



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
WASHINGTON, D.C. ~~20319~~ 20318

12 APR 1974

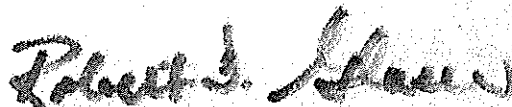
CIDG-OI

SUBJECT: Allegations of War Crimes

HQDA (DAPE-HRL)
Washington, DC 20318

1. Reference your letter dated 13 Sep 72 subject: Reporting Requirements On Allegations of War Crimes.
2. Forwarded for your information is the Final Report of Investigation on the "Henry Allegations" and a Summary Fact Sheet pertaining to the investigation.

2 Incl
as


ROBERT D. GLASER
Colonel, INF
Deputy Commander

SUMMARY FACT SHEET

1. On 27 Feb 70, Mr James D. Henry, formerly a SP5, Medic, assigned to Co B, 1st Bn, 35th Inf, 4th Inf Div, operating in the Hoi An area, RVN, held a press conference at the Los Angeles Press Club, Los Angeles, CA. During the conference, Henry alleged that numerous Vietnamese civilians had been murdered during his tour of duty in RVN by members of his former unit. Henry also related that he had released the story to the now defunct "SCANLAN" magazine. Henry's story was printed in the March 1970 issue of "SCANLAN," wherein he related basically the same information as he provided to CID Agents immediately following his press conference on 27 Feb 70. The investigation was initiated at the direction of Hq, USACIDC, Washington, DC, after receiving inquiries from news services concerning the pending release of the article in "SCANLAN." Henry also alleged to CID that other members of the 1st Platoon of his unit, on a night ambush, raped and murdered five Vietnamese women, and that his former commanding officer ordered anything that moved to be killed.

2. Investigation by USACIDC revealed that on 8 Feb 67, at an unknown place in the environs of Hoi An, RVN, [REDACTED], a former SGT and medic attached to Co B, 1st Bn, 35th Inf, shot and killed an unidentified Vietnamese boy, of approximately 21 years of age, who had been taken captive by other members of the company. Former 1LT [REDACTED] Plt Ldr, 2d Plt, Co B, solicited volunteers to carry out this execution, and [REDACTED] on order of [REDACTED] along with another unidentified member of [REDACTED] platoon, killed the prisoner. On 11 Oct 67, two unidentified members of Henry's unit threw an elderly man over an unidentified cliff. It could not be determined whether or not the elderly man was alive or dead when thrown from the cliff. At another unknown location, [REDACTED] and [REDACTED]--former SGT and member of the same unit--after obtaining permission to test fire their weapons, shot and killed an unidentified Vietnamese male. To the allegation Henry made that members of Co B, while on ambush on 22 Oct 67, raped and murdered five Vietnamese females, it was proved that the ambush did occur; the women were killed, but the rape was disproved. However, the OIC of the ambush, former 2LT Glenn R. Eisenhour--subsequently KIA--falsely reported that the combat action resulted in five enemy males KIA's. Two witnesses asserted separately that they observed, on 8 Feb 67, an unidentified Vietnamese male killed by being thrown, pushed or held in front of a moving APC belonging to an unidentified unit; whether each was describing the same incident could not be established. [REDACTED] a former SP5, [REDACTED] was identified by one of the witnesses as the perpetrator of at least one of these incidents. Also, on that same date, in a village located about 15 miles east of Hoi An, 18 Vietnamese men, women, and children civilian detainees were assembled, shot, and killed by members of the 1st Plt. Former CPT Johnny M. Carter, then a 1LT and a platoon leader of Co B, and former PFC and member of Carter's element, Frank Bonnilla, and other unidentified members of their element, committed these executions. Carter had reported by radio to CPT Donald G. Reh, the company commander, that the civilians were in custody and requested instructions. Conflicts exist, however, between the statements given by

CPT Reh's and 1LT Carter's RTO's as to the actual language used by CPT Reh in responding to Carter's request for disposition of the civilian detainees. Consequently, it appears that CPT Reh did not give Carter a direct order to actually kill these noncombatants, though 1LT Carter apparently construed it in that manner. However, CPT Reh was derelict in his duty as company commander for failing to investigate the shooting, which was heard by many members of the unit. About the same time and place, an unidentified sergeant of an unidentified armored unit forced an unidentified female to commit oral sodomy on him. Although an individual identified only as "Lupio" was observed mutilating a Vietnamese body by cutting off an ear, the individual who was seen in possession of human ears at an earlier time was not the same person identified as "Lupio;" no evidence was adduced to prove who cut ears from dead bodies.