part II, Chapter 47, "Uniform Code of Military Justice," Subchapter X, §918, Article 118.

²"Historical Analysis of the 14–15 February 1945 Bombings of Dresden," U.S. Air Force Historical Division, Research Studies

Institute, Air University, <<http://www.airforcehistory.hq.af.mil/PopTopics/dresden.htm>>, accessed on 23 November 2009.

³"Statement of Johannes Helm," taken by German police and U.S. Army CID agents, 9 August 1948.

⁴This information was obtained from the "Statement of Johannes Helm;" however, German police reports indicate that all five shots were fired.

⁵Personal communication with Mr. Albert "Nick" Nokutis, Hawaii, 1998.

⁶"Statements of Johannes Helm," taken by CID Agent Robert B. Shaw and Munich detective K.K. Schmitt, CID Case 0036-95-CID-337, 9 August 1948, 11 August 1948, and 12 August 1948.

⁷*Schwaebische Landeszeitung*, 28 October 1958.

⁸"Two-Time Killer Free," *Overseas Weekly Newspaper*, 2 November 1958.

Master Sergeant Garland retired from the U.S. Army in 1974. During his military career, he served in military police units and criminal investigation detachments and laboratories. At the time of his retirement, Master Sergeant Garland was serving as a ballistics evidence specialist at the European Laboratory. He remained in this career field until retiring from civilian law enforcement in 1995.