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**Report of
The Department of the Army Review
of the Preliminary Investigations into
The My Lai Incident (U)**

Volume IV

C I D STATEMENTS

**REGRADED UNCLASSIFIED ORDER
SEC ARMY BY TAG PER 7421110**

**REPORT OF THE DEPARTMENT OF THE ARMY REVIEW
OF THE
PRELIMINARY INVESTIGATIONS INTO THE MY LAI INCIDENT (U)**

**VOLUME IV
CID STATEMENTS**

This volume contains CID statements received prior to the submission of this report. Only those considered to be relevant to this inquiry have been included. Also considered were the CID statements summarizing the interviews of Vietnamese civilians and military personnel. Although the Vietnamese testimony was of some value to this investigation, the inclusion of their statements in the report was not considered essential. The names of these Vietnamese and other non-Vietnamese personnel interviewed by the CID have been included.

MARCH 1970

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WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE Emoria, KA	DATE 11 Dec 69	TIME 0910	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME KM	SOCIAL SECURITY ACCOUNT NO.		GRADE Civilian
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

KM

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

KM this investigation concerns the allegation of murder which is alleged to have taken place on or about 16 March 1968 at the hamlet of My Lai (4), Son My village, Quang Ngai Province, Republic Of Vietnam. It has been alleged that approximately three hundred and fifty noncombatant Vietnamese nationals were murdered by elements of Company C, 1st Battalion, 20th Infantry, 11 Light Infantry Brigade, then a part of Task Force Barker, Americal Division.

Q: KM what position of command did you occupy on 16 March 1968?

A: I was the

Q: How long had you been

prior to 16 March 1968?

A: About two months.

Q: Did you receive allegations that Vietnamese noncombatants were killed during a combat assault upon My Lai (4) which was conducted by elements of Task Force BARKER?

A: Yes. To the best of my recollection on March 17th, 1968, VI came to see me, which VI was very upset. VI was a member of the Divarty Aviation Section when I was assigned there from the and he flew me many times in the performance of my duties. During this period we became rather close friends. VI told me that he flew a slick (chopper without guns) for a Combat Assault on a small villiage called My Lai. Upon a later return to the My Lai area he had seen large ^{number} of bodies, in excess of 160. Upon making passes over the area it seemed to VI that most of the bodies were women and children. He told me that he saw bunch of bodies in a ditch with a moving infant, at that time he saw a walking to the ditch, upon a return pass the soldier was walking away from the ditch, the infant was no longer moving. It was his impression that the child had been killed. He also saw a group of civilians in a bunker and landed between them and American troops, at that time the American Troops were firing at the civilians. He saw no return fire from the civilians, and belived them to be women and children. When he landed he evacuated them. He was told by an American Officer to leave the area. VI refused to do this and ordered his door guner to train his weapon on the Officer until he had a load of civilians on the aircraft. He further stated that the American Troops opened fire again after his lift off. I believe that VI had made two trips to the bunker. This is the only information that I had on this operation.

Q: Did VI tell you the name of the Officer and/or if he had found out the name of the negro who was at the ditch?

A: No he did not. He said the was a SGT.

Q: Did VI state that he had seen VC firing at the troops?

A: He stated that at least time did he see no body US Troops and US Gunships receive fire from the VC.

Q: Did VI know what unit the Officer was from who he had talk to at the bunker?

A: If he did, he didn't tell me. He identified the unit as being Task Force Barker.

Q: Did VI tell you if he had his gunner fire back at the troops when he made his lift off and that the troops were firing at the civilians who were at the bunker?

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

"STATEMENT OF
CONTINUED"

KM

, TAKEN AT,

DATED 11 DEC 69,

- A: Yes, the US Troops fired at the civilians after ✓/ had his lift off. ✓/ did not tell me that his gunner fired back at the US Troops.
- Q: Do you know of anyone who has photographs, tape recordings, notes, documents or letters concerning this operation?
- A: Only the PIO, of the Americal Division.
- Q: Who was the PIO of the Americal Division at the time of the operation?
- A: I don't remember.
- Q: Did you receive any information from anyone in the Americal Division, concerning Task Force Barker other than ✓/ ?
- A: No.
- Q: Did you attend any briefing prior to the operation Task Force Barker? If so, Please explain what was said and by whom.
- A: I did not attend a briefing per-se. I was at Task Force Barker Operation Center, On or about 15 March 1968, at which time the operation was being discussed. The only person I can remember who was there was PA. I had overheard that troops had been receiving sniper fire from Pinkville area, and which time I had asked where Pinkville was, since I had not heard the name used before. I was then shown a village on the map by PA, which I know now as being Song-By, which includes My Lai (4). PA said that a Company would be inserted in a Combat Assault the next day, and if the US Troops received any return fire the village would be leveled. I replied "I didn't think we made war that way". PA then stated "It's a tough war". The next thing I heard about the operation was from ✓/.
- Q: Did ✓/ tell you that he had or was going to report what had happened during that operation?
- A: He did.
- Q: Who did ✓/ report the incident to, other than yourself?
- A: He went through his command channels and I went through channels. On the basis of ✓/ s allegations and my own observations at Task Force Barker Headquarters, I went to AN who I believe is in . I do not know what stands for. I believe it was 17 March 1968 and I had reported to AN verbally. I don't know if AN made out an official report as to what I had told him. AN assured me that there would be an investigation. ✓/ had told me that he had talked to WZ at the time. WZ assured ✓/ that there would be an investigation. About two weeks later I talked to AN and he informed me that an investigation was in progress. Beyond this I had no official notification that an investigation had taken place or the nature of its results.
- Q: Where you ever advised not to discuss this incident with anyone?
- A: I was not.
- Q: Where you advised by your superiors as to what your reply should be in the event that someone questioned you about this incident?
- A: I was not.
- Q: What was your instructions or order about reporting these types of incidents?
- A: Nothing was laid down as to instructions or order, however, the Geneva Convention covers this.
- Q: Do you have any additional information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai?
- A: No, However, in my own opinion that the investigation was superficial at best. That there never was an attempt at Division level to prove or disprove ✓/ s allegations regarding My Lai operation.
- Q: Do you have anything to add to this statement?
- A: ✓/ also told me that he saw body of only one military age male.

STATEMENT (Continued)

Not Used

KM

AFFIDAVIT

I, KM HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11th day of December, 1969

(Signature of Person Administering Oath)

LU

BBB

(Typed Name of Person Administering Oath)

Art 136 (b) (4), UCMJ

(Authority To Administer Oaths)

KM

PAGE 3 OF 3 PAGES

3

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 5 Feb 70	TIME 1500 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME JA	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, JA WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

JA I have been instructed by the "Peers Inquiry" to interview you relative to your duties while assigned with the Free World Forces in the Republic of Vietnam. Further, I have been directed to ask you certain questions pertaining to your duties while serving as an aide for AX

Q: Do you understand the purpose of the interview?

A: Yes.

Q: When did you arrive in Vietnam?

A: My in-country date was about the 19 AUG 67.

Q: What were your duties on arrival in Vietnam?

A: I departed the United States with an organized unit, First Squadron, First Armored Cavalry, First Armored Division. I remained with the unit till 2 January 1968 when I was appointed as an aide for RN. I worked for RN till just prior to the arrival of JN when I was assigned to help get him settled in the Division and to train his new aide. From about till approximately, I worked in the office of AX. During my stay with AX, I was carried as the junior aide to the Commanding General. On or about 30 April 1968, I became the AX to the AX, remaining in this position till on or about, when AX departed. After AX's departure, I worked for WZ for a short time and then for AX. I departed the Republic of Vietnam on or about for the United States.

Q: Did AX maintain a personal file of official correspondence?

A: No, not that I know of.

Q: Did you physically maintain a personal file of official correspondence for AX?

A: No.

Q: Do you know if AX maintained anytype personal files containing

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JA	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JAN 68

4A

O-1154-V

STATEMENT OF

JA

, TAKEN AT:

DATED: 5 February 1970; CONTINUED:

official correspondence?

A: No, like I said I know of no personal files being retained by AX which contained correspondence or other documents. When correspondence went into the General's Office for his attention the documents would come out bearing his initials. At this point the correspondence would be broke down for distribution. In most cases the correspondence would be filed by the interested staff section. In instances where it was not forwarded to a staff section it would be filed by the Division Adjutant General Section. You have asked me about a file cabinet in the General's Office or in SCS that might have contained a personal file of official correspondence. There was no file cabinet to my knowledge, there was a classified documents container which we used for the temporary storage of documents that were being used by the CG, the ADC, the CS and the SCS. This container was never used for permanent storage, when a document was being used in the Headquarters and it was retained overnight it would have been stored in the container prior to being returned to the staff section from which it originated.

Q: Do you know where documents which were prepared for his use only were filed?

A: No.

Q: When AX . departed the Republic of Vietnam, did you pack his personal belongings?

A: Yes. I packed everything that he took with him and I shipped his hold baggage.

Q: Do you remember seeing or packing any official correspondence?

A: No.

Q: Do you have a file containing personal or official correspondence which originated in or from the Americal Division?

A: No.

Q: While you were working for AX i, did you maintain an aide's notebook?

A: No.

Q: In other words you know of no personal file containing official correspondence being kept by AX

A: Yes.

Q: Further, am I correct that you never physically kept a file for AX which contained official correspondence?

DEPONENT'S INITIALS

JA

PAGE OF PAGES

STATEMENT (Continued)

A: You are correct.

Q: Who was the General's Administrative Assistant?

A: He didn't have one as such, UL was the
He took care of all the General's personal as well as official correspondence.

Q: If AX did maintain a personal file of official documents, who if not his aide, would have knowledge of this file?

A: Possibly the Chief of Staff. But this is hard to believe, for if anyone would have known of such a file it would have been me. I was rather close to the General and I am sure he wouldn't have kept such a file a secret from me. Further, having packed the General at the time of his departure, the presence of such a file would have come to my attention. I would like to add that the various staff section would supply the General with work files he needed for particular missions and on completion of the need, the documents would be returned to the responsible staff section. I know of no personal work files being kept by AX.

AFFIDAVIT

JA HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT WITHOUT ANY PROMISE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE.

WITNESSES:

BBB M

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of February, 19 70

(Signature of Person Administering Oath)

BBBC

(Typed Name of Person Administering Oath)

ART 136 (b)(4), UCMJ, 1968

(Authority To Administer Oath)

PAGE OF PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

PLACE Chu Lai, Republic of Vietnam	DATE 12 Feb 70	TIME 1400 hours	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME LL		SOCIAL SECURITY ACCOUNT NO.	
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

COL WHALEN:

LL I'm Colonel Whalen from the General Peers Inquiry. The purpose of my visit here is to attempt to secure more information regarding the facts and circumstances surrounding the My Lai incident of 16 to 18 March 1968 in Quang Ngai Province, Republic of Vietnam.

First, I'd like to read you Article 31 and the Miranda warnings: "Article 31, Uniform Code of Military Justice, provides that: No person subject to this Code shall compel any person to incriminate himself or to answer any question, the answer to which may tend to incriminate him. No person subject to this Code shall interrogate or request any statement from an accused or person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected and that any statement made by him may be used as evidence against him in a trial by court-martial. No person subject to this Code shall compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. No statement obtained from any person in violation of this article or through the use of coercion, unlawful influence, or unlawful inducement shall be received in evidence against him in a trial by court-martial."

The Miranda Warning:

1. You have the right to talk with a lawyer at any time, and you may have the lawyer present whenever you are questioned or asked to make a statement.
2. The lawyer may be a civilian lawyer obtained at your own expense, or you may ask for a military lawyer. If you ask for a military lawyer, one will be appointed for you; and if you ask for a military lawyer by name, he will be appointed if he is reasonably available. The services of an appointed military lawyer will be free of charge.
3. If you obtain a civilian lawyer or ask for a military lawyer, you will not be questioned until the lawyer is present; and that questioning will stop at any time that you say you wish to remain silent or say nothing further. If, after waiving your right to counsel, you decide you want a lawyer, questioning will stop at the time you say you wish to see a lawyer.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT LL	PAGE 1 OF 7 PAGES
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DA FORM 2823
1 JAN 66

4E

"STATEMENT OF LL
TAKEN AT CHU LAI, REPUBLIC OF VIETNAM
ON 12 FEBRUARY 1970, CONTINUED"

COL WHALEN: 4. You may answer some questions and not others, but anything you say or do may be used against you in a court of law.

5. Do you understand each of these rights I have explained to you?

LL Yes, sir, I understand everything completely.

COL WHALEN: 6. Do you desire to see a lawyer or have a lawyer present during my questioning?

LL No, I do not.

COL WHALEN: LL, do you swear or affirm that the evidence you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

LL I do, sir.

QUESTIONS BY COLONEL WHALEN

Q. LL would you give your full name?

A. My full name is LL

Q. Would you spell the last name, please?

A. LL

Q. Your rank?

A.

Q. Social Security Number?

A. My Social Security Number is

Q. Your job or position?

A. My job is

Q. When did you arrive in Vietnam on this tour?

A. I arrived in Vietnam on 30 MAR 69.

Q. When did you assume your duties in the Americal Division?

A. I started work on approximately

Q. LL, testimony of

position from

FT
BA, in the same
, reveals that the second drawer from the top

INITIALS OF PERSON MAKING STATEMENT LL

PAGE 2 OF 7 PAGES

"STATEMENT OF LL
TAKEN AT CHU LAI, REPUBLIC OF VIETNAM
ON 12 FEBRUARY 1970, CONTINUED"

Q. of the safe in the Secretary of the General Staff offices was frozen shut and could not be opened. This drawer may have contained a flight helmet, brief case, and miscellaneous papers. Do you recall this locked drawer?

A. Yes, I do. When I first arrived at the Division this drawer was locked. When BA left it was still locked.

Q. Has it since been opened?

A. Yes. I opened this drawer approximately around June or July; I'm not sure when. The way I happened to get this safe opened was that it was near the close of business one day and UO, who was with MID, I don't remember any more details about him, was reporting in for Staff Duty Officer. We were talking and he said there was a specialist from Saigon over at his unit for the night who was a safecracker. I explained to him the trouble I was having with the safe. He called up this Warrant Officer and the Warrant Officer came over. He and I took the safe apart and opened this drawer. In this drawer I found one flight helmet, one brown leather brief case with nothing inside it, and that was all.

Q. Once again, in the contents you state there was only one flight helmet and a brief case?

A. Yes, sir. That's all I found in there. I found no papers or anything else.

Q. No miscellaneous papers, envelopes, or other types of documents?

A. Nothing whatsoever, sir.

Q. Where are the flight helmet and brief case now?

A. They're in the office somewhere. I believe they're in the back room in the storage closet.

Q. Who opened the drawer at the time it was first opened?

A. I physically opened it with the help of this Warrant Officer. We had turned it upside-down and he was using a hammer and some screwdrivers. There was a screw missing in the back and he finally was able to knock the pins inward where he could lift the drawer up enough and I physically picked it up completely out of the safe. I saw everything that was there. I picked it up and put it on the floor and that's what I found in there.

Q. What was the name of the Warrant Officer?

A. Sir. I don't know what his name was. The only contact I can give is that of UO who was with MID and G-2 here. He called him over. I do not remember his name. I can give a physical description. He was about

Q. Since you turned the safe over, is it possible documents or papers might've fallen behind the drawer somewhere?

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 7 PAGES

LL
"STATEMENT OF
TAKEN AT CHU LAI, REPUBLIC OF VIETNAM
ON 12 FEBRUARY 1970, CONTINUED"

A. No, sir. The safe is a four drawer safe. Each drawer is a completely sealed and enclosed compartment. Before we had turned it over we had taken the other three drawers out so I know there was nothing else behind there. When we took this drawer completely out we had the whole safe upside-down. There was nothing else in the bottom. There was no way anything else can get in there because, like I say, it's completely sealed on all sides. Each drawer section is a separate compartment.

Q. You could see into the rear corners even though it was dark back in there?
A. Well, it wasn't really dark, sir. We had the safe laid on the floor and with the florescent lights in the office there were really no dark spots.

Q. BA : indicated that he remade the classified logs and after making single log entries for the only SECRET material under his control, he filed the old logs under the Functional Files System in folders numbered 504-12 which are kept for two years. These were filed in the unclassified filing cabinet in the general admin area of the office. The destruction certificates of the SECRET material that he destroyed were filed in folders numbered 504-10 which are also kept for two years and filed in the same cabinet. Can these old logs and certificates be found?

A. All the ones that I know of that he's talking about in his statement are the ones that I showed to you when you were over there the other day. If he means further than this, no. If those are the ones, yes. I presume those are the ones we are talking about.

Q. Did you destroy any old logs?

A. No, I didn't, none whatsoever. The reason I didn't do this is because we still have one active 1967 classified SECRET document. Therefore, I had to keep all the other registered logs due to this fact.

Q. Now, as to all the old logs which were here when you took over and the ones you have since established; where are they located now?

A. In the same filing cabinet in the general admin area.

Q. Is it true that no classified logs for the period we just mentioned or logs showing destruction of material through March and May of 1968 have been found since you've been here? Is this true?

A. Well, sir, I'm not sure of the dates of all of the ones we have over there. I would really have to go through them again to check and see if there's any March of 1968. The ones I showed you the other day are the only ones I know of. The actual dates of them I am not sure of.

Q. The documents that were destroyed by BA where are the records of this now?

A. They're in the same file cabinet, sir. Those are the records I have. When he left he said, "This is all the stuff I have and this is what I've destroyed." I have maintained all these files and I still have them over there.

Q. The items that he destroyed, are there documents to support the name of the document and the disposition of them?

4H

INITIALS OF PERSON MAKING STATEMENT LL PAGE 4 of 7 PAGES

"STATEMENT OF LL
TAKEN AT CHU LAI, REPUBLIC OF VIETNAM
ON 12 FEBRUARY 1970, CONTINUED"

A. Yes, there is, sir. The DA Forms 455 are over there to justify all of this.

Q. Are you aware of any other documents that might've been forwarded from the Division for destruction somewhere else or for retirement at another location?

A. No, sir, we've never forwarded any documents. We have always destroyed everything we have ever had in the Chief of Staff's Office right here.

Q. Since you have reviewed the files and documents in the Command Headquarters, are you aware of any documents or letters or DFAs or Memos which might indicate forwarding of any documents related to the My Lai incident to another headquarters?

A. No, sir. In fact, I never knew anything about the My Lai incident. I had been here four or five months before I ever heard the name of the place and that's when the full investigation had broken. I had never seen a paper making reference to it or even heard it mentioned in the office.

COL WHALEN: Let the record reflect that we're taking a short recess to review the dates of the documents on file in the Command Headquarters.

(The interrogation recessed at 1415 hours, 12 February 1970.)

(The interrogation reconvened at 1441 hours, 12 February 1970.)

COL WHALEN: LL, I remind you that you're still under oath.

LL Yes, sir, I understand.

QUESTIONS BY COLONEL WHALEN

Q. Let me come back to one of my previous questions, the reason for which we had a recess so you could secure some documents; would you please indicate whether any classified logs showing destruction of material dated March through May 1968 have been found in the Americal Division?

A. (Referring to DA Forms 455 and 546 which he has before him) Yes, sir, I have found some destruction certificates here that indicate there was a destruct on 27 March 1968 which consisted of a total of 11 documents. Ten of these are Weekly Summary Booklets from the Office of the Chief of Staff and the other one consists of a letter, Subject: Report of Visit, from the CO of Division Artillery to the Commanding General which was dated 19 December 1967. These 11 are the only ones I could find.

Q. With reference to the Office of the Chief of Staff, would you indicate which Chief of Staff you mean?

A. The Chief of Staff of the Army, sir.

"STATEMENT OF LL
TAKEN AT CHU LAI, REPUBLIC OF VIETNAM
ON 12 FEBRUARY 1970, CONTINUED"

Q. LL are these DA Forms 455, Mail and Document Register, and DA Forms 546, Destruction of Classified Records, which we have before us, the only documents available which relate to destruction of classified documents?

A. Yes, sir, they're the only ones we have here in this Headquarters which refer back to the documents in question during the period in 1967 and 1968.

Q. Do you have anything else, LL, that might assist us in locating any type of documentation relative to the period in question?

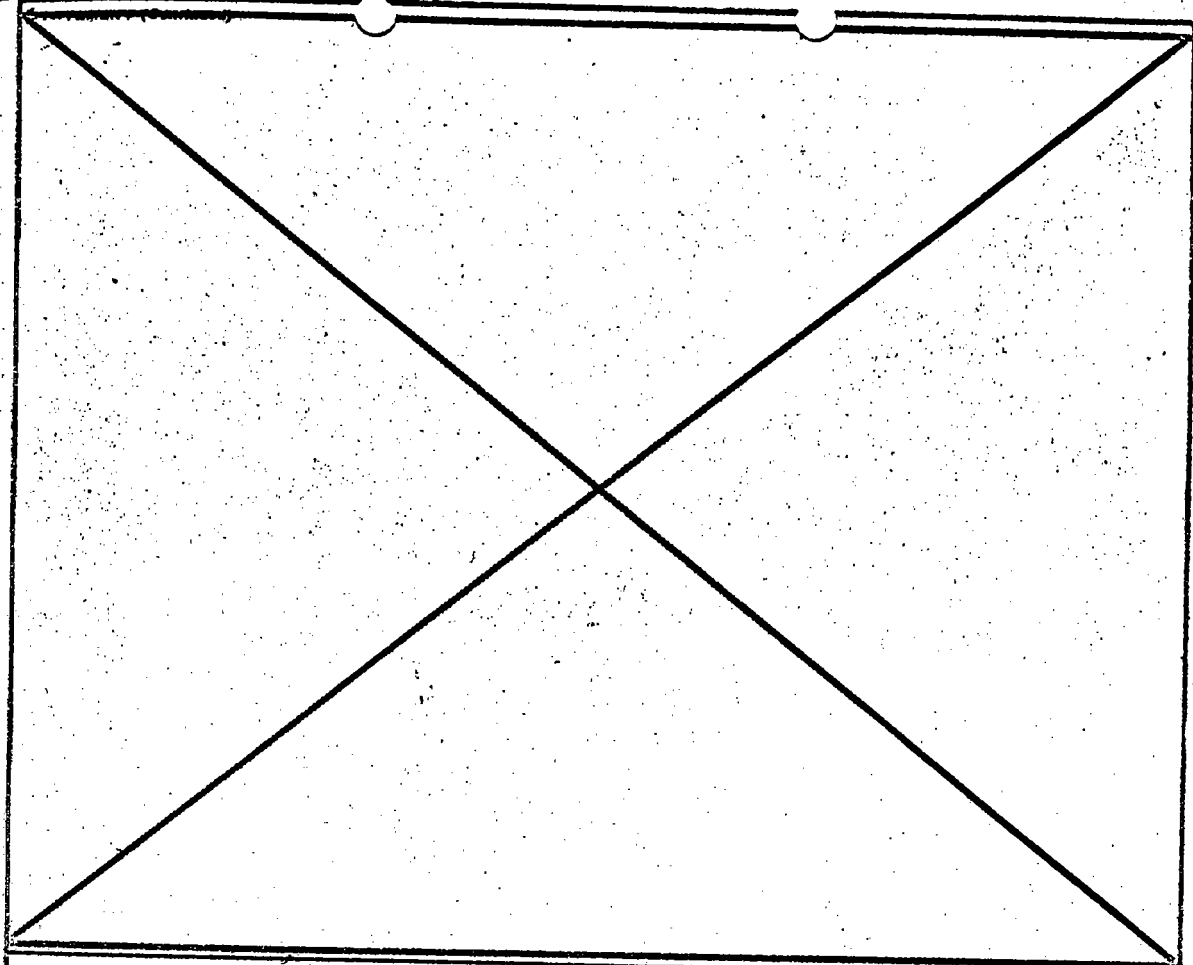
A. No, I don't, sir.

COL WHALEN: Thank you LL that will be all.

(The interrogation closed at 1444 hours, 12 February 1970.)

END

INITIALS OF PERSON MAKING STATEMENT LL PAGE 6 OF 7 PAGES



AFFIDAVIT

I, LL HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

WITNESSES

BBBN
BBBN

LL
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of February, 19 70 at Chu Lai, Republic of Vietnam

ORGANIZATION OR ADDRESS

BBBO
BBBO

[Signature]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 7 OF 7 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE	TIME	FILE NUMBER
		0950	69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME		SECURITY ACCOUNT NO. GRADE	
AX			
ORGANIZATION OR ADDRESS			

SWORN STATEMENT	
AX, I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:	
<p>AX, this investigation concerns the allegation of murder which is alleged to have taken place on or about 16 March 1968 at the hamlet of My Lai (4), Son My village, Quang Ngai Province, Republic of Vietnam. It has been alleged that approximately three hundred and fifty noncombatant Vietnamese nationals were murdered by elements of Company C, 1st Battalion, 20th Infantry, 11th Light Infantry Brigade, then a part of Task Force Barker, Americal Division.</p> <p>Q. AX what position of command did you occupy on 16 March 1968?</p> <p>A. On that date I was the _____ which, in OCTOBER 1967, was redesignated as the AMERICAL DIVISION I served as the _____ until _____</p> <p>Q. Did you receive allegations that Vietnamese noncombatants were killed during a combat assault upon My Lai (4) which was conducted by elements of Task Force Barker?</p> <p>A. Yes. I heard about these allegations about mid-day on the day of the operation (16 March 1968). I had returned to Division Headquarters and it was reported to me that a helicopter pilot had complained through the Commander of the Aviation Battalion of the indiscriminate shooting of Vietnamese civilians. I received this information through CZ or through WZ though I might have heard it directly from YZ At the time I was at my headquarters</p> <p>Q. What action did you take upon receipt of these allegations?</p> <p>A. The allegation that I received was that some U.S. troops had fired indiscriminately in the heat of battle, that the firing appeared to have been more than was needed. I directed CZ or WZ to have an immediate investigation to find out just what happened. It was my intention initially that the Division staff would do this, but the XT was told to conduct the investigation. I wanted an immediate answer because the allegations, if true, violated all the existing orders and directives against careless firing and the destruction of housing. The deliberate destruction of any type of housing was prohibited by published orders of the Americal Division and, of course, any needless or careless harm to civilians violated both verbal and written instructions regarding rules of engagement.</p> <p>Q. Did you receive a report of investigation signed by XT dated 24 April 1968 concerning the My Lai (4) allegations? AX is shown a copy of the cited report.)</p>	
EXHIBIT	INITIALS
	AX
PAGE 1 OF 7 PAGES	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
1 JAN 66

STATEMENT OF AX TAKEN AT
DATED 24 NOVEMBER 1969 CONTINUED

A. I am sure I read this and both WZ and I agreed that it was not adequate. I ordered a complete investigation, anticipating sworn testimony. I was not at all satisfied with XT's initial report.

Q. You were aware then that a helicopter pilot assigned to the Americal Division had complained about the conduct of troops at My Lai (4) prior to your review of XT's written report?

A. Yes, this is what triggered the initial investigation. I ordered an immediate investigation when I heard of these allegations.

Q. Did you ever read or see a report of investigation concerning the matter authored by PA, and if so, do you know where that report is now?

A. That may have been a portion of what I consider to be XT's second report of investigation. I am sure there were statements in this report from PA and DS. I don't remember seeing anything from PA that came straight to me except as was brought to me by XT. I assume the report was retained in the division files.

Q. Did XT advise you he had delegated responsibility for the investigation to PA?

A. No. Not that I recall.

Q. Then XT submitted a second written report?

A. He personally brought a second report to Division Headquarters. I am certain I had this report reviewed by the Division Staff and WZ. Based on this report and its review and further based upon my personal interviews with responsible Vietnamese authorities, I accepted the conclusion that there was insufficient evidence of wrong-doing by Americal personnel to warrant further action. In pursuance of this matter, I personally contacted OT Province Chief; RC and I feel certain

I discussed the case briefly with OW. Each of these officials assured me that there was no conclusive evidence of improper conduct on the part of U.S. Forces personnel. Based upon all these factors, we administratively closed the investigation, but were prepared, of course, to reopen the investigation should further information be developed, especially from Vietnamese sources.

Q. Did you authorize XT or PA to dismiss the allegations?

A. We never formalized the responsibility to that extent. They felt the allegations were unfounded and this was incorporated into their report. I accepted their documented report of what had taken place. No further investigation was directed.

Q. While you were OT did you ever discuss the alleged incident at My Lai (4) with authorities at USARV or MACV?

A. As I told you, I discussed this matter with responsible ARVN authorities. I believe that I also discussed the allegations, though in less detail, with Ko, my immediate superior.

STATEMENT OF **AX**
DATED 24 NOVEMBER 1969 CONTINUED

TAKEN AT WEST POINT, NY,

Q. Did you receive any request for information or receive any instructions from MACV or USARV concerning My Lai (4)?

A. Not that I know of. The reason I am sure I told **KO** about this is because **OW** I was concerned and it would have been appropriate to inform the **KO** of the allegations and investigation being undertaken. It did not appear necessary for me to go directly to USARV or MACV based upon the information at hand.

Q. Are you familiar with MACV Regulation 20-4, concerning procedures in connection with the reporting of war crimes?

A. I did not consider that I was investigating a war crime as such. I was investigating the over use of firepower in a combat situation, according to the reports I had received. The action at My Lai (4) was consistently presented to me as a contested combat action.

Q. Prior to the incident at My Lai (4), had you ever advised subordinate commanders to insure that operations were conducted in compliance with the Laws of War and Rules of Land Warfare?

A. Yes. I did this several times. On one occasion, prior to March 1968, I had all of the Brigade Commanders assembled to discuss the burning of a few huts in our operational area. I considered that incident of hut burning unnecessary, and at this time, I told each of the Brigade Commanders that no structure would be burned or destroyed deliberately without direct and specific approval of Division Headquarters. This policy was also published in writing and disseminated throughout the Division. We also stressed, because of the numerous civilians living in our operational area, the vital necessity for safeguarding civilians.

I felt, while I was that our soldiers conducted themselves very well in this respect. In fact, when civilians were inadvertently wounded during combat operations, they were evacuated through our own medical channels and treated at our own medical facilities.

Q. Do you think the Laws of War and the provisions of FM 27-10, entitled "The Law of Land Warfare" are, as a practical matter, applicable in Vietnam?

A. Certainly you don't want unarmed civilians to take casualties if there is any way it can be prevented. If they are mixed in with the enemy troops they will necessarily take some casualties in a combat operation. The type of incident which allegedly took place at My Lai (4) cannot be condoned. In short, the Laws of Land Warfare and FM 27-10 apply as well in Vietnam as they do anywhere else.

Q. Did you ever discuss the My Lai (4) allegations with a Judge Advocate officer?

A. I think that this was a part of the staff review of **XT's** second written report. I believe we had **WZ**, **CZ**, and the other staff members review this report. It is my opinion that the Staff Judge Advocate and

STATEMENT OF ^{AX}
DATED 24 NOVEMBER 1969 CONTINUED

TAKEN AT WEST POINT, NY,

the Inspector General of the Americal Division were consulted as part of this staffing procedure. I may have talked to them directly. I had every feeling of assurance that this had been staffed through the proper people.

Q. Do you know when you received the second documented report from

^{XT}
A. It was during May 1968, as I recall. As a reference point, ^{XT}
had been wounded and had his leg in a cast.

Q. On 16 March 1968, did you observe any phase of the operation at or around My Lai (4)?

A. On 16 March 1968, I spent the morning in the northern part of our zone of responsibility. That afternoon, I flew to LZ DOTTIE and talked with ^{PA}

To the best of my knowledge I did not fly over My Lai (4) that day.

Q. What was your radio call sign on 16 March 1968? Did you send, receive, or monitor any radio messages concerning My Lai (4) on that date?

A. My radio call sign was Sabre 6. To the best of my knowledge, I did not take part in any radio traffic regarding that operation that day. I probably monitored any traffic taking place at the time I went to the area, as this was my normal practice.

Q. What time did you arrive at LZ DOTTIE?

A. It was in the afternoon. I do not recall the exact time. The troops were still in the field when I arrived at LZ DOTTIE.

Q. Was Task Force Barker's remaining plan of activity for this mission modified in any way because of events occurring at My Lai (4)?

A. Not that I recall. If there were any modifications, it was probably done at ^{XT} direction.

Q. Was your visit to LZ DOTTIE after or before your receipt of allegations concerning My Lai (4)?

A. This was after receipt of the allegations. I discussed the allegations with ^{PA}

I wanted him to find out what had happened and to get the facts concerning the allegations immediately. As I recall it, ^{PA} said he had been above the village himself and that he thought the casualties were primarily the result of artillery fire or the fire of gunships. If he had said anything else, I certainly should recall it.

Q. Did ^{PA} know about the My Lai (4) allegations before you talked with him that day?

A. I believe so. I suspect that when the report came in, Brigade immediately asked ^{PA} what was going on.

Q. Did you talk with the complainant, the helicopter pilot, yourself?

A. To the best of my knowledge, I did not. ^{WZ} probably talked with him or other Aviation people, but I can't say now if he talked with the pilot or not.

STATEMENT *AX*
DATED 24 NOVEMBER 1969 CONTINUED

TAKEN AT WEST POINT, NY,

Q. Did *XT* submit any verbal reports prior to submitting his written reports?

A. I am sure I saw *XT* on each of several days following My Lai (4) and on each of these occasions I asked him for oral progress reports on his investigation into the My Lai (4) allegations.

Q. *XT* had stated that he, in turn, directed *PA* to conduct an investigation into the My Lai (4) allegations and that *XT* took *PA's* report, indorsed it, and furnished it to Division.

A. I feel that *PA's* report was incorporated into what I considered to be *XT's* report.

Q. Where is this report?

A. I suggest that you contact *CZ*, Americal Division, to ascertain the disposition of this report. He might have had it filed with the Inspector General's records, but I don't know where it was filed. As I recall, I indicated on this report that we would discontinue the U.S. portion of the investigation in accordance with the recommendations of *XT* and the staff.

Q. *WG* of the 123rd Aviation Company, has stated that he reported the allegations of *J1* to *PA* and to

YC
WG was of the opinion that *YC* informed you of these allegations himself. Sir, is this correct?

A. I received these allegations on the day of the incident, and the source of my information could have been *WZ*, *CZ* or *YC*. I do not recall specifically at this time who first told me about the allegations.

Q. Did you read *PA's* After Action Report dated 28 March 1968? (Copy of the cited report was furnished to *AX*) Did the number of enemy killed when compared with the quantity of weapons recovered strike you as peculiar? What was your impression of the report that 69 enemy were killed by artillery preparatory fires?

A. I either read this After Action Report or was briefed on it. These figures struck me as being peculiar, as I recall. We automatically would have questioned such reports as possibly indicating poor reporting procedures or some other problem. However, a low weapon recovery ratio to body count is not too unusual in Vietnam. There, quite often, the enemy is encountered after he had gone into a laager and has cached his weapons. The rearguard puts up a fight while the rest try to escape and when the fight is over there are a number of bodies and very few weapons. This was particularly true around Quang Ngai where one VC battalion had been intermittently attacking the city for months. We would think they were destroyed and they would recover their cached weapons and come back again.

STATEMENT OF AX : TAKEN AT
DATED 24 NOVEMBER 1969 CONTINUED

Q. On 24 March 1968, Americal Division published a regulation concerning the Safeguarding of Noncombatants, over your signature. On 16 March 1968, your Division published Rules of Engagement. What Regulations governed Americal Rules of Engagement prior to 16 March 1968? (Copies of cited documents furnished AX)

A. As I recall, we had put Rules of Engagement out in draft form for guidance prior to 16 March 1968, feeling a need for a regulation tailored to our specific area of operations. In addition, I personally briefed all new troops at our combat center on our Rules of Engagement and the safeguarding of noncombatants. I am sure the date of publication of 16 March 1968 is a coincidence. Prior to 16 March 1968, we operated under pertinent regulations published by Americal Division and under MACV Regulation 5254. The "Safeguarding of Noncombatants," dated 24 March 1968, was, I believe, a direct result of the My Lai (4) allegations.

Q. The Americal Division publication "Combat After Action Report Operation Muscatine" dated 17 September 1968, lists DS

as a contributor, but there is nothing in the body of the document reflecting activity by Co C, 1/20th Infantry, and the chronology reflects that during 13-19 March 1968 "there were no activities conducted in the Muscatine AO." Will you comment on this, sir?

A. I can't answer for that because I was gone from the Division at the time this document was prepared. This document was, I would assume, approved by the Division G-3. I believe GO was G-3 at that time.

Q. Did you know DS prior to My Lai (4)?

A. I am sure I had met him, but did not know him personally or by reputation. The 11th Brigade had not been in Vietnam long and had not seen much action, so I had little occasion to know their officers very well.

Q. Did you know HO prior to the assault upon My Lai (4)?

A. No, I did not. If I ever met him, it was at the orientation of the 11th Brigade when they went through the Division Combat Orientation Course.

Q. During this Combat Orientation Course, was there any guidance given concerning safeguarding noncombatants?

A. Yes. I personally briefed 98% of the personnel entering the Division and personally briefed all of the 11th Brigade prior to their completing the Combat Orientation Course. During this orientation, I told them that the Vietnamese were not only our allies, but that we were guests in their country. I told them that we could not have any success in this war unless we respected the Vietnamese. *and that they were*
by treating them humanely, as human beings who needed looking after.
assistance and consideration.

STATEMENT (Continued)

Q. Was there any communication from Division Headquarters to 11th Brigade or Task Force Barker Headquarters prior to the assault at My Lai (4) which could have motivated Task Force Barker personnel to be more aggressive or cause them to over-react to their situation?

A. No. PA was considered an aggressive officer and there was no need to motivate him further. Nothing was sent out of Division which might have caused subordinate units to perform in an unusually aggressive manner. In fact, we considered My Lai (4) to be a quiet area at that time in that there had been no major conflicts for several days. It was a sticky area, though, because it was heavily mined and booby-trapped.

Q. What was the attitude of the civilian populace in the My Lai (4) area?

A. The most friendly people were located along Highway 1. As we moved further away from the highway, the area became more susceptible to Viet Cong influence and the people less friendly. There were villages in which the people were more friendly than their neighbors and we kept troops near these villages to protect these people.

Q. To your knowledge, Sir, was there anything done at Division Headquarters, Americal Division, to suppress an investigation into the allegations concerning My Lai (4)?

A. None whatsoever.

Q. Was approval at Division level ever given DS or anyone else to destroy My Lai (4) and all its inhabitants?

A. Absolutely not.

Q. To your knowledge, were any written requests submitted by PA to AV or by AV to you or an

for approval or authority to conduct the Task Force Operation which was initiated on 16 March 1968?

A. I am certain there were no written requests from either PA or AV. There was no doubt routine coordination with the Division Staff since the operation was in the AO of the 2nd ARVN Division and required ARVN clearance.

AFFIDAVIT

AX HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24th day of November, 1969

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Art. 136b(4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 7 OF 7 PAGES

MASP

2 December 1969

SPECIAL DELIVERY

SW

SW

Inclosed is an addendum to be incorporated with the witness statement
which was previously obtained by you at New York, on
24 November 1969.

Sincerely,

Inclosure
as

AK

ADDENDUM TO WITNESS STATEMENT MADE BY AX
AT WEST POINT, NEW YORK, 24 NOVEMBER 1969

Page 1 In elaboration of 3rd question, page 1:

My reference to an intention to have an investigation involving the Division Staff applies to one of the subsequent investigations directed-- not to this preliminary one.

Page 2 In elaboration of last question, page 1:

I'm not certain whether I saw XT's report prior to going on R&R and TDY to Hawaii or not. It seems to me I first saw it immediately upon my return.

Page 2 In elaboration of first question, page 2:

In addition to the helicopter pilot's report, I had been informed of the allegations made by villagers. As I recall, although these appeared to be VC propaganda, they prompted my direction for a written report.

Page 4 In elaboration of second question, page 4:

It is possible that I watched a portion of the air assault of this operation. If so, I noticed no unusual activity and no doubt left after the initial troops were on the ground safely. I did observe air assaults in this area but do not identify them with any specific occasion.

Page 4 In elaboration of third question, page 4:

If I observed combat assault, I would have monitored radio of the participating battalion or brigade. I recall no unusual transmissions.

Page 4 In elaboration of fourth question, page 4:

If I observed combat assault, I possibly landed at LZ DOTTIE to refuel prior to departing the area.

2 DECEMBER 1969

PAGE 1 OF 2 PAGES

ADDENDUM TO WITNESS STATEMENT MADE BY : AX

24 NOVEMBER 1969 CONTINUED

Page 4 In elaboration of fifth question, page 4:

In a recent discussion with XT he indicated to me that he believed he told PA to prolong the operation and return C Company through the objective area, but that PA had subsequently obtained my permission to terminate as planned. I do not relate this incident to this operation, but do recall on one occasion when PA informed me he wasn't able to contact XT and he requested permission to use helicopters available in area as scheduled to remove troops. As I recall, he indicated he was concerned for safety of troops because of lateness of day and status of supply. On this occasion, I approved his request and told him to inform XT as soon as he could. This conversation was late in the afternoon and as I recall while I was in flight.

Page 4 In elaboration of sixth question, page 4:

I possibly landed for refueling early in the day and prior to receipt of allegations.

Page 5 In elaboration of first question, page 5:

Statement should read that "I saw and/or talked with XT on each of several days following My Lai (4)..." If I did not see him personally, I am reasonably certain WZ did see him and reported results of conversations to me.

Page 6 In elaboration of first question, page 6:

Task Force Oregon "Rules of Engagement" were in effect until the Americal's were issued. The 11th Brigade had been provided copies of the appropriate "Rules of Engagement" while training in Hawaii.

Page 7 In elaboration of first question, page 7:

This area, including several nearby villages, was known to have been used as a base for the 48th VC Battalion on many previous occasions.

2 DECEMBER 1969

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE Bayonne, New Jersey	DATE 29 Dec 69	TIME 1030	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME AN	SOCIAL SECURITY ACCOUNT NO.		GRADE

OR ORIGINATOR OR ADDRESS

SWORN STATEMENT

AN, I am here to talk to you about the allegations of murder which have been made and which are alleged to have taken place on or about 16 March 1968 at the hamlet of My Lai (4), Son My Village, Quang Ngai Province, Republic of Vietnam. It has been alleged that approximately three hundred and fifty noncombatants of the village were murdered by elements of Company C, 1st Bn, 20th Infantry, 11th Bde, then a part of Task Force Barker (TFB), Americal Division.

Q: AN, please explain to me your participation in any investigation into the allegations of murder, since I understand that you did not take part in the My Lai (4) operation itself.

A: Well, I initially heard of an investigation being conducted as a response to a protest that I made to GN and CZ. I had heard rumors to the effect that something untoward had happened in My Lai (4) from VI and KM. It seems that VI had made a strong protest to KM that women and children had been killed in the My Lai operation. In fact, I heard that VI felt so strongly about it that he had gone into WZ's office, had thrown his wings on the desk and had stated that he was not going to fly again if he had to shoot women and children. VI had indicated to KM that he felt that an investigation should take place and, in fact, VI was highly disgruntled about it all. About a week later, I spoke to VI personally in the Artillery Club, Division Main Compound, Chu Lai and he repeated these sentiments to me. VI never described to me anything about his actions at My Lai (4). He indicated to me that he had heard about women and children being killed at My Lai (4). VI never indicated to me that he had witnessed any such killings. He said that he was disgusted with himself because he had to participate in the shooting of civilians at My Lai (4). VI did not indicate to me that he personally, or his ship, had shot into the village. He told me that he felt that the incident should be thoroughly investigated.

Q: What action did you personally take in this matter?

A: As I said, I spoke to CN, to GD and to CZ about it all. I said that, if these rumors were so, it should be investigated. Later on, GN and CZ assured me that an investigation was under way. The investigation was being conducted with PA as the controlling officer. Sometime late in March 1968 I met PA at Division Headquarters and he assured me that the investigation had brought out that no atrocities had occurred. PA also assured me that he personally had questioned the Company Commanders, who had participated in the My Lai (4) operation. PA also told me that, due to the fact that the report had indicated that no atrocities had occurred, no follow-up action was going to be taken. I later learned that XT had made a verbal report of the investigation to AX and that XT had been told to make the report formally in writing. I never saw the written report. I made original pretest to the O3 and O5 on or about

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT RL	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

STATEMENT OF *AN*
EMBER 1969 CONTINUED:

TAKEN AT BAYONNE, NEW JERSEY DATED 29 DEC-

17 March 1968. I had attended the General's briefing, at Division Main, held usually at 1700 hours daily, when I heard that 128 VC had been killed in the My Lai (4) operation. It was *GD* I believe, who made an aside comment to me "all women and children except 4" when he heard the figure of 128 being killed at My Lai (4). I believe it was *GD* since I was sitting beside him at the time during the briefing.

Q: Did *PA* mention anyone by name as being a person to whom he had talked during his investigation.

A: No, he did not. I think his words were "those who had participated".

Q: Please go on.

A: Well, besides *KM* I heard from *AA* who was providing services for TFB, that he had held church services for members of C Company, 1st Bn, 20th Inf, shortly after the My Lai (4) incident, and that he had heard nothing from the unit members about anything unusual happening on that day. I also heard from *FV*

who held church services for the unit. He told me that he had not heard of any atrocity type incidents happening in My Lai (4), and that this included the confessions that he had had from unit members. I also talked to *YS* and learned

that he had not heard of anything untoward happening in My Lai (4).

Q: Did *J* ever talk to you about any landings that he made in My Lai (4) on 16 Mar 68?

A: No, as I said, he did not discuss his actions there at all.

Q: What were your instructions or orders about reporting these types of incidents - incidents were atrocities were alleged to have happened?

A: There was nothing ever written about them - nothing in the Division SOP at all. We all had the right and obligation to report any incidents of this type. In my case, I could report them directly to *AX* SINCE I WAS THE AMERICAN

DIVISION

Q: Other than reporting what you heard from *KM* and *V* did you report what you heard to anyone?

A: As I indicated previously, to the *CZ*, and my reports were verbal in nature. This was on or about 17 March 1968 at Division Main.

Q: Prior to this date, has anyone other than your superiors questioned you about the My Lai (4)/~~XXXX~~ incident?

A: No, no one officially.

Q: What about "unofficially"?

A: I don't recall anyone questioning me unofficially about the incident.

Q: Did you discuss this incident with your superiors?

A: Only as I indicated previously, my talks with the G3 and G5.

Q: Were you advised not to discuss this incident with anyone?

A: Yes. I was cautioned by *CN*, *GD* and *CZ* to "not discuss it with anyone". I made many follow-up efforts on the investigation and I was assured that one was being conducted and that I should not talk about it with anyone. I also tried to open this topic conversationally with various Division Staff Officers, but learned nothing from them so, evidently, we all were cautioned not to talk about it.

Q: Were you advised by your superiors as to what your reply should be in the event that someone questioned you about this incident?

INITIALS

A: Only that I was not to talk about it and that it was under investigation. I was never counselled, guided or coached as to what I should say, if that is what you mean.

Q: Do ~~xx~~ you have any additional information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai (4)?

A: No, nothing at all.

Q: Let us go back over these persons named by you and, if you can provide any further information about them, please do so.

A: I heard that ~~CB~~ is in the Washington, D. C., but I am not certain. I don't know where ~~GN~~ is located. ~~GD~~ new is out of the military service, address unknown to me. ~~AA~~ is located at Ft Dix, NJ. ~~FV~~ is at Ft Carson, CO and ~~YS~~ new is at USARPAC, Hawaii.

Q: Is there anything else that you would like to add to this statement?

A: Only that I left Vietnam in August 1968 and, until I left there, no one came to my chaplains to make any sort of report about the My Lai (4) operation, no one that is outside of the persons we have already talked about.

Q: Anything else?

A: No, nothing.//////NOTHING FOLLOWS//////

AFFIDAVIT

I HAVE READ 2000060000 THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 29th day of December, 1969
at Bayonne, New Jersey

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE	TIME	FILE NUMBER
	19 Jan 70	1015 hrs	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
LW			Crim Inves
ORGANIZATION OR ADDRESS			
ty 1st MP Det (CI), USACIDA, Washington, D.C.			
SWORN STATEMENT			
I, LW, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
On 19 January 1970, DF interviewed. stated that he was the			
from 12 April 1967 until 10			
May 1968. He stated that at no time during his assignment with the Americal Division			
did he ever receive a report or hear any rumors which would indicate that atrocities			
occurred at the village of My Lai (4), Republic South Vietnam, on 16 March 1968, dur-			
ing a combat operation conducted by elements of "Task Force Barker". DF further			
stated that until the story came out on National Television, he knew nothing at all			
about it. He related that if he had received such a report or if he had received a			
rumor of this nature he would have reported it to the Division Chief of Staff. DF			
further stated that "Task Force Barker" received MP support from the 11th Bde and that			
the 11th Bde had its own ED ED was answerable to him and he			
normally made weekly trips to the 11th Bde. He was sure that if ED had heard any-			
thing about this he would have reported it to him or at least he would have asked for			
investigative assistance since ED, at that time, did not have a Criminal Investi-			
gator assigned. ED made no such request or report. DF stated that he be-			
lieved that "Task Force Barker" had about 10 or 12 military police attached under the			
control of a sergeant and he also believed that the MP's were on the My Lai (4) opera-			
tion to handle prisoners. He was unable to furnish any names of MP's that may have			
been attached to "Task Force Barker".			
When questioned about the investigation into this incident which was conducted by			
the Division, DF stated that he knew nothing of it and that he does not recall hear-			
ing anything about My Lai (4), also known as Pinkville, during any of the staff brief-			
ings either prior to or after 16 March 1968. He was unable to relate any pertinent in-			
formation to this investigation.			
////////////////////END OF STATEMENT////////////////////			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

DA FORM 2823
JAN 68

STATEMENT (Continued)

STATEMENT OF THE DEFENDANT IN THE COURT OF THE DISTRICT OF COLUMBIA, IN THE MATTER OF THE UNITED STATES OF AMERICA, VS. [Name Redacted], Defendant. The Defendant, [Name Redacted], is a [Nationality] born [Date of Birth] at [Place of Birth]. The Defendant is currently residing at [Address Redacted]. The Defendant is currently employed by [Employer Redacted] as a [Position Redacted]. The Defendant is currently [Status Redacted]. The Defendant is currently [Status Redacted]. The Defendant is currently [Status Redacted].

[Large blank area for statement content]

AFFIDAVIT

I, LW, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23d day of January, 1970 at Washington, D.C.

(Signature of Person Administering Oath)

B.H. THOMPSON
Crim Inves

(Typed Name of Person Administering Oath)

Art 136, (b) (4), UCMJ

(Authority To Administer Oaths)

PAGE OF 2 PAGES

WITNESS STATEMENT

(AR 195-10 - TH PMG 3)

PLACE	DATE	TIME	FILE NUMBER
	14 Jan 70	1030hrs	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
CZ			
ORGANIZATION OR ADDRESS			

Ft Belvoir, VA

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

CZ
CZ I am here to talk to you about allegations of murder which have been made and which are alleged to have taken place on or about 16 March 1968 at the hamlet of My Lai (4), Son My Village, Quang Ngai Province, Republic of South Vietnam. It has been alleged that approximately three hundred and fifty noncombatants of the village were murdered by elements of Company C, 1st Bn, 20th Infantry, 11th Bde, then a part of "Task Force Barker", Americal Division.

Q CZ * will you tell me anything that you know of this incident?

A-Yes. During this time period I was CZ for the Americal Division. I joined the Americal Division sometime during the month of December 1967 and assumed the duties of CZ on 2 February 1968. During this time period I was involved in organizing the Headquarters. We were just converting from a Task Force to a Division and the Administration sections had to be organized. I was at this time very administratively oriented and not operationally oriented. Now that I think back, I recall that I was informed that a helicopter pilot reported that many civilians had been killed unnecessarily, however, I don't recall who told me this. I also recall that XT conducted an investigation into this matter and submitted a written report. I believe that I read that report, but what I read did not make me believe that anything had happened. At least not of the magnitude that is now before the public. As I recall and from re-reading this report at the Peers Hearing, there were somewhere around 20 civilians killed and they were as a "Hazard of War", so to speak, and not mass murder. I do not recall ever attending a Staff Briefing concerning the area in question, either before 16 March 1968 or after. This incident is just not high lighted in my mind. I am sure that if I had any idea, after reading XT report or from any other source, that "War Crimes" had been committed I would remember. I say this because another incident which happened in May 1968 is clear in my mind and as it now turns out this incident is of a lesser magnitude.

Q-After this incident was reported to you, did you visit the Task Force Barker area?

A-No.

Q-Did you ever have any personal contact with either DS or HO

A-In regards to this incident, no. I believe, and I am not sure of this, that I did interview DS one time for a Staff job.

Q-Was this incident ever reported to you by AN

A-It may have been, I don't recall.

Q-Did you ever tell or caution AN XXXXX to "not discuss it with anyone"?

A-I don't recall this, however, if an investigation was under way I may have.

Q-Is there anything that you would like to add to this statement?

A-Yes. It was either before XT turned in his report or after, I am not sure which. I saw a letter that had been written by a Vietnamese Official about this incident. Here again, I am not sure what it said and I am sure that I gave it to the

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
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DA FORM 2823

STATEMENT (Continued).

AFFIDAVIT

I, CZ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

CZ
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law, to administer oaths, this 14 day of January, 1970 at Fort Belvoir, VA

ORGANIZATION OR ADDRESS

[Signature]
(Signature of Person Administering Oath)

[Signature]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136b (4) UCMJ 1968

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMG 3)

PLACE Washington, D.C.	DATE 13 Dec 69	TIME 1930 Hours	FILE NUMBER 69-CTD011-00014
LAST NAME, FIRST NAME, MIDDLE NAME PH	SOCIAL SECURITY ACCOUNT NO.		GRADE Crim Invest
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, Robert S. GRAHAM, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

The purpose of this statement is to document details of the interview of WZ Augsburg, Germany.

WZ was interviewed on 13 Dec 69 regarding any knowledge he may have of My Lai (4) incident and in response to questions asked of him, answered as follows:

Q. WZ would you please give an account of what occurred at the village of My Lai (4) on 16 Mar 68 and what your duties were at that time?

A. At the time of the alleged incident at My Lai (4), Republic of Vietnam (16 Mar 68) I was assigned as AV American Division, Chu Lai, Republic of Vietnam. To the best of my recollection, it was reported to me that on or about 16 Mar 68, during combat operations conducted by Task Force Barker, a helicopter pilot had observed friendly US Ground Forces firing into non-combatant civilians and also reported that he took the following action. First, he landed in the vicinity of the non-combatant civilians and took action to try to get them out of the crossfire between friendly and enemy forces. After completing this action, the pilot flew to the friendly side and informed the US Forces ground commander of the location and presence of the civilian non-combatants and that he had observed his forces firing into them. The pilot further informed the ground commander that he must stop that action immediately and that if he did not do so, the helicopter pilot was going to remain in the area, observe the civilians and fire into the American Forces if this continued. To the very best of my recollection, it was not reported to me that the pilot had observed any non-combatant casualties. Also, I cannot recall it being reported to me that the helicopter pilot evacuated any non-combatants out of the area.

Q. Who was your immediate commander at that time?

A. AX was the at that time.

Q. Were you briefed prior to the operation, and, if so, by whom?

A. I don't recall any specific briefing prior to the execution of the operation, but it is possible that such a briefing was conducted at AX morning briefing of 16 Mar 68 in his office by the DIVISION G-3.

Q. Prior testimony has indicated that Task Force Barker had conducted an operation in that area prior to the My Lai (4) incident and that AV was not pleased with it. Is there a possibility that TFB was instructed to "wipe out the village" on 15-16 Mar 68?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>PH</u>	PAGE 1 OF <u>6</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF AV TAKEN AT CHU LAI, DATED 13 DEC 69, CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JAN 68

"STATEMENT OF INVESTIGATOR
CONTINUED"

PH

TAKEN AT WASHINGTON, D.C., DATED 13 DEC, 69,

A. I have no knowledge of a prior mission being conducted in that area which displeased **AV** and I am sure that TFB was not ordered to wipe out the village and its inhabitants.

Q. What was **XT** relation to you in the chain of command?
A. **XT** was Commanding Officer of the on 16 Mar 68.

Q. Were you in the area of My Lai (4) during the operation?

A. I was not in the area of Task Force Barker on 16 Mar 68. To the best of my knowledge I was probably in the area of the 196th or 198th Infantry Brigade.

Q. Were you aware of a report being made through command channels regarding the unnecessary killing of civilians of My Lai (4)?

A. The first that I heard of the action was at the evening tactical staff briefing on the day of the combat assault. I was surprised at the high body count, and was also disappointed at the low weapons count. The division had a very high body/weapon ratio count up until that time; however, I must add that I was not informed and it was not reported to me that any non-combatants had been killed by US ground forces. It was brought out by **XT** to **AX** that some civilians had been caught in the artillery preparation fire and that some casualties had occurred.

Q. Was there an investigation, either formal or informal conducted? Who directed it? What level of command investigated? How many different investigations?

A. On 17 Mar 68, **AX** based on my report to him of the pilot's observations, directed me to personally tell **XT** to immediately conduct an investigation into the allegation that non-combatants had been engaged by friendly forces in a cross-fire with enemy forces. I personally went to Fire Support Base Dottie (LZ Dottie), and relayed **AX** order to **XT**. I was later informed that **XT** rendered an oral report to **AX** but that **AX** desired a thorough investigation and a written report. I myself did not see the report that was subsequently submitted to **AX** by **XT**. This is to the best of my recollection.

Q. What were the results of this investigation(s)?

A. I asked both **AX** and **XT** about the investigation and was informed by both of them that the investigation had proved to be unfounded. Again, it was brought out that the only civilians killed had been those hit by artillery fire during the artillery preparation.

Q. Was there a Command and Control chopper assigned to this operation?

A. I was not in the area, so therefore, I do not know if there was a Command and Control helicopter over the village during the action or not. I assume there would have been.

Q. Who was the field commander of this particular segment of the operation?

A. Since there were two (2) companies involved in the operation, I would assume that **GN** was the commander. To the best of my knowledge, no other individual had been designated.

Q. Was a prisoner report submitted by TFB subsequent to this operation?

A. If I recall correctly, there was a prisoner report made but it was quite insignificant in numbers. It was a division SOP that these reports were to be made subsequent to each operation. With the number of VC killed in action, the

PH

prisoner report seemed rather small; however, it can be rationalized that due to the poorly equipped VC in that area, difficulty in making identification, terrain, and the fact that the VC had a very good intelligence net, the VC could have escaped from the area prior to detection.

- Q. Was there any report of artillery prep rounds striking the village rather than the LZ?
- A. I cannot recall any report being made of any of the artillery preparation rounds striking the village rather than on the Landing Zone.
- Q. What was the policy regarding destruction of houses/living quarters in known VC hamlets and villages?
- A. AX was very strong in his feelings that damage to houses, property, etc., be kept to an absolute minimum. He spoke very strongly and pointedly to his commanders about this on numerous occasions.
- Q. How many investigations, either formal or informal, were conducted by the Americal Division subsequent to the My Lai operation?
- A. To the very best of my knowledge, the only investigations conducted were the two previously mentioned. The one that XT rendered orally to I AX and the written report submitted by XT which verified his oral report and which I might add that I did not see.
- Q. Did you and XT confer on this matter and/or interview your TF and battalion commanders about the My Lai allegations?
- A. When I relayed AX order about the investigation to XT PA was present; however, I did not personally interview any of the Task Force or battalion commanders. XT and I did confer on this matter at the time I gave him AX instructions about the investigation and again after the investigation when I asked him about the outcome of the investigation. I might add that XT did conduct the investigation himself as he had been in the area during the operation and apparently knew more about it than any one else.
- Q. Are you familiar with MACV Regulation 20-4 concerning procedures in connection with the reporting of war crimes?
- A. If the MACV Regulation 20-4 concerning procedures in connection with the reporting of war crimes, dated 27 Apr 67, is the one you are referring to, yes, I am familiar with it. I might add that one must be aware that a war crime has been committed before it can be reported.
- Q. Prior to the My Lai incident, had you advised subordinate commanders to insure that operations were conducted in compliance with the Laws of War and Rules of Land Warfare? How?
- A. A regulation or directive to subordinate commanders concerning compliance with the laws of war and the rules of land warfare would originate at division level and I am sure that the Americal Division had such a document or policy, however, I do not recall seeing that specific document.
- Q. Are you aware of any staff conference regarding the My Lai incident?

"STATEMENT OF
CONTINUED"

DATED 13 DEC 69.

- A. I cannot recall any specific meeting or staff conference about My Lai which I attended other than the meeting with XT and PA when I relayed AX instructions regarding the investigation. YC and WG were also present at that time.
- Q. Did you interview pilot(s) who allegedly reported this incident?
- A. No. I did not personally interview any pilot(s) who had allegedly reported this incident.
- Q. Was approval given at division level to DS or PA or anyone for that matter, to destroy My Lai (4) and all its inhabitants?
- A. No. I am not aware of any request from anyone for permission to destroy the village of My Lai (4), nor am I aware of any approval for such authority.
- Q. How was the operation into My Lai (4) initiated? By this I mean what prompted it, who requested authority, and who granted permission for the operation?
- A. PA had an extensive Area of Operations (AO) and went into the coastal area on several occasions in an attempt to find and engage the enemy. As a battalion commander he would necessarily have to keep his next higher commander informed of his progress and intended actions. The area of My Lai was in his AO so he would naturally be able to conduct operations there if he saw fit and XT approved.
- Q. Who went in with TF BARKER other than combat elements (MPs, Engrs, Medics, PIO-RVN Field Fire Police, ARVN)?
- A. As far as any attached units or augmentation troops to Task Force Barker on that operation, I don't know of any other than the Aviation support and the "Kit Carson Scouts", ARVN, who act as interpreters and guides.
- Q. Were you at LZ Dottie during or after this operation at My Lai?
- A. I was not at LZ Dottie on the day of the operation, but I did go there the day after the operation when I relayed AX's instructions to XT.
- Q. Did you conduct or direct any inquiry into the operation at My Lai?
- A. The only inquiry I personally conducted into this allegation was the transmittal of AX's instructions to XT.
- Q. Do you know the name of the pilot who made the initial allegation?
- A. I have since become aware of the helicopter pilot's name through the newspapers and this present inquiry. I believe his name is V/ I would not have known his name otherwise.
- Q. Do you have anything to add to this statement?
- A. Yes. I would like to make two (2) points clear and get them on the record. To the very best of my knowledge or recollection, it was not reported to me that non-combatant civilians had been purposely and unnecessarily killed by friendly US ground forces. Had this been the report or the information provided to me, I would have immediately and strongly recommended to the Division Commander that a senior, non-interested and non-11th Brigade officer be designated to immediately initiate an Article 32 investigation.

PAGE 4 OF 6

"STATEMENT OF INVESTIGATOR PH
CONTINUED"

WASHINGTON, D.C., DATED 13 DEC 69,

Further, I would have recommended that an allegation of this magnitude be immediately provided to responsible officer personnel at Hqs, USARV and to Hqs, Marine Amphibious Force. This above recommendation was adopted and followed by me in early June of 1968 when I learned of an alleged rape and murder of non-combatants in the 198th Infantry Brigade. Consequently, it is inconceivable for me to have treated one allegation different than another.

I am confident that I took no action to attempt to cover up the allegations of what occurred on 16 Mar 68 or the resulting report. On the contrary, I personally instructed XT to conduct an in-depth investigation and report all facts, findings and conclusions to the division commander as soon as possible. I am unaware of any actions taken by AX or any other member of the division headquarters to cover up the alleged incident.

Criminal Investigator L W was present during the entire time of the interview.

STATEMENT (Continued)

I, PH, have read the statement which begins on page 1 and ends on page 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence.

NAME OF PERSON MAKING STATEMENT: PH PAGE: 6

I, PH, PH AFF DAVIT HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE.

WITNESSES:

LW

PH
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of December, 1969 at Washington D. C.

ORGANIZATION OR ADDRESS

BBBQ
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS (Typed Name)

BBBQ
(Typed Name of Person Administering Oath)

Art 136 (b), (1), UCMJ, 1968

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PH

PAGE 6 OF 6 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 12 Dec 69	TIME 1430	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME JS	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

JS, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

I arrived in Vietnam on or about 16 Feb 68 and reported into the 123d Aviation Bn, Americal Division, RVN. I was assigned to Co B, 123d Aviation Bn which was just formed and initially began flying UH1 D type helicopters. Within three weeks I began flying reconnaissance missions. These missions were staged out of LZ DOTTIE. Shortly thereafter I was checked out on the armament systems of UH1 B helicopters which were gunships. I then started alternating between flying gunships and lift ships. I received a briefing I think the morning of the assault on My Lai (4), exact date I do not know, but was in March 68. The gun ship that I flew that day was one of the two that replaced our other gunships that were on station at the outset of the mission. I arrived on station at My Lai (4) about 0930 to 1030. At this time the village was a blaze and I noted numerous bodies scattered throughout the village. The operation was well underway. DO, THE AIRCRAFT COMMANDER, I and two other crew members I do not recall their names, flew around the village for about 30 or 40 minutes and did not hear or see any significant ground action. It was about this time that we noted V1 landing his copter which we were flying cover for. I was flying as pilot gunner. We made low passes over hiscopter to determine what was happening. To the best of my recollection I do not recall that V1 informed my crew what he planned to do by landing. We noted that he got out of hiscopter with the engine running. I am not sure what his actions were at this time as we were flying in a circle to the right at an altitude of approximately 150-200 feet. At this time as we were flying our low passes, we noted that there were numerous bodies in a trench located in a hedgerow on the eastern perimeter of the village. The trench looked like it was about 75 yards long and 6 to 8 feet wide and appeared to have a small amount of water in it as it was red apparently from human blood. The bodies were laying along a length of about 30 yards and were stacked one on the top of another. It indicated to me that the bodies were either killed and thrown into the trench or that they were grouped in the trench and then killed. Due to the manner that they were stacked 4 or 5 deep in places, it indicated that they were thrown in on top of each other. At this time I did not see any Americans or Vietnamese standing in the immediate area over looking the trench. We also noted on our passes that there were 20 to 25 more bodies laying in a group at the intersection of the east-west road and the north-south trail which entered the village at mid point from the south side. The bodies were grouped in an area of about twelve feet in diameter. There was no American or Vietnamese standing in the immediate area.

Q. I now show you a photograph numbered one, can you orientate yourself to the outlay of My Lai (4) village?

A. This photograph depicts that we are looking from the west to the east as the ocean is in the background. The trench with the 100 to 25 bodies was on the east side along this clearing, (pointing to the clearing and hedgerow). I can no be sure of the location of the north-south trail going into the village where the 20 or 25 bodies were.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JS	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

"STATEMENT OF
CONTINUED"

ON 12 Dec 69

In addition to the pile of bodies there were also bodies one and two together scattered along the east-west road traveling west from the intersection of the north-south trail. There was about five bodies in all along the road. I want to mention in reference to the bodies in the trench that there was about 100 to 125 in the trench.

While making these low passes over the village, we had just flew across the trench when we heard ground fire. Immediately D O turned the copter in a real tight right hand turn and alerted the crew. As we came around to the trench we noted an American soldier standing on the eastern side of the trench. We saw him firing his M-16 rifle what looked like to be into the trench where the bodies were laying. We heard his fire and then made another tight right hand turn and then saw the muzzle flash of his weapon as he fired again. This established the fact that it was friendly fire so we continued our orbit of the village. At this time we noted that V I was returning to his copter from which he radioed to our ship requesting that we give him assistance in evacuating 10 or 12 Vietnamese civilians that he had found hiding in a bunker. We questioned his decision to evacuate them and he told us that if we did not evacuate the civilians that they would be killed. V I stated that he had spoken with an unidentified Lt on the ground and asked the Lt to take custody of the civilians and move them out of the line of fire. V I said that the Lt replied that the only way he would get them out of the bunker was with a hand grenade. We then told V I that since we were heavily loaded that we would take 3 or 4 out at a time and would make more than one trip if necessary. D O landed our copter near V I's ship. At this time V I was out of his ship and was coaxing the civilians out of the bunker. With the aid of V I's gunner they brought them to our ship. We took 4 or five of them and flew them 3 to 4 miles out and north of the village along the east-west road and dropped them off in a rice paddy. We returned for the remaining civilians and also flew them to the same location. From there I do not know where or what happened to these civilians. Shortly after we returned to the village and circled a few more times and then left and returned to LZ DOTTIE. That was the end of our mission for the day.

About a day or two after the mission on My Lai (4) we were told to report to a LTC, name unknown, at LZ DOTTIE. This LTC told us that he was investigating the MY Lai (4) mission, but did not clearly spell out exactly what the problem area was. He seemed concerned about an NCO firing into the trench as he asked me if I could positively identify this NCO. I told him that I could not. It was apparent through his line of questioning that there had been some unnecessary killings. This LTC is the only person that ever questioned or interviewed me about the mission.

Q. Did the bodies mentioned above consist of men, women and children?

A. Yes.

Q. Did you hear V I make a statement over the radio that if the members of Co C, 1/20th Inf, ground force, did not quit the excessive killing that he was going to shoot the Americans?

A. No, I did not hear him say it on any of the radio frequencies that I was on.

Q. Did you have knowledge of the operation that D S was to carry out against My Lai (4)?

A. No I did not nor did I know D S A.

STATEMENT (Continued)

Q. Do you have knowledge of the My Lai (4) area being softened with gunship artillery either before or during the mission?

A. I can not remember of any real concrete evidence that there was air to ground artillery fired.

Q. What, if any difference was there in the manner that the combat assault was carried out on My Lai (4) as compared to other support missions you have participated in?

A. There was none.

Q. Did you see anyone shoot any Vietnamese civilians?

A. I did not.

Q. Did V1 discuss the mission at My Lai (4) with you, after the mission?

A. Yes, he did. Possibly we talked about it more than one time, the discussions were not limited to just me and him. As far as what was specifically discussed, I can not recall but he seemed to be concerned that there was some injustice done in the killing of the killing of civilians. V1 really never discussed it in detail but did in the manner that pilots would normally discuss missions of this type.

Q. What was your specific orders in reference to firing on the village?

A. Normally as a recon team you are working for the ground force commander. We would fire at his request or demand, or upon receiving fire we would fire suppressive fire to cover ourselves, and also the targets designated by the recon aircraft working with or for us.

Q. How long did the portion of the mission last that you were involved in?

A. Approximately two hours.

Q. Was there any Vietnamese civilians that were captured or wounded evacuated from the My Lai (4) area?

A. None to my knowledge.

Q. Was there any weapons captured?

A. None to my knowledge.

Q. Do you have knowledge of person(s) who took photographs of the mission on My Lai (4)?

A. No one in my aircraft took photographs.

Q. Did you hear of any American casualties as the result of the mission at My Lai (4)?

A. No.

Q. I now show you a hand drawn map of My Lai (4), will you indicate on the map the location where V1 set down his chopper and where the groups of bodies were lying?

A. Okay.

AFFIDAVIT

I, JS HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of December, 1969 at Ft Eustis, Va.

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136, UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE 22 Dec 69	TIME 0900	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME Y I		SOCIAL SECURITY ACCOUNT NO. GRADE	
ORGANIZATION OR ADDRESS			

SWORN STATEMENT	
<p>I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>I was assigned to the _____ in the Republic of Vietnam during JAN 68. During _____, I was a crew chief on a Huey gunship and participated in an operation in the flatlands southeast of LZ Dottie. I do not recall the name of the area, the operation or the name of the village where it took place.</p> <p>The operation sticks in my mind because of the large number of bodies I saw on the ground. They were mostly women and children. I saw very few military age males. I don't remember the exact date or even the time of day, but the infantry had already been CA'd to their LZ for the assault. My plane and two others were searching from the air northwest of this particular village and after failing to find anything, went there to assist in searching. The first thing I noticed at the village was the large number of bodies and that about half of the village was burning. There were bodies scattered throughout the village, along a road running east and west to the south of the village, in a ditch along the southeast end of the village and along a trail going north and south on the south side of the middle of the village.</p> <p>The first thing we did was search from the air for military-age males. We were flying about 50-100 feet from the ground. We did not see any live military-age males but may have seen a few dead ones.</p> <p>The next thing I recall is hearing obscenities over the radio from VI aircraft concerning the number of women and children being shot. VI was pretty mad. I recall another transmission at that time from another plane asking who was in charge on the ground, how could the situation be stopped, or words to that effect.</p> <p>Next, I remember VI H-23 helicopter setting down somewhere near the southeast corner of the village. I saw him set down and as he had mentioned on the radio, he talked to someone on the ground. I don't know what they talked about or who he talked to. He talked to someone in the infantry unit working in the village. When he got back in his helicopter and in the air again, I heard VI cursing on the radio. He mentioned something to the effect that the guy in charge ought to have his head examined.</p> <p>I heard later that VI had picked up at least one Vietnamese child from the village and took him out. I don't remember how many times he sat down.</p> <p>When VI flew out, my plane left also. We never went back to that village. That's about it.</p> <p>Q: Did you receive a briefing prior to the mission?</p> <p>A: The pilots attended one, but we didn't. The pilots told us after their briefing where we were going and that there would be friendlies nearby. I don't remember anything else.</p> <p>Q: Do you know of any resistance?</p> <p>A: No, the Vietnamese were running away to hide. I don't recall any enemy fire.</p> <p>Q: Do you recall a temple, pagoda or shrine in the village?</p> <p>A: No. Y I</p>	

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT Y I	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

YI

- Q: Did you or anyone you know take pictures during that mission?
A: No sir.
Q: Do you have any documents pertaining to this operation?
A: No sir.
Q: Do you have any knowledge of the villagers being warned to evacuate the village because of the impending assault?
A: No.
Q: Did you see anyone being shot at or near the village that day?
A: No.
Q: Did you see any Vietnamese receive medical aid?
A: No sir.
Q: How many persons would you estimate were killed at the village?
A: I would say that I saw approximately 100 bodies.
Q: Did you report what you had seen to anyone?
A: No.
Q: Do you know of any formal complaints having been made concerning what had happened at the village?
A: I heard some pilots talking about making a complaint, but I don't know who they were or if they ever did lodge any complaint to anyone.
Q: Do you know anything about an investigation being conducted in Vietnam into what transpired at the village?
A: No sir, I don't. This is the only time anyone has talked to me about it.
Q: Did you have any instructions relative to reporting these types of incidents?
A: No sir.
Q: After looking at the photographs I have shown you, can you comment on any of them?
A: Yes, #51 depicts the village looking west to east. #52 is the village looking north to south from the west end of the village. #53 is the southeast corner of the village. #14 is the north-south trail leading into the village from the road. I don't specifically recall those bodies, but I recall bunches of bodies like that. There were several bunches of various sizes.
Q: Can you think of anything else about that operation that we haven't talked about?
A: No sir.
Q: Is there anything that you would like to add to or delete from this statement?
A: No. It was something that I have tried to forget. It bothered everyone of us that was flying that day. ~~OK~~ X X X X END OF STATEMENT X X X X X X X X

INITIALS

YI

STATEMENT (Continued)

NOT UTILIZED

AFFIDAVIT

YI
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

WILLIAM R. WOOD
Det B, 1th MP Gr (CI), Ft Sill, OK
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

YI
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22d day of December 1969 at Ft Sill, OK

James Buglio
(Signature of Person Administering Oath)

JAMES BUGLIO
(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ
(Authority To Administer Oaths)

YI
PAGE 3 OF 3 PAGES

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE	TIME	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME YC	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
<p>I, <u>YC</u>, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>I served as _____ of the 123d Aviation Bn, Americal Division, RVN, during the period 12 Jan - 18 Jul 68. The 123d Aviation Bn was the organic Aviation Bn to the Americal Division and was headquartered at Chu Lai, RVN.</p> <p>On 16 Mar 68, elements of the 123d Aviation Bn, were working out of LZ DOTTIE in support of Task Force BARKER. I recall that on 16 Mar 68, one lift helicopter and two gunships were working in direct support of the TF BARKER mission at My Lai (4). The lift chopper was commanded by <u>VI</u> 123d Bn, was reorganized as an Aero Scout Company and was commanded by <u>WG</u>.</p> <p>At approximately 2200-2300, 16 Mar 68, <u>WG</u> related to me that <u>VI</u> reported that he had witnessed excessive killings of Vietnamese civilians during the assault mission on My Lai (4) on 16 Mar 68. <u>WG</u> stated that <u>VI</u> witnessed an standing on the side of a ditch, exact position unknown, and that the fired on approximately twenty civilians who were grouped together in the ditch. In addition, that <u>VI</u> had observed a small group of civilians who were trying to get into a cave for cover and that they were fired upon by members Co C, 1/20th Inf Bn. <u>WG</u> continued that <u>VI</u> stated after witnessing the killings he threatened to shoot the Americans as they advanced on the small group of civilians. <u>VI</u> put his chopper down and picked up a child and evacuated the child to a hospital.</p> <p>Q. <u>VC</u> subsequent to <u>WG</u>'s reporting of <u>VI</u>'s observations, what, if any, action did you take at this time?</p> <p>A. At this time it was about midnight of the 16th of March. I waited until the following morning, 17 Mar 68, and <u>WG</u> and I, the incident to <u>WZ</u>, <u>WG</u> related to <u>WZ</u> the same information that he had previously related to me concerning the excessive killings of civilians.</p> <p>Q. Subsequent to briefing <u>WZ</u> what action did <u>WZ</u> take regarding the matter?</p> <p>A. <u>WZ</u> was very much concerned at the possibility of one American shooting another American as <u>VI</u> had threatened to do. <u>WZ</u> directed <u>PA</u> and <u>XT</u> to meet him at LZ DOTTIE about mid morning, 17 Mar 68. In addition, <u>WZ</u> directed <u>WG</u> and I to meet with him at the same time. On the morning of the 17th of March we all went to <u>PA</u>'s trailer. Again <u>WG</u> related to the group what <u>VI</u> had witnessed regarding the killings. At this time <u>WZ</u> directed <u>XT</u> to investigate the incident and have a report of findings available in something less than 72 hours. That afternoon, 17 Mar, I went to <u>CZ</u> of the Americal Division, and reported the alleged incident.</p> <p>Q. <u>YC</u>, did you or your office conduct an investigation of the alleged incident at My Lai (4)?</p> <p>A. No.</p> <p>Q. Do you have any documents of the operation of the combat assault on MY Lai (4) on 16 Mar 68?</p> <p>A. No.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>YC</u>		PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

STATEMENT (Continued)

Q. Do you have factual knowledge of the mission requirements regarding the mission at My Lai (4) on 16 Mar 68?

A. No, I went out to LZ DOTTIE almost every day as this was a common occurrence but was not directly involved with the mission on My Lai (4).

Q. Do you have knowledge of additional pilots who might have witnessed the alleged incident?

A. Yes, there were other pilots who confirmed ☒ report however I do not know their names.

Q. Do you know if there were any captured or wounded civilians evacuated from the My Lai (4) area by the lift chopper, other than the child that ☒ evacuated?

A. No, nothing was mentioned by ☒.

Q. ☒ do you have any additional information or know of anyone who tried to suppress an investigation into the My Lai (4) alleged incident?

A. An investigation was conducted by ☒ directed by ☒ ^{would normally} I did not see this document signed by ☒ however, it was revealed to me and I am inclined to believe that ☒ did not state the facts as it did not mention or conclude that the excessive killings of Vietnamese civilians as described by ☒ did not occur.

Q. Do you have knowledge of the specific instructions regarding the mission on My Lai (4) on 16 Mar 68?

A. No I do not.

Q. Do you have knowledge of ☒ and ☒ and/or their involvement in the mission of My Lai (4)?

A. No.

Q. ☒ is there any information to your knowledge that has not been discussed during this interview which may be pertinent to this investigation?

A. No, not that I can think of at this time.

Q. Do you have anything to add, delete or clarify regarding this statement?

A. No.

AFFIDAVIT

I, ☒ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of December, 1969.

BBB R

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

BBB R

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136, UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

WITNESS STATEMENT (AR 195-10 - TII PMO 3)			
PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <div style="text-align: center;">LG</div>	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT	
<div style="text-align: center;">WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</div> <p> <i>LG</i> During March 1968, I was a _____ I was assigned to _____ 123rd Aviation Battalion, Americal Division, based at Chu Lai, Vietnam, but working out of LZ Dottie. During March 1968, I remember being on an operation in the My Lai area. Why I remember this was because what I had heard over the radio between my _____ <i>WG</i> and the _____ who ever it was. I knew it was from the _____ command due to the signal given as _____ It could of been _____ but I am sure the number _____ was used meaning _____ The _____ stated that where he would have smoked popped it was there they needed air support. I heard this on the radio between 0900-1100 hrs that day of the operation. I can not give you a date because I had only been on a few operations prior to this one. All I can say it was about the second week in March 1968. Well, later on that day, I would say about 1200 to 1400 hrs, _____ <i>WG</i> informed the choppers and the ground commander that he was changing his communications net to the 11th Bde, as it was there job (11th Bde) to give air support and not his (_____ <i>WG</i> men since his company was a reconnaissance unit and not an air support unit. The ground command came on the radio and informed _____ <i>WG</i> that it would take to long for the Sharks (17th Air Company) to get to the area to give the _____ support, for the ground troops. The 11th Bde was out of Duc Phou. Also why I remember this was that _____ <i>J1</i> was flying with _____ <i>V1</i> in an H-23. After the operation later on that night _____ <i>J1</i> _____ told me that they (_____ <i>V1</i> and _____) had seen some dead bodies and as they flew over them he had seen a boy who was not killed, but wounded. _____ <i>V1</i> landed his chopper and they picked up the boy and took him to Quang Ngai, Vietnamese Hospital. Also _____ <i>V1</i> had picked up several people and took them out of the My Lai Area, to a safer area. As far as the shooting of civilians or other incidents in the My Lai Area _____ <i>J1</i> never told me anything about it. The UH-1B which I was _____ on arrived in the My Lai area after the ground troops had already landed. The gun ship which I was on, flew about 1500 ft, giving cover support to _____ <i>V1</i> 's ship. There was also another Gun Ship, this one flew about 500 ft, also giving cover support to _____ <i>V1</i> 's ship. I do not know the crew of the other ship. The only person I can remember other than _____ <i>V1</i> and _____ <i>J1</i> was _____ <i>RG</i> who was also with _____ <i>V1</i> . The only person I can remember being on our ship was _____ <i>TTN</i> , who was the _____ a _____ As far as I can remember one took photographs of that operation. Our ship didn't fly low enough for me to see any pile of bodies or see anyone GI shoot any person. </p> <p> Q: Do you know if the 17th (Sharks) or another aviation unit came to the My Lai area and gave support? A: I don't know. </p> <p> Q: When smoked was popped on the ground what did the gun ships do? A: A re gun ships would fire into the area with rockets and one other weapons. However, I donot know if this is the same area as My Lai (4). </p> <p> Q: Did the gun ships fire into the villiges with there rockets? A: Just the area imediate area around the villige. </p> <p> Q: did you see any of the gun ships kill people on the ground which was relived to be _____ </p>	
EXHIBIT	INITIALS OF _____ <i>LG</i> MAKING STATEMENT PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

A: No.
 Q: Had you heard of gun ships killing people on that operation?
 A: No.
 Q: Had you heard of anything else from anyone about killings at My Lai (4)?
 A: No.
 Q: While in Vietnam did you hear that there might be an investigation concerning the My Lai operation?
 A: No.
 Q: Did you hear about VI making a complaint about the operation at My Lai (4)?
 A: No.
 Q: Prior to this date, had anyone other than your superiors questioned you about My Lai (4)?
 A: No.
 Q: Where you ever advised not to discuss this incident with anyone?
 A: I really didn't think of it as an incident or if anything was wrong until it came out in the news.
 Q: Where you advised by your superiors to what your reply should be in the event that someone questioned you about this incident?
 A: No.
 Q: Did you see a helicopter land during the operation of My Lai (4)?
 A: No.
 Q: I now show you photographs taken at My Lai (4) area, 18 months after the operation. Do they remind you of anything?
 A: Photograph #63, the building I had circled looks familiar.
 Q: Do you have anything to add to this statement?
 A: No.

AFFIDAVIT

I, LG HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES: LG (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this

ORGANIZATION OR ADDRESS LU (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS Art 136 (b)(4), UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT LG PAGE 2 OF 2 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE	TIME	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME EEL	SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS Hqs Company, 5th Bn, 6th Inf, 1st Armored Division, Fort Hood, Texas			
SWORN STATEMENT			
<p style="text-align: center;">EEL WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>I was assigned to the 23d Infantry Division, Americal in February 1968 and arrived at Chu Lai, Vietnam on about 14 February 1968, and was assigned to the 123d Aviation Battalion. My duties consisted of being a <u>TEAM LEADER</u> of the <u>GUN</u> section of the Aero Scout unit. At the time of the operation at My Lai (4), I was of a ship on recon duty in support of Task Force Barker. I was flying over or near hill 85 which is to the south of My Lai (4) during the artillery preparation fire and during the time that the infantry troops were being lifted into the area by chopper. After the troops got into the village, we were to fly screening missions to pick up any VC that may have been leaving the village. I was flying as a covering ship for <u>T/</u> who was in an OH-23 helicopter. I was flying about 100 feet above him and to the side. As the troops started into the village, there was a group of about fifty (50) Vietnamese started out of the village on a trail which is to the south west of the village and made it to the main road. I could not hear the other radio transmissions as we were on a different frequency, but our entire gun ship team was surprised when the other gunships (Sharks) made a gun run down the road and shot this group. After the gun run, <u>T/</u> was instructed to go down and look for weapons. He went down and checked the bodies and then communicated over his radio that he hadn't seen any weapons lately. After this, we <u>T/</u> and I resumed our normal recon of the village area. During our recon, <u>T/</u> stated that he had seen a small child near his mother or another person and that he had seen a open fire on this child with his rifle. <u>T/</u> was closer to the ground than I was and therefore, could see more of what was going on in the village. During the course of the operation in the village, it was apparent by <u>T/</u> radio transmissions that he was very unhappy about what was going on in the village. Neither <u>T/</u> nor I saw any type of hostilities or fire directed against the US Forces in the village that day. At one time, I saw <u>T/</u> land his chopper on the east side of the village, get out, talk to someone on the ground, pick up a child, get back in his chopper and take off. I followed him back to the hospital at Quang Ngai where he dropped the child off and then we returned to xxxxxxxxxxxxx My Lai (4) xxxxxxxxxxxxxxxx My Lai (4) LZ Bottie where we refueled. We did not return to My Lai (4) that day.</p> <p>Q: While over My Lai (4), did you see any bodies, other than the ones on the road, and, if so, where and under what circumstances?</p> <p>A: Yes. There was one ditch in particular which which is located around the south east edge of the village. I could not even venture a guess as to how many bodies were in the ditch, but it was a sickly sight. There was some water in the ditch and it was actually red with what I assume to be blood. I cannot give any specific ratio ratio as to sexes or ages, but by far, the greatest number of them were women and children.</p> <p>Q: Could you hear any radio communications from the ground commanders?</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT EEL		PAGE 1 OF <u>3</u> PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

DA FORM 2823
JAN 68

Statement of

EEH

taken at

continued:

A: No. T/ and I communicated on UHF and the ground commanders and staff communicated on FM. T/ had also FM which allowed him to communicate with the ground forces.

Q: Did you mark a wounded VC with smoke when the CA first started?

A: I did not and I can't recall if any of our ships did or not.

Q: Did you witness any actual shooting from your helicopter over My Lai (4)?

A: No.

Q: Do you know if any prisoners were taken during that particular operation?

A: As far as I know, there were no prisoners taken. As I said, as soon as we had completed our recon mission and had taken the child to the hospital, we departed the area.

Q: Did you observe T/ pick up any other Vietnamese from the village?

A: No. The only pick-up was the little child.

Q: What was the context of your pre-mission briefing?

A: The night prior to the operation, we were told that we would be "op con" to the 11th Brigade, but we did not receive any briefing from brigade.

Q: Did you receive any hostile fire at any time during the operation, or was there any evidence that the ground troops were receiving any hostile fire?

A: No. We did not receive any and there was nothing to indicate that the ground troops had received any.

Q: What did you think of the operation at My Lai (4)?

A: I think that all of the killing was unnecessary. In fact, after the operation was over T/ and I got together at LZ Dottie and talked this thing over and T/ and the two Aircraft Commanders went to W and reported the incident. I am not too sure of the sequence of events in the reporting of this incident, but I do know that it was reported.

Q: Do you know if there was an investigation conducted by the brigade or Division after this incident was reported?

A: I know that the Brigade Commander was talked to, and I know that there was an investigation conducted by the Division, however, I don't know how formal it was. I was never questioned about it myself.

Q: Other than the group you initially stated were shot on the road by gunships, are you aware of any other casualties inflicted by the gunships or any of the helicopters?

A: No. There were none at all. I know that our gunships did not fire.

Q: Do you know if any of the artillery rounds hit in the village?

A: I don't believe any of the rounds went into the village.

INITIALS EEH

STATEMENT (Continued)
Q: Do you have anything to add to this statement?
A: I cannot think of anything else.

Q: Would you be willing to testify if called upon in any legal action which might be taken as a result of this incident?
A: Yes. I will be more than happy to help you in any way I can.
.....END OF WRITTEN STATEMENT.....

AFFIDAVIT

I, EEL HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

EEL
(Signature of Person Making Statement)

WITNESSES: _____

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ at _____ PH _____ UNDER OATH

ORGANIZATION OR ADDRESS _____
(Signature of Person Administering Oath)

PH
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS: _____
DOCKET Art: 136 (b) (4), UCMJ: 1968
(Authority To Administer Oaths)
DATE: _____ TIME: _____ LIFE NUMBER: _____

INITIALS OF PERSON MAKING STATEMENT _____
PAGE 3 OF 3 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME	INITIAL SECURITY ACCOUNT NO.	UNCLASS	
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, ST, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 14 Jan 1968 I joined the 123d Avn Bn in Chu Lai RVN as a leader. Later on I became leader of the armed Huey platoon.

On 16 March 1968 I was ~~XX~~ the leader of the aero Escout section and flew as an H-23 pilot.

In the evening of 15 March 1968, FS gave us the briefing for this operation. We were to take off from Chu Lai, fly to LZ Dottie, and provide advanced aerial observation for C Company, 1st Bn, 20th Infantry. C/1/20 was to be inserted into a combat sweep through My Lai (4), landing on the southwest and moving to the northeast. My unit was to fly in the advance of C/1/20 as they made their moves. Only one of my unit's ~~XX~~ ships was to be in the air at the time, with our usual two gunships flying as our cover. There was to be an artillery preparatory fire as well as gunship preparatory fire. These gunships were from the 176th Avn Co, from Duc Pho. V/

AN LOH PILOT from my unit, was to fly the first flight. I was to fly his relief. It was around 1200 hrs that V/ returned in need of maintenance and I went up to fly his relief. I arrived on station over C/1/20 at about 1230 hrs, 16 Mar 68. C/1/20 had made its sweep through the village and was moving out to the northeast. I flew ahead of them towards "Pinkville" proper.

When I arrived on station, about all that I saw in the village of My Lai (4) were some columns of smoke from burning buildings. I did not fly over the village itself. I did not see any bodies lying on the ground or in any ditches. I was concerned with observation of the area to the north and east of the village itself. As best as I can recall I followed our usual practice of flying at about 1000 until I reached station and then spiraled down to mission level, starting in my mission. I was in the air about 45 to 60 minutes at the most. Everything was quiet during my mission; I received no fire from the ground and I saw none being directed towards C/1/20. At the time of my mission the only gunships in the area were those assigned to fly cover for my ship. I did not see any civilians running from one area to another and I did not see anyone firing at all.

My crewmembers were TTR - later killed in my crash; TTS - whose location is unknown to me; while

RG was flying with V/ - he also was killed in my crash on 8 Apr 68. This is to the best of my knowledge.

Q: Did you have an opportunity to monitor any radio traffic that morning?

A: No, I did not. We had a radio van at LZ Dottie, with a monitoring the traffic but I don't recall his name.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	<u>ST</u>	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ST TAKEN AT CHU LAI DATED 16 MAR 68 CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF ~~SS~~ SO , TAKEN AT
CONTINUED:

Q: What hearsay knowledge do you have of the incidents which are alleged to have happened in My Lai (4) as C/1/20 made its sweep through the village?

A: Well, when ST returned to LZ Dottie and as I was being briefed by him for my relieving mission, I recall that he was very mad about what he had seen in My Lai (4). He told me that there had been an indiscriminatory amount of killing in the village and there was a large number of bodies there. He also told me that he had seen three children - three little boys - in a spider hole, that he had landed and had told a Squad Leader of C/1/20 about them and that he had had these boys removed from the hole. He led me to believe that everyone in the village had been killed.

I saw nothing of this.

At the end of that day, I filed written complaint with WG as a part of my mission report, of what VI had told me. Earlier that day, VI and I both had made a verbal complaint of the same thing also to WG. About a week later, as I happened to drop in to the Bn S2 office, I inquired about my mission report. The Intelligence Specialist, name unrecalled, told me that he had not seen the report. I don't know what happened to this report.

I know nothing about any investigation of the My Lai (4) incident ever being made in Viet-Nam.

Q: Please read these questions and ~~XX~~ respond to them as best as you can?

A: Well, as I said before, I made both a written and a ~~XX~~ verbal complaint to WG on 16 Mar 68 at LZ Dottie. I have appeared before the PEERS Board of Inquiry on 12 Jan 70 in Washington, D. C. and gave sworn ~~XXXXXXXXXX~~ testimony. I did not give a sworn signed statement at that time. The time that I made my complaint to WG was the only time that I have discussed this incident with my superiors. I have not been advised to discuss this incident with anyone other than the warning given to me by the PEERS Board. I was not so advised while in Viet-Nam. I have never been "coached" as to what my replies should be in the event that I were to be questioned. To the best of my knowledge, no one in my unit was ever so advised either. I do not have any additional information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai (4).

Q: What other hearsay knowledge ~~xx~~ of the My Lai (4) incident can you recall?

A: I recall that VI had told me that he had received no ground fire when he was over the area and, to the best of his knowledge, the ground unit - C/1/20 - also had received no fire. Also, that night, the evening of 16 Mar 68, several of the gunship pilots, who were assigned to my unit, complained that the gunships of the 176th Avn Co had had a "heyday" over the target in that they had fired guns and

INITIALS ST

Page 2 of 3 pages

WITNESS STATEMENT

For use of this form, see AR 195-10 - TM PMO 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME C Q	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, C Q, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: C Q how long had you been in Vietnam?

A: I was in Vietnam from 1967 to 1968. During the month of March 1968, I was with Company B, 123rd Aviation Bn, Americal Div, APO San Francisco 96374.

Q: Do you recall being on a mission in pinkville during the middle of March 1968?

A: Yes sir, I was on several missions during that time.

Q: Do you remember any one mission that stands out in y ur mine? If so, why?

A: The only thing that I can remember was at My Lia (4) area. I remember only seeing a great ammount of dead bodies, primary women and children of all ages.

Q: Do you know what cause the death of the people?

A: It's my appion that they had been shot.

Q: Do you know who shot the people?

A: No, I didnot see any of them shot.

Q: The bodies that you saw where they in groups or singlerly?

A: Both.

Q: How many bodies did you see in groups?

A: The largest group I saw was about 3 or 4 bodies.

Q: Did you see any US Forces standing over or by the bodies?

A: I don't recall seeing any troops.

Q: When you were flying over My Lia (4), were any of the homes burning?

A: Yes they were burning.

Q: Did any of your gunships fire upon VC and/or the villige My Lia (4)?

A: Not that I know.

Q: Do you know how may aircraft were involved in this operation?

A: No sir, I don't remember.

Q: Can you identify any of your crew members?

A: No sir, I can not.

Q: What type of air craft did you fly?

A: UH-1B gunship.

Q: During that operation did you land in or around My Lia (4)?

A: No sir.

Q: Do you know the names of any other pilots on that mission?

A: No other than V I

Q: Do you know what type aircraft he was flying?

A: Yes sir, he was flying OH-23.

Q: Did you see V I land his aircraft at any time durning the operation?

A: I don't remember.

Q: Did you observe any heavy weapons firing while you was in the area?

A: I didn't observe any weapons being fired, in the immedate area of My Lia (4).

Q: Did you have an occasion to fly over My Lia (4) at a later date?

A: Yes sir.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT C Q	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND
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BE LINKED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

Q: What did you observe on these flights?
 A: I believe it was the next day when I flew over the area I still observed a large ammount of dead bodies lying about. It appeared that none of them had been moved.
 Q: Do you recall any instructions or orders about reporting this type of incident?
 A: No sir.
 Q: Did you report this incident?
 A: No sir.
 Q: Do you have any information or know of anyone who tried to suppress an investigation into the allegations concerning My Lia (4)?
 A: No.
 Q: Do you have anything to add to this statement?
 A: No sir, not at this time? CP

END OF STATEMENT

AFFIDAVIT

I, CP HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE.

WITNESSES:

CP
 (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, 19____.

LU
 (Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

CP

PAGE 1 OF 2

WITNESS STATEMENT (AR 195-10 - TD PMO 3)		
DA	MC	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME DO	SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS		

SWORN STATEMENT	
DO	WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During March 1968. I was the of a UH-1B (Huey) and was assigned to 123rd Aviation Battalion, Americal Division, based at Chu Lai, Vietnam, but working out of LZ Dottie. During March 1968, I took part in an operation at MyLai(4) in I Corps Area of the Republic of Vietnam. During this operation I was part of a three-Helicopter team which included a OH-23 helicopter, my ship and another UH-1B gunship.

Prior to this operation we had a briefing by the WG I did not participate in the infantry briefing. Originally on the morning of the operation. WG flew with me as but later in the day I changed co-pilots but can not remember who the other co pilot was.

We took off early in the morning and flew to MyLai(4). We were to arrive just after first light and coincidental with the troop carriers and two other teams of gunships which were escorting the troop carriers. We arrived as planned.

When I arrived, there were some artillery rounds landing and exploding in the paddies north of the village. (See sketch.) This artillery prep stopped as the troop carriers arrived. I saw no artillery rounds land in the village.

When I first arrived, there were refugees leaving the village to the south. My team had the mission of patrolling the area south of MyLai(4). We flew along the east-west road south of town and around Hill 80-something located south of town. My crew chief said he saw a man with a pack and a weapon going up the north slope of Hill 80-something and I fired at this man with undetermined results as we lost him in the scrub. Also during the morning we saw three males walking south-west on the east-west road south of MyLai(4) and fired in front of them in an attempt to make them stop. These were the only times that day my Team fired their guns.

We flew at an elevation of from 20 to 50 feet, and continued to circle the area south of town. We did not see any armed people and we did not receive any fire. As far as I am concerned, MyLai(4) was an uncontested action.

I saw one gunship from another team hovering over the tree-line at the trail junction in front of Hill 80-something. He was firing into the tree-line. We flew down to see what he was shooting at and saw some people there he had apparently fired into. There were a couple of women on the ground, apparently dead, judging by the number and nature of the wounds they had sustained. I don't know why that gunship shot at these people. The gunship was either from the 176th Helicopter Company or the 174th Helicopter Company, with the probability being that it was from the 176th Helicopter company.

We remained on station about an hour and a half and then I took WG back to LZ Dottie. I gassed up and went to the pad on standby while another helicopter went on station. When my relief helicopter had used up its fuel, I went on station again.

When I got back on station, I saw dead people, two or three around each house, all through the village. I saw 10 or so dead people on the east-west road south of My

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT DO	PAGE 1 OF 4 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.		

Statement of DO , taken at , continued

(ai(4) and west of the north-south trail. At the intersection of the east-west road and the north-south trail (and a little north of the intersection), there was a group of 25 or so dead bodies grouped in that vicinity. There was a drainage ditch -- a shallow ditch 25 or 50 meters east of the north-south trail -- and in this ditch were 75-100 apparently dead Vietnamese. The bodies in each of these locations were those of men, women, and children. They had not been there before the American soldiers landed in the village. I made these observations from 20 to 50 feet.

Q. Can you tell me what was the primary cause of death?

A. Yes, I would say that most of these people had been killed with small arms fire. I saw no injuries I could attribute to artillery fire or rockets.

Q. Please continue.

A. The troops were moving from west to east. V1 the pilot of the OH 23 radioed me and said that there was an old man sitting in the door of a small shelter -- a bomb-shelter -- in the path of the troops. V1, who was quite upset by all the killing, wanted to rescue the old man to keep the troops from killing him too. V1 was netted by radio with me, but not with the troops. I was netted with the high-ship, but not with the troops. The high-ship was netted with the troops. I told the top or high-ship to radio the troops and ask them why they were killing all the civilians and to object to the unnecessary killing.

In any event, V1 said we had better land and rescue the old man. V1 landed between the troops and the old man and the troops arrived at V1's location at about that time. I saw V1 talking to some ground forces, but I don't know who they were or what was said, and then he asked me to come in and evacuate the people since he couldn't lift them in his ship. In two lifts I removed about 10 people: the old man, and then some women and children. On the radio V1 told me that if he saw the ground troops kill one more woman or child he would start shooting (the ground troops) himself. I carried the people I evacuated to a rice paddy west of town where they were out of the path of the troops.

Q. Did you see any US Forces shoot a specific Vietnamese?

A. Yes. We were flying by the shallow ditch full of bodies I mentioned before and I saw a stocky ~~NEGRO SERGEANT~~ fire into the head of a Vietnamese in the ditch. I saw the head explode. There was no one else in the immediate vicinity at the time of this shooting. The ~~SERGEANT~~ fired single-shot from his M16 rifle. I saw him from an altitude of 50 feet at a distance of about 50 meters. He was an E6 or an E7 but I saw no other identifying marks or characteristics.

Q. Could you identify this man if you were to see him again?

A. No, I never saw his face.

Q. Did you see any other specific shootings of individual Vietnamese?

A. No, I did see a woman and her baby near a hut in the village and the baby had been shot in the head with a rifle.

Q. Was the village burned?

A. Not the entire village, but huts here and there were burned.

Q. Can you identify your GUNNER or any other potential witnesses to this incident?

A. Just EEL (phonetic) who is stationed at right now. He has told me that he was on this operation, but I do not recall his being there.

Q. After MyLai(4) did you report the excessive killing to anyone?

A. Yes, I and all the pilots complained about this to our COMMANDING OFFICER.

Statement of DO taken at

, continued

Q. Was there any investigation of this incident in Vietnam?

A. Not to my knowledge.

Q. I show you an aerial photograph of a Vietnamese village. Do you recognize this photograph?

A. No I do not. The photograph is taken from an altitude much higher than we usually fly.

Q. I show you photographs of people, bodies, and scenes in Vietnam. Can you identify any of these photographs?

A. No I can not.

Q. Would you like to add anything to this statement or delete anything from this statement?

A. Not that I can think of. DO

STATEMENT (Continued)

[The main body of the statement is crossed out with a large X.]

AFFIDAVIT

I, DO HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

DO

(Signature of Person Making Statement)

BBBS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____

ORGANIZATION OR ADDRESS

BBBS

(Signature of Person Administering Oath)

B B B P

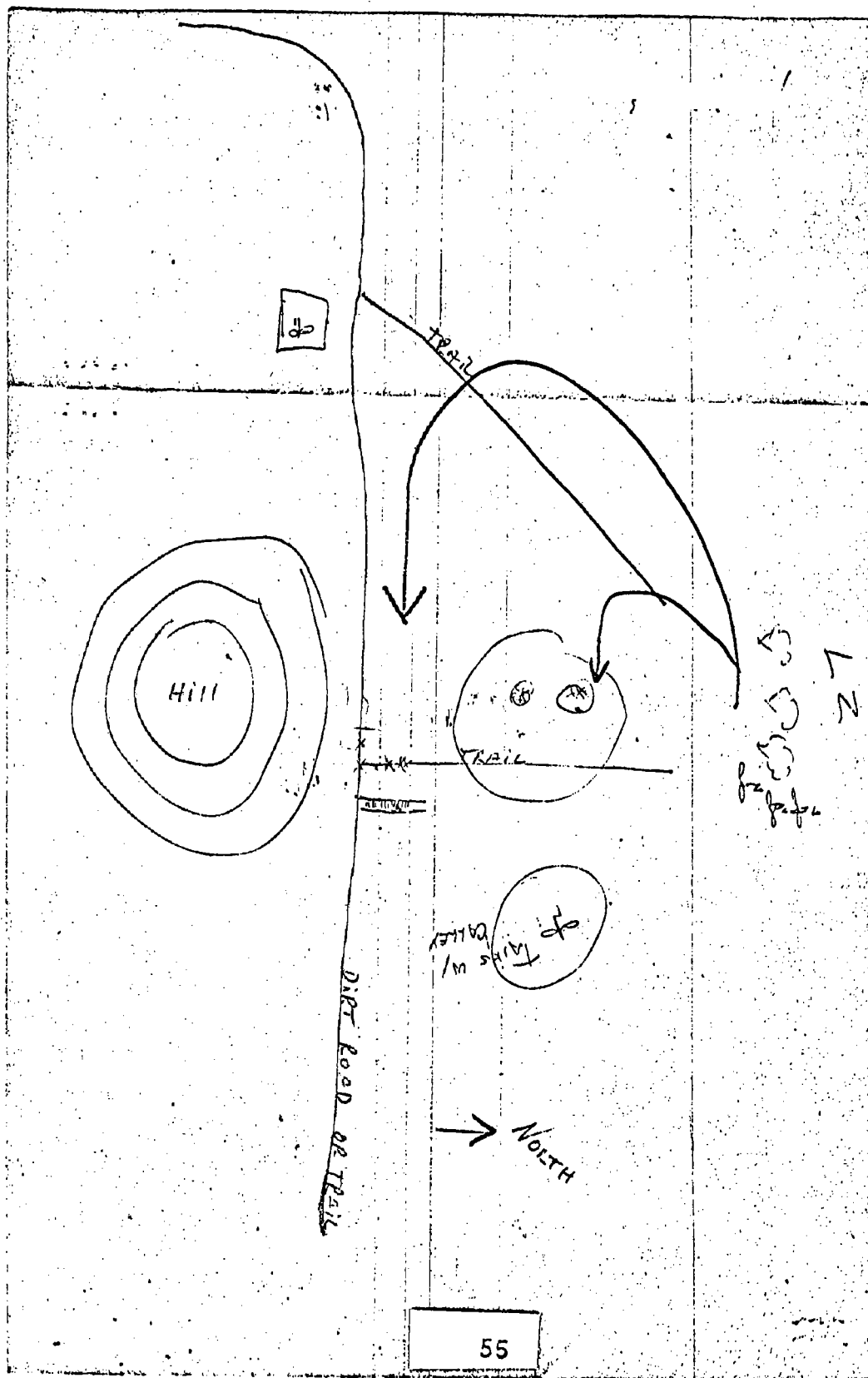
ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

DO

PAGE 4 OF 4 PAGES



WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
NAME	DATE	TIME	NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME CJ	SOCIAL SECURITY ACCOUNT NO.		GRADE

SWORN STATEMENT	
1. CJ	WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
<p>On 16 Mar 68, I was assigned as Aero Scout Company (Provi- sional), also known as B Company, 12th Avn Bn. Americal Division. As the I remained primarily in the LT Dottie. I have no personal knowledge of what transpired in, near, or over My Lai (4), during the combat assault by C Company, 1st Bn, 20th Infantry, 11th Bde, other than what I heard over the radios in the Field Operations van. I did, however, hear stories by the pilot personnel of what happened in My Lai (4), notably from VI a member of my unit.</p> <p>As far as what I heard over the radio, I can only state that I cannot recall any specific wording as used by any one individual. The radio traffic that I can recall was, in substance, to the effect that a large number of bodies lying alongside of a road in or near My Lai (4). I seem to recall the figure of 30 or 40 relative to the number of bodies lying alongside the road. Other traffic was about the large number of bodies in or near the village itself but, again, I can not recall who made such comments.</p> <p>As far as I can recall, my unit had one team over My Lai (4), with the team usu- ally consisting of one Light Observation Helicopter, two Utility Helicopter 1B (armed helicopters) which were flying cover for the main observation helicopter. Usually the ships in operation over an area were replaced, as needed, on station by relief ships. This means that, over the My Lai (4) area, we had one team with replacements, as best as I can recall. Prior to the beginning of the operation, any "prep" fire would have been given by gunships of the 174th Assault Helicopter Company, stationed at Duc Pho, as well as artillery units, as best as I can recall.</p> <p>The only hearsay information that I can recall specifically, on a first hand or second hand basis, concerns VI and the gunship saying that there appeared to be indiscriminate killing in My Lai (4) village. VI told me, at some point during the day, that he had seen some women and children in a bunker and these people appeared to be unarmed. VI landed his LOH between the bunker and the friendly forces, and spoke to an officer, name unrecalled by me, about the civil- ians in the bunker. VI reportedly told this officer that the women and children were between where the unit was and where the unit was headed. VI wanted to get these people out of the way and the officer, reportedly, told VI in effect, "There is only one way that I know of to get them out". Anyway, VI removed the women and children from the unit's path. I know little about his landing and remov- ing the civilians, except that he landed and that he took a small Vietnamese child to the RVN hospital in Quang Ngai. VI also commented to me that there had been too much killing in that area.</p> <p>The gunship pilots on that operation from my unit, names unrecalled by me, also commented on the large number of killings and bodies that they had seen.</p> <p>I heard, from an unrecalled source, about an investigation being con- ducted by PA but I don't know the results of this investigation. To my know-</p>	

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT CJ	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND
BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL
BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

ledge, there was no disciplinary action taken against anyone. I have no knowledge of anyone attempting to suppress an investigation or the ~~right~~ results of any investigation. I do not know that any members of my unit were ever questioned by anyone conducting any investigation.

Q: Have you ever been questioned by anyone about the My Lai (4) operation, such as the news media, other official investigators, etc?

A: No.

Q: Is there anything else that you want to add to this statement?

A: No, I cannot think of anything.//////////NOTHING FOLLOWS//////////

AFFIDAVIT

I, CJ, HAVE READ OR ~~HAVE NOT READ TO ME~~ THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES: *

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths.

ORGANIZATION OR ADDRESS

(Signature) of Person Administering Oath

ORGANIZATION OR ADDRESS

Art 136 (b) (4), UCMJ

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

(AR 195-10)

E S

BBB厂

OF

~~OF WHICH I AM AWARE OF NO USE FOR~~ HE HAS ALSO INFORMED ME OF MY RIGHTS.

I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.

I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.

I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS, I WILL BE ALLOWED TO HAVE COUNSEL PRESENT, AND I MAY STOP ANSWERING A QUESTION AT ANY TIME. ALSO, DURING QUESTIONING

1 (C) ES WANT COUNSEL.
1 (C) ES WANT TO MAKE A STATEMENT
ANSWER QUESTIONS.

INTERROGAS

BBB

(Signature)

WITNESS:

B1313J

(Typed name and organization)

(Typed Name and Organization)

PART II - SWORN STATEMENT

OATH: This statement is being given freely by me in the presence of my counsel,
Questions by Crim Inves

and Answers by

Q: Were you serving in Viet Nam during March 1968?

A: Yes I was.

Q: What unit were you with at this time?

A: I was with B Co., 123rd Avn Bn, known as the Area Scouts.

Q: Were you on a mission during March of 1968 in the vicinity of My Lai in support of ground forces?

A: Yes I was.

Q: What was the date?

A: I don't recall the exact date but it was around the middle of March.

Q: What units did you support while flying missions at My Lai?

A: All units of the 198th Light Infantry Bde.

Q: Were you in support of C Co, 21st Inf at My Lai?

A: I don't know if that was the unit or not but it was an element of the 198th.

Q: What kind of aircraft were you flying on this mission?

A: I was flying in a UH 1B GUN ship. The markings could have been 043 I'm not sure.

Q: Who was in command of your aircraft?

A: I don't recall his name at this time. ES ~~TEAM LEADER~~ I WAS THE FIRST

Q: Do you recall the names of your crew members while on this mission to My Lai?

EXHIBIT	INITIALS OF <u>LES</u> STATEMENT	PAGE 1 OF <u>4</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of
continued:

ES

taken at

A: I don't recall.

Q: Did you participate in any combat attacks at My Lai?

A: I helped support a unit at My Lai that was in contact there.

Q: What kind of support did you provide that unit?

A: We provided suppressive fire in a tree line about 150 meters south of the village.

Q: When you provided suppressive fire on the tree line, was it requested fire or on your own?

A: It was requested.

Q: Who requested it?

A: We received a request through the radio operator on the ground. I don't recall the call sign. The operator requested that we deliver suppressive fire to the tree line about 150-200 meters south of his position. His position was either in the village or on the edge of it. He said that we are receiving light automatic weapons and sniper fire or words to that effect.

Q: Did you fire any other target other than the tree line?

A: Negative.

Q: How long was the tree line?

A: It was about 400 meters long and ran from east to west about 150-200 meters south of the village.

Q: Did you do any actual shooting yourself?

A: Yes.

Q: What were you firing?

A: I was firing a 40 MM GRENADE launcher, otherwise known as the

Q: Were there any other gun ships with you on your mission to My Lai?

A: As our gun team was coming on station, consisting of 2 UH 1B gun ships, and a that followed about 20 minutes later, a team from the 176th Avn Co, was leaving. There might have also been a gun team from the 11th Bde called the Sharks but I'm not sure.

Q: Who were the other pilots in your team?

A: The pilot of the was V1 but the other pilots name I don't remember.

Q: When you arrived, did you see any dead bodies?

A: Not when I arrived.

Q: When did you observe the bodies?

A: About 35-45 minutes after we arrived on station, V1, piloting the OBSERVATION helicopter, reported over the radio that "he had spotted a lot of dead civilian bodies down here" or words to that effect. At that time V1 was down low reconning the village. I would say he was at tree top level or lower.

Q: What kind of bodies did you see?

A: I specifically remember seeing a body of one woman with a small child laying next to her and that was to the east of My Lai village. I remember seeing a total of about 10 bodies that were wearing civilian clothes. It is hard to tell from the air whether they are men or women.

Q: Did you observe anyone wearing an American uniform point a weapon or shoot any women, men, and children wearing civilian clothes?

A: No.

Deponents Initials

ES

Page 2 of 4 pages.

Statement of
continued:

ES

taken at

- Q: When did you return to base with your ship carry?
A: MM-150 rockets (2 each), M-5 system, 2 M-60 machine guns plus our personal assigned weapons.
Q: How much ammo did you return to base with?
A: About 25 per cent.
Q: Did you start out with a full load of ammo and if so, how much?
A: Yeah we had 14 rockets, about 6,000 rds of 7.62 ammo, and about 350 rounds of 40 MM plus ammo for our personal assigned weapons.
Q: Were your personal weapons fired?
A: No.
Q: How many passes did you make on the tree line?
A: It was either four or five.
Q: While firing on the tree line, did you see any people?
A: No I didn't.
Q: Were records kept on ammunition expended after a mission?
A: Yes. Records were kept in the aircraft log book.
Q: Did you observe any unnecessary killing on your mission to My Lai?
A: No.
Q: Did you participate in any unnecessary killing?
A: No.
Q: Did you observe anyone doing anything that they shouldn't while on mission to My Lai?
A: No.
Q: What did you hear from other troops about this incident?
A: I heard that a unit of the 196th made an incursion south of Chu Lai near the vicinity of Pink Ville (this is a nick name, the true name I don't know). I heard that the LZ was hot and that there was quite a few civilian bodies laying around the area.
Q: Who did you hear that from?
A: I don't recall who I heard that from, some of the other pilots in the area.
Q: Did you talk to anyone in particular about this incident?
A: The other pilots who flew on that mission and I went to our CO and told him about the village that morning. I don't remember the names of any of the pilots except

Deponents L. ES 3 of 4 pages.

STATEMENT (Continued)

Q: Is there anything you would like to add to your statement?

A: Negative.

////////////////////// END OF STATEMENT ////////////////////////

AFFIDAVIT

I, ES HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE, I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

BBB H

ES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of January, 1970 at Giessen, Germany

ORGANIZATION OR ADDRESS

BBBT
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (b) (4) MCMUS, 1968

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ES

PAGE 4 OF 4 PAGES

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For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

The following 5 or 6 days were spent organizing and training. Once we became operational we were given the mission of supporting Task Force Barker and operating out of LZ Dottie. From that time until 15 Mar 68 we performed daily Air Cav troop type missions in the Task Force Barker area of operation.

To the best of my knowledge, on 15 Mar 68, we received a briefing to support C/1/20, who was to go on a combat assault the following day. This was our first operation with another ground unit. On 16 Mar 68 the Aero Scout Co departed home base with 4 gunships, 3 "slicks" and 2 observation helicopters, to arrive at a orbiting point in the vicinity of the peninsula north east of Mylai(1) at 0730 hrs, 16 Mar 68. Our mission was to remain airborne when this infantry company was inserted and to provide a blocking force with our organic infantry if an exodus from the village began. We were further assigned the mission of providing recon support. There was no exodus from the village, so we departed the orbiting point. One recon element, 2 gunships and 1 observation helicopter (OH-23) checked in with ~~The Ground~~ **COM** of C/1/20 and the remainder of the company went to LZ Dottie. After one of these recon missions that day, **V/** an **OBSERVATION HELICOPTER PILOT** came to our operations van at LZ Dottie and complained about civilians having been killed in the village that C/1/20 had went into. How these people were killed I do not know and I do not remember anything else **V/** had said concerning dead civilians. He did say; however, that he landed his **HELICOPTER** in the village and led some civilians from their hiding place that the infantry unit on the ground was having difficulty capturing. To the best of my knowledge. **WG** the **(COMPANY) COMMANDER** of the Aero Scout Company, took **V/** to the Task Force Barker Command Post and had him explain what had happened to **PA**.

I am not knowledgeable of any further action taken in regard to this incident.

Q: Is there anything that you would like to add to or delete from this statement?

A: No- X X X X X X X X X X X X END OF STATEMENT X X X X X X X X X X X X X X X X

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT FS	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

NOT UTILIZED

AFFIDAVIT

I, FS, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FS
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of January, 1975, at Washington, DC

ORGANIZATION OR ADDRESS

TTS
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

TTS
(Typed Name of Person Administering Oath)

Art. 135(b)(1), 11034
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

FS

PAGE 2 OF 2 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

I arrived in Vietnam in August, 1967, and was assigned to the 161st Avn C, 14th Avn Bn. In February 1968, the 161st was broken up into two separate companies, Co A and Co B. Co B was designated Aero Scout Co (Prov), and both companies composed the 123d Avn Bn, based at Chu Lai. I was the of the Warlords (gunships) in the Aero Scout Co. We supported the Americal Division, and our mission was to furnish aerial support to the infantry operations in our area of operation (AO). I was shot down on Mar 68, but was back flying again on Mar 68. I did not fly from Mar until about Mar 68. I was wounded on and was evacuated out of Vietnam on/or about Apr 68.

On 16 Mar 68, I was at the air field in Chu Lai, RVN, where our unit was based. I recall the Pinkville Operation and Task Force however, I did not participate in this operation on 16 Mar 68. As I recall, there were 3 or 4 of my gunships that flew on this operation. In addition there were approximately 4 Slicks (troop carriers) and 2 OH-23 Scout Ships supporting the Pinkville operation from Co B, 123d Avn Bn. While the operation was in progress I was not in the Company Operations hooch, therefore, I did not hear any of the radio chatter going on between the Scout ships and the gunships.

Sometime around 1630/1700 hrs, 16 Mar 68, I was on the airfield when the ships returned. VI a pilot of an OH-23, told me when he landed that while he was supporting the Pinkville operation that he observed a bunker with women and children in it. VI became concerned for their welfare since they were in the path of the advancing infantry VI landed and informed a PLATOON LEADER that only women and children were in the bunkers located to the front of the PLATOON.

VI stated that he received a comment to the effect that the bunkers would be cleared in the same manner that all bunkers are cleared. VI said that he told the or who ever he was, words to the effect "no you wont". At this time VI said that he returned to his helicopter and radioed a supporting gunship to cover him in case he VI received any fire from the US Inf. To the best of my knowledge VI did not receive any fire from the the infantry soldiers. I'm not sure at this point if VI told me that he flew the people out of the area himself, or he summoned the supporting gunship to land and assist him in flying the people out of the area to a safe location. This is the only specific incident that I can recall hearing any details. I do know that all the returning pilots were very upset over what they apparently witnessed while flying support for the infantry that day. I remember one of the pilots (possibly DO) was so upset that he threw his flight helmet on the ground. There was a general comment made to the effect that with operations such as this, we were defeating our purpose of being in Vietnam. WG Co B, 123d Avn Bn, was on the flight line and he attempted to quiet the pilots down, and told them that he would report the operation to the VC. I'm quite sure that WG did report the incident to VC, and that VC was in the area the

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
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DA FORM 2823

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STATEMENT (Continued)

Following day and was asking questions. I don't know what happened after this. I never heard anything more about the investigation, nor the Pinkville operation.

Q: Who was flying the 3 or 4 gunships that you mentioned in your statement above?

A: To the best of my memory, they were: *EH* *FW* *EEL* *GK* *KA* *DO* *CQ*, and possibly

Q: Why did *V* feel that it was necessary to evacuate the women and children from the path of the advancing US Infantry?

A: I can't state positively, the impression I got was that they would be harmed if they were not evacuated.

Q: Did *V* or any of the other pilots or helicopter crew make any remarks about seeing numerous noncombatant civilians being killed during the Pinkville Operation?

A: Not that I can recall.

Q: Did *V* state that he saw a *CAPTAIN, OR OFFICER* shoot and kill a wounded Vietnamese woman at My Lai (4), or Pinkville?

A: No, I don't recall any such remark as this.

Q: Do you recall *V* or any of the other helicopter pilots stating that they summoned the ground troops at My Lai to pick up a weapon?

A: No.

Q: Did any of the helicopters in your unit report receiving groundfire?

A: Not that I know of.

Q: Were any of your gunships damaged as a result of enemy action on this operation?

A: As far as I can recall, no.

Q: What was the Infantry Unit that your gunships were supporting on 16 Mar 68?

A: All I know is that it was Task Force Barker; the Company, I couldn't say.

Q: What were the results of the investigation that you mentioned being initiated above?

A: I don't know the results.

Q: Do you know of anyone that has pictures or tape recordings of the Pinkville operation?

A: No.

Q: Did the Warlord gunships fire into the village of My Lai 4, on 16 Mar 68?

A: I do not know.

Q: Has anyone questioned you concerning this incident prior to today?

A: Yes, about 2 Jan 70, a Major (name unknown) from the Pentagon called me and ask me the names of members of my platoon, and ask me if I had any knowledge of the incident. This is the only person that I've talked to, or been contacted by.

AFFIDAVIT

I, *VX* *or* *or* HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

VX
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths,

at *Ft Rucker, AL.*

ORGANIZATION OR ADDRESS

LS
(Signature of Person Administering Oath)

LS
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ

(Authority To Administer Oath)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

VX

PAGE 2 OF 2

WITNESS STATEMENT

For use of this form, see AR 195-10 - TD PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME WR		SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, WR, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
At the time of the My Lai 4 incident, I was the 1st of Co B,
123 Avn Bn, stationed at Chu Lai, Republic of Vietnam. The was

WG
The My Lai 4 incident was never officially reported to me, however I did hear a number of rumors about it, mostly from persons who received their information from

VI. To the best of my knowledge, the only persons in Co B, 123d Avn Bn who had any direct knowledge of the My Lai 4 incident were VI and his two

. There was a lot of general talk around the unit about the incident, but all of the original information came from VI and his crew.

I did not take or accompany VI to see XT or PA at Landing Zone Dottie on 17-18 Mar 68, or any other date. If someone did take VI to see XT or WG, it would have been WG.

The same date the My Lai 4 incident occurred, I know that WG reported the incident to VC, the CO of the 123d Avn Bn. I also know that WG reported the incident at the Division Staff Meeting, but I do not know who actually received this report.

I have no knowledge of an investigation having been conducted, or suppressed concerning the My Lai 4 incident.

/////////////////////////////////NOTHING FOLLOWS/////////////////////////////////

EXHIBIT <u>1</u>	INITIALS OF PERSON MAKING STATEMENT <u>WR</u>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF WR TAKEN AT CHU LAI DATED 18 MAR 68 CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE 2 OF 2 PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

AFFIDAVIT

I, WR HAVE READ BEFORE AND READING THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

BBBV

WR
(Signature of Person Making Oath)

Subscribed and sworn to before me on this _____ day of _____, 1968.

to administer of _____

ORGANIZATION OR ADDRESS _____

BBBW

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS _____

BBBW

(Typed Name of Person Administering Oath)

Article 136 (b) (1) MCM

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT _____

PAGE 2

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <u>WR</u>		SOCIAL SECURITY ACCOUNT NO. GRADE	
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
I, <u>WR</u> , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
Q: <u>WR</u> I have several questions for you in addition to the information you furnished in a signed statement on 8 Jan 70. Are you willing to answer these questions at this time?			
A: Yes.			
Q: Did you ever discuss the 16 Mar 68 operation of Task Force BARKER with <u>VI</u> ?			
A: I do not recall having any discussions with <u>VI</u> concerning this operation.			
Q: Were you with <u>VI</u> or <u>WG</u> at LZ DOTTE on the 16th, 17th or 18 Mar 68? If so, what can you relay concerning the events at My Lai?			
A: No, I was not at LZ DOTTE on the above dates. I was at Chu Lai during this time frame.			
Q: Did you ever introduce <u>VI</u> to <u>XT</u> of 11th Bde in reference to a complaint <u>VI</u> had regarding the operations of Task Force BARKER?			
A: No.			
Q: Did <u>VI</u> , or any member of Co B, 123d Aviation Bn, ever approach you concerning irregularities observed during the operation of Task Force BARKER in My Lai?			
A: I did hear rumors about the incident, however, no one made an official or formal statement or complaint about the incident to me.			
Q: <u>XT</u> states that after the My Lai operation he was at LZ DOTTE, that you approached and introduced <u>VI</u> , stating that <u>VI</u> had a report concerning irregularities of Task Force BARKER during the My Lai operation. Do you recall this incident? If so, who else was present? Were there any other pilots or crew members who witnessed the incident?			
A: I believe that <u>XT</u> has me confused with <u>WG</u> . I assumed duties as <u>XT</u> in April 1968 and I do not recall ever having met <u>XT</u> prior to the time that I assumed <u>VI</u> . I did have contact with <u>XT</u> after I became the <u>WG</u> and this may be why <u>XT</u> has confused me with <u>WG</u> .			
Q: Did <u>WG</u> or <u>YC</u> ever discuss the My Lai operation or the alleged incident at My Lai with you or in your presence? What was said? And, in your opinion, was <u>WG</u> aware that non-combatants were unnecessarily killed?			
A: I had no discussion of the incident with <u>YC</u> . On the evening of 16 Mar 68, when <u>WG</u> returned to Chu Lai, I realized that he had received a report about the incident from <u>VI</u> but we did not discuss the specifics of <u>VI</u> 's report. To the best of my knowledge, the only information <u>WG</u> had about the incident was that information he received from <u>VI</u> , and I do not know the specifics of the information furnished by <u>VI</u> .			
Q: <u>WG</u> states that he instructed the members of Co B, 123d Aviation Bn to			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u>WR</u> TAKEN AT <u>CHU LAI</u> DATED <u>1 APR 70</u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u>2</u> OF <u>2</u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

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A: Shortly after 16 Mar 68, exact date unknown, there was a mandatory meeting of personnel of Co B in the mess hall. The reason for this meeting was to attend a lecture by a lieutenant from Division Headquarters. I don't recall the subject of this lecture, however, while the lieutenant was speaking, an Enlisted Man from the rear of the mess hall called out, "What about killing women and children", or words to that effect. At this time WG, addressing the individual who made the comment, said: "That is enough of that kind of talk", or words to that effect.

Q: What was the feeling in your widespread was this feeling?

A: It is my opinion that the personnel of Co B generally opposed the action which allegedly occurred at My Lai.

Q: Were you ever queried about My Lai? Did you ever make a statement in connection with an investigation at My Lai?

A: The first time I was queried about My Lai was in about Dec 69 when I received three different telephone calls from Washington, D. C. In addition to the oral statement I made when I received these telephone calls, I made a signed statement on _____ to Criminal Investigators from CID at _____

Q: Could you give any information or any motivation of the My Lai action subsequent 16 Mar 68, either through personal knowledge or hearsay?

A: No. I believe the incident was soon forgotten in our unit.

NOTHING FOLLOWS

AFFIDAVIT

1. WR HAVE READ ~~OR HAVE HAD READ FOR ME~~ THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Making Statement)

Subscribed and

to eliminate paths, the

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Art 136(b) (4) UCMJ

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

WR

PAGE 2 OF 2 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME JY	SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS		

SWORN STATEMENT

I, JY, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am presently assigned to

I am serving as

I served in Vietnam from July 1967 - July 1968 with the 174th Aviation Company. I served as the with XT from February - June, 1968. I was assigned one helicopter. The aircraft number was My copilot was rotated on daily basis. I do not recall who the copilot was on 16 March 1968. Likewise, I do not recall the names of my enlisted crew members. The aircraft was assigned this mission on a permanent basis and was equipped with extra radios for XT's use.

On the date in question, 16 March 1968, with XT on board, we left LZ Bronco and flew to the area of My Lai 4. We departed approximately 0700 and arrived in the area 0730. Shortly after arriving, we spotted and checked out two (2) bodies in the rice paddy area North of My Lai 4. Gunships landed and we found them to be males of military age with weapons. I believe them to be U.S. M-1 Carbines. I do not remember the crew members of the gunship which landed. At approximately 0800 hrs., we noticed a large group of people, about one hundred and fifty (150) leaving My Lai 4 in a Westerly direction. There were women and children and a few young men in the group. This group was spotted on the highway South of My Lai 4 going toward Quang Ngai City. The gunship spotted four (4) military age males leaving the road to the North. My aircraft with XT on board landed and picked up two (2) of these four (4). The other two (2) evaded. We took the prisoners to LZ Dottle and turned them over to Military Intelligence. We returned to the area of operation and observed the insertion of C Company and remained in the area for a short time. At approximately 1000 hrs. I took XT to Quang Ngai City to the MACV Compound. Approximately 1100 hrs. we returned to the vicinity of My Lai 4 at which time there was considerable burning in the city -- probably homes and food stores. I landed and XT remained on the ground for approximately fifteen to twenty minutes. At this time I took off and circled overhead. I returned and picked up XT from a position West of My Lai 4 at approximately 1145. XT did not make known to me his reason for landing either before or after his meeting with the of Charlie Company. I returned him to LZ Bronco. During the morning, without any knowledge of the source of the radio transmission, or total content, I heard "women and children" mentioned. I do not know who made the transmission or what it concerned -- only the part where women and children were mentioned. We did not return to the area that day. XT attended a briefing with another officer at Duc Pho shortly after lunch. During the course of the morning's operation, at no time did I hear or was I aware of the killing of women and children by U.S. soldiers. At no time after the operation was I aware of such, nor did I hear of anyone else talking about the incident.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JY	PAGE 1 OF 4 PAGES
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CONTINUED.

TAKEN AT

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Either on that day or shortly afterward, I took ^{XY} to LZ Dottie for a meeting with ^{XT} from Americal Division. I do not know what transpired during this meeting. ^{XT} informed me that he had a meeting to attend to at LZ Dottie. I remember a general officer attending this meeting at Task Force Barker.

Q. Did you attend any briefing given by ^{XT} prior to Task Force Barker's operation at My Lai 4 on 16 March 1968?

A. I did not attend a formal briefing prior to take off for the operation area. ^{XT} informed me in route as to what unit was involved and where they would be landing. I was told that C Company, 1/20 INF would be inserted by helicopter into the area West of My Lai 4.

Q. Other than what ^{XT} told you, did you have any more information about what his operation was?

A. I believe that ^{XT} mentioned briefly that we would be sweeping to the East. I do not remember any particular objective other than a combat sweep to the East. I don't recall the village of My Lai mentioned in particular. As the operation continued and upon continuance of the sweep, I then did realize that the objective was the village of My Lai 4.

Q. Upon arrival at My Lai 4, that morning at 0730, did you receive any ground fire?

A. On several occasions while operating in this area, our aircraft had received ground fire. On this particular day, 16 March 1968, I do not recall receiving any ground fire from the vicinity of My Lai 4.

Q. ^{XY} I now show you a map of scale 1:50000, Sheet No. 673911. Would you please explain or relate your area of operation.

A. This map shows the Northern portion of the area of operation for the 11th LIB. The area either side of the Song Tra Khuc River was the responsibility of the Second ARVN Division with headquarters in Quang Ngai City. The 11th LIB would on occasion coordinate operations in this area with the ARVN Division Commander. At approximately 0900 the prisoners I previously mentioned were picked up in vicinity of coordinates 712782 South West of My Lai 4.

Q. ^{XY} I now show you a master set of black and white photographs taken of the My Lai 4 area. Do any of these photographs mean anything to you or are you able to orient yourself by them?

A. In regard to photograph No. 1, I recognize it as the village of My Lai 4. I recognize the village from action one month earlier, 12 February 1968, in which I was awarded the Distinguished Flying Cross. Looking at this photograph I recognize it to be a picture taken from West to East.

Initialed ^{XY}

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STATEMENT OF JY
CONTINUED.

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JY

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In reference to the second photograph, No. 21, I recognize it to be a prominent terrain feature located South of My Lai 4. It was known to me and depicted on the map as Hill 85. Located on top of this hill is a deserted outpost of French origin.

- Q. Did XT relate to you any information related to alleged unnecessary killing of Vietnamese civilians?
- A. I do not recall XT telling me of any such incidents after the operation in the vicinity of My Lai 4.
- Q. Did you have any knowledge of XT conducting an investigation of the alleged killings of civilians at My Lai 4 shortly after 16 March 1968?
- A. I did not at that time, nor do I now know of any investigations conducted by XT concerning the alleged killings at My Lai 4.
- Q. Were you questioned by anyone concerning this alleged incident prior to this interview?
- A. Yes, I was questioned on 9 January 1970 by Major General Peers in Washington, D. C. Other than this, I have not been questioned any other time.
- Q. Do you have any knowledge of anyone trying to conceal the My Lai 4 incident?
- A. No, I do not know of any such attempt.
- Q. During the period that you were flying in the My Lai 4 area, did you witness any civilians being killed by the ground force or any groups of bodies located throughout the village?
- A. No sir, I do not recall seeing anyone being shot by either U.S. soldiers or anyone: with the exception of the two bodies I mentioned earlier in this statement.
- Q. Do you remember anything about how the Vietnamese were dressed?
- A. They were in the standard black pajamas with web belts and weapons.
- Q. While flying with XT, did you overhear any air to ground or ground to air transmissions taking place?
- A. Although I had the capability to monitor all transmissions from air to ground, I do not recall any transmissions concerning killings of civilians with the exception of the part of a transmission I mentioned earlier of women and children. I do not recall the source or the entire content of the radio message.

Initialed: JY-

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STATEMENT (Continued)

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- Q. Did you at any time hear any message concerning a cease fire to the ground force or any message to the effect of ^{VI} stating that if the ground forces did not stop killing the civilians that he was going to fire on the ground forces?
- A. No, I do not recall any transmission to this effect either from ^{VI} or any other source.
- A. Did you have any knowledge of any additional information which would be pertinent to this investigation that would be of any help.
- A. No sir, I do not.

AFFIDAVIT

I, JY HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me and authorized by law to administer oaths, this _____ day of _____, 1969.

ORGANIZATION OR ADDRESS

BBB12

(Signature of Person Administering Oath)

BBB12

(Typed Name of Person Administering Oath)

Article 136, UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

JY

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WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 20 Dec 69	TIME 1600	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME DZ	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

DZ I, **DZ**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I went to Vietnam on 3 Nov 1967, and was assigned to the 174th Avn Co, 14th Comb Avn Bn. 1st Avn Bde. During March 1968,

I was the pilot of a UH-1D (Slick) helicopter during the month of March 1968. In reference to questions concerning my participation and knowledge of specific incidents that occurred on 16 Mar 68, at My Lai (4), Republic of Vietnam, I have given a lot of thought to the questions and reviewed a set of photographs. None of which has refreshed my memory to any extent that I can recall this particular mission. Therefore, I can only speak in general terms and give general knowledge as to how our standard operating procedures were organized and carried out.

During Task Force Barker the 174th supported the operation with troop lift, resupply, command and control aircraft. In addition to the 174th, Task Force Barker also received support from the 123d Avn Bn, and I think the 176th Avn Co. Additional support could have been provided by the 71st Avn Co, which is a unit under the 14th Comb Avn Bn.

The standard procedure on a combat operation is that the participating pilots and co-pilots would receive a briefing from the company operations officer. This would include the location of where we would be picking the troops up and the landing zone. Often we didn't know until we were airborne if the Battalion Cdr was going to announce a hot or cold LZ. If the LZ was announced as being hot, our own gunships would go in and soften it up for us only minutes before we landed. If we had more troops to bring into the LZ we would continue the shuttle run until we had all the troops in the area. Following this we would depart the area on our routine missions. The Commander of the operation would remain in the area aboard his aircraft, and normally one or two supply aircraft would remain in the area. During the combat assault, gunship support would be provided by the 174th (Sharks). Following this and immediately after the Sharks pulled out, support would be provided by the 123d (Warlords). All of the 174th was on the same radio frequency, but the 123d were on their own UHF frequency, and if we wanted to talk with them we had to change our frequency.

During my time in Vietnam I was on approximately 150 combat assault missions, and about 50 of these missions were in the area east of LZ Dottie, therefore, this is the reason I am unable to recall the specific mission at My Lai (4), on 16 Mar 68, and further because there was nothing that I witnessed at any time during my tour of duty that stuck in my mind as being out of the ordinary which I have remembered. Based on the photographs that I have been shown of large number of bodies, including women and children, I'm sure that if I had witnessed such a thing that this would have definitely remained in my mind and I would have remembered the incident and surrounding details.

Q: In reference to the briefing that you mentioned above, were you at any briefing(s) at which it was stated that the village was to be wiped out, and everything or everyone killed, and that all houses were to be burnt?

A: No. **DZ**
(Cont'd)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT DZ	PAGE 1 OF 3 PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>		

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JAN 68

Statement of:

DZ

Taken At:

Dated:

(Continued from page #1)

Q: From your foregoing statement, can it be concluded that you do not recall any details relative to the My Lai (4) operation?

A: That is correct.

Q: During March 1968, were you Dolphin Lead?

A: Dolphin Lead was the 1st aircraft in a combat assault. Normally the ranking or most experienced man was flying this aircraft. There is a better than average chance that I did lead this particular assault, however, I'm unable to say that I did or did not.

Q: Who was Shark Lead during March 1968, and more specifically on 16 Mar 68?

A: Shark Lead would have been the most senior or experienced person leading the gunships on that particular day. Again not recalling that particular day, I'm unable to say who Shark Lead was on 16 Mar 68, however, it may have been CF who ETS'd out of the Army and I think he lives around Austin, TX.

Q: Who was your co-pilot?

A: Possibly at this time it would have been CF who got out of the Army in Sep 69. I don't know where he is living now, but his folks live in

Q: Were all helicopters from the 174th Assault Helicopter Co, both Slicks and gunships?

A: I can't answer this question, because if we run short on aircraft in the 174th, aircraft from sister aviation companies would fill-in the needed spaces and would work on our radio frequency. However, as stated above, we did have other aircraft that was supporting Task Force Barker.

Q: During your combat assault operations, do you recall any helicopters landing and removing civilians from outside a village which was under attack by American Forces?

A: No, I don't think so.

Q: Do you recall a helicopter landing and removing a colored soldier that was shot in the foot?

A: No.

Q: Did you ever hear any conversation on your aircraft radio between a chopper pilot and ground troops to the effect that noncombatants were being killed and the pilot stated his disapproval and requested that it be stopped?

A: No.

Q: Do you recall seeing large number of bodies, including women and children, that were killed by American Forces in the My Lai area?

A: No.

Q: What is your personal knowledge of the enemy activity in the My Lai or Pinkville area?

A: In the years time that I was there I have supported elements of 3 different Brigades each of the Brigades experienced extreme difficulties operating in the area of Pinkville and received numerous casualties. Most of the casualties were sustained as a result of land mines and booby traps rather than armed force. On several occasions aircraft had received ground fire in this area. As a matter of fact, PA was killed as an indirect result of ground fire in this area. The facts as I know them was that an Air Force O-2 fixed wing aircraft received ground fire, killing the pilot which resulted in the aircraft going out of control and crashing into the tail section of the Command and Control aircraft in which PA was in; everyone in that aircraft being killed. The helicopter in which PA was in at this time was from the 174th. So you can see there was considerable VC action in the area.

STATE (Continued)

- Q: Did you ever observe any of the infantry troops which appeared to be under the influence of narcotics ?
- A: No.
- Q: What was your specific location during the month of Mar 68 ?
- A: Duc Pho (LZ Bronco)
- Q: Are you aware of any investigation or inquiry being conducted relative to Pinkville or My Lai (4) ?
- A: No.
- Q: Were you ever directed not to discuss the My Lai (4) operation by anyone ?
- A: No.
- Q: Has anyone questioned you relative to the My Lai (4) operation on 16 Mar 68, other than the CID ?
- A: Yes. On 11 Dec 69, CF from DA in Wash, DC, called on behalf of the PEERS Investigation, in an effort to determine if I was Dolphin Lead on 16 Mar 68. I related to him, substantially the same information as is contained in this report.
- Q: What were your instructions or orders about reporting incidents concerning the indiscriminate killing of noncombatants ?
- A: I don't recall what the instructions or orders were concerning such matters, but if I would have witnessed such a thing I would have brought it to the attention of my commanding officer, however, I never had an occasion to bring any such an incident to his attention.
- Q: Were you acquainted with DS or HO ?
- A: I had lunch with DS two or three times at the Bn Hq Officers Mess located at LZ Thunder. I was never closely associated with him to the extent that I considered him a personal friend. I didn't know HO at all.
- Q: Have you heard anyone discussing this matter, thus indicating that they had direct knowledge of what happened at My Lai (4) on 16 Mar 68 ?
- A: No, however, I vaguely recall DS of an individual mentioning numerous bodies in the Pinkville area, apparently as a result of gunship fire or artillery. I'm at a loss to render any further details as to who made the remark or what specific area they were talking about.
- Q: Do you possess any further information relative to this incident ?
- A: No, nothing else. DZ

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

DZ
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of December, 19 69
at _____

ORGANIZATION OR ADDRESS

LS
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

DZ

PAGE 3 OF 3 PAGES

WITNESS STATEMENT

(AR 195-10 - TD PMG 3)

PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	7 Jan 70	0930hrs	
ORGANIZATION OR ADDRESS	SOCIAL SECURITY ACCOUNT NO.		GRADE

GP

D.C.

SWORN STATEMENT

I, GP, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q- this investigation concerns an assault upon a village by the name of My Lai (4) in Quang Ngai Province, Vietnam on or about 16 March 1968, in which a unit that was a part of your Battalion took part. My Lai (4) reportedly was the first village encountered during the operation and is located in an area called by some of the soldiers as "Pinkville". Will you relate any information that you may have concerning this operation.

A-At this time American Division. Sometime during the month of January 1968, I am not sure of the date, Company C which was commanded by DS was detached from my battalion and assigned to which was under the command of PA. From this time until about 10 April 1968, Company C remained with "Task Force Barker" and was not under my operational control. I did, during this time, visit DS, however, to the best of my knowledge I never paid him a visit during an actual Combat Assault. To the best of my knowledge the first time that I ever heard of anything that might be related to this incident was sometime during the end of March 1968. At this time XT flew up with BBBX and talked with me. BBBX if I remember correctly, was not with XT and I while we were talking. XT told me that an accusation had been made against DS. I don't recall if he said what he was being accused of or even who was accusing him. We talked for about less than a half hour and then he departed. Since I was, at that time, far up north and in an operation, I did not find time to go back down to see DS. After DS rejoined my command I never questioned him about it and he never said anything about it that I recall.

Q-On 16 March 1968, during the assault on My Lai (4) by DS's company, did you fly over the area and then land and talk with DS?

A-I don't know. I don't think so. I don't recall ever landing during a Combat Assault operation and talking to him while he was out of my command.

Q-Did you visit the POW compound right after the My Lai (4) operation and talk to two wounded prisoners that he been taken out of My Lai (4)?

A-Not to the best of my knowledge.

Q-Did you ever attend a briefing that was given by PA prior to the "Pinkville Operation"?

A-No.

Q-Is there anything that you would like to add to or delete from this statement?

A-Yes there are a couple points that I may be able to clear up. During the early part of March 1968, DS company got into trouble in a mine field that was in PA. When I heard about this I flew down to see DS and visited him while he was in the field. As far as the prisoners go I believe that I can also clear that up. On 19 March 1968, my unit was attached to the 196th Inf, Americal Division. A couple of days before going up there, this may have been on or near 16 March 1968, I flew up to the 196th Inf HQ. On the way back I stopped off at LZ Dottie and was asked

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	GP	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT (Continued)

to take a couple of prisoners back to Duc Pho. I picked up either one or two prisoners, a guard wearing MP gear, and I think some other people. I took all of these people into Duc Pho and let them off. I am fairly sure that CCT QAW was with me on this trip. Also the proper spelling is RMSH QAW.

Q-Is there anything further that you would like to add to this statement?

A-No that is about all that I know or can think of.

////////////////////End of Statement////////////////////////////////////

AFFIDAVIT

GP HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

GP

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of January, 19 70

LW

(Signature of Person Administering Oath)

LW

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136b (4) UCMJ 1968

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

DATE 17 Oct 69	TIME 1030	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME HA		SOCIAL SECURITY ACCOUNT NO.
ORGANIZATION OR ADDRESS		GRADE

SWORN STATEMENT

I, HA, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- Q: On or about 16 March 1968 in what capacity were you assigned while in Vietnam?
A: 11th Inf Bde, Americal Division, located in Duc Pho in Quang Ngai province.
- Q: What was your period of service 11th Bde in the Republic of Vietnam?
A: I deployed with the brigade in Nov 67 and served with them from 27 Nov 67 until 22 Jun 68.
- Q: Are you familiar with combat sortie named Operation Barker in the Quang Ngai area?
A: In early 1968 this brigade formed a Task Force Barker which was in fact a battalion sized force composed of units and individuals from other elements of the brigade. The combat elements of the Task Force consisted of one company from each of the other battalions in the brigade (a total of 3 rifle companies).
- Q: What area did the Task Force operate in?
A: Task Force Barker operated from Highway 1 north of the capital city (Quang Ngai City) east to the Batangan Peninsula in the districts of Son Tinh and Binh Son.
- Q: Are you familiar with My Lai (4) area as being part of the area of operations of Task Force Barker?
A: Yes.
- Q: In your capacity of the brigade, did you receive any report from anyone in any form in regards to an incident involving possible indiscriminate killing of non-combatants including specifically women and children?
A: On or about the 16th of March, I accompanied ~~XT~~ ^{DS} then ~~XT~~ to the area of C Company, 5th Bn, 20th Inf (attached to Task Force Barker) in a helicopter. My purpose of accompanying him was to gain possible intelligence information arising out of the combat operation then being conducted. The operation was still in progress at the time and the Brigade Commander radioed ahead to the Company Commander, requesting that the area be secured so that the helicopter could land. Immediately upon landing the Brigade Commander made his way to the ~~DS~~ and started to question him concerning the results of the operation. A number of his questions concerned the possibility that some of the casualties might have been non-combatants. For example, he asked questions such as "Were all those you reported as casualties military aged males?" ~~DS~~ responses indicated that due to the combat situation he was unable to get to the scene of all contacts with the enemy where the casualties were located. He stated that he had talked to all of his platoon leaders and had received their reports that, although a few non-combatants may have been caught in the battle zone and become casualties, no deliberate indiscriminate killing had occurred. We remained in ~~DS~~ secured area for less than an hour and then departed to return to brigade headquarters.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT HA	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF HA TAKEN AT DA DATED 17 OCT 69 CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JAN 68

STATEMENT OF
TAKEN AT

HA

CONTINUED

- Q: Since the beginning of Task Force Barker and in the My Lai (4) area had there been any unusually high enemy activity reported?
- A: Based on intelligence reports and on actual combat operations by ARVN units, an unusually high rate of enemy activity was suspected in this area. Initial contacts with the enemy by elements of Task Force Barker tended to confirm this information.
- Q: On your trip to DS area was there any mention made of the report having being received by the Brigade Commander in reference to indiscriminate killing?
- A: At the time, while listening to the Brigade Commander questioning the Company Commander, I felt that he was questioning the unusually high casualties reported. It had been reported that over 120 enemy casualties had occurred by body count. This was an unusually high figure. I felt during this questioning that the Brigade Commander was actually attempting to verify the body count of the casualties, rather than investigate any atrocities.
- Q: When did you first get the feeling or first formed the opinion that there might have possibly been any indiscriminate killing in the My Lai (4) area?
- A: Starting about a month after this date I received several intelligence reports from Vietnamese sources which indicated that the Viet Cong were propagandizing this combat operation as an atrocity. For instance, one report that I recall stated that Viet Cong soldiers were wearing red arm bands which bore the slogan "Resolved to avenge the atrocity at Son Tinh." Another report indicated that the Viet Cong were telling inhabitants of the area that over 400 innocent women and children had been slaughtered on or about this date. At a later date XT discussed the matter with me and indicated that Vietnamese authorities in the area had been questioned concerning this propaganda. He stated that these authorities had dismissed the charges ^{as} typical VC propaganda which had no basis in fact, and the matter appeared to be dropped after that.
- Q: Did XT tell you that an investigation was being conducted by either his office or Division level into this matter?
- A: Based on his remarks to me concerning this incident it was evident that the Brigade Commander had knowledge that an investigation of the incident had taken place. I do not know what headquarters or activity conducted the investigation.
- Q: Were you aware of any complaint or information being received by brigade authorities from a helicopter pilot regarding the shooting of these individuals?
- A: I did not. However, in retrospect I now feel that the Brigade Commander must have had some kind of report which caused him to have concern about the nature of the casualties, over and above the normal concern.
- Q: did you receive any report of any sort from any MI agents attached to and accompanying this Task Force Barker relative to these alleged shooting?
- A: Normally I would not receive any reports directly from MI interrogators in the field; all intelligence reports from Task Force Barker were normally funneled through the Battalion XD. At the time of this operation I was aware that combat elements were being directly accompanied by B1 an MI Interrogator who had with him a Vietnamese interpreter whose name I do not recall. I had no direct contact with B1 at this time. At no time did I receive from any source aside from the aforementioned Vietnamese intelligence reports any indication that indiscriminate killing had in fact occurred. In particular it was never reported by anyone in the Task Force that deliberate murders of non-combatants had occurred.

INITIALS OF PERSON MAKING STATEMENT: HA

Page 2 of 4 pages

STATEMENT OF
TAKEN AT

HA

CONTINUED

- Q: To your knowledge was there any artillery bombardment or air support on 16 March 68 in the My Lai (4) area?
- A: It was normal for all combat operations of this type for both artillery and air support to be available and used as deemed necessary by the Commander. I do not know the extent of artillery or air employed during this particular operation.
- Q: Do you know the identity of platoon leaders or platoon sergeants of DS unit?
- A: I was not particularly acquainted with the platoon leaders or platoon sergeants but I knew DS personally.
- Q: Do you recall the name HO being mentioned in any of these reports in regards to these shootings?
- A: No. I did not know anyone named HO
- Q: Have you had an occasion to visit My Lai (4) either prior or subsequent to 16 March 68?
- A: No, I have flown over it but never on the ground.
- Q: When you and XT arrived at CPT DS area, did you see any enemy casualties in the area?
- A: No.
- Q: Had there been any reports either a short period prior to 16 March 68 or on 16 March regarding an unusually high rate of friendly casualties, that is, the members of the C Company in particular?
- A: I don't recall unusually high casualties with respect to C Company in particular but the entire Task Force had been taking relatively high casualties due to exceptionally fierce enemy resistance.
- Q: Did you receive any indication from any source that might possibly indicate a hardened feeling among the individual soldiers participating in this operation relative to the friendly casualties?
- A: I have no knowledge of such attitude, however, I do know that most members of the Task Force were aware that they were in an exceptionally dangerous area based on the number of contacts with the enemy and amount of friendly casualties taken. I would like to add that I was in receipt of many reports that well organized VC units were using this area as their base of operation and I was passing these reports to the Task Force.
- Q: Was there any indication in reports received prior to 16 March 68 indicating an unusually high rate of captive prisoners, weapons or anything of this sort from My Lai (4) area?
- A: Without being able to refer back to my records I can only give a general impression of what I recall and some of these impressions may be as a result of operations which took place subsequent rather than prior to the date in question. But the events that stand out in my mind were that on several occasions resistance was so strong as to cause platoons and companies to be pinned down in place with heavy automatic weapons and recoilless rifle fire. Two company commanders were seriously wounded during this period.

INITIALS OF PERSON MAKING STATEMENT: HA

Page 3 of 4 pages

STATEMENT (Continued)

Q: Do you know of anyone having knowledge pertaining to the issue on hand?
A: In addition to the XD and the interrogator BA other people who I feel might possibly have knowledge include HN which was then attached to the Task Force; VM of Cavalry Platoon from E Troop, 1st Cavalry then attached to the Task Force, and UF then commander of the 52d Military Intelligence Detachment of which BI was a member.
Q: Do you know the location of any of the individuals you have just identified?
A: UF, who is assigned to 500th MI Group here in Hawaii.
Q: Do you have any knowledge of any officer issuing instructions to his men prior to the beginning of the My Lai (4) incident 16 March 68 to the effect that anything that moved during this operation would be killed including animals?
A: No. HA

AFFIDAVIT

I, HA HAVE READ ~~THE ENTIRE STATEMENT~~ THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

BBBY
BBBY

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

HA

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of October, 19 69

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Art 136 (b)(4), MCM, 1969

(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

WITNESS STATEMENT
(AR 195-10 - TD PMG 3)

PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	25 Aug	0830 hrs	
ORGANIZATION OR ADDRESS	SOCIAL SECURITY ACCOUNT NO.		GRADE

SWORN STATEMENT

I, YN, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I left on 6 December 1967 from Hawaii to Vietnam and was assigned to the Public Information Detachment, Brigade, Duc Pho, Vietnam. I left Vietnam for the USA on or about 27 March 1968. During my stay in Vietnam I was a _____ and accompanied the troops on combat assaults.

Q: Have you ever heard of Task Force BARKER.

A: Yes I have.

Q: Do you know the companies that comprised Task Force BARKER?

A: I was most of the time with Company C 20th Inf, 11th Brigade.

Q: Does Operation PINKVILLE ring a bell with you?

A: No.

Q: Where were you during the middle of March 1968?

A: I was on an operation during this time. I do not exactly remember the date, but it started early in the morning. It was over about 1300 hours.

Q: I am showing you now a map, Vietnam 1: 50,000 Sheet 6739 II Quang Ngai. Can you orient yourself on this map?

A: Sometime during the middle of March, I went on an operation with Company C in the area between the Song Tra Khuc and Song Diem Diem Rivers as shown on the map. We departed from Landing Zone Dottie, towards the coast. I cannot recall the name of the village that we hit first. I believe that this was my last operation in Vietnam. This operation stands out in my mind because it was different from others. I have been previously on search and destroy missions, but nothing like this. At about sunrise in the middle of March we took off with helicopters from Landing Zone Dottie and proceeded towards the coast. I was on the 2nd lift consisting of about 9 to 12 helicopters. We landed in the rice paddies. I was the photographer on this mission and had as a camera a LEICA M3 and a Nikon (personal). I was armed with a .45 caliber pistol. We jumped off the helicopter and the first thing I observed a dead cow. Then a woman was trying to hide was shot repeatedly with a M-16. I was with a platoon that had a neyo ~~sc~~ in charge. I do not know his name. The ~~sc~~ was along there shooting with the rest of them. I am not sure who shot at the woman, but I did see pieces of her skull flying around. Next we moved through the paddies towards a large hill. There were people walking on a road parallel to the hill. These people were being shot at by the same platoon with whom I had come in. At this time I did not see the platoon leader or any officer. The NCO's were in charge. The soldiers opened fire on the civilians. I heard somebody yell that there was sniper fire, but I do not recall any ~~auto~~ fire. I have shot of a soldier aiming his M-16 in the general direction of the civilians. There must have been about 15 civilians. I have a slide of 3 dead bodies out of this group on the road. They were young males. I did not see any weapons on them. In the same area and this was prior to going through the village, I observed a male with two young children (one was a girl) pleading for their lives. They were shot. I am not

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

"Statement of
Continued"

YN

dated 25 Aug 69

sure ~~if~~ they were machine gunned or that an M-16 was used. I did not take a picture of this. Then we started to move towards the village. I do not recall the name of the village, but it was the village that Company C went through. A helicopter came and threw a red smoke bomb. This means that they had observed the enemy. We moved back towards the hill. There was only sporadic shooting. At this time I took a shot of a woman, with her brains lying beside her. She was part of the civilians that had been walking on the road parallel to the hill I mentioned before. Then again we moved towards the village. I observed a man and a small boy (~~2-3~~ years old) walking away from the village to which we were heading. A machine gunner opened up and the man and the boy were ~~hit~~ with M-16's. I think 2 or 3 soldiers opened up with their M-16's. I have a slide depicting the two dead bodies. I could see no reason why these 2 were shot. About the same time, either before or after the aforementioned incident, 2 small children (boys; 4 and 8 years old) were shot by the soldiers I was with. M-16's were used. I was with a group of about 15 soldiers. All of Company C. We were the 2nd ~~group~~ group that went through the ~~village~~ village. I believe another group had gone through the village before us. I do not remember with which platoon I was with. At this I was still outside the village and I noticed in a paddy a large circle of civilians, approximately 50 of them consisting of women, men, children and a few babies. There were more women and children than men. This was about 1000 hours on the day of the operation. I noticed ~~XXX~~ a machine gunner and an ammo bearer. The machine gunner opened fire ~~XXX~~ at the civilians. I observed that some of the women tried to escape, but they did not make it. This I noticed from a distance of about 50 to 75 yards. I did not take a picture of this. The machine gunner and the ammo bearer were no part of the group I was with. They must have been ~~XXX~~ with the group that went in first. I then moved in towards the village. At the outskirts of the village, I noticed soldiers destroying the crop. It looked like corn. Also at this time the soldiers in my group or the group that had gone in previously, found an old man and two small children (I cannot recall if they were boys or girls. They were about 3-6 years old) The old man was questioned. I do not know if they were shot. At this time the two groups of soldiers had mixed. ~~With~~ other words there were 2 platoons in the village. At this time I started to ~~XXX~~ take pictures. The village was burned ~~and~~ I took a few pictures. These were in black and white. I turned these pictures in to the Information Office. Some of the pictures depict the burning of the village. At this time the animals were also shot. Even the ones in the pens. We then started to go through the village. I ~~know~~ got separated and wandered on my own through the village. At this time I was looking for the pile of bodies that had been previously machine gunned. I could not find them again. I then rejoined some of the soldiers. I came to a burning hut and observed three bodies, one man, a woman and a small child. They were outside the burning hut. I took an overall color slide and a close up of two of the dead bodies (woman and child) I went into one of the huts and noticed a woman dead on a bed. She was also shot. I did not take a picture of this. At this time we started to move out of the village. We were half way through the village. A group of women and children (approximately 6-8) were rounded up and one of the young girls (about 13 years old) was tormented by one of the soldiers. He ripped her blouse off or rather tried and the mother tried to protect her but was repeatedly kicked.

page 2 of 7 pages YN

YN

"Statement of
Continued"

YN

dated 25 Aug 69

I cannot recall the exact words used by the soldiers, but I gathered that they had to be shot. Before they were shot I took a picture of the group. There was a small baby, one young girl, and boy and the rest were mothers. The slide will show the exact age group. I did not take a picture of them after they were shot. I observed them being shot but I turned away when they started to fall over. I did not see any officer present. There was one real husky Negro in the group. There were six soldiers present and two of them did the shooting with M-16's automatic, fire. I do not know their names. No first names either. I did not hear that the soldiers were ordered to shoot the civilians. I cannot see any reason why the civilians in this group were shot. In the same area I took a slide of a man in a well that was shot. I did not see when he was shot. While I was in the village I did hear shots but I cannot recall that we were fired upon. I also remember that during the same time I observed a small boy who was wounded twice, once in the leg and once in the arm. The boy was about 8 years old. He was in a daze and I was about to take a picture of him when a soldier next to me fired on him with his M-16. The first bullet hit him in the stomach, the 2nd bullet throw him up in the air and the 3rd one sort of pushed him down. The soldier was in a kneeling position. After he had shot the boy he just got up and walked away. He was somewhere from the South, at least this is what appeared to me. He was quite young. I do not know his name. I think he was either a Pfc or SP4. The soldiers that are depicted on the photographs you have shown me were a part of the group that did the shooting. However, I cannot say who specifically shot whom. But they were all involved. The next color slide shows a pile of dead bodies, mostly women and children. Approximately 20 of them. This is not the group that was shot outside of the village, which I have mentioned previously. At the same time I noticed a small boy of about 5 years old walking towards the pile of bodies, probably to look for his mother, when a soldier from the kneeling position fired on him with his M-16. He killed the boy with one or two shots. I think the first shot missed and the 2nd one killed the boy. I do not know the name of the soldier that did the shooting. The reason that I do not know the soldiers in Company C is that I only go with them for the day. I do know XT, DS. The name HO is familiar. If I saw a picture of him I would be able to recognize him. The name HO hit me when you showed me a roster of Company C. The next thing I remember on this operation was that they pulled one old man out of a hut for interrogation. I took black and white pictures of him and also a color slide. He was interrogated and after I had walked away I heard three shots. I assume that he was shot. On this mission there were 2 interpreters. I am not sure if RJ interrogated the old man. The old man is also depicted on photograph 4 and 14, which I had taken and which I have initialed. I do not know the names of the soldiers that were involved in this incident. There were 2 or 3 soldiers around. Of the pictures you have shown me I can identify 18 of them, as taken by me. I have initialed and dated them. The next incident was when a accidentally shot himself in the foot. This was the only casualty that I know of that was suffered by Company C. I have another slide which depicts a middle aged man, lying dead outside his hut, with his legs out. By this time it was about noon. Shortly after that myself, I think RJ, the MI man ("nicknamed") and EF left by helicopter for the other company. A color slide will show the landing area. I do not know if it was Company A or B. EF was with the IO of the Brigade. He was the He is living in His parents live there.

page 3 of 7 pages

" STATEMENT of
continued"

y N

, taken at

dated 25 Aug 69,

- Q: Have you heard that Task Force BARKER was given the mission to destroy the village in question and to kill all the inhabitants?
- A: I heard something to that effect. It was general talk amongst the soldiers. I do not if this order in fact was given. The soldiers were saying that all the inhabitants were communists, or sympathizers or Viet Cong. I did not attend any briefings for the companies involved. I joined Company C on the morning of the assault. During the helicopter ride to the village nothing was mentioned of killing all the inhabitants. The talk about killing the inhabitants started on the ground. I remember vaguely that either DS the CO of Company C or the MI man(") explained to the Vietnamese interpreter RJ why the killing of the inhabitants had to be done. I had also heard the day before the assault, that the villagers were instructed to leave the village. How they were told to leave I do not know. I do not know if there was an artillery barrage on the village prior to our landing there.
- Q: Did you ever hear the name of My Lai (4) as being the village that was assaulted?
- A: No I do not recall that name. I cannot recall the name of the operation I was on. All I know that it was in the middle of March and in the general area on the map, that you have showed me, between those 2 rivers.
- Q: Have you ever been on a combat assault in this area prior to the middle of March 1968.
- A: No.
- Q: Do you know which North Vietnamese Force of Viet Cong force was in this area?
- A: The way I heard it there was supposed to be a Viet Cong Force operating in the area. Which Bn or Regiment I do not know.
- Q: Have you heard that the radio operator of DS , killed a 4 year old boy with a M-16 bust?
- A: All I know is the killing of the 8 year old boy that was wounded. I do not know if the soldier that killed him was DS 's radio-operator. I think I would be able to recognize the soldier that killed the boy if I would see him again.
- Q: How much of the village was destroyed by Company C, during the operation?
- A: I would say 1/4 of the village. This is a conservative estimate.
- Q: How many civilians, were killed during the operation?
- A: I would say about one hundred and fifty and at least three quarters or more were women and children.
- Q: How many animals were killed?
- A: I only seen 4 cows, 2 water buffalos and about 5 pigs. This is only what I have seen. I did not go through the entire village.
- Q: Have you heard that a HO , one of the platoon leaders of Company C had ordered that the inhabitants be rounded up and later machine gunned?
- A: No I did not hear that. But I did see that the inhabitants were machine gunned and shot. Where the order came from I do not know.
- Q: Did you ask anybody during the operation who had ordered the killing of the the inhabitants?
- A: No, I figured it must have come from higher up, since the soldiers just do not start killing civilians in mass as they were doing. This was the first time I have seen something like this.
- Q: Was there anything said about the killing later when the Company got back to base camp?
- A: I did not return with Company C to base camp. I went back to Landing Zone Dottie the same day of the assault, and while waiting to go back to my base camp, ~~base camp~~ "Bronco" I heard, that the General of the ~~1st~~ Division praised the Task Force for the operation. I, take it that he was not told, that most of the people killed were women and children.

"Statement of YN
continued"

dated 25 Aug 69

Q: Do the names EEW, JL, DN, HZ, JU, GX, LX, FW, GU,
BU, EA, HH, XL, MI, DV, GL, HR, LI, HO,
DS, PA, XT, KG mean anything to you?

A: I have heard the name HO, I know DS, PA, XT
RJ, I remember now that the name of the MI man in question was BI
I think he was with the MI unit attached to the Brigade. As a matter of
fact I am sure he was attached to the 11th Brigade.

Q: Are there any others that were witnesses to this incident?

A: PA is, but I do not know his name. I cannot recall it. He was also
present. And then of course EF. He was also there.

Q: If I am correct you do have about 20 color slides depicting the entire operation
in question.

A: Yes there are approximately 20 or those and after the duplicates have been made, I
will turn them over to the Government against receipt. They are my personal property.
I took them with my own camera.

Q: Have you used these slides during your lectures?

A: Yes I have.

Q: Who did you give lectures to?

A: Cleveland Optimist Club, Kiwanis Club, two Jaycee clubs, the teachers association,
and a church group (teen-agers) Also one of the high schools in the Southern part of
Ohio. Most of my lectures were in the Cleveland area. The audience was usually
stunned. I estimate a total of 600 people or more have seen the slides.

Q: Are you willing to testify in court when the time comes?

A: At this time I do not want to commit myself either way. However it is more on the
favorable side. All I can testify to is that something happened. However I will not
be able to say specifically who shot whom. There were too many people shooting.

Q: Did you hear about a helicopter pilot objecting to the killing of the inhabitants?

A: I cannot say that it was a helicopter pilot, but I heard the soldiers say that they
had to stop killing. Evidently somebody raised a fuss about it. I remember this
vaguely.

Q: Is it possible that a large portion of the inhabitants were killed by gunships or
artillery?

A: No, from what I have seen they were killed by soldiers on the ground.

Q: Does the name FFJ mean anything to you?

A: No.

Q: Was any medical treatment given to the wounded inhabitants?

A: There was no medical treatment. In fact I heard them say that they were better off
dead, because there were no medical facilities available and that they were going
to leave the people there. The general talk was to have their own people bury them,
or let the dogs or rats take care of it.

Q: Were any medics on this operation?

A: Yes I believe so, because a medic took care of the man that got shot in the foot.

Q: Was the Vietnamese National Police present during this operation?

A: I did not see any.

Q: Did you hear of any prisoners being executed after interrogation?

A: The only one I assume was the old man that I have mentioned previously. However I
did not see him being shot.

Q: Are there any other witnesses that you might remember?

A: No, I mentioned all the ones I know personally.

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YN

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A: I have been 3 or 4 search and destroy missions.

A: To me it means, find the enemy and destroy him. This to me means a person that fires upon me. No women and children unless they have a rifle or grenade. If you know that the village was a Viet Cong strong hold, I think we also would destroy the structures. However the operation in question was something that I have never seen before. Usually they stop the civilians, question them and then let them go.

A: To me that means, the clear the area of all hostile forces and to start ^{at} the pacification program.

A: No. I have not released any of the material to the press. I have not given any of the slides to any of my friends. The reason why I did not make this public is because the press usually distorts the facts.

A: I did not see any.

A: As far as I know none.

A: I only heard that there was sniper fire in the area. But the group I was with did not encounter any resistance.

A: No this is all I know.

A: No

XXXXXXXXXXXXXXXXXXXXEnd of StatementXXXXXXXXXXXXXXXXXXXX

STATEMENT (Continued)

REPORT OF THE SECRETARY OF DEFENSE

1, VCI 42

AFF DAVIT

YN

(Signature of _____)

(enact)

LU

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 25 day of August, 1969

98

BBZ

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESSING. (UVA)

Art 136(b) UCMJ 1968

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE	TIME	FILE NUMBER
	18 Dec 69	1800	69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
Y N			
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
I, Y N, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
Q:	Y N during the operation at My Lai (4), on 16 March 1968, how many cameras were you carrying?		
A:	Three cameras.		
Q:	What type of cameras were they?		
A:	I had two government cameras, "LECIA", I believe they were M-3's. I believe that a normal and wide angle lens were used on the government cameras. My personal camera was "NIKON", F1N head, with a 55 mm lens, Micro-Niktor Auto 3.5.. The serial number of my camera is #6560195 and the lens serial number is #2176201.		
Q:	In your first statement made on 25 August 1969, you stated that you only had two cameras. It had been noted by the news media that you had three cameras. Can you explain this?		
A:	The statement I had previously made, I told the investigators that I had two LECIA and NIKON, which was my own camera. When I read my statement I didn't catch the mistake pertaining to the amount of cameras I had with me.		
Q:	What type of film was you using in the cameras?		
A:	I can remember that I had "ECONACHROME", colored film in my camera. In the Army cameras there was black and white film, however, I don't remember the type of film. All you have to do is check the negatives of the film (black and white) to find out what type of film it was. I don't remember what the ASA rating was on the colored and the black and white film.		
Q:	How many negatives are there in each roll of film that you had?		
A:	I am not sure, but it could have been 1 and 1/2 rolls of colored film for my camera. I had taken some photographs while I was in Hong Kong. When I went on the operation had about 1/2 roll of film in my camera. When it ran out I put another roll of film in my camera. I think I had two or three rolls of black and white film for the Army cameras. As far as the negatives in each roll, I don't recall.		
Q:	What was the disposition of each roll of film that you had taken?		
A:	The colored film that I had in my camera amounted to 18 slides which I had released a copy of them to the Army. I don't remember where the other slides are at, if there are any. The film that was in the Army cameras were turned into the Public Information Detachment, at Duc-Pho. I don't remember who I turned the film into. Also, if there was any film left in the Army cameras, it was used by another photographer, then taken out of the camera and developed.		
Q:	In your first statement you had stated that you had only took one roll of black and white and one roll of colored slides. It has been noted through the news media that you had taken four rolls of film. Will you explain?		
A:	No comment. (SELF DEFENSIVE)		
Q:	What training have you had in photography as a civilian before entering the Army?		
A:	I was in my fourth year of college when I was drafted into the Army. I majored in photography at [redacted] After I was discharged from the Army I completed my college and received an Bachelor of Fine Arts.		
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 3 PAGES
	Y N		
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

- Q: What type of training had you had in photography after entering the Army?
- A: None.
- Q: Where did you obtain your film for your civilian camera, which was used at My Lai (4) operation?
- A: I purchased my film in Hawaii, Okanawa or Hong Kong.
- Q: Where you ever questioned about the photographs that you took at My Lai (4) on 16 March 1968, with the military cameras after the operation?
- A: Not that I can recall.
- Q: How many photographs did you take with the military cameras and how many photographs (black and white and colored) did you take with your own camera?
- A: I don't remember the number of photographs I had taken with the military cameras. I took only colored film with my own camera. All I have out of the colored film is 18 slides.
- Q: Why didn't you take photographs of the dead bodies with the military camera?
- A: I thought I did, I can't say for sure. I took so many photographs. It's hard to recall.
- Q: Where you ever instructed not to take photographs such as the photographs you had released to the Army of the dead bodies?
- A: No.
- Q: What instructions were given to you about carrying personal cameras or taking personal photographs of such an operation as in My Lai (4)?
- A: Nothing.
- Q: Did you tell anyone that you had taken personal slides of the dead bodies after the operation at My Lai (4)?
- A: I don't recall.
- Q: I know show you a sketch map of my Lai (4) area. Will you put the number on the sketch map that's on the back of each photograph showing where you took the photographs?
- A: Yes. I put #3 to 5, 7, 8, 10 to 15 and 17 to 19 on the sketch map. I marked the back of each photograph with a number showing the order in which I took the photographs. They are as follows: photograph #3, was about #5 photograph; photograph #4, was about #3 photograph; photograph #5, was about #7 photograph; photograph #7, was photograph #1; photograph #8, was about photograph #9; photograph #10, was about photograph #11; photograph #11, was about photograph #8; photograph #12, was about photograph #10; photograph #13, was about photograph #4; photograph #14 was about photograph #13; photograph #15, was about photograph #6; photograph #17, was photograph #12; photograph #18, was about photograph #2; and photograph #19, was about photograph #14. Photograph number 6 was taken in the air while enroute to My Lai (4). Photograph number 9 was taken at Task Force BARKER, before departing for the operation. There are two photographs missing. One I do not recall. The other was of an old man kneeling. I also put an red X on the sketch map, which shows the general area where I think a machine-gunner was at who fired at the civilians in photographs #4. The red is the general area where the old man was kneeling.
- Q: References is made to photographs #4 and #14. Do you know if the group of bodies in photograph #14 and the dead bodies strung-out in photograph #4 were possibly shot by gunships?
- A: Number #4 photograph, I am positive that it was not done by the gunships. I saw US Troops firing at the civilians on the trail and I saw the civilians fall as they were hit by the US Troops gun fire. Number #14, I have no idea.

STATEMENT (Continued)

Q: Do you have anything to add to this statement?

A: NO

AFFIDAVIT

I, YN HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

YN
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of December, 19 69 at Cleveland, Ohio

ORGANIZATION OR ADDRESS

LU
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Art 136 (b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

YH

PAGE 3 OF 3 PAGES

WITNESS STATEMENT (AR 195-10 - TS PNG 3)			
PLACE	DATE	TIME	FILE NUMBER
	25 Feb 70	1400	
LAST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY ACCOUNT NO.	
LK			
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

LK during May 1969, did you receive a request to provide a copy of a report of investigation dated 24 Apr 68, prepared by XT? (We have been told that the intelligence HP gave you an envelope from safe in which this ROI along with other inclosures was found. Further that you arranged for the preparation of a true copy, having part of it typed in S-1 and the rest typed in S-1. After this copy was prepared on or about 25 May 69, you returned the envelope with all contents to HP

A: To the best of my knowledge that is basically correct. I can not, however, recall whether the documents were in an envelope or in a folder. I also do not recall exactly all the contents of the documents.

Q: We have also been told that the envelope remained with HP in the safe with the Quang Ngai Province material until early Sep 69 when you requested that the envelope be delivered to you, and that you removed some of the contents of that envelope, is that true?

A: I do not recall requesting HP to bring the documents to me in Sep 69. To the best of my knowledge and belief I never removed any documents from the envelope.

Q: We are further informed that subsequent to the above UU found the ROI along without envelope or other purported contents of envelope in a file labeled Security Classification System, is that true?

A: I have no personal knowledge of this.

Q: Please explain details of all requests to locate or provide copies of documents relating to investigations or reports of the 16 Mar 68 operation, describe when the request was made, who made it, what was requested, how it was described and who was to receive the information?

A: Sometime during the month of Apr 69, I KH directed me to search the files for an ROI relating to the Pinkville incident. It was described to me as a report on the alleged killing of civilians during operations by the Bde during Mar 68. Nothing was found in my files, I don't know what other files were searched. I think this was a result of a request by the USARV IG through the Americal IG. I know of no documents found during this search. In May 69 KH again requested that I search for the same documents. I found nothing in S-1. Some documents were found in S-2 I think the HP brought some documents and asked if they were the ones we wanted. I gave them to KH, I don't remember the exact contents of the documents or what they were in, nor how many there were. I think there was an XT but I don't know if it was a copy or an original, or if it was signed. I think that this request came from either the Americal IG or Chief of Staff, I do not know what documents if any, were forwarded or if forwarded, to whom. In early Nov 69, BBZ from the () visited the Bde Hqs for a couple days, being escorted by 11th Bde S-5. He asked me for copies of any Bde Regs in existence during Mar 68 concerning reporting serious incidents.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>		

DA FORM 2823

96A

misconduct or wrongdoing. I provided copies of Bde Reg 600-3, Reporting of Serious Incidents and 11th Inf Bde Reg 1-1, Blue Bell Reports. 88Z also received three other sets of documents from S-5. Other than the above the only other request for information has come from the Peers Inquiry, all of which is a matter of record.

A: I recall documents being given to me by *HP* as stated above. I don't recall

KH I may have handled the container subsequent to that however do not recall doing so. I do not remember taking any document from the container and not replacing it, and to the best of my knowledge and belief did not do so. The only times I handled the documents was to deliver them to the Bde XO or to the Bde S-2.

A: The 11th Bie does maintain a receipt file on documents which have been forwarded to higher headquarters. A list of these are on file at the Americal Div's IG office.

A: There are a couple of points that I want to clarify. In the first question there is a reference to a true copy being made, partly in [redacted] and partly in [redacted] Any copy which was made would have been made in [redacted] I do not recall any part of it being typed. Further I want to clarify that the only control that I had over these documents was to hand carry them either from [redacted] to the Bde XO or from the XO to the [redacted] I had no other control over them and made no decisions concerning them.

AFFIDAVIT

LK

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 25th day of February, 1970

Signature of Person Adm. _____

(Typed Name of Person Administering Oath)

Article 136(b)(4) UCMJ, 1969

(Authority To Administer Oaths)

PAGE 2 OF 2 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMO 3)			
PLACE	DATE	TIME	FILE NUMBER
	27 Oct 69	1525	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
BI			CPT
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
BI WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>During or about November 1967 I was assigned to the Military Intelligence Detachment, then stationed in Hawaii. I went with the unit to Vietnam, arriving there during or about December 1967. During or about February 1968, I was assigned with a Vietnamese interpreter to Task Force Barker. I worked with various interpreters, as they were rotated to the Task Force assignment.</p> <p>about this time Task Force Barker was assigned My Lai (4) as an objective. I did not participate in the intelligence preparation for this operation and do not know what factors caused the selection of My Lai (4) as an objective.</p>			
Q. Did you attend DS briefing?			
A. No I did not.			
Q. How did you get to My Lai (4)?			
A. I left LZ Dottie by helicopter. I believe we left in the morning. I believe I was on the second lift, but am not sure of this. I was accompanied by my interpreter, who was on this occasion) OY a Vietnamese attached to the MI Detachment. I do not recall any of the people who were on the same helicopter.			
Q. What happened after you got to My Lai (4)?			
A. I got out of the chopper and ran toward the village. I stopped along a rice paddy dyke. I stayed along this dyke for a little while. It was while I was here that someone brought an ammo box and a commercial transistor radio to me for examination. I do not recall what was in the ammo box and as far as I recall, the radio had not been modified.			
Q. Where did the box and the radio come from?			
A. I think they came from the area between where my helicopter landed and the village or rather the dyke. I don't know what circumstances surrounded the finding of this material.			
Q. Where was DS at this time?			
A. Initially he was at the dyke. I recall also that his radio man was there.			
Q. Where did DS go when he left the dyke?			
A. I can't remember. I believe the next time I saw him, OS			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 5 PAGES
	DS		
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

DA FORM 2823
JAN 68

Statement of **BI**

taken at

27 Oct 69, continued

was with the who shot himself in the foot. However, I am not sure on this point.

Q. It has been alleged that **OS** shot someone on the outskirts of the village. Would you comment on this?

A. I heard some talk from someone who quoted a helicopter pilot. The pilot reportedly stated that someone had shot a Vietnamese lying on the ground.

Q. Did you see **OS** standing over someone who was lying on the ground?

A. I do not remember seeing **OS** standing over anyone and I do not recall seeing him shoot anyone.

Q. Did you see anyone shoot anyone in My Lai (4) that day?

A. No. I can not recall seeing anyone shoot anyone in My Lai (4) that day.

~~Q. Did you see any dead Vietnamese in My Lai (4) that day?~~

A. Yes. I saw between ten ~~twelve~~ **BI** dead Vietnamese. I saw one small child at a T-trail junction, about 30 meters down the road I saw a group of ~~ten~~ **BI** people. (This is the same group I mentioned in the first sentence of this paragraph.) In all, I saw a total of about ten to twelve bodies in My Lai (4).

Q. Did you encounter any resistance in My Lai (4)?

A. I was told as we came off the chopper in the LZ that it was a hot LZ. However, I didn't see anyone shooting back.

Q. What did you do after you left the dyke?

A. I recall going around the side of the village and proceeding up a trail along the side of the village. I am almost certain **OY** was with me then. I proceeded along the path until I saw the body of a small boy who appeared to be dead. This was on the perimeter of the village about one half way up the side at the trail junction. I saw a group of 8-10 bodies on the side trail 30 meters or so to the side. When I saw these bodies, I went back along the path I had been going up. I sat down at about the corner of the village.

Q. Did you and **OY** discuss the bodies you saw in My Lai (4)?

A. Yes. We talked about it. He was concerned about the number of bodies and I tried to pacify him.

Q. What happened after you sat down at the corner of the village?

A. I sat there for awhile and then I started up the trail again. I reached the trail junction again and saw that the boy's body was gone.

Q. What happened then?

A. It was then that I met the **Nguy Solaine** who had been shot in the foot. He was being carried down the trail so I stayed with him while they called for the chopper. He was taken out by helicopter.

Q. Then what happened?

A. I think this one picture -- the troops by the trail -- I think we all just sat there for awhile. Then I was lifted out in a helicopter with **MINH**.

Q. It has been alleged that you and **OY** talked with an old man and that **MINH** then shot the old man. It was further alleged that after **MINH** shot

Page 2 of 5 pages

BI 98

the old man, some American troops finished him off. Would you comment on this allegation?

A. I did not shoot anybody and did not see **DY** shoot anybody. We talked to one old man with two small children. When I last saw him he was sitting down and had not been hurt. I recall receipt of information while in the village to the effect that the VC had been in the village, but had left that day. I don't recall the source of this information and it could have been from **DS** interpreter, **RJ**. I do not recall receiving this information from a village elder or an old man. I do not recall any person from the village complaining about the number of people killed in My Lai (4).

Q. Did you eat lunch in My Lai (4)?

A. I don't recall eating lunch that day.

Q. It has been alleged that **HO** and others collected a group of 20 or 30 people and executed them in My Lai (4). Do you know anything about this?

A. No I do not. I didn't see it and I didn't hear about it.

Q. It has also been alleged that **HO** and others collected 75 or more Vietnamese in a ditch at My Lai (4) and executed them. Would you comment on this?

A. I did not see this and heard nothing about it.

Q. It was alleged that the Vietnamese National Police executed some people in the Company C perimeter the evening following the action at My Lai (4). Would you comment on this?

A. Yes. I did not actually see the shooting, but that evening in the Company C perimeter, the National Police had a group of suspects they were interrogating. They took them down the trail one at a time and took them out of sight into the brush. Then I would hear firing. The National Police came back alone. I estimate they executed 3 or 4 people this way.

Q. It was further alleged that some Americans finished off some of these wounded. Would you comment on this?

A. I know nothing about this.

Q. Do you know if **DS** was at the scene of these executions?

A. I don't recall his being there. It was his perimeter, but I don't recall seeing him there at that time.

Q. Do you know if **DS** protested these executions?

A. No I do not.

Q. Following My Lai (4), troops of Company C, 1/20th Infantry, were reported to have captured a VC nurse. Do you know anything about this?

A. No I do not.

Q. When did you leave the area?

A. I left a couple of hours after the Vietnamese police executed the suspects. I returned to LZ Dottie.

Q. Did you ever discuss the killing of civilians in My Lai (4) with

DS

A. No I don't believe I did.

Q. Did you report what you had seen to anyone?

A. No.

Q. Did you render any sort of a report concerning this operation?

A. We weren't required to submit any type of report. We were strictly there to gather tactical intelligence.

Q. Was there an investigation of the killings at My Lai (4)?

A. Not that I'm aware of.

Q. Did you see the village burned?

A. No I did not.

Q. Is there anything you would like to have deleted from this statement?

Is there anything you would like to add to this statement?

A. No.

STATEMENT (Continued)

THE FOLLOWING IS A TRUE AND CORRECT STATEMENT OF THE FACTS AND CIRCUMSTANCES OF THE MATTER IN DISPUTE, AS FAR AS THE STATEMENT MAKER KNOWS, BELIEVES AND OPINES. THE STATEMENT MAKER HAS BEEN ADVISED OF HIS RIGHTS AND HAS WAIVED THEM. THE STATEMENT MAKER HAS BEEN ADVISED THAT HE MAY STOP AT ANY TIME AND THAT HE MAY STOP AT ANY TIME AND THAT HE MAY STOP AT ANY TIME.

EXHIBIT: []
 []
 []

This portion of the statement form was not used.

AFFIDAVIT

I, BI HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE.

BI

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of October, 19 69 at Fort Holabird, Md.

ORGANIZATION OR ADDRESS

BBBP
 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

BBBP
 Art 136(b)(4), UCMJ, 1951
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

BI

PAGE 5 OF 5 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

DATE 13 Jan 70	TIME 0930 hrs	FILE NUMBER
NAME, FIRST NAME, MIDDLE NAME BI		SOCIAL SECURITY ACCOUNT NO.
		GRADE CPT

SWORN STATEMENT

Q: **BI** I wish to ask you a few questions about an allegation against a **BX** in which **BX** is alleged to have interrogated two or three Viet-Cong prisoners, or rather VC suspect prisoners, and to have cut the fingers off of the right hand of one of the prisoners. I understand that you made a prior sworn statement, dated 27 Oct 69, but this statement today will be in addition to that prior statement. Do you understand the allegations made against **BX**?

A: Yes, I understand the allegation. When is this supposed to have happened?

Q: It is supposed to have happened sometime between 1500 - 1700 hrs, 16 Mar 68, just after the combat assault by C Company, 1st BU 20th Infantry on the village of My Lai (4). What knowledge do you have of the interrogation of the prisoners?

A: I have no knowledge. I cannot recall seeing **BX** interrogate any prisoners and I have no recollection that he, or anyone else, ever cut off the fingers of any prisoner during any ~~known~~ interrogation, on that or any other day.

Q: What knowledge do you have of prisoners being interrogated during the lunchbreak of C/1/20, just off the east end of My Lai (4) village?

A: I have no recollection of any such interrogation.

Q: At any point during the day, 16 Mar 68, did you see any Vietnamese National Policemen kill any VC prisoners. I mean, did you see any National Policemen question or kill any prisoners before you were lifted out by helicopter at about 1700 hrs, 16 Mar 68.

A: No, I did not see any such thing. However, I wish to state that what I did see is what is contained in the fifth answer, on page 3 of my sworn statement of 27 Oct 69. I would like to say at this point that, regarding the allegation against **BX** and the National Policemen, I did not see anyone put a weapon in the mouth of any prisoners and then blow their heads off.

Q: Is there anything else that you would like to add to this statement?

A: No, I have nothing to add.///////NOTHING FOLLOWS//////////

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT BI	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

BI
THIS SECTION IS NOT USED

AFFIDAVIT

BI
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFD

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of January, 1970.

STA - USAADCEA
FT. BLISS, TEXAS 79916
ORGANIZATION OR ADDRESS

LV
(Signature) Person Administering Oath

LV
(Typed Name of Person Administering Oath)

Art 36 (b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

BI

PAGE 2 OF 2 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

DATE 7 Jan 70	TIME 0915	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME AL		SOCIAL SECURITY ACCOUNT NO.
ORGANIZATION OR ADDRESS		GRADE CPT

SWORN STATEMENT

I, AL, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- Q. Were you assigned in the Republic of Vietnam during the year of 1968?
- A. Yes, from 26 Nov 67 to 25 Nov 68.
- Q. Would you relate the circumstances surrounding your duties and assignment there?
- A. I was assigned as the _____ and my primary duties were civil _____ and _____ officer. My duties as the civil _____ affairs officer included advising the commander on all matters pertaining to civil affairs and included conducting civil affairs operations within the area of operation assigned to the 11th Infantry Bde with priority to those areas known as RD areas or Revolutionary Development areas, in which pacification was underway. Civil affairs duties included building schools, latrines, wells, other public buildings of a benefit to the Vietnamese community, administer to the needs of the refugee camps in the area of the operation and to a limited extent maintaining statistics on crop production and population that perhaps would be of interest to the commander. My duties as psychological operations officer included advising the commander on all matters pertaining to psychological operations and conducting psychological operations programs within the Brigade area of operations that would assist in accomplishing the assigned mission and goals of the Government of Vietnam and the allies. These duties included all types of psychological operations, loud speaker operations, face to face propaganda type operations, leaflet drops and aerial broadcasts.
- Q. AL I now show you a map of Vietnam, scale 1:50,000, sheet # 673911, would you please explain or relate your area of assigned responsibility?
- A. I was responsible for psychological operations and civil affairs within the entire 11th Bde area of operations. The map sheet you have shown me here only shows a portion of the 11th Bde area. To note the entire 11th Bde area of operations you would need the adjoining map sheet of this area which falls to the south, which would be 67381 and you would also need a portion of the map sheet that falls to the south of 67381, the number of which is not noted on the supplementary information shown on this sheet.
- Q. What we are interested in is the Task Force Barker area of your operation. Would you explain this?
- A. I was responsible for _____ and _____ in the Task Force Barker area of operation but due to the fact that the Task Force Barker AO was separated from the remainder of the 11th Bde AO by the area of operations of the 2d ARVN Div and the fact that I was about approximately 30 or 40 miles south of the Task Force Barker AO there were no civil affairs activities under my direction underway in that area of operations to any extent until mid-summer 1968. Due to the time/distance factor from where I was to the Task Force Barker area, it was not feasible for me to try to conduct civil affairs projects there while at the same time conducting civil affairs projects in Duc Pho and Mo Duc districts. I had neither sufficient personnel or material resources to do so.

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT AL PAGE 1 OF 6 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT OF
DATED 7 JAN 70, CONTINUED:

AL

- Q. Would you state where you were working?
- A. Since I worked out of the Duc Pho base camp (LZ Bronco), I gave priority to that area and to the Mo Duc area which was more within my capability to supervise and support project wise.
- Q. When did the of the 11th Bde assume responsibility for the psychological operations of the Task Force Barker operation area?
- A. As best as I can recall it was early in 1968. Perhaps January or February, but I don't recall the exact day that we assumed this responsibility and due to the factors I have mentioned on distance and priority, my activities in the Task Force Barker AO were limited to psychological operations between the time we assumed responsibility and the alleged incident occurred.
- Q. For the record let it show that the alleged incident referred to is the My Lai (4) investigation of activities on 16 March 1968. Would you explain the function of psychological operations in the Task Force Barker area?
- A. The function of psychological operations in the Task Force Barker area was to accomplish the psychological operations goals established for the RVN by higher authority.
- Q. AL do you recall if there were any leaflets dropped in the area of My Lai (4) immediately prior to Task Force Barker operation on 16 March 1968?
- A. To the best of my knowledge I cannot remember if there were any leaflet drops on My Lai (4) during the time frame involved. I can state that there were no leaflets dropped just prior to any troops entering that area due to the fact that in almost all incidents leaflets were not dropped just prior to troops entering a landing zone because it alerted the enemy that military operations were imminent against them.
- Q. What was your normal procedure in dropping leaflets?
- A. To drop leaflets in the 11th Bde AO I called leaflet targets to the Division psychological operations office daily for dropping the next day. I normally had between 5 and 9 leaflet targets each day scattered throughout the AO. As I can best recall, a leaflet drop covered an area of approximately 6 kilometers. I normally targeted at random different areas of the AO on different days and reinforced those areas where I had success with my leaflet drop efforts. Task Force Barker area averaged 2 leaflet drops per day. The day after the drop I would be informed by Division whether or not the drops I ordered were accomplished. The physical act of dropping the leaflets was accomplished by an aerial commando squadron operating from Da Nang.
- Q. Do you have any documents or records which would reflect your leaflet drops in the Task Force Barker area in and around My Lai (4) on 16 March 1968?
- A. No.
- Q. Do you have knowledge of any one who does have these records?
- A. No.
- Q. Do you know of any pamphlet or leaflet drops prior to or after the Task Force Barker mission of 16 March 1968 at My Lai (4)?
- A. To the best of my ability to recall I cannot state whether any leaflets were dropped in that area either several days prior or several days after the 16th of March. Leaflets were dropped on My Lai (4) the same way they were dropped in the rest of the 11th Bde AO, ie, at random, several times a month.

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AL

STATEMENT OF
DATED 7 Jan 70, CONTINUED:

AL

- Q. Did you attend any briefings concerning Task Force Barker operations at My Lai (4) on 16 March 1968?
- A. There were daily staff meetings which generally indicated what operations would take place in the Brigade but they did not specifically involve me so I really didn't pay much attention to what was going to be hit on any specific day.
- Q. Was there ever a request from your superiors for pamphlet drops in the My Lai (4) area?
- A. No.
- Q. In your position as the of the Bde did you receive any written reports in regards to the alleged incident in question?
- A. No.
- Q. Were you acquainted with DS
- A. Yes.
- Q. What was the extent of your relationship?
- A. From the time I first met DS in Hawaii in July 1967 until the time of the incident in question DS and I were casual friends. To this day it is still a continuing relationship.
- Q. When was your last time of association with DS
- A. My last association with DS was when we were students together in Infantry Officers Advanced Course which began on 10 February 1969 and graduated on 27 October 1969 and I haven't seen DS since 27 October 1969.
- Q. Other than civilian news media coverage of the incident in question, did you have knowledge of DS instructions or his operations at My Lai (4) on 16 March 1968?
- A. No.
- Q. Subsequently to the alleged incident did DS ever relate any information concerning his operation in the My Lai (4) area on 16 March 1968 to you?
- A. No.
- Q. Again subsequent to this alleged incident, did you hear of any rumors of any unnecessary killings or atrocities occurring at My Lai (4) on 16 March 1968?
- A. Yes. I heard rumors but the rumors never included any specific information on what happened, who was killed if anyone, or how many were killed if any. It was only a rumor that something took place out of the ordinary at My Lai (4) on that date.
- Q. Did you notice any change in your civil affairs operations in the My Lai (4) area after the incident in question?
- A. There were never any civil affairs operations in the My Lai (4) area prior to or after the incident prior to the time that I left Vietnam.
- Q. Can you spell out where you heard these rumors or from whom?
- A. Shortly after the alleged incident I went to the Officers Club of the Helicopter Company of the 174th Aviation Bn that was stationed at Duc Pho and co-located with us in the same base camp. A couple of the helicopter pilots whom I did not then know or now know were drinking at the bar and were talking about information that they had heard from a source unknown to me which pertained to My Lai (4) on 16 March 1968.

STATEMENT OF **AL**
DATED 7 JAN 70, CONTINUED:

Q. What information did you hear?

A. Since I was not a participant in the conversation but was overhearing what was being said I did not hear the entire conversation. As best as I can recall they were discussing that they had heard that on that day at My Lai (4) a pilot who flew in support of the Division had seen atrocities committed at My Lai (4) and that civilians had been shot.

Q. During your daily activities on 16 March 1968, did anything come to your attention that involved My Lai (4)?

A. On the 16th of March it was a normal day for me and I was going out to work on civil affairs projects along Highway 1. Prior to my departing base camp I had to insure that the road had been swept for mines by the Engineers and I normally did this by calling from my office to the Tactical Operations Center (TOC) on the phone. On this particular day the road was late in getting open so I stayed around the office until about 10:00 AM and attempted to call again and since all the circuits were busy I walked over to the TOC to check on the road condition in person. At this time (some time between 10:00 and 11:00 AM, as best as I can remember), there was a great deal of radio traffic coming into the TOC which indicated that units of Task Force Barker were in heavy contact in the general area of My Lai and the elements in contact were reporting large numbers of enemy dead. To the best of my ability to remember the figure was 89 when I got the information I needed that the road was open and left the TOC. I then went about my normal duties for the remainder of the day.

Q. Subsequently did you get any information from any other source that indicated that something had happened at My Lai (4)?

A. Yes. As best as I can recall, prior to the end of the month of March I went to Division Headquarters on official business to secure funds from the G-1 to use in the payment of Vietnamese daily hire laborers who were employed by the Brigade. While at Division Headquarters I stopped at the office of the **GD** as was my normal routine, to see if he had any instructions for me pertaining to civil affairs. While in the office of the **GD** who was the Division **GD** told me as best as I can recall that Task Force Barker was in serious trouble, in fact the entire Brigade may be in serious trouble due to what had happened in the Task Force Barker area of operations, or words to that effect. He also mentioned that the Vietnamese officials in Quang Ngai were very upset about what had happened and were launching an inquiry into the matter. I then asked him if there was any thing I should know or do and he said don't worry about it it is being taken care of and while doing so he tapped a folder on his desk and said I have it all in here, or words to that effect. When I asked him if I could read what information he had he declined to let me see what the contents of the folder was. No further mention was made about the subject.

Q. Subsequent to this, did you discuss the alleged incident with any one else in the Brigade?

A. Yes. Since I was the civil affairs officer and my duties involved me directly with civilians I was, of course, interested in determining if anything had happened that was out of the ordinary and some time in May, as I best recall,

STATEMENT OF
DATED 7 JAN 70, CONTINUED:

AL

after PA had assumed duties as the Brigade I asked him during a personal conversation if anything had occurred in My Lai. I did this because I had worked for PA in Hawaii and PA and I got along well and I held him in great esteem and felt this would be the best way to resolve any personal doubts that I had. At any rate I asked PA if Task Force Barker had killed any civilians in their operations and told him I wanted to know this because of rumors I had heard and the Colonel replied that to the best of his knowledge they had not and he, as a commander, would not condone acts of this nature because it is just our policy as soldiers in the United States Army not to make war on innocent people. After the Colonel had told me this I myself felt quite a bit relieved and considering the factors that the G5 had told me not to worry about the matter, that it was being taken care of and the fact that PA himself denied any killing of civilians, this put me at peace with myself and I was convinced that, No. 1, no atrocities occurred and No. 2, if anything had occurred that was out of the ordinary it was being competently handled by the proper authorities at the proper echelon of command. After my conversation with PA I heard nothing more about the matter nor gave the matter any more thought until it became a matter of daily news media in the United States.

- Q. Reference your visit to the TOC, did you hear any air to ground radio transmissions reference a helicopter pilot threatening to fire upon American ground forces if they did not cease killing Vietnamese civilians?
- A. No. Although while I assume I heard some air to ground traffic while in the TOC it is usually somewhat distorted and hard to hear. In any event I heard no air to ground traffic that pertained to the subject mentioned nor anything remotely coincidental to that subject.
- Q. Do you have knowledge of any additional information which might be pertinent to this investigation that has not been discussed?
- A. No.

AL

STATEMENT (Continued)

AFFIDAVIT

I, AL HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSE

FFFFE

Det D. 5th MP GP (CI)
ET Leonard Woods, MA
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

AL
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of Jan, 19 70

TG
(Signature of Person Administering Oath)

BIBB R

(Typed Name of Person Administering Oath)

Art 136, UCMJ, 1969

(Authority To Administer Oath)

PAGE 6 OF 6 PAGES

WITNESS STATEMENT

(AR 195-10 - TB PMO 3)

PLACE	DATE	TIME	FILE NUMBER
	12 Sep 69	1100	69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
EF			
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, EF, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: EF, this investigation concerns a combat assault upon a village or hamlet by the name of My Lai (4) in Quang Ngai Province, Vietnam on or about 16 March 1968 in which you reportedly took part in the capacity of from the 31st Public Information Detachment. Do you recall participating in that operation and if so will you state what knowledge you have of it?

A: Sometime during the middle of March 1968 YN, a photographer with my unit, and I were assigned to cover a combat operation in the "Pinkville" area. We went by helicopter to LZ Dottie, Task Force Barker Headquarters, and joined C Company, 1st of the 20th Infantry there. That was about 0730 in the morning. We went out of LZ Dottie with what I think was the second lift of helicopters ferrying the Company to the assault zone. YN and I remained together throughout the

period that we were with The Task Force. We remained with C Company from the time we departed LZ Dottie until we left the first village at about 1100 hours that same day to join B Company at a nearby village just to the east of My Lai (4). We departed the field at about 1330 hours for LZ Dottie, the same afternoon.

To go back to our arrival at the first village with C Company, we landed west or north-west of the village in a rice paddy. We were about 100 meters from the village. There was no hostile fire upon us that I can recall or know of. I have no recall of what platoon we were with as we moved toward the village or after that although I may have some handwritten notes taken that day that would identify some of the C Company men I was in contact with. I am not certain that I kept them however and will have to search around for them. Soon after we landed

a Sergeant I recall nothing at all about his identity, assembled the troops near us to a point along a rice paddy dike and then radiocoded for instructions. He then directed the troops to move south along the outskirts of the village toward a hill that is marked Hill 85 on the Quang Ngai map of Vietnam. We moved with the troops and we saw evidence of shell fire, craters, 105' maybe and of machine gun fire where the earth was torn from it. We approached a road that ran South-West between the village and Hill 85, and observed several military aged male Vietnamese walking, hurrying away from the village, traveling away from the village in a South-West direction. The troops that YN and I were with began to fire at them. I saw them fall from where I was, about 100 meters from the road. When we got to the road I saw three or four bodies, all black clothed adults. The troops checked them for weapons but found none.

We crossed the road, passed through an irrigation ditch and into a field on the other side of the road. We came upon a small child, a girl and a woman who appeared to be hiding the bank of the ditch. I am certain the child was alive but I am not certain about the woman. She was shot and killed however, but I can't recall if it was prior to my entering the field or several minutes later when I left the field and crossed the road again. ~~XXXXXXXX~~ I do know that both the woman and the girl were dead or appeared to be dead when we recrossed the

INITIALS	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF EF TAKEN AT 12 SEP 69 DATED 12 SEP 69 CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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DATED 12 SEP 69

road. The soldiers were checking the bodies for weapons but found none. A gunship had been firing into a hedgerow at the edge of the field and had apparently shot somebody and was signaling in some manner to have it checked out on the ground. Three or four men responded and came back with a weapon, I think it was an M1. We retraced our steps back toward the LZ and I believe we received a few rounds of rifle fire in our direction. I saw two people running in a field west of us and the troops fired on them killing both of them. I could see the head explode on one of them from the impact of the bullets. We then joined with

DS, C Company Commander, at the North-West corner of the village. That was about 0900 hours. At the edge of the village an old man and a child were being interrogated by an MI agent and his Vietnamese interpreter. DS informed me that the man told them that approximately forty VC had been in the village during the night but had all gone during the early morning prior to our arrival. The troops around us were searching in the hedgerows and destroying crops. We moved through the village following a zig-zag path running generally in a South-East direction coming out about midway in the village on the South side. DS accompanied us most of the way. We wanted to be with the command element and the radios. DS sometimes became separated from us while directing his men in their search and destroy mission. He was with us when we came out on the other side. We came out at or near the intersection of a road which ran around the village edge and a road that led to the main road we had crossed earlier. During our travel through the village we came upon a house that was burning and we, EF and I, saw that there was a body lying in front of the house, covered with burning straw and another one under the porch. I took some photographs with both of the cameras he was carrying and we left. I don't know how those people were killed. After leaving the burning house we saw troops killing livestock and clearing a tunnel with a grenade. We observed a group of people being taken from a hut. They were all women and children, about six or seven of them. DS was not with us at this time nor was any other officer present. Two men brought the people out of the hut and they were joined by about four more. One of the men carried an M60 machine gun. I don't remember the racial makeup of this group of soldiers but some colored were among them as I remember it. The troops were yelling at them, "VC, VC?" and the women were denying that they were VC. One of the soldiers grabbed a young girl and asked her if she were a VC whore by saying to her "VC boom, boom?" One of the older women tried to protect the other by placing herself in front of her. Two or three of the soldiers tried to push the woman aside to get at the girl and did manage to tear the young girl's blouse partly off. YN started to take a photo of the men tearing her blouse off when one of the soldiers yelled "Watch out he has a camera" They stopped and backed away from the women and YN took his picture as the girl, who I would guess was about 10, was buttoning her blouse. The soldiers talked about what they should do next and somebody said "Kill them" and implied that the machine gunner should do the job. I knew that they intended to kill them and I turned away from them. Seconds later I heard the machine fire and realized that the women and children were being killed but I didn't look back at it and didn't see them killed. YN was behind me and might have watched them being shot. A short time later I observed some troops dragging a body from in front of a house over to

DATED 12 SEP 69

a well nearby. They threw the body in the well. It was the body of a man. YN took a photograph of the body in the well. We went from there to the edge of the village close to the road intersection I described before. When we arrived there I saw a pile of bodies on the road leading to the main road, about 50 meters from the intersection with the road at the edge of the village. There were about fifteen of them, most appeared to be women and children. All appeared to be dead except one little child about three years old running around as though searching for his mother among the bodies. Some soldier behind me went down on one knee and killed the child with one shot from his M16. I recall talking to SN, one of DS's RTOs about this time asking him what they were told to do when they got to this village, what were their orders, what were they trying to do. Did they have orders to kill everybody in the village? SN was sort of evasive and said that they were ordered to level the village. I don't think he knew what they were supposed to do either. I am sure that DS was in the immediate area at the time the child was shot and I am certain that he observed the bodies on the road because we remained in that area for about an hour with DS coming and going as he directed his troops in the searching and burning of huts. DS it seemed to me, made an effort not to witness the actual killings although he must have known what happened all around him. At that same intersection in the same time period a small boy about six years old walked toward us. He wasn't crying or anything although he had arm and face wounds. YN moved close to him and was focusing his camera when a soldier walking down the road stopped and shot the child dead just as YN was about to take the photograph. The soldier walked away as though nothing had happened. YN didn't take a photo of that child's body but he did walk out to the road and took a picture of the pile of dead. We spent some time in the immediate vicinity observing and taking photographs of search and destroy operations being conducted under DS's supervision. At one point an old man was led from a hut and the soldiers asked DS what they should do with him. DS told the men that the old man had no military value and he didn't want him. The MI man and his interpreter were there then I think. DS walked away and I followed him. The old man had been seated on a stump. I heard a shot right after that but I can't say the old man was killed because I didn't see him again. It wasn't long after that when a man shot himself in the foot just around the corner from the intersection. We went there when we heard the men yelling for the medics. We took some pictures of mistreatment and evacuation. One of the men said that he was checking his .45 before entering a tunnel and shot himself accidentally. Soon after that DS arranged to have us flown to B Company's area and we departed.

Q: Do you recall at anytime passing a ditch with bodies in it?

A: No, except for the woman and child near the main road.

Q: Do you recall coming upon HO, during your travels with Company C?

A: No, not that I remember. The only men that I knew there or could possibly identify if I saw them again, were DS, YN and SN whom I knew in Hawaii.

Q: Did you witness other killings?

A: No, not that I can recall.

Q: Do you recall a man with two young children being shot as they begged for their lives?

A: I don't recall an incident like that.

Q: Do you recall a man and a boy shot as they walked from the village?

A: I don't recall that incident.

STATEMENT (Continued)

I recall no other incidents where people were killed, where I was a witness, other than the ones I have already mentioned. ^{YN} may have witnessed others but I don't know that. At times we were separated for short periods.

Q: Did any of the soldiers tell you that they had been ordered to kill all the villagers?

A: No. The only man I asked about that was ^{SN} and I have told you about that.

Q: How many villagers do you estimate were killed at My Lai (4)?

A: I don't know, I would guess about a hundred or so.

Q: Did any villagers survive the assault?

A: Not that I know of. When we got to B Company area, they had rounded up a lot of people but I didn't see any evidence of killing in that area as they had done, as C Company had done, in My Lai (4).

I remember that when we returned to LZ Dottie we went to the TOC and ^{HN} tried to throw us out but ^{PA} came along, invited us in and gave me an interview. He explained, using maps, the military concept of the operation. I mentioned that the operation had resulted in a large body count and a small weapon count and ^{PA} just sort of brushed the subject aside.

Q: How many of the villagers that were killed were military aged males?

A: Including the three I saw killed on the main road, no more than four or five were military aged men. The rest were old men, women and children and few old men at that.

Q: Could you identify any of the men you saw shooting villagers by name or by their physical features? Was there anything unusual about them or their uniforms that might lead to their identification?

A: No not that I can recall.

Q: Could you describe any of the men, especially the machine gunner that took part in the incident in which the girl was molested?

A: No, I seem to remember that the machine gunner might have been black, but I really don't remember that well.

Q: Do you have any other information that would be helpful in identifying soldiers who ordered or took part in the killings at My Lai (4)?

A: If I have any notes at home I will give them to you or let you see them.
END OF STATEMENT.

AFFIDAVIT

I, EF HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of September, 19 69

ORGANIZATION OR ADDRESS

SW
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Art 136b (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 11 OF 11 PAGES

WITNESS STATEMENT

(AR 195-10 - TB PMO 3)

DATE 19 Feb 70	TIME 1500	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME OB		SOCIAL SECURITY ACCOUNT NO.
ORGANIZATION OR ADDRESS		

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 19 Feb 70, from 1015 through 1220 hours, I interviewed: LN
D troop, 3rd Squadron, 4th Cav. 25th Inf Div. APO 96225, at the request of and in the presence of GA X LN stated in essence as follows: He joined the Bde of the Americal Div in Hawaii during May 67. He remained with the 11th Bde and came to Vietnam with it in Dec 67, arriving on or about 19 Dec 67 at Da Nang. The unit moved to Duc Pho where a camp was prepared. He was a member of the 2nd Platoon, B/4/3. He remained with this unit until his departure from Vietnam on 4 Jun 68. He voluntarily returned to Vietnam on about 1 Jan 70 and was assigned to his present unit.

During the period in question (16-19 Mar 68), LN in the 2nd Platoon. He recalls the operation in question at which time his unit was a part of Task Force "Barker". His ND whom he later learned was killed in action during the summer of 1968.

With respect to the briefing on 15 Mar 68, LN reported that he was not briefed by anyone, that there was no general gathering or meeting of his company to his knowledge. He stated that part of his company was at LZ Dottie and the other part at LZ Uptight. He had "heard" that his company was going into the field on the following day and that they were going into the area of "Pinkville". He told members of his squad to be prepared to move out into the field the following day. They carried the normal amount of ammunition and supplies.

On 16 Mar 68, his platoon, the Company headquarters section and one weapons platoon were airlifted to a point east of a large cemetery at the approximate coordinates 733 786, in two lifts. The 1st and 3rd platoons were airlifted into different landing zones and he did not know exactly where they were. The first airlift troops secured the LZ until the second lift was completed. They formed up and started to move out when a carbine was fired. They ducked down until the Co CO informed them an ARVN fired the carbine. They then began to move out. They moved to the west through the cemetery when AJ the Platoon Leader went up on a small rise to attempt to get his bearings - he came down and then went back up again, there was an explosion which killed AJ and wounded five or six other soldiers. He reported to the CO that he thought it to be a command denoted mine since it had not exploded at first. Being the senior NCO, with no Officers present, he assumed command of the platoon. They continued through the cemetery after AJ and the wounded had been air lifted out. On the way a mine was noted and word of it's location passed back to each man. When he was about half way through the cemetery, he heard an explosion and ran back to find that the last two men had been wounded by this mine, apparently they had not gotten word of it's location. One man had both feet blown off. These two were then airlifted out. His platoon was reduced by then to about 15 persons. They assumed a security role for the headquarters unit and weapons platoon. They continued to operate in the area west of the cemetery for the remainder of that first day. OB

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT OB	PAGE 1 OF three PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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JAN 68

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STATEMENT OF O B

DATED 19 FEB 68, CONTINUED....

He reported that he saw smoke to the west of his position on the first day, he did not know who was operating in that area. He heard that the 1st platoon had a body count of enemy KIA's the first day, but never found out how many there were. His unit lagged in nearby coordinates 730795. C/1/20 tied into his right flank. On the following day his platoon moved to My Khe (4). While there, Q Q took command of the platoon and he O B assumed duties as. An army photographer took a picture of Q Q at that time, but he never saw the photographer or the picture after that. The platoon then moved out to the south, along the beach, sweeping through Co Lay (1) (2) and (3). Another platoon accompanied his unit, he did not know whether it was the 1st or 3rd. The other platoon of the company was left at My Khe (4). His platoon was still providing security for the weapons platoon and the Co Hqs section. They were also accompanied by some Vietnamese, he thought them to be either RF or PF, about a platoon of them. He lost track of them later in the day. During the sweep, one man in his platoon reported firing at a suspect, a search of the area revealed nothing, not even a blood stain. He knew of no other contact with the enemy. During the sweep, he saw villagers in their homes watching them, and he saw others fishing and working in boats just off the coast. None of these persons had contact with his unit, nor were they molesting by his unit. He did not see any Swift Boats in the area. He saw smoke "off to the right" during the sweep south, but did not know where it came from. The unit then lagged in the area of My Khe (3).

On the 18th, his platoon made a sweep north, up the coast to about coordinates 755818. One or two persons were detained during this sweep, he did not know who detained them. An interrogation team came in to interview them and they all stayed in the camp that night. During the night the camp was mortared, he moved from one position to another during the attack checking on his men, and was recommended for the Bronze Star Medal for that action, however never received the award. The following morning a search was made for weapons which one of the detainees claimed knowledge of. The search was futile and the company was then airlifted out of the area back to the LZ's Dottie and Uptight. After the operation, Q Q switched places with C G. WHO HAD BEEN THE PLATOON LEADER FOR THE PLATOON. He did not know why.

He remembered the following persons being assigned to his company at that time:
 E E G BG for 1st platoon and V W was a rifleman in the platoon. The point man in the 1st was a tall V H
 From his platoon there were I I F the 1 D D U was a rifleman.
 H H J B G who was from Baltimore. In the 3rd platoon he remembered C P W T W M
 G H and H H He also recalled that W T
 for platoon.

L N reported that his Platoon Leaders, in order, were: L L A who came with the unit from Hawaii and was wounded in the foot after about a month in country. He was replaced by a Lt who was inept and kept getting lost and who was sent to MACV being replaced by an E O who was later killed in action. After the came Q J who was killed on 16 Mar 68. Then L N himself for one day. Q Q from 17-19 Mar, and then C G After C G there was also one additional Lt before he left, however he did not know this man's name. L N stated that of the persons in the original platoon when they came from Hawaii in Dec 67, only about four were left when he departed Vietnam in early June 68. He added that during his tour with the Bde, he saw only one man shot and killed with small arms fire. All other casualties suffered by the platoon were from booby traps and mines. (Statement completed on the following page). O B

Initials

116B

Page two of three pages

STATEMENT (Continued)
 In response to specific questions provided Q Q X, L N advised as follows: He received no briefing the day before the operation and received no instructions with regard to the burning of houses or destruction of animals or crops. He said that usually they had to obtain permission from higher than the Company Commander to do any burning - that his platoon did no burning on this operation. No orders were given with respect to destruction of inhabitants. He was not told anything of the enemy situation, however held the general opinion that the enemy would be encountered. His concept of platoon operations for his company was that the operation was a "search and clear" mission. He did not know where the other platoons operated or what they did. He had no knowledge of any investigation into this operation. He was never asked any questions about it prior to today. He did not observe anyone mistreat any Vietnamese VC or POW's. He had not heard any rumors that civilians had been killed unnecessarily by either B/4/3 or C/1/20 on 16 Mar 68. He had never been told by anyone to not discuss the operation or the killing of civilians during the operation. He had no further testimony nor any documentary evidence to offer.

L N was cooperative during the interview and went over the same area several times relating essentially the same information each time. There were times he appeared to have other operations in mind during the interview, and times that he appeared confused. He kept saying that he went on incountry R&R just after the operation, however also reported that he did not go on R&R until April 68. He mentioned that the tall point man for the 1st platoon, named V H told him that twice he tripped booby traps which did not go off - as if during this operation, and later declared that this had been a different time and a separate operation. In my opinion L N reported as much as he will. He either does not know any additional information or is unwilling to report it. He claimed shock at the incident when reported in the newspapers, he was not knowledgeable of anything ~~such~~ such as was reported about My Lai (4) in the papers. He also stated that he did not think it possible to have happened. Nothing follows. O B

O B		FFIDAVIT	
1. _____		3. _____	
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.			
WITNESSES:		Signature of Person Making Statement O B Subscribed and sworn to before me on 28th day of April, 1968 at Da Nang, Republic of Vietnam by _____ FFFF FFFF Article 130(b)(4) UCMJ, 1967 (Authority To Administer Oaths) PFW	
ORGANIZATION OR ADDRESS			
ORGANIZATION OR ADDRESS			
INITIALS OF PERSON MAKING STATEMENT		PAGE 3 OF 3 PAGES	

116D

WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	28 Oct 69	1400	69-CID011-00014
OE	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			Crim Inves
SWORN STATEMENT			
OE WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
INVESTIGATOR'S STATEMENT			
<p>On 21 October 1969, GE</p> <p>was interviewed and stated he was released from Active Duty with the US Army in the grade of 1LT on 22 January 1969. Sometime prior to December 1967, he was assigned to C Company, 1st Battalion, 20th Infantry, in Hawaii as an Artillery Officer. On 1 December 1967, he accompanied the unit to the Republic of Vietnam, where he served with C Company for a period of six months. He recalled participating in the combat assault mission on the village of My Lai (4) during March 1968 and stated substantially as follows:</p> <p>On the evening prior to the mission, the unit was located at LZ Dottie.</p> <p>DS held a briefing which lasted 30 minutes or so and was somewhat longer than the usual mission briefing. GE stated that from this briefing, there was no doubt in his mind that DS issued orders to the company to destroy everything and everybody in the village. He stated DS indicated that a clearance had been received from "higher up" and that also the Vietnamese National Police had reported the village being completely VC. Further, that the National Police had physically moved out all the villagers but the villagers later returned. He stated that DS gave the impression that the villagers had been warned many times to clear out of the area. At any rate, the village was suspected of being a stronghold of the 47th VC Battalion and a VC supply point. DS also indicated that all the excessive food and rice was to be destroyed. GE stated there was no question that DS had received clearance from "higher up" to destroy the village which was a thorn in everyone's side, including the Vietnamese Forces.</p> <p>GE stated that to understand the members of the unit at the time of this mission, it was necessary to provide a little background information. He said that several units, including Vietnamese Forces, had attempted to clean out the VC in this particular area several times and that there were always a high rate of casualties. He stated that C Company had had many casualties and this was their first opportunity to search out and destroy the VC. He indicated that the morale of the unit was low, and shortly prior to this mission, the unit had encountered a mine field where 15-18 members of the unit had been injured or killed. He described DS briefing as being a "pep" talk and not the usual type of briefing.</p> <p>GE stated that the following morning he departed LZ Dottie by helicopter with the Command Group. He believed the Command Group was with the first air lift and consisted of himself; DS DY DK GE OBP</p> <p style="text-align: center;">BE RJ</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 4 PAGES
	OE		
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

DA FORM 23

They landed in a dry rice paddy about 100 meters on the western side of the village. He stated the Command Group stayed together while the remaining elements of the unit arrived at the landing zone. Then the first and second platoons formed on line and moved into the village with the third platoon and the Command Group remaining in reserve in the rice paddy area. G-E estimated that this formation time took 30-45 minutes considering the ferrying time of about 15 minutes from LZ Dottie to the village area.

G-E advised that he was not aware of the extent of artillery preparation on the village, although he was aware that there was some firing on the village from a 105mm Battery located on LZ Uptight. He stated that this Artillery support was from D Battery of the 196th Infantry and was directed and controlled by Task Force Barker and the Battalion Headquarters. He stated that he did not call for any further artillery support after arriving at My Lai (4) and had no knowledge as to how many artillery rounds were delivered on the village. G-E advised that his D-K, could have been aware of the number of rounds delivered inasmuch as D-K was continually monitoring the radio and such information would probably have been relayed to C Company. He did not recall hearing any information as to the number of artillery rounds fired on the village.

stated that he moved out of the rice paddy into the village with the Command Group. He indicated that there were some 15-20 people dead and scattered along the trails of the village and indicated that he did not know who shot and killed these persons. G-E stated that he carried an M-16 rifle and about 10 magazines of ammunition and did not fire his weapon during this assault. He stated that to the best of his recollection, he did not observe the members of the Command Group firing at any of the Vietnamese civilians. G-E stated that the length of time that it took to clear the village was approximately one hour. He stated that initially there was extensive small arms fire, but that the firing stopped. He could not recall hearing D-S issue a cease fire order; however, he stated that it was possible such an order was given after the Command Group entered the village area. G-E was of the opinion that all the dead persons he observed had been killed by small arms fire rather than artillery fire. He stated that he did not see any of the villagers being shot and they appeared to have been shot by the two lead platoons by the time he arrived in the village proper. He described the dead persons as ranging from babies to old men and women.

G-E recalled one incident involving a Vietnamese male wherein someone in the Command Group might have killed one of the villagers. Somewhere near the center of My Lai (4) this male was running away from the village and R-J

D-S yelled for the Vietnamese man to stop. The man continued to run and was chased by D-S R-J and several other members of the unit whom G-E could not identify. The man was then shot by someone, possibly from the group, although G-E could not state who shot this individual. When questioned as to whether or not the man could have been shot by D-S or R-J G-E replied that he did not think so and stated it would be highly unusual for the CO to shoot anyone. He stated he did not know who had shot and killed this Vietnamese.

GE stated that RT did not openly disapprove of the villagers being killed, but that it was his personal opinion that RT was very unhappy with the situation at My Lai (4). He stated that he thought most of the unit was remorseful about the number of persons killed in the village. GE stated that he saw in a combat mission report that 128 Vietnamese had been killed and as far as he knew, this was an actual physical count of the dead bodies. He said that he did not see this many dead bodies, although he might have seen as many as 50.

GE stated that he did not recall seeing HO during this mission. He denied seeing a ditch or area wherein a large group of bodies had been killed. He stated that he did observe one group of dead Vietnamese laying along a trail leading from the south of the village. These persons appeared to have been shot by small arms fire; however, he could not offer any explanations as to how they were killed. GE estimated that there were about 12 persons in the group of people, ranging from babies to old men and women.

GE was aware of HR being shot in the foot. He could not recall if the Command Group was notified of HR injury or just happened to come upon the scene. He arrived in the area where HR was shot about 3-4 minutes after the shooting. He stated HR was treated by BBP and subsequently evacuated. He advised that HR had shot himself but he did not know if it had been accidentally or intentionally. He stated he had no reason to believe that HR shot himself intentionally.

Upon further questioning, GE related that on one prior occasion, approximately February 1968, he was aware of an incident wherein HO had allegedly killed a Vietnamese man. He stated that after he heard shooting, he came upon a well located in a small Vietnamese village somewhere to the south of LZ Uptight. At this time ON FW HO DK and several other persons were present. He stated that he asked what happened and was told by someone that a VC had been captured and thrown into the well and then shot by HO. GE stated that he did not observe this man being shot and his information was only hearsay. He thought that it might have been DK who told him that HO had killed the man in the well. GE stated that he was aware of no other incidents allegedly involving HO. He stated that HO appeared to be a conscientious person who did his job fairly well. He thought that HO had a discipline problem with his platoon and expanded on this by saying HO appeared to be the type of person who wanted to be a "good guy." He stated that HO called most of his men by their first names and this seemed to create an undesirable relationship between him and his men.

GE stated that he observed HR being medivaced by helicopter, but that he did not see any other helicopters landing in the area. He stated that he heard from someone that an OH23 bubble type helicopter landed on one of the trails in or near the village. He also heard that the pilot reportedly landed the helicopter to tell some members of C Company to stop all the killings. GE could not furnish any additional information about this helicopter and stated he did not know which members of the unit were involved. He denied seeing a ditch

STATEMENT (Continued)

or area at the west of the village where a large group of villagers had been killed. He stated that the shooting was over with very quickly and he was of the opinion that most of the people were killed within the first 30-45 minutes of the assault mission. He indicated that he thought most of the unit was remorseful about what had happened, and GE stated that he thought you could not put the blame on any one person but it was a combination of the situation and a morale of the company at the time. He denied being questioned by anyone about the mission after returning to LZ Dottie and was unable to offer any additional information about the mission.

GE stated that he would not make a written statement. He stated he believed it was wrong to order someone to combat, give them orders to destroy a village and then try to take some sort of disciplinary action against them. He stated, therefore, that he would not be willing to voluntarily testify in any courts-martial or other judicial proceedings.

AFFIDAVIT

I, OE, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

OE

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of October, 1969 at _____

ORGANIZATION OR ADDRESS

SW
(Signature of Person Administering Oath)

SW
(Typed Name of Person Administering Oath)

Art 135(b)(4), UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

1601

PAGE 4 OF 4 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMO 3)			
PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	14 Dec 69	2200 hrs	
LE	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
INVESTIGATOR'S STATEMENT			
<p>On 14 Dec 69, GG was interviewed at GG stated he was drafted on 10 May 66, from Yankton, SD, and was sworn in at Sioux Falls, SD. He took basic training at Ft Leonard Wood, Mo, and AIT at Ft Ord, CA, and was sent to Hawaii on 27 Sep 66, where he was assigned to Co C, 1st BN, 11th BDE. On 16 Mar 68, he was in the mortar platoon on the Combat Assault (CA) on M/ Lai (4). On this mission he claimed he was armed with an M-1, 300 rounds of ammunition and 2 hand grenades. DS, the Commanding officer had given a briefing the night before the mission and had said it was a search and destroy mission and they were to destroy all food stuff. Normally this would also mean destroy the enemy but he did not get the impression DS meant to kill the woman and children. GG believed he remembered being told that the people had been warned and all that should be in the village were VC. He landed about 50 yards west of the village and claimed the mortar was never fired during the mission. Started through the village behind Hq section and the mortar and Hq section was setting fires. He stated they started through the center of the village then went to the South edge of the village along a trail and took a break. The officers of Hq Section took their break in a hut inside the perimeter of the village. After Hq moved out along a trail along South edge GG claimed he followed and came to a trail leading North and South at the south edge of the village. Along this trail GG stated he saw a large group of dead persons along the trail and identified photograph 14 as being a picture of that scene. GG opined that DS mu. have seen the dead persons as he was just ahead proceeding along the trail along the edge of the village. GG stated that just past the group of dead persons he heard DS Ho on the radio and tell him to stop killing all those civilians. GG claimed after passing this group of bodies he headed in a Northeasterly direction into the edge of the village and came out about in the middle of the village on the East side. As GG cleared the East edge of the village he saw some other dead bodies and identified photograph 4 as being a picture of that scene. GG also claimed he had seen the scene depicted in photographs 5, 11, and 15, however he could not state where in the village he had seen them. He claimed he recalled the scene as depicted in photograph 5 as he recalls seeing a burned foot sticking out of one of the doors and that the roof was just collapsing as he passed. After clearing the edge of the village and just to the East he saw a ditch with many dead persons stacked 3 or 4 deep. He claimed the ditch was approximately 30 feet long and that it was off to his right and he did not go explore. No GIs were standing around the ditch at that time. At one time during the interview GG stated there must have been 75 persons in the ditch. GG believed there were two little girls with them when they ate lunch probably at the edge of the next village. At the end of the first</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 3 PAGES
	GG		
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

"STATEMENT OF ORIN LIVES

DATED 14 DEC 67 CONTINUED"

day ^{GG}GG claimed they in a graveyard before supper and had three prisoners with them. GG observed the RVN Police questioning the prisoners a short distance away. He walked to where the questioning was being done and although there were several GIs around he could only say he believed LH 99Y were present. GG saw the Police cut off the little finger of one prisoner and he started to walk away when he heard a shot. The Police had shot the first prisoner then threw him in a nearby ditch and at this GG returned to where the questioning was being conducted. The Police then started questioning the second prisoner. This prisoner started to talk then he would stop. Finally the Police shot the second prisoner and thr threw him in the ditch on top of the first dead prisoner. The Police then started talking to the third prisoner who started talking and could not be stopped. This prisoner was wearing purple clothing and the following day was used to lead them through a mine field. To GG knowledge this prisoner was not killed. GG claimed the RVN soldiers were present during the questioning but could not say about DS HO GG added that the next day 3 more prisoners were taken-two men a and one woman. The woman turned out to be a nurse and the men were officers. When GG first saw the nurse she did not have a blouse on and one of the other prisoners gave her his shirt. GG did not see her disrobed or raped but heard that all her clothes had been taken off and she had sores around her private parts- "guess she had VD". All these prisoners were flown from the scene. GG claimed nobody had ever told him not to discuss the incident but did hear a rumor that "someone might get into serious trouble about My Lai (4) because of the way it happened". GG did not report the incident to anyone. He denied that he had shot an old man as described by WN When GG was ask if he recalled the old man being shot as described by DS he stated he did. When ask if he knew who whot the man GG hesitated and did not answer. GG was then ask if he saw anyone shot at My Lai (4) he stated he had better not answer that question. GG was then warned that he was suspected of Murder and he declined to make any further statement.

GG

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

AF OATH

I, _____, IF
MENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE _____, I
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT
OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

HAVE READ OR HAVE HAD READ TO ME THIS STATE-

MENT. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT
AND HAVE INITIALED THE BOTTOM OF EACH PAGE
OF THE STATEMENT. I HAVE MADE THIS STATEMENT
FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT
OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

LE

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this _____ day of _____, 19____
at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

LE

PAGE 3 OF 3 PAGES

LZ
AREA

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE	TIME	FILE NUMBER
	20 Nov 69	1445 hrs	
LAST NAME, FIRST NAME	DLE NAME		SOCIAL SECURITY ACCOUNT NO.
CL	I		GRADE
ORGANIZATION OR ADDRESS			
J. J.			
SWORN STATEMENT			
<div style="text-align: center; font-size: large; margin-bottom: 10px;">64</div> I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>I joined the army on 3 MARCH 1967 at Ft HAMILTON, NY, and went to Fort JACKSON SCAROLINA for basic training. I had advanced individual training at Ft McClellan, ALABAMA and then went to Fort BENNING GA, for jump training. I was assigned to the Long Range Patrol, 11th Brigade, in Hawaii, where I met E H and some of the other fellows who were later assigned to COMPANY C, 1/20 INFANTRY. In NOV 1967, we were sent to Vietnam. I was assigned to the COMPANY C, 1/20TH INF. I carried an M16 AND A ROPE AND ACTED AS A TUNNEL RAT and also checked for booby traps.</p> <p>Q. Prior to My Lai(4) did you witness any atrocities? A. I heard about a lot of killings before My Lai(4). Since I didn't go along with it, the fellows weren't too frank with me about what they did. I heard that H O killed an unarmed civilian before My Lai(4). but have no personal knowledge about it. I also heard that BO WX did a lot of killing. These killings took place around LZ UPTIGHT. There was general mistreatment of villagers, also. I heard that LB cut off girl's braided hair. Some of the men cut off old men's beards or burned them off.</p> <p>Q. Did you attend the unit briefing prior to the attack on My Lai(4)? A. Yes. This was at LZ Dottie. DS conducted the briefing and, as far as I know, the entire company was there. I saw no one there from higher headquarters. In effect, DS told us that the village and the inhabitants were to be destroyed. He said there were no innocent civilians in the village, which, in effect, is saying that the people in the village were all VC's. I did not attend any other briefings concerning My Lai(4).</p> <p>Q. What was the tone of the briefing? A. I believe DS was trying to inflame the men. He said this was our chance to get back at the people who had been shooting at us and who had set the mines which had caused recent casualties in the company.</p> <p>Q. What happened at My Lai(4)? A. I flew in on the second lift. I heard no artillery as I arrived, but there were gunships working in the area. We landed in a ruddy and started moving east into the village. Before I got into the village DS called me over and asked me to put my rope on a 7.62 ammo box to move it. I moved the box and then checked it and found it contained a 8-transistor radio made by Sony and some medical equipment. I carried the radio and the box through My Lai(4). This was not a military radio.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 4 PAGES
	64		
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

DA FORM 2823
JAN 68

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Q. Were there any dead Vietnamese in the vicinity when DS called you over to get the box?

A. I didn't see any.

Q. What happened then?

A. I moved on into the village trying to find my platoon, but they had gotten spread out and I couldn't find them. I ran into a group of about 20 Vietnamese under the control of some American soldiers. These villagers consisted of Vietnamese females, some children, and a few old men. The people were just standing there in a ditch where the soldiers made them get. I saw the soldiers shoot these people with their M-16 rifles and one machinegun. As far as I could tell, they killed everybody. The wounds were such that these people must have died.

Q. Can you identify any of the American soldiers who took part in this incident?

A. I know they were from COMPANY C, 1/20 INFANTRY, but I do not know their names.

Q. Can you furnish any possible identifying data on these people?

A. No I can not.

Q. Did you see any other executions?

A. I saw where some had taken place, but did not witness any in progress.

Q. Did you see anyone kill Vietnamese under questionable circumstances?

A. I saw a lot of dead Vietnamese and saw a lot of soldiers shooting villagers, but the only one I can name is DS. I was walking with him and there was a woman picking something from the fields and putting them in a basket. She was about 150 meters away and DSA fired one or two rounds and knocked the woman down. Then he and I walked over to where the woman was on the ground and he fired three shots into her, firing semi-automatic fire into her body. She was wearing a white jacket and dark silk trousers. I believe the woman was dead when he finished shooting into her. The only other people I know where there were DS radio operators.

Q. Did anyone tell you he had killed anyone in My Lai (4)?

A. CCR told me that he had finished off some wounded to keep them from suffering. He was sincere in this and I am sure that the only reason he shot these people was that he knew they were seriously wounded and would not get any medical aid.

Q. Do you know anyone else who killed people in My Lai (4)?

A. There were a lot of people killing Vietnamese, but I can't quote anyone else and I can not swear about anyone else.

Q. Was there an investigation after My Lai (4)?

A. Yes. I believe there was a cover-up, though. When someone came down from Brigade to question the company, I was sent off on detail so I wouldn't talk. Also just after we got back to LZ Dottie after My Lai (4) came to me and told me not to write my congressman about what I had seen.

Statement of GU taken at Ft Dix, N.J., 20 November 1969, continued

60
Q. Did you tell anyone about this?

A. Yes, while in the hospital at Chu Lai, I told EH about this. I also told him at this time that I would testify about this if called upon.

Q. I show you a roster of the company and a set of photographs. Can you comment upon any of the personalities and the photographs?

A. Yes, the woman with the baby in color photograph 17 was definitely in the house in photograph 17.

Q. Was there any resistance in KyL 1(4)?

A. No there was not.

Q. Did any of the Vietnamese receive medical treatment?

A. No they did not.

Q. How many people were killed, in your opinion?

A. I saw about 100 bodies. The body count circulated through the company was over 300 people.

Q. Did you hear anything about an execution in the perimeter that night?

A. No I did not.

Q. Other than the persons mentioned in this statement, do you have any information about unlawful killings by US Forces personnel in Vietnam?

A. No I do not.

Q. Do you have anything to add to this statement? Do you wish to delete anything from this statement?

A. I want the statement to stand as it is. GU

STATEMENT (Continued)

60

This portion of the statement form was not used.

AFFIDAVIT

I, 61 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFG
FFFG

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of November, 19 69

ORGANIZATION OR ADDRESS

3 B B P
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

B B B P
(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 28 Aug 69	TIME 0900	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME HZ	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

Questions by FEHER Answers by HZ

Q: When did you go to VietNam?

A: I went to Viet Nam sometime in December 1967. I went with the whole company. I was assigned to C COMPANY, FIRST BATTALION, 20TH INFANTRY 11TH BRIGADE

Q: Have you ever heard of the Pinkville operation?

A: Yes. Company C of the 20th Infantry and two other companies were a part of ~~TF BAKER~~ This force was commanded by PA y Company Commander ~~DS~~ He was nicknamed the DS He

was a very good officer and a good leader. During the Pinkville operation my platoon leader was a HO

Q: On how many combat assaults have you been with Company C?

A: I went mostly on all of the assaults in which the company participated till May 1968. That is when I went on R and R.

Q: Do you remember when operation Pinkville took place?

A: It might have been sometime in March 1968. I do not know the exact date.

Q: I am showing you now Army Map, Viet Nam 1:50,000, Quang Ngai, Sheet 6739 11. Can you orient yourself on this map and point out where operation Pinkville took place?

A: The operation took place near the Song Diem Diem River and the area depicted in pink on the map near the coast. This area is located near a bend off the Song Diem Diem River. It was called Pinkville because it was colored pink on the map. My Lai (4), by looking at the map is to the west of the pink area. This is the general area where the operation took place. On the day of the operation we left early in the morning from PA headquarters located near Highway 1, northwest of My Lai (4). We left with about ten helicopters and I was in the first lift. I cannot remember who was with me in the helicopter. However, I remember one man that might have been with me in the helicopter. I think it was LI He lives somewhere in Massachusetts. Before we landed near the little village called My Lai (4), which I have pointed out on the map there had been artillery fire into the village. This artillery fire came from our side. The gunships ahead of us were also firing. I do not know if they were firing into the village, into the hills, or outside of the village. All I know is that they were firing. They were firing to protect our landing. Finally we landed in a rice paddy. My helicopter was one of the first that landed. When we landed we were all "psyched" up because we wanted revenge for some of our fallen comrades that had been killed prior to this operation in the general area of Pinkville. We were told that where we were landing there would be many communist sympathizers and we possibly would run into the enemy. For this operation we took along more ammo than we HZ

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT HZ	PAGE 1 OF 7 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

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Statement of
28 August 1969.

HZ

taken at

, on

ordinarily do on other operations. We have operated in this area with Company C a few times. Before we went on this operation the Company was briefed the day before. I attended the briefing which was given by

DS He mentioned that every time that we had gone into this area some of our men had been hurt or killed and the enemy is always ready for us. He also mentioned that we could pollute their water (wells) by throwing anything in it like junk and garbage or any dead animal that you might find. He also told us to be careful.

Q: Did DS during this briefing tell you fellows that you should destroy all the buildings and kill all the inhabitants in the village.

A: No he did not.

Q: Did HO either during the briefing or later order the civilians (this includes women and children) to be

A: Yes. However, I do not remember if HO present during the briefing. The order to kill the villagers was given later after the village was swept and they had all the villagers gathered together. I did not hear him actually give the order but I did see when the civilians were shot. To go on with my story, after I jumped out of the helicopter, I observed a Vietnamese in the paddy who looked up and he was shot by one of the soldiers. We moved on line through the village to collect the villagers for interrogation. We collected the villagers and we took them to the outside of the village, on the other side of where we had come in. There was a ditch there. I cannot remember who was in my immediate vicinity. During a combat operation you do not pay too much attention to who is right next to you and it has also been a long time ago. It is standard procedure that on a combat operation when we go through a village that we collect the inhabitants for questioning. I think that we had collected anywhere from twenty to thirty prisoners. They were mostly women and children. Maybe one or two old men were thrown in but mostly women and young children (the children were between the ages of ten and below.) HO was

also present at the ditch where we had the villagers. From what I saw HO order DN to shoot the villagers with his M16. DN was reluctant to do so. From a distance it looked to me like HO ordered DN to open up fire a DN opened up with his M16 and I saw a

few of the villagers fall. I do not know if DN shot them all or if HO participated. I don't think in this incident that anybody else but HO or possibly HO shot the villagers. DN later told me the HO had ordered him to shoot the villagers. It had broken DN up because he did not want to shoot the villagers and to him it was a terrible thing. DN was a farm boy and if he was ordered to do anything he just did it. The next day after this operation DN lost his foot through a mine. From others I heard that when DN was evacuated he told HO "God punished me for what I did, yours is yet to come".

I think that the entire operation in the village lasted approximately three hours. As far as I remember all the villagers were dead. This was the first incident that I witnessed. After this I went back into the village. The incident I just mentioned was the only one that I witnessed where HO was present. After getting back to the village a 3rd platoon element of C Company was moving through the village. I observed a few women with a couple of children (small children) standing in the village and they were shot for no apparent reason by some members of the 3rd platoon. HZ

Statement of
28 August 1969

H2

taken at Ft Monmouth, New Jersey, on

I do not know who they were because they were in another platoon and I don't think that I would recognize them again. The women and children were killed with M16's.

Q: Did you see about fifty villagers (women and children included) being rounded up in a circle and machine gunned?

A: No, I did not.

Q: Did you notice in a paddy outside the village that the aforementioned villagers were machine gunned.

A: No, I did not. The only shooting of villagers that I witnessed was in the ditch outside the village. Of course, I also noticed villagers being shot in the village, but by whom I do not know.

Q: How many villagers do you think were shot that morning?

A: I would say about one hundred. This is only an estimate. I would also say that approximately eighty of them were women and children.

Q: Why did the soldiers shoot these women and children?

A: The war does a lot of things to people and you are miserable over there and you might want to take it out on them. I myself did not shoot any women or children. I fired my M16 only a couple of times during this operation and I fired on people who were trying to get away, which was a standard procedure.

Q: Do you know if the soldiers were ordered to shoot the inhabitants and by whom?

A: From what I heard HO had ordered the shootings of the civilians. I cannot say that I heard HO order the shootings. It has been such a long time ago and I want to blot this incident out of my mind. Ordinarily, on combat operations we do not shoot women and children. From this I take it that the men were ordered to shoot the villagers. We also shot the animals. I shot a few myself. But, I do not remember that I was ordered to do so. I saw my fellow soldiers shooting cows, chickens and pigs. Some of the pigs were in the pens.

Q: How many animals do you think had been shot?

A: This is hard to estimate because there was so much confusion and I did not count them. But there were quite a few.

Q: Who ordered the village to be burned?

A: Somebody must have because they started to burn the huts. I burned a few myself.

Q: Is it common practice to burn villages during an operation?

A: Only when evidence is found that there are weapons or grenades in the village.

Q: Did Company C find any weapons in the village?

A: Not that I know of. I think that they found a few weapons outside the village.

Q: Why then was the village burned?

A: Well, they shot the people so they might as well burn the village.

Q: How much of the village was burned?

A: I think practically all of it.

Q: Can you tell me how many villagers were left alive after Company C departed My Lai (4)?

A: None that I know of, however, some of them might have gotten away or were hiding somewhere.

Q: Do you think that the artillery barrage into My Lai (4), prior to your landing was the cause of the deaths of the civilians?

A: No, because I observed civilians being shot by members of C Company.

statement of
28 August 1969.

HZ

taken at Fort Monmouth, New Jersey, on

Q: Is it possible that the gunships were responsible for the deaths of all those civilians.

A: No, they killed very few if any. I saw a lot of civilians (including women and children) lying dead in the village. However, I cannot say who did all the shooting, except that the majority were members of either the first or third platoon.

Q: Were you still in the village when the third platoon came in?

A: I had left the village but returned and by that time the third platoon was in the village and they were burning the huts.

Q: Did you see JI and CCR finishing off wounded civilians?

A: No.

Q: Were there any wounded civilians?

A: Very few if any.

Q: Did you have a medic with you?

A: I think we did.

Q: Did you see any medic giving first aid to any wounded civilians?

A: No.

Q: Can you remember any names of soldiers that actually were shooting at civilians?

A: Only one that I know was DN. So many were shooting that I cannot specifically say who. It was the most unorganized operation I was on.

Q: Do you know FW?

A: Yes. He might have been with HO during this operation.

Q: Can you remember names of any soldiers that on this day were in the immediate vicinity of HO?

A: By looking at the company roster that you showed me, it is possible

DI and FA might have been there. And probably

FW. I think DI lives in Freehold, New Jersey. I am not sure if DI was on the operation, he could have been.

Q: Did Company C go into My Lai (4), with the intentions to take revenge on the inhabitants for prior casualties suffered by the company.

A: We had intentions to take revenge on the enemy but somehow women and children got shot.

Q: Do you know RJ?

A: Yes, he was the interpreter of the company. I do not know if he was in the same area. He usually stays with the Company Commander.

Q: Where was the Company Commander during all the shooting of the civilians.

A: Either he had not arrived in the village as yet, or he might have been in a different part. If DS had been there all this killing would not have happened.

Q: Why not?

A: Because he was a good leader and had good morals.

Q: Did any order come down to the troops to stop shooting civilians after My Lai (4)?

A: I guess DS found out what had happened and we were ordered not to shoot anymore civilians. We were told that we did the wrong thing and it was not supposed to have happened.

Q: Did you hear about a helicopter pilot objecting to the killing of all the civilians.

A: Yes, I did. I heard that the helicopter pilot did not like it and probably reported it. HZ

Q: Did you hear about the prisoners being shot after interrogation during the operation at My Lai (4)?

A: I did not see it but I heard that when B Company and C Company finally joined up some prisoners were shot by the Vietnamese interpreters of BRAVO Company. I think, but this is only hearsay. HZ

Statement
28 August 1969.

HZ

taken at

, on

Q: Have you heard about the Vietnamese National Police shooting prisoners?

A: I do not know if the Vietnamese National Police were there but there were some Vietnamese with BR VO Company and I heard they shot some prisoners.

Q: On how many combat assaults have you been while in Vietnam?

A: Maybe fifteen.

Q: Was the operations in My Lai (4) different than any of the other combat operations you have been in before?

A: Yes. Because this was the only time that women and children were killed. They had no reason for doing it and the operation was disorganized and might have been the reason that women and children were killed.

Q: Did Company C encounter any real resistance in the village?

A: No.

Q: Why then the wanton killing of women and children.

A: For one reason HO ordered it, even if I did not hear the order personally. I cannot pin point how the order came down to us because there was such a mix-up in operations.

Q: How many prisoners were taken?

A: I do not know. I remember vaguely that the next day we might have taken some prisoners while going towards the ocean. I think that also a Vietnamese nurse was also captured and that we used these prisoners to walk in front as point men. We did this so that they would lead us safely through the booby traps and mines.

Q: I am showing you now seventeen photographs. Can you recognize any one of them?

A: I recognize the picture numbered, number 1, from where we left for My Lai (4). Picture number eight; this picture looks familiar to me. It is hard to identify the rest of the pictures.

Q: What about photograph number sixteen?

A: I did not see this scene.

Q: Do you know where LX was during this operation?

A: I think that he was with me when we landed but I do not recall him being present at the time that DN shot those civilians.

Q: Do you know if JU was present when DN shot the civilians?

A: I can't recall.

Q: Were you present when IIX allegedly shot himself accidentally in the foot.

A: No, I was not present. I was close by and I heard that the gun went off. However, I do not know what actually happened. I heard that the weapon had jammed.

Q: Do you remember if HO had given the platoon a preassault briefing?

A: I don't remember if HO did or not. I only remember the briefing from the day before.

Q: Did you hear HO saying to DN "You know what to do with the people."

A: I do not recall this.

Q: Are you sure that you did not see HO firing on the civilians?

A: I am not sure either way.

Q: Do you know someone by the name of GX

A: Yes, I think he is from somewhere in

Statement of
28 August 1969

HZ

taken at Fort Monmouth, New Jersey, on

HZ Q: DN in his statement, stated that JU GX FU LX
and yourself were present when he was ordered to shoot the civilians.
Was LX present?

A: I really don't know.

Q: Were the people that were shot near the ditch pushed into the ditch?

A: They were herded into the ditch and I cannot recall who the soldiers
were that herded them into the ditch.

Q: Was TASK FORCE BARRO given the mission to destroy Pinkville and its
inhabitants?

A: Not that I know of. The order to kill the civilians was given later
after the troops were in My Lai (4). However, I do not know how the
order came down to the troops and who gave the actual order.

Q: Have you heard of DS radio operator killing a four year
old boy with an M16 rifle?

A: I did not hear that.

Q: Is there anything else that you would like to add to this statement?

A: No, this is all I know.

Q: Would you be willing to testify in court if called upon?

A: Yes.

HZ I hope that they get to the bottom of this and find out what the cause
was, to prevent any other incident like this. Incidents like this are
the reason why we cannot win the war. Because the civilians will help
the Viet Cong.//

END OF STATEMENT//

HZ

STATEMENT (Continued)

NOT USED

AFFIDAVIT

H2 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE . I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

H2
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law, to administer oaths, this 21 day of August, 19 68, at

FFFK

ORGANIZATION OR ADDRESS

BBZ
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

BBZ
(Typed Name of Person Administering Oath)

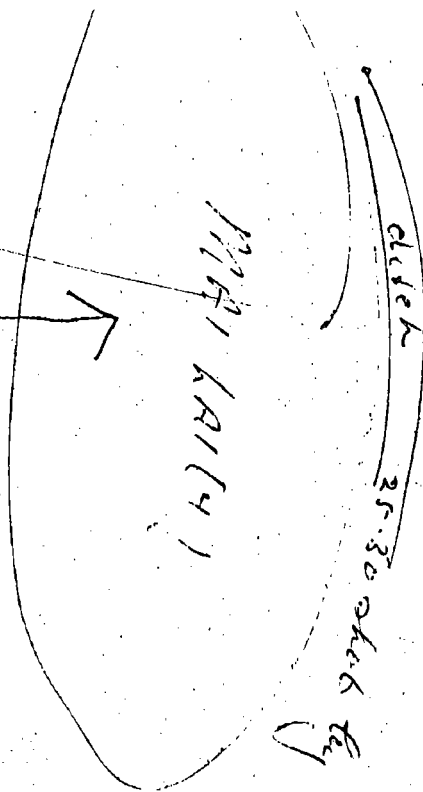
ART 136(b)4 UCMJ 1968

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 7 OF 7 PAGES

landing done



22 Aug 69

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
	7 Dec 69	2100	69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
HM			
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, HM, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was drafted in Jun 67 and completed basic training and on 20 Oct 67. I took a 29 day leave, then reported to Oakland Army Terminal for transportation to Hawaii, where I joined C/1/20 around 22 or 24 Nov 67. The unit was subsequently transferred to Vietnam and we got there about 1 Dec 67.

With C/1/20 in Vietnam, I was a in the My Plt Ldr was HO initially, but later was replaced by ZG, who was my Plt Ldr during Task Force Barker. My was a HG. My Sqd Ldr was ZB, and I believe my Fireteam Ldr was a FFM.

One day during Mar 68, at LZ Dottie, DS assembled the company for a briefing on Task Force Barker. He told us that the next day we were to begin a three day search and destroy operation in the area of Pinkville. He stated that we would be CA'd into an enemy controlled area, that is controlled by VC or VC sympathizers, that authority had been given to enter the area as it was outside our normal area of operation. He stated that it was our chance to get revenge for the men recently killed and wounded in that area. I cannot recall his exact words, but I do recall him saying, in effect, that we were to kill all the people and animals and to destroy the homes and crops. He also said that the orders from higher headquarters were to kill the enemy only, but he said we were to kill everyone. He also advised that prior to our assault, the area would be "prepped" with artillery. His briefing lasted approximately 30 minutes. Later that evening we received a briefing from our Plt Ldr and/or Sqd Ldr. My recollection is vague here and I don't recall during which briefing we received instructions as to formations, time of departure, etc. As planned, we were picked up the next morning by helicopters and flown to our LZ, west of MyLai(4). I believe I was in the 2d lift. The entire company landed approximately 100 meters to the west of MyLai(4). 1st and 2d Plts formed on line to assault the village, 1st Plt on the right, facing the village, and 2d Plt on the left or north side of the village. The 3d Plt brought up the rear and was to count bodies and burn the village. I cannot recall who was in the helicopter with me, but when we formed for the assault, I was the last man on the lift (north side of the village) and I believe a YN was to my right. I also believe that the LZ was cold, at least I was not aware of any incoming rounds. As we were moving to form "on line" at the western edge of the village, some of the men started shooting at the people, male and female, working in the fields near the village. Just in my field of vision, I saw 5 or 6 Vietnamese shot by unknown members of my unit. I do not recall an order to fire. We started to movethrough the village and about 3 children, 7-9 years old, ran toward us with their hands out, saying "chop chop", indicating they wanted food. They were shot and killed. I don't recall who shot them, but there were two or three men shooting. This took place approximately 100 meters inside the village in the northwest corner.

As I walked east, I observed numerous Vietnamese, about 15-20, men, women and children, being shot at random. Everyone except a few of us were shooting.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 4 PAGES
	HM	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF HM TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2323 JAN 68

At a hut about half way through the village, from about 40 feet to one side, I observed FM and 4 or 5 members of his squad shooting about 9 men, women and children in front of the hut. Before shooting, FM said "I don't want to shoot them", twice, "but I have to because we were ordered to", or words to that effect. One man was shooting an M-60 machine gun from the hip, the others fired their M-16s on automatic. The Vietnamese were just huddled together. The firing almost literally tore up their bodies.

My route through MyLai(4) was mostly in and out of the extreme northern tree line. I never went farther than 100 feet into the village. During my passage through the village I continued to observe random shootings of Vietnamese by unknown members of the 1st and 2d Squad of the 2d Plt. These were the only elements I could see inside the village.

Approximately three fourths of the way through the village, some men farther inside yelled that a man was getting away to the left. ZB and I moved to get a view of him and saw a young man running north. I shot a clip of 20 rounds on automatic, but never hit him. ZB shot and the man fell. Other than animals, that was the only time I fired my weapon.

We continued to move through the village. I still observed random killings of men, women and children until we reached the eastern edge and was through it. It took approximately 1 hour to go through MyLai(4).

I don't recall who, but someone noticed I wasn't shooting and told me to start. I told him I was not going to shoot women and children, and that's why I was assigned the complete left flank at the onset.

After going through MyLai(4), we got word by radio that the gunships killed 2 men with weapons to the north. Our Plt was assigned to get the weapons and check the bodies. We found the bodies and two rifles approximately 200 meters north of the east edge of the village.

We, 2d Plt, then moved into the village just north of MyLai(4). I don't know if it was MyLai(5) or MyLai(6). There I witnessed more killings of men, women and children. I also observed several rapes. One was committed by ZB. First I observed a Mexican-American having sexual intercourse with a Vietnamese girl about 18 years old. She was only wearing a blouse that was unbuttoned. When he finished, the girl got up to get away and ZB grabbed her. All the time she was fighting and yelling. ZB took her inside a small hut and raped her. I saw this through the open front of the hut. FFM and YW may have seen this. Either before or after ZB raped her, I saw three US soldiers with her. One was having normal sexual intercourse: VXXXXXXX* while another had his penis in her mouth and at the same time she was fondling the penis of the third man. I do not know the names of these men. Two of them may have been FB and FH.

During this time members of different squads. 2d Plt, grouped about 20 men, women and children inside the village. FFK fired his M-79 grenade launcher at the people several times, killing and wounding most of them. Several other men finished killing them with their M-16s. There may or may not have been someone shooting them with an M-60. FFK is the only man I can remember at the incident.

We continued to move through that village, again there was random killings of men, women and children, until we got the word by radio to stop the killing. Our ZG received that message and passed the word. At that point we continued to search the village and hold the remainder of the people. Shortly thereafter we left that village and released the people we held. There were about 30 men, women and children released. We then went to the east end of MyLai(4) and had lunch. After lunch we moved to our overnight position approximately 500-800 meters southeast of MyLai(4).

Initials HM

STATEMENT OF H M

ON 7 DEC 69 (CONT)

The next day we moved to the coast, burning empty houses as we went. We set up night positions again south east of MyLai(4) and the next morning we moved to a designated LZ and were picked up by helicopters. I don't recall exact locations.

Q: Did you ever encounter any resistance?

A: No.

Q: Do you recall a temple, pagoda, or shrine?

A: No.

Q: Were you ordered to burn the village?

A: Yes. That was in DS 's briefing. He told us to.

Q: Did you see a helicopter land during the operation in My Lai(4)?

Di. No.

Q: Did you see anyone taking pictures at MyLai(4)?

A: No. Because of my position and route through the village, I couldn't ^{see} very much.

Q: Do you have any documents pertaining to the MyLai(4) operation?

Ans. No.

Q: Did you collect any souvenirs?

At No.

Q1 Were you told that the villagers had been warned to evacuate the area because of the impending assault?

A: I don't remember being told that. All we were told was to kill everyone in the villages.

Q: Have you any knowledge of any type of investigation ever conducted as the result of what took place during Task Force Barker?

A: The day we got back to Base Camp on the day after, either in a Co or Plt briefing, we were told that there was going to be an investigation and that we were not to tell investigators anything. I'm not certain, but I feel that it was a Co briefing conducted by DS.

Q: Were you ever interviewed about MyLai(4) by investigators or anyone else?

A: No.

Q: Having viewed 65 photographs taken at MyLai(4), can you comment on any of them?

A: No. That is what I saw there, but none of the people or places depicted mean anything specific to me.

Q: During the operation at My Lai (4), did you see DS or HD ?

As No.

Q: What instructions did ZG give you?

A: His briefing concerned formations, times, locations and the like. He did not elaborate on DS's instructions to kill everyone.

Q: Did you hear of prisoners being shot after interrogation?

A: As far as I know, no one was interrogated. There were not supposed to be any prisoners.

Q: Did you report the incidents you described to anyone?

A: No.

Q: Upon entering Mylai(4), did you observe casualties or damaged buildings which may have resulted from artillery or mortar barrage or gunships?

A: No. Not from where I was.

Q: **HM** is there anything concerning this investigation that we have not discussed that you would like to tell me?

A: Only that I have told you everything that I recall about My Lai(4) and that I would say, even though DS gave the orders and we did those things, he was a fine company commander and officer and that he always considered the welfare of his men.

[illegible]

Initials **HM**

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Page 3 of 4 Pages

STATEMENT (Continued)

NOT UTILIZED
HN

AFFIDAVIT

I, HM HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

HN
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of December, 19 69

ORGANIZATION OR ADDRESS

TTS
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

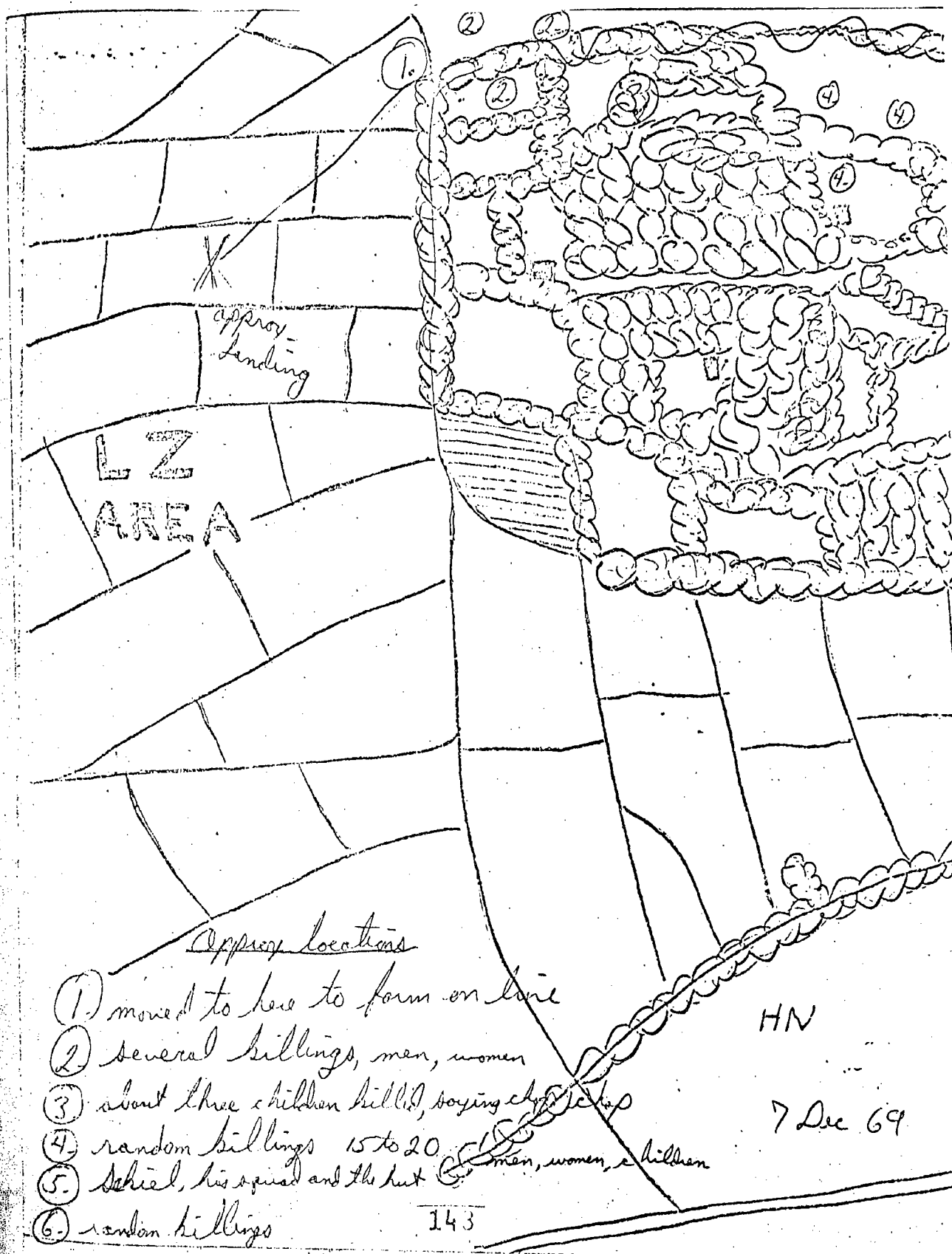
TTS
(Typed Name of Person Administering Oath)

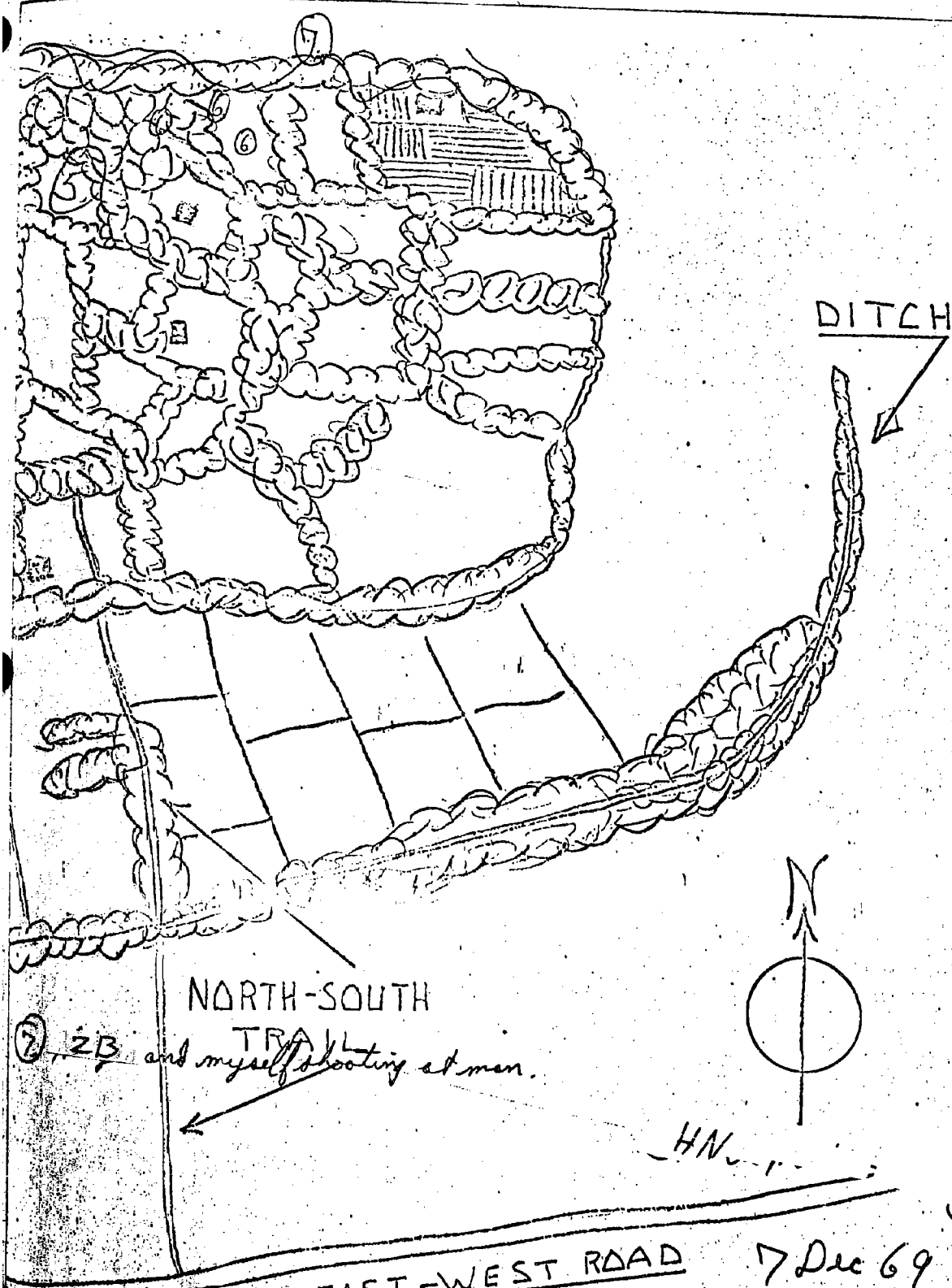
Art 136(b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
HN

PAGE 4 OF 4 PAGES





WITNESS STATEMENT
(AR 195-10 - TD PMO 3)

DATE 6 Nov 69	TIME 1720 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME HR		GRADE
SOCIAL SECURITY ACCOUNT NO. None		
ORGANIZATION OR ADDRESS		

SWORN STATEMENT

I, **HR**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was inducted into the Army at _____ during _____ April 1967 and had basic training and. When I finished this, I was sent to _____ and was then assigned to Company _____, 1/20th Infantry, in Hawaii. During or about November 1967 I went with the Advanced Party to Vietnam. I stayed there until after the MyLai(4) operation when I was med-evac'd to Japan and then to the United States. I remained in the Army until about 11 April 1969 when I was separated. While I was with Company _____, 1/20th Infantry, I was assigned to **DV** squad in **HO** platoon. I was a tunnel-rat and was armed with a caliber .45 pistol and an M-16 rifle.

During March 1968, we were moved to LZ Dottie. We stayed there a day or so and then we were told that we were going to an area we know as Pinkville. The night before the operation, **DS** gave the unit a pep-talk and a briefing. The briefing was the usual: equipment to take, what order we would go in, etc. The pep-talk was unusual. He said "Well, boys -- this is your chance to get revenge on these people. When we go into MyLai(4), it's open season. When we leave, nothing will be living. Everything is going to go." He also said to level the village.

After this briefing, **HO** told me to double my ammunition supply. This was at a briefing: he came around to all the bunkers.

When I left **DS** briefing I knew it was going to be a slaughter of civilians in the village the next day. **GX** and I talked about this before MyLai(4) and we agreed then that it would be a slaughter.

Now I know I am going to say things against friends of mine, but this is the time for the truth. Take **DV**, I've been out with him socially a couple of times, but in MyLai(4) he killed people he had no reason to kill. He murdered them. **DN** was my friend too, but he murdered people too. I got along with **HO** until MyLai(4), but after he killed all those people I couldn't take any more of that.

We were picked up by helicopters at LZ DOTTIE early in the morning and we were flown to MyLai(4). We landed outside the village in a dry rice paddy. There was no resistance from the village. There was no armed enemy in the village. We formed a line outside the village.

The first killing was an old man in a field outside the village who said some kind of greeting in Vietnamese and waved his arms at us. Someone -- either **DS** **HO** -- said to kill him and a big heavy-set **WHITE** fellow killed the man. I do not know the name of the man who shot this Vietnamese. This was the first murder.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT HR	PAGE 1 OF _____ PAGES
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Just after the man killed the Vietnamese, a woman came out of the village and someone knocked her down and DS shot her with his M16 rifle. I was 50 or 60 feet from him and saw this. There was no reason to shoot this girl. DV, KC, DN, GX, and the rest of the squad and the command group must have seen this. It was a pure out and out murder.

Then our squad started into the village. We were making sure no one escaped from the village. Seventy-five or a hundred yards inside the village we came to where the soldiers had collected 15 or more Vietnamese men, women, and children in a group. DS said, "Kill everybody, leave no one standing." OC was there with an M-60 machine-gun and, at DS' orders, he fired into the people. DV was there at this time and fired into the people with his M16 rifle, also. WN was there and fired into the group, and after they were down on the ground, WN passed among them and finished them off with his M16 rifle. DS himself, did not fire into this group.

Just after this shooting, DS stopped a 17 or 18 year old man with a water buffalo. DS said for the boy to make a run for it -- he tried to get him to run -- but the boy wouldn't run, so DS shot him with his M16 rifle and killed him. The command group was there. I was 75 or 80 feet away at the time and saw it plainly. There were some demolition men there, too, and they would be able to testify about this. I don't know any other witnesses to this murder. DS killed the buffalo, too.

Q. I want to warn you that these are very serious charges you are making. I want you to be very sure that you tell only the truth and that everything you say is the truth?

A. What I have said is the truth and I will face DS in court and swear to it. This is the truth, this is what happened.

Q. What happened then?

A. We went on through the village. DN shot a Vietnamese and asked me to help him throw the man in the well. I refused and DN had AAEE help him throw the man in the well. I saw this murder with my own eyes and know that there was no reason to shoot the man. I also know from the wounds that the man was dead.

Also in the village the soldiers had rounded up a group of people. DN was guarding them. There were some other soldiers with DN. HO came up and said that he wanted them all killed. I was right there within a few feet when he said this. There were about 25 people in this group. HO said when I walk away, I want them all killed. DN and WN fired into this group with his M16 on automatic fire. KG was there and fired into the people too, but I don't think he wanted to do it. There were others firing into this group, but I don't remember who. HO had two Vietnamese with him at this time and he killed them, too, by shooting them with his M16 rifle on automatic fire. I didn't want to get involved and I walked away. There was no reason for this killing. These were mainly women and children and a few old men. They weren't trying to escape or attack or anything. It was murder.

A woman came out of a hut with a baby in her arms and she was crying. She was crying because her little boy had been in front of her hut and between the well and the hut and someone had killed the child by shooting it. She came out of the hut with her baby and **WN** shot her with an M16 and she fell. When she fell he dropped the baby and then **WN** opened up on the baby with his M16 and killed the baby, too.

I also saw another woman come out of a hut and **HO** grabbed her by the hair and shot her with a caliber .45 pistol. He held her by the hair for a minute and then let go and she fell to the ground. Some enlisted man standing there said, "Well, she'll be in the big rice paddy in the sky."

Q. Do you know any witnesses to these incidents?

A. **GX** might have been the one **HO** killed. There were a lot of people around when **WN** shot the woman with the baby. I can't definitely state any one person was there, but there were a lot of people around.

I also saw a Vietnamese boy about 8 years old who had been wounded. I think in the leg. One of the photographers attached to the company patted the kid on the head and then **DV** shot the kid right in front of the photographer and me. I am sure the boy died from the fire of

DV About that time I sat down by a stack of dying people and **WN** asked me if he could borrow my caliber .45 pistol and finish off the people. I gave him my pistol and he walked in among the people and would stand there and when one would move, he would ~~shoot~~ shoot that person in the head with the pistol. He used three magazines of caliber .45 ammunition on these people. These were men, children, women, and babies. They had been shot by machinegunners and riflemen from Company **C** 1/20th Infantry. This was at a T-junction of two trails on the outskirts of the village. I got my pistol back from **WN** and holstered it again.

Q. How many people do you figure **WN** finished off when he used your pistol?

A. I know he shot some twice, so I figure he shot fifteen or so with my pistol. I know he shot one guy in the head and I imagine that was where he was shooting them all.

Q. What happened then?

A. We went on through the village and there was killing and more killing. I was with **GX** mainly. I sat down with **GX** and **WN** came up again and asked to borrow my pistol again. I gave it to him. I saw a little boy there -- wounded, I believe in the arm -- and **WN** walked up close to the kid and shot him with my pistol. **WN** said something like, "Did you see me shoot that son of a bitch," and **GX** said something about how it was wrong. My gun had jammed when **WN** shot the kid. As far as I could tell, the kid died as a result of this gunshot. Then **WN** gave me my pistol back and walked off. I was trying to clear it when it accidentally went off and I was shot in the left foot. **GX** gave me medical aid and then the

medics came. DS and some of the command group came up and then I was flown out in a helicopter. The next day the medics brought DN into the hospital. He had stepped on a bebbby-trap booby-trap and had lost his foot. He said he thought God might be punishing him for what he had done in MyLai(4).

Q. I would like to show you a book of photographs pertaining to MyLai(4) and some other operations and want your comments.

A. Yes, here is RS. He did his share of killing at MyLai(4) and in fact, he and DS killed a couple of people together early in the operation and were laughing because they had fired on the same group at the same time. I saw this shooting and know that there was no reason for their firing at these people at that time.

I also identify myself in several photographs and further identify one of the men carrying me as DN WN, the man who borrowed my pistol and shot all the people. The other man is LF but I don't remember his doing anything wrong. I do not know anything about the other photographs, except the color photograph of the little boy in the dirt road. This is the child WN shot with my pistol. This photograph was taken before WN shot him.

Q. Do you know anything else about atrocities we should know about?

A. Yes, HD has killed other people, too. I was with him in a village when we were questioning a man and after we roughed him up, we threw him in a shallow irrigation well and suddenly and without any warning, HD fired into the man with his M16. We had not intended to kill the man, only to threaten him because the well was just a shallow one in the field for dipping up water for the crops. If

HD had not shot the man we threw in the well, he wouldn't have been hurt by being thrown in the well.

Q. I would like to read you the names of the people on your unit roster and see if you have any comments about these people. (The roster is read).

A. I know nothing about anyone else being involved in this sort of thing. KG had a reputation for raping girls, but I have no knowledge first hand of this.

Q. Did you murder anyone in Vietnam?

A. The only people I killed in Vietnam I killed in combat. I didn't kill any women or kids or unarmed persons at all, ever.

Q. How many people do you think were killed in MyLai(4)?

A. There were more than 100, but I couldn't tell you accurately how many people were killed. I don't believe there were any people left alive.

Q. Were any huts burned?

A. Yes, the entire village was on fire.

Q. Would you draw a sketch of the village showing where the incidents you have mentioned took place?

A. Yes.

Q. Would you like to add anything to this statement or delete anything from this statement?

Page 4 of 6 pages

Statement of
continued

HR

6 Nov69.

A. No, this statement is true and correct.

Q. Are you willing to testify in a court of law concerning this incident?

A. Yes I am.

Q. Will you notify this office of any changes of address?

A. Yes I will.

~~TOP SECRET - COMINT~~

06-08-2007 14:00

~~ABC~~

1. HR

MENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

HR

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 6th day of November, 1969

BBK

(Signature of Person Administering Oath)

BBBP

(Typed Name of Person Administering Oath)

Art. 136(b)(4), UCMJ, 1951

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6 PAGES

1.50

WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE	TIME	FILE NUMBER
	10 Dec 69	1000 hrs	69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
PH			
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, PH, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The purpose of this statement is to document detail of an interview of LC

On 29 November 1969, I interviewed LC regarding his participation in the combat operation conducted at My Lai, Republic of Vietnam on 16 March 1968. LC stated as follows:

He was assigned to Co C, 1st Bn, 20th INF, 11th ABDE Americal Div while the unit was in HAWAII and subsequently moved to RVN with the unit late in 1967. On 16 March 1968, at the time of the operation at My Lai, he was assigned as a DA and DS with the squad, platoon. The platoon was led by AB and his platoon sergeant was LC. LC stated that he does not recall attending any briefing the day prior to the mission, but that the morning of the 16th, he was informed by his platoon leader that there would be no civilians in the village when they got there. He was choppered into the area during the morning and was on the last left into the LZ. His platoon (the 3rd), was set up as the reserve platoon and rear guard. They waited until the 1st and 2d platoons had moved into the village and then moved through the village burning the houses. He did not shoot anyone nor did he fire his machine gun. He had no instructions to kill everything in the village, but he heard from the other platoons that they had orders to that effect. He stated he saw a lot of dead civilians scattered through out the village. He moved along the north edge of the village and then cut down to the south east corner of the village where he and his platoon met with the other two platoons. He did not see any groups of bodies but heard from other men that there were groups of bodies in and around the village. LC stated that he had not used any of his M-60 ammo that day as one of the other platoons sent a runner back to get his ammo. He could not recall who the runner was but he did recall giving his ammo to him. He only saw DS once during the operation, and that was when he was questioning a group of about 20 prisoners. He did not see the prisoners after that. The other men in his squad that he could recall were DD (IA), LB, KB and OD. LC further stated that subsequent to the operation, he heard from either BO WX AR that they had killed a lot of people during the mission. In answer to specific questions, LC stated:

He did not see any US personnel shooting at civilians.

That he did not hear of any hostile fire being received by US Forces.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
	PH	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF PH TAKEN AT DA DATED 10 DEC 69 CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE 2 OF 2 PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
1 JAN 68

STATEMENT (Continued)

That he had heard from other men in the company that SMTTH and WEST had killed alot of people.

That he had heard about groups of prisoners beeing rounded up, questioned and executed.

That he heard about an investigation being conducted subsequent to the mission at My Lai (4), but was not questioned about the mission.

He further stated that he could give no other first hand information regarding this incident, but that he would be willing to testify if called upon.

[Faint, mostly illegible text block containing the body of the statement.]

AFFIDAVIT

I, PH HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PH
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of December, 19 69

OE
(Signature of Person Administering Oath)

OE
(Typed Name of Person Administering Oath)

Art 136 (b) (4) UCMJ, 1968

(Authority To Administer Oaths)

PAGE 2 OF 2 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON

For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.

PLACE	DATE 30 Oct 69	TIME 0830	FILE NUMBER 69-GID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME K.C.	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY BBZ

OF

THAT HE WANTS TO QUESTION ME ABOUT murder, violation of laws of war, and dest. of priv. prop.
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.

I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.

I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.

I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.

I (DO) (DO NOT) WANT COUNSEL.

I (DO) (DO NOT) WANT TO MAKE A STATEMENT AND
ANSWER QUESTIONS.

(Signature of Person To Be Questioned)

INTERROGATORY BBZ

(Signature)

WITNESS FFFI

(Signature)

(Typed Name and Organization)

(Typed Name and Organization)

PART II - SWORN STATEMENT

KC

WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH:

Q: Before you make any statement I would like to ask you if you understand that the
word "counsel" used in the above WAIVER CERTIFICATE means lawyer or attorney or
attorney-at-law and do you understand that by stating "I do not want counsel"
you mean you do not want a lawyer or an attorney or an attorney-at-law present
during your questioning, even though such an attorney would be furnished to you
free of charge? Do you also understand that the words "military counsel" as
used in the above text means "military lawyer", and not "military superior"?

A: Yes, I understand.

Q: When did you go originally to Vietnam?

A: I came to Vietnam in late November of 1967 as part of the advance element of the
11th Bde. I came from Hawaii. At this time I was assigned to Company , 1st Bn,
20th Inf. My was DS. At this time I was as-
signed to first platoon, and my platoon leader was GB. In the latter part
of January HO became my platoon leader.

Q: Have you ever heard of Task Force BARKER?

A: Yes. Company C and two other companies were part of Task Force BARKER. Company
B and Company A were of another outfit.

Q: Have you ever heard of Pinkville?

A: Yes. We conducted a few operations in the Pinkville area.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

KC

PAGE 1 OF 9 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF KC TAKEN AT DATED CONTINUED." THE
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"STATEMENT OF
CONTINUED"

DATED 30 Oct 69,

- A: We expected strong VC resistance. We were really expecting trouble. We were all psyched up, and as a result, when we got there the shooting started, almost like a chain reaction. The majority of us had expected to meet VC combat troops, but this did not turn out to be so. Originally we saw a few men running in the brush line, and the next thing I knew we were shooting at everything. Everybody was just firing. After they got in the village, I guess you could say the men were out of control.
- Q: Will you relate to me in your own words what happened during the assault on My Lai (4) sometime in March 1968?
- A: On that day in March 68 we left by helicopter from LZ DOTTIE. I was in the first helicopter that landed since I was attached to the command post of the first platoon. In the helicopter with me were **HO**, his **FW**, and I am not sure, maybe also **EA** and **XK** (or **YA**) with the machine guns. We left around 0700 in the morning and landed at 0730, the times are approximate. We landed approximately 150 meters west of My Lai (4). After we got off the helicopter, we all fanned out. I do not remember if the whole first platoon came in on the same lift. But **PS** was attached to the command post with **HO** and his radio operator, **FW**. I can picture the village in my mind and the way we went in, but I cannot pin-point my position when we went into the village. I think that we entered the village at the edge of the main village, through the center of it. When we first landed, I saw a lot of smoke, probably from artillery fire. Prior to the landing, I heard the gunships open up. Our helicopters also opened fire. When we landed, to my knowledge, we did not receive any hostile fire. The only shooting that I remember prior to entering the village was our shooting at the farmer outside the village with some cattle. ~~XXXXXXXXXXXXXXXXXXXX~~ I shot at the cattle with my M-79, but I did not hit them. I remember vaguely that **EA** opened up with his machine gun at the farmer, but I do not think that he hit him. By this time the platoon was "on line" and we started moving through the village. At this time sporadic firing started by the platoon. After we broke through the elephant grass and moved through the village, a man popped up about 100 meters away, and a soldier to the right of me shot him. Then like a chain reaction the shooting started. I broke off from the Command Post and joined **BC** and the rest of the squad. We came upon a buffalo in a pen. Across a small trail was one of the houses. Just for sport, the squad, started firing at the buffalo. A woman came out of the house, and I was about to fire, but I did not, since I was afraid to hit one of my buddies. Someone else, I do not know who, opened up and hit her. Some of the other soldiers were spraying every house in sight with M-16's and machine guns. I did not use my M-79 because we were at such close range we were afraid we would hit each other. Machine guns were also used.
- Q: Did you receive any hostile fire at this time, was there any resistance?
- A: No. Not to my knowledge.
- Q: Who was being shot at this time?
- A: At this time only women and men. I did not see any children shot at this time.
- Q: If there was no resistance, why were these people shot?
- A: I just don't know.
- Q: Will you continue with what happened as you progressed through My Lai (4)?
- A: At this point I was told to return to the Command Post because I had the mine sweeper. I rejoined **HO**, who was approximately 5 houses up. By that time the ~~platoon~~ platoon had pushed through to where **HO** was on the west side of the village. Up to this time I myself had only seen about **PC**

STATEMENT OF
CONTINUED.

, RVN DATED 30 OCT 69,

six to ten dead, both men and women. At this time, *HO* gave the order to round up all the people. We then split up and the platoon went through the entire village and rounded up women, children, and men. We brought all the people to a trail that led from the center of the village towards paddies at the outskirts of the village. There were scattered houses in the paddies. This was in the southern section of the village. Approximately 30 to 40 people were herded together on this trail. There were approximately 5 old men in the group, and the rest were women and children, from old women to infants. While I was herding people, I went through the houses in the village. I saw families in the houses that were huddled together and had already been shot. I only brought the live ones back to the trail. I went through a lot of houses, and I saw many people lying in yards and in houses shot. Almost all of them ~~APPROXIMATELY 100 WOMEN AND CHILDREN~~ were women and children. They ranged from infants to old women and old men. I also know that some people had been crammed into bunkers and grenades dropped in on them. I saw the soldiers pushing the women and children in and throwing the grenades in after them. There were bodies scattered everywhere, and I would say that I estimate that I saw 150 to 200 dead bodies consisting of women and children. I would say this based upon what I had been able to see so far in the west half of the village. *DN* and I brought about 25 villagers, some we had collected and some others had collected and turned over to us, to the trail. These were mostly women and children. I know there was at least one man because he carried my mine sweeper. We did not know what was to be done with these people, so we brought them together and made them sit down. At this point I saw a child come out of a house in the vicinity, and I went down to investigate it. I found the child, an old woman, a young mother about 20 years old, and a baby about 4 years old. I brought them back with me and put them with the others. About five minutes later *HO* came up. *HO* ordered me and *DN* to kill the women and children that were sitting on the trail. He just said to kill them. I think another soldier was there, but I am not sure. *DN* was stunned at first, and thought for a minute. And the way I remember it, *DN* fired a burst, and I think he hit somebody, and he started to cry. I told *HO* that I was going to watch the tree line while the others fired to make sure nobody ran, because I had to tell him something or he would have expected me to shoot them. I was not about to shoot anybody. *DN* gave me his M-16 and told me to shoot them. While *DN* and I argued, *HO* was firing into the group with his M-16 on automatic. A lot of the women had thrown themselves on top of the children to protect them, and the children were alive at first. Then the children, who were old enough to walk got up and *HO* began to shoot the children. Then we walked ~~out~~ away, and evidently five or six women with children who had not been killed, got up and started to run away, and they went for the trees. Since the tree line had been my responsibility, (*HO* shouted at me to open fire, but I waited deliberately until they were out of range, and fired four shots with my M-79 in the general direction. Two of them were air bursts.

Q: Do you think that *HO* order to you and *DN* was a lawful order?
A: In my opinion, any order given to you in the field is a lawful order. This is what we learned in training. We learned not to question it, just do it. This is especially true under combat conditions.
Q: Will you continue to relate in your own words what happened at My Lai (4)?

PAGE 4 OF 6 PAGES

STATEMENT OF
CONTINUED.

WVN DATED 30 Oct 69,

PC

- A: The aforementioned incident must have happened between 0930 and 1000. It was definitely before lunch.
- Q: Are you sure that it was DN who opened up first on the group of civilians?
- A: As far as I can remember, DN shot first and then HO opened up.
- Q: Will you please continue?
- A: I stayed for a while in the vicinity of the people who had been shot. I was in some state of shock. Then I moved toward the eastern end of the village. I wandered through the village. I saw dead people scattered everywhere, women and children, in the yards, most of them shot with M-16 and small arms fire. I must have seen 40 or 50 dead women and children and a few old men scattered around the village. I then came to a ditch a little ways outside the village. When I got there I saw approximately 40 people, maybe more, women and children. HO and DV were standing at the top of the bank of the ditch. They were already firing into the ditch when I got there. I came closer, maybe 20 to 30 feet from HO to where I could actually see him shooting at the people in the ditch. There were other people standing around, but the only two that stand out in my mind as firing into the ditch were HO and DV. I looked down into the ditch and saw a woman trying to get up, and HO shot her in the head and blew her head off. I was about 20 feet from HO, off to his left, on line with the bank of the ditch, where I could look down into the ditch at the people getting shot. As far as I know, everyone in the ditch was killed. They were screaming.
- Q: Did you see LX, GX, DN, or LI firing into the ditch?
- A: I cannot remember.
- Q: Are you sure there were only 40 to 50 people in the ditch?
- A: There could have been more. That is only an estimate.
- Q: Did you see HO shoot anybody that tried to crawl out of the ditch?
- A: I cannot say that I did.
- Q: Did you see HO shoot a monk a little distance from where the people were shot in the ditch?
- A: No, I did not.
- Q: Will you continue with your description of the assault on My Lai (4)?
- A: After all the shooting at the ditch I joined my squad. The time is a little unclear to me, but it was before lunch. We were still on the outskirts of the village. HO came up to me and LX and told us to go ahead and clear out a few hootches a little farther down the road. We went ahead, and I covered for LX. He saw a man in one hootch reach for something and he shot him. In all he shot six men with his M-16 on automatic. I did not shoot because I was afraid to hit LX. Then we formed up and got ready for chow.
- Q: Did you kill any of the women and children?
- A: No, I did not. I did a little shooting with my M-79 at the houses like everybody else, but I did not shoot at the women and children that were killed by HO and DN. I did shoot at animals. I could not shoot the M-79, because as I explained before, we were at close range and I would have hit my buddies accidentally.
- Q: Was there any resistance during the assault on My Lai (4)?
- A: No.
- Q: Why then were the women and children killed by Company C?
- A: It was an order. At least we interpreted his briefing (HO's) as meaning that.
- Q: Who gave the order to burn the village?

STATEMENT OF
CONTINUED.

KC

, RVN DATED 30 XXX OCT 69,

PC

- As I do not know. But the village was burned.
- Q: Did you at any time see DS while you were going through My Lai (4)?
- As No. I saw him later.
- Q: Was there ever an order given later on not to shoot any more civilians?
- As I do not remember, but I do remember that a small helicopter landed near the ditch, and that I heard he was going back to Division to complain about the actions of company C.
- Q: Did company C capture any weapons in My Lai (4)?
- As Not to my knowledge.
- Q: Were there any prisoners taken?
- As Yes, about 10? PC
- Q: What happened to the prisoners?
- As They were military age males. We each had one. I had one, and I made him carry my pack and heavy things. As far as I know all ten were taken back. They were taken from us and I do not know what happened to them. I do not know the names of the other soldiers who had custody of the prisoners.
- Q: Did company C suffer any casualties in My Lai (4)?
- As Only HR who is supposed to have shot himself in the foot.
- Q: How many villagers were left alive in My Lai (4) after the assault?
- As Very few.
- Q: Did you see any wounded civilians in the village of My Lai (4)?
- As There could have been, because I still heard screaming.
- Q: Were the villagers of My Lai (4) given any medical aid by the soldiers?
- As None to my knowledge.
- Q: Where was DS during all the shooting?
- As I have no idea.
- Q: Did you hear of any incident in which the Vietnamese Police shot any prisoners later in the day?
- As Later in the evening I saw an interrogation set up by the National Police. They interrogated them one by one, and when they were finished with each one, they took him out in the ditch and shot him. I do not know where our officers were at this time.
- Q: Why did nobody report the shooting of all the women and children to higher headquarters?
- As I don't know. I guess we all figured that if we were sent there, they must have already known about it.
- Q: Do you think that DS know about all the shooting in My Lai (4)?
- As Not at the time that it happened, I don't think so.
- Q: Do you think the women and children you saw in My Lai (4) had been killed by artillery fire or helicopter gunships?
- As No. The ones I saw were killed by small arms fire. A few might have been hit by gunships, but none by any artillery fire.
- Q: Do you understand that the waiver certificate that you signed this morning at 0830 is still in effect? Also do you understand that you can terminate this interview at any time, and can remain silent or request counsel at any time.
- As Yes. I do not want counsel and I do want to make a statement and answer questions.
- Q: I am going to show you now 17 color photographs. Will you pick out any of the photographs that you recognize. PC

PAGE 6 OF 9 PAGES

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PC

STATEMENT OF
CONTINUO.

RVN DATED 30 Oct 69,

- A: Color photograph number 1 looks like LZ DOTTIE. Color photograph #11 depicts HR. Color photograph #15, the scene looks familiar. The girl holding the baby looks familiar. But I do not recall the circumstances or that they were shot shortly after that.
- Q: I am showing you now 25 black and white photographs. Will you identify any of them which you recognize?
- A: Black and White Photograph # 2 looks like M, but I am not sure. Black and White Photograph # 7, the man with the rope is VE, and the man with the wounded foot is HR. Black and White photograph #8, the man with the wounded foot is HR. Black and White photograph #9, the man on his knees in the foreground is IIR administering aid to HR. DS is the background second from the right. OC is in the background fourth from the right. Black and White Photograph #10 shows HR in the middle and LF on the left. Black and White Photograph #11 again shows HR. Black and White photographs #12 and #13 show HR being evacuated.
- Q: What can you tell me about the incident in which DN stepped on a mine and lost his foot?
- A: We got out on an operation the day after the incident at My Lai (4). We were told not to go on a hill, because it was part of ROK basecamp and was supposed to be mined. But HO made DN take the minesweeper and clear a way to the top of the hill with the rest of us following. They cleared a place for us to set up, and then HO and DN started back down the hill. HO said not to use the minesweeper because it would take too long, and just pointed in a direction and told DN to go that way. As they proceeded down, DN walked a couple of yards, and then there was an explosion, and I heard DN scream. We moved closer. HO was standing there near the radio. DN told HO that God would punish him for what he had done. I do not remember DN's exact words. Shortly after that DN was evacuated.
- Q: Some of the members of Company C made mention of the fact that you did a lot of shooting on your own. What do they mean by that?
- A: The only shooting I did is when I fired at the tree line and when I fired at the cattle. Those are the only ones I can recall. Everybody was shooting, and it was impossible to tell who did more than anyone else.
- Q: What can you tell me about the Vietnamese girl whose hair you cut off and stuck in your helmet? This was not in My Lai (4).
- A: This was way before My Lai (4). It was the opposite side of LZ UPTIGHT from My Lai (4). GGD, who is dead now, and I were talking about how local girls have long hair, and we made some sort of bet or something about it, and I got her hair, the hair of a particular girl.
- Q: Did you capture a VC nurse the day after My Lai (4) and can you relate the circumstances?
- A: Yes. We were rear security for the platoon, and when we got there the village was already burned. We set up, dropped our equipment. I walked a little way and three men and a woman came walking out of one of the burning hootches. I got my M-79 and called for the rest of the squad. We chased one man into the fire, but we lost him. We caught one, I knocked him down. Somebody else caught a second man. I saw the woman standing behind a tree, and I grabbed her. She tried to fight, so I punched her. She was knocked out. We tied up the two men. We searched them. It was at that time I remarked that she was too dirty to screw, or something to that effect. We didn't shoot any of them. They were all flown out by helicopter, I don't know where they were taken after we released them.

STATEMENT OF _____
CONTINUED

, RVN DATED 30 Oct 69,

- Q: If an attempt is made to enter Ky Lai (4), would you be able to identify the trail and the ditch in question, and would you be willing to accompany me?
- A: Yes. I would volunteer to go along and I think that I can find the trail and the ditch where the people were killed.
- Q: Would you be willing to testify in court if called upon?
- A: Yes.
- Q: What type of man was HO, in your opinion?
- A: In my opinion he was a glory hungry person. He was the kind of person who would have sacrificed all of us for his own personal advancement. As a leader, he was the most ~~INCOMPETENT~~ incompetent and unqualified person I have ever met. He also seemed to have a chip on his shoulder. I formed this opinion from serving under him. He made wrong decisions, the injury to DN was a good example. That is about all I can offer.
- Q: Is there anything else you want to add to this statement?
- A: Yes, there is. After the incident at Ky Lai (4), we heard rumors around the company that the chopper pilot who had said he was going to report us was going to see to it that we all stood trial for war crimes. Later all they told us that we would all be getting a citation for what we had done at Ky Lai (4).
- Q: How long was Company C in Ky Lai (4) from the time you landed until the time you were through?
- A: Maybe 5 hours, because we got in early in the morning and left after lunch.
- Q: Was there anybody in the company whose conscience bothered them? Did anybody want to report it?
- A: Everybody's conscience, except maybe HO's, bothered him. But as I said before, we have always been taught in training that we were not to question orders. If it was ordered, the headquarters must have known about it. We are not paid to think.
- Q: Do you know any other incident similar to the assault on Ky Lai (4)?
- A: No. This was the only thing like this I had ever been connected with.
- Q: Do you have anything else you want to add to ~~THIS STATEMENT~~ this statement? DC
- A: No.

////////////////////END OF STATEMENT////////////////////////////////////

PAGE 2 OF 9 PAGES

STATEMENT (Continued)

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not
used

AFFIDAVIT

I, KC HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 9. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

KC
(Signature of Person Making Statement)

WITNESSES:

FFFI
FFFI

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of October, 1969

ORGANIZATION OR ADDRESS

BBBZ
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

BBZ
(Typed Name of Person Administering Oath)
Art 136 (b) (4) UCMJ (1968)
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

KC

PAGE 9 OF 9 PAGES

WITNESS STATEMENT
(AR 195-10 - TH PRG 3)

PLACE	DATE 5 Nov 69	TIME 1900	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME KV	SOCIAL SECURITY ACCOUNT NO.		GRADE Civ
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

KV , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I joined the Army 13 Jun 1967 and was assigned to Company, Bn, 20th Inf in Hawaii in Nov 67. In early Dec 67 I accompanied the unit to Vietnam. I was a member of the platoon.

I recall participating in the combat assault on the village of My Lai (4) during March 1968. This was a part of Task force Barker.

On the evening before the mission I attended a briefing at LZ Dottie. The briefing was by **DS** the & lasted for about 30 minutes. I recall he said we were going into My Lai (4) and it was a known VC stronghold. The 48th VC Bn was supposed to be in the area. There had been prior contacts with the VC and we were to expect heavy VC contact. This was a search & destroy mission and we were to burn the village. **DS** said pamphlets had been dropped and there were no "friendlies" in the village. We were also told to destroy all the food & live stock. He didn't say to kill all the people but he did say as far as known all the "friendlies" were out of the village.

On this mission my job was RTO to **DS** the platoon Sgt. We had no officer on this mission. Members of the platoon that I remembered are **XA** **KT** **AP** **LH** **AAAE** **GG** I think these were all on the mission. The rest of the platoon remained at LZ Uptight and did not go on this mission.

I carried an M-16 and about 220 rounds of ammunition in addition to the radio and rations. We left LZ Dottie early the morning after the briefing. I think I was on one of the last air lifts. We landed in a dry rice paddy about 350 meters to the west of the village. We immediately set up the mortar. Shortly after we landed a bubble helicopter was firing in the area and radioed that they had chased a VC with a weapon. I believe this VC was killed but I didn't see him or know if his weapon was recovered.

At this time there was small arms firing in the village but I do not know what it was for. As far as I know there was no incoming rounds and I was not fired at. I would say there was practically no resistance and this was a cold LZ. This was a great relief from what we'd been told the night before as we expected heavy opposition. We remained in position for approximately 40-45 minutes after setting up the mortar, and then started moving into the village. I think we were behind the third platoon as first and second had initially moved through the village on line.

We started into the village. There were some engineer people with us. They began to

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED."
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BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF KV

DATED 5 NOV 69 CONTINUED

blow up the buildings and we began to set fires to the buildings and destroy the crops and livestock. I started 3 or 4 fires myself.

Shortly after we came into the village I came upon an old man with a long white beard who was with a young boy. Someone policed them up and although I didn't see them later, I understood they were taken to My Lai (5). I didn't see these people get killed and as far as I know they were not killed.

We continued through the village, about 1/2 way through I heard that HR had been shot with his own 45. Sgt DJ told me to go over and pull dust off security so I went to the corner of a rice paddy. A little while later a chopper came in and HR was dusted off.

Sometime after this GG told me that he had shot a man. GA said he'd thought the man had a weapon and was a VC. After he had shot the man GG didn't find a weapon. I saw the dead Vietnamese but I can't really describe him. He was an older man & that's all I remember.

We continued through the village setting fires and blowing up the houses. Near the end of the village we stopped at a stone house. This house was burning while we ate lunch. I remember a little boy there and someone, possibly KT, gave the boy some "C" rations to eat. I don't know what happened but as far as I remember he wasn't shot.

After lunch we cleared My Lai (5) and (6) and next day went down the coast to My Khe(2). We spent two nights in the field. I believe the first night we slept in a graveyard near My Lai (6) and the next night in a rice paddy. That's about all I remember.

Q: How many dead bodies did you observe in My Lai (4) ?

A: I can't remember other than the one "Chief" shot, I know there was rumors that the company killed 350 and 415 people. I also heard a rumor that villagers were lined up and machine gunned. But these are only things I heard and did not see.

Q: Do you know who was supposed to have machine gunned villagers?

A: I heard a machine gun crew, but the specific names I don't know.

Q: What was the extent of your firing during this mission?

A: I fired 3 rounds at a pig. That is all. I didn't fire at any people. I also carried 4 hand grenades but I didn't explode them.

Q: Did you see any of the company officers during the time you were in the village?

A: I don't recall seeing HO AB ZG I probably did see GE but I don't specifically remember. I did see DS at the stone house where I had lunch.

STATEMENT OF

KV

DATED 5 NOV 69 CONTINUED

Q: Was a cease fire order given at any time?

A: I think something was said to the effect to "lay off" the firing but I don't recall specifically.

Q: How long were you in the village?

A: I'd say 3-4 hours.

Q: Did you see DS fire his weapon?

A: No, not the first day. On the second day near My Khe (3) we were set up in night defensive positions. I recall somebody saw 2 VC with weapons & DS ran to the perimeter and fired at the VC but he missed them & they got away.

Q: Did you observe the members of the mortar platoon firing in My Lai (4)?

A: I saw XA shoot a pig & thats all. Also "GG" said he'd shot a man.

Q: Did you observe any helicopters land in My Lai (4)?

A: Yes; I saw the one land to dust off HR & later I saw one land to pick up one photographer. Thats all I saw.

Q: Do you know the details of DN being injured?

A: I had heard he stepped on a mine after HO told him to go through a suspected mine field. Thats about all I heard.

Q: Can you give any explanation as to why the company killed 350 or 415 persons?

A: No. I really can't recall seeing or not seeing any bodies when I went through the village. I do know first and second platoons did a lot of shooting.

Q: Is there anything else that you would like to add to this statement?

A: No.

STATEMENT (Continued)

[Faint, mostly illegible text from the statement body]

AFFIDAVIT

I, KV HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

KV

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of November, 19 69

ORGANIZATION OR ADDRESS

OE

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Art 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON

(AR 15-10)

PLACE	DATE 30 Oct 1969	TIME 1430	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME KG	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY _____
OF _____
THAT HE WANTS TO QUESTION ME ABOUT Murder and Violation of the Laws of War
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
I (DO) (DO NOT) WANT COUNSEL.
I (DO) (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. **KG**
(Signature of Person To Be Questioned)

INTERROGATOR: **PH** (Signature) WITNESS: **FFFJ** (Signature)
PH (Typed Name and Organization) **FFFJ** (Typed Name and Organization)

PART II - SWORN STATEMENT

OATH: I, **KG**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER
I was a COMPANY C, 20TH AF 11TH ABN Bde, Americal Division
during March 1968 when the unit went on the operation to My Lai #1 in the Republic of
Vietnam. The day prior to the operation which was on the 16th or 17 of March 1968, I
attended a briefing by the unit **DS**. He told us that we were going
into "Pinkville" the next morning at 0730. He told us that we were going on a search
and destroy mission and that we were to destroy everything and be prepared to fight.
We were told by **DS** to destroy everything that was alive and to burn the village.

Q: Did **DS** say where these orders had originated?

A: No. He did not.

Q: Will you please explain to me what occurred from the time you made the combat assault
until the village was cleared?

A: We went into the LZ, secured it and waited until the rest of the company was
assembled and then we moved into the village en line.

Q: Did you receive any hostile fire from the village?

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT **KG** PAGE 1 OF 5 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE
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INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LIN-
ED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

A: I don't recall as there was shooting all around.

Q: Did you take any casualties?

A: We had one (1) man shot in the foot.

Q: Who was that?

A: That was HR

Q: Where did that occur?

A: He was moving with the 3d platoon to the rear and I don't know for sure, but I think it was just after he got into the village, but I don't know for sure.

Q: Did you see any groups of civilians rounded up?

A: Yes, I did.

Q: What became of them?

A: The last time I saw them, I HO was talking to them.

Q: What did he do with them?

A: I don't know.

Q: Was DV with HO

A: I don't know. When we started out, we were on a line, but I don't know if they get together or not.

Q: When you saw HO talking to the group of civilians, who else was with him?

A: All I can recall is HO

Q: Did you see that group of civilians after that?

No Sir.

Q: Did you see any groups of civilians that had appeared to have been shot on the spot by small arms fire?

A: I only saw about five (5) dead civilians during the operation and they were scattered.

Q: Did you see HO shoot anyone?

A: No.

INITIALS: KG

STATEMENT OF

KG

30 Oct 1969, Cont'd:

Q: Did you know a man named DN?

A: Yes. I'm not sure, but I think he was in DV squad.

Q: Did you see him shoot any vietnamese civilians during My Lai #4?

A: No.

Q: Did you see any members of Company 'C' shoot any civilians during that operation?

A: I saw the one shot at the LZ as we got off the chopper, but I don't know who shot him. He jumped out of a hole or a bomb crater.

Q: Did you lead your platoon through the village or did you follow them?

A: I followed them through.

Q: Where was HO your platoon leader?

A: He was up front.

Q: Who were your squad leaders?

A: GL, DV and I can't recall the others.

Q: Were you observing the action as you followed your platoon through the village?

A: I was rear security in addition to platoon sergeant. You move as the platoon moves.

Q: How many civilians would you say were in the village that day?

A: I refuse to answer that question.

Q: Do you know a HG

A: Yes.

Q: Was he on that operation?

A: Yes.

Q: When did he get wounded?

A: I think it was around 15 - 20 May 1968.

Q: Was there another man wounded at the same time?

A: I think there were six or seven other men wounded at that same time. They were in the second platoon.

INITIALS KG -

STATEMENT OF

KG

30 Oct 1969, Cont'd:

Q: Do you think that the mission at My Lai was properly executed?

A: According to the orders for the mission I would say that it was.

Q: Did your platoon take any prisoners?

A: There was a helicopter that came into the east side of the village and took out two (2) loads of civilian prisoners.

Q: Were there any persons left alive in the village?

A: The last people that I saw were the group that HO had and they were alive at that time?

Q: Did you see a village elder, monk or priest executed by HO?

A: No. I did not see it.

Q: Did you hear about it?

A: I decline to answer that.

Q: Do you think there was any unnecessary killing of civilians at My Lai #4?

A: In accordance with our orders, I would say no.

Q: Did you see any children shot?

A: No.

Q: Did you see the shooting of unarmed civilians?

A: Other than the man who jumped out of the hole and was shot, No.

Q: Did you see a temple in the village of My Lai #4?

A: No. I do not recall seeing one.

Q: Do you have anything to add to this statement?

A: No.

Q: Did you yourself shoot any unarmed civilians?

A: No. I did not.

.....END OF WRITTEN STATEMENT.....

INITIALS KG

STATEMENT (Continued)

This portion of the statement form not used

AFFIDAVIT

I, KG HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFJ
FFFJ

KG
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of Oct, 19 69
at _____

ORGANIZATION OR ADDRESS

PH
(Signature of Person Administering Oath)

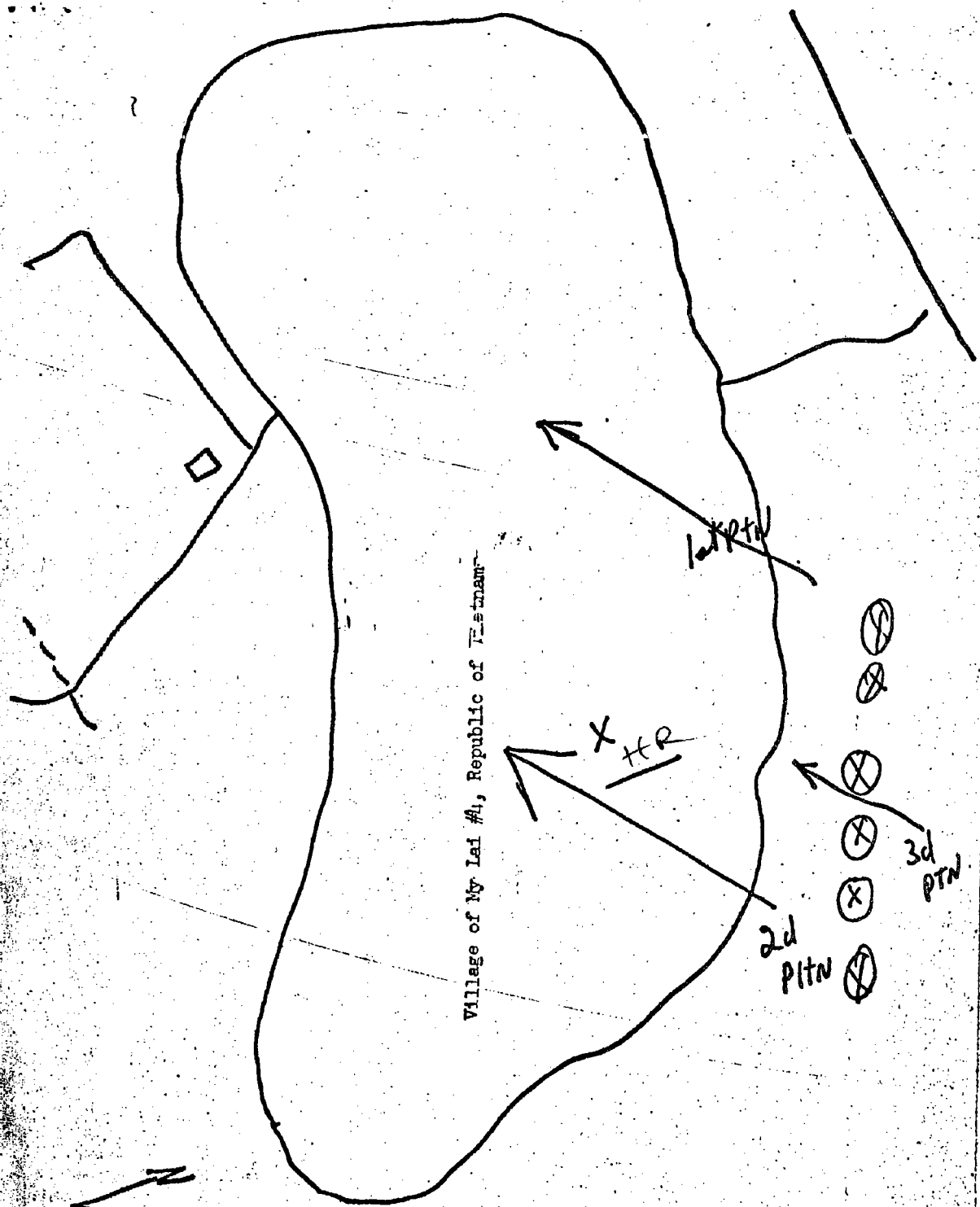
ORGANIZATION OR ADDRESS

PH
(Typed Name of Person Administering Oath)
Art 136 (b), (4), UCMJ, 1968
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

KG

PAGE 5 OF 5 PAGES



Drawing of My Lai #4 depicting path of operations of Company 'C', 20th Inf, Americal Division, 16 Mar 1968 as explained by KG

WITNESS STATEMENT

(AR 195-10 - TB PMG 3)

PLACE V	DATE 10 Oct 69	TIME 2130 hrs	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME LD	SOCIAL SECURITY ACCOUNT NO.		GRADE C
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, LD, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In Apr or May 67, I was assigned to C Co, 1st Bn, 20th Inf, in Hawaii, and on 1 Dec 67 the unit went to Vietnam. I recall participating in the combat assault mission of the unit on the village of My Lai (4) near the town called "Pinkville". This happened about Mar 68. The day before we went on the mission, I attended a briefing given by DS the CO, held at LZ Dottie. The briefing lasted about 30 minutes.

DS said it was a search and destroy mission. We were told the village was VC sympathizers. a place for a VC supply area and a place where the VC stayed overnight. DS said if we found excess food to destroy the food. That is all I remember about the briefing. The next morning we went out on the mission. I was on the first air lift. I was a member of the Plt and AD was the Plt Leader.

KG was the Plt Sgt and GL was my Squad Leader. I was in the Squad. For this mission I was a and armed with an M-79 and about 40 grenades. I also carried a .38 caliber pistol which was my own property. I later turned this pistol into the 1st Sgt as we were not permitted to carry personal weapons.

We landed in the morning, maybe 0900 or so, and landed in a dry rice paddy somewhere from 25-50 meters. I believe we formed a line with the 2nd Plt and started moving into the village. I don't recall the direction I travelled, but the village was narrow and I was somewhere near the center of the village. I would say it took a good hour to go through the village. Somewhere near the middle or second half, I emptied my 38 pistol into an empty hooch. It was an adobe hut and I am sure it was empty and I didn't hit anyone. If I remember correctly, I saw 3-5 dead bodies as I moved through the village. There might have been more, but I can't remember as it has been a long time ago. Outside the end of the village there were some trails crisscrossing and some people carrying stuff moving fast. I think it was GL who told me to fire some grenades in the direction of the moving people to make them stop. Anyway the people were out of range of the grenades. I fired 1-2 grenades in the direction of those people but I am positive the people were out of range and I didn't hit anyone one. I also fired about 8 more grenades around the perimeter of the village but this was the clear area. I didn't fire any rounds inside the village. This is the extent of my firing as I went through the village. I didn't see anybody being shot and I am positive I didn't kill anyone.

Q: Who were the other members of your Squad?

A: JW DI AAAC OC KC AAEE FW HZ KR a GX

Q: Were you with them all the time?

A: As far as I remember, I was.

Q: Did you see any groups of dead people as you moved thru the village?

A: No.

Q: Did you see or hear about a ditch where people had been shot?

A: Yes. I heard it from a few members of my squad. It could have been JW and FW but I can't remember. I didn't see any ditch, but I heard there was a large ditch where a lot of people had been shot. I heard that AD told members of the

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF LD TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

STATEMENT OF : L1)

DATED 10 OCT 69 CONTINUED:

to kill some people in a ditch. I did not know if this was a direct order or otherwise. I did not see this ditch or the bodies, but I assume some people were killed. I am not sure who told me this, but it might have been D J L FW

Q: Did you ~~XXXX~~ see anyone shot during the assault on My Lai (4)?

A: No I didn't.

Q: When you entered the village was there any resistance?

A: None to my knowledge.

Q: Did you observe any machine gun fire in the village?

A: Not that I can remember.

Q: Were other members of your ~~pl~~ squad firing their weapons?

A: Yes.

Q: Did you observe any groups of bodies on the trails around the edge of the village?

A: No I didn't.

Q: Did you observe any helicopters in the area?

A: Yes. I saw a bubble type helicopter at the edge of the village. It might have landed but I don't know. It was flying low and I think it might have been taking pictures. I heard that this chopper was taking pictures of people dead in the ditch but I don't know about this for sure.

Q: Are you certain that you only saw 3-5 dead bodies while you were in the village?

A: To the best of my knowledge that I can remember yes. There could have been more. I also saw some dead pigs.

Q: Did you start any fires in the village?

A: I don't remember starting any.

Q: Where were you when ~~H R~~ got injured?

A: Somewhere close to the village, but I don't think in the village. I was somewhere not too far away and I seem to think I saw him being lifted off. I heard that it was shot by a jamed 45 but I am not sure.

Q: Did you see ~~DS~~ or ~~HO~~ in the village?

A: I saw ~~DS~~ near ~~where~~ where ~~H R~~ was lifted off. I don't remember seeing ~~HO~~ at all until later that day.

Q: Can you describe in the details about ~~DN~~ getting injured?

A: This was the next day. I think the 1st plt was clearing Hill 85 near the village. 1st Squad went almost to the top and ~~DN~~ was carrying the mine sweeper. On the way down he stepped on a mine. I was nearby when he was injured and I heard him scream that "~~DN~~ had punished him for what he had done." I suppose he was directing this to ~~HO~~ but I don't know. He also screamed that ~~HO~~ was going to get his." I suppose that he said this because of what I had heard that ~~HO~~ said about shooting those people but I am not sure.

Q: Is there anything else that you would like to add to this statement?

A: Just that I am telling the truth as to the best of my knowledge as to what I can remember.

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

[illegible]

AFF DAVIT

I, LD _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

LD
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of October, 1969

at _____

ORGANIZATION OR ADDRESS _____

[Signature]
(Signature of Person Administering Oath)

OE
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS _____

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT	PAGE <u>3</u> OF <u>3</u> PAGES
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WITNESS STATEMENT <small>(AR 195-10 - TB PMO 3)</small>			
PLACE	DATE 28 Oct 69	TIME 0800	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME OE	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
OE WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
INVESTIGATOR'S STATEMENT			
<p>On 25 October 1969, KR was interviewed and stated substantially the following:</p> <p>He was assigned to Company, Battalion, 20th Infantry, in Hawaii and on 1 December 1967, accompanied the unit to the Republic of Vietnam. He was a with the first platoon, and a member of the second squad under GL HO was his Platoon Leader and KG was his Platoon Sergeant. He recalled that FW OC KC LO AAAC DI AO LO GX were members of his platoon, but he could not recall exactly when they were assigned or specific missions that they might have participated in.</p> <p>KR recalled the combat assault mission made by the unit in March 1968 on the village of My Lai (4) in the area near the town of "Pinkville." At this time the unit was a part of Task Force Barker and working out of LZ Dottie. He attended a unit briefing at LZ Dottie on the evening prior to the assault on the village. He stated OS conducted the briefing which lasted for about 30-40 minutes. He stated OS told the men they were going on a "Search and Destroy" mission and that they were to kill everything in sight. They were to kill all the animals and "everything living." KR said that OS told them the village was a VC village and a VC Supply point.</p> <p>The next morning KR went out of LZ Dottie on the first air lift. He landed about 100 meters from the western edge of the village in a dry rice paddy. The first and second platoons formed a line and the third platoon remained in the rear in reserve. KR said that as soon as the two platoons formed a line, they quickly moved out into the village. He said that everybody started shooting on the village and that he himself began firing for recon. He said that he had no particular target and was just firing in the general direction towards the village. KR said he was armed with an M-16 rifle and about 15 magazines of ammunition. KR said that to the best of his knowledge he did not shoot at or hit any of the villagers and that when the platoons started firing, the villagers began to run for cover. He stated that as far as he recalled, the unit did not encounter any resistance nor did he recall anyone firing at him any time during the assault on the village. He said the villagers, which were men, women and children of all ages, ran and tried to hide as best they could.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT OE		PAGE 1 OF 4 PAGES
<small>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</small>			

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KR estimated that it took him about one hour to initially go through the village. He estimated that while moving through the village he saw about 30-50 villagers that had been shot and killed. He said these people were scattered throughout the village and he described them as being mostly women and children of all ages, ranging from babies to older women. He said some women appeared to have been shot while holding babies in their arms. KR said that he did not shoot anyone, but there was a lot of shooting and he just could not say who shot who due to all the confusion and the speed that he moved through the village. KR stated that he saw no villagers collected or gathered up as he moved through the village and as far as he knew, everyone was shot and killed in the village as that was the mission of the unit.

KR stated that he observed a "hole" or ditch located somewhere on the eastern edge of the village. He said that there were approximately 15 villagers that appeared to have been rounded up and pushed into the ditch and then shot. He claimed that he did not see these people being shot but stated that Charles FW told him that HO KG DN shot and killed the people in the ditch with M-16 rifles. KR reiterated that he did not see the people in the ditch being shot but after he was told this by FW he proceeded to the ditch and observed approximately 15 people that had been killed. KR also stated that FW specifically told him that there were two little girls or babies in the ditch that were not dead and that HO shot these two children.

KR stated that when he arrived at the ditch after being told this by FW he did not see HO OC DN present at the ditch. He said that he recalled several people being in the vicinity of the ditch; however, he could not recall who these persons were, except to state that they may have been from the third platoon.

KR continued that he heard from someone that HR had intentionally shot himself in the foot to avoid duty, but stated that he did not see HR get shot, nor did he observe HR being evacuated. He stated that he did not recall seeing any helicopters land in or around the village. He said that he did not become aware of HR being injured until later on that morning when he had already been through the village. KR related that on the following day, he accompanied the first platoon up Hill 85, under the direction of HO. He stated that DN was the point man and that DN was carrying the mine detector. He said that OS had told the platoon not to go "too far up the hill" but that HO DN went up and made it to the top of the hill okay. Then HO DN were descending the hill via a different route and DN stepped on a mine. KR stated at the time this happened he was about 10-15 meters away from DN and he heard DN screaming that he was "sorry for what he had done the day before." DN asked the "Lord to forgive him for what he had done the day before;" and DN screamed he was being punished for what he had done the day before. He also heard that DN HO he'd "better get out of the field or he would be punished too." KR stated that he assumed that these statements were made as a result of HO DN reportedly killing the people in the ditch although he had no direct knowledge about it. He did not recall if anyone else was present at the time.

KR stated that he saw about 50 persons killed during the sweep of My Lai (4). He said he could not say who shot these people as "he turned his head to avoid seeing all the killing." He estimated that over 100 people were killed in the village during the entire mission. He said that he fired about 3-4 magazines of M-16 ammunition during the assault on the village, but that he did not kill anyone and that he did not intentionally shoot at any of the villagers. He stated he was firing in the general direction of the village and that he could have shot someone, but if he had done it, it would not have been intentionally. **KR** said that he also carried two hand grenades but that he did not explode them during the mission. Upon questioning, **KR** said that he had heard from someone that a man had been pushed into a well and then somebody threw a hand grenade into the well. **KR** said that he did not see this incident and could offer no further information.

KR claimed that **HO** was a "nut." He said that **HO** was always getting the platoon lost and that **HO** always went in the wrong direction. He described an earlier incident regarding **HO**, and stated that **HO** was always killing people." He continued that sometime approximately February 1968, he was on patrol when he came upon **HO** **HR** **DN** and several other persons standing at a well in another small Vietnamese village. He stated that he did not witness the incident, but was told by someone in the group that either **DN** **HR** had hit the Vietnamese man in the head with a .45 caliber pistol and thrown him into the well, whereupon **HO** shot and killed the man with an M-16. On another occasion which **HO** could not specifically describe, **KR** stated that he observed a woman running away when **HO** called for her to stop. The woman continued running and **HO** shot the woman in the chest with his M-16 and killed her. **KR** could not recall if anyone else was present at the time of this incident.

KR stated he had no doubt that **DN**'s briefing left the impression that everyone in the village was VC and were to be killed. He said he did not approve of killing babies but that the members of the company were following orders. He stated that he did not want to get involved in a courts-martial or other judicial proceedings. He stated that to the best of his knowledge he did not kill anyone and he could not actually say that he saw anyone in particular kill any of the villagers, therefore he did not want to be involved. **KR** declined to make a written statement for the aforementioned reasons.

WITNESS STATEMENT

(AR 195-10 - TD PMG 3)

PLACE	DATE 29 Aug 69	TIME 1830	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <u>JU</u>	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

JU this investigation concerns an assault upon a village by the name of My Lai (4) in Quang Ngai Province, Vietnam on or about 16 March 68 in which the unit you served with at that time took part. My Lai (4) reportedly was the first village encountered during that operation and is located in an area called by some of the soldiers as "Pinkville". Do you recall participating in that operation and if so will you state what knowledge you have of it?

A: I remember taking part in that mission during the middle of March 1968. I was an ADV, a DS then and I was in the DS Squad, Platoon of Co, 1st Bn, 20th Inf, then a part of Task Force Barker. My Platoon Sergeant was KG my Squad Leader was DS, my Platoon Leader was HO. We received a briefing from DS at LZ Dottie the night before the operation. All I can remember of it is that DS told us that the area we were going into was a known VC area and thought to be a VC R&R center because of there being little activity in the area and few ARVN patrols. The briefing was kind of like a college pep talk, that we had been receiving casualties from an unseen enemy and now had the chance to confront the enemy in the open when he didn't expect us. I remember him saying "If you see a man, woman, or a child, he probably will be carrying a weapon, equipment or supplies". I think he told us to destroy the livestock, animals, anything that would feed the VC. Except for some administrative stuff, that's all I remember DS saying. I don't remember attending a platoon meeting. My squad was made up with DN, KC, HZ, FW, FA and I think our EA was EA with HR as his LF and LX were in the squad too. The machine gun team changed a lot and I think that LM and XL were with us when we set up for the night with B Company. But I think EA and HR had the gun when we went through the first village. We left LZ Dottie by helicopter just after dawn and flew for five or ten minutes before reaching the LZ near the first village. I think the helicopters fired on a hill near the village where it was rumored that the VC had a mortar, but I don't remember our door gunners firing or receiving any fire from the ground. I don't think the choppers fired at the village. We landed in a rice paddy that had already been harvested then we moved up to where the first group coming in just before us had set up a line. We filled in with them and I remember that they were all 1st Platoon people. We started toward the village and I heard some machine gun and M16 fire on my right but all I saw was some cows running, no people. I think we were moving recon by fire, but only scattered fire until we came on an even line near a line of bushes right at the start of the village itself. I don't remember any orders to fire as we moved but I didn't fire because the line was too staggered and I was afraid of hitting our own men. Besides I didn't see anything to shoot at. I think that when we moved into the village our platoon went first, pushing the people we came upon in front of us as we moved and that the 2d and 3d platoons followed to search

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>JU</u>	PAGE 1 OF <u>4</u> PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u>JU</u> TAKEN AT <u> </u> DATED <u> </u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u> </u> OF <u> </u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.		

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huts and tunnels and round up people that were missed by the first group through. All the people in the village we came upon were moving forward as we directed them to, most of them were old men, women and young kids. I did come across one dead woman with part of her head shot off, but I didn't see her killed. We kept moving through the village until we got to a big drainage ditch on the other side of the village. HO ordered us to put everybody into the ditch, saying something like "Get them into the ditch" or "Put them in there". I would guess that there were about fifty people in that ditch, maybe more. One I remember was a Buddhist Monk or maybe the Village Chief because he was wearing white garments. The villagers didn't offer much resistance. Most were women, children, babies and a few old men. The women were frightened and some of them began to cry and the Village Chief was crying too and bowing and saying something. HO but HO didn't understand what he was saying. I guess that the ditch was four or five feet deep and wide with a small wooden foot bridge across it. We had moved to the ditch in two groups but only one group got there. HR EA HO were moving one group of about fifty people and DN and one or two other guys were moving another group of about fifteen men, women and children. When we got near a rice paddy, I heard HO say to DN "Can you take care of this group?" DN didn't say anything except maybe a yes sir and just stood there doing what he had been doing. Watching the people and playing with the kids as he often did. Both groups remained stationary for a while as other villagers were brought to us, rounded up by following platoons or men. Our platoon further down the line. A few minutes later HO went up to DN again and said something like "Why haven't you wasted them" or something like that. I am pretty certain he used the word "waste". I guess DN understood HO to mean kill them because that is what I thought he meant. I turned to HR who was playing with some kids in our group and said "I think HO wants them all killed". HR said "Oh no" or something like that as though he couldn't believe it. I told HR "He can send me to jail, but I am not going to kill anybody". DN began to cry. But he moved the people in his group toward the rice paddy. HO told us to move out with the other group. As we moved our group to what turned out to be the ditch, I heard M16 fire from the area where we had left DN and the others. I assumed the fire was DN killing the people back there in the paddy. When we got to the ditch HR was gone and I didn't see him again although I heard he had an accident with a .45. I don't remember. HO remained behind with DN 3 or if he moved with our group. I know he started us moving but all I could do was look at those people and think that they might be killed and think of what would happen to me when I refused to fire at them. I do know that he was with us when we got to the ditch. DN rejoined us at the ditch, just before all the people were in it and helped push some of them in. He was still crying and didn't say anything. He walked up and stepped between HO and me. HO said something, I don't recall his words because I was looking at DN feeling for him because he looked so bad. Then HO started firing his M16 into the ditch with automatic fire killing those people and DN started firing into the ditch too. Somebody else might have fired but I can't remember who it was. DN was on my left, HO next to him. I don't remember who was on my right or if he was firing. I just stood there, stunned, looking at the people being killed, trying to hide under one another, women trying to hide their children with their bodies. DN was screaming at me and crying and firing into the ditch. He would stop for a second and yell "Why aren't you firing, Hiro, why don't you fire?" I yelled back "I can't, I won't". and looked down at the ground. I couldn't look at them being killed anymore. HO was firing automatic at first and then switched to semi-automatic. I think DN fired all automatic. Pieces of the people down there were flying up in the air from the impact of the M16s. When they stopped firing it appeared that most if not all of them were dead. HO looked at me and said "Get on the other side of the ditch before you get sick".

Not in a sarcastic tone, but as though he was really concerned with the way I felt. I jumped the ditch a little way down from the bodies. I recall seeing 42 on the other side and talking to him about what had just happened and that I refused to shoot them. I remember hearing some grenades exploding behind me in the village that sounded like they were going off in the underground parts of some huts. We assembled the platoon in an open area and moved away from the village. That was about nine or ten o'clock. I didn't see anyone else killed during the rest of the operation. There were some huts burned in the first village but not too much that I remember. The livestock was killed wherever we went but entire villages didn't get burned until we got to other villages. One village was burned just about down after we captured some VC cadre, a nurse and one or two other VC. KC captured the nurse. That was the next day. We never went back to the first village but we skirted around it the next day. There was a heavy stench from the village and I saw a row of fresh dug but empty graves just outside the village. The area seemed deserted and we didn't come across any bodies.

Q: Were you ordered to burn the villages?

A: No, that just happened as we moved through, some of the men lit a few matches and it just caught on.

Q: Did DS order the civilians to be killed?

A: No. I think it was a misinterpretation of DS intent because it was HO who ordered the people to be killed.

Q: Were the men of C Company eager to assault the village?

A: They were angry about losing GGC GGD and others without being able to do anything about it. GGD was killed in a mine field as GGC hit from across the river. A river we were not permitted to cross because it was out of our AO. I think the men were eager to meet the enemy that had killed their friends but there was no talk of killing civilians before the assault that I know of.

Q: Did you see DS in the first village?

A: Only once with the CP group when we first entered. I didn't see him again until we regrouped on the other side. JR DY maybe WN the RS and I think an MI man were with him. The MI man had a Vietnamese with him too and I heard that he was mad about all the killing and was going to report it. I remember that an order was circulated after the first village to stop killing civilians but I don't know who gave it. I heard that a helicopter pilot was angry too. When we got back to Base camp or LZ Dottie, PA met us and I remember him asking HG if there was any unnecessary killing. HG just said "I would rather not answer that sir" PA then told us that we were there to win a war, help the government get started and not to kill people unnecessarily or words to that effect.

Q: Did HR shoot himself?

A: I don't know. I heard that. That he didn't want any part of what was happening.

Q: Was any medical aid given to injured villagers?

A: None that I saw.

Q: Did you think that orders to kill inhabitants and destroy villages came from higher up?

A: No, it could have but people in the company might have thought that was what DS was telling them, HO included. But it was HO that gave the actual orders to kill civilians. What I thought C DS said was to be very cautious because anyone in that area could be VC.

Q: How much enemy equipment was captured including weapons?

A: I don't know, none that I saw.

Q: Would you be willing to testify in a court of law if it is requested of you?

A: Yes, if it is necessary. END OF STATEMENT

STATEMENT (Continued)

THE FOLLOWING IS A SUMMARY OF THE STATEMENT OF THE WITNESS OR PERSON MAKING STATEMENT. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

EXHIBIT: _____ DATE OF PERSON MAKING STATEMENT: _____ PAGE 1 OF 4

NOT USED

JU

AFF DAVIT

I, JU HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

JU
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of August, 19 69 at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

JU
(Authority To Administer Oaths)

ART 136b (1) UCMJ

PAGE 4 OF 4 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

NAME	DATE	TIME	FILE NUMBER
	7 Dec 69	1130	59-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
KB			Civilian
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I entered the US Army on 13 June 1967 at station. I was assigned to Company, Bn, 20th Infantry while the unit was at , on or about 22 Nov 67. I went to Viet-Nam with the unit. I served in /1/20, Platoon, 3rd Squad. as a . My Platoon leader was AB ; my platoon sergeant was DA and my Leader was, I think, FP I cannot recall, just off hand, who was members of the squad with me. The My Lai (4) incident occurred on 16 March 1968.

Q: What knowledge do you have of the pre-operational briefing, held the night of 15 Mar 68 by DS Please state name of persons who attended and what was said during the briefing.

A: The briefing was given to the entire company by DS , who told us that we were to go through the village. The village was supposed to be a VC village, in that everyone there was either a Viet-Cong or a VC sympathizer. DS told us that the villagers were to be warned that we would be coming through the village and that everyone remaining in the village would be considered to be VC. The unit mission in village was to "search and destroy". This meant for us to search the village and for us to destroy the whole village. By this I mean the huts, livestock, water sources, food caches, military supplies, etc. I cannot recall the exact wording that DS used but this was my understanding of the unit mission.

Q: Did DS instruct you that you were to kill the inhabitants of the My Lai (4) village area? Or did you get this impression that you were to do this?

A: NO, I did not get this impression about the inhabitants, only about the material things about the village.

Q: To your knowledge, did you or the members of your platoon discuss this briefing afterwards and before the actual mission?

A: Only to the extent that we discussed the fact that it sounded like the combat portion would be something bad.

Q: Can you recall anyone by name who attended this briefing?

A: No, but I believe that everyone in the company, who was not on guard in the bunkers, was at the briefing.

Q: Anything else about the briefing that you can recall?

A: Nothing specific except that it was mentioned on several occasions that this was an "enemy village" and that meant that we could expect someone to be hurt or shot.

Q: Let's talk about the next morning. Relate, as best as you can, what took place as far as you were concerned, starting with the entry into the helicopter.

A: I cannot recall who was in the chopper with me. We never had a chance to know the chopper crew members since they were assigned to ferry us from one place to another. It was relatively early in the morning that we took off, exact time unknown. We flew for about 10 minutes and, after circling the village several times, we landed on the west side of the village. The chopper landed and I jumped out and headed for the nearest dike. By dike I mean the rice paddy dikes. I headed for the nearest one for

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 6 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF , TAKEN AT , DATED , CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT OF ~~KB~~ KB
1969 CONTINUED:

DATED 7 DECEMBER

cover. After the choppers took off, the 3rd platoon moved up to a nearer dike - nearer the village. We waited at this second dike for about 20 minutes, awaiting orders to move into the village. As the 3rd platoon, we were in the reserve. The 1st and 2d platoons were ahead of us, getting ready to go into the village. I don't remember any shooting at this time. After the 20 minute wait, the 1st and 2d platoons having already gone through the village, my unit got the word to move up into the village. I entered the west edge of the village at a point about halfway along the village line. I wandered around through the village, moving generally in the direction towards the center of the village. Oh, yes, while we were waiting to move into the village, I recall seeing a person, male or female unknown, run from the village towards our right flank, headed more or less south. I think that I was the only person shooting at this person. I don't know if I hit this person or not but, whoever it was, went down and I don't recall seeing this person get up again, because shortly after that we moved into the village. I never did go up to look at this person. This person was 300-400 meters away from me when I shot at him or her. This person was dressed in black pajamas and I could not tell whether it was male or female. In my wanderings through first part of the village I saw a few civilian bodies, exact number unrecalled. There were old men, old women and children, ~~just~~ just a few here, a few there, usually lying by the "hootches". Cannot really recall too much in detail about these bodies. Shortly I reached the intersection of the trail that I was on and the trail which went, more or less, north and south. It was near this time that I shot a couple of pigs and a water buffalo with my M-16. After I had turned south along the north-south trail, I saw an "L" shaped house that had the bodies of two adults and one child lying on the ground in front of the house. This ~~house~~ house was not burning when I saw it this time. In this same general area and time-frame, I recall seeing a group of civilians, mostly women, a couple of older women, a few children, and maybe some older men. These people came from the east side of the north south trail, in the custody of two US soldiers. As far as I can recall, these soldiers were Negro. One was tall - about 5'11" to 6' tall, average build, nothing really distinctive about him. The ~~other~~ other soldier was about 5'6" to ~~5'8"~~ 5'8", also of average build. I don't remember who they were. The civilians were very upset, crying, yelling, screaming, and just carry on. I did not see anything unusual happen at this time. I passed this group, heading down the north-south trail, towards the south side of the village. As I was about 15-20 feet down the trail, past this group, I heard some shots behind me. I don't recall exactly watching or seeing the soldiers shoot the civilians. I turned around and looked at the group. The civilians were all down on the ground, including the children, and they were, I think, all dead or dying. I heard some moans and saw a little girl, about 8 years old, moving. The GIs were standing there pointing their M-16s at the group on the ground. The firing that I heard was M-16 fire on automatic. I looked at this scene for a few moments and ~~then~~ then I turned around again and went south along the trail. I don't recall hearing any more shooting by the two soldiers. As I walked south along the trail I passed 8 or 9 houses, saw some soldiers walking about, in and out of the hootches, but I don't recall exactly what I did see. As I reached the southern treeline of the village, I looked out over the bare space and, at a distance of approximately 100 meters, I saw what I think were some more bodies who were lying on the trail. At ~~this~~ this point, I turned west, moving in the treeline so that I would not be exposed. As I moved west I saw someone, who was small, and probably was a child, lying in the

STATEMENT OF
1969 CONTINUED:

~~XXX~~ KB

DATED 7 DECEMBER

road, just south of the treeline. After going about ~~XXXXX~~ 20-30 meters to the west, I turned around and went back to the east along the treeline. I really have no recollection of the "child" on the road. It was just someone who was there. I cannot state positively that it was a child, a man, a woman, old or young. Right now, as I think back, I could have waited for a while before I started back towards the north-south trail, because all the members of the 3rd platoon were joining up and getting ready to move out. We went back to the north-south trail, turned north on it, went back through the village, and went out the north side of the village. Then the platoon more or less joined up with the rest of the company and headed off in a northeast direction towards the ocean. This is about all that I can recall of my actions in the village.

Q: I would like to show you some photographs taken in the village on 16 March 1968. Would you please examine them and tell me if they refresh your memory in any way whatsoever.

A: Photograph #5, as marked on the back, is of the "L" shaped house I told you about. On the left of the photograph I can see the three bodies that I told you about. Incidentally, I would say that it was when I and the others of my platoon went north along the trail, that I saw this house again and it was burning at this time. I recall seeing the rice trays being on the bodies and being on fire.

Q: Anything else about the photographs?

A: The photograph, marked #11, shows an adult and a child which appear in photograph #5, on the left side, under or beside the burning rice tray. Photograph #17 shows, I believe, the group of civilians which I saw on the north-south trail just before they got shot, the ones being guarded by the two Negroes. I don't really recall any of their faces, however, and I could be mistaken. Photograph #14 appears to be the group of bodies that I saw from a distance of about 100 meters, just after I reached the south tree line. I cannot state for sure that this is the group because I never went too close to them. Photograph #3 shows what I think is the body lying on the road which is on the south side of the village area. Again, I cannot say so and be sure.

Q: Do any of the other photographs mean anything to you?

A: No, nothing that I can recall.

Q: Where was the briefing by ~~DS~~ held?

A: At LZ Dottie.

Q: About what time of day was the ~~XXX~~ briefing held? Was it on the 15th of March?

A: It was probably held late in the afternoon since it was still daylight, and it was on the 15th.

Q: The sweep through My Lai (4) was held on 16 March 1968?

A: Yes.

Q: Let us go back into the village again. Other than the scenes which you have already described, can you recall anything else in which a soldier or soldiers shot any civilians, burned any huts or performed anything which did not appear to you to be in accordance with your unit's standard practices?

A: NO, that was about all of it.

Q: What knowledge of ~~HR~~ shooting himself can you recall?

A: Just that someone else told me that he had shot himself in the toe. I think that I saw him after he did this, but I cannot be too sure. I may have taken a quick look around a corner at him.

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STATEMENT OF
1969 CONTINUED:

KB

DATE 7 DECEMBER

Q: What do you know of DS actions in the sweep through My Lai (4)?

A: Nothing. I did not see him at all. I do recall that, when the unit was down by the ocean, later, much after the attack on My Lai (4), I saw DS shoot over the head of a prisoner, I guess to get him to talk. It happened as I was passing by DS and the prisoner. I guess he shot over the prisoner's head twice. I did not see DS shoot the prisoner, or anyone else shoot the man. In fact, I don't have any knowledge of the fate of the prisoner.

Q: Did you see HO at all during the sweep through the village?

A: Not that I can recall.

Q: I know that you did not go out of the village towards the ditch which is on the south side of the village but do you have any recollection at all of what took place there, or of what anyone told you happened at the ditch?

A: No, nothing at all.

Q: Did AB you Platoon Leader, give your platoon any form of briefing after the briefing by DS

A: I don't recall any.

Q: How many villages would you estimate were shot that morning?

A: I would guess that around 100 villagers were shot that morning, during the sweep.

Q: How many combat assaults had you been on before My Lai (4)?

A: As far as I can recall, this was the first one.

Q: Was the assault on My Lai (4) different from any that you went on afterwards?

A: Yes, it was different from others that I went on afterwards. It was different because it was the first one for most of us; we had lost LB the week before to a booby trap; we had been fired on from south of the river but we were forbidden to fire back; three weeks before My Lai (4) we had gone into a mine field and had lost about 20 men; some of these men were killed but most were just blown up pretty badly; and, in general, the men of the entire unit were psyched up for the My Lai (4) assault and, as best as I can recall, the men were never keyed up to the extent that they were for My Lai (4).

Q: What knowledge do you have of a helicopter landing and the pilot talking to DS HO

A: No knowledge at all.

Q: What knowledge do you have of the shooting of a monk, a village chief, or a religious man, someone dressed in white, quite old?

A: None.

Q: What knowledge do you have of medical aid being given to the villagers?

A: None, I did not see any.

Q: What Viet-Namese personnel went with the unit on the assault?

A: I did not see any at all.

Q: Do you recall seeing or hearing anything about some of the soldiers raping some of the women?

A: I know nothing about this and did not hear anything about it either.

Q: What were your instructions or orders about reporting these types of incidents?

A: To the best of recollection, after the My Lai (4) incident, within a week of the assault, DS informed the company, at some sort of formation, that an investigation was being conducted and that all of us should be careful about persons we talked to. If someone came up to us and talked to us individually

STATEMENT OF
1969 CONTINUED:

KB

DATED 7 DECEMBER

we should make sure that the person was official. We should check their credentials, so to speak. We should not just be talking about it to just anyone, like persons from other units, in the barracks, etc.

Q: Did he order you, or instruct you, that the incident should be covered up, whitewashed, etc?

A: Not to my knowledge. I don't recall hearing anything like this.

Q: Did you report the incidents of My Lai (4) to anyone?

A: No.

Q: Prior to this date, has anyone other than your superiors questioned you about the My Lai (4) incident?

A: No.

Q: Did you discuss this incident with your superiors in any way or manner?

AK: No.

Q: Were you advised not to discuss this ~~XXXX~~ incident with anyone?

A: No.

Q: Were you advised by your superiors as to what your reply should be in the event that someone questioned you about this ~~XXX~~ incident?

A: No.

Q: Do you have any additional information or know of anyone who tried to suppress an investigation into the ~~XXXX~~ allegations concerning My Lai (4)?

A: No.

Q: Let's go back now to the sweep through the village and your passing through the village. Did you encounter any resistance?

A: No, since the other two platoons had already gone through the village and it was quiet.

QX: Are you absolutely certain that the unit mission was to burn the village?

A: Yes, the orders were that the village was to be destroyed entirely.

Q: Do you recall seeing a temple, pagoda or shrine? Or an especially nice house?

A: No, I don't recall seeing either of those.

Q: Did you see anyone with cameras, or did you have a camera, tape recorder, movie camera, anything else?

A: No. I did not have my camera and I don't recall seeing any with anyone else.

Q: Do you have any documents, maps, overlays, orders, etc about My Lai (4)?

A: No, none at all.

Q: Did you gather up any souvenirs during the operation?

A: No.

Q: What knowledge do you have of an "after action critique" held by DS

A: I know nothing about it.

Q: What knowledge do you have about Viet-Nameese Police being on the operation, or joining up later and questioning prisoners or shooting the prisoners?

A: I don't know anything about them. As far as I know their presence was not at My Lai (4).

Q: To your ~~XX~~ knowledge, was there an investigation of the incident while you were in Viet-Nam?

A: No. There was only talk that there was going to be an investigation. I was not questioned and I know of no one else that was questioned.

Q: So, to sum it all up, you, yourself, did not actually shoot anyone during the assault, only pigs, and a water buffalo?

A: Yes, that is right.

PAGE 5 OF 6 PAGES

STATEMENT (Continued)

Q: You cannot identify ~~any~~ anyone who did shoot any of the civilians?

A: No, I cannot.

Q: You cannot recall seeing the following persons at all during the attack, and what each was doing at the time that you saw them: DS HO DN DV WC
GL WN OC LR AP HR

A: No, I cannot specifically recall these men at all during the assault.

Q: What damages or casualties were caused by artillery or gunships?

A: As far as I know, none by artillery. I cannot even recall hearing any rounds come in. I would not be able to tell about the gunships as they use the same ammo as the troops on the ground do.

Q: I am going to show you a sketch of the what is supposed to be My Lai (4) village. Please trace your movements, as best as you recall, through the village; point out the various places where incidents happened that you have told me about here.

A: OK.

(At this point, KB traces his path through the village and points out the place of incidents which he spoke about.)

Q: Please explain the various markings on the sketch.

A: The black arrowline is my path. #1 is the "L" shaped house with the three bodies. #2 is the small person, probably a child, lying on the south edge road. #3 is the location where the group of about 15 people were shot by the two Negro soldiers. #4 is the scene of a group of bodies which I saw from about 100 meters away.

Q: Is there anything further that you wish to add to this statement?

A: No, not really. ///////////////////////////////////NOTHING FOLLOWS////////////////////////////////////

AFFIDAVIT

I, KB HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

KB
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of December, 1969

ORGANIZATION OR ADDRESS

LV
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136(b)(4), HCMT
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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STATEMENT BY ACCUSED OR SUSPECT PERSON		For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.	
PLACE	DATE	TIME	FILE NUMBER
	22 Sep 69	1230	69-011011-00014
LAST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY ACCOUNT NO.	
KT			
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY OE

OR

THAT HE WANTS TO QUESTION ME ABOUT Murder

OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.

I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.

I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.

I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.

☒ (DO NOT) WANT COUNSEL.

☒ (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS.

KT
(Signature of Person To Be Questioned)

INTERROGATOR: EO (Signature)

WITNESS: (Signature)

(Typed Name and Organization)

PART II - SWORN STATEMENT

I, KT WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I was assigned to Co , Bn, 20th Inf, 11th Lt Inf Bde. in Hawaii in Jan 67 and on 2 Dec 67, I accompanied the unit to Vietnam. and I was with the Mortar Plt. The Mortar DJ I recall the unit participating in a combat assault mission on the small village of My Lai (4) near "Pinkville." This occurred during March 1968. As I recall we were on LZ Dottie. The DS and the evening before the mission he had a briefing. I was told this was to be a search and destroy mission. Specially we were told to destroy everything. Men, women, children, animals, food or anything that produced food or shelter for the VC. I think we were told that we were the first troops in the area for about 20 years and the area was ~~known~~ heavily bobytrapped and infested with VC. We were told that pamphlets and passes had been dropped and an L-19 had been in the area broadcasting for the people to clear the area. As far as I was concerned anyone still in the area was considered to be VC. I guess the briefing lasted about an hour. From what w were told it was expected to be a hot LZ. I guess we moved out the next morning about 0730 -0800 hours. I was on the third air lift and we landed in a dry rice paddy about 300 meters from the village. It was a cold LZ. By this I mean there was no enemy fire. We set up the mortar and spent about 3-4 minutes and then waited about 5 minutes to 10 minutes. There was no incoming fire but I recall hearing a machine gun firing and realizing that it was our own weapons. We didn't fire any mortars. After we had been on the ground about 30 minutes the mortar started moving out behind Hq Section. One plt was behind us but after we had moved into the village

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>4</u> PAGES
	KT	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF KT TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2820

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STATEMENT OF
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KT

DATED 22 SEP

I think this plt moved in front of us and the mortar plt was in the rear. We started through the village burning the hooches and cutting down the corn and banana trees. Everywhere I ~~XXX~~ turned there were dead Vietnamese laying around. Most of them were women and children. We went through the village and I set about 10 fires to hooches. I hadn't been in the village too long until ~~HR~~ , had gone into a tunnel and had shot himself in the foot. I don't know if he shot himself on purpose or by accident. Anyway he was clearing a tunnel and I was nearby when he came out of the tunnel. He still had his boot on and the medic had not been called. As I recall we had found the tunnel and stopped for a break. ~~HR~~ was a tunnel rat and was called to clear the tunnel. ~~HR~~ was banged up and ~~DS~~ called for a dust off and after the helicopter had moved out ~~HR~~ the plt started to move again. A little later I saw two guys interrogating an old Vietnamese man with a beard. One of the guys was Vietnamese and the other was an MI Agent. After these two had questioned the old man for a little while, I think the Vietnamese guy shot the old man. Then I think somebody from the line plt finished the old man off by shooting him with an M-16. He was shot by a gate near where they had been questioning him. This is the only person I saw shot during this mission. We continued to clear the village and set fires and destroy the food. Between half way or three quarters through the village

~~DS~~ requested permission to cease fire, or to change the mission from a search and destroy to a search and clear. He had called higher headquarters and I am pretty sure I heard him radio headquarters and say all the company was finding was old men, women and children. I think he asked permission to change it to a search and clear mission. I think the first time he reduced he was refused permission and the second time permission was given. At this time ~~DS~~ gave the orders to cease firing. After this we continued to clear the village and burn the hooches but everybody stopped firing. I can't recall if we stayed near the village that night or not but we cleared the general area and spent two nights in the field. I can't recall any shooting after the cease fire order had been given but by this time I think every body was dead.

Q: Can you describe the dead Vietnamese?

A: Yes. One scene I recall was a Vietnamese woman with 4-5 real small children near the doorway of a hooch and they all had their brains shot out. Another bunch of bodies 12-15 Vietnamese mostly women and children were lined up on a road by a fence. It looked like they were lined up by the fence and shot down. The old Vietnamese man with the beard was shot 6-7 times. The rest of the people were just shot up, arms legs gone and dead when I saw them. They seemed to be mostly children.

Q: I would like to show you a photograph depicting an old Vietnamese man with a beard and two men in US fatigues, one of which appears to be a Vietnamese. Are these the persons you described earlier?

A: Yes. After they had talked to the man, the Vietnamese shot the old man and the line company shot him. I don't know who shot him from my company.

Q: I would like to show you a photograph depicting some dead Vietnamese laying in a road or trail by a fence. Did you recall seeing this group of people?

A: Yes. That is the first group of mass people that I had seen shot. I saw the photographers come in on a chopper and this group of dead people were right near where they landed.

Q: I would like to show you a photograph depicting a burning building and several Vietnamese bodies. Do you recognize this photograph?

A: Yes. We took a break at this building, after we checked it out. The Vietnamese had already been killed.

Q: How many fires did you start during this mission?

PAGE 2 of 4 PAGES KT

STATEMENT OF :
69, CONTINUED:

DATED 22 SEP

A: I'd say about 10 but I don't know for sure. Sometimes more than one person started a fire on the same building. That was a job to burn the village.

Q: Did you shoot any of the Vietnamese?

A: No.

Q: Was your weapon fired during this mission?

A: No.

Q: Were members of the Mortar Plt firing their weapons at the Vietnamese?

A: No to the best of my knowledge.

Q: Did you have any occasion to see the unit officers during this mission?

A: Yes I know I saw DS and I heard him on the radio when he was getting the cease fire order. As I said the mortar Plt usually is in the rear and I might have seen the other company officers but I am not sure.

Q: How long were you in the village?

A: A good part of the day. I'm not sure.

Q: You described a briefing by DS Did you have any other briefing before you went on this mission.

A: Yes. I went to an NCO briefing sometime before the mission. The night before I think. This was our only search and destroy mission the NCOs wanted to know the difference from a search and clear mission which was our usual mission. At this time we were told all the people, houses, livestock and everything was to be ~~XXXX~~ destroyed. I gathered that when we left the village there was supposed to be nothing left.

Q: Was all the members of the company at this briefing?

A: No this the first briefing before the company briefing so the NCOs could explain the mission to the troops.

Q: Who attended this briefing?

A: DS all the Plt Leaders and Plt Sgts. I was there to get the overlays for the mortar and any possible mortar fire we had to do. I think the medics and CO's ~~XXXX~~ RTO was their too.

Q: When was this briefing?

A: The night before the mission. I believe it was dark at the time we had the briefing.

Q: Before you went on this mission, did you expect to kill the women, and children in this village?

A: Yes.

Q: Did DS specifically say to kill all the women and children?

A: Yes. He said everything goes. He also said that the villagers had been warned to get out of the village. We didn't expect many people to be in the village.

Q: Was this mission different from the other combat missions that you participated on?

A: Definitely. This was the only search and destroy mission I had the whole time I was in Vietnam.

Q: Do you recall a Vietnamese Monk being killed?

A: No.

Q: Do you recall seeing a well with a Vietnamese body inside?

A: I remember seeing one, but I don't know if it was at this village or not. I recall ~~XX~~ that we returned to the village and had to drink the water in the same well. But the body had been removed. I can't recall if this was My Lai (4) or not.

Q: When HR was shot in the foot did he say anything to you or to anyone else that you know of?

A: No. He was in pain and he said he had accidentally shot himself as he was backing out of the tunnel. His 45 pistol was on full or half cock. He didn't do very much talking.

Q: Are you acquainted with MEA DLO, a member of the 1st Plt at that time.

A: The name is familiar but I can't put the name with the face.

Q: Do you recall any other injuries by member of your company during the mission on My Lai (4)?

STATEMENT (Continued)

A: No there wasn't anybody to shoot at us.
 Q: During the entire assault, did anyone shoot at you or members of the company?
 A: Definitely no one shot at us. I don't believe anyone shot at the rest of the unit.
 Q: Can you explain why the vietnamese women and children were shot?
 A: That was the mission. I talked to some of the guys and they said that was the mission so they shot them.
 Q: What was DS reaction to all the shooting?
 A: He was physically sick. I know he didn't like it. He wasn't with the lead elements. I think most of the people were shot very quickly when the line plts first moved out. When PS moved and realized the extent of the massacre, he requested permission to stop it. I feel he was definitely just following orders.
 Q: Is there anything else you would like to add to this statement?
 A: I think it was something we had to do and nobody liked it. I think that everybody wished that it never happened. ^{MF}

AFFIDAVIT

I, KT, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

KT
 (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22d day of September, 19 69

ORGANIZATION OR ADDRESS

UE
 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE Ft Hood, Texas	DATE 13 Jan 70	TIME 1650	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME JX	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

Ft Hood, Texas

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 3 May 67, I enlisted in the Army and took basic training at Ft Gordon, Ga, during the period 3 May - 3 Jul 67. I then went to Ft Dix, NJ, and remained there until the middle of October 67. After taking a 14 day leave I was further assigned, Schofield Barracks, Hawaii. During the period on or about 1 Nov 67 thru April 68, I was assigned to Co C, 1/20th Infantry, 11th Bde. I arrived in Vietnam on or about 12 Dec 67. We were put up in the Duc Pho area. We worked out of Duc Pho for about one and one half to two months. During this time I was performing duty as a field wireman. We then started working around the area of Chu Lai. We were working out of LZ DOTTIE and LZ UPTIGHT. About the middle of February 68, I took over as RTO (radio operator) for Co C. Did you attend any briefing(s) that were given by Co C prior to the combat assault mission at My Lai (4) on 16 Mar 68?

A. Yes, as best as I can recall, one the night before. Co C had all of Co C together and he briefed us that we were going to be going through a village. I can not recall if he said that it was My Lai (4) at this time however, the next day when the mission was carried out I knew it to be My Lai (4). I attended the briefing but at this time I can not recall of any statements made by Co C or anyone else or what the briefing consisted of.

Q. What were your duties as RTO for Co C?

A. I was to receive any and all radio transmissions that came in from Co C for Co C. Most of the time I stayed right beside Co C throughout the operation.

Q. Did you attend any briefing(s) given by Co C prior to the combat assault mission on My Lai (4) on 16 Mar 68?

A. I don't know whether you would call it a briefing or not but just before we went into the village Co C informed his men, I believe 1st Platoon, that the village was a VC village and that we were supposed to kill everything meaning the people, the livestock and completely destroy the village to include burning the hootches. I can not say that these were his exact words but he said words to the effect.

Q. Were you given any specific instructions by Co C prior to or while going through the village of My Lai (4)?

A. Most of the time he said for me to stay close to him which I did do. All I did was follow him and gave him any call that came in for him.

Q. Do you recall of any transmission from Co C in reference to what Co C was doing while going thru the village?

A. I can not remember of Co C calling down to Co C but do remember of Co C calling in his locations to Co C on several occasions while proceeding thru the village.

Q. Did you at any time hear of Co C either calling over the radio or otherwise put out the order to stop shooting the people?

A. I do not recall of any radio transmission from Co C in reference to stop shooting the people but for some reason members of Co C, did stop shooting the people and left

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JX	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 323

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" Statement of :
continued"

JX

, taken at Ft Hood, TX, dated 13 Jan 60

several go.

Q. What do you recall about your and ~~HO~~ movements through the village of My Lai (4)?

A. ~~HO~~ let his men go first and he followed behind them usually by a few meters. To my recollection ~~HO~~ did not shoot any Vietnamese civilians at all throughout the operation. I was either always off to the side or behind ~~HO~~ only by a few feet.

Q. Did you see ~~HO~~ assault any Vietnamese civilians in any manner?

A. No.

Q. Did you witness any members of Co C shoot or kill any Vietnamese civilians?

A. Yes, this was about in the center of the village, along the perimeter on the eastern side I saw FFK who was a M-79 grenade launcher, fire a 79 round into a group of about 12 Vietnamese people. These civilians were gathered together in a group and consisted of one man, the rest were elderly women and four or five small babies that the women had in there arms. If I am not mistaken, FFK took it upon himself to fire into the group. Then as I recall, either a big and husky colored E-8 or E-9 Sgt or ~~HO~~ then told FFK to finish off by killing the ones in the group that had been wounded by the M-79 fire. There was one other person, American soldier, but I do not recall who he was, and he witnessed the killing.

Q. Did you witness any other civilians being shot or killed?

A. Yes, there was one other incident where a Vietnamese woman about in her late thirties who was holding a small baby. I witnessed a soldier shoot at this woman with an M-16 at a distance of about 35 meters. He shot off her right arm at the wrist. All that was holding her hand on was some flesh. This woman ran into a hootch. At this time someone gave this soldier, to go into the hootch and kill her and the baby. I heard this soldier telling him to do it but I can not remember who it was, nor do I remember who shot her and blew off her right hand. I can not describe either of these soldiers. This incident took place at the beginning of the village where the assault started which was the west side.

Q. Do you have knowledge of any other incidents where civilians were shot or killed?

A. Not any specific incident that I witnessed happen but I did see people throughout the village that had already been killed.

Q. Did you see a group of Vietnamese civilians shot and piled up in a trench on the east perimeter of the village?

A. No.

Q. Did Co C receive resistance or fire from within the village at the beginning of the assault upon the village?

A. No, it was a clear sweep and they moved right into the village.

Q. Were there any weapons or prisoners captured during the assault?

A. Yes, along the northeast perimeter there were two VC that were shot and one was carrying an AK-47 weapon and the other was carrying an M-1 carbine.

Q. I now show you a master set of black and white photographs of the MY Lai (4) area. Do they mean anything or refresh your memory to the area?

A. Yes, photograph #1 as I recall is looking from west to east through My Lai (4). We moved thru the village from west to east toward the sea.

Q. Do you know of anyone who took photographs of the mission?

A. No.

Q. Prior to this interview had you ever been queried about the incident before?

A. No.

196

JX

Page 2 of 3 Pages

STATEMENT (Continued)

Q. Do you have knowledge of any other wrong doings that occurred at My Lai (4) on 16 Mar 68, that we have not discussed or that you have not brought to my attention that is pertinent to the investigation?

A. Yes, on the east side of the village I witnessed two Puerto Ricans, one who was having intercourse with a Vietnamese girl about 18 years of age and the other one appeared to be standing close by waiting to have intercourse with the girl also. The girl did not appear to be fighting or offering resistance. The girl was on a trail at the outskirts of the village and I walked up on the scene and saw the girl nude and laying on the ground and the one Puerto Rican having intercourse with her. I do not know if the girl was threatened in any manner but assumed that she was letting them have their way for fear of her life.

Q. Can you describe the Puerto Ricans?

A. The one that was having intercourse with the girl was small build and thin. The other one standing by was about the same size and was kind of chunky.

Q. Did you attempt to stop them from molesting the girl?

A. No, I walked on by them. Shortly after, I saw the girl joining and walking with a group of other Vietnamese down thru the rice paddy.

Q. Do you have anything additional to add to your statement?

A. Yes, I did not shoot or kill any of the Vietnamese people at My Lai (4) on 16 Mar 68. During the mission I was carrying an M-16 rifle but had never fired it.

/////////////////////////////////NOTHING FOLLOWS/////////////////////////////////

AFFIDAVIT

I, JX HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

JX
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of January, 1970 at Et Hood, Tx

BBB12
(Signature of Person Administering Oath)

BBB12
(Typed Name of Person Administering Oath)

Article 136, UCMJ, 1969

(Authority To Administer Oaths)

PAGE 3 OF 3 PAGES

WITNESS STATEMENT (AR 15-10 - TM 100 3)			
PLACE Port San Houston, Texas	DATE 13 Sep 69	TIME 1145	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME JO	SOCIAL SECURITY ACCOUNT NO.		GRADE Civ
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
<p>I, JO, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>I enlisted in the US Army 24 Oct 66, and was separated to attend college on 8 Sep 69. In the latter part of Feb 68, I was assigned to C Co, 1st Bn, 20th Inf, 11th LI Bde, in Vietnam. Prior to this time I had been in A Co. I recall the company being a part of Task Force Barker and making a combat assault on the village of My Lai (4) in the area of "Pinkville". This happened sometime in March 1968, shortly after I had been assigned to the unit. My job was _____ and I was a member of 3rd Plt at the time of the assault on My Lai (4). My Plt Leader was AB and my Plt Sgt was DA. The RTG was XN. I can't recall who the Squad Leaders were because 3rd Plt had had a lot of the people in the plt were newly assigned. The day before the mission on My Lai (4), the unit had a briefing by the Commanding Officer. DS This briefing took place at LZ DOTTIE and lasted for 15-30 minutes. DS stated it was considered to be a VC village and everybody should be careful. Also that we should expect heavy opposition and sniper fire. We left LZ Dottie early the next morning and I was on the third air lift by chopper to the landing area. AB DA XN and I were on one air craft. We landing in a rice paddy about 100 yards from My Lai (4) to the west. The 3rd Plt was the rear plt and our job was to burn down the village. After we landed we took cover and waited in the rice paddy. When I got there the 1st and 2nd plts had already moved into the village. We waited in the rice paddy for about 30 minutes and then moved out into the village towards the east. AB XN and I were in the middle of our plt and we sort of stayed on a trail going through the middle of the village. After we got into about the middle of the village, I saw dead vietnamese people scattered all over the area. I estimated that I myself saw about 50 dead Vietnamese people in the trail area in the center of the village. I was towards the edge of the village when a call came over the radio that 1st Plt needed a medic. I returned back a little ways and towards my left when I came upon a Negro who had been shot in the foot. It was a clean wound through the foot and I bandaged it up and gave the man a shot of morphine. Two guys from 1st Plt carried the Negro over to where the Senior Aidman, BBP, was going to medivac the Negro from. I started to leave and BBP called me back and then he and I put the Negro on a chopper. Then I returned to my plt area and joined AB. By this time most of the shooting had stopped and all of the burning of the village had stopped. By this time things were pretty quiet compared to what they had been. We moved on through the village and formed with the rest of the company and proceeded northeast to My Lai (5) and cleared the village. I think we then cleared My Lai (6) and set up for the night. The next day we cleared the area towards the coast in a southerly direction and I am not sure if I spent another night or not. Anyway we didn't get into the village called "Pinkville" and returned to LZ Dottie much sooner than I had expected. When I left I had carried extra medical supplies as I expected to stay in the field for about a month.</p> <p>Q: How were you armed during this assault?</p> <p>A: I had an M-16 and about 8 magazines.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JO		PAGE 1 OF <u>4</u> PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

Statement of JO taken at Fort Sam Houston, Texas, dated
18 Sep 69 (Continued):

Q: During this mission did you fire your weapon?

A: No I did not fire at all.

Q: During the briefing you received from DS were you told to burn the village or kill all the civilians?

A: No we weren't told this. The morning we went on the mission and were in the rice paddy we received some sniper fire. At this time I believe DS said that 3rd Plt would have the job of burning the village.

Q: Did you start any fires?

A: No I did not.

Q: Did you see any of the fires started?

A: As I moved through the village most of the fires were already started. AB and I were located to the rear of the 3rd Plt. I don't recall seeing anyone start a fire but I did see persons standing around the hooches watching them burn.

Q: Did you see any fires where people were being burned?

A: No I did not.

Q: How many people did you see that had been shot?

A: I'd say about 50.

Q: Can you describe these people?

A: They were Vietnamese women, men and children of all ages. I don't recall anything in particular about them. At the time I wasn't looking for anything and I didn't think it was pleasant at all.

Q: How did AB react to all the people being killed?

A: He was like me. He was stunned and he said he was going to radio and find out what was happening. He was calling DS and the other plt leaders to find out how the people were killed. I seem to recall a radio report that someone said the helicopter gunships were doing a lot of shooting. I can't recall who this was from. XX Very soon after this the order came down to cease fire.

Q: How long had you been in the village at this time?

A: I would say a good 30 minutes.

Q: How long were you in the village?

A: Somewhere about 2 hours.

Q: Then most of the shooting occurred in the XX first 30 minutes after the company landed in the area?

A: Yes. After the cease fire, the only thing I recall was the gunships shooting as they were moving up the area.

Q: While you were moving through the village did you see a ditch where people had been shot?

A: No, I saw the ditch that you are talking about. It was outside the east side of the village. Third plt came up to the ditch and one squad crossed the ditch where the people had been shot. They notified AB by radio of the people being shot but I didn't see the people. My section crossed the ditch at a bridge and I never went to the area. I think AB said he would check it out but I don't know if he did or not.

Q: Do you know how many people were in this ditch?

A: No I don't. They didn't tell us.

Q: During the assault on My Lai (4) did you treat any other US personnel besides the Negro shot in the foot?

A: No I didn't. Later on I heard that someone in first plt, I believe it was the next day, someone stepped on a mine, but I wasn't there and didn't treat anyone else. These are the only two injuries that I recall.

Q: Did you give any of the Vietnamese any medical treatment?

A: No they were all dead.

Q: Was this combat mission like other missions that you had been on?

Statement of JO, taken at Fort Sam Houston, Texas, dated
18 Sep 69 (Continued):

A: No, I'd never been on a mission like this.

Q: Why was this mission different?

A: Because I had never seen so many women and children killed. *THAT HAD BEEN*

Q: Can you explain why the women and children were killed during the assault on My Lai (4)?

A: No I can't. Other than that they were shot by the choppers or by accident.

Q: Did you see anyone shoot any of the Vietnamese?

A: No. We were rear plt and I didn't see anyone shoot any of them.

Q: Earlier you stated you estimated that 200 ~~XXXXX~~ people were killed. Can you explain this?

A: I guess like I said I saw about 50 people killed on the trail that I travelled through the village. I estimated that 150 were killed on the other parts of the village that I did not see. Altogether I guess about 200 people were killed.

Q: Did you see any Vietnamese that were not killed?

A: I didn't see any.

Q: Were any people killed during your clearing of My Lai (5) and (6) later that day?

A: No, I recall meeting about a Company of Vietnamese soldiers who had captured 2-3 VC. They were questioning the men and I think they shot one. I didn't see any civilians killed.

Q: During the assault on My Lai (4) were any weapons found?

A: Yes, at the beginning when third plt was in the rice paddy waiting to go into My Lai (4) the plt received some sniper fire. One of the squads, headed by *XB* moved out and searched the area. They found 1 or 2 VC and killed them. I am pretty sure they recovered two VC rifles. These are the only weapons that I know of.

Q: *DS* was with your plt, were you with him?

A: No, he was not near me, but he was with the plt and in the area. Everyone once in a while I saw him move about the village.

Q: What was his reaction to all the people being killed?

A: Like I said I don't know. All I know is he gave the order to cease fire.

Q: During the assault on My Lai (4) did you have any occasion to see the other Plt Leaders, *ZG* *HO*

A: No they were way in front of us and I didn't see them at all. Not until we had been thru the village and teamed up to move to My Lai (5). I don't know what they were doing.

Q: After you returned LZ Dottie after this mission, were you questioned about the mission by anyone?

A: No, today is the first time anyone has ever asked me about it.

Q: Did you recall seeing anyone shoot the Vietnamese civilians?

A: No.

Q: Were the members of third plt shooting?

A: They could have been but they were spread out so I don't know. The people around me in the center of the village were not shooting.

Q: Is there anything else that you would like to add to this statement?

A: I could be wrong ~~XXXXXX~~ about the number of people killed. The other two plts may have orders to kill the people I don't know. I didn't see the people killed. *HAD*

Q: Anything else?

A: That's all I can think of. *JO*

STATEMENT (Continued)

STATEMENT (Continued) I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENT OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

EXHIBIT	DELIVER TO PERSON MAKING STATEMENT	DATE FOR
---------	------------------------------------	----------

NOT USED

JO

AFFIDAVIT

I, JO HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENT OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of September, 19 69 at Fort Sam Houston, Texas

ORGANIZATION OR ADDRESS

SIGNATURE OF PERSON ADMINISTERING OATH

(Signature of Person Administering Oath)

OE

(Typed Name of Person Administering Oath)

Article 136.(b) (4). UCMJ

(Authority To Administer Oath)

ORGANIZATION OR ADDRESS

DATE

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

WITNESS STATEMENT

For use of this form, see AR 19-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
	9 Dec 69	2200	69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
LJ	1		Civilian
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I joined C/1/20 in Hawaii during Nov 67. About 1 Dec 67, we arrived in Vietnam. While with that unit in Vietnam, I was assigned to the 3d Sqd. 3d Plt. My Plt Ldr was AB. My Plt Sgt was PA and Ldr, Specialist X B. The only other members of my squad that I remember were OD and EY.

I vaguely recall that one day during Mar 68, we had a company briefing during which DS, the Co Commander, gave us a "pep talk" about an operation to take place the next day at Song My or "Pinkville". He told us that there were VC in the village, to expect and be ready for certain heavy enemy contact. He said it would be a chance to get even for some of the men we had lost before in that area. That is all I can recall that DS said.

A subsequent briefing from our Plt Ldr, AB concerned cleaning weapons, getting our gear ready, time of departure, heli-lift assignments, etc. I do not recall instructions pertaining to non-combatants. I do remember being told that we were to destroy houses, crops, animals and all sources of food and water.

The next morning we were at the LZ (Dottie) waiting to be flown to My Lai (4). The lift was delayed about an hour after dawn for artillery clearance and supposedly to give the women and children a chance to clear the area. This word came down to chain of command. We finally CA'd to My Lai (4) and I was in the 1st lift. Upon deplaneing, the 3d Plt set up security for the LZ and as 1st and 2d Plts arrived, they formed on a line near the edge of the village. They moved into the village going east. My squad moved south-east. I was carrying a PRC-25 and M-16. I saw a male with a weapon running from the direction of the village to the east. My squad fired at him and he dropped in tall grass. A helicopter pilot saw this and marked the area with smoke so we could find the man. We searched and found him to be a dead male Vietnamese, approx 30 years old. He had an M-1 carbine which we took.

We then moved east along a ditch, crossed the rice paddies to the south edge of the village and followed a path east to a north-south trail and went south to a clump of trees, checked a building and returned to the village up the north-south trail. It was on that trail that I saw approx 15 bodies of men, women and children that appeared to have been killed by small arms fire. I don't know who had shot these people. No one was around when we got there. During this time, I believe I was with X B and M M M M. Back in the village we searched houses for weapons. Part of the village was already on fire. I remember watching for CC U while he went down a tunnel inside a house. He didn't find anything. Then we just moved around. Everyone was searching and burning. I couldn't do anything because I had the radio to take care of.

During my ambling through the village, I observed numerous burning houses and bodies of men, women and children scattered around. I don't know who shot any of those people. I can't pinpoint any locations.

Sometime during the day while walking around outside the village I saw about seven bodies of men, women and children in a ditch. I only recall that the ditch was south of the village.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
	LJ	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Those persons had been shot by small arms also.

I can't recall anything after that.

Q: Do you recall going to another village?

A: No. I just don't remember.

Q: Do you recall seeing DS that day?

A: Yes. I saw him several times at various places with his RTOs, his medic and CP Group. He was always busy directing people and giving orders. The only time I saw him with a Vietnamese was a day or two later near the coast. A prisoner was against a tree. I don't recall if he was tied or not. DS was trying to get him to talk and fired his M-16 over the man's head, then indicated that if he did not talk, that he DS would shoot him in the head. RJ the interpreter then took over the questioning and threatened to cut the man's fingers off if he did not talk. The prisoner then talked and eventually led us to a house where some hand grenades, tennis shoes and canteens were cached.

Q: Did you see AO during the operation?

A: No. I never did see him.

Q: Did you at any time witness any members of your unit shoot or rape any of the villagers?

A: The only killing I know about personally was the man I told you about with the carbine. The Vietnamese I saw were already dead when I came upon them. This was done by 1st and 2d Plts. As for rape, I didn't even hear anyone talking about that. Actually, we, my squad, didn't do too much, we were like a blocking force at first and entered the village after 1st and 2d Plts. Then we just helped to kill animals, search and burn.

Q: After viewing the pictures I have here, can you comment on any of them?

A: I recall seeing #10, a man laying dead outside his house in MyLai(4). The women in #13 was laying in the ditch that I saw. I observed the scene in #14 on the North-south trail to the east of the village. I believe #15 was also on the trail. M M M is the man in front in #18. I believe that may have been as we shot at the man with the carbine.

Q: Do you recall the capture of a VC nurse?

A: Only that we had one. I don't know how she was caught or by who. She was held at the Plt CP and escaped during the night. I remember she had a basket of bandages and sterile water. That's all I know about her.

Q: Do you recall any of your radio transmissions?

A: No, just orders to move, search and stuff like that from A B

Q: Did you see a helicopter land during the operation?

A: Just the ones that brought us there.

Q: Did you have a briefing after the operation?

A: I don't remember one.

Q: Do you remember anything about your flight to MyLai(4)? Arrival time, names of pilot or crew, plane numbers, etc?

A: No.

Q: Upon entering MyLai(4) did you observe casualties or damaged buildings which may have been the result of artillery, gunships or mortar barrages?

A: There may have been, but I just don't remember.

Q: Did you take any pictures at MyLai(4)?

A: Yes, I took alot of pictures, but I lost my camera as we were leaving the area. I had an Instamatic 104. I don't have any pictures, documents or anything pertaining to that operation.

Q: Do you recall a temple, pogoda or shrine at MyLai(4)?

A: No.

Q: Could you estimate how many persons were killed at MyLai(4)?

A: I'd say no more than 100

LS

9 DEC 69 (CONT)

17Q: Did you see or hear about prisoners being shot after interrogation?

A: I was nearby one night when the Vietnamese National Police shot a prisoner that they had. I did not see them do it, but I saw the body the next morning at the Police campsite. That's all I know about prisoners being shot.

Q: Do you recall any orders to commence or to cease fire?

A: No, there were none of those.

Q: Did you see any Vietnamese receive medical aid?

A: No.

Q: Having read a roster of the men in C/1/20 during Apr 68, can you recall anything specific about anyone listed there?

A: No.

Q: Do you recall any resistance to the landing?

A: I think I would remember if we had received any fire. As I recall, there was none. No one ever told me he was shot at.

Q: Have you ever been interviewed about the operation at My Lai(4) by anyone?

A: Yes. First W F ONLY (Phonetic) contacted me at my home by telephone during the first week of Dec 69. He asked to see me at home and I consented. He came to my home and with tape recorders and TV cameras, interviewed me. The interview lasted approx 45 minutes. I don't recall all the questions, but he asked me essentially what I saw, did, etc. He asked me how it happened and I stated that I didn't give the orders, that it had to come from higher up. I don't recall everything that was said. ONLY (Phonetic) was with CBS. A couple days later the Stockton Record, the local newspaper, contacted me for a interview. I was given a name and telephone number of a reporter to call, but I never did. The next day I saw an article in the paper that was an extract of the CBS interview. This has disturbed me and I am not going to make any more public statements, although I will cooperate with investigating officials.

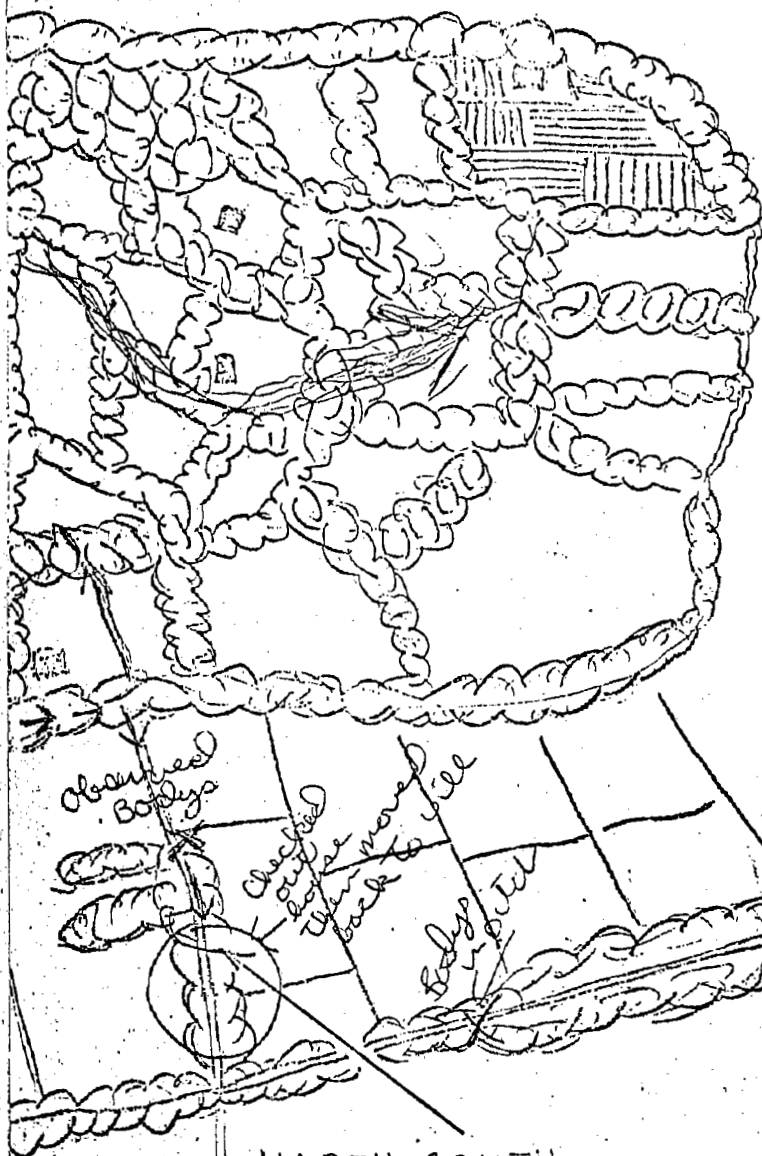
Q: Is there anything that you would like to add to or delete from this statement?

A: No, I can't recall anything else LJ

X X X X X X X X X X X X X X X X X X END OF STATEMENT X X X X X X X XX X XXX X X X A X

Initials LJ

Page 3 of 4 Pages



DITCH

Observed
Bodies

NORTH-SOUTH
TRAIL

LJ

12-9-69

EAST-WEST ROAD

207

LZ
AREA

Landed here

My route taken
with Grimes

moved
along
trail

U.S. Air
Way

Boyer

12-9-69

STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-10)

PLACE	DATE 17 Sep 69	TIME 0930	FILE NUMBER 69-CID011-00011
LAST NAME, FIRST NAME, MIDDLE NAME JK	SOCIAL SECURITY ACCOUNT NO.		GRADE SP5
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY **OE**

OF ARMY CID

THAT HE WANTS TO QUESTION ME ABOUT Murder

OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.

I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.

I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.

I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.

OE (DO NOT) WANT COUNSEL.

JK (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. **JK**

INTERROGATOR **OE** WITNESS: _____ (Signature)

1st MP Det (CI) //
Washington, DC 20311

(Typed Name and Organization)

PART II - SWORN STATEMENT

I, **JK** WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: Approximately late Nov 67, I was assigned to C Co, 1st Bn, 20th Inf, 11th LI Bde, stationed in Hawaii. On 1 Dec 67, the unit departed for Vietnam. I remained in C Co until 5 Jun 68, when I was transferred to another unit. During the time I was assigned to C Co, I was a medic with the 2nd Plt, except for my last few days. The unit was assigned to Task Force Barker and I recall the combat assault on the area called "Pinkville". I am not sure but I believe the mission occurred sometime in Mar 68. I recall getting a briefing before going on this mission which was the evening before we left for the village called My Lai (4). The briefing was at the area of the Co C CP on LZ Dottie. **OS** the CO, conducted the briefing. **OS** stated the 47th VC Regiment was located in the area and we were to expect heavy opposition when we landed. He said the Vietnamese civilians had been warned to leave the area and that anyone in the area was either VC or VC sympathizers. He said the food was all VC and we were to destroy all the food. From this briefing, I got the idea that this mission was to be the worst mission that the Company had ever been on and that we were expected to have very heavy opposition from the VC. That evening we prepared for the operation by cleaning weapons and getting supplies ready. Among my preparations, I almost doubled my load of medical supplies from the amount of supplies that I usually carried. The next morning, we left LZ Dottie and as I recall, I was on the second air lift. The chopper landed on the left side of My Lai (4) right near the edge of the village. 2nd Plt was on the northern part of the village and 1st Plt was located on the southern part of the village and we formed a line to sweep the village to the east towards the

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JK	PAGE 1 OF <u>4</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of: JK
17 Sep 69, Continued.

, dated

JK coastline. My Plt Leader was ZG and my Plt Sgt was HG. There was a lot of change in positions and I cannot recall who the Squad Leaders were. As my job was as a medic, I was free to move throughout the Plt to where I was needed. During this mission, most of my time was spent with or near AP who was the AP. AP carried his own radio and was free to move throughout the plt area as necessary. Both AP and I were armed with M-16 rifles and I carried 17 magazines. Prior to this time I usually carried only 7-8 magazines and I carried the extra ammunition this time because of the expected resistance. When I landed to the west of My Lai (4) we waited until everybody was on line and then moved forward. Prior to our landing, I think we had 15-20 minutes of artillery to soften the area. Just before we landed, the gunships fired in the area for 15-20 minutes. When we landed, there was no heavy fire and the only thing I remember was occasional sniper fire. Everybody was surprised and we had expected heavy fire. We moved into and through the northern part of the village. Everybody in 2nd Plt was firing at everything and anything that moved. We were clearing all the buildings. I was towards the rear of the plt area and people were being shot all around me. Some women and children were shot and some old men, and some young VC age men being shot. There were an awful lot of people being killed and I estimate about a hundred people killed, based on what I was told. I actually saw about 30-40 people that I believed to be dead. Of these, I would say about 10 were young children. About half were women and the rest were men. We moved through the village and I would say we were in the village about one hour. We left the village and moved to My Lai (5) where we rounded up all the people and moved them west towards Highway 1. At least the people were told to move out in that direction. I would guess that about 10 people were killed during the sweep of My Lai (5). This action was conducted by 2nd Plt and as I recalled 1st Plt remained in the village of My Lai (4) or moved to Hill 85. I recall hearing over the radio, HO calling for a dust off for somebody who had stepped on a mine or a boobytrap. HO was the 1st Plt Leader and I think AK was the plt medic. After our plt cleared My Lai (5), we returned to My Lai (4). When we returned to My Lai (4), some of the huts were burning, but most of the village had already been burned. From here the plt moved to the coast line and returned to the northeast area of My Lai (4) and spent the night. The next day the company was recalled back to LZ Dottie. When we returned to the LZ Dottie Landing strip, I was with HG and 2-3 other guys. We were questioned by one Field Grade Officer as to whether or not we had witnessed any inhumane acts in the "Pinkville" operation. We all answered no to this question. Q: During the times you were in My Lai (4), did you see any groups of people dead? A: Yes I did. I recall seeing two groups of 7-8 people dead. One group was in My Lai (5) and the other in My Lai (4), next to a hut. I saw other people dead throughout the village, but not in groups. I have estimated 30-40 people. Q: Did you shoot any Vietnamese? A: No. Q: Did you fire your weapon during this mission? A: Yes, I fired about one magazine of 20 rounds. I shot a pig and a cow. I also shot at some ducks but missed them. ZG was also shooting at the ducks. I did not fire at any people. Q: Did you render any first aid to US personnel? A: No I did not. When I first arrived at My Lai (4) on the initial entry, I recall hearing that someone in 1st Plt had shot himself in the foot. ~~What I mean is I heard he had been shot. I went over to where he was at about the central part of My Lai (4) and AK was there. I didn't give any treatment, but I was there on the scene for about 5 minutes. I don't know this man's name but he was Negro. To the best of my knowledge, this man and the man on Hill 85 with HO were the only two casualties during this operation.~~ Q: Did you render any treatment to any Vietnamese civilians?

Statement of
69, Continued:

JK

dated 17 Sep

JK A: Shortly after I got into My Lai (4), I came upon a small Vietnamese boy, maybe 6-7 years old. He had an arm injury and I put a bandage on his arm and stopped the bleeding. Then I caught up with my plt and kept going so I don't know what happened to this boy. This was the only one and there was too many to take care of.

Q: Did anyone instruct you, directly or indirectly to kill all the people in My Lai (4)?

A: No, we were never told to do this.

Q: Why were all the civilians killed?

A: I don't know. We had been told that everybody would be VC. We arrived and a few Vietnamese started running and were shot. It just happened and started to mushroom and everybody was shooting at everybody.

Q: What happened then?

A: During this time, I did not think of these people as being civilians. I thought of them as being VC or VC sympathizers.

Q: Did you see anyone in your company shoot any of the people?

A: Yes. Everybody was shooting except myself and I never saw ~~fire~~ ^{HG} ^{ZG} fire any rounds. Everybody was firing their weapons and I cannot say who shot who, or who fired at who. There was a lot of confusion and everything moved pretty fast. I remember some of the guys saying they didn't like it, but I can't recall who they were. There seemed to be only a few people who acted like they enjoyed shooting all the ~~civilians~~ ^{VC} VC sympathizers.

Q: Did the people in the village offer any resistance?

A: No.

Q: What was the reason for shooting them in your opinion?

A: Because they were VC or VC sympathizers.

Q: During this mission, did you see any groups of people shot?

A: No.

Q: During this mission, did you have occasion to see ^{HO}

A: No I did not. I only heard him talking about the injured man on the radio.

Q: Did you see ^{OS}

A: Yes. He was behind us when we came into My Lai (4) the first time. He was with 3rd Plt. After 2nd Plt went to My Lai (5) and returned, sometime during this period,

^{OS} had went to the village and saw what was going on. Anyway he gave orders to "knock it off". I heard ^{ZG} say for the 2nd Plt to "knock it off."

Q: When you refer to ^{OS} saying "knock it off", what did this mean?

A: This meant to stop the killing.

Q: Did you see ^{AP} firing at the Vietnamese?

A: Yes he was firing at them.

Q: Did you see him actually shot anyone?

A: No, I didn't see that.

Q: Who carried machine guns in your plt?

A: ^{BO} and one other I cannot recall. ^{WX} was the assistant and ^{AR} was the ammo bearer. ^{BO} had an M-60.

Q: Did you see ^{BO} firing his machine gun?

A: Yes, when we first started into My Lai (4) but I didn't see him shoot anyone. I think he may have passed his M-60 to someone else, but I am not sure.

Q: Other than the briefing you received from ^{OS} did anyone else give you a briefing prior to going into My Lai (4)?

A: No, but ^{ZG} did give specific instructions, to carry supplies or do some particular job. No briefing as to the overall mission.

Q: Was this your first combat mission in Vietnam?

A: No sir.

Q: Was it different from the other missions you had?

A: Yes because we had been told that everyone was VC or VC sympathizers and there seemed

STATEMENT (Continued) and there seemed to be no question about identifying anyone. Before we had checked ID cards and searched the area. This was different in that we didn't have to find out if the people were VC, that they were VC.

Q: Did you see a ditch located in My Lai (4)?

A: No I didn't.

Q: Did you see a well where people had been shot?

A: No.

Q: Is there anything else you would like to add to this statement?

A: Yes. In my opinion QS is a good officer and he took very good care of his men. He was hard to work for in Hawaii, but after the unit got to Vietnam and in a combat situation he was a very good company commander.

Q: Anything else?

A: Yes. The company had lost a lot of guys to the VC prior to going on this operation. This was the first time we had a chance to meet the VC face to face. We were told this before going in and when we saw somebody, it was a VC or VC sympathizer. Everything happened so fast and later when I saw all the bodies the real impact of what had happened was felt. JK

JK AFFIDAVIT

I, JK HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

JK
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of September, 19 69
at Fort Sam Houston, Texas

ORGANIZATION OR ADDRESS

OE
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

JK

PAGE 4 OF 4 PAGES

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMC 3; the proponent agency is Office of the Provost Marshal General.			
DATE 13 Dec 69	TIME 1500 hrs	FILE NUMBER 69-CID011-00014	
LAST NAME, FIRST NAME, MIDDLE NAME X N		SOCIAL SECURITY ACCOUNT NO. GRADE	
ORGANIZATION OR ADDRESS X N			
SWORN STATEMENT			
I, X N , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>I entered the Us Army on 14 Ju 67 at Portland, OR, took my basic training at Ft Lewis, Washington. AIT at Ft Polk, LA, and subsequently was assigned to when that unit was stationed at Schofield Barracks, Hawaii, on/about 16 Oct 67. Originally I was assigned as a rifleman, but, when the unit went to Viet-Nam as advance party for the Americal Division, I later was assigned at for AB OF THE 3D PLATOON.</p> <p>I took part in the MyLai (4) operation on 16 Mar 68, as the radio operator for AB. I was armed with a shotgun and an M-16 rifle.</p> <p>On the evening of 15 Mar 68, I attended a pre-operational briefing, held by DS. I cannot recall any person specifically as attending, but I believe the entire company was there. I cannot recall any specific wording used by DS but, when I went away from the briefing, I had the distinct X N impression that the operation, which was to go on the next day, was not merely a search and destroy mission, but rather was a "destroy" mission. I don't believe that DS actually said so in so many words but I believed that we were to kill off all the inhabitants of the village. I know that I had this idea. Everyone in the unit believed that the village was all Viet-Comm or sympathizers. There were even reports that there were North Viet-Nam Army personnel in the village. Ever since the recent publicity occurred, I have been trying to recall all that I can about the My Lai (4) operation, but my recollection still is somewhat hazy and vague.</p> <p>As I said, AB was my Platoon Leader, DA was my Platoon Sergeant, but I was not assigned to any particular squad.</p> <p>On the morning of 16 Mar 68, the 3rd Platoon was, I believe, the second unit to be lifted into the landing zone. I seem to recall being in the 5th helicopter. Also in this chopper, as best as I can recall, was AB and a combat photographer, who I believe was alone. At least I cannot recall any of the others in the X N chopper with us. I think that DA was also in that chopper but I am not certain. I do not know the names of any of the chopper crewmen.</p> <p>When my chopper, X N, landed, I jumped out and ran for the nearest dike for cover. As I landed I could hear firing in the village but I don't know who was doing the firing, us or the enemy. My platoon did not meet with any resistance at all. After lying behind the dike for two or three minutes, our platoon grouped up and we moved off towards the village. As we moved forward, we saw a group of two or three men run from the village off towards the northwest. We fired on this group, but I don't know if we hit any of them. As these men disappeared into the brush, we saw a second group of two or three men run from the village towards the southwest towards the highway. We again fired at these men, but I don't know if they were hit or not. I seem to recall that they went into the X N brush. Then, again off to the northwest, we saw another group of three men, I think, running from the village towards the northwest. We fired at them. I don't know if we hit them or not. After we had seen these three groups and had fired at them, our unit did not go and check to see if we had hit any of them.</p>			
EXHIBIT		INITIALS OF PERSON MAKING STATEMENT X N	
		PAGE 1 OF 6 PAGES	
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DA FORM 2823
JAN 68

STATEMENT OF
CONTINUED:

XN

DATED 13 DECEMBER 1969

As I moved into the village and all through out my movements of the assault I stayed fairly close to AB but occasionally I would become separated from him, not for any great length of time XN however.

I have no direct knowledge that the villagers had been warned that an attack would take place. To the best of my knowledge, our assault was a surprise attack. I do, however, believe that XN the villagers had been warned on many occasions previous to the attack.

After I moved into the village itself, AB and I, more or less, angled off to the north a little bit, and almost reached the north treeline at a point nearly halfway down the north edge of the village. When we reached this point, we turned directly south, moving south on the north-south trail. As we neared the southern treeline, I passed a group of bodies, numbering about 10. I passed within 3 feet of this group. This group had a girl, about age 20, in it as well as other adults. I cannot recall exactly whether or not this group included very old men and women. I just seem to recall that some were older. I don't recall seeing any small children in this group. It was shortly after passing this group of bodies that AB and I reached the area where the Negro soldier had been shot in the foot. I don't know his name or the details of how he received his wound. I heard after the operation was over that this Negro had shot himself in the foot. We did not stop in this area but went on southward to the treeline. When we reached the treeline we turned westward for about 100-150 feet. As we walked westward, I recall passing a boy, about 15 years old. He had been wounded in the arm and leg. When I was about 50 feet past this boy, I heard a shot go off behind me. I seem to recall that about 5 of us turned around and saw the boy lying on the ground, presumably dead. I seem to recall someone saying "Oh, my God." In fact, it might have been myself who said this. I could not see any reason why anyone would have cause to kill this wounded boy. I do, however, feel that he should have been taken prisoner since it was obvious that he was a VC sympathizer, or at least I thought so.

My group went on westward. I think that AB and I were going towards DS I seem to recall that it was at this point that I saw DS I do not recall ever seeing him before this or after this. I think that AB was going to meet DS to talk to him about something. I do not recall seeing AB and DS actually talking together. It was about this time that we turned around and went back towards the north-south trail. I should mention that, while we were still at the junction of the north-south trail and the south treeline, I looked across the open ground, which was on the south of the village, and I saw a group of bodies lying on the trail. I was about 100 meters away and did not see them closely. I cannot describe how many were in the group or what types of people were in the group, but it looked to me that there were about 10 bodies lying on the trail.

When we once again reached the north south trail, AB and I turned directly north on the trail and went up to the north XN portion of the village where we turned east again. After going approximately 150 feet we came to house. An adult body, believed to be female, was lying on the porch. A small child, about XN 6-12 months old, was lying on the ground in front of the house. This body of the baby caused my only deep resentment about the entire My Lai (4) operation. I could not see, absolutely, no reason for the killing of this child. I don't believe the house, in front of which were the two bodies, was burning at this time. I know that it was burned sometime later.

INITIALS

XN

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Page 2 of 6 pages

STATEMENT OF
CONTINUED:

DATED 13 DECEMBER 1969

After seeing the baby at the house, ~~AB~~ and I more or less angled south-eastward and emerged from the village at a point, more or less, midway along the eastern edge. We walked across the open ground to the end of a ditch which lies on the east-southeast part of the village. We walked up to the ditch, and I saw ~~XXXXX~~ one body lying in the ditch. Then we moved back away from the ditch for a short distance, and had lunch. This ditch was a man-made ditch and could very easily be used as fortification. After I had my lunch, I sort of wandered around nearby. I again looked into the ditch, at a point other than where I had first looked into the ditch, and I saw about 5 bodies in the ditch. They were not grouped together, but were spread out over about 50 feet of the ditch. I did not see any children but I seem to recall seeing some males. It was hard to make out just what type of bodies there were as the ditch had some water in it and the bodies were in the water. I definitely know, however, that there were ~~XXN~~ no children in this group. Then the company formed up and moved off to the northeast towards another village.

Q: To sum it all up then, you saw only two groups of bodies, a baby and a female body and then a series of bodies in the ditch?

A: That is correct.

Q: And the wounded boy is the only live Viet-Namese that you saw in the village?

A: Yes, other than the groups which were running away when we first went into the village.

Q: What would be your estimate of the ~~XXXXXX~~ total number of bodies that you saw in the village?

A: I would estimate about 35 bodies, but I also would estimate that about 50 had been killed altogether throughout the village. I base this last estimate on the fact that I did not ~~XXXXX~~ go all throughout the village, but I did ~~XX~~ go through ~~XX~~ most of it.

Q: I am going to show you a series of photographs taken in and around My Lai (4) reportedly on 16 Mar 68 and November 69. Please examine them closely and see if they remind you of anything.

A: Only the aerial photographs of the village seem to refresh my memory. I do not recognize any of the scenes of bodies. In fact, the outstanding scenes that I saw in the village do not seem to have been photographed at all.

Q: Do you recall seeing the following people at all during the operation? ~~HO~~

A: No. I seem to recall seeing ~~HO~~ near the bodies which were on the trail.

Q: ~~DN~~

A: No.

Q: ~~DV~~

A: No.

Q: ~~XX~~ In your movements through the village, did you see any American ~~XXXX~~ shoot any Viet-Namese, hit him/them and kill him/them?

A: No, I cannot recall seeing anything like this. In fact, I know that I did not see any such thing happen. In reference to seeing ~~HO~~ near the bodies on the trail, I would like to say, that my seeing him is extremely hazy. All I know is that it was in this general area that I seem to recall seeing him. This is the area of the north-south trail, south treeline, and the open area.

Q: To go back to the incident of the ~~XXN~~ wounded boy being shot. Do you have any knowledge of who shot ~~XX~~ him? Or of who was in the immediate area?

A: No, I don't. Our platoon and the 2d platoon both were in the area of the boy.

Q: Do you recall anything about a cease-fire order?

INITIALS ~~XXN~~

STATEMENT OF
CONTINUED:

DATED 13 DECEMBER 1969

A: I seem to recall a ~~XXXXX~~ radio order that there was to be no more killings.
Q: Anything else?
A: No.
Q: What do you know of any helicopters making landings near the village?
A: I never saw any ~~XXN~~ choppers come down and, in fact, I cannot even recall seeing any helicopters in the area ~~XXN~~ except for those which brought us in and a few overhead which left the area as we moved into the village.
Q: What do you know of weapons being captured in the village?
A: I am almost positive that I saw an automatic weapon after it was captured, and I seem to recall hearing over my radio that 3 other weapons had been captured. I don't know what kind these weapons were.
Q: Other than the combat photographer, who else took cameras into the operation?
A: As far as I know, no one in the unit took cameras, or at least took any photographs of the operation. I know that I never have seen any pictures of this operation.
Q: What about tape recordings, souvenirs, documents, maps, etc?
A: I know of none of these for this operation.
Q: To your knowledge, what ~~XXN~~ casualties or damages were caused in the village by artillery ~~XXN~~ fire, mortar fire, or by overhead gunships?
A: I don't know of anything like this, other than some gunships which were firing on the village as we arrived at the landing zone.
Q: What damages or casualties were caused by these gunships?
A: None that I know of.
Q: To your knowledge, did ~~DS~~ shoot anyone in the village?
A: No, not to my knowledge.
Q: What about other personnel?
A: I saw no one shoot any person in the village, except the wounded boy, and I don't know who did that.
Q: What knowledge do you have of an old man being thrown into a well?
A: Never heard of it.
Q: Did your unit, or any of the other units take any prisoners during the operation or shortly afterwards?
A: No, not from that village. I did see some later that same day, taken by another company. These prisoners were interrogated and then killed by RVN soldiers.
Q: What do you know of a meeting held by ~~DS~~ after the assault on My Lai (4)?
A: Well, while we were eating lunch, I think that ~~AB~~ was called to the command post to receive directions as to where we were going next. I don't really know what the meeting was about, however. I would like to say that I don't believe that ~~DS~~ would ever try to hide anything from the men of the unit. The entire time that I was over there I know of ~~XXN~~ nothing that was kept from us.
Q: To go back to what you said about the ~~XXN~~ RVNs shooting some prisoners. Please explain this.
A: It was later that same day, perhaps late in the afternoon, when we were in bivouac for the day that I saw two or three RVNs interrogate two or three prisoners, in the presence of the Captain of the unit with which C/L/20 had joined up earlier. His name is unknown. Anyhow, I saw the RVNs actually shoot the prisoners as they were standing in a ditch. After they were killed, I went over and checked to make sure that they really were dead. They were.

INITIALS: ~~XXN~~

Page 4 of 6 pages

STATEMENT OF
CONTINUED:

X N

DATED 13 & DECEMBER 1969

Q: Did you ever see DS interrogate any prisoners? If so, please explain what happened.

A: Yes, I saw him interrogate a prisoner. I was closeby. The interpreter was asking DS questions, actually translating, to the prisoner. I saw DS fire two rounds into the tree over the prisoner's head. I know that DS did not kill this prisoner and had no intention of killing this man. I know only that I did not see DS kill this prisoner. It was from, either our interpreter - name unrecalled - or from another prisoner, that I learned that this particular prisoner was some sort of brass in the NVA. I don't really know what happened to this prisoner. I recall a chopper coming in to take some prisoners off, and I know that some prisoners moved out with our company when we went north again. I seem to recall a woman prisoner that we had as being lifted out by chopper, but other than this I can't say what happened.

Q: What about this woman prisoner?

A: I know only that she was faking a sick routine, faking a coma, and that she had to be carried for several hundred meters. I saw her being interrogated that same time as the other prisoners. I don't know what happened to her. About some other prisoners, I recall seeing them mixed in with our column carrying rucksacks. In fact I believe one carried the rucksack belonging to DA. I know this. One prisoner, the one carrying DA's pack, was about 15-16 years old and he lead us to a cache of weapons in the area north of the river, a cache which was in a hootch that we previously had burned.

Q: What knowledge do you have of an investigation being conducted shortly after the My Lai (4) operation?

A: I heard that one was being conducted, but I cannot recall the source of my information.

Q: Were you questioned during this investigation?

A: No, I was not.

Q: What were your instructions or orders about reporting these types of incidents - incidents such as the shooting of the wounded boy, etc?

A: We had received no instructions about these things.

Q: Did you report this incident to anyone?

A: No.

Q: Prior to this date, has anyone other than your superiors questioned you about the My Lai (4) incident?

A: No.

~~EXX~~ Q: Did you ever discuss this incident with your superiors?

A: No.

X Q: Were you advised by your superiors not to discuss this incident with anyone?

A: No.

Q: Were you advised by your superiors as to what your report should be in the event that someone questioned you about this incident?

A: No.

Q: Do you have any additional information or know of anyone who tried to suppress an investigation concerning My Lai (4)?

A: No.

INITIALS: X N

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Page 5 of 6 pages

STATEMENT (Continued)

Q: What have you heard from other personnel about things which they saw or did during the My Lai (4) operation?

A: ^{Not} I have heard or anything from anyone that took part in the operation. I just don't think that many people of our Company really felt like sitting about and reminiscing about the operation. At least I did not. In fact, I think we felt the same about most of the operations which we went on, ~~and not because of any guilt.~~

Q: During the period just before and during the My Lai (4) operation, did you know or hear of anyone being "high" from use of marihuana or dangerous drugs?

A: NO. I know nothing about this.

Q: Anything else that you want to add to this statement?

A: Nothing other than that I truly don't believe that what we did could be termed a "massacre". I believe that what we did there was right, simply because of our past experiences in the area. It seems to me that it would be definite proof that the area had VC or VC sympathizers because our Company had lost men in that area. I would like to say that, during the entire time that I was in Viet-Nam, if these people, "civilian types" could properly be termed "civilians" then every other enemy that we encountered with rifles or without would have to be also called "civilians" since the closest that I ever saw to a uniform was a NVA belt buckle worn by a ~~military aide man.~~ ^{SA, priv who we captured.}

Q: Anything else?

A: I would like also to ^{XN} point out that we learned that the VC could very well be men, women, old, young, children, down to an age of about 5 years old.

/////////////////////////////////NOTHING FOLLOWS/////////////////////////////////

AFFIDAVIT

I, ^{XN} _____, HAVE READ OR HEARD OR READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR FEAR, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

^{XN} _____
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of December, 1969

ORGANIZATION OR ADDRESS

^{LV} _____
(Signature of Person Administering Oath)

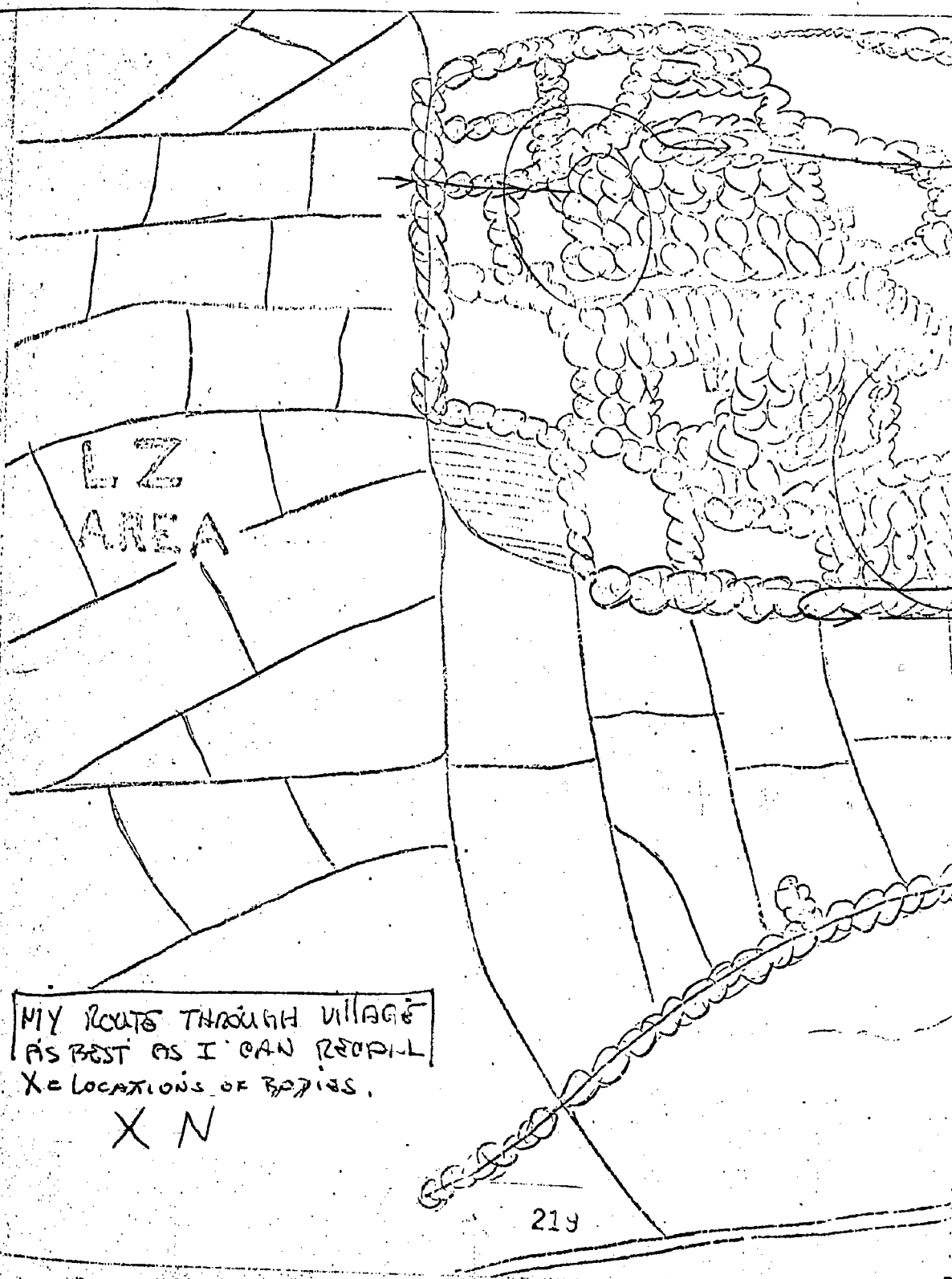
ORGANIZATION OR ADDRESS

^{LV} _____
(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ
(Authority To Administer Oaths)

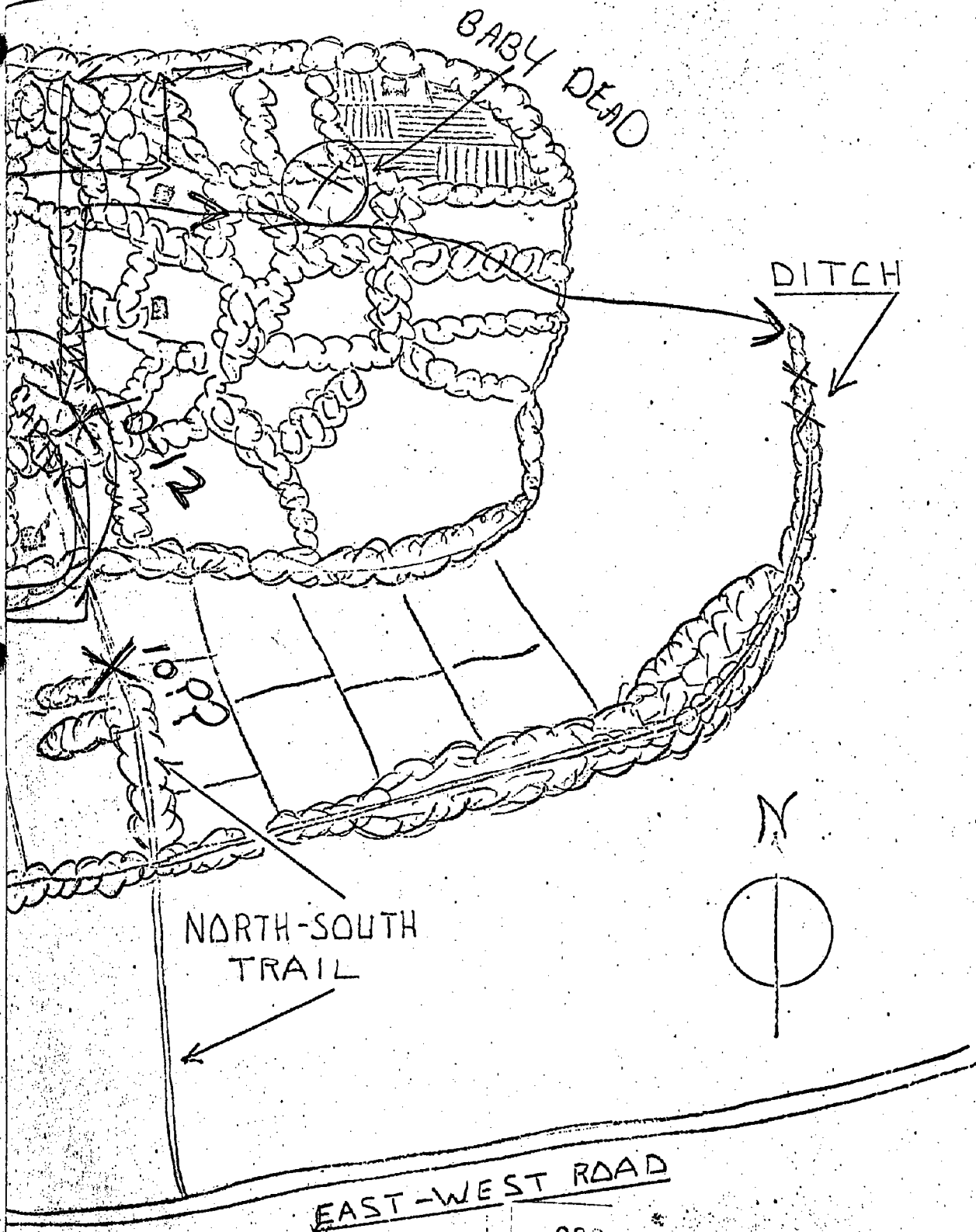
INITIALS OF PERSON MAKING STATEMENT

^{XN} _____ PAGE 6 OF 6 PAGES



MY ROUTE THROUGH VILLAGE
AS BEST AS I CAN RECALL
X LOCATIONS OF BODIES.

X N



WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMC; the proponent agency is Office of the Provost Marshal General.

DATE 12 Jan 70	TIME 1200	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME XB		SOCIAL SECURITY ACCOUNT NO.
ORGANIZATION OR ADDRESS		GRADE

SWORN STATEMENT

I, XB, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

I completed Basic Training and AIT at Ft Polk, LA during Oct 67. After a leave, I went to Hawaii where I joined C Company, 1st Bn, 20th Infantry. We left Hawaii and arrived in the Republic of Vietnam on 1 Dec 67. There I was assigned as the Squad Leader, 3d Sqd, 3d Plt. My Plt Ldr was AB and my Plt Sgt was DA. Members of my squad were CCR, JL, IV, EY and CCU. Because of the number of changes, I can't really recall who was in my squad at the time.

Late one afternoon in Mar 68, the company received a "pep talk" from DS the Company Commander. He told us that the next morning we were going on an operation in MyLai, that we were supposed to engage a battalion of Viet Cong, who according to intelligence reports, were there. He told us to be prepared for anything that might happen, that is, a real fight, and that anyone there would be enemy. I didn't consider whether or not women or children would be in the village. After that briefing we received specific instructions from the Plt Ldrs as to time of departure, formation and equipment, etc. AB made no mention of women or children as far as I can recall. Again, it was my understanding that this was to be a combat operation.

Early the next morning we left LZ Dottie and were CA'd to MyLai(4). I don't recall which lift I was on, but I know we landed just west of the village and a couple minutes later my squad was instructed to search for a dead Vietnamese male with a weapon south of the west end of the village. We could not find him, but his location was marked with smoke by a helicopter and the weapon was found by CCR. He gave it to someone, but I don't remember who it was. I did not see the Vietnamese man, nor do I recall what kind of rifle he had. About 45 minutes had elapsed since landing and the finding of the weapon. I believe 1st and 2d Plts had already entered the village when my squad landed.

After finding the weapon we went back to the village and entered someplace in the south-west corner. It was in that area that 3 or 4 Vietnamese documents were found by someone in my squad and I turned them over to someone else. After no more than one hour, we left the village on the south side where we worked between the edge of the village and a ditch. While in the village I heard some shooting from the east end, but did not see any dead. Some houses were burning and my squad burned some more.

Outside the village, I did see HR med-evac'd and my squad provided security for that helicopter. I also observed a group of approximately 10-12 dead Vietnamese men, women and children laying on a trail running north and south on the south side of the village. I don't know who shot them or why.

I do not recall what the time was, but it was afternoon when the entire company left MyLai(4) and went to MyLai(5).

Q: Upon entering MyLai(4), did the company encounter any resistance?

A: No.

Q: Do you know of any orders to commence or cease fire?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT XB	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT OF X B

DATED 12 JAN 70, CONTINUED

A: I only recall a cease fire order. That came after we had been in there (MyLai(4) anywhere from 3 to 4 hours. I think the order came from DS . I got it for my squad from either AB or DA . I don't remember where I was when I got the order. The only shooting my squad did was when we first landed. The men were shooting at some people that were quite a distance away, running south-west.

Q: Do you recall a temple, pogoda or shrines in the village?

A: No.

Q: Do you have any documents or photographs concerning MyLai?

A: No.

Q: Do you have any knowledge of the villagers being warned to evacuate MyLai because of the impending assault?

A: No.

Q: Did you see any US Soldier shoot a Vietnamese National at MyLai(4)?

A: No.

Q: Did your squad or platoon round up any groups of Vietnamese?

A: My squad didn't; I don't know about the rest of the platoon.

Q: Did you receive any instructions as to handling non-combatants?

A: Not on this operation, as I remember. Usually though, we would gather them up and turn them over to the interpreter assigned to the company.

Q: Did you see any Vietnamese receive medical aid?

A: No.

Q: Did you see or hear of the Vietnamese National Police killing prisoners?

A: Yes. On the day we were in MyLai, after we had left and a couple of miles away, I saw a Vietnamese Policeman shoot a male prisoner with a rifle. Just prior to this I saw a US Soldier cut off the first joint of the little finger of the prisoner's hand. I don't remember if it was the left or right hand. I don't know who the soldier was. I think SGT SMITH was with me at that time. Others were there, but I don't know who they were. That's all I remember about that.

Q: Where did you see DS at MyLai(4)?

A: At the LZ when we first got there, and later near the north-south trail at the center of the south side of the village. I never did see HO .

INITIALS X B

STATEMENT (Continued)

Q. Can you comment on any of the photos I have shown you?

Q. Do you recall any type of briefing after the operation?

Q: Do you know of an investigation concerning what happened at MyLai?

Q: Upon entering MyLai(4), did you observe casualties or damaged buildings which may have resulted from artillery or mortar fire?

Q: How many helicopters did you see land at MyLai(4)?

Q: What were your instructions or orders about reporting these types of incidents?

Q: Were you ever told not to cooperate with investigating officials concerning this case?

Q: Is there anything that you would like to add to or delete from this statement?

AFFIDAVIT

XB

(signature of person making statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 12th day of January, 1970

ORGANIZATION OR ADDRESS

TTJ
(Signature of Person Administering Oath)

TTJ _____
(Typed Name of Person Administering Oath)

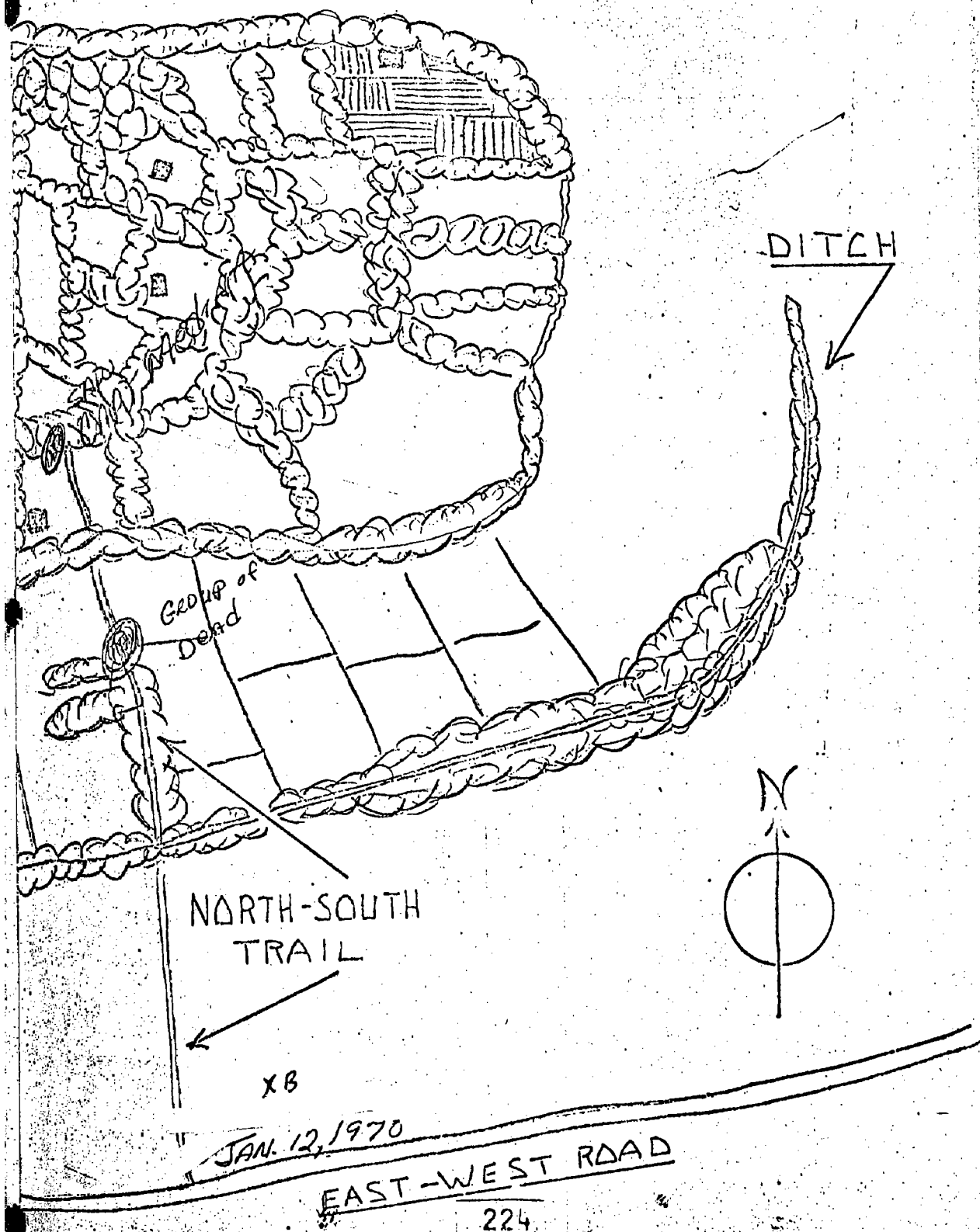
Art 136(b)(4), UCMJ

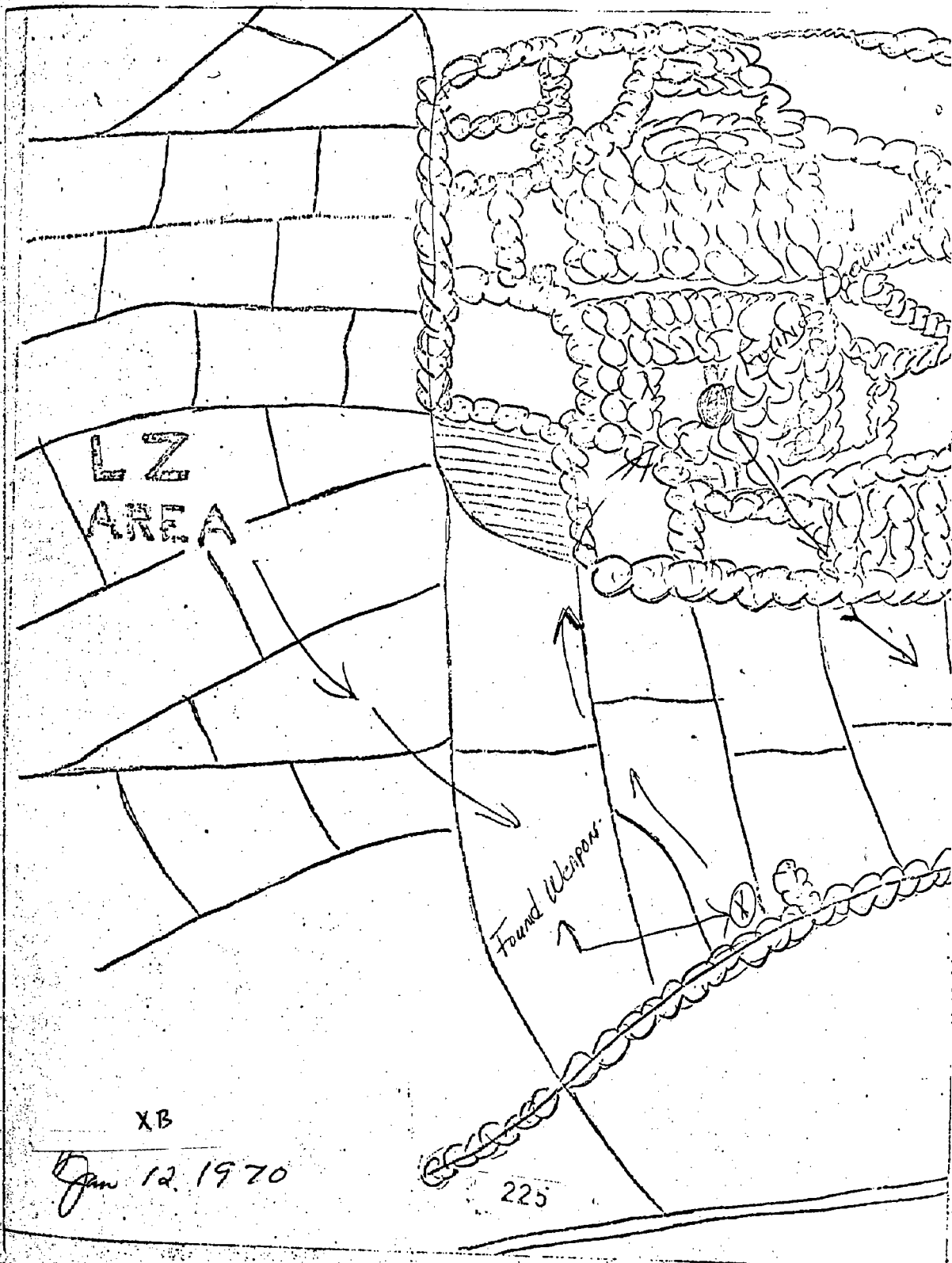
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES





WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE	TIME	FILE NUMBER
	13 Jan 70	1300 hrs	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
LB			
ORGANIZATION OR ADDRESS			
LB			
SWORN STATEMENT			
I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>In March 1968, I was assigned to 3d Platoon, Co C, 1st Bn, 20th Inf, Americal Division, APO SF 96217. My platoon leader was AB and platoon sergeant was DA. Around the middle of March 1968 I was on a combat assault and went into My Lai (4), RVN. The night before this mission the company was briefed by the Commanding officer, DS. DS told us we were to go into My Lai (4) the next day and destroy it. He said he had gotten his orders from PA. DS said everything was to be killed and the dead animals were to throw into the wells to destroy the water. Since this was a search and destroy mission everything was to be destroyed. He further instructed us to take all the ammunition we could carry.</p> <p>We were airlifted from LZ Dottie to a point west of My Lai (4) and I was on the last lift. I do not recall who was on the lift with me. After we landed we received some fire (small arms) from our right flank. CCR and I believe JL were sent to the area where the firing was coming from. When they returned to my area he had a M-1 or M-2 carbine. I don't know if anyone was dead where the weapon was found. As far as I know this was the only weapon recovered on the mission.</p> <p>The first and second platoons went through the village while the Headquarters and third platoon remained in the rear at the edge of the village.</p> <p>OD and I were the last person to enter the edge of the village. This was probably within an hour after the first and second platoon had entered. Prior to my entering the village I heard gunfire but I could not say who was firing inside the village. As I started through the village I started seeing groups of dead and seriously wounded men, women and children. These groups seemed to be mostly around hooches as if they might have been families. The largest single group of dead bodies I saw was ten or less. In my opinion these persons had been killed with small arms fire. I did not see anyone who was apparently healthy shot while I was in My Lai (4). I have been shown several photographs of dead bodies; however, I can't say I actually witness the scene as depicted in the photographs.</p>			
Q: Were you in several parts of the village?			
A: I guess I covered most of the village.			
Q: Did you see DS inside the village?			
A: Yes. I saw him at least two times at different locations inside the village.			
Q: Did you see HO inside the village?			
A: I believe I saw him once but don't remember anything particular about seeing him.			
Q: Did you see DS HO kill anyone in My Lai (4)?			
A: No.			
Q: What time would you estimate you cleared My Lai (4)?			
A: Around noon.			
Q: Did you see any prisoners executed on 16 March 1968?			
A: No.			
Q: Did you report this incident to anyone?			
A: The first time I talked to anyone about it was on 3 May 1969, when I talked with			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 2 PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

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JAN 68

STATEMENT (Continued)

WV an IG.

Q: Were you advised not to discuss this incident with anyone?

A: Only by WV

Q: Did you receive a letter from US Army Judiciary, Judicial Area 3, 5th Judicial Circuit, Fort Benning, GA, concerning discussion of this incident?

A: No, I have never received such a letter.

Q: Did you collect any souvenirs, photographs, documents, or do you have a diary concerning My Lai (4)?

A: No.

Q: Did you receive any orders or instructions to stop killing the civilians?

A: Yes, at noon.

Q: From whom?

A: I probably got it from my platoon sergeant. I don't remember.

Q: Since talking with WV have you discussed this incident with anyone?

A: Yes, I talked with someone from TV CHANNEL 9 IN OKLAHOMA CITY, Oklahoma, and with a reporter from TULSA DAILY WORLD, TULSA, Oklahoma, and there was an Associated Press man present at that time. At the time I talked with these people I did not realize the importance of the incident or exactly what was happening or I never would have talked with them.

Q: As is written in LIFE MAGAZINE 6 DEC 1969 ISSUE basically what you told them?

A: I guess it is.

Q: In previous testimony you indicated you observed DS RTO kill someone, would you state this was?

A: I do not know the individual.

Q: Did you see persons that had already been wounded shot by GIs?

A: No.

////////////////////END OF STATEMENT////////////////////

AFFIDAVIT

I, LB HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENT OF THE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

"A TRUE COPY"

LB

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 1970

CW3, MPO
Assistant Operations Officer
ORGANIZATION OR ADDRESS

LE

(Signature of Person Administering Oath)

LE

(Typed name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136(b) (4), UCMJ

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMO 3)			
PLACE Washington, D. C.	DATE 17 Oct 69	TIME	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE CW3
ORGANIZATION OR ADDRESS DE			

SWORN STATEMENT

_____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

INVESTIGATOR'S STATEMENT

LI stated that he had participated in the combat assault mission on the village of My Lai (4), near the town called "Pinkville", and that he was previously interviewed by a colonel from the Office of the IG. He stated that he was formerly a SGT (E-5) and that he was a member of the first platoon, C Co, 1st Bn, 20th Inf. HO was his Platoon Leader and KG his Platoon Sergeant. He was a member of DV's squad and a Fire Team Leader. He thought that HZ and HR and LF were members of his fire team. LI stated that he attended a briefing at LZ Dottie on the evening before the mission. The briefing was held by DS the Commanding Officer, and lasted for about 30 minutes. He said (DS stated that the village was all VC and all occupants of the village were VC sympathizers and instructed the Company to destroy all the food and animals in the village. He stated he could not recall anything else in particular about this briefing but did not think the Company was instructed to kill all the Vietnamese residing in the village.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT. OE	PAGE 1 OF 3 PAGES
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DA FORM 2823
JAN 68

After releasing these villagers to DN, he continued to sweep through the village. He thought that at this time he was with HR LF and possibly HZ, although he was not certain. He felt that HR had not yet been injured. At the eastern edge of the village or just beyond the village, he stated he came upon HO. HO was directing the activities of several soldiers, whose identities LI could not recall, at a large ditch. LI stated that approximately 35-50 people had been gathered up and apparently shot in the ditch, most were dead but some of the people laying in the ditch had only been injured and were still alive. He stated that HO told him to have his fire team "finish off" the people in the ditch. LI stated that he refused to do this and then HO told him to go back into the village to assist the second platoon in clearing the village. He denied shooting into the ditch and denied seeing anyone shooting into the ditch.

In response to HO order, LI departed the area of the ditch and reentered the village travelling a zig-zag pattern. When he reached the center of the village, he came upon two Negro soldiers whom he could not identify, who had collected a group of about 10-12 villagers. One of the Negroes was attempting to tear the blouse off of a girl within this group. The remaining people were crowded around the girl trying to protect her from the Negro by getting in between the girl and the Negro. LI stated he "probably helped to settle down" this group of villagers by helping separate the villagers from the Negroes or by pulling them apart. After the group of villagers were "settled down" a photographer appeared on the scene and LI began to leave the area, at which time the two unidentified Negroes opened fire on the group of villagers with their M-16s on full automatic. LI denied shooting any of these villagers and affirmed that the extent of his "settling down" was attempting to separate the villagers from the Negroes. He said that members of his fire team, probably HR LF, and HZ, may have helped him to "settle down" the villagers but stated that he did not in any way physically harm these persons.

Shortly after this incident, HR was shot in the foot with a .45 pistol. LI said he did not actually see HR get shot and he could not really describe how it had happened. HR was subsequently medically evacuated. LI opined that he was approximately 15 meters away from HR at the time of HR's injury. He stated that he witnessed the shooting of a Vietnamese boy sometime after HR was injured. He stated he did not know who shot the boy and it could have been anyone who was in the area at the time HR was being treated. It was in that immediate area where he saw a group of dead Vietnamese civilians laying along a trail leading from the south of the village. He stated that these were possibly the group of villagers he had turned over to DN earlier but he had no way of knowing if they were the same people or not.

LI estimated that it took him about one hour during his initial sweep of the village to reach the area where he met HO at the ditch. He said he was in the village most of the morning. He stated that a small bubble type helicopter landed in the vicinity of the ditch and he thought that the pilot had reported to HO that some of the Vietnamese in the ditch were still alive. He could recall no further information about the helicopter and stated that he thought this was the reason why HO had directed his fire team to "finish

STATEMENT (Continued)

off" the injured Vietnamese in the ditch. LI stated that during the entire mission he threw two hand grenades, both of which were thrown into empty tunnels, and that he fired about 12-14 rounds from his M-16. He claimed he fired these rounds at several cows and denied shooting any of the people in the village.

LI stated that during the afternoon the company cleared several other small villages in the area and during the following day DN was injured by stepping on a land mine on Hill 85 located to the southeast of My Lai (4). He stated that DN and HO "had some words" but he could not recall what was said. LI indicated that he thought HO DN had been involved in the deaths of some of the villagers; however, he denied that DN had told him he had machinegunned some of the villagers. LI stated that he had no direct knowledge of these deaths and that he didn't really remember details. He stated the whole My Lai (4) incident occurred about 1 1/2 years ago and he could not recall any further specific incidents. He stated that he was questioned by a colonel about the mission after he returned to LZ Dottie, but he did not recall what was said although the colonel asked him if he had observed any war atrocities. LI told the colonel that he had not seen any.

LI stated that he had no additional information to offer and declined to render a written statement. He stated he would be willing to testify in any judicial proceedings if called upon although he thought that he would have very little direct information to offer in such a situation.

AFFIDAVIT

I, OE HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

OE

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of October, 1969

at Washington, D. C.

ORGANIZATION OR ADDRESS

SW

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SW

(Typed Name of Person Administering Oath)

Art 136 (b) (4), UCMJ 1969

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

OE

PAGE 3 OF 3 PAGES

FOR OFFICIAL USE ONLY

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PLACE	DATE 24 Oct 69	TIME 1130 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY ACCOUNT NO.	GRADE

LA
ORGANIZATION OR ADDRESS

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

LA
Around 12 Mar 68, I was assigned to C Company, 1st Bn, 20th Inf, 11th Div, from E Company. Sometime around the middle of Mar 68, I took part in an operation later becoming known as "Pinkville". During this operation my platoon S^{gt} KC and I was an assistant machine gunner to EA and on this mission on EA and I were on the gun crew. I was armed with a M16. The unit left the Base Camp shortly after daybreak and landed West of My Lai (4). My platoon was on the right flank moving in an Easterly direction as we started a sweep through My Lai (4). The day before the mission the Company had been briefed by PS to the effect that we would be entering enemy territory, and that the unit had been in the area before and had lost personnel. He instructed us to "waste" anybody that ran from us or fired upon us. He also instructed us to "waste" the livestock and to the best of my remembrance he did not instruct us to "waste or kill" everybody.

Initially as we entered the Southwest edge of the village very few civilians were observed. As we did begin to see civilians they were herded ahead of us. This group eventually grew to include some 30 persons. A little more than 1/2 through the village this group was herded all together next to an irrigation ditch near the outer perimeter of the village EA LM one other person whose name I do not remember moved approximately 10 yards ahead and about 40 to the right of this group and set up a temporary defense position. By the time the position was set up I heard the rumor that HO had ordered this group "wasted". By "wasted" as I use it I mean killed. I then heard M16 gunfire to my rear it was, I believe, fully automatic. I knew that the group was being killed and I did turn around and look but I cannot picture in my mind who I saw standing by the ditch. I know that standing by the ditch was one or 2 persons and slightly to their rear was maybe 2 or 3 other americans. I could not see the persons the the ditch where they had been herded. Very shortly after this a chopper flew in and landed between our position and the ditch where the persons had been shot. LM went to the chopper and eventually got HO to come to the chopper where right outside the chopper HO talked to the pilot. The pilot appeared to be mad as he talked HO and after a short conversation during which HO did very little talking the chopper took off. HO walked back to the ditch and I saw him talk to DV then I heard some slow semi-automatic fire and although I did not actually see it I knew DV finished off the persons in the ditch. Q. Why is it that you "knew that the group was being killed" and that you saw HO talk DV and then heard gunfire and knew that DV was "finishing off" those in the ditch yet you cannot say you actually saw you saw it? A. Although I know HO and DV were standing at the rim of the ditch I cannot actually say I saw them fire into the people. I believe that I must have had my back turned at the time when actual firing was being done. Shortly after that Ef LM the other unidentified person, and I moved back toward the village and across a small bridge where the dead persons were lying. I

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT LA	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

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DATE.....

LA

DATED 24 OCT 69, CONT"

noted that all persons in the ditch were dead. I would estimate that there was some 30 persons including men, women, and children. After we crossed the bridge I saw DN and I knew he had been crying for he had a flushed face, and his eyes were watered or tear filled. I knew that DN had had to do something he did not want to do in carrying out HC order to kill the people in the ditch. I heard later that someone else was told to kill the people and had refused or had not done it and that DN had done as he was told by HC.

During the rest of the time I was in or around My Lai (4) I saw not other groups of dead persons.

Before this incident of the killing of the group in the ditch I came up. KC inside the village. KC told me that he had just about gotten a "blow job" but that HO came along and told him to move the people on. HO eventually had them killed anyway. KC explained that he had a woman who had a small child and that he had his pants down and his penis out and was about to be given a "blow job" by threatening her with his weapon. LI AAK JU EA LM am GX no doubt KC tell about this and one or more were no doubt with him.

Q. Did you see DS in the village at any time?

A. One time I saw him when HR shot himself in the foot.

Q. Did HR shoot himself?

A. HR told everybody it was an accident, and as far as I know nobody actually saw it happen. Everybody knew that he was trying to get out of the field and everybody was of the opinion that HR had shot himself intentionally.

Q. Did you see HO shoot anyone in My Lai (4)?

A. No. I cannot actually say I saw anybody kill anybody in My Lai (4).

Q. Did your company receive any resistance in My Lai (4)?

A. None.

Q. Were any prisoners ever taken during the operation known as Task Force Barker?

A. Later that same day I know that one nurse and one or 2 VC were captured.

Q. What do you remember about these persons?

A. When I first saw her LX had her over his shoulder and she was knocked out, she had on a black blouse and the front was open. I heard that LX had pulled her pants down and had intended to have intercourse with her but she was "rotten" and he did not bother her. As far as I know they were not killed.

Q. What do you know of the conversation at the chopper between the pilot and LM?

A. LM said the pilot wanted to talk to the officer in charge of the immediate area.

Q. Why do you think the pilot wanted to talk to the platoon leader?

A. I assumed he wanted to know why that group of person had been killed. He had been hovering over the area where the dead or wounded person were.

Q. Did you see DN kill anyone in My Lai (4)?

A. Although I did not actually see him I know in my own mind that he was one of the persons that "finished off" those persons in the ditch. I saw him standing by the ditch just prior to gunfire and I saw him again just after I heard gunfire that finished killing those that were wounded and not killed.

Q. Did DS come to see why the chopper had landed and talked to HO?

A. I did not see him.

Q. Did you see EA kill anyone in My Lai (4)?

A. No and I did not kill anyone either.

Q. How many dead persons would you say you saw dead in My Lai (4)?

A. Approximately 30, only those in the ditch.

Q. When you left the vicinity of My Lai (4) were any living persons in the village?

A. No to the best of my knowledge. LA

STATEMENT (Continued)

AFFIDAVIT

I, LA HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFK
FFFK

LA
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of Oct, 1979

ORGANIZATION OR ADDRESS

LE
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

LE
(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

LA

PAGE 3 OF 3 PAGES

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE	TIME	FILE NUMBER
	12 Jan 70	1830	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
XL			Civilian
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
XL - XL WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I completed basic training at Ft Bliss, TX on 18 Aug 67. On 20 Oct 67, I finished AIT at Ft Polk, LA and went to Hawaii about 23 Nov 67, where I was subsequently assigned to Company C, 1st Bn, 20th Inf. My Plt Ldr was HC My Plt Sgt was KC and my Sqd Ldr was DV Other members of my squad were SGT LM EA HR GX LI ON During the early evening on the day before the assault on MyLai(4), I attended a briefing by OS He briefed us as a company. He stated that the next day we would be CA'd to MyLai and move through MyLai(4), (5) and (6). Co A or Co B was supposed to be working near the coast. OS advised us that the Vietnamese in the villages were Viet Cong or their sympathizers. He said we could count on strong resistance and that we were to destroy all food and livestock in MyLai as it supported a communist hospital in Pinkville, or MyLai(1). He told us that this was a chance to get even for the men we had lost in that area before and to take lots of extra ammunition. He also gave us safety instructions, such as keep moving, not to get pinned down, etc. We may have been briefed a second time, before leaving LZ Dottie for MyLai(4), by either our Plt Ldr or Plt Sgt, but I don't recall. We were CA'd from LZ Dottie to MyLai(4) around dawn. My squad was in the first lift. Immediately after deplaning, we took defensive positions in the LZ to provide security for remaining aircraft. While still in the LZ I saw two Huey gunships and two H-23 helicopters xxxxxx strafing the village. I also heard small arms fire from the 2d Plt XL area, the north-west corner of the village. After the entire company arrived, 1st and 2d Plts formed on-line at the western edge of the village, 1st Plt on the right and 2d Plt on the left. The first thing I noticed as we moved through the village to the east was several bunkers beside some huts. Several men from the 2d Plt were throwing hand grenades into the bunkers. The only man I remember by name is KC They did not grenade the bunkers until there was no response to their calls in Vietnamese for anyone inside to come out. No one checked the bunkers for bodies. We kept moving east, rounding up people and gave them to DURSI, who was supposed to take them to the south-east corner of the village. In all, I would say 1st Plt collected approximately 150-200 men, women and children. During my trip through the village, I shot numerous animals as did other members of my squad. I did not shoot any people. The first bodies I saw were those of a woman and a child of about 4 or 5. They			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 4 PAGES
	XL		
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DA FORM 2823

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XL

were laying in a ditch about 5-6 feet deep which was on the south side of the village near the middle. I think they were killed by small arms fire. There was a log across the ditch and it served as a bridge. The ditch was inside the village and ran north to south. As I crossed the log, I saw them just below me on my left.

I continued through the village and then to MyLai(5) with 1st and 2d Plts. After MyLai(5), Co C joined the other company and linked up.

Somewhere during this operation I saw a group of about 20-30 bodies that appeared to be all male Vietnamese. I don't recall which village it was in, nor can I even describe its approximate relationship to a village. I do recall they had been shot by small arms fire.

The only persons I can state for a fact killed anyone in MyLai(4) were DN KC. I recall seeing them both, acting separately and jointly, execute Vietnamese on at least 2-3 occasions. Again, I do not recall the exact circumstances or locations of these slayings, but on each of them, they shot the people with their rifles. I cannot be specific about these slayings.

Any other information I have concerning the MyLai slayings is only what I heard later from other troops and even in this regard, I do not recall any specifics. During the time I went through the village, everyone was scattered and moving about randomly. Visibility was often poor because of the dense foliage and there was a great deal of noise. All of these things caused a certain amount of confusion.

Q: Upon entering MyLai(4), did you observe casualties or damaged buildings that may have been the result of artillery or mortar barrages?

A: I saw a couple of buildings that were damaged to the extent that it must have been caused by artillery, but I don't recall where they were within the village.

Q: Did you encounter any resistance?

A: No.

Do you remember any orders to commence or to cease fire?

A: Not to my knowledge.

Q: Do you recall a temple, pagoda or shrine?

A: No.

Q: Did you see anyone taking pictures at MyLai? Did you take any pictures?

Q: Did you see a helicopter land at MyLai(4)?

A: Yes. I don't know where it was, but I saw an H-23 land, the pilot get out and walk toward the village. He might have been down 5 - 10 minutes. I did not see what he did, nor did I see him speak to anyone. He went out of my field of vision. I was probably 75-100 yards away at the time.

Q: Do you recall orders to burn the village?

A: I can't say offhand. I would say yes, but I don't know who gave them. XL

XL

TAKEN AT

DATED 12

XL

A: No.

Q: Did you collect any souvenirs?

A: No, I didn't.

Q: Do you have any knowledge of the villagers being warned to evacuate the village because of the impending assault?

A: I would not have any knowledge of that.

Q: Having reviewed a roster of C/1/2), can you comment on any of the names?

A: No, none that I haven't already mentioned here.

Q: Having examined the photographs I just showed you, can you comment on any of them?

7. Number 17 appears to be a group of people that were collected at MyLai (4), but I do not recognize any particular individual. MyLai (4) is the only place I saw such a scene. Photo #19 depicts MR being treated. I do not recognize the other men.

Q: Do you know if anyone had been using marijuana before or during the My Lai (4) assault?

A: No, not to my knowledge.

Q: Do you recall a briefing after the operation?

A: No.

Q: Was there supposed to have been an investigation in Vietnam about what had taken place at My Lai (4)?

A: I don't recall exactly how it was, but I think there was. I did not see or hear of one, but I do remember that when we flew back to LZ Dottie, a Major or full Colonel met us as we deplaned. He asked one of the sergeants about the number of killings, but as I recall, the sergeant did not comment. I don't know who either of them were.

Q: Did you see any Vietnamese receive medical aid?

A: No.

Q: Where was your Plt Ldr during the time you were in MyLai(4)?

A: I did not see him. I guess he was to the rear.

Q: Did you report what you had seen to anyone?

A: No.

Q: How many persons would you estimate were killed at MyLai (4)?

A: I can only state how many I saw, which was ten or twelve.

Q: Prior to now, has anyone ever questioned you about MyLai (4)?

A: No.

Q: Has anyone ever told you not to cooperate with investigating officials in this matter?

A: No.

Q: Is there anything else that happened at MyLai (4) that you haven't told me?

A: No, not that I know of.

Q: Did you see your company commander at MyLai (4)?

A: No.

Q: Is there anything that you would like to add to or delete from this statement?

A: No. X X X X X X X X X X X X END OF STATEMENT X X X X X X X X X

XL

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PAGE 3 OF 4 PAGES

STATEMENT (Continued)

NOT UTILIZED

X L -

AFFIDAVIT

I, XL HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

XL

(Signature of Person Making Statement)

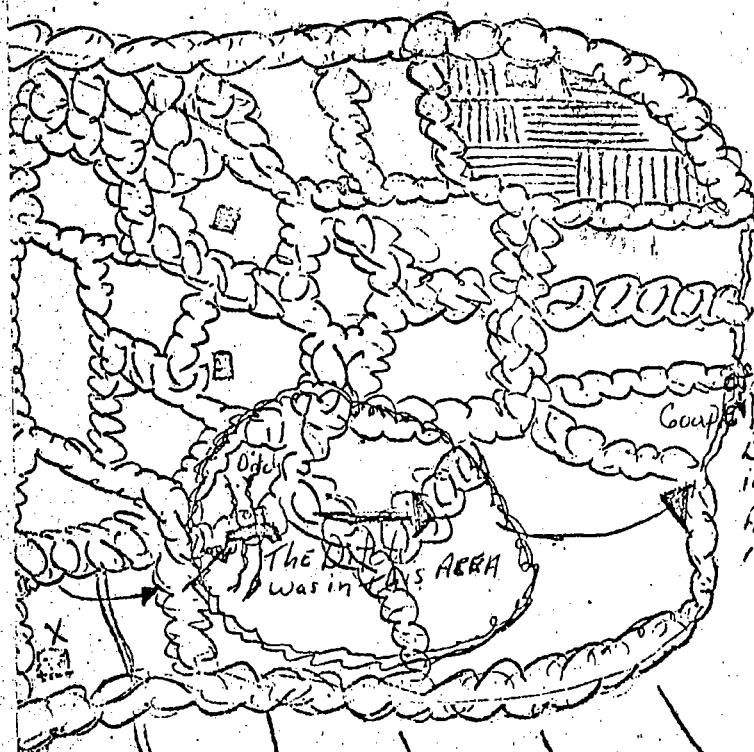
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of January, 19 70

(Signature of Person Administering Oath)

(Signature of Person Administering Oath)

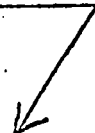
Art 136(b)(4), UCMJ
(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

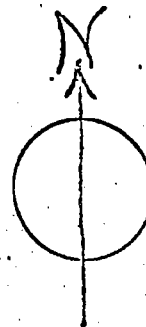
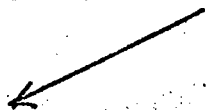


People
Being shot
in this area
OR
At my 6:15
Not sure

DITCH



NORTH-SOUTH
TRAIL

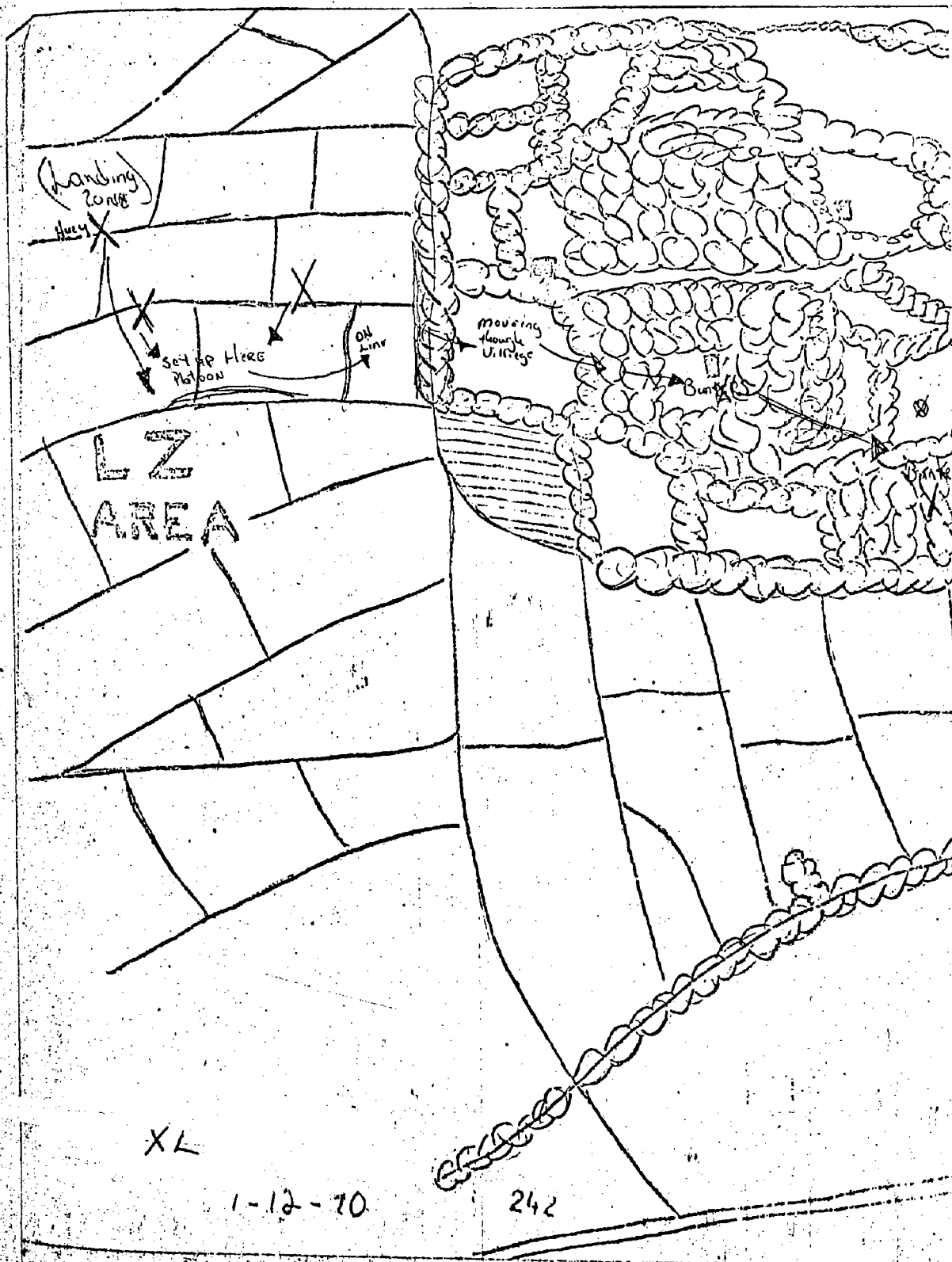


EAST-WEST ROAD

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XL

1-12-70



WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PM 3; the proponent agency is Office of the Provost Marshal General.

DATE 16 Dec 69	TIME 2000 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME X A		SOCIAL SECURITY ACCOUNT NO.
ORGANIZATION OR ADDRESS		GRADE Civilian

SWORN STATEMENT

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I entered the Army on 7 Mar 66, at Minneapolis, Minn. Took basic training at Ft Dix, NJ. And also my AIT at Ft Dix. From Ft Dix I was sent to Hawaii arriving on 21 Aug 66, and on 22 Aug 66, was assigned to Co C, 1st Bn, 20th Inf, 11th LIB. On 1 Dec 67, I was sent to RVN with Co C. On 16 Mar 68, I was on the Combat Mission (CA) on My Lai (4). I was armed with an M-16, and the bi-pod for an M-29 81 MM mortar. I was also carrying 1 grenade and about 200 rounds of .223 cal ammunition. I was on the last lift that left Landing Zone Dottie (LZD) rather early in the morning landing just West of My Lai (4). Just prior to landing the door gunner told me that a VC had been killed and he had a rifle so from this I figured it was a hot LZ. After landing the 1st and 2d Platoons went through the village first. The mortar platoon did not start through the village for about 15 minutes after the 1st and 2d platoon and during this time there was a lot of firing inside the village. I entered the village about the middle of the Western edge of the village behind HQ Section. I headed Northeast for a short distance then headed South; then East then South again. A little South of the center of the village someone said a dead man was lying beside a house. Since I had never seen a dead person before I went to the spot and saw the man. I then returned with the mortar platoon in a Southeasterly direction to a large house at the south edge of the village. Here we took a break while waiting a Med Evacuation of a short colored GI who was wounded in the foot. HQ, and members of other platoons gathered at the house-I would say there were about 30 persons near the house. DS was present at the house during the break. Prior to the chopper coming for the wounded person the mortar platoon set up perimeter defense south of the village approximately 50 yards. I then returned to a trail following the South edge of the village and started toward the East. A short distance from the house along the trail I saw a small boy maybe 10-11 years old. This boy had one of his legs practically blown off and it was only held on by a thread of flesh. He must have been hit with artillery fire for I don't think a rifle could have done that much damage. Just beyond where I saw the boy there was a trail running North and South. Along this trail was approximately 15 dead men, women, and children. DS must have seen this group of dead persons as he was just ahead of me proceeding along the trail. Shortly after passing this trail I cut back North toward the center of the village. I was zig-zagging in and out among the houses and bushes. Just South of center of the village I was poking around some debris beside a house and uncovered an old man hidden. This scared me at first then I got him out of the ditch and turned him over to the HQ section. DS RTD. I then zig-zagged in an Easterly direction to a point in the Northeast corner of the village where I ate lunch. I think all the mortar platoon was present where we ate lunch and some Engineers who were attempting to blow up a building nearby. Two little girls had joined me earlier where I had seen a dead man beside a house. These girls and some six or eight other civilians was also present where we ate lunch. DS was here too and he told RS to tell these civilians to pack everything they had move out to Highway 1, a secure area. These civilians left the group back toward the center of the village. After eating I

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT X A	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

left the village about center of the village on the East edge. Still heading in an Easterly direction following HQ Section I saw another ditch with several dead person. I did not go and take a close look at these people but the ditch was about 30 yards east of the edge of the village.

Q. While you were eating lunch was there any gunfire inside the village?

A. No everything was quiet.

Q. Was DS present while you were eating?

A. Yes.

Q. Did you see

A. I did not see him in or around My Lai (4).

Q. Did you see anyone killed in My Lai (4)?

A. No.

Q. How many dead persons did you see in or around My Lai (4)?

A. 35 or 40.

Q. Were you ever fired upon in My Lai (4)?

A. No.

Q. Do you remember seeing the scene as depicted in photograph 14?

A. Yes. That is the group of people I saw on a trail that runs North and South. They were lying just south of the edge of the village on the trail.

Q. Do you recall getting orders to stop killing people prior to leaving My Lai (4)?

A. I did not kill anyone all the time I was in Vietnam. I don't recall anyone giving such an order.

Q. Do you recall anything about photograph 16 I now show you?

A. Yes that is the graveyard we spent the first night on the CA. We sat up our mortar on top of mound almost dead center of the picture. Sometime during the day some prisoners were taken. Just to the South (right in the picture) the National Police was questioning the prisoners. I walked over to where they were questioning the prisoners present was DS RS Army MI officer, and other members from HQ Section. I saw the US Army MI Officer take his bouie knife and cut off one of the prisoners finger. He put the prisoners finger on a board and chopped off one of this fingers. The police then kicked the prisoner in the back and he started rolling toward a ditch. The police then shot the prisoner 6 times, three went in the front and 3 shot went in the back of the prisoner as he was rolling. The police then started questioning the second prisoner and he would not talk so they told him to lie down in the ditch beside the first prisoner. They then placed a rifle in his mouth and ask him if he was going to talk. When he did not talk they pulled the trigger with the rifle in his mouth-then walked back to another prisoner. This prisoner walked and was not killed.

Q. There is no question but what the CP saw the MI cut of the prisoners finger?

A. No. I will never forget him for he was always walking around with the bouie knife and his .45 on his belt.

Q. Were any other prisoners taken during the mission?

A. The next day we had 4 more prisoners. One of the prisoners was a female nurse. I saw DS questioning these prisoners. One of the prisoners DS placed against a tree and started firing over his head into the tree. He was firing an M-16. After he would fire a round he would turn the prisoner around and show him how close he was coming to his head. DS fired 3 shots like this and the last one just about creased the prisoners head. After this the prisoner started talking.

Q. Do you think DS would have killed the prisoner?

A. No he never killed a prisoner. He used to get mad with us when we roughed them up.

Q. Do you think that damage done to My Lai (4) might have been from artillery or mortar barrage or gunships?

A. Any previous damage was done by artillery and gunships. The damage that was done that day was by the mortar and HQ Section setting fires.

Q. Did you see a helicopter land during the operation?

A. Only the Med Evac of the wounded GI.

Q. Did you see anyone with cameras, or did you collect any souvenirs during the operation?

A. No.

Q. Do you have any knowledge of villagers being warned to evacuate or being warned of the impending assault?

A. No but it was normal procedure to warn the people.

Q. Did you report this incident to anyone?

A. No. So far as I was concerned nothing unusual happened.

Q. Prior to this date has anyone questioned you about My Lai (4)?

A. Yes. A local reported called me and ask me if I would give him a story. I told him I would not.

Q. Were you ~~kkkkkkkkkk~~ advised by your superiors not to discuss this incident with anyone?

A. No.

Q. Did you hear that someone was going to get in trouble about My Lai (4)?

A. Yes. A couple of days later I heard that rumor, it was to the effect that the company was in hot water. As far as I know nothing ever came of it and a short time later ~~DS~~ read a letter from ~~WEST~~ ~~admonishing~~ commending us on a job well done.

Q. Do you have any additional information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai (4)?

A. No. XA

STATEMENT (Continued)

AFFIDAVIT

I, XA HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

LE

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

XA
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of Dec, 1969 at Janesville, Wis

(Signature of Person Administering Oath)

LE
(Typed Name of Person Administering Oath)

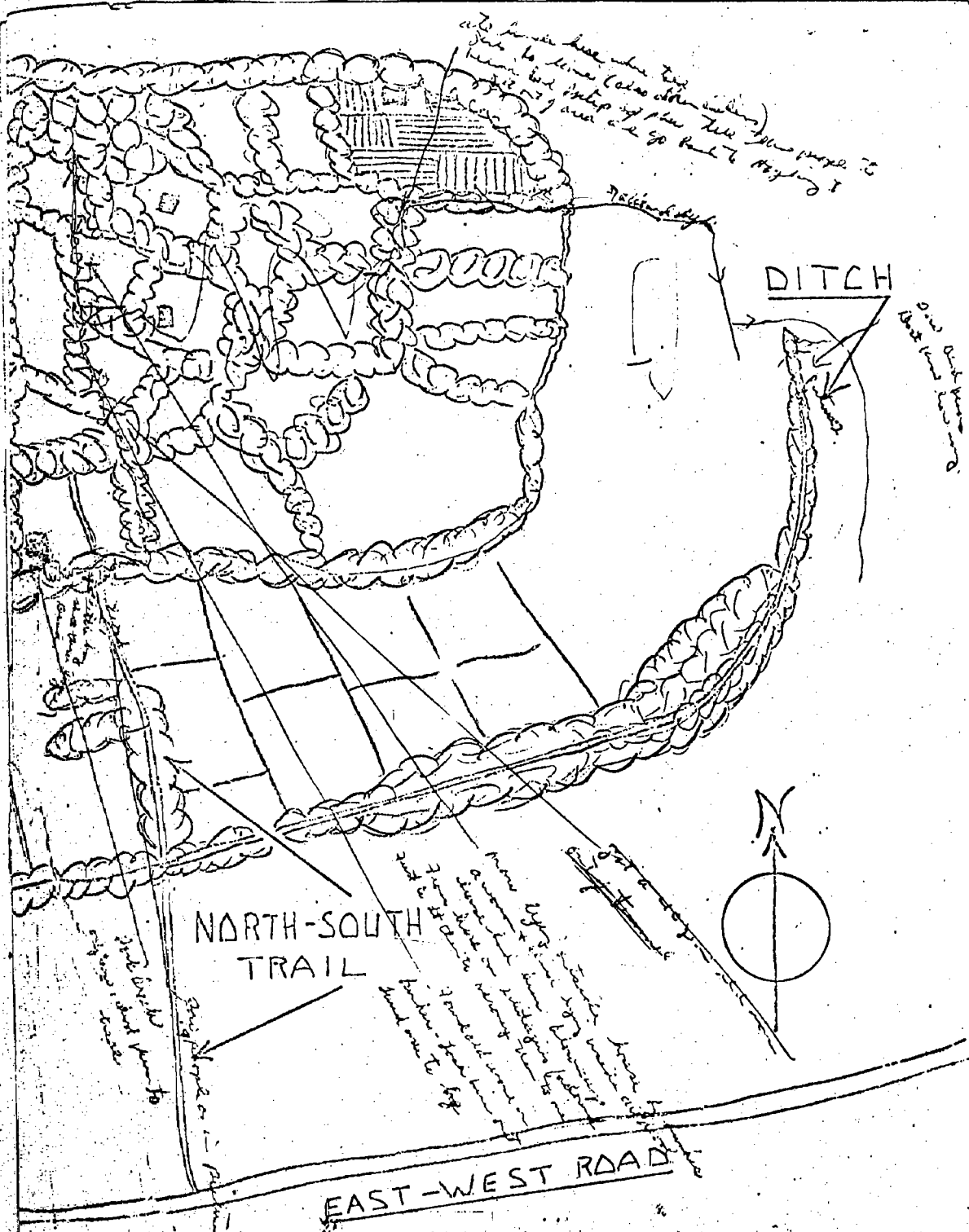
AHT 136 (b) (4) UCMJ

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES





WITNESS STATEMENT (AR 195-10 - TB PMO 3)			
PLACE	DATE	TIME	FILE NUMBER
	6 Dec 69	1030 Hrs	69-CID011-00011
NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
X M			Mr (Civ)
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
X M WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
Q:	X M what was your job or position with Co C, 1st Bn, 20th Inf, 11th Inf Bde?		
A:	I was the		
Q:	How long did you hold this position, to include dates?		
A:	I was with the unit when it formed in Hawaii and was the First Sergeant from August 1966, until about 15 Nov 68. I went with the unit to Vietnam in Nov 67 and remained with it until returning to CONUS in Nov 68.		
Q:	Did you accompany the unit in the field on Task Force Barker?		
A:	No, I remained behind in base camp and resupply bases.		
Q:	Where were you on 16 Mar 68?		
A:	To the best of my knowledge, based on normal operational procedure, I was at LZ Dottie. When the unit moved out I supervised the movement of personal property to the resupply base at Chu Lai. I remained at Chu Lai until about 19th of Mar 68, at which time I returned to base camp at Duc Pho, where I remained until going on R & R to Hawaii about the first part of April 1968.		
Q:	When did the unit return to base camp from Task Force Barker?		
A:	I think the unit returned to base camp about May 68, however, to the best of my memory Task Force Barker ended about the first part of April 68. Then the unit went on another operation with the Battalion.		
Q:	Who was the Company Commander of Co "C" at the time it was assigned to Task Force Barker?		
A:	The was DS.		
Q:	How well did you know DS?		
A:	I became acquainted with DS in Hawaii when he took over as in about Dec 67. In my opinion he is one of the finest officers that I know. I served with DS until he departed the unit in April 1967.		
Q:	Why did DS depart the unit in April 1967? Did he return to CONUS?		
A:	No, DS didn't return to CONUS when he left the unit in Apr 67. He was reassigned to Hq & Hq Co, 1st Bn, 20th Inf, on the Bn Staff. It was unit policy, but I don't know at what level, to reassign or rotate Commanding Officers from the field about every 5 or 6 months.		
Q:	Were you familiar with a soldier assigned to your unit by the name of HR, if so, do you recall him being injured while on Task Force Barker?		
A:	Yes, I know HR. About the 16th or 17th of Mar 68, I received word that he had been shot in the foot and was in the hospital at Chu Lai. I went to the hospital to visit him and he told me that his .45 pistol was jammed and while clearing it, it accidentally discharged and shot him in the foot.		
Q:	Did HR appear depressed when you went to the hospital to see him on/or about 16/17 Mar 68, and did he tell you anything about the activity at My Lai (4)?		
A:	CARTER did not appear to be depressed when I saw him. In fact it was the opposite, he appeared to be in good spirits. The operation was not discussed. My purpose		
EXHIBIT (Continued)		INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
		X M	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of

X M

dated

6 Dec 69.

(Continued from page #1)

Q: in visiting HR was to check on his condition and see that his personal needs were being met.

Q: Did HR tell you that someone else was using his .45 caliber pistol prior to it becoming jammed?

A: I do not recall if he told me this or not. I read an account in the paper that he said this, but I don't remember him telling me this.

Q: Did HR ever tell you anything about noncombatants being killed at My Lai (4)?

A: No, he did not.

Q: When the unit returned from the field did DS, or anyone else tell you or discuss with you what transpired during the operation at My Lai (4)?

A: Not to my knowledge. I didn't see DS when the unit returned to Duc Pho. DS was no longer with the unit when it returned. He had been reassigned as I stated above.

Q: When was your first knowledge that large numbers of noncombatant civilians were killed at My Lai (4)?

A: When it was in the newspapers.

Q: Did you ever go to My Lai (4)?

A: No, I never did.

Q: Do you know of anyone that made pictures or tape recordings of the operation at My Lai (4)?

A: No, I do not.

Q: Are you aware of any type of investigation or inquiry that was conducted in your unit concerning the My Lai (4) incident?

A: No, I don't.

Q: Is it safe to assume that if an investigation or inquiry was conducted concerning the My Lai (4) incident, that you as First Sergeant would have been aware of it?

A: No, not necessarily, because the investigation may have been through Task Force Barker.

Q: Have you ever been questioned by anyone concerning the activity at Task Force Barker's operation at My Lai (4)?

A: Not until now.

Q: Were you ever directed by military authorities not to discuss the My Lai (4) incident?

A: No, I have not been.

Q: When were you separated from military service?

A: I retired with 20 years service on 1 Apr 69, as 1SG -E8.

Q: X M it is not logical that you spent some 8 months with Company "C" after the My Lai (4) incident and didn't hear anything concerning what transpired there.

A: I don't know if it is logical or illogical but the people just didn't talk about it. Further, a lot of the people started rotating and they didn't come back into the unit until some months after the My Lai (4) incident.

Q: Did you ever hear any comments relative to HO's activity on the My Lai (4) incident?

A: Not to my knowledge. HO appeared to be the average and didn't seem to be unstable or out of the ordinary.

Q: Did you have radio contact with the unit in the field from where you were located on 16 Mar 68?

A: No, I did not.

Q: Do you know of any person(s) that may possess information relative to this investigation?

A: No.

Q: Do you possess any further information that may be beneficial to this investigation.

A: No, I do not.

STATEMENT (Continued)

THIS SPACE NOT USED

AFFIDAVIT

I, X M HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

X M
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6th day of December, 1969 at Franklin Park, IL

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

X M
(Signature of Person Administering Oath)

DP
(Signature of Person Administering Oath)

DP
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMC 3; the proponent agency is Office of The Provost Marshal General.

DATE

TIME

FILE NUMBER

LAST NAME FIRST NAME MIDDLE NAME

06

SOCIAL SECURITY ACCOUNT NO.

GRADE

ORGANIZATION OR ADDRESS

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

INVESTIGATOR'S STATEMENT

On 24 December 1969, at 1115 hours, **ZB**, B Co, 5th/60th Inf, 3rd Bde, 9th Inf Div, APO SF 96371, appeared at this office for interview, per my request. After furnishing personal data it was decided to have a break for lunch. After lunch, at 1145 hours, we returned to the office and in the presence of **FFFL** assigned to this office, I advised **ZB** that he was suspected of the destruction of inhabitants, animals, crops, and buildings at My Lai (4) on 16 Mar 68, and that he was further suspected of the rape of one unidentified Vietnamese female in a sub-hamlet of My Lai (4) on that same day. I explained his rights to counsel, retained or appointed, his right to silence, to have counsel present during interview and that he could halt the interview at any time to seek or consult counsel. **ZB** stated that he understood his rights, and that while he did not desire to seek counsel at this time, he also did not desire to execute a waiver certificate. **ZB** agreed to discuss the matter under investigation verbally without the benefit of counsel. He then furnished the following information concerning his knowledge of the military operation conducted by Co C, 1/20 Inf, 11th Lt Inf Bde, Americal Div on 16 Mar 68 - commonly referred to as the Pinkville Operation.

He was assigned to the **DS** Platoon of that Co as Squad Leader for the 1st Sq. During the briefing by the **DS**, they were told that they could expect the area to be heavily mined and booby trapped, that there were no friendlies in the area, that they had all been warned and had left the area. Everyone encountered would either be a VC or a VC sympathizer and would either be carrying a weapon or equipment. He did not hear any mention of destruction of the village or inhabitants. They were told that they were to clear the area of any VC. He cannot recall whether it was to be a "search and clear" or a "search and destroy" mission and does not recall if those words were used at all. In the subsequent briefing by his **ZG** (whom he read in the paper in late July 69 as having been killed in action sometime prior to Jul 69) and by the **HG**, they were told only to take enough supplies and ammo to last the full day until they could be re-supplied at the bivouac that night. He was not instructed to take extra ammo. He did not have the impression that they were going to take any revenge on this village and said that they had not been in action against this village before, although they had been engaged in firefights in the same general area.

His platoon was in the first lift and arrived in the area while the artillery was still in progress and could see the impacting rounds about fifty meters to the NE of the hamlet of My Lai (4). The artillery ceased and the gun ships made their passes, then the slicks carrying the troops set down. The 1st Platoon was also on

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

CLW

PAGE 1 OF

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

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"STATEMENT OF

OB TAKEN AT

CONTINUED."

OB the first lift. They formed on line with the 1st platoon after landing. The 2nd platoon was on the north end of the line as it faced and moved to the east toward the hamlet about 200 meters away. His Squad was on the northern end of the line. As they approached the hamlet, his squad was sent to a sub-hamlet about 200 meters to the NW of My Lai (4), and searched it for VC, tunnels or weapons. They found no VC or equipment there, the 30 or so inhabitants had gathered themselves together near the center of the clump of houses and they were not killed but left there. He and his squad then moved through the northern most edge of My Lai (4), penetrating only about 25 or 30 meters into the hamlet. They swept to the east and encountered about 7 houses. Some of these houses were set afire by his squad but he doesn't know the identity of anyone that set fires. He saw no member of his squad shooting at any of the inhabitants and except for one male who ran and failed to stop and whom he fired at from a distance he did not shoot anyone. He also saw unidentified members of his squad throw dead animals into wells, but did not see them kill any animals. Further he does not recall being instructed to kill animals and pollute wells. His squad received no fire and except for single rounds fired into bunkers or tunnels, he saw no member of his squad fire any shots. Just prior to taking a lunch break he heard a cease fire order being passed down - about then all firing stopped. He continued the sweep until all houses in his AO were searched. They took no captives, nor did they kill any. He did encounter about 30 bodies of men, women and a few children who he thought to have been killed either by artillery or by rockets or mini guns from the gun ships.

After the lunch break, the sweep was resumed and his squad moved on to My Lai (5) and My Lai (6). He did not go back into My Lai (4) since the 3rd platoon which landed in the 2nd lift had come in and were covering the rear, moving toward his platoon.

He saw ZB and HG throughout the operation. Saw DS once, very briefly from a distance in My Lai (4). He did not see HO after LZ Dottie until later that night.

Other members of his squad were HN whom he thinks also fired at the running man at a distance with him, LLM, FFM and VO or VL. FB was in a different squad, UUM was either in or near his squad. FFJ was a member of his squad but he thinks VO or VL joined him the following day.

He did not see anyone killing unarmed civilians nor did he know of any such actions. After the operation was over, he heard people discussing the fact that many people had been killed in the operation. He heard that DN had made some statement to the effect that they had "done wrong" after DN has lost his foot following day. He never considered that crimes had occurred but is of the opinion now that they could have.

He did not see any ditch with bodies, nor did he see a helicopter land.

ZB declined to answer questions about whether he observed any rapes in the sub-hamlet NW of My Lai (4) and refused comment on whether or not he had raped anyone. He also refused to make any comment when informed that a member of his squad had alleged that he raped a Vietnamese female in that sub-hamlet.

ZB declined to reduce his comments to the form of a written statement.
End of statement. OB

EXHIBIT

INITIALS

OB

PAGE 2 of 3 PAGES.

STATEMENT (Continued)

OB

AFFIDAVIT

I, *OB* HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFL
FFFL

OB
(Signature of Person Making Statement)

Subscrib

to administer oath

ORGANIZATION OR ADDRESS

FFFF
(Signature of Person Administering Oath)

FFFF

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b)(4) UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

OB

PAGE 3 OF 3 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 2 Jan 70	TIME 2040 Hrs.	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME L H	SECURITY ACCOUNT NO.		GRADE Mr
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, L H, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 was assigned to Co C, 1st, 20th Inf, 11th Light Inf, in Sep 66. I went to Vietnam with this unit on 1 Dec 67. I was assigned to the 3d Sqd of the Mortar Plt. My job was that of a runner. The Squad Leader was X A, the Platoon Leader at the time of the Pinkville operation was S F, the Platoon SGT was D J and the Commanding Officer was D S. I departed Vietnam and was discharged on 27 Nov 68. L H

I returned to Vietnam from Japan after recuperating from a wound about the last part of Feb 68, and was sent to LZ Dottie. I was there for a week or so and then we went on the Pinkville operation at My Lai (4). I'm not sure of the exact date of the operation but it was about the middle of March 1968. On the day before the My Lai (4) operation D S gave the entire company a briefing at LZ Dottie. CPT D S was pretty mad about losing men in the last operation around the same AO (area of operation) and that he wanted to get back at Charlie and that this operation would be a search and destroy mission. D S stated that the people were told to get out of the village about three or four months earlier and that who ever was in there were either NVA, VC or helping the enemy. D S stated that we were going to clear the area out. D S did not state in exact words that we were to kill everything and everyone, but he inferred it. He did tell us to burn the houses and in effect to level the village. D S told us that the 19th NVA Bn was supposed to be working in that area and we were all expecting to run into it, therefore, we all took extra supplies of ammo. We departed LZ Dottie early one morning. There was about 18 choppers that lifted us to My Lai (4) and I think I was in either the first or second airlift. When we landed at the LZ we set up our mortar about 75 to 100 feet from the tree line on the west end of My Lai (4). I'm not sure, but to the best of my memory the 1st Plt was to the left and the 2d Plt was to the right and in front of the 3d Plt as we faced My Lai (4). The 3d Plt was to our rear and slightly to our right and I believe the H-q element was in front of the 3d Plt. At the time we were landing I recall seeing the gunships firing into a trench or ditch on the south side of the village. I don't recall seeing any gunships nor artillery firing into the village. We did not receive any ground fire that I am aware of upon landing. When we were given the order to move out the 1st and 2d Platoons moved out and our platoon was rear security. The Mortar Platoon moved through the southern side of the village and I think we had to set up a security position at the east end of the village. I recall seeing D S once or twice while moving through the village, but I don't recall where it was in the village that I saw him, nor if he was in front of us or in back of us. I don't recall seeing anyone in the southwest quarter of the village, living or dead. L H continued on through the village I started seeing numerous bodies. Upon reviewing a series of photographs I can identify photo #4 and 14 as being bodies that I saw lying on an elevated rice paddy at the east end of the village. These people were already dead when I came through and I didn't see who shot them and I don't recall seeing anyone standing around the area. I recall seeing the burning house in photo #5 in the upper portion of the southeast corner of the L H

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT L H	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement Of: LH
(Continued from page #1)

Taken At:

16635
Dated: 2 Jan 70

village. When I saw the house it was pretty well burned up and I don't recall seeing the body or bodies there. I didn't see who killed the LH nor who set fire to the house. In reference to photo #12, the only well that I can recall seeing was in about the center of the southeast portion of the village and I recall hearing some discussion about a man falling in a well or being thrown in the well, however, I don't recall seeing anyone in a well. These are the only photographs of those shown to me and numbered 1 through 20 that has any significance to me. The only person that I can recall being with me as I moved through the village was XA. At no time during the operation at My Lai (4) did I see anyone shoot or kill anyone. LH

Q: Was there any ARVIN (Army, Republic of Vietnam) troops with Task Force Barker that entered My Lai (4) with your unit?

A: The only Vietnamese that I can recall was our interpreter, and I'm not sure of his name, possibly it was RB.

Q: Was any VC or NVA suspect taken prisoners, and if so, what were their disposition?

A: A Vietnamese Lieutenant LH was suppose to be an area commander was captured. DS and the Vietnamese interpreter was questioning the Lieutenant and they apparently wasn't getting the information from him that they wanted, so he was shoved up against a tree and DS shot one shot above his head into the tree. Then they ask him some more questions and DS shot above his head again with an M-16 rifle. Then DS took his finger and pointed at the first shot and the second shot and put his finger on the VC's head to indicate LH that the third shot would be in his head if he didn't cooperate. The VC wasn't harmed and was sent out of the area on a chopper. There was a VC nurse captured and when I saw her she only had her black pants bottom on and she was bare from the waist up. I recall that she was moaning and groaning. I don't recall hearing that anyone had any sexual relations with her. I think there were two other men that were taken prisoners and their LH were tied to bamboo sticks. To the best of my knowledge all of these people were taken out of the area by choppers.

Q: Were any Vietnamese National Police in the village in support of Task Force Barker?

A: I can't say for sure.

Q: Did you see any helicopters landing and removing anyone from My Lai (4) during the operation?

A: The only choppers that I recall landing and taking anyone out was the ones that came in and removed the prisoners.

Q: You reportedly witnessed a Vietnamese being shot and killed as he was attempting to crawl out of a well. Do you desire to comment on this allegation?

A: I don't recall seeing any such incident.

Q: Do you have any knowledge of the VC nurse being sexually assaulted?

A: No. LH

Q: Did you witness any American soldier, or allied soldier, killing any noncombatant civilians at My Lai (4) on/or about 16 Mar 68?

A: The only specific killings that I can recall, and I'm not sure of the area of operation where this occurred, was when our interpreter and a Vietnamese Policeman was questioning two VC suspects. After questioning one of the suspects they cut off one of his finger and threw him in the ditch and shot him. Then they questioned the other suspect, cut one of his fingers off, showed him his dead buddy in the ditch and after some more jabbering they threw him in the ditch and shot him also. I'm not sure if the VN Policeman or VN interpreter shot these two VC suspects. I would like to correct one point in the above statement. They did not cut a finger off of the first guy that they threw in the ditch and shot. They just cut a finger off of the second guy. As I said, I'm not sure that this incident took place at My Lai (4). LH

Page #2 of 4 pages.

Statement

LH

Taken At:

(Continued from page #2)

Dated: 2 Jan 70

- Q: LH Did you see a large number of bodies in a ditch at the east end of the village ?
- A: No, only those that I pointed out in the picture.
- Q: How many bodies would you estimate that you saw during the operation at My Lai (4) ?
- A: Anywhere between 20 and 25 I would guess.
- Q: Did DS state that you were to kill everyone in the village of My Lai (4) ?
- A: No, he didn't say it in words, but in my point of view he inferred it.
- Q: Did you kill anyone at My Lai (4) ?
- A: No.
- Q: Did you burn any homes or kill any livestock at My Lai (4) ?
- A: Yes, I killed a couple of chickens.
- Q: What specific type of weapon(s) were you carrying during the My Lai (4) operation?
- A: I had an M-16 and assisted in carrying sections of an 81mm mortar.
- Q: Did you see DS, HC, DV, DRE, WX, WRT or anyone else Kill or shoot at anyone during the My Lai (4) operation ?
- A: No, the only thing that I saw is what I've explained above about DS and the VCs being shot by the interpreter or VN policeman.
- Q: Was an investigation conducted following the My Lai (4) incident ?
- A: DS told us there was going to be an investigation, but I wasn't questioned.
- Q: Were you directed not to discuss the My Lai (4) incident by officer or NCO personnel?
- A: Yes. DS had us all together shortly after the operation and after telling us about an investigation being conducted he suggested that we not be discussing the incident. I don't know of anyone that was ever asked anything about the incident.
- Q: Do you know of anyone using marijuana or other narcotic drugs in your unit ?
- A: No, not that I know of.
- Q: Do you know of anyone taking any photographs, or making any tape recordings of the My Lai (4) operation ?
- A: No.
- Q: Did you see any weapons or ammunition being recovered at My Lai (4) ?
- A: No, I just heard that one rifle was found someplace inside the village.
- Q: Are you aware of anyone sexually assaulting any females in the village ?
- A: No.
- Q: Did you hear DS give any orders to stop shooting civilians ?
- A: No, I don't recall of it.
- Q: Were you or any member in your Squad fired upon during the My Lai (4) operation ?
- A: No.
- Q: Have you witnessed any killing or torture of noncombatant civilians during any other combat operation while stationed in Vietnam ?
- A: No, only those two guys that I told you about.
- Q: Did you hear any member of Co C, say that they killed anyone during the My Lai (4) operation ?
- A: No.
- Q: Did you see anyone fleeing the village during or after you landed ?
- A: No.
- Q: Do you know of anyone that possesses, or may possess any knowledge concerning non-combatant civilians being killed at My Lai (4) ?
- A: No, not specifically.
- Q: Do you possess any further knowledge relative to this incident ?
- A: No, this is everything that I know.

STATEMENT (Continued)

THIS SECTION NOT USED

AFFIDAVIT

I, _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2d day of January, 1970 at Duncanville, TX

(Signature of Person Administering Oath)

✓ LS, CID
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-0)

PLACE	DATE 28 Oct 69	TIME 0840	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME BO	SOCIAL SECURITY ACCOUNT NO.		GRADE PVT
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY PH

OF CID

THAT HE WANTS TO QUESTION ME ABOUT Murder, Violation of the Laws of War.

OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.

I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.

I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.

I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTIONS AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.

I ~~(DO)~~ (DO NOT) WANT COUNSEL.

I (DO) ~~(WANT)~~ WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS.

BO
(Signature of Person To Be Questioned)

INTERROGATOR: PH (Signature) WITNESS: FFFM (Signature)

PH (Typed Name and Organization) FFFM (Typed Name and Organization)

PART II - SWORN STATEMENT

I, BO WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was assigned to the 173d Inf from Jan - Apr 67. I returned to Hawaii and was reassigned to Co C, 1st Bn, 20th Inf Americal Div. In Nov 67 I returned to Vietnam and got in country 1 Dec 67. I was initially assigned to a base camp south of Chu Lai. We worked out of that area for a couple of months and then moved. At the time of My Lai #4, I think we were working out of Base Camp Broncho. I can't recall for sure as we were moving around quite a lot. I was with the second platoon and was squad leader of the weapons squad. I was also a member of a machinegun crew. Then I was moved up to squad leader of the second squad. This was after My Lai #4. During My Lai #4 I was on a machinegun. We arrived at My Lai #4 for the operation by chopper. We landed at the edge of the village and all three platoons got on line. Second platoon was on the left, the third was in the center and the first platoon was on the far right. The mortar platoon brought up the rear. The night prior to the mission, I think it was April or May, DS called the company together and explained the mission to us. He stated that My Lai #4 was a suspected VC strong hold and that he had orders to kill everybody that was in the village. We did not expect to find anyone in the village, and when we did, we did as ordered.

Q: When you first started on the operation into My Lai, who was the first Vietnamese you saw?

A: A woman coming out of a tunnel.

Q: What happened to her?

(Cont'd)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>BO</u>	PAGE 1 OF <u>6</u> PAGES
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STATEMENT OF

BC

TAKEN AT 1

ATED 28 OCT 69 CONTINUED

A: She was shot and killed. WX AR were with me and we took turns on the machinegun. I was manning the gun at that time.

Q: Did she have any weapons?

A: We did not find any.

Q: Did you receive any hostile fire either prior to entering the village or while in it?

A: No. There were 2 VC's and the gunship got one of them prior to the operation. He had an M-1 and a few rounds of ammo.

Q: As you passed through the village, did you see any other Vietnamese, either alone or in groups?

A: Yes, I did.

Q: How many would you say you saw?

A: I couldn't say for sure. I just saw the ones in my squad area. They were all over. Some were in tunnels, some were in houses, and some were outside. I would say there were 20-25, however, this was just in my squad area. We killed them all.

Q: Prior to going into the village, did you see DS chase down a Vietnamese woman and shoot her?

A: No. Right after we landed, we saw a woman about a hundred meters out in the rice paddy and we all fired at her.

Q: Was she hit?

A: Yes. She fell. There were about 4 or 5 guys besides myself firing at her. I can't recall exactly who it was now. It is so long since this happened.

Q: Were you present when an old Vietnamese man was pushed down a well and killed?

A: Not during My Lai #4. I recall that during another operation, we had received hostile fire and we caught an old man in the village and RJ HO and a few of the men from the platoon lowered him on a rope by his feet into a well in an attempt to make him tell us where the VC had gone. I can't recall if he was killed or not.

Q: Will you explain the action that took place at My Lai after the woman was shot coming out of the tunnel?

A: We just moved through the village and killed every thing that moved and burned the village.

Q: Did the order to kill everything include young children and babies?

A: I guess that is what it meant. I think that what was meant by a VC Held village was that the VC would come into the village at night, get fed and have a woman, and then leave prior to daylight.

Q: Did your platoon or squad round up any groups of civilians?

A: No.

Q: Did you see any groups of civilians rounded up or in any one location?

A: No. Where I was at, they were scattered out and hiding.

Q: Where was HO during the sweep through the village?

A: He was with one of the squads, but I don't remember which one.

Q: Did you see HO DV DN firing into a group of civilians or into a ditch?

A: No.

Q: Did you see any groups of Vietnamese that had apparently been shot?

A: After we had gone through the village, and come out to a little grove of trees, I saw a group of about 10 dead Vietnamese. They were up close to a hootch.

Initials BC

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Page 2 of 6 Pages

STATEMENT OF

BO

TAKEN AT

DATED 28 OCT 69 CONTINUED

Q: Do you know who had shot this group?

A: They were in our platoon area, so I guess we all did.

Q: Did you see a group of Vietnamese women and children at a temple being shot?

A: No, I did not.

Q: How many persons would you estimate were killed at My Lai #4 during that particular operation?

A: Maybe 75.

Q: Did you hear HO give anyone an order to "waste" a group of people?

A: No I did not.

Q: Are you positive of that?

A: Yes.

Q: Did you know FY WC

A: Yes. They were two big colored guys in the 3d platoon.

Q: Did you see them shoot a group of women and girls?

A: No. They were in the 3d platoon and down to the right of us. There was a lot of confusion with some of the men getting ahead of us and the screaming and hollering.

Q: After the operation, a meeting was held by DS with his platoon SGTS and squad leaders. This meeting was in regards to My Lai #4. Do you recall what DS said at this meeting?

A: I can't remember. I didn't see it, but I heard that someone in a spotter helicopter came down at the village during the operation and that some officer on the chopper had words with DS

Q: Did you at any time receive orders to stop firing and if so, when and from whom?

A: No. I did not hear any cease fire order.

Q: Did you see WN shoot a little boy with a .45?

A: No.

Q: Did you see HO shoot anyone?

A: Yes. I saw him shoot a woman who I think was going down a tunnel.

Q: Whereabouts in the village did this take place?

A: I think it was around the center of the village.

Q: Were you acquainted with FM

A: Yes. He was a squad leader in the first squad of the second platoon.

Q: Did you see him shoot anyone?

A: No.

Q: Did you see DS shoot anyone?

A: No.

Q: Did you see DV shoot anyone?

A: No. He was in 3d platoon.

Q: Did you see HZ kill and old man?

A: No.

Q: Did you see KG doing any shooting?

A: No. I can't ever recall him.

Q: What individuals do you recall shooting children? BO

A: I myself did not shoot any kids. I shot a woman. ~~BO~~ Let me see the roster. There was a big guy in the second platoon - he caught malaria and I took his place - ~~NAVJ~~ was his name. I saw him shoot one child and one woman. The child was not a baby, but I don't know how old it was.

Initials BO

STATEMENT OF

BO

TAKEN AT

DATED 28 OCT 69 CONTINUED

Q: Where did this occur?

A: It was off to the right of me. Our gun was covering a paddy to the left. The child was in a hootch with a woman. *NNJ* just walked up to the hootch and sprayed them with his M-16.

Q: There were several mass executions that day at My Lai #4, who was responsible for these executions?

A: I think the responsibility started higher up. I would say probably the Battalion Commander and on up. I'm sure that is where the order had to originate. I am sure

DS would not take it on his own to go in there and kill all of those people.
Q: We have determined where the orders originated, but I am still trying to determine who actually shot the groups of old men, women and children. Will you tell me who did this?

A: The only group that I saw was the group that we wiped out. I think it was on the south-east edge of the village after we had swept through the village. I believe the 3d and 2d squads of the 2d platoon were there. I was on an M-60 machinegun. We all fired into the group. As far as I know, the whole group was killed.

Q: Was your machinegun set up or just hand carried?

A: It was just hand carried.

Q: Was *HO* with you at this time?

A: I can't remember where he was at, but he was there at the scene.

Q: Who was with *HO*?

A: *HO* had a platoon radio so he had his KTO with him. His KTO was *AAAL*.

Q: Was *AAAL* also shooting?

A: He had an M-16, but I did not notice if he had fired it.

Q: Was there an investigation conducted after this operation while you were still in Vietnam?

A: Not that I know of.

Q: Did you see a village elder or village monk or priest executed?

A: Yes. *LLG* shot him with a .45.

Q: Was this old man questioned prior to being shot by *LLG*?

A: No.

Q: It has been stated that *HO* took a child, threw it onto a group of dead civilians and shot it with a M-16. Did you see or hear of this?

A: No I didn't.

Q: Can you recall any other specific incidents, especially involving the killing of children, that you have not told me about?

A: No. I guess there were a couple of kids in the group I told you about where I was firing my machinegun. As for specific instances of children being murdered, I don't recall any.

Q: How many prisoners were taken from My Lai #4?

A: None that I know of.

Q: Did you see *DS* fire his weapon at any time during this operation?

A: No.

Q: Do you have anything further to add to this statement?

A: I would like to add that this whole operation and the results of it came as a result of orders which I assume were sent out of higher headquarters and I believe that this investigation should be carried up the chain of command to determine who was responsible. I also believe that the whole company, with very few exceptions, in addition to the Brigade and Division Commanders, should be tried if there is any action taken.

Initials *BO*

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Page 4 of 6 Pages

STATEMENT OF
INTERVIEW OF

BO

TAKEN AT
RESUMED AT 1510 HRS, 28 OCT 69.

DATED 28 OCT 69 CONTINUED

Q: BO in addition to the questions I asked you this morning, I would like to ask you some additional questions. Will you answer these questions voluntarily, knowing that your rights to counsel are still in effect as explained to you this morning?

A: Yes, I will.

Q: Did you see GGGH and AR finishing off any Vietnamese with Cal .45's?

A: No. They only used machineguns that I saw.

Q: Did you see RRD LZ do any shooting?

A: No. I just know that they were in the 1st squad?

Q: Where was H during this operation?

A: I can't remember where he was. There was so much confusion. Everyone was moving and yelling and shooting and afraid of getting in front of others who were shooting. I would say there is a good possibility that men from other platoons got mixed up as well as squads.

Q: Where was HG during this operation?

A: He was just walking along with everyone else. I know he was shooting cows and pigs but I did not see him shoot any Vietnamese.

Q: Did you know JK and if so, did you see him doing any shooting?

A: Yes. I knew JK He was a medic. He had an M-16, but I don't think he did any shooting.

Q: In reference to the woman that you shot as she came out of the tunnel, where was the tunnel in regards to the village?

A: She came out of the tunnel at the wood line on the left side of the village as we entered the village.

Q: Did you check the tunnel afterwards?

A: No. She had fallen back in and we couldn't see any more there so we left.

Q: How far was she when you first saw her?

A: About 30 feet.

Q: How old was she?

A: About middle age. It was hard to tell.

Q: Were her hands up or did she have a weapon?

A: She was climbing out so I guess she was using her hands. I did not see any weapon.

Q: How was she dressed?

A: The same as most of them dress. She was wearing black pajamas.

Q: Did anyone else fire at her at the same time?

A: No.

Q: What squads were the machineguns assigned to?

A: The 3d and 2d squads as they were on the flanks.

Q: How long were you in the village?

A: I don't know for sure. We went in shortly after 0730 and were out by lunch time.

Q: You said earlier that in addition to the woman, you shot a man. What were the circumstances surrounding this incident?

A: When I answered that question, the man I was referring to was one of the group of people that I was involved in shooting that I previously explained.

Q: Do you recall the ages of any of this group?

A: They were mostly older people, both male and female. There were maybe a couple of kids in the group.

Initials BO

Q: Do you recall how they were dressed?

A: No. They were all dressed about the same. Shirts and pants. Men and women alike.

Q: In addition to what you added to your statement this morning, do you have anything further to add or delete?

AR. Only that when we shot the group, also present was AR WX FFK.
RB FFS LZ FM NJT DDR FB AW and
FH HO was also there with his KTO. I would further like to clarify the
part where I said I shot the woman and the man. I shot the woman as she came out of the
tunnel, but when I referred to the man, I was talking about one of the group that I
shot along with the other men I have just named.

AFFIDAVIT

I, B2 [] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS**ORGANIZATION OR ADDRESS**

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 29 day of October, 1969
at

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

PAGE 6 OF 6 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON

(AR 195-10)

PLACE	DATE 17 Nov 69	TIME 1500 hrs	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME <u>AR</u>		SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY OE
OF ARMY CID
THAT HE WANTS TO QUESTION ME ABOUT MURDER and RAPE AR
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
AR (DO NOT) WANT COUNSEL.
I (DO) AR WANT TO MAKE A STATEMENT AND AR (Signature of Person To Be Questioned)
ANSWER QUESTIONS.

INTERROGATOR: OEWITNESS: _____
(Signature)OE
(Typed Name and Organization)_____
(Typed Name and Organization)

PART II - SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER

AR
OATH: I enlisted in the US Army 13 Jan 67 and took my basic training at Fort Polk, LA.
Then I went to Hawaii and in Apr 67, I was assigned to C Company, 1st Bn, 20th Inf.
I was assigned to the Weapons Squad of the Second Platoon. On 1 Dec 67, I accompanied
the unit to the Republic of Vietnam.

I recall the unit's combat assault mission on the village of My Lai (4) near the
town called "Pinkville." This was a part of Task Force Barker, and happened about Mar
68. At that time I was in the Weapons Squad and the Machine gunner. J. LR was
my as FFJ was the ammo bearer. Bo a WX also had another
gun in the second platoon. At this time ZG was the platoon leader and SGT
HG was the platoon sergeant. Bo was the Squad Leader of the Weapons Squad.

The night before the mission we had a briefing. It was held DS and
was AT LE DOTTE. It lasted for 30-45 minutes. As far as I know about all the company
was present at the briefing. DS said that everything in the village was
communist. This was a "Search and Destroy" mission and we were to kill all the animals
and destroy all the food. He said the NVA was in the area. I don't recall him saying
to kill all the people in the village or to burn the village. The village was burned.
There wasn't anything different or unusual about this briefing except that it was the
first Search and Destroy mission of the unit. I also remember DS said
that we would have our change to get even with the VC for some of the casualties that
the company had already had. The impression that I got from this briefing was that we
we to shoot everybody in the village and I think the whole company had the same im-

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

ARPAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE
BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LIN-
ED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2820
1 OCT 67

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Statement of
Continued:

AR

taken at Fort Lewis, WA, dated 17 Nov 69,

AR
pression.

Early the next morning after the briefing we left for My Lai (4). I think I was on the first air lift and I believe BO WX FFJ LR and FK were along with me in the same chopper. We landed in a dry rice paddy on the outskirts of the west side of the village. We were about 100-200 meters from the village. LR FFJ and I set up our machine gun. No more than 50 meters away, WX BO set up their machine gun too. At this time we were not firing our machine gun.

As we landed in the LZ, the chopper that I was on was not firing its machine guns. I do remember that some of the gunships in the area were firing their guns but I do not know what they were firing at. I don't remember any artillery fire as we landed but it is possible that there was some firing.

After we had set up our gun, the first and second platoons formed on line. This took about 30 minutes and then the platoons started moving out. We moved out and I was carrying the machine gun. Everybody on line opened up on the village and I was firing the machine gun into the village. At this time I wasn't firing at anything in particular, just firing for recon. As we got on the outskirts of the village an order came down from the company to destroy all the food, kill all the animals and kill all the people. I do recall who told me about this and I guess that it came from higher headquarters.

When we entered the village I saw Vietnamese running for cover and trying to hide. The AR company opened up on the villagers and began to kill them. It was murder. We were shooting into houses and shooting at people running or people just standing and doing nothing. At this time I was firing at the people and shooting into the houses. FFJ had an M-16 and was also shooting along with everybody else. About 30 minutes in the village FFJ wanted the machine gun so at this time I gave him the M-60 and I took his M-16. FFJ liked to fire the M-60 better than the M-16 and I wasn't happy about shooting all the ~~XXXXX~~ people anyway. It was common practice to switch the gun around anyway. AR

We continued through the village shooting at everything. As far as I could tell about everybody in the company was shooting. We didn't collect any people and we didn't try to capture anyone. I didn't agree with all the killing but we were doing it because we had been told to do it. We shot men, women and children.

Somewhere in the vicinity of halfway through the village, we came upon a little clearing in the village. There was a pretty small hut there. There was a group of 10-15 people, men, women and children standing around in the clearing. Some were in groups and some were running around. There was me, FFJ LR and 3-4 riflemen from the second platoon AR together and we all opened up on the group of people. FFJ opened up with the machine gun. After FFJ stopped firing, I shot one or two of these people with the M-16. I shot them from a distance. LR shot one or two of them with a 45. The reason I shot these people was because I was ordered to kill everybody in the village. As far as I know this group of people were all killed. There was men, women and children in this group, ranging from old people to young people. I don't recall any babies in this group. I did see some babies shot, but they were not in groups and scattered as we moved through the village.

This is the only group of people of that size that I shot or helped to shoot. I saw other groups of 7-8 people that were shot and killed. One group I remember now was shot and killed. FK He carried an M-79. These people, men, women and children, were sitting in a group in a clearing in the village, and FK fired two rounds from his M-79. The first round missed and the second round hit them. Some of the people were not dead and I remember one of the riflemen went up and shot the people in the group that were only injured. All these people were killed. I remember that

State-----
Continued:

AR

taken at Fort Lewis, WA, dated 17 Nov 69,

AR

the first round fired by FK almost hit HG, our platoon sergeant. I don't know if he AR them killed or not as he walked up after everything was over. Nothing was said about him nearly being hit.

These are the only two groups of people being killed that I remember. The rest of the people I saw killed were scattered throughout the village.

Q: How many people did you kill during that mission?

A: I can't really estimate. Maybe 8-10. Maybe more or maybe less. These were men, women and children and I can't remember any specific details.

Q: How much firing did you do?

A: 75 - 100 round of M-60 ammo. Both firing for recon and at people. I also fired about one magazine when I had the M-16. I don't remember if I had any grenades or not, but I do remember that I didn't explode any grenades.

Q: Did you approve of all the killings?

A: No. I did it because I was ordered to do it.

Q: Can you estimate how many dead persons you saw as you moved through the village?

A: I'd say 30 - 50 or so. I can't really recall.

Q: Did you hear anything about a ditch, or people being killed at a ditch?

A: Yes, AR like I told you I heard that AR HO the first platoon leader, had two large groups of people and lined them up and gunned them down. I didn't see this and I don't know if it is true or not. I don't remember who told me about this and as I recall, I heard about this before I left the village.

Q: How long were you in the village?

A: AR of the morning. I remember we had lunch inside the village on the wood line at the edge of the village.

Q: Do you have any information about HR being injured?

A: No, but I heard that he shot himself in the foot AR. I don't know if this was on purpose or an accident. I don't remember seeing HR at all.

Q: What route did you travel through the village?

A: I went through the village on the northern edge of the village. Later on I moved throughout the village.

Q: Did you see DS or any other of the unit officers while you were in the village?

A: I don't recall seeing any of them.

Q: While you were inside the village, do you recall getting any type of cease fire order?

A: I don't remember hearing an order. After we got through the village to the other side everyone ceased fire. We stopped firing because we reached the edge of the village. I don't recall getting an order.

Q: I have read to you part of a statement made by LZ, who stated that you and other persons raped and shot a girl in the village. Would you care to comment about this?

A: Just that I did not do this and I don't recall seeing anyone do this.

Q: Do you know why he might make such a statement?

A: Maybe he thought he saw me there if it happened, but if it happened, I was not there. I don't know anything AR about a girl being raped.

Q: I have read to you part of a statement made by LR in which he stated that you and he shot some people after FFJ had some them with the machine gun. Is this the same incident that you described above?

A: Yes it is.

Q: Can you explain why the ~~XXXXXX~~ villagers were all shot?

A: Because they were all considered communist from the word that we had gotten from

DS

STATEMENT (Continued)

Q: Would this include babies and small children?

A: Yes.

Q: Can you describe any other persons that were shot during this mission?

A: No I cannot.

Q: Is there anything else that you would like to add to this statement?

A: No thats about *AR*

AFFIDAVIT

I, *AR*, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE *4*. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

AR
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this *17* day of *November*, 19 *69*

OE
(Signature of Person Administering Oath)

OE
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

AR

PAGE *4* OF *4* PAGES

WITNESS STATEMENT

(AR 195-10 - TB PMG 3)

PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	10 Dec 69	1900 hrs	69-CID011-00014
ORGANIZATION OR ADDRESS	SOCIAL SECURITY ACCOUNT NO.	GRADE	Crim Inves

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 10 Dec 69 **BE**, was interviewed in his home at and stated in substance as follows:

BE entered the US Army on 17 Jan 67 at Ft Ord, CA where he took basic training. **BE** received Advanced Individual Training at Schofield Barracks, Hawaii. On 1 Dec 67 **BE** went to Vietnam, assigned to 611th Artillery, attached as a reconnaissance sergeant to C Company, 1st Bn, 20th Infantry. His movement on 1 Dec 67 was as a member of an advanced party for a larger movement of troops. **BE** participated in the My Lai (4) operation, on 16 Mar 68, as assistant forward observer for the artillery, and was assigned to work with a in the C/1/20 "Command Group", that is **OS** headquarters section of C/1/20.

BE attended a briefing, held by **OS**, in the early evening of 15 Mar 68. It was still daylight. **BE** cannot recall any specific wording used by **OS** in his briefing but knows that he left the briefing with the idea that the operation on the next day was going to be "hot and heavy". **BE** said that he carried extra ammunition on the operation because of this feeling, and he was "scared". **OS** words are unrecalled by **BE** but he has a faint recollection that **OS** informed the personnel that this was a chance to get even - retaliate - with the 48th VC Battalion. **BE** has the impression that the village was to be destroyed. **BE** does not believe that **OS** used any words to kill the people of My Lai (4), but the "word" was to destroy the village, including livestock and crops. **BE** said that he never received the impression that the men were to kill the inhabitants of the village. According to **BE** almost all of the unit, C/1/20, attended the briefing, but cannot recall any person who was there specifically by name. **BE** emphasized that his carrying extra ammunition was entirely his own idea. The whole area was known to be Viet-Cong or Viet-Cong sympathizers.

On the morning of 16 Mar 68, **BE** worked in **OS** "command group". This group, as far as **BE** can recall, consisted of **OS** **BE** **GE** **DK** **IR** **EC** **up**), two men from the Engineers who acted as demolitions men, **OS** radio operator) (another radio operator for **OS** and **WV** usually **OS** radio operator). I was unable to further identify the two demolitions men other than that one had the nickname of "is".

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 7 PAGES
	LV	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

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"STATEMENT OF **BE**
DATED 10 DECEMBER 1969, CONTINUED."

believed to live someplace in Louisiana, exact area unknown.

BE on the morning of 16 Mar 68, went about 0730 hours by helicopter from LZ Dottie to the landing zone outside of My Lai (4). **BE** was in the second lift. The only personnel on board the helicopter that he can recall for certain were **DS** and **GE** and, he believes, a Vietnamese interpreter named **RT**. He knows none of the crew of the ship. As **BE** recalled, when the helicopter landed, he jumped out and ran a short distance to a mound of dirt where he lay for a short while before joining the other members of the command group. **BE** was unable to point out the landing site, the mound and the location of the command group when he was shown a sketch of the My Lai (4) area. He says that he believes it was somewhere near the north middle section of the west side of the village. **BE** recalls that the Mortar Platoon set up their weapons on their right, near the southern corner of the village area.

During the period when the 1st and 2d Platoons made a sweep through the village the command group moved southwest of the village to seek out a person armed with a weapon. According to **BE** **DS**, he believes, received a report about this person from a helicopter, identity unknown. **BE** cannot recall whether or not they found this person or whether or not they recovered any weapon.

After seeking out this armed individual, the command group returned to the village area. **BE** stated that they had gone about 800 meters from the village on their search for the armed person. The group moved along the southern edge of the hamlet, exact route unrecalled by **BE**, to where a Negro soldier, believed to be named **HR**, had shot himself in the foot, using his own .45 caliber pistol. **BE** says that he never saw **HR** at all. During this pause, **BE** was near the ruins of a stone house, leaning against a pillar, some distance away from **DS**. **BE** says that he was near enough, however, to see the others of the command group prepare to move on to another area and, when they did so, he moved with them. **BE** claims that, during this pause, he could not see **DS** just someone else in the command group, name unrecalled. **BE** did not see **HR** being "dusted off" because of his foot injury. During this period of time **BE** shared a can of beer with " **GC**."

After a short while, exact time unrecalled, the command group moved from the area where **HR** shot himself

INITIALS **BE**

PAGE 2 OF 7 PAGES

"STATEMENT OF

BE

ATED 10 DECEMBER 1969, CONTINUED."

to a point on the northeast of the hamlet. cannot recall the route but believes it was around the southern and eastern edge. The unit reformed, stopped for lunch, moved out to and through My Lai (5) and (6), moved south for some distance, returned northward and then stopped for the night. BE was quite vague and uncertain in his recollection of the command group's movements all throughout the My Lai (4) operation, from his jumping out of the chopper until they stopped for the night bivouac. He recalls moving across some open areas, through some trees, over some paddy dikes, and through some paddies, but cannot pinpoint any movements of this group on the sketch map.

BE stated that he cannot recall any instance in which he saw anyone of C Company or the command group kill anyone at all during the My Lai (4) operation.

BE stated that he did not see OS shoot anyone at all, either as a reaction or as a deliberate action.

BE states that he heard firing of weapons when the 1st and 2d Platoons went through the village but has no knowledge of the resistance encountered by these units. According to BE, the command group met with no resistance and, as far as he can recall, personnel of the command group did little or no actual firing of their weapons.

To BE knowledge, OS received no reports about indiscriminate shooting by members of the company or of indiscriminate shooting of civilians by any member of the unit. BE has no knowledge of any scene where a helicopter landed, removed some civilians from the area, or where any chopper pilot argued or spoke to any member of OS command.

BE has no recollection of seeing "stacks" of bodies in the hamlet area. BE maintains that, all through the movements of the command group, he did not see any groups of civilians, either dead or alive, in the My Lai (4) area. The only two groups of civilians that he can recall are a group of civilians, unknown in number, who stood on the far bank of a river behind the command group while it was on the western edge of the village, and a group of civilians the unit met while enroute from My Lai (4) to My Lai (5). This latter group was told to move out of the way and towards Highway 1.

BE says that he never received a cease-fire order from OS or anyone else and does not know that such an order was ever given.

BE states that, on the movements of the command group

INITIALS

LV

PAGE 3 OF 7 PAGES

"STATEMENT OF BE
DATED 10 DECEMBER 1969, CONTINUED."

in and around the village, he saw several houses burning, but that he saw no bodies at all during the group's movements, either singly or in groups. When asked about the houses being burned, BE claims that he never heard OS give any orders to burn the houses, other than what he said at the briefing on the night of 15 Mar 68.

BE stated that he had heard from someone, name unrecalled, that the people of My Lai (4) had been warned that the village was to be attacked, but he has no idea of the method used to warn the villagers. BE is of the opinion that an artillery preparatory fire had been laid on the village but, since this was the usual practice for sweeping an area, he cannot definitely state that one had been laid on My Lai (4). According to BE, VZ for Task Force Barker, would best be able to relate to any artillery fire put on My Lai (4).

BE stated that GE usually carried a camera on unit operations, but BE does not know for certain that ALAUX did so during this operation. BE has not seen any photographs taken by any person of the My Lai (4) operation, other than what has appeared in the various news media. He believes that GU picked up a small radio someplace during the operation, and that CCR and someone else picked up a couple of military type rifles. He was not certain of this information.

According to BE, when C Company joined "B Company", one of the blocking force units, there were several male prisoners who were questioned by Vietnamese police. Although BE did not see the shooting of one of these prisoners, he did see the body after the man had been killed. The man's face was blown away. According to what BE heard from some unrecalled person, the weapon was a .357 magnum pistol, used by one of the Vietnamese police. BE cannot recall seeing OS question any prisoners during the My Lai (4) operation. He believes that BX (phonetic) interrogated some prisoners. BX was an Intelligence Officer. During BX interrogation, the Vietnamese police were present during the questioning. BE seems to recall that these prisoners were carried along when the unit moved onward. Late in the afternoon of the next day, BE saw OS interrogate a prisoner. He saw OS shoot into a tree, over the prisoner's head, in an effort to cause the man to talk. BE maintains that this prisoner, however, was evacuated later on and saw him get on board the chopper. During OS interrogation,

INITIALS BE

"STATEMENT OF BE
DATED 10 DECEMBER 1969, CONTINUED."

BE recalls that DS fired two or three rounds over the man's head. This interrogation occurred near the Quang Gnai river on 17 Mar 68. BE heard that this prisoner was a strong Viet Cong since 1945 and was an important person of the area. Because of this BE claims that everyone would be careful not to harm him. BE was close enough to this scene to hear the sound of DS voice and therefore had a clear view of what transpired. He did not hear any of the questions put to the prisoner. BE also saw a woman, reportedly a Viet Cong nurse, being questioned. The disposition of this prisoner is unknown to BE but he believes that she also was evacuated out of the area by helicopter.

When questioned about any meetings or "critiques" held by DS, after the My Lai (4) operation, BE stated that it was DS habit to have meetings every night with the Platoon Leaders and Platoon Sergeants, but BE cannot recall of any specific meeting held the night after the My Lai (4) operation. He says that he never attended any such meetings, always getting his briefings from GE for their requirements.

When questioned about DS shooting a woman, about 800 meters from My Lai (4), BE stated that, although DS admitted this shooting, BE himself, has no knowledge of it. BE maintains that he never saw DS shoot anyone.

BE recalls seeing a helicopter cover during the operation but does not recall seeing these helicopters firing at anyone in particular.

According to BE, DS remained outside My Lai (4) all throughout the sweep operation.

BE was unable to trace the movements of the command group on a sketch map provided to him, saying that he "just can't remember."

In response to specific questions about an investigation being held in Vietnam about the My Lai (4) operation, BE stated that he heard of an investigation being conducted but he cannot recall from whom he received this information. BE was never questioned. According to BE, he first heard of an investigation about one or two days after the My Lai (4) operation. It was at that time that DS spoke to the Company, as a group, about an investigation being conducted. DS told the personnel of the unit that they were not to talk about the operation to anyone unless they were called in for questioning. BE understood this to mean that the men were not to gossip

"STATEMENT OF **BE**
DATED 10 DECEMBER 1969, CONTINUED."

with other divisional or brigade personnel, or with anyone from other units, but, if called in for questioning by some type of investigators, to talk freely and willingly. **BE** has never received any instructions or orders from any superior to not talk about the My Lai (4) operation, other than stated above. **BE** never has discussed the operation with any of his superiors, and has never been questioned about it by any of his divisional personnel. **BE** claims that he never was advised by any of his superiors as to what his answers were to be if he was questioned. **BE** has no knowledge of anyone attempting to suppress an investigation concerning the My Lai (4) operation. The only time that **BE** has discussed the My Lai (4) operation with anyone occurred with a representative, name unrecalled, of the National Broadcasting System. This interview is a matter of public record and **BE** only recalls being asked about his reaction to the news of the My Lai (4) incident.

BE does not recall seeing a temple, pagoda or shrine, or any other specific type buildings in My Lai (4). The only souvenir of the operation that **BE** has is an Army map of the area, Sheet #6739, Sheet 2, which he is keeping for another reason: it shows the area in which he was first fired at. This occurred several days prior to the My Lai operation.

When shown a roster of personnel of C Company, dated 18 April 1969, **BE** was not reminded of any particular incident. **BE** cannot recall anything about the My Lai (4) operation which was said to him by unit personnel, i.e., he has no recollection of My Lai incidents being related to him by other unit personnel.

BE has no knowledge of anyone using marihuana before or during the My Lai (4) operation.

BE, if required, would testify willingly at a court-martial or board of inquiry. **BE** declined to make a sworn, written statement. **BE** stated that his reluctance to make a written statement stems from the fact that he would not want to be held accountable for its accuracy, since he might recall something, something about which he claims no knowledge in the statement.

INITIALS LV

PAGE 6 OF 7 PAGES

STATEMENT (Continued)

THE FOLLOWING IS A TRUE AND CORRECT STATEMENT OF THE FACTS AND CIRCUMSTANCES OF THE MATTER IN DISPUTE, AS FAR AS THE STATEMENT MAKER KNOWS, BELIEVES AND OPINES. THE STATEMENT MAKER HAS BEEN ADVISED OF HIS RIGHTS AND HAS WAIVED THEM. THE STATEMENT MAKER HAS BEEN ADVISED THAT HE MAY STOP AT ANY TIME AND THAT HE MAY STOP AT ANY TIME AND THAT HE MAY STOP AT ANY TIME.

STATEMENT MAKER'S NAME: _____
 TITLE: _____
 ADDRESS: _____

*This Section is not used
 LV.*

AFFIDAVIT

I, LV, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of January, 1970 at WASHINGTON, DC

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

PAGE 7 OF 7 PAGES

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STATEMENT BY ACCUSED OR SUSPECT PERSON

(AR 195-10)

PLACE	DATE 28 Nov 69	TIME 0700 Hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME BH	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

Americal Div, APO SF 96217

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY

BZ

OF US ARMY CID

THAT HE WANTS TO QUESTION ME ABOUT Murder, Violation of laws of war, and deat. of priv. prop
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.

I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.

I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.

~~DO NOT~~ (DO NOT) WANT COUNSEL.

~~DO NOT~~ (DO) WANT TO MAKE A STATEMENT AND
ANSWER QUESTIONS.

BH
(Signature of Person To Be Questioned)

INTERROGATOR:

B13Z

(Signature)

WITNESS:

FFFN

(Signature)

BZ

8th MP Co (CI), APO SF 96243
(Typed Name and Organization)

FFFN

8th MP Co (CI), APO SF 96243
(Typed Name and Organization)

PART II - SWORN STATEMENT

OATH:

BH
I WANT TO MAKE THE FOLLOWING STATEMENT UNDER
Q: Before you make any statement I would like to ask you if you understand that the
word "Counsel" used in the above WAIVER CERTIFICATE means lawyer or attorney or
attorney-at-law and do you understand that by stating "I do not want counsel" you
mean you do not want a lawyer or an attorney or an attorney-at-law present during
your questioning, even though such an attorney would be furnished to you free of
charge? Do you also understand that the words "military counsel" as used in the
above text means "military lawyer", and not "military superior"?

A: Yes, I understand.

Q: When did you go to Vietnam?

A: I came to Vietnam on 12 Jan 68, from Europe. After arriv_l in Vietnam I was assigned
to the 11th Bde, Americal Div. From the 11th Bde I was assigned to CoC 1st BN,
20th Inf. **DS** I was in the , and my
platoon leader was **OE**.

Q: Have you ever heard of Task Force BARKER?

A: Yes. CoC and two other companies of another Battalion were part of Task Force
Barker.

Q: Have you ever heard of "Pinkville"?

A: The first I heard of Pinkville was when my Company suffered casualties in this area.
I heard they had 18 wounded and 3 dead. This was sometime in late February 1968.
In early March my squad (two of us) were called from LZ "Charlie Brown" to join the
weapons platoon at LZ "Uptight". We stayed at LZ "Uptight" for about a week.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

BH

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE
BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LIN-
ED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2820

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- Q: Then nine of us went to LZ "Dottie" on the morning of 15 Mar 68, to join Co C, 1/20.
- Q: Have you ever heard of My Lai (4)?
- A: I have heard of My Lai (4) before that, because this is the area where the company had worked. This was also the hamlet in which we combat assaulted the next day, 16 Mar 68.
- Q: Did the company have a pre-assault briefing on the night before the operation which took place on 16 Mar 68?
- A: Yes, the company had a briefing the night before the assault, and I think that at least 75 percent of the company attended this briefing given by DS
- Q: Do you know if HO attended this briefing?
- A: Yes, he did. I saw him there. The reason that I know it was HO because somebody pointed out to me that that was HO About one month later HO became my .
- Q: Will you relate to me in your own words what DS told the company on the night prior to the assault on My Lai (4)?
- A: DS told us that the next morning we were going into pinkville. You all know what had happened a couple of weeks ago in the mine field in the area in which you are going tomorrow. Or words to that effect. He then went on and said, "I guess you all feel the same way as I do". "As far as I am concerned the people in that village are considered VC or VC sympathizers". In so many words he said, "When I come through the "Ville", tomorrow, I want to see the live stock killed, hootches burned to the ground and I do not want to see anything living but us." These were more or less DS words.
- Q: Did DS at any time, tell Co C to shoot all the inhabitants, anything that moves, and anything that breathes?
- A: No, he only said that when he came through that he did not want to see anything living.
- Q: How did the company take these instructions?
- A: To my knowledge nobody reacted to DS instructions. To me some of them looked happy about it, because it seemed like some of them wanted revenge for the casualties suffered in this area on a prior date.
- Q: Do you think that the company took DS instructions as meaning to shoot also all the women and children in the hamlet?
- A: Yes, I think they took it that way, at least I took it that way, and so did everyone else.
- Q: Was there any conversation amongst members of the company after DS had given his briefing?
- A: A few comments were made, such as being happy to go into the area the next morning and to seek revenge. This is what the company wanted mostly.
- Q: Was there any remark made about killing all the women and children?
- A: None that I heard. I felt bad about the briefing because I did not know what we were going into.
- Q: On how many combat assaults have you been since you have been in Vietnam?
- A: About 40 or 50.
- Q: Was there anything different about the assault on My Lai (4) compared to the others that you have been on?
- A: The briefing was one which I have never gotten since then.

"STATEMENT OF

BH

TAKEN AT CHU LAI, RVN, DATED 28 NOV 69, CONTINUED"

Q: Did you ever go on ~~XX~~ a combat assault, where so many women and children were killed?

A: No I have not. My Lai(4) was the only one.

Q: Will you relate in your own words what happened on 16 March 1968, when Company C was combat assaulted into My Lai(4) ?

A: I was a member of the weapons platoon. I was carrying 81 mm mortar rounds. I had also a M-16. We left LZ "Dottie" early in the morning. I think I was on the last lift. As far as I can remember, we landed in a paddy at the western outskirts of the hamlet. We set up security for the 81 mm mortar. We set in the paddy for about 20 minutes. The 3rd platoon was to the rear of me and the gun crew. The 1st and 2nd platoon had already entered the village and they were well inside the hamlet. I heard a lot of automatic weapons being fired. I know the sounds of our US weapons and at no time did I hear any hostile fire. We outside the hamlet and the 3rd platoon were not fired on. My squad consisted of about 9 men. I was wondering why there was so much action in the hamlet by our troops, since I did not hear any hostile fire. The first word we received over the radio, was to move out. When we started to move towards the hamlet, we were told to stay put, because there was a casualty in the hamlet. A soldier had accidentally shot himself in the foot. Our squad was told to set up security, outside of the hamlet. We did as ordered. We then waited for the Med-evac helicopter to come in. This was around the middle of the morning. I would say around 10 o'clock. We were next to the CP group. The CP Group consisted of

DS, RJ, WN, DS, radio operator) DY
two medics, and a few other soldiers, whose names I do not remember. The helicopter came in and picked up the wounded soldier. Just as we started to move out again, a helicopter was circling overhead. I was standing behind DS and I heard over the radio that whoever was up there wanted to know what all the bodies were doing in the outskirts of the village. I assume that the helicopter in question was PA helicopter. I remember that whoever talked to DS on the radio, said that the Med-evac pilot had reported that bodies were all over the place. I remember DS saying, that he would call forward to see what is happening. Just about this time I observed a small boy about 6 or 8 years old running from the direction where the 3rd platoon was towards the western outskirts of the village. Then a machine gun positioned at the south-western outskirts of the village opened up and I seen the child drop to the ground. The machine gun stopped. The child got up and he was screaming. The machine gun opened again and the child fell again and did not get up. At this time I was moving in a southern direction at the western outskirts of the village. I was walking on a trail. When I came to the intersection of this trail and a dyke, which was running east to west, I noticed the aforementioned child laying on the dyke, and next to him I observed a pile of bodies. I would say there were about 60. It is hard to estimate due to the distance away (about 75 meters). I assume that these were the bodies which the pilot had seen. I did not see them previously, due to the high grass. The bodies I just mentioned looked mostly like women and children, but I am not sure, since I was a distance away. It looked to me like a cone shaped pile. There were also a few bodies scattered around. At the intersection of the trail and the dyke, I also observed a 10-12 year old boy that had 2 holes in his chest and a large chunk of meat out of his right arm. I was told later that the boy had been wounded by artillery fire and that he was shot to get him out of his misery. I do not know who shot the boy. DS seen this boy too, since he walked right over the body. I assume he must have also seen that the boy that was shot with a machine gun was laying on the dyke. He must have seen when that boy was shot, because he was at the intersection of the trail and the dyke when it occurred.

BH

STATEMENT OF

BH

AT

, DATED 28 NOV 69, CONTINUED

After the inquiry about the dead bodies, by I assume PA, DS called the 1st Platoon, I believe and informed them, that they wanted us to stop shooting, or words to that effect. After that we moved into the hamlet from the west. The weapons platoon always stays with the CP group. We went through the hamlet following various trails. At this time a lot of the hootches were burning and the life stock was killed. The animals, including chickens, pigs and cows were laying all throughout the hamlet. While going through the village I came across one house to the left of me, where I observed a very old man laying on the steps of a brick house. I do not know if he was dead. Between the hedgerow and the house was a young-laying on the ground. She was about 19 or 20 years old. She was shot and dead, a little baby also shot was laying about 20 feet away. DS took the same path as I did, so he must have seen it too. We then came across a ditch and there were must have been about 40-50 dead women and children in it. There were a few old also in the ditch. These people were laying in a pile and had been shot. They were dead.

Q: Where was this ditch?

A: I say it was in the middle of the village, because we were walking in circles and we passed the same hootches a few times.

Q: Are you sure that this ditch is inside the hamlet?

A: I am pretty sure.

Q: While walking through the hamlet did you see dead women and children scattered throughout the village?

A: I only seen the three I mentioned. Also the pile of bodies in the ditch

Q: Was it possible that this ditch was a trail?

A: The bodies I seen were in a ditch and I am sure that this ditch was inside the village.

Q: Will you please continue?

A: We then walked on and finally came out of the village at the east end. There were bodies laying in the south-eastern outskirts of the village. These were scattered around. There must have been about 15-20. Also women and children. We were walking on a dyke and the bodies were to the right of us. I believe DS must have seen it too, because he was not far ahead of me. After we came out of the village we run into some old women carrying rice bags. There must have been about 8 of them. DS through his interpreter told them not to go to the village, because there were many VC there.

Q: While going through the village did you see any living persons?

A: No only soldiers. All the Vietnamese I seen in the village were dead.

Q: Will you continue?

A: DS had RJ tell the women to go around the village.

Q: Did you hear one of the interpreters ask DS why all the civilians were killed?

A: I did not hear that.

Q: How many people you think were shot at My Lai (4) on 16 Mar 68?

A: I heard PA (I assume it was him) ask DS for a head or rather body count. DS replied 310. He did not say VC or anything else.

Q: Are you sure that DS said that 310 people had been killed?

A: I heard him say it right over the radio. I was standing right next to him. This was shortly after lunch. After we came out of the village, we stopped at a house, that was booby trapped. I saw the wires. During lunch the demolition team blew it up. It was after lunch before we went to the next village.

Q: How did DS get the 310 body count?

A: I do not know. He must have estimated or received reports from his platoon leaders.

Q: Did you see any wounded villagers?

A: No I did not.

Q: Did the mortar platoon ever fired their weapons?

A: No one did. I did not even fire my M-16.

Q: Do you remember if a MI man and a Vietnamese interpreter were also near the Company CP?

A: I Only remember RJ

Q: Do you remember the interrogation of and old man that was later shot by the interpreters?

- A: No I do not remember that.
- Q: Can you remember the names of the persons in the Mortar Platoon that were with you?
- A: DJ PT XA KV CX NK was also there.
- Q: Some of the names mentioned above are ~~of~~ persons that have been interviewed. They stated that they saw many dead women and children throughout the village. How come you did not see this?
- A: I was in a daze and shocked. I really did not know what was going on. It also has been a long time ago, and this is something that I would like to forget. It is also possible that I am somewhat confused about the directions. However I do remember that this ditch that I have been talking about is inside the village.
- Q: Did you come to a ditch east of the village, where also several women and children had been shot?
- A: I only saw the dead people that I observed at the southeastern outskirts of the village.
- Q: What was the reaction of Co C after the operation at My Lai (4)?
- A: To me it seemed like their morale was still in good spirits and that it was all a big joke.
- Q: If there had been no resistance in the village, why were these people shot?
- A: To me it seemed that Co C was told in so many words the night before that this was what they were supposed to do. That's the way they took it. They did want revenge on this village because of what happened prior to this incident.
- Q: Do you think that an order to shoot women and children is a lawful order?
- A: This question is hard to answer. The sole reason being that they were given the order in so many words, and I guess they wanted to do it. An order is an order. I've been in the Army for 5 years, and I have been taught to follow through with any order that I was given.
- Q: Also if the order means to shoot women and children?
- A: This is also a hard question to answer. I do not know what I would have done if I had been in that position. When a man comes into the Army he is told to follow an order when given, and not to ask questions. I myself think that it is wrong the way they teach this thing ~~way~~ in Basic Training. They should go about it in some other way. Today if a man is given an order, like this order that was given to Co C, and if he had refused to follow it through he would more than likely be jeopardizing himself. You are taught in Basic not to obey an unlawful order, however they do not exactly tell you what an unlawful order is. I think they should go deeper into this, especially under combat. In this war it is hard to differentiate what is lawful and unlawful.
- Q: Did you kill any of the women and children, or burn any of the hootches?
- A: No I did not.
- Q: Did you hear of any incident in which the Vietnamese National Police shot any prisoners later in the day?
- A: I can't recall if it was that day or the next. We were set up in a grave yard for the night, and the Vietnamese police took one VC suspect and stood him in a small ditch and emptied a magazine from a carbine into him. Shortly after they brought another man over and did the same thing to him. These are the only two that I know of the police shooting. I do not know if DS saw this or not. Another incident that I remember was where they had a VC suspect, and this from Chu Lai, RVN, who spoke Vietnamese, asked this VC suspect questions. Then they placed a board under the VC suspect's hands and the pulled out a long knife. The then asked a couple of more questions and then sliced off the suspect's finger. This happened either on 16 Mar or 17 Mar 68. DS and RJ were present during this incident.

"STATEMENT OF

BH

TAKEN AT

, DATED 28 NOV 69, CONTINUED"

Q: I am showing you now several color photographs. Will you identify any of the ones that you recognize?

A: The only one I recognize is color Photograph # 1, which shows the LZ "Dottie".

Q: I am showing you now several black and white photographs. Will you identify any of the ones that you recognize?

A: Black and white photograph # 9 shows in the background, second from right DS and to his right DY black and white photograph # 10 shows the man who shot himself in the foot, and to his left WN black and white photograph # 12 shows the med-evac helicopter taking the man that had shot himself in the foot away; and black and white photograph # 14 shows in the middle of the picture DJ (without helmet).

Q: Why was this incident in My Lai (4) never investigated?

A: I don't know why. I heard that it was supposed to be investigated shortly after the incident. Nobody ever talked to me about it.

Q: Was there anybody in the company whose conscience bothered them?

A: It only bothered a very few. DS trained his company for about a year in Hawaii, and they respected him and went by his law. They would do anything that he told them to. DS was a good combat officer and kept a lot of people alive, but he was a hard man to get along with.

Q: What do you know about HO

A: After the incident HO was the of the mortar platoon for a very short while. He was a lot like DS In the few days that I knew him, he was a hard man to get along with. He treated the Vietnamese people very rough. I witnessed him kicking a couple of women around at LZ "Ross". This was after the incident at My Lai (4). He kicked one in the stomach and slapped the other. I could see no reason at all for it.

Q: Is there anything that you wish to add to this statement?

A: No. //END OF STATEMENT//

BH

PAGE 6 OF 7 PAGES

STATEMENT (Continued)

NOT USED

BH

AFFIDAVIT

I, BH HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFPN

FFPN

Det D, 8th MP Gp (CI), APO SF 96243
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

BH
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of November, 1969

BBZ
(Signature of Person Administering Oath)

BBZ
(Typed Name of Person Administering Oath)

Art 136 (b) (4) UCMJ 1969

(Authority To Administer Oaths)

PAGE 7 OF 7 PAGES



WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

PLACE	DATE 26 Oct 69	TIME 0830	FILE NUMBER 69-CID011-00014
NAME (Last, First, Middle Initial)	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS BV American Div, APO 96217			

SWORN STATEMENT

I, BV, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: How long have you been in Vietnam?

A: I have been in Vietnam for months. We left Hawaii sometime in Dec with the 11th Bde and I was assigned at that time to 20th Infantry. I was assigned to the headquarters platoon. My DS was a pro and was well liked by his men. He was an outstanding combat officer.

Q: Have you ever heard of the Pinkville Operation and Task Force BARKER, and what do you know about them?

A: Yes I have. Task Force BARKER consisted of three companies from the battalions of the 11th Bde. My company, was a part of Task Force BARKER. Task Force BARKER had been previously in the Pinkville area and had suffered many casualties due to booby traps and sniper fire. Just prior to the time that DN got his foot blown off, and I am almost sure that Task Force BARKER went into the Pinkville Area the day prior to the day DN was injured. I myself did not accompany Company but stayed behind at LZ BRONCO. Company departed from LZ DOTTIE for the Pinkville Area. Anything that I say from this point on is strictly hearsay. The mission through Pinkville was to be a combat sweep; from what I can glean from persons present at the time, especially TJ official instructions were received prior to Company's actual entering the village effecting indiscriminately killing "anything that moves". I know of no further specifics as to tactical moves into the village limits nor initial action of the US force. DUNSI has related to myself that the company did move swiftly, many men commencing fire on livestock (eg water buffalo, chickens, dogs, etc), until the unit had secured the village. TJ's story as related to myself indicated negative one my contact, negative US casualties. Some manner of deployment was forced on the villagers following the friendly force's securing it and from there I can only give gruesome details as related by TJ, LX, and LI. TJ informed me many of the men were reluctant when it was realized the general pattern of this operation indicated some form of mass execution of the villagers. TJ informed me HO was zealous, alert, shouting commands during the entire time to include rounding a large number of the villagers up and grouping these adjacent to a large ditch. I have no idea specifically who gave the command, but after the villagers (some 75 or 80) were grouped near this ditch, US forces from Company's fired into the people with M60's, M16's, and .45 caliber pistols, striking down to the last individual the entire group. Concerning DN, TJ and LI informed me that DN was weeping vociferously even prior to the grouping of the villagers near this ditch, sobbing and shouting he wanted "nothing to do with this". TJ further relates that HO noted DN reluctance and bore down on DN. TJ leads me to believe HO took it upon himself to personally observe DN performance during the ditch incident, insuring DN "participated", during which time DN continued weeping loudly. I can give negative information as to whether

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT BV	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF BV TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF
CONTINUED

B V

TAKEN AT

DATED 26 Oct 69,

DN actually fired on HD command. LI further related to myself quite some time after Pinkville that FFJ was one of the individuals most avid with fire on those villagers grouped near the ditch. FFJ is purported by LI JU to have fired an M60 machinegun from the h'p into this group of unarmed Vietnamese, himself murdering a large part. FFJ is said by LI JU to have obtained for himself a solid gold necklace which I myself saw prior to FFJ departure from RVN. He stated it was for his action in Pinkville. Shortly afterwards, the next day I believe, DN was one of the persons injured by a booby trap while Company participated in a different mission from Pinkville. JU related to me he, some others, and HD were the first to reach DN after the booby-trap's detonation. DN was said to be laying stock still and, looking up to see HD state on the verge of hysteria "God has punished me for yesterday and he's going to get you too Calley" or words to this effect. I have been frequently told, by JU by LI by others of the two other battalions participating in Task Force Barker - Pinkville that this was nothing more than a mission of revenge, that because US forces had sustained many casualties in the area previously, Task Force Barker forces were deployed for nothing more than vengeance. Nothing was to be gained, discovered, nor did the Pinkville mission itself appear to me based on such information to have any tactical value whatsoever.

Q: How was it possible that this action as related by you was not reported by anyone to either DS or higher headquarters?

A: This is my personal opinion: the esprit de corps of the men participating in Task Force BARKER was striking. Considering this, I personally feel that most of the men involved took actual pride in what they had done. In addition, those most concerned voiced a fear of official retribution were they to relate what they had done and seen. Further, the Pinkville Mission itself was coordinated, commanded, and sanctioned by high ranking officials.

Q: Do you mean to tell me that our US soldiers actually can take pride in killing small children, women, and old men?

A: Murder, rape, and plunder are everyday occurrences here. It is hard for me to believe that many of the Vietnamese killed daily die for anything more than the vicarious thrills of the same US soldiers. When an American infantry company moves through any type of remote village or hamlet, they can do just about what they damn well please. And they do, each and every day.

Q: What are the officers of these companies doing about this?

A: At best, ignoring it. It has been related to myself by many infantry soldiers that their officers actually participate in such barbarisms, a few of these submitting themselves for awards for valor. An infantry company commander is virtually God in the field. No one may refute his orders, question his actions. Many persons I've talked to or heard of are veritable psychopaths, roaming the countryside with loaded weapons.

Q: did FFJ actually tell you that he participated in the killing of noncombatants in the Pinkville area?

A: Negative. He stated he killed a lot of "dinks" in the action in question.

Q: What can you tell me about KC

A: He was an excellent field soldier, reliable, and totally ruthless with any Vietnamese captured or detained by his unit. I have been told he took especial joy in frightening locals with brandished knife or weapons and more than once partook in gang rapes of local girls.

Q: Do you think that DS was aware of the actions of the soldiers during the Pinkville Operation?

A: I can see no possible way in which DS could not have been aware.

PAGE 2 OF 4 PAGES

STATEMENT OF
CONTINUED.

BV

TAKEN AT

DATED 26 Oct 69,

- Q: I am showing you ~~now~~ 17 color photographs. Will you choose any one of them which reflects anyone that you might know.
- A: The only picture I recognize is color picture #11. I do not remember his name, but he was a tunnel rat, and it was believed that he shot himself in the foot, but this could not be proved.
- Q: I am showing you now 25 black and white photographs. Can you recognize any of the people or scenes depicted in the photographs?
- A: Black and White photograph #19 depicts ~~1X~~ Black and White photograph #14: the man without a steel pot is ~~DJ~~ Black and White photograph #6 depicts or ~~XB~~ Black and White Photograph depicts: the man on the right (#10) ~~LF~~ ~~WN~~ the man on the left in #10 is ~~LF~~ In #10 the man in the middle is the tunnel rat. Black and White Photograph #9, the man in the background, second from the right, is ~~DJ~~ the ~~DJ~~ the third man from the right in the background is ~~OC~~ the fourth man in the background is ~~OC~~
- Q: Is there anything else that you would like to add to this statement?
- A: No, this is all I can tell you.
- ////////////////////End of Statement////////////////////////////////////

PAGE 3 of 4 PAGES

STATEMENT (Continued)

NOT USED

AFFIDAVIT

I, BV HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFD FFFR

Det A, 8th MP Co (CI)

APO SF 96243

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

BV
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized to administer oaths, this 26 day of October, 1969

BBZ
(Signature of Person Administering Oath)

BBZ
(Typed Name of Person Administering Oath)

Art 136 (b) (4) UCMJ (1968)

(Authority To Administer Oath)

PAGE 4 OF 4 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 13 Dec 69	TIME 0830	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME AO	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS 66101			

SWORN STATEMENT

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- Q: AO, this investigation concern an assault upon a village by the name of My Lai (4), in Quang Ngai Province, Vietnam or or about 16 March 1968 in which the unit you served with at that time took part. My Lai (4) reportedly was the first village encountered during the operation and is located in an area called by some of the soldiers as "Pinkville". Do you recall participation in that operation and if so, will you state what knowledge you have of it?
- A: About 28 Nov 68, I arrived in Vietnam and reported in at 1/20th Inf, Americal Division, APO San Francisco 96217. My squad leader was GGE, of the was HO and my was DS. I carried an M-16 rifle. I don't remember to much. however, I do remember being at a briefing along with the whole company. DS told us we were going on a search and destroy mission in the "Pinkville" area. The next day I went on the 3rd lift by chopper from LZ Dottie to the Combat Assault Area. I remember a OC and PA who was riding in the chopper with me. After we arrived at the Combat assault area the gunner of the chopper which I was on started to firing his weapon in the area where we landed. We all got out of the chopper and formed a line. we started out to urge the village. The thing that I remember is a well on the edge of the village. From there we went into the village. We came to a gate where I saw a man lying dead on the ground by the gate. I did not see any one shoot him. from there we went further into the village and we came upon a hut where I saw a women lying dead on the steps. I heard children crying and I guess there was about 4 to 5 children in the hut. We had the children come out and they were taken by other men of our unit, names I don not know, to the fare end of the village. Our squad continued through the village. I noticed some pigs and cows dead as we past through. After we got through the village our squad stoped at a rice paddy and sat there for some time. I don't remember what we did from then on.
- Q: Upon entering My Lai (4) area, did you observe casualties or damaged buildings which may have resulted from artillery or mortar barrage or gunships?
- A: No, other than the man and woman that I saw. AO
- Q: Could you say that the man and woman that you saw were killed by gunships or artillery or motor barrage?
- A: I don't know for shure, but I think they were killed by troops.
- Q: Did you encounter any resistance upon landing at the Assault area and/or while going through the village?
- A: No I didnt see any.
- Q: Do you recall a temple, pogoda or shrine?
- A: No sir.
- Q: Did you receive orders to burn the village? if so, by whom and when.
- A: I don't remember receiving orders, however we were on a search and destroy mission. A few homes were burnt and on this mission it would hold true for a search and destroy mission. Not all search and destroy missions do we burn homes.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT AO	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JAN 66

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"STATEMENT OF AO , TAKEN AT , 13 DEC 69, CONTINUED"

- Q: Did you see a helicopter land during the operation?
A: No.
Q: Did you see anyone with cameras or did you have a camera?
A: No I didn't see anyone with a camera nor did I have one.
Q: Do you have any documents, notes or letters concerning this operation?
A: No.
Q: Did you or did you see anyone with a tape-recorder?
A: No.
Q: I now show you a roster of Company C, 1st Battalion, 20th Inf, does any of the names remind you of anything?
A: No.
Q: I now show you photographs of My Lai (4) and dead bodies taken during the operation, do they remind you of anything? If so, explain
A: Photograph number 7 looks like the area where we landed at our assault area. Photograph number 9 is LZ Dottie. Photograph number 5 looks like where I saw the dead women lying in front of her house.
Q: I now show you a sketch map of My Lai (4) area, would you mark on the map where you landed and the things you saw as you moved through the village?
A: Yes. LZ Area marked on the map is where we landed I then marked the map with a zero, that is a well that I came to. Just top of the well I marked the map as being a inbankment or ditch. The X is where I saw a dead man by a gate. the zero with an X on the inside of the zero is where I saw the dead woman and where the children were at. I made a long arrow showing about where the squad went through. I then signed and dated the sketch map.
Q: The well that you saw, did you see if there was a body in the well?
A: I didn't get a chance to look in it.
Q: Where was DS during the sweep through the village?
A: I couldn't say really. I believe he went on the first flight.
Q: Where was HO during the sweep through the village?
A: I guess he was on line with us, I don't know.
Q: Did you see HO during the sweep through the village?
A: I had only seen him once, he was just walking.
Q: Can you mark the sketch map where you saw HO ?
A: Yes. I marked the map with an x and put HO name by the X.
Q: Where you present when a old Vietnamese man was pushed down a well and killed? If so, explain.
A: No.
Q: Did you see any US Forces shoot a specific Vietnamese?
A: No.
Q: Did you see any Vietnamese receive medical aid?
A: No.
Q: Did any choppers give ground support? If so explain.
A: I didn't see any, other than the gunner on the chopper I was riding on fired his weapon in the area where we landed for the beginning of the assault.
Q: Did you hear HO give anyone an order to "WASTE" a group of people?
A: No.
Q: How many persons would you estimate were killed on that operation?
A: I only seen two.
Q: Did you hear or see a helicopter pilot objecting to the killing of all the civilians?
A: No.
Q: Did you hear or see prisoners being shot after interrogation during the operation?
A: No.
Q: It is alleged that DS shot someone during the MY Lai (4) operation. Would you comment on this?
A: I don't know anything about it.

"STATEMENT OF

AO

, TAKEN AT

, MO, 13 DEC 69, CONTINUED"

- Q: Do you know any names of soldiers that actually were shooting at civilians?
A: No.
Q: Had you heard or seen the vietnamese National Police shooting prisoners?
A: No.
Q: Do you know if anyone had been using marihuana before or during the operation?
A: No, not that I know of.
Q: After the operation did you attend a briefing? If so when and who gave the briefing?
A: I don't remember one.
Q: Did you hear anything or see any women (Vietnamese) being raped?
A: No.
Q: Did you hear about any vietnamese nurses being raped?
A: No.
Q: Did you hear anything about alot of vietnamese being killed?
A: Yes. Someone told me that about 150 people were killed during the operation. I couldn't be leave it.
Q: Prior to this date, has anyone other than your superiors questioned you about the My Lai incident?
A: No.
Q: Did you discuss this incident with your superiors?
A: No.
Q: Where you advised not to discuss this incident with anyone?
A: No.
Q: Were you advised by your superiors as to what your reply should be if the event that someone questioned you about this incident?
A: No.
Q: Do you know of anyone who reported this incident?
A: No.
Q: Do you have any information or know of anyone who tried to suppress and investigation into the allegations concerning MY Lai?
A: No. AO
Q: Did you hear or received any orders to start firing or stop firing?
A: Well, No.
Q: Do you have anything to add to this statement?
A: No. AO

Page 3 of 4 pages

AO

STATEMENT (Continued)

NOT USED

AFFIDAVIT

I, AO HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

AO
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of December, 19 69 at _____

CU
(Signature of Person Administering Oath)

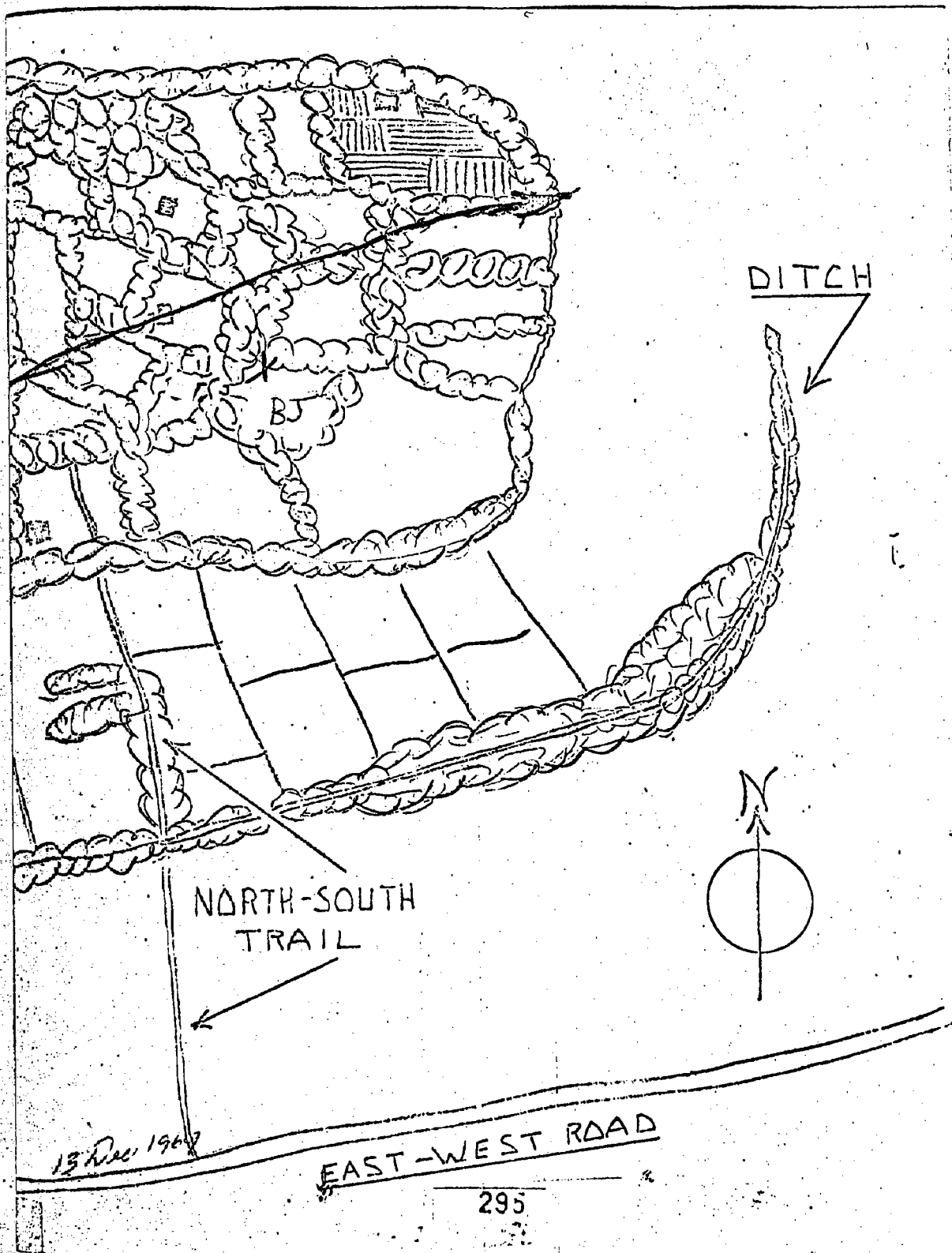
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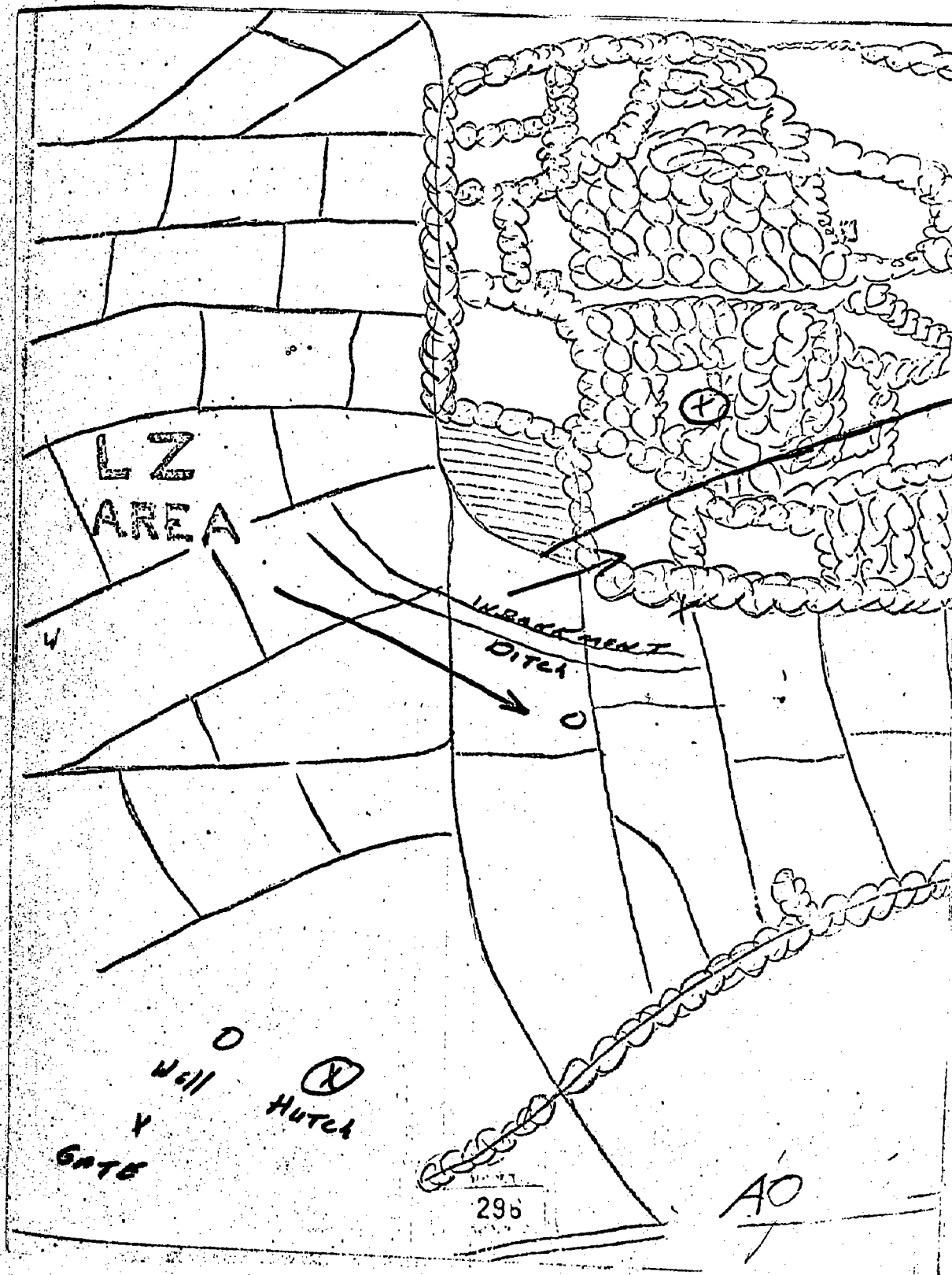
(Typed Name of Person Administering Oath)

Art 136 (b)(4), UCMJ

(Authority To Administer Oath)

PAGE 4 OF 4 PAGES





WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 15 Oct 69	TIME 1315	FILE NUMBER 69-CID011-000014
LAST NAME, FIRST NAME, MIDDLE NAME LM	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, LM, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- Q: When did you go to Vietnam?
- A: I went to Vietnam in November 1967 and I was assigned to , 1st Bn, 20th Inf, 11th Brigade. I was assigned to the Weapons Platoon, which was the 4th Platoon.
- Q: Have you ever heard of the Pinkville Operation?
- A: Yes. Company C and two other companies were a part of a Task Force and the Task Force was called , and it was commanded by PA My Co.
- DS My Platoon leader w HO
- Q: Have you ever heard of My Lai (4)?
- A: Yes, My Lai (4) was assaulted by us the day be DN lost his foot on Hill 85 a little south of My Lai (4).
- Q: I am showing you now Army map Vietnam 1:50,000 Quang Ngai sheet 673911. Can you orient yourself on this map and point out where Operation Pinkville took place?
- A: Sometime in early '68 I don't know the exact date or month. It might have been February but I am not sure. On a morning during the early part of '68 we departed Landing Zone "Dottie" with helicopters to My Lai (4). Landing Zone "Dottie" was located near Highway 1 and below Landing Zone "Dottie" was a Catholic Church. We left early in the morning, I don't know the exact time, but I think that I was on the first lift. In the helicopter with me was EA and maybe DI. I was always with them and that is why I think I was in the same helicopter. I have a similar map as a souvenir. I mean the map that you just showed me. The helicopters landed west of the village. When we got out of the helicopter I followed the machine-gunner who was C EA I carried a M-16. We secured for the next lift to come in. We did not experience any hostile fire. I heard some shooting but I did not know where it came from. Eventually we went on line and we started to move towards the village. At this time I remembered vaguely that EA open fire on a Vietnamese male who was running away. The machine gun jammed and I grabbed the gun EA and re-cocked it and fired on the fleeing Vietnamese. I do not know if I hit the Vietnamese. After this we went on line and moved in a easterly direction through the village. When we moved to the village the soldiers started to fire point blank at the population, women, children and elderly men. I did not fire on any human beings, I fired on the pigs and chickens, ducks, cows.
- Q: Did you attend the night before the assault the briefing given DS
- A: Yes. DS said that he had received an order from higher echelon that we had a mission the next morning. He further told us that when we get into the village to kill everything that moves. He also told us to destroy their food and that is why I concentrated on the pigs. He also said to kill their animals. My Lai (4) has been on my mind for a long time and many times I could not sleep.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT LM	PAGE 1 OF 6 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (*LM*
TAKEN AT

DATE 15 OCT 69 CONTINUED

- Q: Did *HO* also attend the briefing the night before the assault?
- A: Yes.
- Q: Did *HO* after *DS* gave your platoon also a briefing?
- A: Not that I remember, I think that *HO* gave a briefing to the Platoon Sergeants.
- Q: Was there at any time on the briefing *DN* the order given to kill all women and children?
- A: I don't think so, the only thing I remember was to shoot everything that moves.
- Q: Have you ever been told during your time in Vietnam never to shoot innocent women and children?
- A: On prior assaults we were always told not to kill civilians or non-fighting people, or people that were unable to fight. On this mission, however, we were told to kill everything that moves.
- Q: Will you relate to me what happened after you start moving through the village?
- A: We were on line and moved from a westerly to easterly direction through the village. The village was not completely destroyed at this time but you could see that artillery rounds had been fired into the village. Every house has bunkers and *we* told the people to come out of hole or bunker and when they don't answer, *we* threw grenades into the bunker. The troops at this time collected the women, old men and children and took them to a trail in the center of the village. I passed a bunch of women and children and elderly men that were bunched together near this trail. There were approximately sixty of them. Some of the children were infants, and some of them the age group up to ten years of age. However, most of the sixty people I have seen were women and children. Some of them were wounded and could hardly walk. About three or four soldiers then took the women, children and elderly men down the trail to the southern edge of the village and led them in an easterly direction into the rice paddies. I kept moving in a easterly direction through the village then across the ditch and secured about 150 meter east of the village in the paddies. I was ~~not~~ part of advance security.
- Q: Did you see any women, children and elderly men in the ditch that you crossed?
- A: At this time there were no civilians in the ditch yet.
- Q: Do you know what happened to the 50 to 60 civilians that were led into the paddies?
- A: I heard that they were shot, however, I did not see it.
- Q: Did *HO* ever give an order that all women, children and old men would have to be shot?
- A: I did not hear *HO* give that order since I was through the village. It took me approximately one hour to get through the village. While going through the village I did hear a lot of shots and I did see the civilians herded together. I was one of the first ones in and out of the village. We just pushed through and what actually happened behind us I only know from hearsay.
- Q: What did you see after you secured approximately 150 meter east of the village?
- A: The helicopter came which circled all over the place and over the ditch and threw a smoke grenade. The helicopter then landed close to us, the pilot called me over. The pilot seemed to be real mad, I could not understand the word he said due to the noise of the engine. Before the helicopter landed I did hear some shouting at the ditch and screaming. I glanced towards the ditch but I did not see what happened.
- Q: Did I *HO* was at the helicopter with you?
- A: Yes *HO* came to the helicopter I went back to the place where we had secured I joined *EA* there.

INITIALS OF PERSON MAKING STATEMENT *LM*

STATEMENT OF
TAKEN AT

LM

DATE 15 OCT 69 CONTINUED:

LM Q: Did you see HO at the ditch when the shooting of the civilian started?
A: Yes, I did see HO at the ditch when the shooting started.
Q: Did you see HO firing into the ditch?
A: Yes, I did.
Q: Did you see DN firing into the ditch?
A: I have seen him crying but I did not see him firing into the ditch.
Q: Did you see DV firing into the ditch?
A: I seen him at the ditch but I did not see him firing into the ditch. However, I heard some shots.
Q: Did you see LX firing into the ditch?
A: No.
Q: Did you see the dead civilians in the ditch at all?
A: No, when I crossed the ditch the civilians were not dead yet.
Q: Did you see the civilians being herded into the ditch?
A: Yes.
Q: How many civilians do you believe were herded into the ditch?
A: Sixty to seventy.
Q: Were these the civilians that you seen previously at the southern edge of the village on the trail?
A: Some of them were there and some others from other parts of the village were joined with them, which brought the total to approximately seventy.
Q: How many civilians do you think were killed that morning in My Lai (4)? Which civilians I mean, women, children and old men?
A: I would say about one hundred mostly women and children.
Q: How many people were left alive in the village?
A: I don't think anybody.
Q: Did you burn any of the huts?
A: No.
Q: Who gave you the order to burn the village down?
A: I do not know but I did see the village burn. This must have been done by the last platoon that passed through the village.
Q: How many animals were shot?
A: All of them were killed, chickens too.
Q: Was there any resistance in the village?
A: No. then
Q: Why didn't the killing of the women and children by Company C?
A: I do not know. All hell broke loose, everybody was shooting.
Q: Did you at anytime see DS while going through My Lai (4)?
A: No, I did not see him.
Q: Is it common practice during combat to burn the village?
A: No, only this time. However, when we found out the inhabitants were Viet Cong sympathisers and if the people did not seem to cooperate with us then we burned the village down.
Q: On how many combat assault mission have you been on?
A: About ten.
Q: Did you ever go on an combat mission like My Lai (4) where they killed everyone?
A: No, this was the only one where so many civilians were killed.

INITIALS OF PERSON MAKING STATEMENT LM

Page 3 of 6 pages

STATEMENT OF
TAKEN AT

LM

DATE 15 OCT 69 CONTINUED

- Q: Did Company C find any weapons in My Lai (4)?
A: I heard that only two weapons were found.
Q: Why then was the village burned?
A: That is a good question, I do not know.
Q: Did Company C suffer any casualties in My Lai (4)?
A: No, the only casualty was HR who allegedly shot himself accidentally in the foot. The hearsay was that he just wanted to get out of the place.
Q: Did you see any wounded civilians in the village?
A: Yes.
Q: Did they receive medical attention?
A: No, they were not given medical aid.
Q: Can you remember names of any soldiers that actually shot women and children besides the ones we have mentioned in this statement?
A: No.
Q: Did Company C go into My Lai (4) with the intention to take revenge on the inhabitants for prior casualties suffered by the Company?
A: Yes, maybe part of them did and part of them did not. Some of them had lost buddies in that area.
Q: Do you know: RJ
A: Yes, I know him.
Q: Did any order come down to the troops after My Lai (4) to stop shooting civilians?
A: The word came down to stop killing civilians.
Q: Do you know anything of any prisoners being shot after interrogation at My Lai (4)?
A: No.
Q: Can you tell me something about KC
A: The day after My Lai (4) I seen KC with a woman over his shoulder naked from the waist up, this woman was supposed to be a nurse, there were also two men allegedly doctors that were later taken out by chopper.
Q: Did you hear anything about the Vietnamese National Police shooting of prisoners?
A: No.
Q: I am going to show you now seventeen colored photographs. Would you take out any of the photographs that you might recognize?
A: Colored photographs number 1 is: Landing Zone DOTTIE. Colored photograph number 11 is HR. I do not recognize the other two men on the photograph.
Q: I show you now 25 black and white photographs, can you recognize any of the scenes depicted in the photographs?
A: Black and white photograph number 7 is C HR. Photograph number 8 is also HR. Photograph number 9 in the front foreground is HR while the second man from the right in the background is DS. Photograph number 10 from left to right is SSX HR, the third man I do not recognize. Photograph number 11 is HR again.
Q: Did you kill any women and children?
A: No, I did not, I only killed animals.
Q: Did you burn any huts in My Lai (4)?
A: No.

INITIALS OF PERSON MAKING STATEMENT: LM

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Page 4 of 6 pages

STATEMENT OF *LM*
TAKEN AT

DATE 15 OCT 69 CONTINUED:

Q: Did you see *GX* killing anybody at the ditch?
A: No.
Q: Were you present when *DN* stepped on the mine?
A: No I was not there. However, I did hear *DN* telling *HO* that God had
GX punished him for what he had ^{done} the day before.
Q: Did you see *HO* killing a Buddhist Monk?
A: No.
Q: Do you have something to add to this statement?
A: No.
Q: Are you willing to testify in court as a witness when called upon?
A: Yes, I am.

////////////////// END OF STATEMENT //////////////////

INITIALS OF PERSON MAKING STATEMENT: _____

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Page 5 of 6 pages

STATEMENT (Continued)

THIS PORTION NOT USED

AFFIDAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

LM
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of October, 1969

BBB
BBB
FS Fld Ofc. 102d MP Det (CI), APO 96558
ORGANIZATION OR ADDRESS

BBZ
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Art 136 (b)(4), MCM, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6

WITNESS STATEMENT (AR 195-10 - TB PMO 3)			
PLACE Washington, DC	DATE 29 Sep 69	TIME 1300	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME OE	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS 1st MP Det (CI) Washington, D. C. 20314			
SWORN STATEMENT			
I, <u>OE</u> , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
INVESTIGATOR'S STATEMENT			
<p>On 22 Sep 69, <u>AW</u>, was interviewed after first being informed of his rights and right to legal counsel. <u>AW</u> stated in substance as follows:</p> <p>He was assigned to <u> </u>, 1st BN, 20th Inf, 11th Lt Inf Bde, in Hawaii on 21 Apr 67 and accompanied the unit to Vietnam on 1 Dec 67. He participated in the combat assault mission at the village of My Lai (4) near the area called "Pinkville" during Mar 68. At that time he was a member of the second platoon and assigned as <u> </u> to <u>BU</u>. Other members of his platoon that he recalled were <u>ZG</u>, <u>HG</u>, <u>JO</u>, <u>AP</u>, forward observer for the Mortar Platoon; and platoon members <u>FB</u>, <u>EZ</u>, <u>BO</u>, <u>AR</u>, <u>AAAL</u>, <u>NNR</u> and <u>CK</u>. During the mission he was armed with an M-16 and he carried approximately 15 magazines of ammunition. On the day before the mission which was a part of Task Force Barker, he attended a briefing at LZ Dottie held by the <u>DS</u>, which lasted about 30-45 minutes. He recalled that this was a search and destroy mission on a VC village and that he was told to "kill everything that breathed." The unit was instructed to kill all the animals and destroy all the food and were told that anything that was left in the village would be an aid to the VC. He stated he heard that leaflets had been dropped to warn all the villagers of the mission. <u>AW</u> stated that he recalled being told not to "kill any little kids" but he stated that he did not recall where he heard this and it might have been instructions received from his platoon leader, <u>ZG</u>. He did not recall having more than one briefing prior to going on this mission.</p> <p><u>AW</u> advised that he entered the village area on the second air lift fairly early in the morning. He landed about 100 meters from the village in a rice paddy and as soon as he hit the ground and cleared the bushes, which was maybe 30 seconds, he began firing his M-16 on the village. Almost everyone seemed to be firing and he fired a total of about 2 magazines mostly at people. He stated that the village was assaulted by the first and second platoons forming a line and moving east through the village and that third platoon remained in reserve in the rice paddy area outside the village. The assault took most of the morning and he estimated that about 360 persons were killed. He stated he saw about 20-25 people that had been shot and killed, although he could not state if he shot them or if other members of the unit shot these people. The casualties were men, women and children and he could not further describe or identify them. <u>AW</u> stated that about half way through the village a cease fire order came down from someone, but he could not recall who issued the order. He assumed it came from <u>DS</u> but he did not see <u>DS</u>, <u>ZG</u> or <u>HG</u> after he entered the village until things quietened down sometime after the cease fire order had been given.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>OE</u>		PAGE 1 OF 3 PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u> </u> TAKEN AT <u> </u> DATED <u> </u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u> </u> OF <u> </u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

DA FORM 2823
JAN 68

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STATEMENT (Continued)

AW stated that he heard about HR shooting himself in the foot and was aware of DN getting injured by stepping on a mine, but he did not see these incidents and had no firsthand information. He said he heard from someone that DN had a conversation with HO that "God would get even with him" but he could provide no further details of this conversation. He stated he also heard rumors about a "ditch" but he did not remember who told him about this. According to this rumor about 10-15 people were rounded up, put in a ditch and shot. AW stated he did not see this ditch and he did not know any of the details about it.

AW stated that there was no armed resistance from the village; however, many of the people attempted to escape. He said most of the members of the platoon were shooting but he could not say who shot who as many people were firing in the same areas. He said CK was not shooting and that CK tried to shoot a pig and couldn't do it, so he shot the pig and then someone threw the pig in a drinking well. He said AP was shooting at both the animals and the people. He did not see any machine gun fire, mortar or grenades being used as there was fear of hitting US personnel. This was the first time he had possibly killed people or seen people killed. On later search and destroy missions he had found the villages were empty.

AW was questioned about the order "not to kill all the little babies." He stated he received this order from someone but he could not recall if it was during DS's briefing or afterwards from his platoon leader, ZG. He said that ZG was "soft" and might have issued the order while the platoon was sweeping the village. He also stated that he thought the small children were rounded up and evacuated by helicopter as he recalled seeing a helicopter land in the area of the village being swept by the first platoon. He didn't see anyone evacuated himself. He was further questioned as to the number of dead bodies he observed during the mission and estimated 20-25. He said his overall estimate of 360 persons killed was based on conversations with other members of the unit and the fact that he thought most of the people in the village had been killed. He said the unit had been held for a few days after they returned to LZ Dottie from My Lai (4) and a rumor circulated that "They were trying to hang the CO and officers" as a result of the mission. AW was not questioned about his activities during the mission. He also stated that he thought the unit had entered the wrong village and the mission was supposed to be on the town of "Pinkville" instead of My Lai (4). AW was unable to recall any further details of the mission because of the length of time that had passed and because everything

AFFIDAVIT

I, Billy H. Thompson, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of September, 19 69 at Washington, D.C.

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS (OFFICER USE ONLY)

At 136 (b) (4) HCMC

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

OE

TAKEN AT WASHINGTON ,D.C. ON SEPTEMBER 30, 1969 cont.

at the time happened pretty fast. He said that this was the first time he was ever involved in something of this nature and he did not want to make or sign a written statement at this time.

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STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-10)

PLACE	DATE 17 Sep 69	TIME 1640	FILE NUMBER 69-CID011-00011
LAST NAME, FIRST NAME, MIDDLE NAME AK	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY OE
OF Army CID
THAT HE WANTS TO QUESTION ME ABOUT Murder
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
I ~~(DO NOT)~~ WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. AK Is Questioned

INTERROGATOR: OE (Signature) WITNESS: _____ (Signature)
1st MP Det (CID) Washington, DC 20311
(Typed Name and Organization) (Typed Name and Organization)

PART II - SWORN STATEMENT

I, AK WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: Around Mar 67, I was assigned to Hawaii and in May 67, I was assigned as a medic, 20th Inf, 11th LI Bde. On 1 Dec 67, the unit went to Vietnam. I was the medic for the 1st Plt and my Plt Leader was HO. The Plt Sgt was GL DV were two of the Squad Leaders I recall. Other persons I recall were DI KR LA EA assigned to machine guns, but I can't recall exactly what they did. HB RTO was FW OC but I am not sure. OC is now dead as he was killed as a result of combat action 10 days before his DEROS from Vietnam. JU DN LF were also in my Plt. Other persons I cannot recall at this time. I recall on 16 Mar 68, the unit was assigned a combat mission under Task Force Barker. The unit was located at LZ Dottie at that time. This mission was an assault on My Lai (4) and the village area of "Pinkville." The evening before the mission, the Company Commander, DS held a briefing at the CP area on LZ Dottie. He told us we were going to go into "Pinkville", and our mission was to clear the area from My Lai (4) to "Pinkville." He said all the people in the area were either VC or VC sympathizers. He said we were to hunt for food and weapons storage areas. He said it was going to be a rough mission. That is about all I remember about the briefings and I cannot remember HO briefing the 1st Plt. The next morning we went out by helicopter. I was on the 1st air lift and HO AAAP OC or FW myself, and possibly one other person flew out to the landing area in one chopper. Prior to our going out there was about 30 minutes of artillery fire into the area. When we got to the landing area there were

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>AK</u>	PAGE 1 OF <u>4</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF AK TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

statement of
continued.

AK

taken at

, dated 17 Sep 69,

helicopter gunships but I can't recall if they were firing or not. They stayed in the area when the ships left to bring out more troops. When we arrived we landed in a rice paddy area about 100 meters west of My Lai (4). The Plt formed a line towards the village on the south side and the 2nd Plt was formed north of us. When the line was formed we moved northeast through the village. There was something through the middle of the village which was the dividing line. A trail, ditch or a mound of dirt but I can't remember what it was. 1st Plt was south of this marker and 2nd Plt was north. When we entered the village right at the edge, the shooting started by 1st Plt and my description is that they started killing anything that moved. Animals, People or anything. As I entered the village, there was a well just outside the edge of town. A Vietnamese man jumped up out of the well and I shot at him but I don't believe I hit at him as I shot from the waist. ~~HO~~ also shot at this man and may have hit him. There could have been other people shot at this man but I cannot be sure. There was a lot of shooting at this time and things were going pretty fast. Just after this I also fired one round at a man running across a field, but I don't know if I hit him or not. These are the only two times I fired my weapon. I carried an M-16 and 8 magazines of ammo. At this time I saw that the men, women and children in front of me towards the village were being massacred. Anything and everything were being killed and I decided that I didn't want any part of it so I decided to fall back. I dropped further back behind the line and joined ~~KG~~. We were both stunned and walked along behind and kept coming upon bodies. I estimate that I saw 25-30 people shot and killed as I walked along. I saw no reason for killing these people. I did not see any weapons or people resisting the line advance. I would estimate the plt moved through the village in about 2 hours or less. Then we pushed towards My Lai (5). at this time I believe 3d Plt was still in the rear outside My Lai (4). I believe we set up a security line outside My Lai (4) and I think some of the persons from 1st Plt returned to the village. I don't recall why. It may have been because of ~~HR~~ who had shot himself in the foot during the move thru the village. I didn't treat ~~HR~~ for his wound or recall who did. As we waited at the security point outside My Lai (4), someone radioed to ~~HO~~ and said that they had accumulated a large number of prisoners. They were located somewhere along a ditch located east of the village running in a southerly direction. ~~HO~~ said he would come to the prisoners location. I did not see this group of people nor did I go to this location but later on the next day, I was talking to ~~DS~~ ~~JU~~ and they told me that ~~HO~~ came up and there was a large number of people herded into a ditch and ~~HO~~ gave orders to shoot them. One of these people refused to shoot the Vietnamese so ~~HO~~ did it himself. This is only hearsay, as I did not see the incident but I have no reason to doubt it. Especially because the following day, ~~DN~~ stepped on a mine climbing Hill 85, located near My Lai (4). I believe ~~OC~~ and I came immediately and I bandaged ~~DN~~ foot. ~~DN~~ was very upset and in a state of mild shock. ~~DN~~ was saying to ~~HO~~ that "This was God's punishment for what ~~HO~~ had made him ~~do~~ and the plt do" and that "God would get even with ~~HO~~ for what he had done." This convinced me that the rumors I had heard about the Vietnamese being killed in the ditch were true. ~~HO~~ appeared to get upset at ~~DN~~ remarks. ~~DN~~ also said that "this would be on his conscious for the rest of his life." I don't recall hearing anything that ~~HO~~ might have said to ~~DN~~. After ~~DN~~ was injured and evacuated from Hill 85, the Plt moved off of Hill 85. Returning to the activities on the 16th, I saw ~~HO~~ later that afternoon and I do not know if he went to the ditch or not. We moved out towards My Lai (5) and there was nobody in the village. Just outside of My Lai (5) we stayed overnight. The next morning we moved towards Hill 85 and ~~DN~~ was injured. That afternoon, or the following afternoon, I cannot remember which, we returned to LZ DOTTIE.

Statement of
69, Continued:

AK

taken at

, dated 17 Sep

I now recall that we spent another night in a village, so we returned to LZ Dottie on the afternoon of the 18th of March. Nothing happened on the 17th after DN was injured or the 18th of March, as far as people being killed. To the best of my knowledge all the killings occurred on the 16th of March and most of them in the morning.
Q: I would like to show you a photograph of a dead man laying in a well and ask you if you recognize this well as being the one where you shot at a man jumping out of a well?

A: No, this is not the same well. This appears to be a cement well probably inside the village and used for drinking water. The well I was referring to was outside and was a shallow dirt well used to water the rice paddys. The man that I was talking about did not fall into the water and was laying outside the well.

Q: Do you know who gave medical treatment to HR when he was shot in the foot?

A: No I don't.

Q: Did you render any medical aid to any other US personnel?

A: No. DN and HR were the only two injuries that I know of.

Q: Did you render any medical treatment to any Vietnamese personnel?

A: No I don't think so.

Q: Did you shoot any Vietnamese during this mission?

A: I shot at the two I mentioned but I don't know if I hit anyone. I also now remember that I shot a cow that had already been shot and injured. The reason for this was that I am from a farm and I put the cow out of its misery. I don't like to see animals suffer.

Q: While you were in My Lai (4), did you see any people gathered up into groups?

A: I didn't see anyone grouped up and all that I heard was the group in the ditch. I did not see this group personally and only heard about it.

Q: You said that you estimate 200 people killed and you said you actually saw 30-40 people dead. Why did you estimate 200 people killed?

A: I figured about 200 people lived in a village this size and I didn't think that many people escaped from the village.

Q: Can you describe the 30-40 people that you saw dead?

A: It was a mixture of men, women and children of all ages. They seemed to be laying anywhere and everywhere throughout the village.

Q: Did you see any large groups of dead people?

A: No I did not. The people I saw were scattered throughout the village.

Q: You said you were with HO KG DV most of the time on the 16th of March. Did you see them killing any of the civilians?

A: I know KG didn't kill anyone. I cannot speak for DV and I did not actually see him or HO killing anyone.

Q: Who was HO RTO?

A: I believe it was FW, but it could have been OC. I am pretty sure it was FW.

Q: Who carried machine guns during this mission?

A: LA carried one but I am not sure who carried the other one in 1st Plt. I don't recall seeing anyone fire a machine gun during the assault on the village.

Q: You mentioned that JA told you he was sick when he saw the people in the ditch killed. Can you explain this further?

A: This was some time after the mission. This was when he thought back about what he had saw, but I can't recall what he said he had seen. I think most of us in the company tried to forget what we had seen as soon as we could.

Q: Was this your first combat assault mission?

A: No it was my 4th or 5th.

Q: Was this different from the other ones you participated in?

STATEMENT (Continued)

A: Yes it was. Because of the senselessness of the killing of the people in the village. This was just out and out unnecessary killing.

Q: Is there anything else you would like to add to this statement?

A: Just that it was an awful experience that I would like to forget. I had pushed it out of my mind.

AFFIDAVIT

I, AK HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

AK
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of September, 1969.

OE
(Signature of Person Administering Oath)

OE
(Typed Name of Person Administering Oath)

Art 136 (b) (4) UCMJ

(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-10)

PLACE	DATE 10 Nov 69	TIME 1745 hrs	FILE NUMBER
LAST NAME FIRST NAME, MIDDLE NAME <u>ST</u>		SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY BBBP
OF Provost Marshal General's Office, Department of the Army, Wash, DC
THAT HE WANTS TO QUESTION ME ABOUT murder, war crimes, destruction of property
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
I (DO) (DO NOT) WANT COUNSEL.
I (DO) (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. ST
(Signature of Person To Be Questioned)

INTERROGATOR:

BBBP
(Signature)

WITNESS:

(Signature)

1st MP Det (CI), OPMG, DA, Wash, DC

(Typed Name and Organization)

(Typed Name and Organization)

PART II - SWORN STATEMENT

OATH: I, ST WANT TO MAKE THE FOLLOWING STATEMENT UNDER

I entered the Army in September 1966 and served until 14 September 1968. I had basic training at Ft Benning, Ga., and went to Hawaii where I was assigned to COMPANY C, 1/20th Infantry. During the fall of 1967 I went to Vietnam with my unit.
Early in 1968, not long after 25 February (when we had losses in a mine field), my unit went on a combat assault to My Lai (4). The night before there was a briefing by DS, the unit commander. He said that we were going on a combat assault the next day to My Lai (4). He said it was a VC stronghold and headquarters of the 48th VC Battalion. He said the 1st and 2d Platoons were to go on line and the 3rd Platoon was to burn all the huts. He said we were to kill everything and destroy the food. When we left the briefing we felt we were going to have a lot of resistance and we knew we were supposed to kill everyone in the village. DS's standing instructions for prisoners went like this: he never said to kill prisoners, but he did say that if you capture a prisoner and don't kill him, then you have to guard him and share your food with him. DS made this statement to the company at a briefing, but it was given some time before My Lai (4). We didn't usually kill all prisoners either, we usually evacuated them for questioning.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

ST

PAGE 1 OF 11 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT, DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2820
OCT 67

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I think the next morn **HO** might have given us a routine briefing, but do not recall any details of it.

I flew to MyLai(4) in the 1st lift. On my chopper were **OC** **FW** **KR** **CL** and myself. (I was assigned to the **COMPANY C**, 1/20th Infantry. I was armed with an M-79 and handgrenades. During MyLai(4) I borrow **OC** M16 when I was at the execution ditch.)

As we landed the chopper gunners fired and this, plus **DS** briefing, caused me to think there would be a hot DZ. However, when we landed, I saw no signs of resistance and was not fired on. When we left the chopper, we formed upon a dike and waited for the Second platoon. (At this time, as I later heard, **DS** is supposed to have killed a girl, but I did not see it and know nothing else about it.) When the Second Platoon arrived, we formed up and moved into the village. We were all firing and the unit killed people, cows, pigs, and everything in the village that couldn't escape. My squad was on the left flank of the unit. We moved through the village and put up an outpost in the paddy beyond the village.

When we were there, a man jumped out of a well and **FW** gun jammed. **KG** was so excited he fired straight up in the air, but **LX** shot the man in the well. There were three choppers flying around then, one Bubble and two Huey choppers. There were a few huts and a red brick building ahead of us and there was some movement there. We fired on this and I fired some grenade rounds and then we got the word to cease fire and a Huey landed and took some people out of the village. Another chopper had landed and someone talked to the people in it, but I don't know who they were or what was said.

Q. Did you see any execution in MyLai(4).

A. Yes. There was a ditch at the edge of the village and there were a lot of Vietnamese there. We collected people and turned them over to the Platoon Headquarters. Then **HO** ordered us to put the people into the ditch. Both 1st Platoon machineguns were set up to cross fire in the people in the ditch. There were 40 or 50 people in the ditch. The people who were there were

HO **DV** **DI** **LM** **OC** **FW** **KR** **DN**
LD **TO** **PAK** **KC** **GX** I think **#2** might have been there. I was there, too, and witnessed what I am now telling about. Then, when all the people were in the ditch **HO** ordered us to kill the people. The machineguns fired a burst and wounded all the people but didn't kill them all. Then they fired another burst. There were some grenades thrown into the people in the ditch. I fired a burst from **OC** M16 into the people. When the firing stopped, they were all dead. I know that **HO** was definitely firing into the people. **DN** was also definitely doing quite a bit of shooting. I don't remember who was on the machinegun **OC** was definitely firing and I am sure that just about everybody there fired into the ditch. Whether they killed somebody or not I don't know.

Q. Was **DV** firing at the people in the ditch?

A. He was there, but I don't remember seeing him fire into the ditch. He was more or less trying to get everyone on line at the ditch so they shouldn't shoot each other while firing into the ditch.

Statement of

taken at

10 Nov 69, cont'd

Q. Can you identify anyone who was definitely not shooting?

A. No, that I can't do.

Q. We have received reports of several executions that day. Did you see anyother executions?

A. Not in MyLai(4). I saw the Vietnamese police shoot one man that night at the CP. I saw this one man killed. They killed some others that night, but I didn't see them killed. I know DS was right there at the time of the execution in the CP area and must have known they were going on.

Q. I would like to show you some photographs from Vietnam and see if you recognize any of them.

A. I do not.

Q. I would like to read a roster of the unit to you to refresh your memory about the personnel in the unit. (Roster read).

A. I do not recall any additional information about any of these people.

Q. Do you know anything about other killings?

A. I saw a man in a well on a 1st Platoon patrol one time and people said 'HO' killed him, but I didn't see the killing.

Q. Do you know anything about the capture of a Vietnamese VC Nurse?

A. Yes, I was with KC when she was captured. We were going through a village and someone set fire to the huts and it got too hot for them in the hut and two men and a VC nurse ran out. She was captured, and she was evacuated by chopper for questioning. She was not raped.

Q. How many people were killed in MyLai(4).

A. Over 100.

Q. Again, I want you to remember you do not have to answer this question - but going through the village, did you kill anyone?

A. No, I fired my M79 at targets as I related, but I did not kill any specific people. I did fire some rounds into the ditch, as I told you, when ordered to by HO

Q. Did you see anyone else kill any people in the village?

A. I saw a lot of the Vietnamese killed, but can't say who did each act; there were too many of them and it was too confusing.

Q. Was there an investigation after MyLai(4)?

A. I heard a few days later that DS was going to be tried and then that he got a medal. No one ever questioned me.

Q. Would you like to add anything to this statement or delete anything from this statement?

A. No sir.

STATEMENT (Continued)

This portion of the statement form not used.

AFFIDAVIT

I, SJ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

SJ
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of November, 19 69 at Tampa, Florida

ORGANIZATION OR ADDRESS

B B B P
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

B B B P
(Typed Name of Person Administering Oath)
Art 136(b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

SJ

PAGE 4 OF 4 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMC 3; the proponent agency is Office of the Provost Marshal General.

DATE 18 Sep 69	TIME 2130 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME DI		SOCIAL SECURITY ACCOUNT NO.
ORGANIZATION OR ADDRESS		GRADE

SWORN STATEMENT

I, DI, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I left Hawaii on 1 Dec 67, for Vietnam with OS, 20th Inf, 11th Brig. I was a DI and went on numerous combat operations with Co G.

Q. Are you familiar with Task Forcer BARKER?

A. Yes I participated in this operation. Most of the troops refer to this operation as "Pinkville".

Q. This investigation concerns an assault upon a village by the name of My Lai (4), in Quang Ngai Province, Vietnam, that was part of the operation you refer to as "Pinkville". Do you recall participating in this operation and if so will you state what knowledge you have of it?

A. I do remember taking part in the operation. During the operation OS, was the HO was the KG was the DI and DV was the of The night before the mission the company was briefed by OS. During the briefing OS told the company there was supposed to be nothing in the village but the enemy, that we were to sweep through the village and and kill everything that was in there. He also told us to put the dead animals in the wells. He did not leave the impression with me that he meant to kill the women and children however this is what did happen. I do not recall what time we landed or what side of the village of My Lai (4) we landed on. I was in the first lift in the fourth ship and with me was KG and my machine gun helpers but I do not recall which ones but it might have been GX GT or BBC. After we landed the whole company got on a line and started a sweep through the village. Prior to starting through the village I spotted someone off to my right front and I fired on this individual with my machine gun. I was standing while firing and could see that I did not hit him and he got out of my sight somewhere but I do not know where he went. As we went through the village I saw our troop shooting the villagers but I do not know who was actually shooting. I do recall that GT shooting a man as the man came out of a hootch. I remember seeing the top of the man's head fly off as GT shot him with .45 pistol. There were other troops ahead of me and as I went through the village I saw dead persons lying in all positions everywhere. I would estimate that I saw about 25 persons dead as I went through the village. As I reached the edge of My Lai (4) I saw HO heading a group of about 15 persons into a hole or a crater. After these persons were into the hole I saw HO open fire on them with an M-16. I recall that one of the women had been wounded prior to this time and she came up to me and showed the wound. She had been shot in the left arm but there was nothing I could do for her because she was being pushed ahead by HO and two or three other GIs. I did not go and look into the hole but I stayed in the immediate area for some time and none of the persons ever came out of the hole. I believe that a bubble chopper pilot witnessed this incident shortly thereafter he landed and I heard that he told whoever he talked to on the ground that there was still someone alive in the hole. I also heard that the pilot was mad about the incident. I heard that somebody went back to the hole and finished killing those that were not already dead.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

DI

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF DI TAKEN AT DI DATED DI CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE DI OF DI PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF

DI

TAKEN AT

, Dated 18 Sep 69 CONTINUED"

Q. Other than HO and GT do you know the names of any others that you saw killing the civilians?

A. No.

Q. Were others than HO firing into person in the hole?

A. Yes but I do not know who they were. There was either two or three. I do now remember that DN was one of those firing and he was crying at the same time. I know that he or the others did not want to kill those persons. This is not true of

HO because he seemed to want to kill. I do also believe that HO called GX to where he was at the hole to act as interpreter but apparently he did not get any information. After this incident or after lunch we moved on to the next village.

Q. Did you see any animals killed in My Lai?

A. Yes all animals were killed.

Q. Was all the persons in the village also killed?

A. I did not see anyone alive when we left the village.

Q. How many weapons or other military equipment was captured at My Lai?

A. None that I saw.

Q. Were any prisoners taken at My Lai?

A. None that I saw. Later that afternoon some 6 or 8 prisoners were taken at another village. Even later I saw these prisoners being investigated by the Vietnamese National Police. There must have been 2 or 3 police and they walked down the line of prisoners and said "You are VC" and then the other police would take these persons right by the company CP and shoot them. Not all the prisoners were shot.

Q. Was DS in the CP at the time this was taking place?

A. Yes.

Q. Did he know what was going on?

A. Yes.

Q. Was there ever an order given to stop the killings?

A. I did not receive the order but I assume it was given for the killings did stop.

Q. Did Co C meet any resistance in My Lai (4)?

A. No.

Q. Was any medical aid given at My Lai (4)?

A. No. The medics present was BBP, AK, JO, and AAAQ

Q. Were you present when DN stepped on a mine?

A. Yes this was the next day on hill 85. HO had received orders to up the hill but not all the way to the top. We got up the hill ok but instead of returning the same way we had gone up HO, DN and someone else (I believe his name was AAAL) started down a different direction. This is when DN stepped on a mine. I heard DN say something to HO about God and then "Your got yours coming".

Q. Did you kill anyone in My Lai (4) on about 16 Mar 68?

A. No.

Q. Would you be willing to testify in court if you were called?

A. If I was called.

Q. Is there anything you would like to add or delete from this statement?

A. Only that I expected something to happen about that incident and I did not expect that it would wait this long. DI

DI

page 2 of 3 pages

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STATEMENT (Continued)

Not used

DI

AFFIDAVIT

I, DI HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFO
FFFO

MP Desk SGT, Ft Monmouth, NJ
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

DI
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of Sept, 19 69 at Ft Monmouth, NJ

LE
(Signature of Person Administering Oath)

LE
(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

PAGE 3 OF 3 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON		For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.	
DATE 23 Sep 69	TIME 1415 hrs	FILE NUMBER	
LAST NAME, FIRST NAME, MIDDLE NAME DT	SOCIAL SECURITY ACCOUNT NO.	GRADE	
ORGANIZATION OR ADDRESS			
PART I - WAIVER CERTIFICATE			
I HAVE BEEN INFORMED BY <u>OF</u>			
OF <u>ARMY CID</u>			
THAT HE WANTS TO QUESTION ME ABOUT <u>Murder</u>			
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.			
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.			
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.			
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.			
(DO) DO NOT WANT COUNSEL.			
I (DO) DO NOT WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS.			
INTERROGATOR: <u>OF</u> 1st MP Det (CI) / Washington, DC 20311		WITNESS: <u>DT</u>	
(Typed Name and Organization)		(Typed Name and Organization)	
PART II - SWORN STATEMENT			
I, <u>DT</u> WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>I was assigned to C Co 1st Bn, 20th Inf, 11th Lt Inf Bde, in Hawaii in Oct 1966 and on 1 Dec 67, I accompanied the unit to Vietnam. I recall the combat assault on the village of My Lai (4) in the area near "Pinkville." This happened about March 1968. The evening before the mission the unit had a briefing at LZ Dottie. The briefing was held near a bunker and was conducted by <u>DS</u> the <u>for the Mortar Plt.</u> During the briefing <u>DS</u> stated that the area were were going into, My Lai (4), the reports that he had got, everyone in the area was VC or VC sympathizers. And that anything that was left in the way of food or anything else would be aiding the VC. He said to destroy everything. That's about all I recall about the briefing and were the main points. He said anyone or anything that was left in the area would help the VC and I don't know definitely if he meant to kill everybody in the village. As far as I remember this was the only briefing we had on the mission. The next morning we moved out to My Lai (4). I was on the last air lift. We landed in the rice paddies about 100 meters from the village probably on the west side of the village. Members of my plt that I can recall were <u>KT EF AAR WL</u> <u>GG KV</u> and <u>AP</u> are the ones I remember. <u>AP</u> was <u>for</u> the 2nd Plt as I recall. We landed and moved into position behind the Hq element. As I recall 1st and 2nd Plt were on a line to sweep the village. 3rd Plt was in reserve, followed by the Hq and Mortar Plts. When my Plt got into position it was about 50 meters from the village and at this time the 1st and 2nd Plt had already</p>			
EXHIBIT	INITIAL	MAKING STATEMENT	PAGE 1 OF <u>14</u> PAGES
DT			
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u>DT</u> TAKEN AT <u>DT</u> DATED <u>DT</u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u>DT</u> OF <u>DT</u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

STATEMENT OF
CONTINUED:

DT

TAKEN AT

, DATED 23 SEP 69,

DT moved into the village. There was a lot of shooting going on at this time. We set our mortar up but never fired it during this mission. While we were set up and waiting, one of the chopper pilots radioed in that he had sighted a weapon on our right flank. Third Plt sent a patrol out to pick up the weapon. The patrol moved out and searched the area but didn't find anything and headed back. Then OS sent AB out to meet the patrol and they researched the area and did find one weapon. I never saw the weapon at all. AB brought the patrol back and about this time we all moved into the village, with the Mortar Plt in the rear. The first thing I saw as I entered the village was some dead Vietnamese. They were men, women, and children of all ages scattered throughout the village. Most of the livestock was already dead when we got there. As third Plt moved thru the men were cutting the crops and burning the hooches. Mortar Plt was helping cut the crops and setting the fires. I personally did not start any fires, but I did shoot one pig. This pig was in a pig pen in the vicinity of a hooch. We continued through the village and the Hq group was stopped. I stopped the mortar Plt and somebody said that one of the men had started into a tunnel and the man was carrying a .45 pistol and the pistol ~~XXX~~ went off and he shot himself in the foot. We took a break while this man was being med-evacuated. I don't recall his name but do remember he was a Negro. OS called for a chopper. I don't recall how long we remained there but it could have been as much as 30 minutes. Then we continued through the village. ~~XXX~~ Shortly after this as I was moving down a trail through the village, there was a trail leading off to the right. There was a fence and the road ran by a rice paddy. I saw a group of dead Vietnamese laying on this trail. They had been shot and all appeared to be dead. I would estimate there were 12-15 people, mostly women and children. We moved on down the trail and came upon a group of people around a Vietnamese man. He was an old man and I don't remember anything in particular about him. About the time I passed by the old man somebody shot him and as far as I know killed him. I don't know who shot him but one of the men in my plt said ~~XXXX~~ something about shooting him, but one of the men from the rifle plts killed the ~~XXXX~~ old man. I couldn't tell you who it was. OS was in the vicinity at this time but I don't know if he saw this or not. We moved on through the village and I and the GE (phonetic) the came upon two small Vietnamese girls about 3-7 years old, hiding behind a hooch. We took the girls with us and kept them with us while we went through the rest of the village. We came upon somebody else who had rounded up 2 or 3 old men and we gave the two girls to the old man. The old man and the girls stayed with us until later that day when we dropped them off in the next village, ~~XXXX~~ but I can't recall the name of the village. They were with us when we had chow and we dropped them off sometime later that afternoon. Right on the edge of the village we stopped and ate lunch and I remember this was beside a brick building that had been blown up. By this time the shooting had stopped and had stopped a good while before we had lunch. I think ~~we~~ were in the village at least 2-3 hours. From this village we cleared a couple of more villages and remained overnight. The next day we moved into the south and stayed overnight and I think we picked up a few prisoners that were taken out by helicopter. Then we returned to LZ Dottie.

Q: How were you armed during this assault?

A: I had an M-16 and about 14 magazines.

Q: Did you shoot any of the Vietnamese or shoot at them?

A: No.

Q: How many times did you fire your weapon in My Lai (4)?

A: The only time I fired it on the whole operation was one time when I shot and killed a pig.

STATEMENT OF
CONTINUED:

DT

, TAKEN AT

DATED 23 SEP 69,

DT

Q: Do you recall getting a cease fire order during the assault on My Lai (4)?

A: No I don't.

Q: How often did you see DS during the mission?

A: The only time I was close to him was when the Negro was shot and he was calling for a medivac. I can't recall seeing him in particular after that time.

Q: Did you see any of the other

A: I don't remember seeing any of them except for the

GE when we found the two children.

Q: Did you see any other groups of dead Vietnamese besides the one on the trail beside the fence?

A: No that the only one. Other than that group they were scattered throughout the village.

Q: How many people do you estimate were killed?

A: Between 50-100. I don't really as I didn't count them or really pay any attention.

Q: Did you see any people dead in a ditch?

A: No.

or

Q: Do you recall seeing a helicopter landing in the village ~~near~~ near the village?

A: Only the medivac chopper that picked up the Negro who shot himself in the foot.

Q: Were any other members of the company injured during this mission that you recall?

A: Not the best that I remember.

Q: Do you know DN

A: No I don't remember him.

Q: Do you recall anyone getting injured by stepping on a mine?

A: Since you mention it I do remember someone getting injured by stepping on a mine the next day or the day after. I don't recall this man's name and I only recall hearing someone talk about it. I didn't see it and I don't know any of the details.

Q: During DS briefing, did he specifically say to shoot all the women and children?

A: No sir, not that I remember. He didn't say that.

Q: Can you offer any explanation as to why the women and children were shot and killed?

A: No, like I said they were all dead when I saw them.

Q: Is there anything else that you can recall about this mission.

A: No.

Q: Is there anything else that you would like to add to this statement?

A: Like I said, I don't think the intended to go in there and slaughter the people. I don't feel that that was really his intentions. I think it just got out of hand.

Q: Anything else?

A: No, like I said I didn't see but one man shot and I don't know who killed him.

Q: Did this old man have a beard?

A: I don't remember if he did or not. Most of the old ones do, but I don't know. DT

STATEMENT (Continued)

This section not used

AFFIDAVIT

I, DT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

DT
(Signature of Person Making statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23d day of September, 1969

DE
(Signature of Person Administering Oath)

DE
(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ, 1951

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

DT

PAGE 4 OF 4 PAGES

WITNESS STATEMENT

For use of this form, see DA 195-10-10 PAGE 3; the proponent agency is Office of the Provost Marshal General.

DATE 18 Sep 69	TIME 1400 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME LF		SOCIAL SECURITY ACCOUNT NO.
ORGANIZATION OR ADDRESS		GRADE

SWORN STATEMENT

I, LF, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

Q. When did you go to Vietnam?

A. 1 Dec 67. I was then assigned to Co C, 1st Bn, 20th Inf, 11th Inf Brig and I remained in this unit until I left Vietnam on 3 Oct 68.

Q. Did you take part in mission upon the village of My Lai (4), in Quang Ngai Province, on or about 16 Mar 68? This operation is better known as operation Pinkville.

A. Yes I was on that mission. I was a grenadier and was carrying an M-79 grenade launcher. The OS was my KG and DV was my HO. Other members of my squad as I remember was DN, HZ, EA, JU, HR, YL and DV.

Q. Will you relate to me what you remember about this mission?

A. The night before operation "Pinkville" the company was briefed by OS OS told us that we were going into My Lai (4) and that the area was considered an enemy stronghold. At the time the moral of the company was very low because of heavy casualties that had been inflicted upon the company mostly from the area we intended to go into. OS told the company that everybody was to be considered an enemy and to be very careful that a woman or child can carry a rifle. We were told to kill all live stock and anything that would aid the enemy. We were really expecting something big as there was to be air support if needed.

Q. Were you briefed by anyone else prior to the mission?

A. Not that I remember.

Q. After the briefing by OS was your impression of what you were to do when you entered the village?

A. To kill everything that moved. He stressed that everyone was an enemy that we owed them a lot.

Q. Did you interpretate this to mean women and children?

A. Yes.

Q. Do you think this was the belief of the rest of the company?

A. Yes.

Q. Do you know if HO was present during this briefing?

A. I would have to say yes because everybody was required to be present.

Q. Will you continue with what happened during the mission?

A. I was in the first lift and we landed West of My Lai (4) about 0730 hrs. I had been told that there was an artillery prep and I know that there was there was gun ship fire prior to landing. I recall that LI and HR was present in the chopper with me as we landed. Upon landing by platoon swept south to secure the LZ. My platoon started the initial sweep through My Lai (4). KG and LX said they saw three persons in uniform running to our left and they opened fire. I do not know if they were hit as they disappeared into the woods. As the platoon started through the village we were rounding up the inhabitants and placing them in groups and being escorted through the village as we proceeded. Prior to reaching the edge of the village I was sent back to check for stragglers and hook up with the 3rd platoon. As I was returning I begin to see scattered bodies of men, women, and children that had been

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF LF TAKEN AT DA DATED 18 Sep 69 CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE 2 OF 3 PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

shot sometime during the time I had passed the area and when I returned. After joining the 3rd platoon we then started through the village again. This time I went through the village near the South edge. HR, LI and I were all sent back to join the 3rd platoon. When HR, LI and I were going along the south side of the village WN ask HR for HR's .45 pistol to enter a tunnel. I did not see the incident as HR was behind some bushes, but was told that when HR was taking his pistol out of the holster it discharged and went through his foot.

Q. Who was in a position that could have seen what actually happened?

A. WN. I then went to HR and about this time DS, JO and I believe RT came to where HR was. WN and I carried HR to the evacuation ship. After HR was placed on the plane WN and I returned to the Hq section and with Hq continued around the south edge of the village. During this advance I saw a large group of dead men, women, and children in a ditch. These persons had been killed by someone in Company C. DS was in my group and he also saw this group of dead persons. We continued around the village until we were at a point East of the village. As I reached the East side of the village I came upon HO and 3 or 4 others who I do not know by name, and they had a group of 4 or 5 men women and children in a group and the group was being herded along the ditch. For some unknown reason HO started firing on the people until they were all dead. CALEY was the only one that fired on the persons. I was standing on the opposite side of the ditch and parts of the bodies of those being shot fell close to me. I cannot say if DS and RT witnessed this shooting by HO. I then continued in an Easterly direction where I ate lunch.

Q. How many dead persons did you see including the large group in the ditch?

A. I would say in excess of 75.

Q. Did you see anyone being shot other than those that HO shot?

A. No.

Q. Did you kill anyone in My Lai (4)?

A. No not that I know of however I was firing my M-79 into the village as the company was reconning by fire.

Q. What time did you leave the village?

A. Just prior to lunch.

Q. Who gave the order to burn the village, kill the livestock, and kill the villagers?

A. In my opinion the was given the night before when DS gave the briefing to Co C.

Q. Was there ever an order given to stop the killings?

A. Yes. The next day the order came from somewhere to stop killing their people. This order could have been a result of a visit that PA paid DS just East of MY Lai (4) the same afternoon after we had been there. PA landed in a helicopter East of My Lai (4) and talked with DS for a short period the PA departed it was shortly after this visit by PA that I received the order to stop killing people and livestock and also to stop burning the buildings.

Q. Was there any resistance met by Co C at My Lai (4)?

A. Not to my knowledge.

Q. How many enemy soldiers were captured at My Lai (4)?

A. None.

Q. How many weapons or military equipment was captured at My Lai (4)?

A. None that I know of.

Q. Was any medical aid given the civilians?

A. None that I saw.

Q. How many combat operations have you been on?

A. I was in Vietnam over a period of 10 months and I went on numerous missions?

STATEMENT (Continued)

Q. Would you be willing to testify in court if requested to do so?

A. Yea. LF

AFFIDAVIT

I, LF HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

LF
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of Sept, 1969 at Brooklyn, NY.

ORGANIZATION OR ADDRESS

LE
(Signature of Person Administering Oath)

FFFF
FFFF
Det E, 12th MP GP (CI), Brooklyn, NY

LE
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

LF

PAGE 3 OF 3 PAGES

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WITNESS STATEMENT

(AR 195-10 - TB PMO 3)

PLACE	DATE 11 Oct 69	TIME 2200	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME RRD	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

RRD

I was assigned to C Co, 1st Bn, 20th Inf, in Hawaii in Apr 67 and on 1 Dec 67, I accompanied the unit to Vietnam. I departed Vietnam on 1 Oct 67 and was discharged as a ¹ I recall the unit making a combat assault mission on the village of My Lai (4) in the area near "Pinkville." This was approximately Mar 68. I recall we had a briefing at LZ Dottie. ^{DS} held the briefing, which lasted 45-60 minutes. During the briefing he said the village was supposedly all VC and this was a search and destroy mission. We were told to destroy the animals. The village was all VC and that other units had been there before, but when the units left the village became VC again. We were supposed to eliminate anything that was in the village, which was to include people, animals and food. I think 3rd Plt was following us and told to burn the village. We left LZ Dottie, early the next morning. I was in the tail end of the 1st air lift or the second air lift. I was a member of the 2nd Plt and FIRE TEAM LEADER of the Squad. ^{2G} was my and ^{HG} was my ^{2B} as my ^{HM} ODR and ^{LZ} WX was the ^{VL} and ^{FFK} were men. We landed in a dry rice paddy about 50 meters from the village. First and second platoons went forward on a line and third platoon remained in the rear. My squad was in a position on the northern edge of the village and we moved through the village from west to east towards the water. As I recall we were in the village most of the morning. We went completely through the village and returned to about the center of the village. I recall having lunch sitting by a well in the village on the outskirts. When I had lunch I was with the members of my Squad.

Q: How were you armed for this mission?

A: I had an M-16, about 300 rounds of ammunition and ³⁻⁴ hand grenades.

Q: What was the extent of your firing as you swept through this village?

A: I fired about 20 rounds of ammunition, mostly at chickens. I also shot at a few pigs. I fired 2 or 3 rounds at one man running out of the village. He was in a rice paddy. I think I hit him but I didn't go out and check him. I yelled for him to stop in Vietnamese before I shot at him but he kept running. He was the only person that I fired at.

Q: Did you meet any resistance when you entered My Lai (4)?

A: There was scattered fire, but no great resistance. The helicopter gunships were firing as we landed, but I didn't see ~~XX~~ what they were firing at. I also saw a dead VC who was carrying a carbine which was recovered by the second platoon. I think the gun ships shot this VC.

Q: Did you see any other persons killed?

A: Yes. Some were standing and some were in hootches. They were older men, 40 or above, women and children. I estimate that I saw about 50 Vietnamese killed. I don't know who shot any of these people except I know that I didn't shot any of them.

Q: Did you hear anything about people being killed in a ditch?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF RRD TAKEN AT DA FORM 2823 DATED 11 JAN 68 CONTINUED."

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of
Continued:

RRD

taken at New York, dated 11 Oct 69,

A: No.

Q: Did you see any large groups of people killed, or groups of dead persons?

A: No more than 3-4 people.

Q: Did you see ~~DS~~ during the mission?

A: No until the end when we were near the beach. This would have been that afternoon.

Q: Did you see ~~HO~~ during the mission?

A: No.

Q: Can you recall ~~HR~~ being injured during the mission?

A: I heard about it, but I didn't see it and I don't have any of the ~~xxxxxx~~ details.

Q: Do you recall seeing a helicopter landing during the mission?

A: I didn't see any but I heard that one landed in between someone who was shooting at the villagers. I didn't see this and I don't have any direct knowledge about it.

Q: You said you had lunch at a well. Was there a dead man in the well at that time?

A: No. I sat on the well and if there was somebody in the well I wouldn't have been eating there.

Q: Were you questioned about this mission after you returned to LZ Dottie?

A: No, but there was a rumor that there was going to be a ~~skink~~ stink about the mission, but that was the last I heard about it.

Q: Do you recall ~~DN~~ being injured on Hill 85?

A: I didn't see it but I heard that he had stepped on a mine.

Q: Were the members of your squad firing at the people?

A: I didn't see any of them that were with me fire.

Q: Did you approve of all the killing in this village?

A: Not all of it. I don't really know but I assume they were all VC. I don't know for sure.

Q: Is there anything else you would like to add to this statement?

A: We were told they were all VC in this village. Thinking of them as VC is one thing. Thinking of them as women and children would be something else. RRD

XXXXX = STRIKEOUTS

Page 2 of 3 pages

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WITNESS STATEMENT

For use of this form, see AR 195-10 - TB 1 MG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
	16 Dec 69	1045 Hrs.	69-C1D011-00011
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
LS	267-32-5868		Crim Inves
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The foregoing Investigator's Statement is made to elaborate and/or clarify points not otherwise covered in this investigation.

LQ was interviewed from 1840 to 2115 Hrs, 8 Dec 69, at his home and in the presence of Crim Inves Morris CARLTON, Chicago Fl. Office, Det A, 5th MF Cp (CI), Chicago, IL. LQ was initially interviewed as a witness and verbally rendered substantially the following information:

I joined Co "C", 1st Bn, 20th Inf, 11th Inf Bde, on 28 Sep 67, in Hawaii. I went to Vietnam with this unit on 1 Dec 67. I rotated from Vietnam to CONUS on 26 Nov 68, and was subsequently discharged on 28 Nov 68. During the time I was assigned to Co "C" I was in the 3d Sgd of the 3d Plt. During the My Lai (4) operation on 16 Mar 68, as I recall, mv was DS AB was my

DA was my and XB was my

I don't recall what specific instructions were given at the briefing on 15 Mar 68, by DS. The 3d Sgd of the 3d Platoon, to which I was assigned, went into My Lai (4) on the morning of 16 Mar 68, and formed behind the Hq Element. As we faced the village of My Lai, the 3d Sgd was on the right end of the 3d Plt. The 1st and 2d Plts. were forward of the Hq Element. As the unit moved out and into the village the 3d Sgd was told to check out the rice paddies on the southwest end of the village following a report that some 4 or 5 people were seen fleeing the village in that direction. The 3d Sgd, consisting of FY, PPK, EEN, XB, XN, EE, UUA, FI and WQ plus myself, proceeded across the rice paddies to a trail that runs parallel to the south side of the village and along a ditch. XB recovered a weapon, believed to be a carbine or M-1, on the south side of the ditch in a rice paddy. I think the weapon was put aboard the chopper that air lifted HR out of the area after he was wounded in the foot.

At this point LQ was ask if he could identify a series of photographs numbering from #1 to #19 for identification purposes. LQ identified photo #18 as being VQ in the foreground and WQ in the background. LQ stated that he was standing slightly forward and to the right of VQ at the time this photo was made. LQ identified photo #19 as being HR but maintains that he was not in the area when HR was wounded and doesn't know what happened to him. LQ identified photos #3, 4, 14 and 15 as bodies that he saw along a trail at the extreme west end of the village, the trail of which was a north-south trail. Upon being questioned further concerning the location of the trail, LQ conceded that the bodies may have been located on the north-south trail leading from the center of the village. LQ was unable to identify the balance of the photos.

LQ related that following the sweep through the rice paddies and along the trail and ditch at the southwest corner of the village that he and his squad returned to aforementioned corner of the village and started moving through the village, however, he does not recall that they moved all the way through the village. LQ stated that

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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DA FORM 2823

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Statement Of: **VB**

Ta on At: Washington, DC Dated: 16 Dec 69

(Continued from page #1)

he thinks he was on another operation through My Lai (4), however, he was unable to recall when it was, and that he is confused as to what direction he travelled through the village on 16 Mar 68, and as to the specific incidents that transpired. None-the-less, LQ continued to answer questions slowly and vaguely.

LQ related that most of the huts were already on fire and the people in the village apparently were moving in front of the 1st and 2d Platoons, because most of the people he saw were dead. LQ stated that he did not hear DS, HO, PN,

LZ nor anyone else give any orders to kill everyone, including women and children. Further, he did not see the above listed individuals killing anyone, nor hear them giving any orders to stop killing noncombatants.

LQ was advised by his that an investigation was initiated following the My Lai (4) operation, however, he was not questioned, nor instructed not to discuss the incident. LQ maintains that prior to this interview that he has not been questioned concerning this incident by anyone, including the news media.

LQ estimates that he saw approximately 100 bodies in the village, along the southern edge of the village, along the north-south trail and in a ditch at the east end of the village. Although he only saw about 100 bodies, he heard that about 300 persons were killed at My Lai (4).

LQ stated that in addition to the one weapon that he saw being recovered, he heard that some mortar rounds, ammo and grenades were recovered in the village of My Lai (4), but he did not see any of these items.

When LQ was questioned concerning a helicopter landing on the south side of the village and airlifting civilians out of the area to preclude them being killed by members of Co "C", LQ stated that he did not witness this incident, nor could he furnish any information relative to this incident.

At this point LQ was asked if he fired at anyone during the My Lai (4) operation on 16 Mar 68, and when he stated that he had, the interview was stopped and LQ was advised of his Constitutional Rights and informed that he was suspected of Murder, Rape, Arson, Assault, Destruction of Private Property, Destruction of Inhabitants, Livestock, Crops and Buildings of My Lai (4) on 16 Mar 68. Following being advised of his rights LQ agreed to continue answering verbal questions without consulting an attorney and having an attorney present.

LQ was then asked who it was that he shot at, and if he had killed the person(s) that he fired upon. LQ related that he fired upon some 4 or 5 people which were about 4 or 5 hundred meters from him that were running across the rice paddies at the southwest side of the village, however, he does not know if he hit anyone.

Based on information contained in WC statement wherein he named LQ as being in his Squad which fired on six individuals, two adult males and four adult females, that were running from a trail inside the village, and killing them. LQ denied that he had fired and killed anyone.

LQ was further confronted with a verbal picture of the 7 women and children as shown on photo #17, and asked if he saw anyone attempting to remove the blouse from any females in the village and fondling their breast and subsequently shooting the seven women and children. LQ maintains that he did not see any such scene, nor take part in the shooting of any such individuals.

LQ admitted that he, FI, EEN and WQ set fire to an old uninhabited hut in the southwest corner of My Lai (4) village.

LQ declined to make a written statement.

STATEMENT (Continued)

THIS SECTION NOT USED

AFFIDAVIT

I, _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

LS
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of December, 19 69 at Washington, DC

ORGANIZATION OR ADDRESS

LU
(Signature of Person Administering Oath)

LU
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-10)

PLACE	DATE 18 Sept 69	TIME 1300	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME PN	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY
of 1st CID, Washington, DC
THAT HE WANTS TO QUESTION ME ABOUT Murder, Violation of the Laws of War, Dest. of
OF WHICH I AM PN SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
I (DO) ~~(DO NOT)~~ WANT COUNSEL.
I (DO) ~~(DO NOT)~~ WANT TO MAKE A STATEMENT AND
ANSWER QUESTIONS.

PN
(Signature of Person To Be Questioned)

INTERROGATOR FFFG WITNES FFFR
(Signature) (Signature)
1st CID, Washington, D.C.
(Typed Name and Organization) (Typed Name and Organization)

PART II - SWORN STATEMENT

PN

WANT TO MAKE THE FOLLOWING STATEMENT UNDER
OATH: On the 16th of March 1968, I was a member of the United States Army
assigned to Task Force Barker. On that date I participated in a combat
assault on the village of My Lai 4 with members of the task force. We
dismounted from out helicopters transports, assembled into squads and as-
saulted the village. During our assault, practically all members of my
unit, 1st Platoon, Company C, 1/20 Inf, 3d Squad, that I was able to ob-
serve, fired indiscriminately on the villagers and killed a great many of
them. Based on several briefings that I received, I presumed that we were
to destroy the village and the people in it.
Members of the company pushed through the village and rounded up vil-
lagers that had not been killed and sent them to the rear. At approximate-
ly 1200 hours on 16 March 1968, I was in a small clearing almost in the
center of the village. Some soldiers, two I think, brought a group of 30-
40 villagers to the clearing. These people were released to me and another
soldier whose name I can't recall. This group consisted of people of all
ages and sex. The soldier and I guarded them for about 15 minutes when
HO came into the clearing. He looked at the group and remarked
that I knew what to do with them and left the area. The unarmed soldier
and I made the people sit on the ground while we guarded them. About 15
minutes later HO reappeared with his FW, and asked why
we had not killed them yet. I indicated that I did not know that we

EXHIBIT PN PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF PN TAKEN AT 18 Sept 69 DATED 18 Sept 69 CONTINUED." THE
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ED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of PN
dated 18 September 1969.

taken at

Indiana,

PN were supposed to kill them. HO backed off about 20-30 feet from the villagers that were seated on the ground bunched up in a circle.

HO fired a magazine on automatic from his M-16 into the group with a spraying motion. I am sure that he killed or fatally wounded 4 or 5 people with that burst of fire. I then fired my weapon, with automatic fire into the group, emptying the magazine. We fired until all of the villagers were dead. So far as I can remember, HO and I, exclusively, killed this group of people. Present during this incident were HO, FW, HZ and I believe KC. I do not believe that KC fired into this group of people.

HO fired 4 or 5 magazines from his M-16. I fired a total of 3 magazines, 2 on automatic and 1 on semi. After the firing, I observed

HO fire 3 individual shots at wounded villagers. I am unable to recall whether I saw the shots hit. I also fired single shots at individual villagers that had been by the initial firing by me and HO.

I normally carried 23 magazines of ammo. On this day I remember that HO had at least one bandolier of ammo hung around his shoulder.

The people in the group that we shot are described as follows: 10 or 15 old men, almost all with boards dressed in shirts and pants. I recall that I killed an old man dressed in red. There were no young men in the group or in the village that I saw. There were about 10 women in the group dressed in either dresses or shirts and slacks. 3 or 4 of the women were old with gray hair and could hardly walk. The remainder of the group consisted of women between 30-50 years old.

After the people in this group had been killed, they were left in the clearing where they fell and we moved on.

At about 1400 hrs, 16 Mar 68, subsequent to the incident described above, LI and I were moving thru a part of the village. We rounded up about 7 or 8 villagers. We planned to put them all in a hut and throw a grenade into it and kill them. As we were walking to several huts to our front, we saw HO sitting by a ditch or ravine with a group of about 75-100 villagers. When we saw him, we went over and took our group with us. As we approached HO, he said that "we had another job to do". Some of the villagers were near the edge of the ditch and HO went over and pushed them in and shot them as they fell. I can not describe these 3 or 4 people I do recall seeing HO shoot and seeing 1 or 2 of the people had parts of their heads blown off by the impact of the bullets, and the others struck in the body at close range. I pushed one individual into the ditch and killed him. HO told the rest of the group to get in the ditch and we began to hit them with rifle butts, shove and push them into the ditch. Some of them got into the ditch without being pushed. When they were in the ditch, they sat down and began to cry and moan. This group consisted of people of all ages and sex. There were some babies being carried by their mothers. We fired our M-16s into the group, on automatic fire. After awhile, someone said that we were wasting ammo by firing automatic. We then began firing semi-automatic. HO, LX, GX and I killed all of these people. There while we were shooting, I observed that was not firing. I asked him if he was going to shoot and he replied that he could not. PN

PN

Page 2 of 4 pages.

Statement of PN
dated 18 September 1969.

taken at

Indiana,

PN

HO fired 4 or 5 magazines of ammo on automatic, into the villagers in the ditch. In total, I would estimate that HO fired about 15 magazines into the ditch. I recall that during both the incidents in the clearing and the ditch, I fired 22 magazines of ammunition.

Everyone that I saw that day was killing people, in huts or shooting them as they ran away.

I saw DS only once that day. I did not see him shoot anyone.

The ditch was located on the far side of the village. We had already swept through most of the village by the time we reached the ditch. After the people had been killed, we left and moved on out into a rice paddy.

Q. During the briefings, did anyone tell you and the other troops to kill all the people in the village?

A. No.

Q. Are you willing to testify in a court of law should this case go to court?

A. Yes.

Q. Was RJ, the with you at anytime that day?

A. No.

Q. Were you fired on by unfriendlies that day?

A. I don't think so.

Q. Who were your leaders on that operation?

A.

HO ; KG ; PA ; DV DS

Q. On which lift did you enter the village?

A. I don't remember.

Q. Other than the names you have mentioned in this statement, can you think of any other soldiers whom you saw killing civilians that day?

A. Yes. They are: WC ; IU ; KC

Q. Is there anything you wish to add to this statement?

A. No. //END OF STATEMENT//

PN

Not Used

AFFIDAVIT

I, PN HAVE READ ~~THE STATEMENT~~ THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

PN

(Signature of Person Making Statement)

WITNESSES:

FFEL

FFEL

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of September, 19 69 at Terre Haute, Indiana Federal Bldg.

FFEQ

(Signature of Person Administering Oath)

FFEQ

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Criminal Investigator, Art 136(b) (4)
(Authority To Administer Oath) UCMJ, 1969

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

WITNESS STATEMENT (AR 195-10 - TD PMO 3)			
PLACE	DATE	TIME	FILE NUMBER
	25 Oct 1969	1320	
LAST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY ACCOUNT NO.	GRADE
CK			Civilian
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, CK, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was assigned to Company 'C', 1st Battalion, 20th Inf, 11th Bde, Americal Division on 28 November 1967 and went to Vietnam with that unit from Hawaii and stayed with that unit until I returned from Vietnam. I was on operation Pinkville as an infantryman. This operation took place on 16 March 1968. I was on the second lift of choppers that went into the area, but all of the men from all of the lifts were held until the whole company was present before commencing the operation. During the assault, the gun ships were prepping the area around the edge of the village with rocket and machinegun fire. The operation began as a search mission and then the men began shooting at civilians who were running. The only time that I fired my weapon was when I shot at a duck which I missed. The day prior to the operation, I attended a briefing which was given to the unit by DS. In his briefing he stated that the past operations in that area had only been search missions, but that this was to be the biggest operation that the unit had participated in. My interpretation of instructions were that when we left, everything would be dead. After the unit had passed through the village, DS gave the order to stop shooting. He came through the village with the last element. The whole company moved through the village on line, but it was not a straight line as the company was deployed around two sides of the village for the sweep through. I cannot recall exactly what direction we were moving in. I do not think that any of the elements were ahead of me because we all seemed to be even as you could yell at the men on either side of you. As I was passing through the village, I came across groups of bodies of men, women and children who had apparently been shot. The first group that I came across were on a pathway between the hootches with some of the bodies off to the side. The bodies were piled up on top of each other as if they had been shot at close range. There were about 15-20 bodies in this group. We did not move all the way over into the other areas, but I did see three groups of bodies and each group was about 15-20 bodies. It is hard to estimate how many bodies there actually were as they were piled up. Prior to the shooting, I saw a lot of the men boating Vietnamese in the village, but I cannot recall their names at this time.

Q: Did you witness any of the men shooting any civilians during that operation?

A: Yes. I did witness some of the men shooting civilians, but I don't want to disclose their names at this time. If I am called to testify at a court, I will say who it was at that time.

Q: When you say civilians, do you mean men, women or children or all three?

A: I mean all three.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>5</u> PAGES
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STATEMENT OF

CK

S. G., 25 October 1969, Continued.

Q: Do you condone the shooting of women and children and other non-combatants?

A: No. I did not think it was right at the time, but there was nothing I could do about it.

Q: What platoon or squad were the men in that did the most of the shooting?

A: I heard that the first and third platoons did a lot of the shooting.

Q: Did you see any groups shot by men of Company 'C'?

A: I did not see any actual shooting of groups of civilians.

Q: How many civilians did you actually see shot?

A: About fifty to seventy-five.

Q: Was there any hostile fire from the village or were any of those civilians armed or did they offer any resistance?

A: (At this time the interview was discontinued due to prior commitments of CK

(Interview resumed at same location at 1130 hours 26 October 1969)

A: Not at the beginning of the operation. Later on my platoon killed three men who had weapons.

Q: Did you witness an incident that allegedly took place at a well where an elderly man was killed?

A: If you mean where HO was supposed to have killed a man, I did not see it, but I heard about it later on from talk in the unit.

Q: Did you see DS chase a girl down and kill her?

A: No. I did not.

Q: Did you see HZ stab and/or shoot a man in My Lai #4?

A: No. I did not as I was not with HZ

Q: Did you witness the shooting of a group of women and children at a temple?

A: I did not witness the actual shooting, but I probably saw the bodies later on.

Q: Do you recall where this temple was in relation to the village?

A: I think it was about the center of the village on one of the main trails.

Q: Did you see WN shoot a little boy with HR

A: No. I did not. I heard about it, but I did not see it. WN was with DS

Q: Did you see a LOH land in the village during the operation?

STATEMENT OF

CK

S. C. 25 and 26 October 1969, Cont'd.

A: Yes. I did. I don't know what he landed for, but I later on heard that he had tried to stop our company from doing what they did. I think that the pilot got killed later on while on an operation up north.

Q: Did you see a priest or village elder shot by HO

A: No. I did not.

Q: Did you see an old man taken out of a hut and shot?

A: I can't recall any one incident. I did see groups taken out of houses and shot.

Q: Did you see RJ OY during this operation?

A: I saw them each once or twice.

Q: Did you see them doing any shooting?

A: No.

Q: In your opinion, could the wounds sustained by the groups you saw have been caused by artillery fire of guns from the gunships?

A: No. It was pretty obvious that the wounds were caused by small arms. I did not see any artillery in the area and the gunships did not shoot into the village. They just prepped around the edge of the village.

Q: Was there an investigation conducted into the killing of civilians at My Lai #4 by officers of the Americal Division subsequent to the operation?

A: I don't recall anyone asking me anything, but I heard that there was an investigation being conducted.

Q: Who gave the orders to burn the village?

A: The order came over the radio, so I guess it was DS

Q: Do you recall hearing of any orders coming in by radio to kill everyone in the village?

A: No. I did not hear of anything like that.

Q: Did you see any Vietnamese National Police execute anyone?

A: Yes. Later on that same night, it was right after we had finished eating, there were about five Vietnamese police who had a group of civilians that they shot. I think there were about six persons in that group that were shot.

STATEMENT OF

CK.

on 25 and 26 October 1969, Cont'd.

Q: Were all of these persons killed by the National Police, or were they 'finished off' by one or more of the American soldiers?

A: They were all killed by the National Police.

Q: Do you have any knowledge of a VC nurse who was captured during the operation?

A: That was the next day. She was captured by the third platoon and sent in. I saw her, but I can't recall who she was with. She was sent in on a chopper. I don't know where she was sent to. I think PA came out to get her.

Q: Were you aware of a group of men who continually raped women while on operations such as My Lai #4?

A: Yes. I was. I don't know who was involved, but I did hear that there were a lot of rapes committed during that operation.

Q: CK I am now presenting to you a unit roster. Will you please look at it and indicate to me the names of those persons you observed shooting civilians during the operation at My Lai #4?

A: I see a lot of men on this roster who I think in my own opinion, were just murdering people for no apparent reason. I guess that once they started shooting, they just kept it up. I don't want to divulge their names at this time.

Q: If you are called to an Article 32 investigation or a court or other legal proceeding, will you divulge their names at that time?

A: Yes. I will.

Q: Do you have anything to add to or to delete from this statement?

A: No. I have read my statement and that covers all of the knowledge that I have of this incident with the exception of the names of the individuals involved.

.....END OF WRITTEN STATEMENT.....

STATEMENT (Continued)

I HAVE READ THE ENTIRE STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

EXHIBIT

INITIALS OF PERSON ADMINISTERING OATH

DATE

PLACE

This portion of the statement form was not used

AFF OATH

CK HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

CK
to administer oath, this 26 day of October, 1969

at

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136 (b), (4), UCMJ, 1968

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 5 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 6 Oct 69	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME LR	SOCIAL SECURITY ACCOUNT NO.	GRADE	
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

LR WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In Mar 68, I was assigned to C Co, 1st Bn, 20th Inf, 11th Inf Brg, Americal Div in Vietnam. Around the middle of Mar 68, I was on Operation Barker, sometimes referred to as Pinkville. In early morning we left LZ Dottie and I was in the 1st lift to a landing point just west and south of My Lai (4). I was an assistant Machine Gunner to AR SSW; was the ammo bearer. After landing and forming a line west of the village the FPL Plat was on the right or South side of the village and second platoon was on the left as we started a sweep through the village. Since I was an assistant machine gunner I was LRd with a Cal .45 pistol. As we went from West To East I traveled along the North edge of the village along a path and just inside the tree line. I never got into the village but along the edge of the village about the middle of the village I saw some tunnels and some dead VC that the person in front of me had killed by throwing grenades into the tunnels. Nearly to the east edge of the village while SSW was carrying the machine gun he machine gunned a group of about 6 persons. These persons were middle aged men and women. The reason he killed the people was because they were considered VC. SSW did not completely kill all the people. AR and I finished killing them with Cal .45. I guess I killed one and AR killed maybe one or two. I finished killing them because I didnt want to see them suffer, and I knew the medics would do nothing for them.

Q. You said you considered the six men and women as VC. Where did you get this idea?

A. The night before the mission DS had given a briefing and had told us that everything on the village was considered to be VC and was to be killed. He said cows and water buffaloes was considered "chop Chop" and should be killed. The impression I had was that everything that moved was to be killed and this included people.

Q. How many similar missions had you been on?

A. This is the first one like that one but I had been on B-6 combat missions prior to that time.

Q. Do you think all the troops had the same impression as to what was to be killed as you had?

A. Yes. I had discussed it with others before the mission and that is the way they interpreted DS instructions.

Q. Was there any resistance prior to or while you were in or around My Lai (4)?

A. Not that I know of I didnt hear any.

Q. How many enemy were captured at My Lai (4)?

A. None.

Q. How many persons were alive when you left My Lai (4)?

A. None that I know of.

Q. Did you see any National Police kill any prisoners later in the day at another location?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT LR	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
1 JAN 68

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STATEMENT (Continued)

A. NO. I heard that some were killed.

Q. Was any medical aid given VC?

A. No.

Q. Did you see ~~HO~~ ^{DS} in the village of My Lai (4)?

A. No I was always on the edge of the village.

Q. Other than what you have already mentioned did you see anyone else shoot ~~women~~ or children in My Lai (4)?

A. No.

Q. In My Lai (4) did you kill anyone other than the one person by the hut you mentioned before?

A. LR.

Q. Would you be willing to testify in court what you have been able to remember about Task Force Barker?

A. Yes.

AFFIDAVIT

I, _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

LR
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6th day of Oct, 19 69

ORGANIZATION OR ADDRESS

LE
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

LE
(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

LR

PAGE 2 OF 2 PAGES

WITNESS STATEMENT
(AR 195-10 - TB PMO 3)

NAME	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	16 Jan 70		
ORGANIZATION OR ADDRESS	SOCIAL SECURITY ACCOUNT NO.	GRADE	
		Crim Inves	

SWORN STATEMENT:

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 8 Jan 70, **DY** was interviewed at **DY** Present was **DY** attorney, Before the interview completed an affidavit concerning the stipulations and consent of the interview. Although the statement was paraphrased and reduced to longhand by the questions were answered by **DY**

DY was questioned and responded as follows:

My name is **DY**. I am giving the following statement to **CIDG AGENT**, and my answers to questions are being paraphrased and reduced to longhand.

I was assigned to Vietnam Nov 30 67. I went over with the 11th Brigade (Schofield Barracks) Hawaii. I know of "Pinkville", and I was there on March 16, 1968. On the evening of March 15, 1968, our company was briefed by our captain, **DS** about the next day's plans. I was an RTO at the time and I was monitoring radios during the briefing. I was about 100 yards, or less, from **DS** and I heard bits of the briefing between radio communications (if any came through).

We were told that My Lai (4) was a division (or brigade) of NVA and VC. This was one of their hideouts and locations for supplies. The orders as I recall them were to search the village and destroy it. I am pretty sure I heard him say it but I don't recall for sure. He said it was heavily armed, and we probably would get a resistance from the village.

We received no briefing after **DS** briefing. I stayed with radios and I was usually with **DS** wasn't in a position to hear how we were going to My Lai.

The words "search and destroy" as I understood them meant, as I was taught in the army, when you go into a village you search and destroy it, like hootches, anything the enemy can use, gardens and livestock, but not civilians.

The next morning, about 2 weeks after I came back to the company from Saw Wind (phonetic) where I had gone because I broke my thumb and tore my thumb nail off. That, I believe, was about the middle of March, 1968, when we went to My Lai (4).

We left LZ Dottie about 6:30 A.M. I think we were on the second lift, but I'm not sure. I think rather that we were the first lift

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 6 PAGES
	DY	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

"STATEMENT OF MR. ^{DS}
DATED 16 JANUARY 1970 CONTINUED."

because artillery and gunships were still firing. I'm pretty sure it was gunships.

It took about 10 to 15 minutes to get there. I think it's about 10 - 15 minutes by chopper.

We landed west of the village, about where I'm marking a map in the left hand upper corner. (I)

I can't honestly say where the artillery was landing. I was concerned that it didn't land on our chopper.

I saw the area after we landed and it looked artillery had hit it. Gunships and artillery were hitting but I don't know just where.

We came in from Dottie, by a southeast direction, passed the village, turned left and came back to it be heading north after the left turn.

In the chopper I rode were the following-- ^{DS} I think an artillery officer. I carried battalion radio, ^{RJ}

^{EC} (carrying company radio). I think there were 6 or 7 of us in the chopper, including our head medic (a Mexican or Spanish), but I can't remember any more names.

I think artillery quit before we landed. We landed and Headquarters Section went to the west edge of the village (Circle around II on the map) and set up CB. I think 1st platoon went into the village first, followed by 2d platoon and 3d platoon was behind us. I could be wrong on that, though.

In setting up our CP, I heard some "cracks" (bullets to the left or right of me). As far as I felt myself, I thought we were being fired upon but I don't know which direction the shots were coming from.

I was the RTO for battalion. That is, I carried radio for ^{DS} but it is a battalion push. ^{EC} was in our company.

If any calls were made on my radio, ^{DS} would make the calls. I just carried the radio, he spoke on it. The same is true for ^{EC}.

We remained there about an hour or so. ^{DS} and headquarters stayed there too.

The west edge of the village was heavy with palm trees and I couldn't see far into the village because of the foliage. I did not hear an order to open fire, but I did hear firing from in the village. The gunships were still in the area and I think they were still firing.

I didn't see a great deal of fires or smoke to indicate to me that fires were burning at that time. I didn't pay attention when we came down in the chopper whether there were fires in the village.

After about an hour, maybe less, we started to move. I think we went around the village--(red line with marking pencil) and when we were somewhere in the area of III (in circle) we received a call about a wounded soldier (either radio or voice scream) and we went to III. I heard three hearsay that it could have been an accidental injury. As far as I remember, it was ^{HR}, and I heard he was trying to clear his ".45" and injured himself.

STATEMENT OF
DATED 16 JANUARY 1970 CONTINUED"

I saw dead people as we went from II to III. I saw no groups of dead people. When I see a dead person I try to look the other way.

DS called in a "dust-off" on my radio for the wounded man in III.

From II to III I saw no GI shoot a Vietnamese. I saw no unusual killing of animals or cattle by any person. I saw no stabbing of cattle or chasing cattle. After III we took one of two paths (either red or blue) to Blue Circle IV. As best as I recall I saw more dead bodies between III and IV. Once before I said I thought Blue was the path from III to IV, but it may have been Red. I have been on at least a hundred operations in Vietnam, each one involved going through at least one village, and it is hard to recall exactly every point like this.

The largest number of bodies I saw in a location was 10 or 12. They were located in a space no larger than (best estimate) 50 feet by 50 feet. From IV on the east edge of the village at either Circle V or Circle VI we had lunch. It is hard to tell by looking at a map.

I never saw the ditch (marked VII) on the map. I saw one helicopter land after lunch. We were moving east and it landed in the middle of a rice paddy which would be east of the map. We put security around him for about 10 minutes, till the pilot wound it up and took off. As far as I know, nobody talked to the pilot.

Thereafter, (after lunch) I personally did not go back into the village of My Lai (4). (I have initialed the map DY 1/8/70 and it is also initialed as well as DY

I am now being shown pictures with #1 and #26 and #62 on the backside, also #35, and #27. I think I know the man with the mustache in picture #60. Shown picture #58 with no recognition. Picture #6 rings no bell. Photo #9 is at LZ Dottie. Photo #7 no recognition. #18 looks familiar, but I can't recognize the man. #19 looks to be HR on the ground, but I don't recognize the others. #12, no recognition. #13, no recognition. #4 I can't place. #17 I have seen in LIFE magazine but don't know otherwise. #14 does not look familiar. I didn't walk down that road nor see groups of people in a bunch like that. #5 I saw in LIFE magazine but didn't see the actual scene. #11, no recognition. #3, I saw in LIFE magazine, but I didn't see it there though. #15, I didn't see. #10, no. #8, no.

Q. It is alleged that DS shot someone during the My Lai (4) operation. Can you comment on this?

A. To tell you the truth, I can't recall if he did or not.

Q. Did you see any of the U.S. troops shoot at suspected VC civilians including children?

A. No, as far as I remember, I can't.

Q. When you went to the village of My Lai (4), did you see any groups of Vietnamese brought in alive in groups of 5 or more?

A. I remember no large groups, groups of 2 or 3 were interrogated though.

"STATEMENT OF
DATED 16 JANUARY 1970, CONTINUED."

Q. Did you see any Vietnamese receive medical aid?

A. I don't remember seeing any. They could have, but I don't remember seeing any at the time.

Q. Did you hear anyone give orders to stop firing?

A. Do you mean for the company?

Q. For My Lai (4).

A. It would not have been on my radio. I didn't hear any orders given.

Q. Do you know a LT CALLEY?

A. Yes.

Q. Was *HO* on this operation?

A. Yes.

Q. Where was *HO* during this sweep through the village?

A. All I can tell you is that he was with the 1st platoon.

Q. Did you see *HO* during the operation at My Lai (4)?

A. No, it was after the operation--afterwards he came up and talked to the CPT when we set up our R.O.N. for the night. That was the first time I saw him.

Q. Did you hear him talk?

A. No. They always have a meeting at night at an R.O.N. Every-time we have an R.O.N. at night the leaders and the CPT get together and talk.

Q. Did you see anyone with cameras or did you have a camera?

A. I did not have a camera on this operation but I believe there was a photographer with us from Brigade, but I'm not sure.

Q. Do you have any documents such as notes, letters, or other materials concerning this operation?

A. No. Do you mean notes taken at the time?

Q. Yes.

A. No, I didn't take notes.

Q. Do you know if anyone had been using marihuana before or during the operation in My Lai (4)?

A. No.

Q. Did you hear anything about *HO* shooting women, children...?

A. You mean afterwards...

DY

PAGE 4 OF 6 PAGES

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"STATEMENT

DATED 16 JANUARY 1970, CONTINUED."

Q. During the operation in My Lai (4)?

A. No.

END OF VERBATIM

Having been shown a roster and asked to state whether I heard anything about any person thereon doing anything after the operation, my answer is no, not as far as talkwise, no.

VERBATIM

Q. Was there any investigation after the operation of My Lai (4)?

A. Nobody ever came up and talked to me about it.

Q. Prior to this date, has anyone other than your superiors questioned you about this incident?

A. Like newspapers and stuff like that?

Q. This would be both Vietnam and the States?

A. Not in Vietnam.

Q. Any investigation agency, or other agency representing...?

A. Just COL WILSON, GEN PEERS and I.G. Then a newsman approached me and I contacted an attorney.

Q. While in Vietnam were you advised not to discuss this incident with anyone?

A. No.

Q. Were you advised by your su...

A. You already asked me that.

Q. Do you have any additional information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai (4)?

A. That's not counting military, right.

Q. This would be in Vietnam.

A. I thought you were talking about the States. No. Not as to Vietnam?

Q. What do you mean by military?

A. I'm talking about two meetings in the States, GEN PEERS and one in May of 1969 with COL WILSON.

Q. I mean while you were still in Vietnam did anyone try to suppress an investigation?

A. No, as far as my knowledge, no.

—DY—

STATEMENT (Continued)

END OF VERBATIM

I have nothing to add to this statement.

AFFIDAVIT

I, LU HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

LU
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of January, 19 70

ORGANIZATION OR ADDRESS

OE
(Signature of Person Administering Oath)

Crim Inves

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136, (b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

DY

PAGE 6 OF 8 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON		For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.	
PLACE	DATE 21 Sep 69	TIME 1245	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME <u>CX</u>	SOCIAL SECURITY ACCOUNT NO.		GRADE SP4
ORGANIZATION OR ADDRESS			
PART I - WAIVER CERTIFICATE			
I HAVE BEEN INFORMED BY <u>OF</u>			
OF <u>ARMY CID</u>			
THAT HE WANTS TO QUESTION ME ABOUT <u>Murder</u>			
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.			
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.			
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.			
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.			
<div style="display: flex; justify-content: space-between;"> <u>DO NOT</u> (DO NOT) WANT COUNSEL. <u>DO</u> (DO) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. <u>CX</u> (Signature of Person To Be Questioned) </div>			
INTERROGATOR: <u>1st MP Det (CI)</u> <u>Washington DC 20314</u>		WITNESS: _____	
(Typed Name and Organization)		(Typed Name and Organization)	
PART II - SWORN STATEMENT			
I, <u>CX</u> WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>I was assigned to C Co, 1st Bn, 20th Inf, 11th Lt Inf Bde, in Vietnam in Feb 1968. My MOS is 1C20 and my job is that of a morterman. I recall the time the unit went on a combat assault mission on a small village near "Pinkville". This was the first mission that I had been on when I saw a lot of people killed. I don't recall the date but I hadn't been in Vietnam too long. I recall the unit had a briefing the day before the mission. I think <u>DS</u> gave the briefing but I don't recall what was said. I was a member of the Mortar Plt and our job was to stay in the rear for more or less security. I don't remember the time, but we went in the next day. I would say it was sometime before 1200 hrs. It was daylight. I don't remember for sure but I think I went in on the last lift. Some of the people in the Mortar Plt that I remember are <u>DS</u> and <u>KT</u> <u>XA</u> <u>WL</u> <u>LT</u> <u>HL</u> and <u>AP</u>. There were more people but I can't remember the names. At this time I carried two 81mm mortar rounds of ammo. I was armed with an M-16 and about 15 magazines. When the mortar plt landed landed it was 300-400 meters from the village and we set up our mortar until the company had moved out. We moved up in stages setting up the mortar and following the company through the village. I can't recall if we stayed overnight or returned to our base camp at LZ Dottie.</p> <p>Q: How long did you stay in the rice paddy area before you moved into the village? A: I don't know, maybe an hour or so.</p> <p>Q: Were you firing your weapon at this or any other time? A: No, my weapon wasn't fired the whole time.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>CX</u>		PAGE 1 OF <u>3</u> PAGES
<small>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</small>			

DA FORM 2820
1 OCT 67

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STATEMENT OF
CONTINUED:

CX

Q: Were the other members of the Mortar Plt firing their weapons?
A: No I never saw any of them fire their weapons.
Q: During this mission was the mortar fired?
A: No the mortar never fired.
Q: What did you see as you moved through the village?
A: From what I could see the whole village was on fire and there was dead people around everywhere.
Q: Can you describe these dead people?
A: There were in all different kinds of clothes. There was a lot of women and children. I estimate that I saw between 200-300 people. That's about all I recall.
Q: Did the company have any orders to kill the women and children?
A: Not to my knowledge.
Q: Can you explain why the women and children were killed?
A: No I can't.
Q: Did you approve of them being killed?
A: Me personally, no. CX
Q: Did anyone order you or anyone else in the unit to kill the Vietnamese people?
A: No.
Q: Did you recall any helicopters in the area with someone making announcements via a loud speaker, giving orders or directing the assault on this village?
A: No I don't recall this.
Q: CX Was DS with the Mortar Plt during the time you were in the village?
A: He was working in the area and I saw him several times.
Q: Did you see any of the other company officers?
A: I might have here and there but I don't recall for sure.
Q: Do you recall telling B B B that the company had to shoot these Vietnamese and had orders to do this?
A: No I don't recall saying this. B B B didn't go on this assault. He came in the company afterwards. There could have been some conversations about this mission but I don't recall.
Q: Did you set any of the fires?
A: No.
Q: Did you shoot any of the animals?
A: No.
Q: These were orders for the entire company. From what I have been told everybody was shooting and burning the village. Why did you not help the company on this mission?
A: I don't know. I just never had a reason to shoot.
Q: Is there anything else you would like to add to this statement?
A: No.

STATEMENT (Continued)

AFFIDAVIT

I, CX HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of September, 1969

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON

(AR 195-10)

PLACE	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	30 Dec 69	1600 hrs	
LT	SOCIAL SECURITY ACCOUNT NO.	GRADE	
ORGANIZATION OR ADDRESS		Civilian	

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY LU
 OF Army CID /Murder; Rape; Arson; Assault; Destruction of Inhabitants, Livestock, Crops
 THAT HE WANTS TO QUESTION ME ABOUT and Buildings; Destruction of Private Property, at My
 OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS. Lai (4), RVN
 I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
 USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
 I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
 WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
 ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
 MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
 I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
 I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
 I (DO) (DO NOT) WANT COUNSEL.
 I (DO) (DO NOT) WANT TO MAKE A STATEMENT AND S LT
 ANSWER QUESTIONS. (Signature of person to Be Questioned)

INTERROGATOR: LU (Signature) WITNESS: (Signature)
LU
 US Army CID Agency, Washington, D.C. (Typed Name and Organization)
 (Typed Name and Organization)

PART II - SWORN STATEMENT

LT WANT TO MAKE THE FOLLOWING STATEMENT UNDER
 OATH
 Q: LT this investigation concerns an assault upon a village by the name of My
 Lai (4) in Quang Ngai Province, Vietnam on or about 16 March 1968, in which the unit
 you served with at that time took part. My Lai (4) reportedly was the first village
 encountered during the operation and is located in an area called by some of the sol-
 diers as "Pinkville". Do you recall participation in or having information of that
 operation and if so, will you state what knowledge you have of it?
 A: I was assigned in Company C, 1st Battalion, 20th Inf, 11th Brigade, Americal Div-
 ision. On 18 December 1967, I arrived in Vietnam as advance party for the 11th Brigade.
 My Commanding Officer was OS, my platoon Leader AB and Platoon Sergeant
 was DA. I was in the 3d Squad of the 3d Platoon of Company C. Sometime
 in the middle of March 1968, our unit attended a briefing given by OS, concern-
 ing a Search and Destroy Mission at My Lai (4) area, also called Task Force Barker,
 known more by all members of our unit as the "Pinkville Operation". MEDINA told us
 this was our chance to retaliate. I think he meant this was our chance to get some of
 the Viet-Cong responsible for the deaths of a lot of our buddies. OS also had
 told us that we were to expect a lot of resistance, that there was a suspected regiment
 of Viet-Cong and North Vietnamese Army combined. We were also told to take more ammu-
 nition than ordinary. The next morning at about 0700 hours, our whole unit left from
 LZ Dottie. I believe I left on the second or third lift. Upon landing at the LZ which
 was on the west side of the village of My Lai (4), I heard gun fire; however, I do not
 know if it was the Viet-Cong or US Troops. Our squad then moved toward the village.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF LT TAKEN AT 30 Dec 69 DATED 30 Dec 69 CONTINUED." THE
 BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
 INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LIN-
 ED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

however, choppers popped smoke, which reflected Viet-Cong with weapons. This happened about three times. Only once did we find any Viet-Cong with a weapon. The one we found was a male with a .30 Cal M-1 Carbine. This had taken place after the 1st Platoon had made their landing. Our squad then swept through the village. As we went through the village we had found several tunnels which we destroyed; also, we destroyed all food stuff which the Viet-Cong would need to survive. The food stuff also included livestock. I killed two water buffalo, the reason I did this was because the Viet-Cong use them to transport their supplies. Also because it was a search and destroy mission. I saw several bodies lying throughout the village and I know I had seen at least two groups of dead bodies. I believe there was 5 to 15 bodies in each group.

Q: Upon entering My Lai (4), did you observe casualties or damaged buildings which may have resulted from artillery or mortar barrage or gunships?

A: I don't remember the damaged buildings; however, the bodies I saw, I would like to make a comment about them. The bodies in which they were lying, lead me to believe that they had been killed by something big, like mortar or artillery. I had seen several people shot, not this operation; the people would fall more or less in a normal manner. The bodies I saw in this operation, grotesque positions.

Q: Did you receive orders to start or stop firing?

A: We received orders to stop firing. Who gave the order I don't know, it came down by mouth. I did hear DS say to stop firing. I heard DS say this about a half hour after I had arrived to the My Lai (4) area. Let me say this. The platoon sergeants had lost control of their platoons and that's when DS told us to stop firing.

Q: Do you recall a temple, pagoda or shrine?

A: I don't know, I just can't think of one being in that area.

Q: Did you see a helicopter land during the operation?

A: Yes, Med-Evac.

Q: Who was med-evaced out?

A: HR. I think he was a PVT.

Q: What happened to HR

A: He shot himself in the foot with a .45 Cal Pistol.

Q: Did you see this?

A: No, I just saw him sitting there after it had happened. I had asked someone what had happened and I was told that HR shot himself in the foot. I don't remember the man's name who I had asked.

Q: Did you see anyone taking photographs, tape recordings while on this operation?

A: I saw a photographer taking photographs, I don't know who he was by name.

Q: Do you have any knowledge of the villagers being warned to evacuate or being warned to evacuate or being warned of the impending assault?

A: I didn't see it, but I was told that this was done. I had heard this around camp; I cannot remember by whom I heard this from.

Q: I now show you a roster of Company C, 1st Battalion, 20th Inf, any of the names remind you of anything of the My Lai (4) operation.

A: No. However, I think a BBX (deceased) was in the operation. BBX's first name is BAX. Why I remember him is it is known by other members of my unit that BBX would rape women during operations. I had not seen him rape women; however, I had seen him rough up civilian females to include undressing them, and play with their private parts.

INITIALS _____

Q: I now show you photographs of My Lai (4) and its area. Do they remind you of anything?

A: Photograph # 19 is a photo of *HR* the one with the wrapping around his foot. Photo # 17, the grill in the back reminds me of something but I can't think what. Photo # 4, I remember seeing this on that operation. Photo # 13, I saw her alongside one of the trails. Photo # 14, I told you in my statement that I had seen two piles of bodies, this is one of the piles of bodies that I had seen. I do not know who shot the people in that photo. Photo # 1-, that's me. _____, I am sorry, that is not me. Photo # 9 is LZ Dottie, where we left from for the operation. Photo # 7 is at My Lai (4) area. Photo # 12, I remember this, I had seen this. I mean I had seen the man in the well, I did not see him killed or put into the well. The other photographs do not remind me of anything.

Q: I now show you a Sketch map. Would you place yourself on the map and your movements, also where you saw the photographs that you had identified?

A: Yes. I had made black lines showing about the way our squad went that day on the operation. I marked where the smoke was popped, also where we had recovered the weapon from the Viet-Cong (dead). I also marked the map showing about where the well was at with the dead bodies in it. Also I marked the map showing about where the two groups of bodies were at and the photographs I have identified.

Q: Can you remember any names of soldiers that actually were shooting at civilians?

A: No.

Q: Did you shoot at anyone who you thought to be Viet-Cong?

A: Yes. I'll mark it on the map, and I don't know if I hit him or not.

Q: Did you see any Vietnamese receive medical aid?

A: No.

Q: Did you see or hear of any VC women being raped?

A: Only that picture # 17, I just can't remember who was involved.

Q: Did you hear about prisoners being shot after interrogation during the operation?

A: No.

Q: Had you heard or seen any Vietnamese National Police shooting prisoners?

A: No.

Q: Do you know if anyone had been using marihuana before or during the operation of My Lai (4)?

A: No.

Q: Did your platoon or squad round up any groups of civilians?

A: No.

Q: It is alleged that *DS* shot someone during the My Lai (4) operation. Can you comment on this?

A: No.

Q: Did you see or hear *HO* shooting civilians or having others shoot civilians during the operation?

A: I heard that he gave his machine gunner the order to kill civilians, also that the machine gunner refused the order and I also heard that *HO* shot them himself. I don't remember who said this to me.

Q: Did you report this incident to anyone?

A: No.

Q: What were your instructions or orders about reporting these types of incidents?

STATEMENT (Continued)

A: We were to report those type of incidents if we were to see them. I saw no atrocities.

Q: Did anyone tell you what to say if you were asked about the My Lai (4) operation?

A: No.

Q: Had you discussed this incident with your superiors or had anyone talked to you about this operation before this date?

A: No.

Q: Do you have anything to add to this statement?

A: No.

AFFIDAVIT

I, _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

"A TRUE COPY"

WXXGMMKX

OE

Crim Inves

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

LT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of December, 19 69

LU

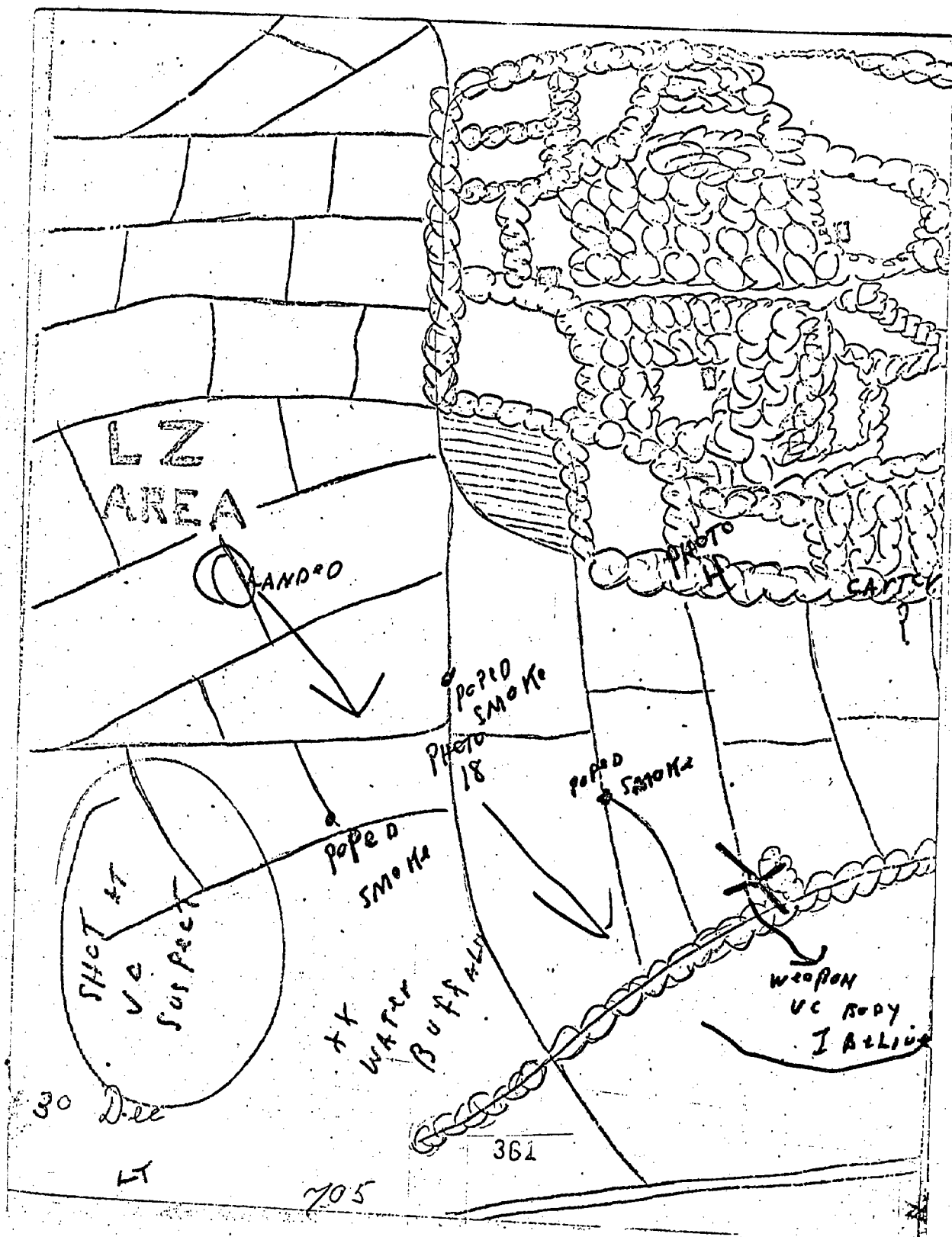
(Signature of Person Administering Oath)

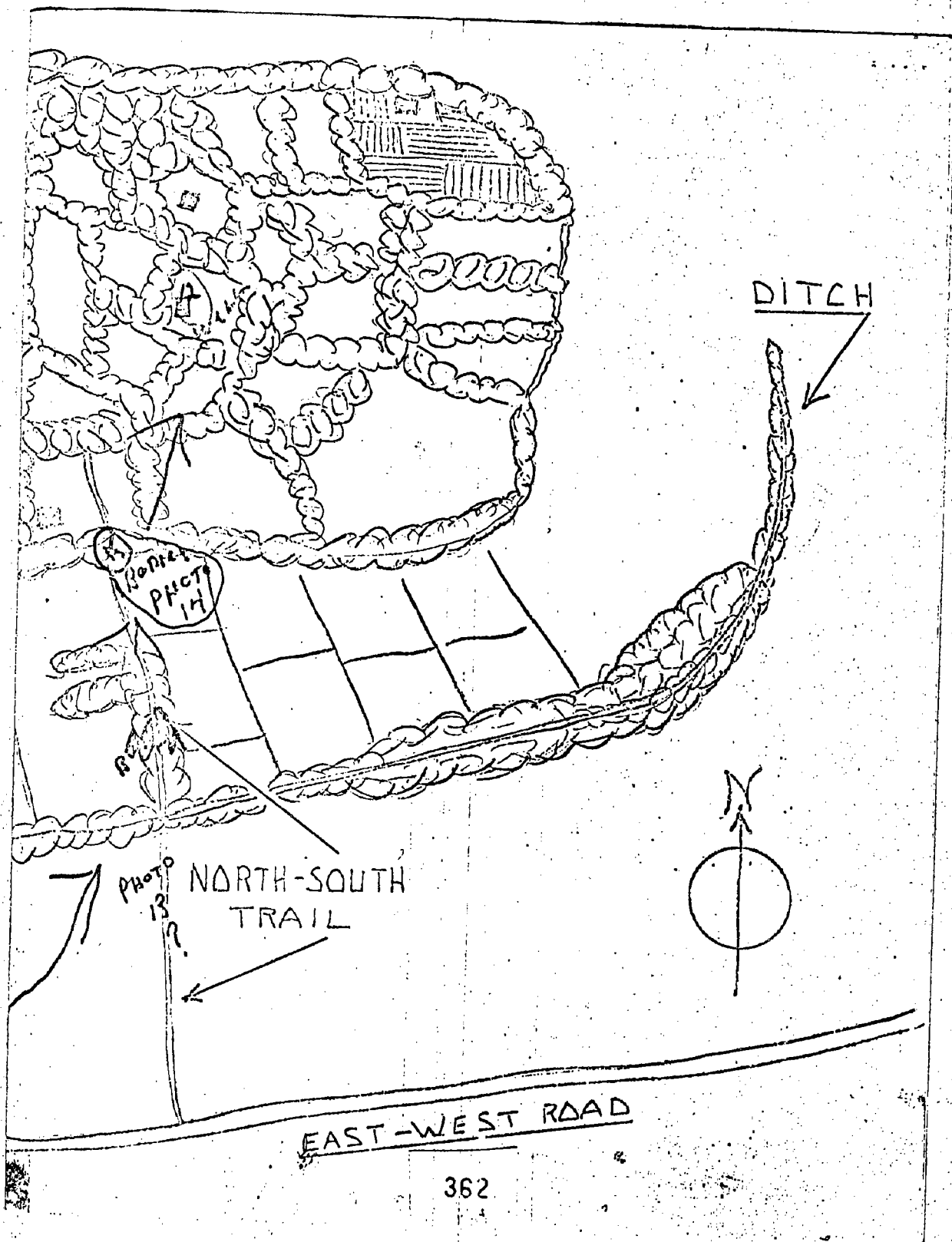
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Crim Inves

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)





STATEMENT BY ACCUSED OR SUSPECT PERSON		For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.	
PLACE	DATE	TIME	FILE NUMBER
	30 Aug 69	0745 hrs	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
EA			
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE	
I HAVE BEEN INFORMED BY <u>BBE</u>	
of the <u>Washington DC,</u>	
THAT HE WANTS TO QUESTION ME ABOUT <u>Murder, violation of the laws of war, destruction of property</u>	
OF WHICH I AM SUSPECTED SUSPECTED, HE HAS ALSO INFORMED ME OF MY RIGHTS.	
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.	
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME, IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.	
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.	
I DO NOT WANT COUNSEL.	
I DO NOT WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS.	
INTERROGATOR: <u>BBE</u>	WITNESS: <u>FFES</u> To Be Questioned
(Signature)	(Signature)
<u>BBE</u>	<u>FFES</u>
(Typed Name and Organization)	(Typed Name and Organization)

PART II - SWORN STATEMENT	
I, <u>EA</u> WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:	
Q: <u>EA</u> Before you make any statement I would like to ask you if you understand that the word "counsel" used in the above WAIVER CERTIFICATE means lawyer or attorney or attorney-at-law and do you understand that by stating "I do not want counsel" you mean you do not want a lawyer or an attorney or an attorney-at-law present during your questioning, even though such an attorney would be furnished to you free of charge? Do you also understand that the words "military counsel" as used in the above text means "military lawyer", and not "military superior"? <u>EA</u>	
A: Yes I understand.	
Q: When did you go to Vietnam?	
A: We landed around the 1st of December 1967. I went with C Company, 1st Bn, 20th Infantry, 11th Brigade. My company commander was <u>DS</u> I was assigned to the 1st Platoon.	
Q: Have ever heard of Task Force BARKER.	
A: Yes. The commanding officer was <u>PA</u> The Task Force consisted besides C Company of 2 other companies. Company B and <u>EA</u> of another Bn. I do not know <u>EA</u> exactly which.	
Q: Have you ever heard of the Pinville Operation?	
A: Yes I have. During this operation my platoon leader was a <u>HO</u> 1.	
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT
	<u>EA</u>
PAGE 1 OF <u>7</u> PAGES	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF EA TAKEN AT EA DATED EA CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE EA OF EA PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of ^{EA}
30 August 1969, continued.

, taken at Fort Lewis, Washington, dated

^{EA} This operation took place sometime in the month of March. Probably sometime during the 2nd week of March 1968. It was the day before a good friend of mine stepped on a mine and lost his foot. His name was ^{DN}.

Q: On how many combat operations have you been while in Vietnam?

A: I would say between 15 and 20. This is an educated guess.

Q: I am showing you now Army Map, Vietnam 1 : 50,000, Quang Ngai, Sheet 6739 11. Can you orient yourself on this map and point out where operation Pinkville took place?

A: We landed to the West of a small village called My Lai (4). The area depicted in ^{EA} pink on the map that you are showing me is called Pinkville. The incident however took place in My Lai (4). The Headquarters of Task Force Barker was right on Highway 1, about 20 miles south of Chu Lai, on Landing Zone Dottie. Hill 85 on the map is the area where I think ^{DN} lost his foot. I believe it was the only hill in the area. It was located south and slightly east of My Lai (4). I carried a map just like the one you are showing me now. Therefore I know where My Lai (4) is located.

Q: Prior to the assault on My Lai (4) did the Company receive a briefing?

A: Yes the company did. The briefing was given by ^{DS} and I attended the ^{LA} briefing. At the time everybody was down in the dumps, because just previous ^{EM} due to various operations in the past few weeks we had lost about 25 men. 7 of them had been killed and the rest wounded. The briefing was given at LZ DOTTIE, where ^{DS} drew a map on the ground and explained the entire procedures. We had instructions to shoot on sight any military age male, running from us, or shooting at us. We were then told, that we are to clear all the people out of the village. He ^{DS} did not say anything about the disposition of the people that we had or would clear out of the village. We were told, to destroy all the food supplies and the animals in the area. I do not remember if in the initial briefing we were told to burn all the huts. ^{DS} made the statement that we owed the enemy something. The troops had a feeling that they should revenge their fallen comrades.

Q: Did ^{DS} ever order during the aforementioned briefing to kill all the inhabitants of the village? With all the inhabitants I mean also women and children.

A: Negative. He did not. ^{DS} was in my opinion an outstanding Commander. He was always concerned with the welfare of his men. Sometimes we did things the hard way, but in the end it was always the best for us. ^{DS} would never have given an order to kill women and children.

Q: Was ^{DS} present during the briefing?

A: I assume he was ^{EA}.

Q: Did you attend a briefing on the operation (My Lai (4)) by ^{HO}?

A: I only remember that he told us on which helicopters we were supposed to go on. I do not remember ^{HO} giving us a specific briefing on My Lai (4) after ^{DS} had briefed us. I do not remember who my squad leader was during the Pinkville Operation. It is quite a long time ago.

Q: Will you relate to me in your own words what happened on the morning in the middle of March 1968, when you took off from Landing Zone Dottie for My Lai (4)?

A: We left Landing Zone DOTTIE early in the morning. I am not sure if I was on the 1st or 2nd lift. I believe I was on the 1st lift. There were a total of 3 lifts. The usual procedure is to stay at the landing zone till the entire Company had arrived. ^{LA} who is now living in ^{LA} was the only one that I remember that was with me in the helicopter. He was my assistant machine gunner. ^{HO}

EA After we got out of the helicopter, we took our various positions, to secure the area for the next lift. I did not experience any hostile fire. Some people said we did but I do not remember that we were shot at. As far as I know artillery fire had come in all morning long and the gun ships were circling around the village to fire on the enemy when they came out. I moved toward **EA** some bushes in front of a tree line at the landing zone.

Q: I'm showing you now a photograph numbered No 4. Do you recognize this scene?

A: Yes I do. This shows the landing zone west of My Lai(4). It also shows the trees in the back ground which I approached after getting out of the helicopter. I came to about 50 to 75 meters of the trees and put my machine gun up on a dike behind some bushes. I also recognize photograph numbered No 1. This shows Landing Zone Dottie from where we left towards My Lai(4). At this time **EA** and I observed a Vietnamese male running behind the tree line, running away from the village. He was about 150 meters away from me. I opened fire, but I do not know if I hit him, since there was a lot of haze and he ran into the trees. About this time we got on line and moved into the village. **EA** was next to me and stayed with me all the time. As we pushed through My Lai(4). We moved in an easterly direction through the village. As we do anytime when **EA** making an on line assault, we open fire on any suspected enemy positions, such as bushes or any place where the enemy that is waiting for you can hide. While walking, I can fire my machine gun, while my assistant feeds the ammo. The gun weighs when loaded about 30 pounds. When we were about halfway through the village, I drew my .45 and shot a chicken. **EA** All the time that I was in the village, which was for about one half hour, I only shot a chicken and **EA** shot a pig. I did not burn any huts and did not shoot any women and child **EA**. The only human being I shot at, was the one outside My Lai(4). Maybe I should have stayed longer in the village, because **EA** and I waited for quite some time for the rest of the platoon to come out. While waiting **EA**, who maybe now in the Phillipines, joined us. My conception of time is poor. I might have been longer in the village. After **EA** and I got out of the village we stayed at a spot about 30 meters from the village near a ditch. If I remember right, the entire platoon must have been out of the village in about one to one and a half hour. Ofcourse it could have been longer. While walking through the village, the confusion started. The troops started to walk all through the village, without staying on line. I and **EA** stayed close to our designated path through the village. The troops were throwing grenades into the bunkers and into the huts. (mainly bunkers) At this time they were only shooting the animals to my knowledge. At least the troops in my vicinity, and whom I could observe. At this time I noticed that the civilians were herded together and were headed towards the east side of the village. There was **EA** no resistance at this time by the enemy. The civilians consisted out of children, young ones and all ages of women. Also a few elderly men. This group consisted of about 20 to 30 persons. They were concentrated more or less at the intersection of two paths, that run through the village. I walked around them and I noticed that a few of them were wounded. **EA** One was an elderly women shot in the hip and who was still walking. At this time I do not remember seeing any dead women and children lying in the village. When I got to the aforementioned group of civilians, somebody approached me. I cannot remember who it was. He mentioned to me that **EA** looked like he was ready to crack and he also said that **EA** I had given **EA** order to waste a "similar" group of civilians. With this I mean a similar group of civilians which were at the intersection of the two paths I mentioned previously. **EA** I am not sure if it was an individual that addressed me or if I had overheard a conversation. **EA**

Statement of
1969, continued"

EA

, taken at

Aug

EA At this time I walked out of the village. I came to a ditch at the outskirts of the village. The first one I observed was HO and a few others. I cannot recall their names. I am positive. If I could remember I would tell you. I had to walk right through the ditch at a point where HO was standing. HO was standing above the ditch at the village side. There were bodies piled in the ditch. It looked like they had been in a group and had fallen on each other. I noticed a few of them were dead and some wounded. I mean the majority were dead and only a few I observed that were alive. The civilians consisted of, children, (some babies), young and old women, a couple of old men and a few middle-aged men. I estimate that there were about 25-30 of them there. I do not remember seeing DV at this time. Besides HO there were 3 or 4 other soldiers there. I was not paying any attention to them, because I was looking at the dead civilians. I did not see when they were originally shot. I walked to a spot about 30 metres from the ditch with LA and LM, who had joined us and secured. At this time a small bubble type helicopter circled over us. I remember seeing the helicopter dropping a smoke grenade in the area where the bodies were, to mark the spot. He landed next to us and the pilot called LM over and talked to him. I had no idea what they were talking about. At this time HO walked over to the helicopter and exchanged words with the pilot. I do not know what was said. It looked to me like the pilot was angry, because he was shaking his arms. Shortly after that the helicopter took off after circling a few times overhead. HO then went back to the ditch and called DV. This is what I assume, because DV came also to the ditch. There were two other soldiers at the ditch. I cannot recall who they were. I also do not know if HO stayed at the ditch, but I did see that DV opened fire with his M-16 into the ditch. He fired semi-automatic. We then LM and myself) waited for the rest of the company to come out of the village. At this time the village was on fire. I also remember that after the Company was out of the village a soldier by the name JU shot at a Vietnamese that was fleeing from us. The Vietnamese was dressed in black. I have to correct myself. ~~THE INCIDENT HAPPENED PRIOR TO THE TIME THAT THE HELICOPTER LANDED.~~ EA The incident happened prior to the time that the helicopter landed. JU was at the outskirts of the village. This was also prior to the time that the 1st platoon came out of the village and not the entire Company. The person that JU shot turned out to be a woman with a baby. I really believe that JU did not know at the time, that it was a woman. He was a type of guy that always played with little children. This is all I observed.

- Q: Was there ever any order given to the troops to start killing all the women and children in My Lai (B)?
- A: Not to my knowledge. All I know about the order given by HO to DV, to kill the civilians. This was also hearsay. The soldiers in my vicinity did not shoot any civilians at least not during the time I was in the village.
- Q: Did you see about 50 civilians being rounded up in a paddy outside the village and later machine gunned? This is prior to the time, that the 1st platoon went through Mai Lai (4). This happened at the West side of the village.
- A: I did not hear about it and I did not see it.
- Q: How many villagers do you think were shot that morning?
- A: I would guess about 40. This includes the ones that might have been scattered in the village, or rather around the village. These might have been killed by artillery fire or helicopters.
- Q: How many animals do you think have been shot?

Statement of
continued

EA
taken at F

dated 30 August 1969,

- EA: I do not know. But I think all of them, since we had been ordered to do so.
- Q: Were you ordered to throw dead animals in the well of the village in order to contaminate the water?
- A: No just to kill the animals.
- Q: Was there any resistance in the village?
- A: No.
- Q: Why then the killing of women and children by members of Company C?
- A: I have not been able to answer this for my self to be honest with you. I do not know.
- Q: Who ordered the village to be burned?
- A: Through channels I heard that it was DS. You look around and see the village burning and the is not telling anybody to put it out, then you have to assume that he gave the order.
- Q: Did you at any time see DS while you were going through My Lai(4)?
- A: I only seen him, when he came out of the village. I think he was with the 3rd platoon.
- Q: Is it common practice to burn villages during combat operations?
- A: On this operation we burned the huts in every village we went through. Previously we only burned huts or villages when we found that the inhabitants were VC sympathizers. Also ofcourse when weapons were found.
- Q: Did Company C find any weapons in My Lai(4)?
- A: I can only remember one carbine captured by CCR.
- Q: Why then was the village burned?
- A: Because we were told that it had been a VC stronghold. That the people had harbored and fed the enemy for years. The article in the Americal publication which tells about the events of the months indicated that it had been a VC stronghold for 25 years. It did not say My Lai(4) but Pinkville.
- Q: Did Company C suffer any casualties in My Lai(4)?
- A: The only one I know was HR, who accidentally shot himself in the foot. At least that is the story.
- Q: Can you tell me how many villagers were left alive in My Lai(4) after Company C had departed?
- A: I really do not know. I did not go back after I had gotten through the village.
- Q: Do you think that the artillery barrage might have killed the civilians, which you observed in the ditch?
- A: No they were shot by members of Company C.
- Q: Did you see JL and CCR finishing off wounded civilians?
- A: No CCR told me about it
(11.30 hours to 1250 hours break for lunch)
- Q: Do you understand that the waiver certificate you signed this morning at 0745 hours is still in effect? Also do you understand that you can terminate this interview anytime you wish and that you can remain silent and ask for counsel or have counsel present?
- A: Yes I understand, I do not want counsel and I do want to answer questions.
- Q: Did you see any wounded civilians in the village?
- A: Yes, a few in the village and the others in the ditch.
- Q: Did the wounded civilians received medical treatment?
- A: I did not see that.
- Q: Can you remember names of any soldiers that actually shot on women and children?
- A: The ones I remember is DV and JU. JU's case I think was accidental. Also ofcourse CCR. But this I did not see. CCR told me about it.

Statement of EA
1969, continued.

, taken at

, dated 30 Aug

EA told me that he and JL killed some of the wounded civilians with their M-16s. CC killed bad about it. And he tried to justify what he had done. He felt that they would die anyway and that no medical aid would be forthcoming. In a sense CC killed the wounded to get them out of their misery. I do not know how JL felt about it.

Q: Do you know FW?

A: Yes I do know him. He was HO's radio-operator and usually is always close to HO. He must have been present during all the shooting since as HO's radio-operator, he has to be close at hand.

Q: Can you remember the names of other soldiers in the vicinity of HO?

A: No only the ones I have mentioned.

Q: Did Company C go into My Lai(4) with the intention to take revenge on the inhabitants for prior casualties suffered by the Company?

A: I do not believe they went in to take revenge on the inhabitants. More to take revenge on the enemy. This is what DS told us to do. He never told us to kill women and children. EA

Q: Do you know RJ?

A: Yes I do. He at times did not agree with the rough treatment given to the Vietnamese. He was with DS during this operation. A short time after the Pinkville operation he left the Company. I feel that he left because he did not agree with the tactics of Company C. DS was rough with prisoners but he never was inhumane. EA

Q: Where was DS during all the shooting?

A: I believe he was with the 3rd platoon on the left rear, near the North side of the village.

Q: Where was the 2nd platoon.

A: I really cannot tell you.

Q: Did any order come down to the troops after My Lai(4) to stop shooting civilians?

A: I remember it vaguely, but do not know when and where it was said.

Q: EA you know anything about prisoners being shot after interrogation at My Lai (4)?

A: I do not know anything about this. We took about 6 prisoners in the immediate area where I was. When we left My Lai(4) we took them with us. HZ had one of them. At one time I seen HZ push his prisoner in a bomb crater and shot him twice.

Q: Why did he do that? Did the prisoner try to escape?

A: The prisoner was not trying to escape. Why HZ shot him is anybody's guess. I do not know what happened to the remaining prisoners. Except that they were used for point men to lead us safely through the mines and booby traps. I do not know if they were later transferred. Somewhere along the line I heard a soldier by the name of KC had a lot of shooting on his own. Where this ties in, I cannot tell you. The last thing I heard that KC was going back to Vietnam. He was at that time a SP4. However what he actually did I do not know.

Q: Anything else you can tell me about KC.

A: At one time he cut the hair off of a Vietnamese girl, made a pony tail of it and stuck it in his helmet. KC was also involved but GGD is dead. The day after My Lai(4), we swept through either My Lai(5) or (6) and KC was in the rear. He spotted a nurse and 2 male Vietnamese. They turned out to be allegedly NVA doctors. When I seen KC he had the nurse over his shoulder, naked from the waist up and unconscious. He stated that he was going to "screw" her but she EA

Statement of ^{EA} Aug 69, continued"

2A was too dirty. The nurse and the two doctors were taken out by chopper. I do not think we used the nurse and the doctors as point men.

Q: Have you heard about the Vietnamese National Police shooting prisoners?

A: Not during this operation or any other.

Q: Was the operation at My Lai(4) different than any of the other combat operations you have been in before?

A: Different in a sense that we never experienced slaughter like that. This was also the first time that we killed all the animals.

Q: I'am showing you now 15 photographs. Do you recognize any scene depicted on these
photographs? ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ EA

A: Besides the 2 photographs you showed me earlier and which I identified as Landing Zone Dottie and our arrival landing zone, I only remember the photograph numbered # 11. This was the incident with MR. The more I look at photograph # 4, the more it looks to me that the man in the foreground is LA and that I am coming out of the helicopter on the right.

Q: Did you ever see the scene depicted on photograph numbered # 16?

A: No this is not the scene in the ditch. This is a path.

Q: Do you know where LX was during the operation?

[illegible]

Q: I cannot recall where he was. He was not close to me.

Q: You mentioned that by looking at photograph numbered # 4, that the man in the foreground looks like LA Will you take another look through a magnifying glass?

A: Yes the man in the foreground is LA and I cannot see clearly the face of the man coming out of the helicopter, but it has to be me. This is because I followed LA out of the helicopter.

Q: Do you know of anybody that was present when DN shot the civilians?

A: No, I cannot recall hearing of anybody being there.

Q: Do you know ~~GX~~ .?

7A: Yes he was in my platoon, but I cannot account for his whereabouts during the operation. He learned Vietnamese on his own and was very friendly with the Vietnamese. I cannot imagine him shooting women and children.

Q: Have you heard of DS A's radio operator killing a four year old boy?

A: Not that I can recall.

Q: Why did nobody report the shooting of the women and children?

A: Speaking only for myself, I was under the impression that an investigation was being conducted as a result of the helicopter pilot that landed at the scene. This was only a rumor. Nothing to substantiate it.

Q: Would you be willing to testify in court when called upon?

A: Yes I will

Q: Did you shoot any women and children?

A: No, I did not. I ^{2A} had been ordered to do so like DN was ordered by HO
I would have refused because I know that that is a war crime. Even if General
Westmoreland would have ordered me to shoot women and children I would have
refused.

Q: Did you burn any huts in My Lai (4)? *EN*

IEA

EX A

09

A1

✕

EA

STATEMENT (Continued)

NK used
EA

AFFIDAVIT

I, EA HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFS
FFS
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

EA
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of August, 1969
at _____

BBZ
(Signature of Person Administering Oath)

BBZ
(Typed Name of Person Administering Oath)
Art 136(b) 4, UCMJ 1968
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 9 OF 9 PAGES

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WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 21 Oct 69	TIME 2000 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME EZ	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, EZ

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 15 Mar 68, I was assigned to the 2d Plat, Co C, 1st Bn, 20th Inf, 11th Inf Brig. On or about this date I was on Task Force BARKER and took part in the operation later identified by the Company as "Pinkville". During this operation I was a grenade launcher and carried an M-79. About 0830 hrs, around the 15th Mar 68, my platoon left the base camp and landed to the West of MY Lai (4). I was on the second lift and when this lift landed the area was secured. The second Platoon started through MY Lai (4) on the left side of the village. Since I was armed with an M-79 I traveled around the edge of the village as much in the open as possible.

When my platoon started through the left edge of the village it appeared to be deserted. At first the only firing by the platoon was being done at animals. As we progressed further to the East people started to appear and as they appeared they were shot. The only person I actually saw shot was an old man who was coming out of a hut. As he came from the hut NNJ shot him with his M-16. The bullet struck him in the upper right arm and he turned and ran back into the hut. BH and BO machine gunners however I do not remember who was actually carrying the machine gun at the time, then went to the door of the hut and opened fire into the hut. I know that there was at least one woman and a small baby in the hut for the woman had come out of the hut at the same time the old man did and she was carrying a small baby. From this time and until we reached the edge of the village I begin to see dead persons lying about. The largest group of dead persons I saw in MY Lai (4) was a group of 4 men lying in a slight ravine.

Q. What did the old man in the hut do as he came out?

A. He was waving his hand above his head and saying in Viet language "No VC".

Q. Why did NNJ shoot him?

A. I noticed after NNJ shot the man that he was nervous and shaking and I ask him why he had shot him. NNJ statdd he wanted to see if he could shoot a person. This was also the instructions the Company had received the night before the mission from DS

Q. What instructions were given at that briefing?

A. DS told us that MY Lai (4) had been warned that we would be there and if we saw anybody there they would be shot as VC. He also reminded us that this was the same area where we had lost some of the company on a previous mission and this would be our chance for revenge. Everything was to be destroyed this would include all people, live stock and burning of the village.

Q. Was everything and everybody killed in MY Lai (4)?

A. I cannot say,

Q. Did you see anybody other than american alive when you left MY Lai (4)?

A. No.

Q. How many dead bodies did you see while going in or around MY Lai (4)?

A. 75 to 100 dead humans. Around or near every hut there would be 2 or 3 bodies.

Q. Since you were supposed to be going through the village on a line how do you explain that you only actually saw some 4 or 5 persons killed?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT EE	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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"STATEMENT OF

EZ

TAKEN AT

dated 21 Oct 69 CONT."

A. As the first platoon progressed through the village they apparently ~~swam~~ moved to their left and in front of the other two platoons. And they were the ones that killed most of the persons. Apparently one of the platoon leaders from either the 2d or 3rd platoon noticed that the first platoon was in front of the ~~as~~ as they progressed through the village and instructed the first platoon to move more to the right and try and stay in line.

Q. How long would you say you were in or around My Lai (4)?

A. Probably around 4 hours.

Q. Did you see HO or DS in or around My Lai (4)?

A. No. I did not see either of them until around 1700 hrs that day.

Q. Did you see PA in or around My Lai (4)?

A. I saw his chopper flying over the village, and he was in it.

Q. Did your platoon ever receive any instructions to stop the wonton killings?

A. Yes. I believe it was just after we passed through the first village or My Lai (4).

Q. Did the company meet any resistance in My Lai (4)?

A. I heard that there was some sniper fire before I arrived on the 2d lift.

Q. What do you think started the mass killings?

A. First this was the instructions, then we were under the impression that the village would be deserted. When we started encountering so many people the situation got out of hand however someone should have realized this and taken some action to stop the mass killings.

Q. Did you see any medical aid given anyone in My Lai (4)?

A. No.

Q. Do you know if the incident was ever reported?

A. When we returned to base camp the next evening there was rumors that there was going to be a big investigation. We were told not to talk about it and discuss it as a routine mission.

EZ

Q. Who give this instructions?

A. I got my instructions from my squad leader FM and I assumed he got his instructions from higher up.

Q. Had you been on previous mission with the Company?

A. Probably about 10.

Q. Other than the killing of the old man at the hut did you see anyone else shoot persons in My Lai (4)?

A. No other than I saw the machine gun crews of BO AS and FAS and AR LR and WX firing into huts and I know there were people in the huts. I know this because I would see them run into the huts and then the machine gunners would go to the door of the huts and fire at the people.

Q. Did you shoot anyone in My Lai (4)?

A. No.

Q. Do you remember who your platoon leader was?

A. No. My was HG and my

EZ

was FM

EZ

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

AFFIDAVIT

I, EZ HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

EZ
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Oct, 19 69

LE
(Signature of Person Administering Oath)

LE
(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

EZ

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WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
DATE 31 Dec 69	TIME 0900 hrs	FILE NUMBER	
LAST NAME, FIRST NAME, MIDDLE NAME <u>EC</u>	SOCIAL SECURITY ACCOUNT NO.	GRADE	
ORGANIZATION OR ADDRESS <u>XXXXXX</u>			
SWORN STATEMENT			
<p>I, <u>EC</u>, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>Q: <u>EC</u>, this investigation XXXX concerns an assault upon a village by the name of My Lai (4) in Quang Ngai Province, Vietnam, on or about 16 Mar 68, in which the unit you served with, C XXXX Company, 1st Bn, 20th Infantry (C/1/20), took part. Do you recall participating in this XXXX operation and what knowledge do you have of it?</p> <p>A: Yes, I participated in that XXXX operation.</p> <p>Q: What do you recall of that operation, start with your entry into military service.</p> <p>A: I was inducted into the Army on 12 Aug 66 at Armed Forces Induction Station, Newark, NJ. I took my basic training and advanced XXXX individual training at Ft Dix, NJ. I was assigned to EXX C/1/20 on about 3 Mar 67 at Schofield Barracks, Hawaii. I went to Vietnam with this unit, arriving there on 2 Dec 67, as a member of the advanced party. Shortly after reaching Vietnam I was assigned as to <u>DS</u></p> <p>On 16 Mar 68, I was assigned as RTO for <u>DS</u> on the Company-to-Platoon net, in the Command Group with <u>DS</u>. Others in this group included <u>DY</u>, on Bn net; <u>J1R</u>, a medic; <u>WN</u>, as alternate; <u>PPD</u>, as Arty Forward Observer; <u>DK</u>, as <u>GE</u>, Arty FO; and a combat photographer whose name I do not know. This photographer was not exactly a part of the group but generally was in the area near to us.</p> <p>Q: Please return to the evening of 15 Mar 68 and tell me what you can recall about the briefing for this operation.</p> <p>A: The briefing was held in XXXXXXX late afternoon or early evening by <u>DS</u> and lasted about 20 minutes. We were told that the My Lai (4) and the "Pinkville" area was VC held. I do not recall hearing <u>DS</u> specifically saying that the people, the livestock and the buildings of the area were to be destroyed. I recall nothing along this line except that, possibly, the villagers were to be rounded up for interrogation. I do not recall any specific unit assignments, except that, I am sure, the 1st and 2d Platoons were pointed out as XXXX being first into the village. That briefing raised questions in my mind. It was going to be bigger than anything we had been on before; we could expect more resistance than what we had met before; I expected a lot more fighting since a VC battalion was reported to be holding the area. Noncombatants were supposed to be out of the village. I understand that these noncombatants had been warned to be out of the area. I believe <u>DS</u> told us that the villagers had been warned but just how they had been warned is unknown to me. The majority of our unit was at the briefing. I XX don't recall seeing <u>HO</u> at the briefing but I imagine that he was there. I don't recall any references to past actions by our unit or other units in the My Lai area, but everyone aware of actions of units in that area and the results of their actions. I recall that I took extra ammunition because of my ideas of the fighting on the next day.</p> <p>Q: Tell me about the 16th of March 68, starting with the liftoff by helicopters.</p> <p>A: At about 0730 hrs, 16 Mar 68, we lifted off of LZ Dottie to a XXXX LZ on the west end of My Lai (4). I was probably in the 1st or 2d chopper of the first lift. I do</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>7</u> PAGES	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u> </u> TAKEN AT <u> </u> DATED <u> </u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u> </u> OF <u> </u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

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1 JAN 68

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STATEMENT OF *EC*
CONTINUED:

DATED 31 DECEMBER 1969

not recall exactly who else was in the chopper with me, but I seem to recall a Medic and DY, DS's other. I do not know the names of the chopper crewmen. Anyway, we landed at My Lai (4) and I jumped out and ran for the nearest rice paddy dike, joining up with DS, who had landed in another chopper. We stayed there at that dike until other elements of the company had completely landed and then the command group moved towards the edge of the village. This was on the southwest corner of the village. At the time of our landing I can recall seeing a last few rounds of artillery bursting, but this stopped ~~XXXX~~ shortly after we landed. The ~~XXXX~~ gunships were circling ~~XXXXXX~~ overhead, firing in and around the village until our unit had secured on the ground. I do not recall any particular gunship targets.

It is difficult to distinguish whether or not we met any resistance at this point. There was so much firing going on by ourselves. I do not recall seeing or hearing any incoming fire. I recall seeing some villagers running about - in the paddies on the south of the village - a total of about 12, in groups of two or three. They were just running all over the place, not in any particular direction. I cannot recall that any of the command group fired at them at all. I don't know that anyone in the other units fired at them either. The 1st and 2d Platoons were ahead of us in the village and the 3rd Platoon and Weapons Platoon were behind us. I recall that some of the choppers dropped smoke grenades in the paddies to indicate to us that there were people or bodies out there. I, along with ~~XX~~ some others, went out that way and checked some of the 6 to 9 nine bodies for weapons. All ~~XX~~ bodies were dead except for one. The one still alive was a woman. She was lying face down along with the other bodies. As we started away from this group, the woman moved and DS fired, instinctively I guess, two times at her with his M-16 rifle and, I think, killed her. I did not see her move anymore, but I did not go up to her and check ~~XX~~ her. DS's shots were single action shots.

We in the command group returned to the southwest corner of the village and started moving ~~XXXXXX~~ eastward on the trail which ran along the southern edge of the village. At this particular point I do not recall any radio traffic of any significance. I never went deeper into the village than ~~XXXXXXXXXX~~ approximately 25-30' off of this trail. As we moved along this trail I did not see any bodies until we reached the junction of our trail with the trail that went north and south through the village, at a point almost half-way along the south edge of the village.

When we reached this intersection we came upon a group of men around a man named HR who had been wounded in the left foot. I heard, I think it was from ~~4~~, that HR had been in a tunnel ~~XX~~ when his .45 pistol jammed. As he was clearing the jam, it went off and hit him in the foot. When I first saw him his boot was off and someone, name unknown, was ~~XX~~ wrapping his foot with an aid packet. I recall that HR had dirt on his uniform and usually was the one to check out tunnels, due mainly to his small size. We saw HR lifted out by chopper after about 10-15 minutes. I think that it was WN and someone else, name unrecalled, that carried HR out to the chopper.

As I was standing there where HR was and had been, exact time unrecalled, I glanced several times to the south, along the north-south trail. I could see some villager bodies lying on the trail. They were not stacked up but were lying near and on top of each other. There were 15 to 20 bodies in this string, men,

INITIALS _____

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STATEMENT OF
CONTINUED:

EC

TAKEN AT BLACKWOOD, NJ, DATED 31 DECEMBER 1969

women and children. I don't recall whether or not there were bodies of military age males. The men were older men. The women were of all ages and so were the children. I do not recall the exact number of each that I saw. I was about 40' away when I saw them and did not go nearer to them. I did not see any weapons with them. These bodies had wounds usually in the torso area, wounds caused, ~~XX~~ from what I could see, by rifle fire. The scene that I saw here is the scene depicted in Photograph #14, which shows the same scene that I saw, viewing from north to south along the trail. This group was outside the south border of the ~~XXXXX~~ village near a clump of trees.

At some time, in this same framework, I suddenly saw a small boy. He was running up the north-south trail, moving from our right to our left. I think he came out of a hut which was near the bodies that I saw. I cannot recall whether or not the boy was wounded. Someone who was on my right rear fired a shot at the boy. The boy dropped and did not move again. I did not check him to see if he was dead. I did not turn around to see who had ~~XX~~ fired the shot. I do not know who fired the shot. ~~DS~~ was ahead of me, between me and the boy. The shot may have been fired by someone in the command group, but I don't know, since elements of the 1st and 2d platoons also were in the area around us. To my knowledge, ~~DS~~ never said anything about this shooting of the boy to anyone. I know that I did not talk to him about it. I recall that, at the time, I thought, "Boy, that was dumb thing to do." It seemed so to me because the boy was no danger to any of us. The boy was shot someplace near the bodies of Photograph #14, but I cannot find his body in the picture.

Q: Please look at the other photographs and tell me if they mean anything to you.

A: Well, in Photograph #18 I can recognize ~~I I V~~ in the foreground. I do not know who is in the background. In Photograph #19, ~~HR~~ is lying on the ground but I don't know who the other two are. Nothing in the other photographs strikes a responsive ~~XX~~ chord in my memory.

After the incidents of the boy being shot, ~~DS~~ being lifted off and my seeing the bodies, the command group moved eastward again along that same trail. I cannot recall anything of ~~XX~~ significance happening until we came to the southeast corner of the village. There we found a permanent-type house which had a door barred or locked from the inside. Someone, name unrecalled, put a charge of C4 plastic on the door. When it exploded, the whole house, it seemed, came ~~XXX~~ down too. No one that I can recall ever checked the house for casualties or bodies.

Q: Did you ever see any of the villagers, or Americans, receive any medical attention.

A: None that I can recall.

Q: Let's go back a moment. What sort of radio traffic can you recall?

A: Well, at some point after we left the area where we had seen ~~HR~~ but before we reached the house which was blown up, ~~DS~~ inquired over the radio to the platoons about what all the firing was about. I don't know to ~~XXX~~

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STATEMENT OF *EC*
CONTINUED:

DATED 31 DECEMBER 1969

whom it was that *DS* spoke. He usually spoke only to the platoon leaders in preference to the platoon RTOs. I seem to recall that he received the answer that it would be check out. I cannot recall the radio traffic that went back and forth too well; there usually was so much of it; it was important at the time, but unimportant after the need was satisfied; I usually forgot it right away. My radio was equipped with a 4"x4" jeep speaker so that *DS* would not have to tag along, holding onto the receiver all the time. He could listen from a nearby position. Anyhow, I cannot recall any specific traffic for that particular operation.

Q: Other than the one group of bodies, on the north-south trail, did you see any ~~XXXX~~ others, scattered, singly, grouped, or otherwise?

A: I cannot recall seeing any others at any time.

Q: What firing was done by members of the command group, including yourself.

A: I don't recall firing my weapon at all and I cannot recall anyone in the command group firing ~~XXXX~~ either, other than the woman being shot by *DS*, and someone nearby me shooting the boy on the trail.

Q: OK, now the command group is at the southeast corner of the village, what happened next?

A: Well, we broke for lunch at this point. The 1st and 2d platoons were, I believe, set up in a perimeter defense around this corner of the village, even out in the rice paddies. The X 3rd Platoon and the Weapons Platoon were set up behind us. During our lunch period, two little girls, approximately 10-12 years old, were brought up to us. There was a concertina wire fence on this ~~XXXX~~ corner of the village and the two ~~XXXX~~ girls were lifted over this wire and set down among the command group. In fact, I lifted one girl over the wire. They ate lunch with us, getting food from some of the Americans. I do not recall what happened to them, but I believe they were lifted out by helicopter. They ~~just~~ just disappeared from my recollection. Incidentally, they were brought to us from out in the rice paddies.

Q: What knowledge do you have about anything happening in or near the ditch, which indicated on this map?

A: I know nothing about anything happening there but I heard of something from *LI*. I heard from him, on a later date unrecalled, that *LI*

HO had herded a group of villagers together and had shot them. I think that *HO* was the one who did the shooting, according to *LI*. I ~~XXXX~~ believe that I heard pretty much the same thing from some other people too. This incident is supposed to have happened someplace inside the village. I also heard, from *LI*, that some people had been herded into some rootcellars and that someone had thrown grenades into the cellars with the people. I did not see either of these incidents.

Q: Please go on with the movements of the unit, particularly the command group.

A: Well, after lunch, we all joined up and moved off to the northeast towards the city.

Q: You mean Pinkville or Son My?

A: Yes.

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STATEMENT OF
CONTINUED:

EC

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Q: What happened then, after you started off towards the city?

A: You misunderstood me. What I said was that we started off towards the "sea." When we neared the ocean we, more or less, doubled back a little bit and stayed near a graveyard where we spent the night.

Q: What knowledge do you have of prisoners being taken?

A: I don't know of any being taken but I recall seeing some questioned.

Q: Tell me about these.

A: That evening, the 1st evening, I saw DS questioning some prisoner, using RJ as interpreter. This ~~prisoner~~ prisoner was reluctant to talk, so DS fired about three times into the tree over the man's head. This made him talk a little bit. Then RJ "roughed up" this man somewhat and he talked more freely. RJ slapped him a little bit on the ground. Later on I saw this same man lifted out by chopper. I heard later that this man was found to be a VC for a long time, since about 1945, I ~~think~~ think. Two or three other men were also kept as prisoners and they were lifted out the next day. I am sure they were questioned also.

Sometime, along about this same evening, two ~~men~~ women were brought to the command group for questioning but I don't think that DS talked to them. I don't know what happened to them. I don't recall who it was that brought them in.

Q: Were these women fully clothed? Had anything happened to them as they were being brought in?

A: Yes, they were fully clothed. I never heard of anything happening to them.

Q: Anything else about prisoners that you can recall?

A: I think that it was on the following evening that the Vietnamese National Police, names unknown, questioned a prisoner. I did not see it happen but I heard a ~~shot~~ shot and, later, I walked over to the ditch where they had been talking to the prisoner and I saw the prisoner lying dead in the ditch. I checked the body. He had been shot in the head. I don't know if any Americans saw it or not but I believe so. Anyway, I don't recall the names of any Americans in the immediate area. I cannot recall any other incidents in which prisoners were taken and questioned.

Q: What knowledge do you have of a helicopter landing in or near My Lai (4) during the operation?

A: Only the chopper which lifted HR ~~off~~ off. I know of no ~~others~~ others landing. If any other prisoners were taken by the platoons, they did not bring the prisoners to the command group.

Q: Who, to your knowledge, carried a camera on the operation and took some pictures.

A: I don't recall anyone taking pictures of the My Lai (4) operation. Usually WN and DY carried a camera and DS sometimes did, but I don't know of them using a camera on that day.

Q: Who took souvenirs of that operation?

A: No one that I know of

Q: Do you have any documents, tape recordings, other items used or picked up for or during that operation.

A: No, I have nothing like that.

INITIALS _____

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Handwritten signature

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STATEMENT OF
CONTINUED:

EC DATED 31 DECEMBER 1969

Q: What knowledge do you have of anyone using marihuana or drugs prior to or during this operation?

A: I know of nothing like this being used by the ~~XXXXX~~ people of the command group.

Q: Do you recall seeing a temple, shrine or pagoda in the village?

A: No.

Q: Let me ask you again about you and DS. Were you with him, or in close proximity with him all throughout the operation?

A: Yes, I was. As his I had to be near him all the time. I don't recall any time that he and I were apart at all, that is, during the actual My Lai (4) operation.

Q: What were your instructions or order about reporting incidents, such as the shooting of the boy, the shooting of the prisoner, seeing the bodies on the trail, etc?

A: We had no order or instructions to report them.

Q: Did you report these incidents to anyone?

A: No.

Q: Prior to this date, has anyone other than your superiors questioned you about the My Lai operation? If so, please explain.

A: Only the Inspector General in June 1969 and the PEERS Board on 29 Dec 69. I made no sworn statements in either instance but I was placed under oath for both times.

Q: Did you discuss this ~~XXXXXX~~ incident or operation with your superiors?

A: No, not that I can recall.

Q: Were you advised by your superiors not to discuss this incident with anyone?

A: No, I never received any order to that effect.

Q: Were you advised by your superiors as to what your reply should be in the event that someone questioned you about this incident? Ever "coached"?

A: ~~XX~~ No. I was never coached about it.

Q: Do you have any additional ~~XXXXXX~~ information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai (4).

A: No.

Q: Are you aware ~~XXXXXX~~ that an investigation was conducted in Vietnam about the My Lai (4) operation?

A: I heard something about it to the effect that an investigation was ~~XXXX~~ being conducted. Nothing else.

Q: Is there anything else that you would like to add to this statement?

A: No.

Q: What knowledge do you have about DS giving "cease fire" or "burn the huts" order?

A: To the best of my knowledge, DS did not give any such orders. Usually, in unoccupied villages, huts were burned. The burning of the huts in My Lai was just something that got started. How and Why, I don't know.

Q: Go back to the time when the boy was shot. Do you recall anyone telling the boy to stop? Can you recall any other witnesses to this event by name? Did anyone, that you know of, go check his body?

A: No to all of those questions.

Q: Do you recall a meeting being held after the My Lai operation by DS and his unit leaders and sergeants?

A: No.

INITIALS _____

EC 31 Dec 69

Page 6 of 7 pages

STATEMENT (Continued)

Q: Do you recall seeing HO at all during the operation?

A: No, I do not.

Q: Do you recall seeing or hearing about any women being raped in the village?

A: No.

Q: Anything else?

A: No, nothing. ///NOTHING FOLLOWS///

NOTE: This statement was received from EC, who willingly was sworn to its truthfulness and validity, but who declined to sign the affidavit of the statement because of his lack of knowledge regarding the uses, legality, culpability of the statement.

AFFIDAVIT

I, EC HAVE READ ~~THE ENTIRE STATEMENT~~ THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3rd day of December, 19 69

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ

(Authority To Administer Oaths)

PAGE 7 OF 7 PAGES

318269383

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE	TIME	FILE NUMBER
	11 Dec 69	1930	69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
EY			
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I joined Company C, 1st Bn, 20th Infantry in Hawaii around 25 Nov 67 and we transferred to Vietnam as a unit shortly thereafter. I believe we got to Vietnam on 1 Dec 67.

It was during Mar 68 that the unit participated in an operation at MyLai(4), during which time I was assigned to the 3d Plt. 3d Sq as a rifleman armed with an M-16. My Plt Ldr was AB. My F DA. My Sx XB and LG. Other members of my Squad w HV CCU FFP

I do not recall the exact date, but the day before the operation, the entire company was briefed DS the Company Commander. As I recall his briefing, he said we were going to Pinkville and to shoot everything that move DS advised us that there was a VC battalion there and that everyone there was there to fight. It was about a 20 minute talk. I recall him saying that everyone there, including the women would have combat gear. I recall him using the words "wipe out everything that moves, burn the village and kill the livestock". His briefing is the only one I remember.

That evening, as we cleaned our weapons and got our gear ready, we talked about the operation. People were talking about killing everything that moved. Everyone knew what we were going to do.

The next morning about dawn, we got up, ate a little, met the helicopters and were CA'd to MyLai(4). I don't know if there were any gunships. It must have been an hour after sunrise that we got there. I think I was in the 3d lift. Upon landing at the LZ, just west of MyLai(4), my Plt swept south for about one-fourth of a mile. Mostly we just walked fast. I could hear a lot of shooting from the village which had been entered by 1st and 2d Plts. About a quarter of a mile from the village were about six running Vietnamese. This was a mixed group of men and women. Fire from our Plt killed about 3 of them. We confirmed one male body with a rifle. A chopper directed us in that direction and even dropped smoke to mark the spot where the pilot thought he saw the VC. We then returned the way we came, went a little way past the LZ area and entered the village at the north-west corner. I saw numerous dead Vietnamese scattered around. None in groups. They were men, women and children. As ordered, we began burning all the huts and killing animals as we went south-east through the village to about the middle of the southern edge. I was on a trail running east and west when I saw DS about 50 feet from me, up the trail. He was close to where a trail going north and south intersected the one we were on. On the north-south trail, and south of the village, I observed a Vietnamese boy about 2 or 3 years old standing by a group of about 15 dead Vietnamese men, women and children. The boy was crying and looking at the bodies. As I was walking to DS I saw him take aim with his M-16 rifle and shoot the boy in the head. I remember this so well because of the way the boy fell back real fast and because his head exploded. I think the boy was wearing only a black shirt. There were a lot of people standing around, but I can't remember any particular people that were there. The CPT's RTO's, the Arty Offic RJ the

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 4 PAGES
	EY	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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interpreter and others near the CPT should have seen this as well as other members of my Plt.

Then I heard something about a wounded man and he was carried right past me to be med-evaced out. My squad moved south and provided security for the helicopter that took him out. After that, I walked east to the north-south trail and followed it north, past the bodies that I mentioned before where the boy had been shot, and back to where DS was and east along the southern edge of the village until we, my squad or Plt was sent to a ditch and tree line to provide security for the south-east area outside the village.

I remember JL CCR and myself were resting near the ditch when we discovered about 40 dead and wounded Vietnamese men, women and children in that ditch. Only a couple were wounded, and they were groaning and moving a little. I remember a woman face down and still alive with 2 to 4 bullet holes in her back. I don't know if she had been shot in the front or back, but they had been shot by small arms fire.

I recall JL CCR discussing the situation and what could be done. They decided to put them out of their misery as they would not get medical help and would die. I saw them finish the wounded, but only specifically recall them shooting the woman because it took 3 shots to end her life. Neither man wanted to kill them, but it was a matter of having mercy on the people rather than let them suffer and die anyway. I have no idea who had shot the people in the ditch or put them there in the first place. We stayed at the ditch about 20 minutes and moved out.

From the ditch we went to other nearby villages. I don't recall the names of those, but after MyLai(4) we just burned them. Somewhere, we got the word that there was to be no more killings. I don't know when we got those instructions, but it was after finding the bodies in the ditch. We continued to burn villages, approximately 3 or 4, and odd homes, while we walked to the coast. All this took place over a 2 day period until we returned to LA DOTTE by helicopters that picked us up near MyLai(4).

Q: Upon entering MyLai(4), did you observe casualties or damaged buildings which may have been the result of artillery, mortar barrages or gunships?

A: Not that I know of.

Q: Did your unit encounter any resistance? Was the LZ "hot"?

A: No.

Q: Do you recall a temple, pogoda or shrine in MyLai(4)?

A: I don't remember one there.

Q: Other than the med-evac helicopter, did you see a helicopter land near the village during the operation?

A: There were many helicopters flying around and 3 or 4 observation planes. Correction, just 3 or 4 observation helicopters, but I didn't see any land. Could have.

Q: Did you see anyone with cameras or did you have a camera and take pictures?

A: I remember there were two photographers, but I did not have a camera. Others in the unit may have taken some pictures.

Q: Do you have any documents concerning this operation?

A: No.

Q: Did you collect any souvenirs there?

A: No.

Q: Do you have any knowledge of the villagers being warned to evacuate because of the impending attack on MyLai(4)?

A: No, I EY

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Page 3 of 4 Pages

STATEMENT (Continued)
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 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND
 ADDITIONAL PAGES MUST CONTAIN THE HEADINGS "STATEMENT OF" "TAKEN AT" "DATED" "CONTINUED".

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF	PAGES
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NOT UTILIZED
 EY

AFFIDAVIT

I, EY HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

EY
 (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11th day of December, 19 69

ORGANIZATION OR ADDRESS

PERSON REVIEWED

TO
 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

TO
 (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

RECEIVED Art 136(b)(4), UCMJ

DATE

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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PAGE 4 OF 4 PAGES

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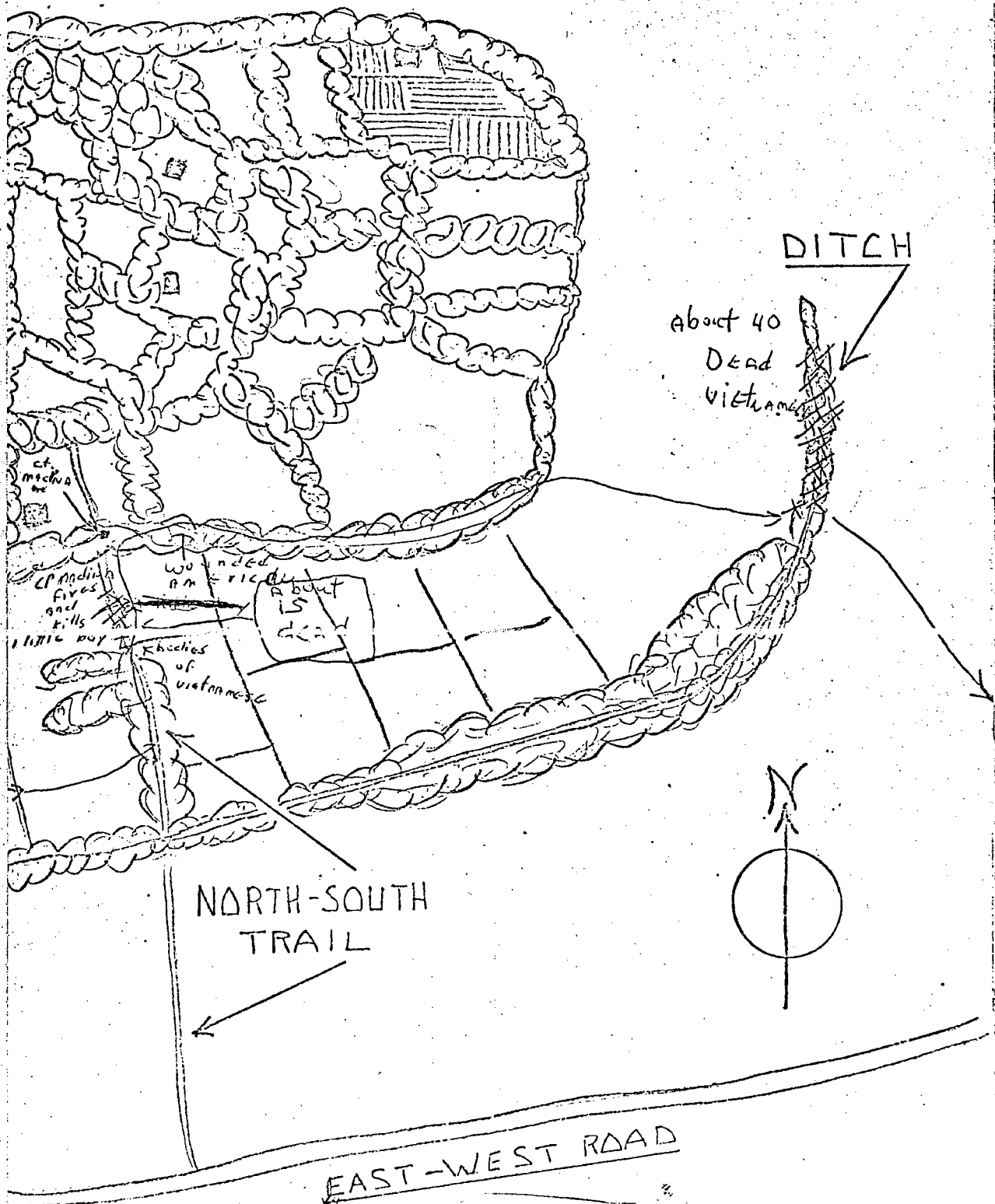
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E4

11 DEC 69



STATEMENT BY ACCUSED OR SUSPECT PERSON		For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.	
NAME LAST NAME, FIRST NAME, MIDDLE NAME EE	DATE 20 Sep 69	TIME 1305	FILE NUMBER 69-CID011-00014
ORGANIZATION OR ADDRESS 	SOCIAL SECURITY ACCOUNT NO. GRADE		

PART I - WAIVER CERTIFICATE	
I HAVE BEEN INFORMED BY <u>OF</u> OF <u>Army CID</u> THAT HE WANTS TO QUESTION ME ABOUT <u>Murder</u> OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS. I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL. I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE. I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING. I (DO) ^(DO NOT) WANT COUNSEL. I (DO) ^(DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS.	
INTERROGATOR: <u>OF</u> 1st MP Det (CIM) Washington, DC 20314 <small>(Typed Name and Organization)</small>	(Signature) WITNESS: <u>EE</u> (Signature of Person To Be Questioned) (Signature)

PART II - SWORN STATEMENT		
I, <u>EE</u> WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: In Sep 67, I was assigned to Co C, 1st Bn, 20th Inf, KKK 11th Lt Inf Bde, in Hawaii, and on 1 Dec 67, I accompanied the unit to Vietnam. My MOS is 11B40 and I was assigned to the 3rd Plt. My Plt Ldr was <u>AB</u> and My Plt Sgt was <u>D4</u> . I don't remember the names of my Squad Leaders. I recall the combat assault on the village of My Lai (4) under Task Force Barker. My Lai (4) was in the area known as "Pinkville." This mission was in March 1968, but I can't recall the exact date. An evening or two before the mission, the unit had a briefing at LZ Dottie. <u>DS</u> the Commanding Officer, conducted the briefing. I recall that the briefing lasted about 15-30 minutes or so. During the briefing <u>DS</u> stated that we were going into this area and that the area had an NVA Regiment or Battalion and was an R&R Center for the VC. He said all the people were VC sympathizers and we were to sweep the village on a search and destroy mission. We were to destroy all food and livestock, burn the village or anything that would help the VC. This was the only briefing that we had prior to going on the mission. For the mission, 3rd Plt was the rear plt and we left left at about 0700-0800 hours in the morning. I was on the last or the next to last air lift. We went from LZ Dottie by chopper to an area in the rice paddies about 100 meters or so KKKKKK to the east of the village of My Lai (4). We took cover in the rice paddies and waited. <u>DS</u> was with the 3rd Plt. After we had been in the area for a few minutes, one of the helicopter gunships sighted a weapon and notified <u>DS</u> . The weapon was located along a ditch off a trail leading southwest from the village of My Lai (4) some 200 meters		
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>EE</u>	PAGE 1 OF <u>11</u> PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF - TAKEN AT - DATED - CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF
69, CONTINUED:

EE

TAKEN AT FORT HOOD, TEXAS, DATED 20 SEP

away from the village. I believe most of the 3rd Plt moved out in the direction of the reported weapons. We swept across the trail and at this time I noticed that there were 9-10 dead bodies scattered along this trail. These bodies were men, women and children of all ages. As I recall WQ VQ were with me. Someone in the Plt recovered the weapon from some VC and we returned to the rice paddy and regrouped outside My Lai (4). I did not see this VC but I do recall seeing one weapon but I can't recall who had it. I think it was an AK-47. While the plt was moving to recover the weapon I had crossed the trail and as WQ VQ and I returned to the trail there were two small Vietnamese children laying down in the trail. They had already been wounded but I could see that they were alive. VQ shot these children with the M-60 that he was carrying. Then a man and a woman dressed in civilian clothing came running down the trail away from My Lai (4). WQ shot and killed the woman and injured the man. We left him there along with the other dead Vietnamese. This made a total of 14-15 people shot along this trail. At this time I did not fire my weapon as I didn't see any sense in it. There was a lot of firing going around anyway. From here we returned to the rice paddy and regrouped and waited until DS gave orders to move into the village. I estimate that I was on the ground and in the rice paddy area for about 30 minutes, before we moved into the village. Before we entered the village there was a lot of shooting going on. I didn't see anybody else shot. I could hear the shooting and I figured it was from 1st and 2nd Plts. When we moved out into the village, I remained near the center of the village moving towards the west. I started two fires of empty hooches as I moved through the village. I saw a lot of dead bodies laying around the village and I estimate 30-40 people. They were mostly women and children and a few men. They were all ages, ranging from babies to old men and women. I didn't see any weapons as I moved through the village and as far as I know no one shot at me. I didn't see any resistance from any of the Vietnamese. I didn't see any of the dead Vietnamese in the village shot and I guess they were shot earlier by members of the 1st and 2nd Plts. As I reached about half way through the village an order came down from DS to ~~xxxxxxxxxxxx~~ cease firing. At this point I had been in the village about half an hour. The shooting stopped and 3rd Plt continued to move through the village and set fires to all the buildings. I didn't see anyone killed or any shooting after the cease fire order was given. We moved on through the village and formed on the west side of the village. I estimate that we were in the village ~~XXXXX~~ for approximately two hours. We had lunch and that afternoon swept a couple of more villages and spent the night in the field between My Lai (4) and My Lai (5). I can't recall what we did the next day or so or how many nights we stayed in the field before returning to LZ Dottie.

Q: At any time on this mission were you fired upon by the Vietnamese or did they offer any resistance?

A: No not that I know of.

Q: Did you shoot any of the Vietnamese or shot at them?

A: No.

Q: Did you fire your weapon at all during this mission?

A: Not that I recall.

Q: From talking to other members of the unit, almost everybody was reported to be shooting at the people or animals. Why were you not shooting?

A: Well it was more or less other guys doing it and I just wasn't shooting. I didn't see any sense in it at all.

Q: After you entered the village initially, were the members of 3rd Plt shooting?

A: Not after we entered the village. We were setting the fires at this time.

STATEMENT OF
CONTINUED:

EE

TAKEN AT FORT HOOD, TEXAS, DATED 20 SEP 69

Q: How many dead vietnamese did you see as you swept through the village?

A: Like I said.

Q: Can you see these persons?

A: Not specifically. They were Vietnamese in civilian clothing. Mostly women and children and a few men. I can't recall anything in particular about any of them.

Q: Did you see any injured Vietnamese?

A: Not that I can recall.

Q: Did you see any US personnel that were injured?

A: Yes. *HR* of the 1st Plt had been shot in the foot. I remember seeing someone carry him out of the village to the chopper dustoff area where he was medicated. I don't know where he was injured in the village. The rumor was that *HR* had shot himself, but I don't know for sure.

Q: Were any other US personnel injured that you know of?

A: Not that I can recall.

Q: Do you recall seeing or crossing a ditch after you passed thru My Lai (4)?

A: Not that I recall.

Q: Do you recall hearing anything about a group of Vietnamese people killed in a ditch?

A: No.

Q: Other than *WS* *VQ* shooting the Vietnamese you described earlier, did you see anyone else shoot any of the Vietnamese?

A: No.

Q: Are you acquainted with *DN*?

A: I have heard the name but that's about it.

Q: Do you recall anyone being injured on Hill 85?

A: I recall one man injured on Hill 85, but I don't know ~~xxx~~ when it was but it might have been the same afternoon. I heard he stepped on a boobytrap mine. That's all I remember ~~at~~ about it.

Q: In all, how many people were killed in My Lai (4)?

A: The rumor that went around was about 200 or so. All I saw was between approximately 45-55 persons.

Q: Were there any Vietnamese killed when you swept the other villages around My Lai (4) in the "Pinkville" area?

A: No I don't believe so.

Q: Was this mission different from ones you had previously participated in?

A: Yes. This was the first time I had seen all that killing.

Q: At any time, did you receive any orders to kill all the people in My Lai (4)?

A: The order that we got was to kill anything that moved. This was in

DS briefing.

Q: Did *DS* say to kill all the women and children?

A: No he didn't say to kill all the women and children. All he said was to kill anything that moved.

Q: During the briefing, did you expect to find women and children in the village?

A: Yes I did.

Q: Then you expected to kill them?

A: I don't know if the company expected to kill women and children or not. I didn't. The only time I would shoot at women and children were if they were shooting at me.

Q: Were you told that the civilians were warned of the mission?

A: Yes I believe they were given a warning to get out of the village but I can't say for sure.

Q: While you were in the village, did you have occasion to see

ZG *HO* *DS* *AB*
A: I might have seen them every now and then as we swept through the village but I am not sure. I didn't pay much attention and I can't say what they were doing.

69-CID011-00014

STATEMENT (Continue)

Q: What was DA activities during the mission?

A: I recall him being in the village but I don't recall talking to him or know what he was doing.

Q: How were you armed during this mission?

A: I had an M-16 and about 14 magazines of ammunition.

Q: Can you offer any reason why VQ shot the injured Vietnamese children or that WQ shot the Vietnamese man and woman?

A: No. I think the children were already injured and the reason VQ shot them was to put them out of their misery. I don't know why WQ shot the man and woman.

Q: Is there anything else that you would like to add to this statement?

A: No.

AFFIDAVIT

I, EE, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

EE
 (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of September, 19 69
 at Fort Hood, Texas

OE
 (Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136 (b) (4) UCMJ

(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 11 Dec 69	TIME 0930	FILE NUMBER 6y-CID011-00011
LAST NAME, FIRST NAME, MIDDLE NAME <u>EU</u>	SOCIAL SECURITY ACCOUNT NO. 534-28-0809		GRADE SFC
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, EU, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- Q. EU this office has been requested to interview you and obtain a statement as to your knowledge of the My Lai massacre. What date and unit were you assigned to in Vietnam?
- A. I was assigned to Company 1st Bn 20th Inf 11th Infantry Brigade. I am not exactly sure of the date, but it was the latter part of April of 1968.
- Q. Was there a particular Division you were with there?
- A. Americal Division.
- Q. What knowledge do you have of this alleged massacre?
- A. All of it was heresay from talking to the various platoon sergeants and listening to the men talking about it in the unit. They talked about how many civilians with children, too, were killed due to the fact that they were just shot down in cold blood by selective members of the unit. I am not sure what platoon it was who actually started the killing spree, but the word I got was that they just moved a group of people, a large group including kids, and using machine guns mowed a lot of these people down. This is just one portion of the incident I can remember. The other part I can't remember. Many soldiers in the unit got so sick they had to move them to the flanks of the units so they could get them out of the area. They talked about one lieutenant shooting one man in the head. I am not exactly sure of too much about it. They just talked about shooting one guy in the head.
- Q. Can you recall any of the names of the individuals who told you this information?
- A. I can't think of the names. They were all talking throughout the unit there. The platoon sergeants of the 1st and 2nd platoons. That was about it.
- Q. You can't recall any individual's name who you heard talking of this massacre?
- A. I can't think of them. I know who the second platoon sergeants were and I can't remember their names now. They were both E7.
- Q. How was the discipline and morale of the unit that you were assigned to?
- A. Well, when I came to the unit I was in a bad frame of mind in the first place because of being sent down to the line unit again when it was my third time in Vietnam. Still the unit had very bad discipline. The morale was very bad. The men didn't give a damn. No discipline, no leadership, because I could hear many many soldiers throw their gear down and say "I am not going to carry it any more, you carry it". They would talk to the officers that way. They had no respect for officers. I heard a lot of others talk bad. For example they would say "What are you doing tonight at 10 o'clock? You come by my

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>EU</u>	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF EU TAKEN AT DA DATED 11 Dec 69 CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE 2 OF 3 PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

bunk anytime, I will be ready for a blow job". Or "Oh, boy, you put some lipstick on, Sir, you would be good enough to kiss". We had one officer who was kind of feminine. There was just one thing after another. The other platoons were worse than my platoon. There was no discipline whatsoever. There were a lot of good men in the company but they weren't working together as a team. Everybody was doing everything individually. Of course; I think it was due to the fact that the higher commanders didn't care. Other platoon sergeants would talk to me and I asked how come we can't get this company going and make it like a company. I would say let's get some discipline and they told me DS wouldn't back them up. They would just be there, that was all it was, just a bunch of companies and a bunch of weapons. Discipline was very bad. Of course, we eventually got to weeding out some of these people. We had some ring leaders who just took charge. The men would follow them instead of following the leaders. I got out of there as fast as I could.

Q. How long were you assigned to the unit?

A. Four months. Then I got transferred out.

Q. What was your assignment after you were transferred?

A. G-3 of the Americal Division. I liked it better. Not because I don't like combat, because this is my fifth combat tour. Two in Korea and three in Vietnam. I didn't want to go back down there at the time because my wife was sick with T. B. Combat hasn't ever bothered me, but being in a unit like that made me try harder to get out. The discipline was shot. I tried every way I could to get out of there. This is not what a non commissioned officer is supposed to do. But I hated to be there with them. Some of them said I would be better dead than alive. I would try to discipline them and they didn't like that. There was no discipline before and when you try to put discipline on them they talked like that. "He would be better dead than alive" they would say.

Q. Do you know of any of the individuals who were present with the mission, the operation at the time the massacre occurred?

AFFIDAVIT

I, EU HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of Dec. 19 69

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136 (b) (4) UCMJ 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

EU

PAGE 2 OF 3 PAGES

STATEMENT OF EU TAKEN AT SCHOFIELD BARRACKS, HAW, APO 96557
DATED 11 DECEMBER 1969 CONTINUED

- A. I can't think of the names. If I saw their pictures, I could. They were the ones who told me about it. I didn't know anything about it until they started talking. From what I saw in the newspaper they were supposed to keep quiet but they talked in the unit about it.
- Q. Was the word out in the unit to keep this incident hushed up?
A. No. The first time I heard that was from TV.
- Q. While you were in Vietnam, when you reported to the unit, was there word in the unit to keep that incident quiet?
A. No. People just talked about it.
- Q. Do you have anything you would like to add to this statement?
A. No, that is about all.
- Q. Everything you did hear concerning the massacre was heresay from individuals within the unit, the names of whom you can't recall?
A. That is right. EU

EU

Initials of person making statement

STATEMENT BY ACCUSED OR SUSPECT PERSON

(AR 195-10)

PLACE	DATE 3 Nov 60	TIME 1340	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME FM	SOCIAL SECURITY ACCOUNT NO.	GRADE	
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY PH
OF Criminal Investigation Division
THAT HE WANTS TO QUESTION ME ABOUT Murder, Violation of the Laws of War
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
I ~~(DO)~~ (DO NOT) WANT COUNSEL. FM
I (DO) ~~(DO NOT)~~ WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. (Signature of Person To Be Questioned)

INTERROGATOR: (

PH

(Signature)

WITNESS:

FFFV

(Signature)

FFFV

(Typed Name and Organization)

(Typed Name and Organization)

PART II - SWORN STATEMENT

FM
OATH: I was assigned to Co C, 20th Inf, 11th Inf Bde, Americal Div, on 20 Apr 67. I was further assigned to the second platoon as a grenadier and worked my way up to squad leader while in country. Sometime around the first part of Apr 68, my unit went on a search and destroy mission to My Lai 4 in the Republic of Vietnam. I am not sure of the date or month. The day prior to the operation I attended a briefing given by the company commander, who stated that we were going into "Pinkville"; that we had been there before and had always suffered losses, but that this time we were going to kill everything that breathed in the village. I can't remember if it was put out in the operation order, but once we were in the village, we were also instructed to burn the village. We were CA'd into the village by chopper and I was on the first lift. As the first lift landed, we set up a perimeter around the L2 and awaited the arrival of the other lifts. When the whole company was on the L2, we went into the village on a line. The L2 was on the left or west side of the village and we drove thru to the east side of the village. I was in the second platoon on the left or north side of the line and the 1st platoon had the right flank or south side of the village. The 3d platoon w/hqs was to bring up the rear. At least that is how the operation order read. I am not sure if that is how it was. We drove on through My Lai #4 and then swung north and hit My Lai #5.
Q. Did you encounter any hostile fire when you landed?
A. I don't really know because guns were going off all over the place. The choppers were firing from the air.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

FM

PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statem
Cont'd:

FM

taken at

lated 3 Nov 69,

Q. Did you see DS shoot a Vietnamese man or woman on the edge of the village?

A. No, I did not. I was out in the rice paddies when we moved out.

Q. Did you see any groups of Vietnamese villagers rounded up?

A. No, I did not.

Q. Who was your platoon leader?

A. ZG was at that time. He was killed later on.

Q. Who was your platoon sergeant?

A. HG. He and I both got hit the same day, 12 May 68, on Hill #387, Cui Son Valley.

Q. Who was HG during My Lai 4?

A. He was to the rear of the platoon. I did not see him as we were mostly out in the paddies.

Q. Did you see HO at any time during My Lai #4?

A. No, I didn't. Not to the best of my knowledge.

Q. Who were the members of your squad?

A. GU, VLGR, VL, FH, MMD, NNJ. I think that was all I had. My squad was always short.

Q. Did you have a machine gun team assigned to your squad?

A. No, there was one assigned to the platoon. That was BO but it remained in the village during the sweep.

Q. Did you know SSW?

A. Yes, but I can't recall who he was with.

Q. Did you see NNJ shoot a woman and a baby?

A. No, I didn't.

Q. Did you see LR and AR?

A. Yes, I did. They called LR. I don't know which squad they were in with.

Q. Did you see either LR or AR shoot any unarmed villagers at My Lai 4?

A. No, I did not.

Q. Were you present when BO and some other men from Co C executed a group of about 10 villagers on the eastern side of My Lai 4?

A. No, I did not see it.

Q. Did you hear about it?

A. No, I did not.

Q. Did you see any Vietnamese villagers indiscriminately shot and killed by members of Co C during My Lai #4?

A. No, I did not.

Q. Did you see WX kill an old man?

A. No.

Q. Was the order given to stop shooting during the operation in My Lai #4?

A. Yes, after we had been in the village for a while, the order came from DS to stop shooting.

Q. Were any prisoners taken during My Lai 4?

A. Not that I know of.

Q. Did you see a LOH land in the village during the operation?

A. No, I didn't. I heard about it, but all of that stuff happened on the other side of the village in the sector assigned to 1st platoon.

400

Statement of
Cont'd:

FM

, taken at

dated 3 Nov 69,

Q. Did you see any groups of Vietnamese bodies at any time after you got into the village?

A. I saw an odd group of 2 or 3. No more than that in that village.

Q. Did you see a temple on your way through the village?

A. No, I don't recall seeing one.

Q. Did you see any dead children on your way through My Lai #4?

A. Yes, I saw some. I couldn't swear to the fact that they were dead, but they had been shot.

Q. How many did you see?

A. I couldn't say off hand. I have no idea.

Q. How many dead people did you see in all?

A. I would say less than 40. I really don't know.

Q. How long was Company C in the village?

A. We were in first thing in the morning, but I can't recall what time we left as we moved on up to My Lai #5 after that.

Q. Did you yourself shoot anyone you would consider to have been an unarmed civilian during My Lai #4?

A. Not on the basis of what my orders were.

Q. Was an investigation conducted by the unit or Division while you were in country?

A. We were told by someone from the company, I think it was DS that the unit had been under investigation for what had happened at My Lai #4, but that the investigation had been dropped.

Q. Do you recall being told by DS that there was going to be an investigation and that you were not to say anything?

A. He might have had a meeting, but I don't recall.

Q. What was the population of My Lai #4 prior to the operation?

A. I don't know.

Q. Do you have anything to add to this statement?

A. Yes, I would like to add that we had been told prior to this operation that the village had been warned that a combat operation was to take place there and that all persons not VC were to move out of the village. We were then told that all that remained in the village would be VC's or VC sympathizers. I would also like to add that this operation was a mistake and I think the orders had to come from higher headquarters. Our orders were to kill every living thing in the village, human and animal.

401

STATEMENT (Continued)

AFFIDAVIT

MENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFKV
FFFKV
Crim. Inves
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

FM

(Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of November, 1969

PH
(Signature of Person Administering Oath)

PH Crim Inves
(Typed Name of Person Administering Oath)
Art 136(b)(4), UCMJ, 1951

(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

WITNESS STATEMENT (AR 195-10 - TB PMG 3)			
PLACE	DATE 27 Aug	TIME 0930 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME LX	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
I, LX , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>Q: When did you go to Vietnam?</p> <p>A: I think I went to Vietnam on 1 Dec 1967. I was assigned to the 1st Platoon Company C, 20th Inf, the advance party for the 11th Brigade.</p> <p>Q: Have you ever heard of the "PINKVILLE" operation?</p> <p>A: Yes. Company C of the 20th Inf, and 2 other Companies were a part of Task Force. The Task Force was commanded by PA which in my opinion was a very efficient Officer. My Company Commander was DS. An outstanding Officer and in a round about way he has saved my life, by being a good officer. Having good judgement and being a good man. DS took care of his troops. He did what he was told to do and at the same time took care of his troops. He never pushed us too hard, just enough to have the job done, and tried to keep us out of danger as much as possible. During my time in Vietnam I was on every combat assault, that Company C went out on.</p> <p>Q: Do you remember when Operation "PINKVILLE" took place?</p> <p>A: This operation took place sometime in March 1968.</p> <p>Q: I'm showing you now Army Map, Vietnam 1: 50 000 Quang Ngai, Sheet 6739 11. Can you orient yourself on this map and point out where operation "PINKVILLE" took place?</p> <p>A: The operation took place between the Song Tra Khuc and Song Diem Diem rivers and we landed a little west of My Lai (4) in a rice paddy. I had completely forgotten about all these names. But by looking on the map you have shown me, I remember some of them. When you mentioned operation "PINKVILLE" then it came back to me. As I have said before, the operation took place sometime in March 68. I do not know the exact date. On this operation I was in the point element in the 1st platoon of Company C, My platoon leader was HO (Short, medium build). Prior to this operation my company had been engaged in combat in the general area. Near a bridge over the Song Diem Diem river. I think it was a search and destroy mission. We lost one man on this mission. In the general area where TF BARKER operated we lost quite a few men and also suffered casualties (wounded). We were at one time in a fire fight in the bend of the Song Diem Diem river across from the area in pink on the map that I have in front of me. We did not get across the river, due to enemy resistance. This was about a couple of weeks, maybe longer, before the "PINKVILLE" operation. We lost one man on this operation. Other than that we were never in the neighborhood of My Lai (4). This is at least what I remember. On the operation near My Lai (4) in the middle of March 1968, we left in the early morning. I was in the first wave of the assault. There were quite a few helicopters. After we landed in the paddy, west of My Lai (4), I jumped out of the copter. Before we landed there was a lot of firing. I do not know if it was hostile or not. Could have been the helicopters or the man I saw later after landing. After jumping out of the copter I saw a man, jumping up in the rice paddy. Naturally I fired on him. I got him. Prior to me firing someone else fired but his weapon jammed.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 5 PAGES
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."</p> <p>THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

DA FORM 2823
JAN 66

403

Statement of 1 ~~LX~~ taken at , dated 27 Aug 69, continued,

- Q: Did you hear that women and children were shot in My Lai(4)
- A: I heard rumors to that effect. This was gossip. I never heard official talk. I was only a peon. Usually stayed with 3 soldiers, in my team. (HZ SSX and the did from Kansas. I now remember that his name SSZ)
- Q: Did you hear that HO ordered the villagers to be rounded up and later ordered them to be shot?
- A: I remember HO saying to send the villagers back to him. This is normal on an operation. We were then about a few hundred meters away from HO but close enough to hear. I heard firing between us and village, but not in the village. I was about 1500 meters from the village and I did see smoke coming up from the village.
- Q: Is it common practice to burn villages during an operation?
- A: No. But on a search and destroy mission in enemy territory, if you find any evidence of hostile inhabitants, you should destroy it. I figured that the man still in the village must have found some evidence of a hostile nature, because at the beginning I saw the enemy (the man in uniform I mentioned previously) ^{see 66}
- Q: I'm showing you now 9 pictures. Numbered 5, 6, 7, 8, 9, 13, 14, 15 and 16. Did you see anything like this in My Lai(4)? These pictures were made by a combat photographer during the operation in My Lai(4).
- A: I never seen any dead women or children. This must have happened behind us. Our job was to get through the village and secure the area. The man on picture # 5 looks familiar to me, but I cannot recall his name. I never went back to the village, so what happened there I cannot say.
- Q: Have you heard about members of the 3rd platoon (FFY CCR finishing off wounded civilians?
- A: I never heard about that. I was not in contact with the 3rd platoon.
- Q: Do you know FFJ
- A: I think he was in the 2nd platoon. But I do not know anything about him.
- Q: Have you heard about the radio-operator DS killing a young boy with a M-16.
- A: It would be impossible for me to hear these things, because I was in the front. I only heard some gossip that women and children had been killed. But by whom I do not know and it was not my business to find out. However I remember that day of the aforementioned operation DN lost his foot on a mine. We had orders to search hill 85. As we moved up we seen signs of mines and booby traps. We brought this to the attention of HO. He just kept on going in a stupid manner. He took no precautions. Like a good leader DS would do. In my opinion HO because he is small, must have been pushed around all his life by bigger people. Once he got in the Army he found he had a lot of authority. He did what he thought should be done, but not listening to valid suggestions of others, like a good leader should. Anyway we moved up the hill. DS, I think told HO, to hold within a thousand meters of the top of the hill. However we held within a hundred feet of the top. Then behind me I heard an explosion. I heard the screams of DN. He was about 25 feet behind me. We could not do anything, because we were on a ridge. FW was HO's radio operator. He was also with DN. I think HO also got hit by part of the mine. When the chopper came to get DN he was in hysterics and he yelled out: That God punish me for what I have done and repeatedly he said: "That he will get you HO After that they evacuated DN. He yelled this during his evacuation. I think that if HO had been our Company Commander, I would not be here today.
- Q: Can you remember any names (that were present with HO in the village during the operation at My Lai(4)?
- DN FW are the only ones I can think of FW was the radio operator and DN the point man. But not on this operation. He was with HO in the village or rather between us and the village.
- Q: Was there any artillery barrage into My Lai(4) prior to your landing?
- A: I do not know. If there was I did not see any evidence of it.

" Statement of . L X aken at Bordentown, New Jersey, dated 27 Aug 69, continued"

I guess there were about 7 of us besides the crew in the helicopter - K C my platoon sgt was in the same helicopter. I do not remember the names of the others. There was a kid from Kansas also with me. I do not remember his name. We moved towards the edge of My Lai(4) and then the platoon united there. With this I mean they united in line. At this time there was a lot of commotion in the village. In the village I observed an armed uniformed man. I do not know what type of a weapon. But it was a weapon. I mentioned this to someone and was told not to fire, because he might belong to the 2nd platoon. Right after that I was told that the 2nd platoon was not in the village. I then opened fire. I do not know if I killed him or not. I do not know if the weapon was captured, because I had to move fast. My whole platoon was spread out in a line and we swept through the village. I was somewhere in the middle. I am surprised that I still remember so much. I seen a lot of people running around, but there was no hostile fire anymore. We let the people go through our line, because there was an element of Company C behind us. They would take care of them. This is what usually happens. The first element usually goes through to secure the area and give the soldiers behind us a chance to search and to question people. After we got all the way through the village, we just held up and secured about 1500 meters from the village. H O and part of the platoon was behind us. I went fairly fast through the village and we waited quite a long time after we secured 1500 meters from the village. During the time that we waited a small helicopter landed about one hundred meters from us. Stayed a while and took off again. I do not know what he was doing there. I thought it was unusual considering, that we were at the front line. We did not go back into the village after our sweep through the village. Before I seen the rest of my platoon that afternoon we run into elements of another company. Sometime in the afternoon we rejoined our platoon.

Q: Before the attack on My Lai(4) did your company receive a briefing from the Company Commander or H O or from any other NCO?

A: Naturally, but I do not remember. I might not have been there, since often I was put on KP. I am sure that if I had been present during the briefing I would remember. At this time I was in a daze due to the killing of a dear friend of mine during the previous operation.

Q: Have you heard that the Company was ordered by either D S , or H O to destroy the village and kill all the inhabitants.

A: I never heard that. All I heard that we were going into PINKVILLE and it was common knowledge that it was a VC stronghold. I can see H O saying something dumb like that but no D S H O is just gung-ho and has no common sense. He is definitely not a leader.

Q: Did Company C went in to the village in order to take revenge on the inhabitants for prior casualties suffered by Company C?

A: Most what happened to us, was done, we think by elements that came from My Lai(4) But war is war and you just go when you are told. If it was up to me I would stay away from that area. It was too rough. It was an operation like any other. We did go in to destroy the enemy. This at least was my feeling. When I went in I had no intentions to shoot women or children. I did not shoot any women or children. I did not see while I was in the village that women and children were shot. If it happened it happened behind us.

STATEMENT (Continued)

ARF JAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE . I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of Aug, 1969

ORGANIZATION OR ADDRESS

BBZ
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

BBZ
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 5 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON (AR 195-10)

PLACE	DATE 9 Nov 69	TIME 1030 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME LZ	SOCIAL SECURITY ACCOUNT NO.		GRADE Civilian
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY BBB P
OF
THAT HE WANTS TO QUESTION ME ABOUT murder, war crimes, destruction of property
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
I (DO) (DO NOT) WANT COUNSEL. LZ
I (DO) (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. (Signature of Person To Be Questioned)

INTERROGATOR: BBB P (Signature)
WITNESS: _____ (Signature)
BBB P (Typed Name and Organization)
1st CID (Typed Name and Organization)

PART II - SWORN STATEMENT

OATH: LZ WANT TO MAKE THE FOLLOWING STATEMENT UNDER
I volunteered for the draft 9 JANUARY 1967 and had my basic
training at Ft Campbell KENTUCKY. Then I was assigned to Company
C, 1st Battalion, 10th Infantry, then in HAWAII. I went to Vietnam during
November 1967. I took part in the operation around MyLai(4), which
I remember took part in March 1968.
Before we went to MyLai(4) DS our company commander,
gave us a briefing. During this briefing he said that when we went
to MyLai(4) we were to leave nothing standing and that we were to
kill everything in the village: men, women, children, cats, and dogs.
The next day we went to MyLai(4). I was in the second or third
lifts. Another Platoon, the First Platoon of Company C, went in
ahead of us. I was with my unit, the Third Squad, 2d Platoon. My
Platoon Leader was 2G My Squad Leader was HG BU My
Platoon Leader or rather Platoon Sergeant was JSU AR Members
of my squad were BO WX LR AR BO WX were the
machinegun team.)
After we landed we advanced by fire into the village. We started
on the left, but during the advance through the village the troops
were all mixed up. Some of the 1st Platoon got with the 2d Platoon.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>LZ</u>	PAGE 1 OF 5 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE
BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
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ED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of

continued

and so forth.

LZ Just after we got into the village, I came upon **OC** and **GX** with four or five Vietnamese detainees. **GX** said they were going to take them to the Platoon Collection area. They were asking these people some questions in Vietnamese. Then **FFX** who had come up with me, said to kill all the people and told me to kill them. I hadn't killed anyone yet, so I said that I would not. Then **FFX** grabbed my M16 away from me and put it on automatic fire and killed all of the Vietnamese who had been standing there. These people were not armed and were not trying to escape.

Q. What happened then?

A. I continued on into the village and found a place where a boy had been shot by a well near a hut. A woman, carrying a baby, came out of the hut crying and carrying on. **FFX** **AW** and **BA** were there. **WX** **AR** **BO** were there also. I think **ZG** may have been around. **ZG** told me to kill the woman, and, acting on his orders, I shot her and her baby. I have been shown a group of photographs and I identify the photograph of the woman and the baby as being the ones I shot as related here. I remember shooting the baby in the face.

Q. Would you initial and date this photograph for future identification?

A. Yes.

Q. What happened then?

A. There were four or five people -- mostly children -- still in the hut. **AR** **WX** **BO** went into the hut and **BO** fired the machinegun into the children. I had gone into the hut at that time and saw that the bodies were all torn up and I have no doubt they were all killed. There was a little old hole in the hut where the people took shelter from attack, and **WX** dropped a grenade into the hole, in case someone was hiding there.

Q. What happened then?

A. As we moved into the village we heard a lot of firing and then came on an area where the platoon ahead of us had rounded up 25 or 30 people and executed them. We did not see the shooting, but it had just happened. **DS** was there when we got there, but I don't know if he had witnessed the killing while it was going on. I heard about another execution that day, not far from this scene, (but didn't see it either during the killing of the people or afterwards), and also found a ditch full of people at My Lai (4).

Q. What happened next?

A. We were on the left, moving ahead and burning huts and killing people. I killed about 8 people that day. I shot a couple of old men who were running away. I also shot some women and children. I would shoot them as they ran out of huts or tried to hide.

Page 2 of 5 pages

LZ 410

~~LF~~
Q. Did you see anyone else killed?

A. Yes. I saw WX AR BO AAAT , and MOWER go into a hut and rape a 17 or 18 year old girl. I watched from the door. When they all got done, they all took their weapons, M-60, M16's, and caliber .45 pistols and fired into the girl until she was dead. Her face was just blown away and her brains were just everywhere. I didn't take part in the rape or the shooting.

Q. Did each of these men - AR WX BO AAAT , and LR - have sexual intercourse with that girl?

A. Yes they did.

Q. Did each of them - WX AR BO AAAT LR fire into the girl after the act of intercourse was completed?

A. Yes they did.

Q. Did you see anyone else killed?

A. I witnessed a lot of people being killed, but there was a lot of confusion going on and I can't relate details of every killing I saw. I estimate there were 400 people killed in MyLai(4). I would like to stress that everyone was ordered by DS to kill these people; that the killing was done on his orders.

Q. You said you saw a ditch full of people. Please tell me about that?

A. The First Platoon had been there and gone when we arrived. We saw an irrigation ditch with 30-40 dead Vietnamese in it. They had all been just killed. Some had been killed in the ditch and some had made it to the top of the ditch, but they were all dead. I don't know who did this by name, but it was the First Platoon.

Q. Did you see a helicopter that day at MyLai(4)?

A. I saw a Huey land that day at MyLai(4). We were chasing some people through a field or they were moving ahead of us because they knew they were going to be killed and the helicopter landed between us and the people and took them out. I didn't see anyone talk to the people in the helicopter.

Q. Did anything unusual happen that night after you were in your night defensive position?

A. Yes, the National Police killed two or three Vietnamese and showed their bodies to some other suspects. I didn't see any American's take ~~LF~~ part in this, but heard the next day from DS's radio man that DS had killed one of them by shooting around him to scare him and then shooting off a finger and then finally by killing him with a shot between the eyes.

Statement of :

9 Nov 69, cont'd

Q. [✓] I would like to show you a photograph album from Vietnam. Can you identify any of the photographs?

A. Yes, I identify the child and the woman as being the people I killed, as I said above. Then I see ^{RJ} He was a nice guy and didn't kill anyone to my knowledge. I also see ^{HR WN} and ^{DS} . I also recognize the Sergeant from the ^{4th} Mortar Platoon.

Q. Did you see ^{HO} in the village?

A. I saw him but didn't see him do anything.

Q. How about ^{ZG} ?

A. I saw ^{ZG} kill a Vietnamese man. I can't recall the details of this killing, but I am sure he killed someone.

Q. How about ^{HG}

A. I didn't see him do anything. He was just a big fake.

Q. Do you have anything to add to this statement at this time?

A. No sir.

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LZ
STATEMENT (Continued)

This portion of the statement form was not used.

AFFIDAVIT

I, LZ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of November, 19 69

(Signature of Person Administering Oath)

BBBP Investigator
(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ

(Authority To Administer Oaths)

6 PAGES OF 6 PAGES

LZ
413

5.01 5.01

STATEMENT BY ACCUSED OR SUSPECT PERSON		For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.	
PLACE	DATE	TIME	FILE NUMBER
	1 Sept 69	1700 hrs	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
FW			Civ
ORGANIZATION OR ADDRESS			
PART I. WAIVER CERTIFICATE			
I HAVE BEEN INFORMED BY BBZ			
OF 1st CID, Washington, DC.			
THAT HE WANTS TO QUESTION ME ABOUT <u>Murder, Violation of the Laws of War, Destruction of Property</u>			
OF WHICH I AM ACCUSED SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.			
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.			
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.			
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.			
<div style="display: flex; justify-content: space-between;"> 47220 (DO NOT) WANT COUNSEL, FW </div> <div style="display: flex; justify-content: space-between;"> 1 (DO) WANT WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. (Signature of Person, Do Questioned) </div>			
INTERROGATOR: CS		WITNESS: BBZ	
(Signature)		(Signature)	
BBZ			
(Typed Name and Organization)		(Typed Name and Organization)	
PART II. SWORN STATEMENT			
I FW WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH			
Q:	Before you make any statement I would like to ask you if you understand that the word "counsel" used in the above WAIVER CERTIFICATE means lawyer or attorney or attorney-at-law and do you understand that by stating "I do not want counsel" you mean you do not want a lawyer or an attorney or an attorney-at-law present during your questioning, even though such an attorney would be furnished to you free of charge? Do you also understand that the words "military counsel" as used in the above text means "military lawyer", and not "military superior"? FW		
A:	Yes, I understand. CS		
Q:	When did you go to Vietnam?		
A:	Sometime the last part of December 1967. I was assigned to the 1st Platoon, Company C, 1st Bn, 20th Inf, 11th Brigade. My Company Commander was DS		
Q:	Have you ever heard of Task Force BARKER?		
A:	Company C and two other Companies belonged to Task Force BARKER. I think it was Company B and A of another outfit. The CO of Company B got later killed in a helicopter crash with PA		
Q:	Have you ever heard of PINKVILLE?		
A:	Yes I have. I have in that area. My Lai(4) was also in this area.		
Q:	Who was your platoon leader during the Pinkville operation?		
A:	My platoon leader was HO Both times that I was in the Pinkville area. FW		
INITIALS		PAGE 1 OF 2 PAGES	
(INITIALS OF PERSON MAKING STATEMENT)			
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF, TAKEN AT, DATED, CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

DIA, 387, 2820

415

Statement of
continued.

FW

taken

dated 1 Sept 69,

Q: When were you the 2nd time in the Pinkville area?

A: The day before DW lost his foot. This must have been sometime in March 1968. I do not know the exact FW. This was the time that we went into My Lai(4) and when many civilians were killed.

Q: What was your job in the Company when you went into My Lai(4).

A: I was one of HO radio operators.

Q: Were you with HO all the time during that day in March 1968, when your Company went through My Lai(4)?

A: Yes I was either next FW him, behind him or close to him. Except when we landed outside My Lai(4) in a rice paddy. When we went through My Lai(4) I was with him all the time.

Q: On how many combat operations have you been with Company C?

A: I could not tell you but it were quite a view.

Q: FW showing you now Army Map Vietnam 1 : 50 000, Quang Ngai, Sheet 6739 II. Can you orient yourself on this map and point FW where the operation in the Pinkville area took place?

A: We landed to the West of a small village called My Lai(4) Pinkville we were told was a stronghold of the VC. The Headquarters of Task Force BARKER was on LZ DOTTIE, North West of My Lai(4) near Highway I. By looking at the map I also recognize Hill 85. This is where DW lost his foot on a mine. I have seen a similar map. However that map was larger.

Q: Prior to the assault on My Lai(4) did the Company receive a briefing?

A: Yes, the day before the Company received a briefing from DS. He told us the night before the assault, that the next day we would hit My Lai(4). He had been informed that there were VC and VC sympathizers. DS drew a map on the ground. He told us that when we would hit My Lai(4), B Company and A Company would be coming in from the back side. It has been a long time ago and this is what I remember. He also told us to destroy all food and animals. To destroy anything that would help the enemy. I do not remember if at this time we were told to burn My Lai(4). We were told that the people in My Lai(4) had been informed to leave the village. In a way the Company wanted to fight the enemy.

Q: Did DS during the aforementioned briefing instruct the troops to kill all the inhabitants in the village of My Lai(4)? With all the inhabitants I mean also women and children.

A: I do not remember him saying that. He said so much. I do not remember him saying to kill all women and children. Logically we would kill all the enemy. All that would run away from us or shoot at us.

Q: Was HO present during this briefing?

A: Yes he was.

Q: Did HO as the platoon leader also give a briefing prior to the assault on My Lai(4)?

A: Yes he did. He briefed the 1st platoon. He told us to take plenty of ammunition. As far as I remember at this time nothing was said about killing all the inhabitants. However we were instructed to kill all the animals.

Q: Will you relate to me in your own words what happened on that morning in March 68 at the village of My Lai(4) FW

FW

page 2 of 8 pages

Statement of

FW

taken at

, dated 1 Sept 69 Continued.

FW A: We left Landing Zone DOTTIE early in the morning. I was on the first lift. I remember KG being with me in the same helicopter. I was at FW time the radio operator for HO or at least one of the FW radio operators. I do not recall the name of 1 HO other radio operator. We landed in a rice paddy outside the village. HO had also come in on this lift. He was on a helicopter to the left of me. My helicopter landed near a FW in the rice paddy. I think there were 2 lifts, but it might have been 3. In my helicopter there were approximately 6 other soldiers. I only remember KG's name. After we landed we jumped out and waited for the rest of the 1st platoon to land and to get organized. Then we went "on line" and started to move towards My Lai (4). KG was to my left. I came upon the well I mentioned earlier. A Vietnamese threw his hands out of the well. KG shouted to shoot and I did. I missed and somebody to my right got him, by shooting in the well. I do not remember if I looked in the well.

Q: I am showing you now a photograph numbered # 12, depicting a dead Vietnamese in a well. Could this have been the well in which the Vietnamese was shot?

A: I do not know, because I did not look into the well.

Q: Will you continue?

A: After the incident at the well we kept moving to the village (My Lai (4))

Q: Do you remember seeing some civilians walking on a road near a hill at My Lai (4)?

A: Yes I seen about 10 or 12 civilians walking on the road. I do not know if they were men or women and children only. However they were shot at and I seen a few fall.

FW Q: Did you receive any hostile fire when you landed?

A: If I am not mistaken we received some sniper fire from Hill 85, but it was not heavy.

Q: Did you observe prior to entering My Lai (4) that about 50 civilians, comprising mostly of women and children being machine gunned?

A: Not prior to entering My Lai (4).

Q: Will you continue?

FW A: As I have said before we were moving towards My Lai (4). When I came into the village, near the outskirts was a hut. Also next to the hut was a tunnel complex. Some of the soldiers shot into the tunnel and about 2 or 3 small children and 2 women came out. One of the women and one of the small children, (2 years old) was shot. I cannot recall who shot them. We were moving fast into the village. Shortly after the incident at the hut HO joined up with me. He came from the left. DN was as far as I can recall to the right of me. Somebody hollered that they had rounded up some people in the southern section of My Lai (4). Then HO and I moved towards the southern section of the village, near the intersection of 2 paths. There were about 40 to 50 civilians. Mostly women and children of all ages. I do not remember seeing too many men. The children were between the ages of 1 to 10. The women were young and old. They were all massed together in a bunch. DN was now also with us. There must have been about 6 of them. Right now I only remember the names of HO and DN. I believe that GX who speaks some Vietnamese was questioning the villagers. However I am not sure. They were asked if there were any VC in the village. They said as far as I remember that there were no VC. I think it was DN who set up a machine gun. Is

Statement of FW taken at

dated 1 Sept 69, continued

FW I do not remember if at this time HO ordered DN to shoot. But I did see DN open up with a machine gun. At least I think it was a machine gun. It could have been a M-16, because now I remember that EA was carrying a machine gun. I seen the civilians fall. I think they were all shot. I do not know if they were all dead. I do not remember if HO at this time joined in the shooting. There was another soldier that shot at the civilians. However I cannot recall his name. HO did not order DN to stop shooting the civilians. That I know. However I cannot say that HO originally ordered DN to start firing. This is at least what I remember

FW Did HO say anything while DN was firing at the civilians? Not that I remember. When DN started to fire we started to move away towards the eastern and northern section of the village. I do not know what time it was when the above mentioned civilians were shot. We hit the village early in the morning. I think we went into the village around 7 o'clock and we must have left shortly after lunch. I think we left My Lai(4) around 1300 hours. HO and I moved towards the outskirts of My Lai(4) in the north east part. We came to a ditch. DV was already there. Another radio-operator, accompanied me and HO. I do not at this time recall his name. There were about 20-30 civilians standing on the bank of the ditch. Mostly women and children. All different ages. Anywhere from 1 to 10 years old. There might have been a few men. The women were young and old. They had no weapons. All the time that we had been in the village we did not encounter any resistance. I do not remember being shot at. HO then ordered DV and 6 or 7 other soldiers to move the women and children into the ditch. I cannot recall the names of the other soldiers. I do not know if DN was present. HO himself pushed some of the women and children in the ditch. I remember him hitting one with the butt of his rifle. I think it was a woman. After the women and children and the few men if any had been pushed in the ditch. HO and DV opened fire with their M-16's, which were on automatic. I think HO used at least 2 magazines. I do not know about DV. This happened all before lunch. There were some of the other soldiers that fired in the ditch, but I cannot recall their names. At this time they thought that all the civilians were dead and HO, myself and DV and another radio-operator moved up the ditch. I think that there were a few more soldiers that moved along with us.

Q: Are you sure that there were only 20-30 women and children in that ditch?

A: It could have been more. I did not count them, But to me it looked like 20-30.

Q: Is it possible that there was another ditch with about 50 to 100 civilians?

I mean a ditch where HO was involved in shooting women and children.

A: I was with HO after I joined up near the tunnel complex and was with him till we departed My Lai(4). I can only talk about the civilians (women and children) that were shot by DN and the 20 to 30 in the ditch. I did not see a ditch with 50 to 100 women and children. Anyway we moved up the ditch and we came to a Buddhist monk who was standing near a tree, about 2 to 300 meters away from the women and children that had been shot in the ditch. HO asked him: "Viet Cong Adau" FW

FW

page 4 of 8 pages

Statement of

FW

taken at

, dated 1 Sept 69, continued"

FW The monk shook his head and said : "No bialk". Then HO hit him with his rifle butt in the mouth. At this time someone hollered that a small baby, about 2 years old had crawled out of the ditch and tried to walk crying back to the village. HO walked back towards where the baby was and threw it back into the ditch. He then shot the baby with his M-16. I was about 2-300 meters away. I could see him throw the baby in the ditch, putting his rifle in the ditch and fire. There were some soldiers closer to the scene than I, but I cannot recall their names. HO then came back to where the monk was. He said a few more words to the monk. It looked like the monk was pleading for his life. HO then took his rifle, and pushed the monk from the bank into the rice paddy and shot him point blank. I and OV witnessed this.

Q: Was the monk armed?

A: No.

Q: Was there any reason to kill the monk?

A: No not at all. Then the other radio-operator received a message for HO to come to DS position, which was somewhere in the middle of the village. HO DV, the radio-operator, myself and I believe LI then went to DS position. When I was walking through the village I observed dead people all over. Mostly women and children. We were on the south side of the village when we went through. I think the 2nd or 3rd platoon went through the northern section. Our push through My Lai(4) was from East to West.

On my way to DS I must have seen about 10 - 12 dead women and children.

I do not think I seen any men. When we got to DS, they were talking about some weapons they had found. I want to add that before we left the ditch where the civilians were shot, a small bubble top helicopter landed near the ditch.

HO went over to the helicopter and had a few words with the pilot. I did not go to the helicopter with HO, because I had a whip antenna on my radio. When HO came back from the helicopter he said something to the effect, that the helicopter pilot did not like what was happening. HO further told us that he told the helicopter that he was running the show. The helicopter had landed previously and had taken some women and children out.

I think they captured a carbine and maybe one or two more weapons. DS then told us that we were going to move up to join up with B Company. By the time we were with DS most of the firing had stopped. We ate lunch in My Lai(4) and then left and joined B Company outside My Lai(4).

Q: Did DS mention anything about the shooting of the women and children?

A: Not in my presence.

Q: Did DS seen the women and children that had been shot?

A: I could not say.

Q: Did you see LI shoot any women and children?

A: I do not remember

Q: What about LX

A: I do not know.

Q: Did TV shoot anybody? FW

page 5 of 8 pages

FW

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Statement of FW

Dated 1 Sept 69, continued

FW A: I cannot say.

Q: Were all the animals killed in the village?

A: As far as I know they were all shot. I do not know how many.

Q: Did you shoot any animals?

A: Yes I shot a water buffalo/

Q: Did you shoot any women and children?

A: No. I did not. During that morning I fired my weapon twice. Once at the man in the well prior to going into My Lai(4) and I also shot at a man running across the rice paddy in the vicinity where the ditch was. Two of us shot at the same time. The man fell. I do not know if this man was armed. I did not go out there. I have to say that I actually shot three times. The water buffalo and the 2 men.

Q: How many women and children do you think were killed in My Lai(4)?

A: About a hundred. But it is hard to estimate. There was shooting all over the village.

Q: Was there ever an order given to the troops to start shooting women and children?

A: I cannot remember if during the briefing that DS gave us prior to the assault on My Lai(4) this order was given or not.

Q: Why then did the troops start to shoot women and children?

A: I cannot say. It just happened. I myself do not recall that DS gave such an order. It could have been that the troops wanted to get back at the Vietnamese for the casualties suffered on a prior operation. But this is only my opinion.

Q: Who gave the order to burn the village?

A: When I left the village the village was not burning. This must have been done by the rear platoon.

Q: Is it common practice to kill women and children on a combat operation?

A: No this was the first time I seen something like this.

Q: Was there any resistance in the village?

A: No. Not enough to kill the women and children. Why it was done I cannot say

Q: Did Company C suffer any casualties during the operation in My Lai(4)?

A: No. Only HR shot himself in the foot. Accidentally as the story goes.

Q: Can you tell me how many civilians were still alive when you left My Lai(4)?

A: As far as I know only two small children that had lunch with us. DS was present during this lunch.

Q: Was there an artillery barrage in the village before you moved in?

A: I do not think so. However the gun ships did some firing.

Q: Do you think that the gun ships were responsible for the killing of all the women and children?

A: No, not that many. Most of them were killed by Company C.

Q: Was any medical treatment given to the civilians?

A: Not that I know off.

Q: Can you remember the names of any other soldiers that shot at women and children?

A: The only ones I remember is DV HO, DN. I know some other did, but I cannot specifically point them out.

Q: Do you know RO

A: Yes, but if he was on this operation he would have been with DS FW

page 6 of 8 pages

Statement of

FW taken at :

dated 1 Sept 69 continued"

FW Q: Did any order come down to the troops after My Lai(4) to stop shooting civilians?

A: I cannot recall.

Q: Do you know something about HZ shooting a prisoner?

A: No.

Q: Did you see KE shooting any women and children?

A: No I did not. So many people were shooting. I cannot point out any individuals, except the ones I mentioned.

Q: Did you see EA machine gun any women and children?

A: No I did not.

Q: Why did nobody report the shooting of the women and children?

A: You just cannot ~~FW~~ jump channels. Some of us might have wanted to report it, but they could have been afraid.

Q: Do you condone the shooting of women and children in war?

A: No, I do not.

Q: I ~~FW~~ showing you now 17 photographs. Do you recognize any of the scenes?

A: Photograph numbered # 1 is Landing Zone DOTTIE. This is from where we departed to My Lai(4); Photograph numbered ~~FW~~ looks familiar. I cannot say however for sure; Photograph numbered # 11, looks like HR. However I cannot see his face.

Q: What about photograph numbered # 16, depicting dead women and children?

A: No I did not see this scene. It is not the ditch where the women and children were shot.

Q: Would you be willing to testify in court when called upon?

A: Yes I will.

Q: Can you tell me something about the incident the next day when DN lost his foot?

A: The next day we were going up hill 85. DS had given HO orders to move the men into position on the hill. HO was told not to go all the way to the top of the hill. He should stay at least 100 feet below the top of the hill. The reason for this being that it was mined. However HO went up further then he was told. I, ~~FW~~ KG warned HO DN and a few other soldiers accompanied HO

FW ~~XXXXXX~~ We moved up and placed a machine gun into position. Then we came down and DN was point men. HO behind DN and I followed. Then DN stepped on a mine. I noticed that some of the fragments of the mine hit HO

DN became hysterical and told HO: "That he DN had seen God and that God had punished him and that God would get HO if he did not get out of the field. The way DN was saying it it seemed like God had punished him for what he had done. DN was then evacuated.

Q: Is there anything else you can remember about the My Lai(4) operation?

A: No this is all I can tell you.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXEnd of Statement XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

FW

page 7 of 8 pages

STATEMENT (Continued)

Not Used
FW

AFFIDAVIT

FW
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE AND ENDS ON PAGE 8. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

FW
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of September, 1969

BBZ
(Signature of Person Administering Oath)

BBZ
(Typed Name of Person Administering Oath)

Art. 136(b)(4), HCMJ 1968

(Authority To Administer Oaths)

PAGE 8 OF 8 PAGES

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE 14 Dec 69	TIME 1700 hrs	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME FP	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
<p>FP WANTS TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>I entered the US Army on 19 Apr 66 at Seattle, Washington, and took my basic and Advanced Individual Training at Fort Ord, CA. I was assigned to C Company, 1st Bn, 20th Infantry on about 10 Sep 66 at Schofield Barracks, Hawaii and went to Viet-Nam with this unit, arriving there on 1 Dec 67. I was discharged from military service on 28 Nov 68.</p> <p>On 16 Mar 68 AB and my Platoon Sergeant was DA. Members of my squad, as best as I can recall, for that day were WC BA LC RD EE NNH OD LB EV and PPK. I am certain that WC KB LB FY OD NNH were in my squad on 16 Mar 68, but I am hazy in my recollection of the others. EEN was in my squad but was not along on the My Lai (4) operation, having been hurt his eye, I believe. AL was killed in action in early July 68.</p> <p>First of all, I would like to say several things about WC and DS. I have read the LIFE magazine article, and, from what WC said in that, I say that WC is lying. First of all, he was not the squad leader, I was. He was in my squad. He was in the general area that I was in all throughout the My Lai (4) operation, and I did not see any group of civilians come running towards us down the trail, and I know that members of my squad did not fire at and kill any civilians, such as he said that we did. WC in my opinion, is a "glory hunter", always having to be the center of attention or attraction. He was always saying that he was this, that he was that, that he was a sergeant, etc. He even wore the pin-on stripes of sergeant at one time when I know that he was not a sergeant. He was just a "big-head" about himself all the time. He also was always "kissing ass" with the lieutenants and other officers.</p> <p>As far as DS is concerned, I can only say that, as a commanding officer, I believe that he was the greatest. I knew him a long while. He was the best CO anyone could have over there. The only persons who had anything bad to say about him are the ones who were his disciplinary problems. Even these people wanted DS back as CO after he had left the unit. He was not the revengeful type of person. I don't believe that he ever would mistreat any prisoner. He just is not the type.</p> <p>On 15 Mar 68, late in the afternoon, I attended a pre-operational briefing held by DS at LZ Dottie. The whole company was there. During his briefing, DS said in effect that the villagers of My Lai (4) had been warned of a coming attack by overhead loudspeakers, and that they were to evacuate the village. He also implied that there should not be any civilians in My Lai (4), and that anyone found there was either a Viet-Cong or North Viet-Nameese Army. In fact, I think that it was mentioned that a VC headquarters was located in the village. DS broke down the various missions of the company's company's units in platoon operations. He also said something to the effect that the village was to be destroyed, hootches burned, and the animals to be slaughtered.</p> <p>Q: What did he say about anyone found in the village?</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT FP		PAGE 1 OF 7 PAGES
<p style="font-size: small;">ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u> </u> TAKEN AT <u> </u> DATED <u> </u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u> </u> OF <u> </u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

DA FORM 2823 JAN 68

423

P

STATEMENT OF John H. SMAIL TAKEN AT REMON, WASHINGTON DATED 14 December 1969
CONTINUED:

A: I don't recall what he said, but, since I was under his command for a long while, I know that he is not the type to take revenge. I say "revenge" because of the incidents where he lost a lot of ~~men~~ men in minefields, etc, a few days before the My Lai (4) operation.

Q: What impression did you have when the briefing was over?

A: Well, I did not anticipate finding any civilians in My Lai (4) and I don't know what he said about any that we might find in the village. It was usual practice to gather up all civilians when we went through a village, gather them together, separate all military age males from the other, ~~questioned them~~ question them, hold them until we completed our operation, evacuated them if they proved of a value, and otherwise released them when we moved on. This practice, of course, varies according to what orders we received, but usually also we burned huts, killed the animals, destroyed large quantities of rice if we had indications that the village was being used by the VC. I recall that we had orders to burn down My Lai (4). After the briefing I returned to my bunker. I was scared of the next day's operation because I thought that we would be going into something really bad. Because we really thought that we were going into "hell" we all carried extra ammo and claymores, etc.

On the morning of 16 Mar 68 I was to go into My Lai (4) on the last lift. Because my ~~assigned~~ assigned chopper was filled up, I had to look for another way to be lifted out. I was almost left ~~behind~~ behind. I took a lot of razzing for this. At any rate, I was among the last to be lifted out. When my chopper reached the landing zone, on the west end of the village, I jumped out and headed for the nearest dike. My squad was with me. We sat there in that place for almost an hour. During this hour period, I know that ~~DS~~ DS and his command group were in the vicinity. The mortars were set up near to his group. Also during this hour, ~~the~~ the squad, led by ~~XB~~ XB was sent off to the southeast to check out some brush. While this squad was off in the brush, we saw someone, I think a woman carrying a child, running ~~off~~ ff towards the southwest. Anyway, at this time, ~~WC~~ WC stood up, and with his M-16 on full automatic, fired in that direction. This made me mad and I jumped all over him for it. The reason that I got so mad was the fact that ~~WC~~ WC was firing, automatic, from the hip, directly towards the ~~position~~ position where ~~XB~~ XB squad was located, and he could have killed some or all of them for his actions.

Also during this waiting period - 3rd Platoon was being held in reserve - I heard from someone that a chopper had gone in on a nearby hill and seized a 82mm mortar. I don't know for sure since I did not see this happen.

When I landed from the chopper, the 1st and 2d Platoons had already moved into the village. I did not see them, but I heard firing of some sort inside the village. To the best of my knowledge it was firing by our troops. I don't recall being shot at at all during the entire My Lai (4) operation.

After my platoon received word to move forward, I entered the village at about the midway point of the west edge. ~~DS~~ DS command group stayed behind us. After going into the village, I just sort of wandered around, gradually moving towards the center of the village. I saw artillery craters, fresh ones, and it appeared to be that some of the buildings were badly torn up by shrapnel. At some point in my wanderings through the village with my squad, we shot up a buffalo. I recall that a combat photographer was there as we shot the buffalo several times. The animal

INITIALS ~~JP~~

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STATEMENT OF *FP* TAKEN AT RENTON, WASHINGTON DATED 14 DECEMBER 1969
CONTINUED:

just would not die. This, I think, was the incident mentioned in LIFE magazine. I recall that *KB* among others, was with me then.

Q: *FP* I'm going to show you some photographs which were, reportedly, taken in My Lai (4) on the day of the operation. Please examine them closely and tell me if anything in them reminds you of anything.

A: I recall the scenes shown in photographs #5, #11, ~~X~~ #19, and #18. #19 shows a man named *HR* with a wounded foot. I cannot recall the names of the other two men. Photo #18 shows *LT* in the foreground and *WA* in the background. I seem to recall that they were in *XB* squad and this photo may be of them as they moved off to check out the brush off to the southeast. I don't know for sure though. Of course, some of the pictures are ones that I saw in LIFE, but I cannot recognize anything in the other photos.

FP As my squad and I moved through the village I saw what seemed to me to be an "excessive" amount of bodies. I say "excessive" because I had not seen that many bodies in any of our operations. I would estimate that, all together, in the ~~XXXX~~ village, there were about 40 bodies that I saw. These bodies were scattered about, one here, two there, etc. They were men, women, children, old and young, some of the children from baby age to age 5 and older. At one point I ~~SA~~ saw a group of bodies together - about 12 in number - lying on the left side of a north-south trail. I could not make out what had caused their death - shrapnel or gunfire. This group also had men, women and children. I don't recall the exact location of this group, but it was deep inside the village someplace. I was moving south, towards the southern edge of the village at the time that I saw this group.

Shortly after passing this group, I and someone else from my squad which I believe was *LB* was standing and talking about a wounded boy which we were looking at. The boy appeared to be about 5 years old. He had had his left hand and wrist blown, or shot, off, was bleeding heavily from his stump, had what appeared to be his nose shot off and other wounds on the left side of his head. As far as I could tell, this boy was "walking dead". He was so seriously shot up. As we stood there,

DS command group passed us up. A soldier named *WN* a member of the command group, was lagging about 20-25 yards behind *DS*. When *WN* came up to where the boy was he took his M-16, which was on full automatic, pointed it at the boy, turned his head away so that he could not see the boy, and fired his M-16, killing the boy. *WN* was about 3 feet away from me at that time, on my right front. I saw *WN* kill this boy by this shooting of him. The boy, who had been standing there, holding his shot-off arm, was knocked down dead.

This is the only actual shooting of any civilian in the village by any American personnel that I saw. In fact, I never saw anyone alive, except for this boy, in the entire village.

A little later on, my squad and I passed by where *HR* was having his foot bandaged. I did not actually see *HR* at this time but I heard from ~~XXXXXX~~ someone unrecalled that *HR* foot had been wounded accidentally as he was backing out of a tunnel. It seems like the entire company was there in that area, just sort of milling around. I cannot recall my movements at all. In fact, on the map that you have shown me, I cannot recall my being any particular place in the village. I could not trace my movements at all on the sketch. I remember, however, that at some point when *KB* and I were near the north edge of the village, *KB* asked me "Is it always like ~~KB~~, this?" He was actually getting sick from seeing all the bodies lying about, and this was his first operation in the field.

INITIALS *FP*

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STATEMENT OF *FP*
CONTINUED:

DATED 14 DECEMBER 1969

Q: Besides the one group of bodies that you mentioned, and the other bodies which were scattered about the village, what recollection do you have of other "stacks or piles of bodies"?

A: I don't recall seeing any other piles, groups or stacks of bodies at all. I do not recall anything about any bodies lying on a trail, such as shown in the photograph or anyplace else.

Incidentally, I would like to say that, all throughout our movements in the village, I do not recall seeing or hearing any member of my squad shoot any people. The only thing that any of us shot at, to the best of my knowledge, was the water buffalo. This is another thing about *we* magazine article that is not the truth. The story told by *LB* in LIFE magazine is much nearer the truth, as he told it like it was.

Q: Was your squad involved in the burning of the village hootches?

A: Yes, it was. We were more or less to go through the village and get anything that was left, and if a hootch was not on fire when we passed it, we burned it.

Q: Continue on with your movements in/around/through the village.

A: Well, at ~~the~~ some point in time, later on in the day, before the company moved on, I was over on the south side of the area marked as "DITCH" on your sketch map. On the bank of the ~~ditch~~ ditch near the village I saw some VN Policemen questioning some prisoners. I heard that they were cutting off fingers to get answers. I did not see them do so, but I saw the ~~the~~ knife. A little later I heard shots behind me. This shook me up ~~because~~ because I thought that we were being ~~XX~~ fired on. I turned around and saw the bodies of these prisoners lying scattered in the ditch.

Later, the company moved on towards the beach. I don't recall whether or not we swept through any more villages that day or whether we swept through them the next few days. We stayed someplace overnight. The other villages that we passed through were empty but we found lighted candles, fires lit and food cooking. So, evidently the people just moved out ahead of us. Anyway, we saw very few live people after that.

Q: Let's go back for a moment to the My Lai (4) operation. What do you know of personnel from other units, working with C/1/20, such as chopper personnel or demolition Engineer types?

A: I don't know any of the chopper people. I do recall an Engineer demolitions man and his buddy. One was a Negro GI that we all called "Hotshot", but I can't identify these two ~~men~~ men any further.

Q: What do you know of weapons being captured or seized?

A: Well, I heard about the 82mm mortar being taken up on the hill, and I think that *X B* squad picked up a weapon over in the brush. I don't recall seeing or ~~hearing~~ hearing of any others.

Q: You mentioned the shooting of some prisoners by National ~~Police~~ ^a Policemen. Were there any Americans in that group doing the questioning?

A: Yes, I think so, but I don't know for sure.

Q: What do you know of other prisoners taken?

A: Well, during the last days of the four day operation, I saw ^a woman prisoner, believed to be a VC nurse, and two other men who were captured with her. She was taken in a tunnel where medical supplies were also kept.

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STATEMENT OF
CONTINUED:

FP

TAKEN AT RENTON, WASHINGTON DATED 14 DECEMBER 1969

Q: What happened to these prisoners?

A: Well, I saw a GI, called CF carrying this woman towards where the company was stopped in the beach area. She was unconscious at the time that I saw her. We all heard from RL somewhere that she had syphilis and sores. I was able to see that, when CF was carrying her, she did not have a blouse on.

Q: Did you see or hear of this woman being raped at any time, and what was done with her?

A: I know nothing about her being raped. Later on I saw her being evacuated by chopper. I am not too sure but I believe that the two men who were captured with her were also evacuated on that chopper. These two men had been teased somewhat by our people, but I did not see them mistreated in any way at any time. By "teasing" I mean that they were sort of pushed around a little bit they were not hit by anyone or otherwise hurt in any manner.

Q: Please tell me what you can recall about the bivouac that first night?

A: Well, some old woman was yelling and some of the men fired off towards ~~the~~ the sound. At least it sounded like an old woman who was yelling. ~~we~~ ~~fired~~ ~~some~~ ~~grenade~~ ~~rounds~~ ~~towards~~ ~~the~~ ~~sound~~, and some of the other men fired ~~their~~ ~~weapons~~ at it. I don't believe they hit her since the yelling continued all night. It was an eerie sound, real spooky.

Also, sometime during this bivouac, I fired a machine gun towards some men, two I think, who were about 200 meters off and who were carrying some packs and ~~some~~ ~~weapons~~. I don't know if I hit them or not. They flopped down behind some dikes and I never saw them again. I was not about to go out and check to see if I hit them either. As far as I know, no one in the company ever went out to check on them. This ~~happened~~ happened late in the day. It was still daylight.

Q: What do you know about any Viet-Names being dropped into a well?

A: Nothing at all. Never heard about it either.

Q: Did you ever see or hear of ~~DS~~ shooting a woman?

A: No.

Q: Did ~~you~~ you ever see or hear of ~~DS~~ questioning any prisoners?

A: No, nothing.

Q: What do you know about a helicopter landing at anytime during the My Lai (4) assault?

A: Nothing.

Q: What do you know of any cease-fire orders being passed during the operation?

A: I never did hear of any such order, and in that sort of situation it was not common to hear one.

Q: What do you know of personnel on the operation who had a camera, took pictures, gathered up souvenirs, and picked up or retained various documents pertaining to the operation.

A: I had my camera along and I took a roll of 12 pictures. Other than this, I don't know of anyone else who took pictures. Other than the combat photographer, that is. I don't know of anyone having any souvenirs or documents.

Q: Will you release your pictures and negatives to me on a receipt?

A: Yes. I have 8 pictures and 12 negatives which I'll release to you.

Q: What knowledge do you have of anyone being "high" on marijuana or dangerous drugs before or during this operation.

A: I ~~know~~ know nothing about them at all.

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STATEMENT OF *FP*
CONTINUED:

DATED 14 DECEMBER 1969

Q: What do you know of a meeting held by *DS* after the My Lai (4) operation?

A: Nothing. If such a meeting was held, I heard nothing about it.

Q: Now, let's go into what you have heard about the operation. Tell me what you have heard from other about what they saw or did.

A: Please understand that I cannot recall who told me these stories. I do know, however, that I did not hear of these stories from the people mentioned in them.

I heard that a man, named *FEJ* who carried a long bowie knife with him all the time, killed a prisoner by standing the man up against a building and then killed him by throwing the knife into him. How true it is, I don't know.

I also heard that a man, named *DDF* killed a *1st-Nam* by stabbing him with this same bowie knife - the one *FEJ* belonging to *FEJ*. The story I heard had *DDF* twisting the knife after he stabbed the man with it.

AX is alleged to have pushed some people into a hootch and then tossing a grenade in after them.

Q: Are these incidents supposed to have happened in My Lai (4) *FP*

A: Yes, right in the village. There are other *FP* stories ~~also~~ also, but I can't recall them now. I can't recall any other *FP* all right *FP* now.

Q: What do you know about an investigation being conducted in *1st-Nam* about this My Lai (4) operation?

A: I heard from someone unrecalled that an investigation was being conducted but I was never questioned and I don't know of anyone who was questioned.

Q: What were your instructions or orders about reporting these types of incidents - the types you have talked to me about, such as the shooting of the wounded boy, the prisoners in the ditch, etc?

A: We never received any instructions about such things. The only orders that I can recall was that we were not to mistreat any prisoners that we took?

Q: Did you report these incidents to anyone?

A: No.

Q: Prior to this date, has anyone other than your superiors questioned you about the My Lai (4) incident?

A: No.

Q: By anyone?

A: No.

Q: Did you discuss this incident with your superiors?

A: No.

Q: Were you advised by your superiors not to discuss this incident with anyone?

A: No. I would like to point out that, at some time during the *4* days of the operation, *GP* came into our area by chopper. I did not see *AX* him at all when he came in. I heard that he was really mad about something and that he chewed *DS* out badly. I don't know what it was about however. On the day that we moved back to our base camp, I talked with *DS* for a while. We were alone at the time. I don't recall what we talked about, but, if anything was a golden opportunity, it was this time. *DS* to me, was worried, really worried, about something. He seemed to be badly shook up about whatever it was. He appeared to me to be worried as shown to me by his manner of talking and his expression. I don't know what he was worried about as *DS* made no indication to me. He could have told me to not say anything about the My Lai operation to anyone, but he said nothing like this.

INITIALS *FP*

Page 6 of 7 pages *FP*

STATEMENT (Continued)

Q: Were you advised by your superiors as to what your report should be in the event that someone questioned you about this incident?

A: No.

Q: Do you have any additional ~~XXXX~~ information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai (4)?

A: No.

Q: Let me ask you one last time. What knowledge, either direct or hearsay, of anyone in the unit shooting any civilians, armed or unarmed, anyone raping any woman at any time, or the mistreatment or killing of prisoners by anyone?

A: I know of nothing at all like this other than what I have already told you.

Q: Do you have anything else that you would like to add to this statement?

A: Yes, I think that is important for you to know that ~~HO~~ was so disliked by members of the unit that they had put a bounty on his head. This was a rumor that came to me several different times. The platoon members - his command - reportedly were the ones who put the bounty on his head. He was hated by everyone, long before we went to Viet-Nam. He was excitable, very nervous type, one who yelled a lot. None of the men had any ~~respect~~ respect for him as a military leader. In fact, he was not much as a leader, military-wise.

Q: Anything else?

A: I think that about covers it all. //////////NOTHING FOLLOWS////////////////////

AFFIDAVIT

I, FP HAVE READ THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

FP
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of December, 19 69

LV
(Signature of Person Administering Oath)

LV
(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ

(Authority To Administer Oaths)

PAGE 7 OF 7 PAGES

FOR OFFICIAL USE ONLY
STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-10)

AGE	DATE 14 Oct 69	TIME 1935 hours	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <u>GX</u> (M-Neg-6 Jul 48)	SOCIAL SECURITY ACCOUNT NO.		GRADE
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY BBBP
 OF 1st CID, Washington, D. C.
 THAT HE WANTS TO QUESTION ME ABOUT Murder, Violation of the Laws of War, Destroying Property
 OF WHICH I AM ACCUSED SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
 I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
 USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
 I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
 WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
 ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
 MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
 I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
 I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
 I DO NOT (DO NOT) WANT COUNSEL.
 I DO (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS.

INTERROGATOR <u>BBBP</u> (Signature)	LESS: <u>FFFW</u> (Signature)
<u>BBBP</u> 1st CID, Washington, D. C. (Typed Name and Organization)	<u>FFFW</u> Det D, 6th MP Gp, Ft McArthur, Cal. (Typed Name and Organization)

PART II - SWORN STATEMENT

I, GX JANMAN GX WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I joined the Army on 9 June 1967 and took basic training at Ft Campbell, Kentucky. I was then assigned to Company C, 1st Battalion, 20th Infantry, 11th Infantry Brigade, at Schofield Barracks, Hawaii, for advanced individual training. I remained in Hawaii until about 5 December 1967 when the Brigade moved to South Vietnam. I was in the 1st Squad, 1st Platoon, Company C, 1/20th Infantry. After we had been in Vietnam for about a week, HO was assigned to the unit as Platoon Leader, 1st Platoon. Shortly thereafter, DV was assigned as my Squad Leader. KG was the Platoon Sergeant, 1st Platoon. When we got to Vietnam, I was assigned as a rifleman, but after our first mission, I was given an M-79 and assigned as a grenadier. This was my basic job through the MyLai(4) mission.

During March 1968, my company took part in an operation around MyLai(4) in the Republic of Vietnam. I don't recall the date, but I am sure the month was March.

The day before the attack, I attended a company briefing which was conducted by DS. This briefing was attended by all of the Platoon Leaders and Platoon Sergeants and by most of the men in the company. DS told us that the intelligence had established that MyLai(4) was completely enemy controlled. He described the formations we were to use the following day and told us to carry extra ammunition. He ordered us to "kill everything in the village." The men

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>GX</u>	PAGE 1 OF <u>1</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of

GX

, taken at Ft McArthur, Cal., dated 14 October 1969

in my squad talked about this among ourselves that night because the order to "kill everything in the village" was so unusual. We all agreed that

DS meant for us to kill every man, woman, and child in the village. This was the only briefing. The following morning the Platoon Leaders and Platoon Sergeants got us in order for the helicopters, but did not brief us as such.

We boarded choppers and were flown to MyLai(4), arriving at about 0730 or 0800 hours. There were gunships and they were firing when we arrived. The door-gunners on the troop carriers were firing also. I saw no evidence of fire from the ground. I saw the rounds from the choppers striking in the village and in the tree-line. I saw no one killed as a result of this fire. The troop carriers stopped firing as we landed, but the gunships continued to fire at targets in and around the village for about 30 minutes. They quit about the same time that all of Company C, 1/20th Infantry arrived. I saw no one killed as a result of the fire from the helicopters.

I do not recall seeing any artillery fire on or around the village.

I was in the first lift. The squads of the 1st Platoon formed on a line and moved into MyLai(4). There was "on-line fire," which means that almost everyone armed with an M-16 was walking and shooting at the same time. Some old men, women, and children were running from the village as we approached, fleeing from us, but we received no fire from the village and I saw no signs of resistance. Before we actually entered the village, I saw an old man with a water buffalo in the paddy. He was wearing a straw coolie hat and no shirt. He was about 50 meters from me. The old man put his hands up in the air and then a lot of people from the 1st and 2d Platoons fired on him at close range and he was killed.

Q. Did any officer or Non-Commissioned Officer see the man killed?

A. HO was there and must have seen it. DV was there and was, himself, shooting at the man also. I was just behind DV at this time -- about 10 feet behind him -- and HO was within 30 feet of me at this time.

Q. What happened then?

A. We pushed on into the village then. When we got into the village, almost all of the men from Company C, 1/20th Infantry, killed everyone they saw, including old men, women, children, and babies.

Q. Do you recall any specific instances in which civilians were wantonly killed or wounded by U.S. Forces personnel?

A. Shortly after we went into the village, HZ -- a member of the 1st Squad, 1st Platoon -- came up from behind me with a man about 40-50 years of age. HZ had taken this civilian into custody. This man was wearing pajamas, black in color, and his shirt was either open or had been removed. I remember seeing his chest. HZ pushed the man up to where we were standing and then stabbed the man in the back with his bayonet, which was mounted on HZ's rifle. The man fell to the ground and was gasping for breath and then HZ killed him, either with another bayonet thrust or by shooting him with the rifle. (There were so many people killed that day it is hard for me to recall exactly how some of the people died.) As I recall, DM, FW, and DV were present when this happened and must have seen this.

Q. What happened then?

A. Right away, HZ turned to where some soldiers were holding another 40-50 year old man in custody. HZ picked this man up and threw him down a well. Then HZ pulled the pin from an M-26 grenade and threw it in after the man. The grenade exploded and I am sure the old man was killed. DM said, "That HZ has gone crazy," or words to that effect. DV and FW had to have seen this also, and I think OC may have seen this, too.

Q. Where did these two incidents take place?

A. This was at a well just off the main trail through the village and about middle way through the village. I can't think of any other landmark which would help pin down the location. DN is white, was then about 19 years of age, and was about five feet nine inches in height. He weighed about 160 pounds. He was an M-16 rifleman. Later that day at the far side of the village I saw HZ with DN and others. They were with HO. HO had forced about 75 people into a ditch and ordered DN and HZ and some others to fire into the people. HZ, DN, and the others did fire into the people, killing or wounding them all.

Q. What happened next?

A. Then we continued through the village and everyone with M-16's was shooting people, chickens, cows, pigs, and everything living. I saw DV kill several pigs by shooting them in the sides so he could wound them rather than kill them at once. He seemed to enjoy watching them die. In MyLai(4) I was with DV when an old woman ran out of a hut. She saw us and ran back inside. DV pulled the pin from an M-26 grenade and threw it into the hut after the old woman. The grenade exploded and I heard people and children crying in the hut. I considered this unnecessary. This took place near where HZ threw the man in the well.

Q. Then what happened?

A. I saw some old women and some little children -- fifteen or twenty of them -- in a group around a temple where some incense was burning. They were kneeling and crying and praying and various soldiers from Company C, 1/20th Infantry, walked by and executed these women and children by shooting them in the head with their rifles. The soldiers killed all 15 or 20 of them, but I can't identify any particular American by name who did this. This happened at a temple near a trail junction in the middle of MyLai(4). I knew DV saw this. GK may have seen it, but I can't say for sure.

Q. What happened then?

A. We moved on into the village and waited for a radio call or something from the Captain to the Lieutenant. While we were holding up, some men from the 2d Platoon, Company Ck 1/20th Infantry, came up with some women and girls and little children they had taken into custody. WC was in charge. He was with FX and others in WC's squad. (WC and FX are both Negro.) may have been with them. DDR is also a Negro.) HR was with me and I knew he saw what happened next. WC, FC, and the others were opening the girls' blouses and trying to play with their breasts and the girls were trying to cover up. An old woman came between the soldiers and the girls trying to help the girls. There were two PIO men there, too, one with a camera and he took some

Statement of C-X, taken at Ft MacArthur, Cal., dated 14 Oct 69

photographs. Then WC said, "Let's waste them," and WC and FX and the others with WC fired automatic rifle fire from their M-16's into the group, killing all of them except one child of about four or five years of age, who was left standing. Then someone shot and killed this child. There were about six women and girls and three or four children. I do not recall whether or not any officer or Non-commissioned officer saw this incident. This was near where HR shot himself and took place before HR shot himself.

Q. What happened then?

A. We moved on up a trail and were holding back waiting for the Commanding Officer to come up and I saw WN come down a trail. WN was one of ^{DS} a radio operators, but he wasn't wearing any radio equipment when I saw him. There was a four or five year old Vietnamese boy on the trail. He had been wounded in the stomach and was crying. WN said to HR, "Let me see your pistol," and HR handed WN his issue caliber .45 pistol. WN stepped to within two feet of the boy and shot him through the neck with the pistol. Blood gushed out of the boy's neck and he tried to walk off but could only make two or three steps and then he fell onto the ground. He lay there and took four or five deep breaths and then he stopped breathing. WN said, "Did you see how I shot that son of a bitch," and I said, "I don't see how anyone can just kill a kid." HR saw this shooting, but I can't recall anyone else witnessing it. Then HR got his pistol back and sat down.

WN walked off. I sat down where the two trails meet, facing away from where HR was sitting. HR was quite neurotic about the killing and said, "I can't take this no more," and then I heard the gun go off and HR yelled. I went to HR and saw he had shot ~~x~~ himself in the foot. I believe that HR was in such an emotional state that he was capable of shooting himself on purpose. I called "Medic! Medic!" and then cut HR's boot and sock off and was ready to put on a bandage when a medic came and I turned the job over to him.

DS came up then with the Headquarters element and watched while they medicated HR.

Q. Did DS see any of the killing that was going on in MyLai(4)?

A. He must have seen it because of the number of bodies around.

Q. What happened then?

A. Then the 1st Platoon backtracked into the village and HO sent someone to get me so I could interpret for him. I went to HO and found him on the far side of MyLai(4). LI was there as were HZ, DN, JU, DV, DN, FW, LX and some others. I believe EFF was there and think OC, OC (deceased) and a friend of KC who was also killed later were there. HO had approximately 75 Vietnamese in a group guarded by members of Company C, 1/20th Infantry. In the group were old men, some women, and some children. There were more women and children than men. There was an old lady on a bed -- she had been sick but she had been wounded, too, I believe -- and there was a priest in white praying over her.

LI was there interpreting, but he couldn't get anything from them. Lt HO told me to ask about the NVA and where the weapons were. The priest denied being in the NVA or VC and then HO pulled the priest a few feet away from me and shot him with DN's M-16 rifle. He shot the priest

Statement of G X, taken at Ft MacArthur, Cal., 14 October 1969

in the head or upper body. The old woman got up then and someone shot her, too.

Q. Then what happened?

A. Then HO issued the order, "Push those people into the ditch!" and the soldiers at the scene pushed the Vietnamese into the ditch. I know HZ, EEF, DN, and HO pushed people into the ditch. As I recall, LT GALLEY hit one of the women on the head with a rifle while pushing them into the ditch. HO said, "DM, load your machinegun and shoot these people." DM said, "I'm not going to do that." Then HO, DN and KG fired into the people with M-16's on automatic fire. I know they fired. I believe LX, GT, EEF and perhaps DV fired into the people also. I don't remember anyone else firing into the people in the ditch. The people in the ditch kept trying to get out and some of them made it to the top, but before they could get away they were shot too. The people firing into the ditch kept re-loading magazines into their rifles and kept firing into the ditch and then killed or at least shot everyone in the ditch.

Q. Did you see anyone in the ditch who was wounded in such a manner that he must have died?

A. Yes. There were a lot of people in the ditch with their heads blown open who must have been killed by HO, DN, HZ, and the others. There had not been anyone in the ditch before HO forced these people into the ditch and the only cause of death among these people was the rifle fire of the U.S. Forces personnel.

Q. And then what happened?

A. Then we moved on out to the other side of the paddy and set up a perimeter.

Q. Did you go back into MyLai(4) for any reason?

A. Yes. DV and our entire squad went back into the village to set up a blocking force while the 3rd Platoon burned the village.

Q. Did you see DV shoot anyone in the ditch?

A. He was there, but I can't say whether he fired or not; he may have.

Q. Did you see an H-23 helicopter land?

A. Yes. This was after the shooting in the ditch. Our squad was moving across the paddy and it landed in the paddy we were crossing. They put an old man or an old woman into the chopper. I only saw it once that I remember. HO talked with the pilot, but I don't know what was said.

Q. Did you shoot anyone in MyLai(4)?

A. No I did not. I was armed with an M-79 grenade launcher and high explosive rounds. I had four M-26 grenades. I did not fire any weapon and I did not throw any grenades. I am friendly to the Vietnamese and taught myself some of their language and did not believe in killing innocent women and children. In other actions where there was combat, I did my share, but MyLai(4) was not combat.

Statement of CX

, taken at Ft MacArthur, Cal., 14 October 1969

Q. Did you see an old man taken out of a hut and shot?

A. Shot in the head. I remember someone had an old man and shot him, right in front of me, but I don't recall who had him or who shot him.

Q. I show you a unit roster of Company C, 1/20th Infantry. Will you comment on any of the names there.

A. Yes. I've told you everything I know about DV ..

Concerning AAAE . When we first went into the village, AAAE shot at a running Vietnamese five times before he hit the person. DN and AAAE went to the body, they discovered it was a woman and that she was carrying land titles, deeds, and similar documents in a flare launcher tube. The documents were given to HO .. I consider this shooting justified because AAAE could not tell that the person was a woman and the flare launcher looked like ordnance from a distance.

Concerning KC : before we went to MyLai(4) KC cut a Vietnamese girl's hair off and made a decoration for his helmet with it. At MyLai(4) I did not see him shoot anyone. At MyLai(5) or (6) he captured an NVA or VC nurse. When I first saw him, he had knocked her out and was carrying her over his shoulder. He had removed her blouse and her breasts were exposed. He told me he had intended to have sexual intercourse with the girl, but she had been too dirty. I don't know what happened to the nurse. I think she was taken out in a helicopter.

Concerning HR . and HO I — something I didn't tell you before: That is, at Landing Zone Uptight, before MyLai(4) ever happened. we were on a Platoon patrol with 1st Platoon, Company C, 1/20th Infantry. HO was there. HR and I were there. FW, OC, and DV were there. LI was acting as interpreter for HO . They had taken an old man into custody for questioning. HR was standing with HO and I was within 10 feet at the time of the incident. HO asked some questions and then HR hit the old man in the mouth twice with his fist. Then HR pushed the old man into a well, but the old man spread his legs and arms and held on and didn't fall into the well. Then HR hit the old man in his stomach with his rifle stock. The old man's feet fell into the well, but he continued to hold on with his hands. HR hit the man's fingers, trying to make him fall into the well and then HO shot the man with his M-16. I was within 10 feet, but couldn't see into the well from where I was standing and so I don't know what effect the bullets had, but the man fell into the well and I believe he was killed.

Concerning DDR: I heard that DDR killed a lot of people in MyLai(4) and believe that he and WC and FX were in a contest to see who could kill the most people.

Concerning LX : I believe he was shooting people in the ditch with HO , DN, HZ, and others. He was on my left when I went into MyLai(4) and he was shooting everything and every Vietnamese he saw.

Concerning DR : I have seen him beat up on Vietnamese on numerous occasions before MyLai(4).

Q. During the action in MyLai(4) was any word passed to stop killing civilians?

A. Not to my knowledge.

Statement of

GX

, taken at

14 Oct 69

Q. Other than when HR was evacuated by helicopter, did you see DS in MyLai(4)?

A. No.

Q. Did you see RJ in MyLai(4)?

A. He was with DS. I didn't see him doing anything significant.

Q. Did you see the Vietnamese National Police at MyLai(4) or in the vicinity of that village?

A. Yes, not in MyLai(4), but later at a nearby village I saw them beating a man. This was in our CP area after we set up our perimeter for the night.

Q. Was there an investigation of the incident at MyLai(4)?

A. Yes, when we got back to LZ Dottie, some Colonels asked each of us if there had been any unnecessary killing at MyLai(4). I answered that I hadn't see any unnecessary killing. Everyone else said the same thing. I don't know who these colonels were.

Q. Would you be willing to testify in a court martial or other court of law?

A. Yes I would.

Q. Now that you have read your statement, is there anything you would like to add to the statement or anything you wish deleted from the statement?

A. Yes, I would like to state that in my opinion there were at least two hundred and twenty-five people killed by Company C, 1/20th Infantry, in MyLai(4).

Q. Do you have anything else to add to this statement or to delete from this statement at this time?

A. I want the statement to stand the way it is.

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STATEMENT (Continued)

NOT USED

AFFIDAVIT

I, GK HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 8. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFW
FFFW
Det D, 6th MP Gp, Ft MacArthur, Cal.
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

GK
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of October, 1969 at Ft MacArthur, California

BBBP
(Signature of Person Administering Oath)

BBBP
(Typed Name of Person Administering Oath)
Art 136(b)(4) UCMJ, 1969

(Authority To Administer Oaths)

PAGE 8 OF 8 PAGES

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STATEMENT BY ACCUSED OR SUSPECT PERSON		For use of this form, see AR 195-10; the proponent agency is Office of The Provost Marshal General.	
PLACE	DATE	TIME	FILE NUMBER
	3 Nov 69	1130	69-CID011-00014
FULL NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
LY			SP4 E4
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE	
I HAVE BEEN INFORMED BY <u>BBZ</u>	
OF <u>Army CID</u>	
THAT HE WANTS TO QUESTION ME ABOUT <u>murder, vio. of the laws of war, destr. of priv. property</u> OF WHICH I AM <u>ACCUSED</u> OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.	
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.	
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.	
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME, ALSO, I MAY REQUEST COUNSEL AT ANYTIME DURING QUESTIONING.	
I <u>(BBZ) (DO NOT)</u> WANT COUNSEL.	
I <u>(BBZ) (DO NOT)</u> WANT TO MAKE A STATEMENT AND -	
(Signature of Person To Be Questioned)	
INTERROGATOR: <u>BBZ</u>	WITNESS: <u>FFFI</u>
<u>USA</u>	<u>FFFI</u>
(Typed Name and Organization)	(Typed Name and Organization)

PART II - SWORN STATEMENT	
OATH: I, <u>LY</u> WANT TO MAKE THE FOLLOWING STATEMENT UNDER	
Q: Before you make any statement I would like to ask you if you understand that the word "counsel" used in the above WAIVER CERTIFICATE means lawyer or attorney or attorney-at-law and do you understand that by stating "I do not want counsel" you mean you do not want a lawyer or an attorney or an attorney-at-law present during your questioning, even though such an attorney would be furnished to you free of charge? Do you also understand that the words "military counsel" as used in the above text means "military lawyer", and not "military superior"?	
A: <u>Yes. I understand.</u>	
Q: When did you originally go to Vietnam?	
A: I came to Vietnam the first time in Dec 67. I was a part of <u>Company C</u> 1st Bn, 20th Inf, 11th Bde. My company commander was <u>OS</u> I was a member of the second platoon of company C. I was an RTO and also an ammo bearer at various times.	
Q: Have you ever heard of Task Force BARKER?	
A: Yes. Company C and two other companies were part of Task Force BARKER.	
Q: Have you ever heard of Pinkville?	
A: Yes, the Company operated in the Pinkville area.	
Q: When was the first time that you went into the Pinkville area?	
A: In the first part of 68. <u>LY</u>	
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT
	<u>LY</u>
PAGE 1 OF <u>6</u> PAGES	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u>LY</u> TAKEN AT <u> </u> DATED <u> </u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u> </u> OF <u> </u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.	

DA FORM 2820

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STATEMENT OF
CONTINUED.

TAKEN A

DATED 3 Nov 69,

- Q: On how many combat assaults were you on during the first year you were in Vietnam?
- A: About 5 or 6. I cannot be exact.
- Q: Is there any assault during your first year that stands out in your mind?
- A: Yes, there was one where women and children were killed.
- Q: Do you remember the date of this assault?
- A: I do not remember the exact date, but it was sometime in March of 1968.
- Q: Do you remember the name of the little village that was assaulted by Company C sometime in March of 1968?
- A: No, all I remember was that it was in the Pinkville area.
- Q: Who was your platoon leader during this operation in March of 1968.
- A: ZG
- Q: What type of an officer was DS ?
- A: He was the best Company Commander I have ever had. I would go into combat any day of the week with him. He had a great ability to make right decisions. By his sound judgment, he probably saved many lives. He always stood up for his men as best he could under the conditions.
- Q: What type of man was ZG in your opinion?
- A: He was the best 2LT I have worked with in the field. He had good judgment and was good at maps.
- Q: Do you know HO ? What type of man was he?
- A: Yes, I was his RTO for a little while. He messed up, he just wasn't cut out for the job. He was easily excited. Most of the people in the company considered him a "dud". He was not well liked, because he didn't know what he was doing and could be the cause of people getting killed. If I remember correctly, he was moved around. Nobody wanted to work with him. He spent a good deal of time with the mortarmen where he would do the least damage. His platoon SGT would make most of the decisions.
- Q: I am showing you now Army map of Vietnam, 1:50,000, Quang Ngai, Sheet 6739 11, Series 17014. Can you orient yourself on this map and point out the village which was assaulted in March 68 in the early morning?
- A: I was not in a position to look at a map, so I cannot point it out. However it was near LZ DOTTIE and close also to LZ UPTIGHT. On this particular mission we took off from LZ DOTTIE on highway #1 near a church and an old compound with trenches around it.
- Q: What was your job during this particular mission in March of 1968?
- A: I was the ammo bearer for the M-60 machine gun. The machine gunner was BO
- Q: Have you ever heard of My Lai (4)?
- A: No, that does not ring a bell.
- Q: Was the combat assault on the village in March of 1968 different from any of the others you were on?
- A: Yes, this was the only time women and children were killed.
- Q: Did company C receive a briefing prior to the assault in March 1968 on this particular village?
- A: Yes, we had a briefing from OS. He drew a map on the ground showing the area in which we would go the next morning. He explained the operation, and he said this was the place where the Company had suffered casualties before. At times when we came to the river at the edge of the operation area, we had always gotten trouble. We couldn't cross the river. There was a causeway in the vicinity of that river which I have crossed.
- Q: What else did OS say?
- A: He said that there were Viet Cong forces, maybe a battalion, in that area. He said the villagers were feeding the Viet Cong. According to LY intelligence, VC troops had been seen marching through the village. The LY

STATEMENT OF
CONTINUED.

LY

TAKEN AT

LY ARVN's supposedly had seen this.

Q: Did DS at any time tell the men that they should kill the inhabitants. "anything that moves," destroy the crops and burn the village?

A: No. He didn't order anything like that.

Q: Did ZG brief the 2d platoon prior to the assault?

A: Yes. He explained to us the five paragraph operation order.

Q: Did ZG order the 2d platoon to kill inhabitants, "anything that moves."?

A: No he did not.

Q: What was the reaction of the 2d platoon after the briefings by ZG and DS?

A: Anytime they tell you that a battalion of VC is around, we expect trouble. I was not too worried, because they always tell us to expect trouble and it most of the time turns out not to be true.

Q: Did company C go into the village in question in order to take revenge for casualties taken in prior operations?

A: It turned out to be. However, at the time that was not the intention. We could not say that it was premeditated. We heard the gunships firing, so I for one thought there must be resistance, so we went in shooting. It was like a chain reaction. We kept up the fire when we moved through the village. We are taught in training to lay down fire, keep as much lead going as possible to cut down the return fire. Once a firefight starts, you cannot tell if the fire is outgoing or at you. We have to keep up a base of fire.

Q: Will you relate to me in your own words what happened on the assault on that village sometime in March 68?

A: We left about 0700 from LZ DOTTIE. I think I was in the first lift. I think I was in the lead helicopter. After the helicopters had landed, the village was to my right. We must have landed to the west of the village, because on the other side was the ocean, and the village was between the helicopters and the ocean. We started out, we were more or less on line. Some of the men threw grenades into bunkers. We had a lot of momentum. I had been surprised that we had not been shot at as soon as we had gotten off the helicopters. People were ahead of us, and we kept expecting to meet some return fire. The way I went through, on the flank of the second platoon, I must have skirted the main part of the village. I can only remember five hootches LY ~~the first platoon went more through the center of the village.~~ LY

Q: Were the soldiers of the second platoon firing on the women and children?

A: We were firing into the village, not at anything specific.

Q: How long were you in the village?

A: At the very most, half an hour. But it was probably not that long.

Q: While going through the village, how many dead villagers did you observe?

A: About 15. They were scattered around the hootches. Mostly women and children. The ones I saw could have been killed by the door gunners, or our small arms. I do not think any of them were killed by artillery fire. The village was not burning at this time.

Q: Could you tell me in your own words how you went through the village?

A: After we got out of the helicopters we went straight into the village, and inside the village we turned left and went out of the village back into the paddies. This took about 30 minutes. By looking at black and white photograph #25, it seems to me that I entered the village on the northern outskirts, and walked from west to east. After we reached the edge of the village, we turned left and walked in a northerly direction. LY

STATEMENT OF
CONTINUED.

LY TAKEN AT CAM THO, RVN DATED 3 Nov 69,

- Q: While approaching the village, were the troops firing into the village?
- A: Yes. And while in the village there was also firing at the hootches. They were shooting at places where the enemy might be hiding waiting to shoot back.
- Q: What happened when you moved out of the village?
- A: The first thing we passed was a small group, maybe 7 or 8, women and children, sitting in a peanut patch. We moved out into the rice paddies looking for weapons we had heard about. At this time ZG said not to shoot the small group as we moved past them. In the rice paddies we found two bodies with an M-1 and a carbine. The dead were not in uniform, but they had on American made pack straps, pistol belts, and ammo pouches. The dead men were about 20 years old. We kept moving toward another village, and we barely reached it when we were told to backtrack to the village we had left. By the time we re-entered the original village, it must have been around 1100. By this time the village was practically burned down. The smoke was so bad we could not see the village. We got far enough in that I saw bodies lying around, women and small children, scattered around. There may have been 25 of them. At this time I saw two small girls, maybe 5 and 7 years old. They were standing there in a haze. There was no shooting at this time. I remember vaguely that I saw the LY artillery forward observer give them some candy. I took the bigger girl by the hand and took her to OS. Somebody took the other girl to him also.
- Q: Did OS see the dead women and children?
- A: I do not know. When I took the girl to him, he was outside the village. We then moved out of the village and sat down to eat lunch.
- Q: Did you see a trail in the village with approximately 40-50 people shot with M-16's?
- A: No. I did not.
- Q: Did you see a ditch in the eastern outskirts of the village where women and children had been shot?
- A: No, but I did hear that a bunch of people had been gathered up and shot. This was the story going around. I know second platoon was not the one who rounded up these people, because LY was with them. The way I heard the story they were shot out in the open.
- Q: Did you hear how many were shot?
- A: The way the story went around it was the same as the stories of what the Germans did to the Jews. There was a lot of them killed. The story was that it was deliberate. It sounded to me like a German blood bath. At least that it was what came to my mind.
- Q: Did you receive any hostile fire during either of the two times that you were in the village?
- A: No.
- Q: Why wasn't the killing of the women and children reported to higher headquarters?
- A: I don't know. I heard a rumor that a helicopter pilot had reported the ~~kill~~ incident, and that an investigation was being made.
- Q: Did you kill any women and children?
- A: No.
- Q: Did you see anyone specifically killing women and children?
- A: Not specifically. There was a lot of shooting going on. LY

STATEMENT OF
CONTINUED.

TAKEN AT CAN THO, RVN DATED 3 Nov 69,

- Q: Why do you think the members of Company C killed all the women and children in that village in March of 1968?
- A: I don't know. I have asked myself that question many times before. It just got out of hand.
- Q: Do you think that DS knew about the shooting of these women and children?
- A: I imagine he did, but I did not see him in the village.
- Q: I am showing you now 25 black and white photographs. Will you pick out any of the things that you recognize.
- A: Black and white photograph #9 shows DS in the background second from the right. Some of the faces are familiar, but I don't remember names.
- Q: I am showing you now 17 color photographs. Will you pick out any of the things that you may recognize.
- A: Color photograph #1 is LZ DOTTIE.
- Q: Do you have anything to add to this statement?
- A: I heard that instead of an investigation we got a letter of congratulations from GEN WESTMORELAND. A while later the Stars and Stripes ran an article that we had killed 128 Viet Cong.
- Q: How many prisoners of war were taken on this operation?
- A: I do not know.
- Q: Did you hear anything about the Vietnamese National Police killing prisoners later?
- A: Yes, I heard about it. They were told to lay down in a hole face down and were shot by the Vietnamese. I did not see it. I do not know if they were National Police or ARVN, but they were Vietnamese we had with us.
- Q: Did you see any wounded civilians getting medical aid?
- A: I did not see any wounded, they were all dead.
- Q: Did HO act differently after the operation from before?
- A: I couldn't say. I wasn't around him.
- Q: In your opinion, did HO know the difference between right and wrong?
- A: Yes.
- Q: Are you sure this is all you know about the incident?
- A: I have given you as many of the facts as I can remember about the incident.
- //////////////////////END OF STATEMENT//////////////////////

PAGE 1 OF 6 PAGES

STATEMENT (Continued)

This
section
not used

AFFIDAVIT

MENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I HAVE READ OR HAVE HAD READ TO ME THIS STATE-
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT
OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFF FFFF
Det A. 8th MP Gp (CT), APO SF 96243
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

HAVE READ OR HAVE HAD READ TO ME THIS STATE-

LY
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 3 day of November, 19 69
at Can Tho, RVN

(Signature of Person Administering Oath)

BSE

(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ §1968)

(Authority To Administer Oaths)

WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE	TIME	FILE NUMBER
	15 Jan 70	1335	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
Vo			PVI
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
<p style="text-align: center;">I, <u>Vo</u>, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>On 6 JAN 67 I enlisted in the Army for three years. I took basic training at at Ft Polk, La, during the period Jan - Mar 67. I then took a 21 day leave and was further assigned to Co C, 1/20th Inf, 11th Bde, in Hawaii where I also took AIT. On 2 Dec 67 I arrived in Vietnam with Co C. I was with the advance party of the 11th Bde. At the time that I arrived in Vietnam I was <u>VO</u> for <u>HO</u>. Let me correct that last statement to say that I was an M-79 grenadier for <u>HO</u> instead of his RTO. Shortly after, I went to Quin Naun where I performed guard duty on Army equipment. In January and February I was working in the Duc Pho area.</p> <p>Q. Where was you assigned and what were your duties on 16 Mar 68?</p> <p>A. I was with Co C, as an M-16 rifleman and participated in the combat assault at My Lai (4) on 16 Mar 68. I think I was with the 2d Platoon, 2d squad and my Platoon Leader was <u>ZG</u>. My Platoon Sgt was <u>HG</u>. My squad leader was Sgt Members of my squad were <u>FH</u>, <u>VL</u>, and I think <u>GLL</u>.</p> <p>Q. Did you attend a briefing given by <u>DS</u> the night prior to the mission at My Lai (4)?</p> <p>A. Yes, it was sometime in the daytime or evening. As best as I can remember, <u>DS</u> told us, Co C, we were going to be going through a VC infested area which VC had been seen in the area before. He also told us to be careful with bobby traps and mines. He said to kill all the livestock and shoot the people who would not stop when given warning shots. I can not remember his exact words but <u>DS</u> said words to the effect. This is all that I can remember about the briefing given by <u>DS</u>.</p> <p>Q. Did you attend a briefing given by <u>ZG</u>?</p> <p>A. No, and I do not recall of him giving a briefing.</p> <p>Q. Did you attend any briefing given by <u>HO</u> prior to the assault mission?</p> <p>A. No, after <u>HO</u> was changed to 1st Platoon Leader, I never saw him again, either during or after the mission.</p> <p>Q. What were your specific instructions prior to moving through the village?</p> <p>A. Nothing other than what <u>DS</u> briefed us on the night before.</p> <p>Q. <u>VL</u>, I now show you a master set of black and white photographs of the My Lai (4) area, numbered 1 thru 65. Do these photographs refresh your memory of the mission and can you relate any specific incidents to any specific photograph?</p> <p>A. No.</p> <p>Q. Who else was with your squad while moving thru the village?</p> <p>A. I know remember that <u>AAAX</u>, <u>YW</u>, <u>AAAW</u> was with my squad.</p> <p>Q. Did you see <u>DS</u> shoot a Vietnamese woman?</p> <p>A. No, but after we were through the village I came upon <u>DS</u>, <u>RJ</u>, his interpreter, on to the east side where <u>DS</u> had a Vietnamese suspect standing against a tree. I saw <u>DS</u> pointing his pistol at the suspected VC. Then I turned away and then heard a shot. When I looked back I saw the suspected VC Vietnamese shaking but not harmed. <u>DS</u>, <u>RJ</u> were questioning the suspected VC Vietnamese. I do not recall how he was dressed.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF <u>3</u> PAGES
<p style="font-size: small;">ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u> </u> TAKEN AT <u> </u> DATED <u> </u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u> </u> OF <u> </u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

DA FORM 2823 JAN 68

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"Statement of
continued"

VO

, taken at

, dated 15 Jan '70

- Q. Did you see DS RJ later shoot or kill the man they were questioning?
- A. No, I think he was later taken out by helicopter.
- Q. Did you see ZG shoot or kill any Vietnamese people?
- A. No.
- Q. Did you see or know of FH VO VL GU shoot or kill any Vietnamese civilians?
- A. No, but I do know that there was a lot of shooting going on throughout the village.
- Q. Did you see HG shoot or kill any Vietnamese civilians?
- A. No, I only saw him off and on while going through the village.
- Q. Did you see AAAX shoot a Vietnamese woman?
- A. No, I did not see him but I heard others of Co C say that AAAX shot some people. I do not recall who it was that I heard it from.
- Q. Besides the above mentioned persons of Co C, did you see or hear of anyone shooting or killing civilians?
- A. The only thing I can remember is that somewhere in the village I saw about 3 or 4 members of Co C, who had about 10 Vietnamese women grouped together. I thought that they were guarding the Vietnamese and I turned away from them. I then heard several shots and I turned and looked in the direction of the Vietnamese in time to see them fall to the ground after being shot.
- Q. Do you know who the 3 or 4 members of Co C were that shot and killed the group of civilians?
- A. No.
- Q. Did you see DV shoot and kill any Vietnamese?
- A. No, because I did not see DV at all during the mission at My Lai (4).
- Q. Who was ZG RTO during the mission?
- A. It was JD.
- Q. Did you see JD shoot or kill any Vietnamese civilians?
- A. No.
- Q. Did you fire your M-16 rifle at any Vietnamese during the mission?
- A. Yes, I did but I did not hit anyone, but if I did it would have been by luck because my front sight was no good.
- Q. How many rounds did you fire during the entire mission?
- A. About two hundred and forty rounds, mostly at the animals. I did kill animals.
- Q. Did you see or hear of any Americans raping Vietnamese females?
- A. I have heard that there was rapes committed during the mission but do not know who committed them or who was talking about it after the mission.
- Q. What route did you travel through the village?
- A. I traveled pretty much alone and along the one side or end of the village next to the corn field.
- Q. Did you at any location throughout the village see group(s) of Vietnamese civilians dead and piled together?
- A. No.
- Q. In your opinion do you feel that there were unnecessary killings of civilians by American soldiers of Co C at My Lai (4)?
- A. Yes, because of those people that were lined up or grouped together that I mentioned above.

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VO

Page 2 of 3 Pages

STATEMENT (Continued) -

Q. Did you hear of an order by DS put out to stop killing the civilians?

A. No.

Q. At the beginning of the assault upon entering the village, did Co C receive any fire or resistance from within the village?

A. No, not from within the village. Sometime during the mission there were two VC who were carrying weapons that were shot I think by helicopter gunships. VL
VO retrieved one weapon and I think 26 got the other weapon.

Q. Did you hear of or witness HO kill or shoot any civilians?

A. No, I did not see HO at all.

Q. Again, I am asking you VL did you witness any other members of Co C shoot or kill Vietnamese during the mission at My Lai (4) on 16 Mar 68?

A. No, to the best of my recollection.

Q. Do you have anything to add or delete from this statement?

A. No, the information that I have given in this statement is to the best of my ability to remember concerning the incident.

/////////////////////////////////NOTHING FOLLOWS/////////////////////////////////

AFFIDAVIT

I, VO HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

VO
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of January, 1970

B3B3R
(Signature of Person Administering Oath)

B3B3R
(Typed Name of Person Administering Oath)

Article 136, UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

VO
PAGE 3 OF 3 PAGES

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STATEMENT BY ACCUSED OR SUSPECT PERSON

(AR 195-10)

PLACE	DATE 3 Dec 69	TIME 0930 hrs	FILE NUMBER
SOCIAL SECURITY ACCOUNT NO.		GRADE	

ORGANIZATION OR ADDRESS
C Co, 1/38th Inf, 2d Inf Div, APO 96224

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY B62
OF
THAT HE WANTS TO QUESTION ME ABOUT murder, violation of laws of war, and est. of priv. prop
OF WHICH I AM VQ OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT THE EXPENSE OF THE GOVERNMENT. IF I AM UNABLE TO RETAIN COUNSEL, I MAY REQUEST THAT COUNSEL
BE APPOINTED FOR ME AT THE EXPENSE OF THE GOVERNMENT.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTIONS AT ANY TIME. ALSO, I MAY RE-
USE MY COUNSEL AT ANY TIME. I DO NOT WANT COUNSEL.
I (DO) (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. VQ
(Signature of Person To Be Questioned)

INTERVIEWER: B62 (Signature) WITNESS: FFFX
FFFX
APO 96243 (Typed Name and Organization) Investigations Section, APO 96301 (Typed Name and Organization)

PART II - SWORN STATEMENT

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Q: Before you make any statement I would like to ask you if you understand that the word "counsel" used in the above WAIVER CERTIFICATE means lawyer or attorney or attorney-at-law and do you understand that by stating "I do not want counsel" you mean you do not want a lawyer or an attorney or an attorney-at-law present during your questioning, even though such an attorney would be furnished to you free of charge? Do you also understand that the words "military counsel" as used in the above text means "military lawyer", and not "military superior"?
VQ I understand VQ

Q: When did you go originally to Vietnam?
A: I went to Vietnam in November 67, and was assigned to C Company 1st, 20th, 11th Bde. My company commander at this time was DS and I think I was assigned to the 3d platoon. I do not remember who my Platoon Leader was at this time. After arrival at Vietnam 11th Bde was assigned to the Americal Division and my Company was stationed at Duc Pho.

Q: Have you ever heard of TASK FORCE BAKER?
A: Yes. Company C and 2 other companies of another Battalion were part of
VQ

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT VQ	PAGE 1 OF 7 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT

VQ

TAKEN AT

DATED 3 DEC 69, CONTINUED

VQ Q: Have you ever heard of Pinkville?

A: Yes. As far as I remember Pinkville consisted of My Lai (4), My Lai (5), and My Lai (6), and maybe some other Hamlets. The Pinkville area was mostly our area of operation, to my knowledge.

Q: Is there one operation in the Pinkville area that stands out in your mind?

A: Yes. In March 1968 we went on an operation to My Lai (4) which is in the Pinkville area. This area stands out in my mind because there was so many women, children, and VQ killed.

Q: Who killed all those women, children and VQ in My Lai (4)?

A: Most of the members of Charlie Company 1/20th.

Q: On the night before the assault into My Lai (4) DS gave a pre-assault briefing to the company. Relay to me your own words what A DS told the troops.

A: I do not know if it was right or wrong, but we were briefed about Pinkville and weretold that it was heavily populated with Vietcong and North Vietnamese Army. We were also told that all the people in the Hamlet were VC sympathizers. Our mission was supposed to be a search and destroy mission and we were told so.

Q: Did DS at any time, tell the members of C COMPANY 1/20th INFANTRY that they should kill all the animals, kill all the inhabitants, and shoot on anything that moves?

A: To my knowledge he did.

Q: Did the Company take this as having to shoot all the women and children and burn all the hootches in the Hamlet?

A: Our orders were to kill everything in the village and to burn everything.

Q: Did DS at anytime during the briefing tell the Company that when he comes through the "Ville" the next day, that all he wants to see living are members of Company C.

A: No, I did not hear that.

Q: How did the Company react to the briefing of DS

A: I cannot express my feelings for the rest of the company, except my own. I don't know how they felt, myself I felt strange in a way but we were told Pinkville My Lai (4) (5) (6) were heavily populated with Viet Cong and VC sympathizers. We were also told that most of the snipers that had attacked our company had came from that area.

Q: What was your job during the My Lai (4) assault in March 68?

A: I'm pretty sure I was a machine gunner and I carried an M-60 and a 45.

Q: Will you relate to me in your own words what happened on that day in March 1968 when Company C was combat assaulted into My Lai (4)?

A: On that day I was in the 3d Platoon. Sometime during the morning I got into a helicopter and I do not remember who was with me in the helicopter. We landed on the outside of the Hamlet, but I do not know if it was on the east or west side of the Hamlet. I cannot judge north or east or south or west, but eventually we pushed through the little Hamlet VQ

STATEMENT OF

VQ

TAKEN AT :

, DATED 3 DEC 69, CONTINUED

VQ I do not remember the name of my Platoon Leader or my Platoon Sergeant. After we got out of the helicopters, we organized. As soon as I got out VQ helicopter threw a smoke bomb and I and my Squad were told to look for the Viet Cong in the vicinity where the helicopter had dropped the smoke bomb. Names are hard to remember and I do not know at this time who the soldiers were that accompanied me. We searched for the Viet Cong, but we could not find them until the helicopter radioed and hovered at a certain spot right over the Viet Cong. Personnel in our Company went to the busy area and found a weapon. I do not know if they found the Viet Cong. I was there with my machine gun. After this my Platoon moved into the Hamlet and we just had to search and destroy mission. I seen people shot that didn't have weapons. I've seen the hootches burn, animals killed- just like saying going to Seoul and start burning hootches and shooting. - a massacre wherein innocent people were being killed, hootches burned, everything destroyed. They had no weapons and we were told that they were VC sympathizers. To come right to the point, we carried out our orders to the very point - Search and Destroy. In my mind, that covered the whole situation.

Q: How many people do you think ^{VQ were} were shot by C Company in My Lai (4)?

A: This is hard to say - from my personal observation I would say 80 that I have seen myself.

Q: What did the people that you saw shot consist of?

A: Women, men, children and animals.

Q: Did you at anytime receive hostile fire?

A: I was told that we were fired upon, but I myself did not receive direct fire.

Q: Were there still any people living in the Hamlet when you came through?

A: When we got there there was still people alive in the Hamlet and the Company was shooting them, however, when we left the Hamlet there was still some people alive.

Q: Did you see a trail in the village with a pile of dead women and children?

A: I seen dead women, children and men in groups and scattered on ^{VQ} trails and the rice paddies. I seen people running and just innocently being shot.

Q: Did you see a ditch on the outskirts of the Hamlet where about 60 to 70 women and children were executed?

A: I did not see that.

Q: Did you see groups of women and children being gathered by C Company and then shot?

A: I did not see that. All I seen when I went through with my Company, these people were laying around dead and wounded.

Q: Were these wounded villagers given medical aid?

A: No, they were no ^{VQ}

STATEMENT OF

VQ

TAKEN AT

, DATED 3 DEC 69, CONTINUED

VQ

Q: Did you see members of Company C finishing off the wounded villagers?

A: I remember seeing some of them finishing off the wounded civilians, however, I do not remember their names. It was just our people shooting.

Q: Do you remember a guy by the Name of BH

A: No, I don't.

Q: What about WPG (or) W9 EE

A: I know them - they were in my squad.

Q: How many villagers were killed during the entire operation in My Lai (4)?

A: I heard that about 485 were killed when it was all over.

Q: If there was no resistance in My Lai (4), why then were all these women and children shot?

A: They were shot because we were told they were helping and aiding the Viet Cong. It was a stronghold.

Q: Do you think that an order to shoot women and children is a lawful order?

A: No, but they were doing it anyway.

Q: What else can you tell me that happened in that village?

A: To my knowledge, this is all that I know that happened there.

Q: Did you see HO shooting anybody?

A: He was not with my Platoon.

Q: Why was the killing of all these women and children not reported to higher headquarters by any of the members of C Company?

A: I thought that PA had given the order and there was nobody to report it to since PA gave the order. If a person gives an order, they must be a reason for it.

Q: Did you shoot 2 wounded children laying on the trail outside of My Lai (4)?

A: I opened up on people that were running. I do not remember that I shot at 2 children that were laying down on the trail. However, I do remember I did shoot a girl that was sitting there amongst 5 or more people, sitting there completely torn apart. She was screaming. I felt just as if it was my mother dying. I shot her to get her out of her misery. She was around 15. This happened inside the hamlet. However, I do not remember about the 2 children laying on the trail. I also shot 5 wounded villagers because they did not give them medical aid. They refused to give them medical aid.

Q: What were these 5 villagers?

A: The girl I mentioned before was one of them. This happened after we had pushed through the village. The other ones I shot would be considered as living dead. They were a girl, one woman and the rest were elderly males VQ

STATEMEN

VQ

TAKEN AT

, DATED 3 DEC 69, CONTINUED

This statement was started at 0930 hours, 3 Dec 69, and at 1145 hours a lunch break was taken.

This statement was resumed at 1300 hours, 3 Dec 69.

VQ -: Do you understand that the Waiver Certificate that you signed this morning at 0930 hours is still in effect? Also, do you understand that you can terminate this interview at any time and can remain silent or request a lawyer at any time.

A: VQ Yes, I do not want a lawyer and I do want to make a statement and answer questions. VQ

Q: The 5 people that you shot at My Lai (4) were in your opinion badly wounded - is that right? VQ

A: When we first landed in paddies I shot at one Vietnamese that was not wounded and he was running away and I carried out an order.

Q: I want to ask you once more if you remember shooting 2 children on the trail outside the Hamlet shortly after you got out of the helicopter.

A: I do remember shooting 2 teenagers, one of whom I think was wounded, the other one I am not sure, but I don't think they were children. I wouldn't shoot a child and I did use my M-60 machine gun.

Q: I am showing you colored photographs - would you pick anyone out that you might recognize

A: Colored Photograph #16 - the girl that I shot that was all wounded was in a pile of bodies like this. I do not know if this is the same pile that I seen, but I run across 3 difference groups like that. I am sure that I seen the scene depicted on Colored Photograph #14 outside the village, but I did not shoot them and I do not know who did

Q: I am going to show you several black and white photographs - would you pick out anyone of them that you might recognize.

A: Black and White #9: DS in the background, 2d from the right. Black and White #10 shows a colored soldier that shot himself in the foot. I do not know him by name. Some of the photographs looked famil VQ, but I do not know by name anyone in the photographs.

Q: DS see all the women and children that were shot?

A: I was only wit DS when we first got off the helicopter.

Q: Do you know RJ

A: Yes, he was DS interpreter.

Q: Is there anything else that you remember about My Lai (4)?

A: There was an incident around mid day either on the day that we were in My Lai (4) or the next day and I remember now it was not mid day, but around 6 o'clock in the afternoon when somebody interrogated a VC suspect. There was an American Officer that was interrogating a VC suspect and the next thing I seen that he cut a few fingers off his hand and he kept talking Vietnamese to the person and the person interrogating him didn't believe him, so he shot him. It was not the American Officer that shot him, but his Vietnamese interpreter. The man was not dead with the first shot and the interpreter then shot him several times. VQ

STATEMENT C. _____

VQ

TAKEN AT _____

, DATED 3 DEC 69, CONTINUED.

VQ The man that was shot was not an old man, he was dressed in black and was around 24 - 25 years old.

Q: Did you see the Vietnamese National Police shoot any of the prisoners that were taken in and around My Lai (4)?

A: I did not see it, but I heard about it.

Q: Was DS present when the American officer sliced the fingers off the VC suspect.

A: Yes, he was present. I am not sure RJ was there.

Q: What was the reaction of the Company after the My Lai (4) mission? VQ

A: I remember CLR feeling real bad about it. Nobody had much joy over killing all those women and children.

Q: Do you know if there was an investigation conducted by the Brigade.

A: No, I do not know.

Q: On how many combat operations have you been ^{on} while in Vietnam?

A: I would say more than 40.

Q: Was the combat assault on My Lai (4) different than any of the others you were on?

A: Yes, I never heard anything so stupid to search and destroy and to kill all those people.

Q: Do you remember the names of any of the soldiers that were involved in the shooting?

A: No, I can not specifically point out, but they were all shooting.

Q: Was there a photographer present when you landed?

A: Yes, There was.

Q: Is there anything else you would like to say?

A: I wanted to talk about this for a long time - and am glad now that it is off my chest - it is wrong. Even before it was investigated, I wanted to write about it to my Senator, but I didn't know how to go about it. This is all that I know about the incident. It is such a long time VQ and it is hard to remember the exact sequence of events and I am not too good map reader and I will not be able to draw a sketch of the hamlet and show how we went through the Hamlet.

//////END OF STATEMENT//////

VQ

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VQ

STATEMENT (Continued)

~~NO USE~~

AFFIDAVIT

VQ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFX
FFFX

ORGANIZATION OR ADDRESS

vision

ORGANIZATION OR ADDRESS

VQ
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3d day of December, 19 69

BBZ
(Signature of Person Administering Oath)

BBZ
(Typed Name of Person Administering Oath)

Article 136(b)(4) UCMJ 1968

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

VQ

PAGE 7 OF 7 PAGES

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PTC-Japan

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WITNESS STATEMENT (AR 105-10 - TH PAGE 3)			
PLACE	DATE	TIME	FILE NUMBER
	9 Jan 70	0900	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY ACCOUNT NO.		GRADE
<div style="display: flex; justify-content: space-between;"> WK ORGANIZATION OR ADDRESS </div>			
SWORN STATEMENT			
WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>On 29 November 1967, our unit (Infantry Brigade which was in Hawaii left for Vietnam. DS was my Commanding Officer, F. ZW DS was the assistant gunner for the mortar platoon, 81 mm.</p> <p>Q: WK, this investigation concerns an assault upon a village by the name of My Lai (4) in Quang Ngai Province, Vietnam on or about 16 March 1968 in which the unit you served with at that time took part. My Lai (4) reportedly was the first village encountered during the operation and is located in an area called by some of the soldiers as "Pinkville". Do you recall participation or have information in that operation and if so, will you state what knowledge you have of it.</p> <p>A: Yes. I don't know the date or the month the operation of My Lai (4), due to it being so long ago. However, I do remember the operation at My Lai (4) because I believe it was the first operation that the mortar platoon went with the Company. Also the night before the operation there was a briefing given by DS who had related to the Company that we would be going into 1 to 4 complexes of villages My Lai area. Also that other units had gone into My Lai and alot of men had been lost and at present there was the 1st VC Battalion held up in that area. DS continued to say that we owed them, offering to the VC a debt, and we had a fight on our hands. I am not sure, but I think he said that reports indicated that there were no friendly forces in that area also. I don't remember what he told our mission was, but I think it was to gain control of the village and find out how they had been operating from MY Lai area. The next morning about 0800 hrs we left from LZ Dottie by helicopter and I believe I was on the last lift. I donot know how many lifts there were on that operation from LZ DOTTIE. I don't remember how long it took us to go from LZ DOTTIE to the LZ, but it was a short flight. As we were coming into the LZ I don't believe our choppers were being fired at. I don't remember any artillery firing, however, I do remember the gunships firing rockets. After we landed at the LZ we moved out from our chopper about 20 yards and stayed there for about half an hour. We set up our mortar, but we didnot fire it once. I heard gun fire as we landed but I don't know if we were being fired upon or if it was our troops firing. As I looked towards the village I could see alot of smoke as though buildings were burning. I could not tell this due to the trees blocking my view. As we stayed there DS ordered the men to move out towards the village. Like I said our mortar platoon stayed there for about half an hour before we moved out. As we went through the village I saw about a total of dead bodies, 30 to 50. I saw only one group of dead bodies about in the middle of the village. I believe there was about 10 bodies in that group. The bodies that I saw were mostly men also the group of bodies that I saw were mixed, old men, women and children. Oh yes, the group of dead bodies that I saw was next to a houthch. When I went through the village all of the houthchs and buildings were burning. I don't know how the fires started to the houthchs and buildings. From the time we arrived at the LZ till the time we went through the village to the other end, I believed it to take us about 2 1/2 hours. We then stoped and had our lunch. After lunch we continued on to the other villages.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 5 WK PAGES
	WK		
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

"STATEMENT"
"CONTINUED".

WK

, TAKEN AT

, DATED 4 Jan 70,

I would like to add that all during the time that I went through the village I never saw anyone shooting. It was so ever except an old man who was walking towards us and I thought he was wounded and thought one of our men from my platoon shot him. I am not sure of this due to everything that was going on at the time and now being asked about My Lai.

Q: As you went through the village and saw the damaged buildings do you think that the building could of been damaged as a result of artillery or mortar barrage or gunships?

A: I believe the damaged buildings could of been damaged by artillery and gunships when they were firing their rockets. It could not of been a mortar from our company because we only had one mortar and I carry the ammo for it and we did not fire it once.

Q: Did you hear any orders given to stop or start firing?

A: I heard C. DS tell someone not to kill women and children. I am not sure if he said this while at the first village or the second village. I don't know who he told this to.

Q: Do you remember seeing a temple, pagoda or shrine while in the village?

A: No.

Q: Did you hear anyone give the order to burn the village?

A: Yes. By whom I don't know. It was just passed down the line.

Q: Did you see a helicopter land during the operation?

A: Yes. I saw a chopper land to pick up one of our troops who had been wounded. I heard he was on a mine or got shot in the foot.

Q: Did you see anyone with cameras or did you have a camera?

A: I didn't have one. Later in the day I saw a helicopter land and a photographer got off the chopper. I believe this to be in the evening.

Q: Do you have or do you know anyone having any documents, notes or letters concerning this operation?

A: No.

Q: I now show you a roster of Co C, 1st Bn, 20th Inf, any of the names remind you of anything of the My Lai (4) operation?

A: No.

Q: I now show you photographs of My Lai (4) area. Do they remind you of anything? If so, explain.

A: Photograph #9 is of LZ Dottie #60 the man on the far right I remember his face, but I don't know his name, or anything about him. #3, it looks like the trail on the outside of the village where they had the dust off for the GI who had been wounded. #5, I remember this because I had sat down in front of it, but I don't remember anything else about it. #17, I can't recall the scene, but I recall the face of the women holding the child in the upper right hand corner of the photograph. I think when I saw her she was not carrying a child. #11, I am not sure, if the photograph covered more area to see if there was a house there I could be more sure.

Q: It is alleged that C. DS shot someone during the My Lai (4) operation. Can you comment on this?

A: I didn't see DS shoot anyone or hear about him shooting anyone.

Q: Where was DS during the sweep through the village?

A: Right in front of our platoon.

Q: Did you see him all the way through the village?

A: Yes. but not every second.

"STATEMENT OF 1
CONTINUED."

WK

TAKEN AT

DATED 9 JAN 70,

Q: Did you hear DS talk over the radio?

A: Yes. I remember the Command ask him for a body count and what his situation was.

DS told him that they had just gone through the village and body count was many.

Q: Who was with DS?

A: An interpreter RJ DY WN who were the radio operators for DS

Q: Do you know a HO

A: Yes

Q: Did you see HO during the operation?

A: No I did not see him as I can recall.

Q: Did you see anyone shoot VC, Civilians while at My Lai (4)?

A: No.

Q: As you went through the village of My Lai (4) did you see any other vietnamees that were alive in groups or alone?

A: Yes. I saw some alone but just where I don't remember. I do remember seeing one group about 100 or them being guarded by our troops DS told them to go back

to the village where we just came from. I don't know if the guards went back with them.

The people were crying they didn't want to go. DS told them it would be the safest for them to do so. This was seen after I had lunch and we were on our way to the next village.

Q: Did you see DS have lunch with a Vietnamese boy?

A: Yes, I see the DS give some of his G-rations to the boy.

Q: After you left the group of 100 people did you hear any firing come from the area where you left them?

A: No.

Q: Were you present when an old Vietnamese man was pushed down a well and killed?

A: No.

Q: Did you hear about it later?

A: No

Q: Did your platoon or squad round up any groups of civilians?

A: No.

Q: Did you see any US Forces shoot any specific vietnamese while at My Lai (4)?

A: No.

Q: Did you see any Vietnamese receive medical aid?

A: No.

Q: Did you see any choppers fire at Vietnamese?

A: No.

Q: Did you hear the word "WASTE" while on the operation?

A: No.

Q: Had you heard or seen Vietnamese National Police shooting prisoners?

A: Yes. This was in the evening after our supplies came in. I saw three prisoners, they were sitting. One of them had his hand on a log or a rock. A CPT, not DS who was short DS but stocky, fat, I am not sure I don't think he had too much hair.

If I saw him again I would recognize him. He was standing to the right side of the prisoners with a knife, which I believe to be in his right hand. The blade was about 6 to 8 inches and the handle was the size of a handle hand grip. I think the knife that had was the kind that was issued out to the RJ was also their, and I can't remember who else was there and saw the out off the little finger, right hand, of the prisoner. I believe it was then DS and police came around where the other CPT and the prisoner had his finger cut off. The police talked with the prisoners, I don't know if the police found out if they were VC or not or if they got the information they wanted.

"STATEMENT
CONTINUED."

WK , TAKEN AT

, DATED 9 JAN 70,

The next thing the police took the prisoners to a ditch and had the prisoners lay face down with their arms stre^{WK} out in front of them. The police then shot the prisoners, where they were shot, if in the head or what I do not know.

Q: Did the police raise their hands in the air before they shot the prisoners, indicating to the prisoners how they were to lay?

A: I think so. I am not sure.

Q: Did DS or the other CPT talk to the police and indicate as though they gave orders to the police to shoot the prisoners?

A: I didn't hear them.

Q: How long after the police shot the prisoners were the other CPT and prisoners who were shot?

A: No more than a minute.

Q: Do you know

A: I don't know the name, but the CPT at the field I had seen him before the operation or it might of been after the operation. I remember seeing DS put a ^{WK} up against a tree and fire two rounds at him with an M-16 rifle, but he was not hit.

DS went up to the prisoner and turned the prisoner around towards the tree and then DS pointed twice at the tree, turned the prisoner around and pointed at the prisoner forehead. The prisoner then started to talk after a map was shown to him. I noticed the prisoner point out locations on the map. The prisoner was then taken away by a chopper. I saw this, I don't know who else saw this. This had happened by the sea. I also remember DS with a revolver and I don't know if he had any ammo in the revolver. DS put the revolver to a prisoner's head, I don't know if it was the same prisoner that he had fired at with the M-16. DS then pulled the trigger on the revolver, which the revolver did not go off. I then heard the prisoner start talking and what happened after that I do not know.

Q: Did you see RJ shoot anyone while on this operation?

A: No I didn't.

Q: Did RJ ever talk to you about this operation?

A: No.

Q: Did you report what you had seen to anyone?

A: No.

Q: Was there an investigation of the killings at My Lai (4)?

A: Not that I heard of.

Q: Do you know if anyone had been using marijuana before or during the operation of My Lai (4)?

A: No.

Q: What were your instructions or orders about reporting these types of incidents?

A: I didn't receive any instructions.

Q: Did you report this incident to anyone?

A: No.

Q: Prior to this date, had anyone other than your superiors questioned you about the My Lai incident?

A: No.

Q: Did you discuss this incident with your superiors?

A: No.

Q: Were you advised not to discuss this incident with anyone?

A: No.

STATEMENT (Continued)

Q: Were you advised by your superiors as to what your reply should be in the event that someone questioned you about this incident?

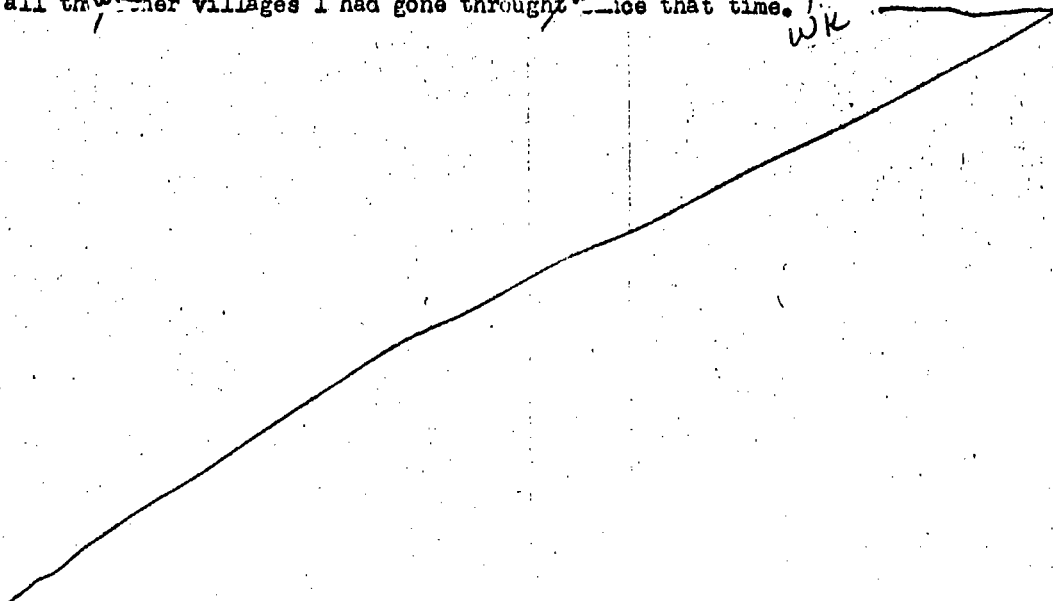
A: No

Q: Do you have any additional information or know of anyone who tried to suppress an investigation into the allegations concerning My lai?

A: No.

Q: Do you have anything to add to this statement?

A: Yes. The sketch map that was shown to me, I could not put on the map where we landed or the other things I had seen due to darkness, lapse of time of the operation and all the other villages I had gone through since that time.



AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

WK
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of January, 1970, at Delavan, Wisconsin.

ORGANIZATION OR ADDRESS

LU
(Signature of Person Administering Oath)

Grim Inven
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136, (b)(4), UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

WK

PAGE

PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACF	DATE 7 Jan 70	TIME 1130	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME WL		SOCIAL SECURITY ACCOUNT NO. GRADE	

ORGANIZATION OR ADDRESS

SWORN STATEMENT

WL WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WL I was a member of the Mortar Platoon of Co C, 1st Bn 20 Inf of the Americal Division in Vietnam from 2 December 1967 until 28 November 1968. In March 1968 when the My Lai operation took place, I was at the fire base about 6 or 6 1/2 kilometers from the village. We had been briefed the night before by our Platoon

DJ, who was also acting as our platoon leader at that time. He gave us the March Order, told us who would be on which chopper, what time they would hit the Landing Zone, and when they would be picked up. He told us that the 48th VC Regiment was supposed to be in the village. We were also told that the area would be prepped with 175's that were supposed to be firing some kind of round that would cave in bunkers.

When the choppers hit the LZ the next morning I was monitoring the radio from the fire base. As they came in, when someone would key the radio microphone, I could hear small arms fire in the background. I heard over the radio that they were receiving fire from the woodline. The choppers were telling the ground troops where they were taking fire from and where the weapons were located. WL

Sometime during the operation I heard C PA. The Task Force Commander, call the companies in the task force and tell them that he had received a report from "higher" that there was too much killing or that there were excess people being killed or something to that effect. That was all that I heard about it.

When the troops came back in a couple of days later, they were quiet and didn't appear to me to be acting any different than any other Rifle Company that had just come back from an operation.

The only thing that I ever heard that would indicate that anything wrong had taken place was when one man said something to the effect that there were people killed that shouldn't have been killed. He indicated that some kids were killed. I don't remember who the man who said that was, and he didn't indicate if they were killed by small arms fire or artillery. I did hear a couple of people say that some of the bodies were torn up as if they had been killed by artillery.

Q: Do you have any personal knowledge of any civilians being killed by American troops in My Lai?

A: No.

Q: Did you hear on the radio, at anytime, anyone tell anyone else to kill someone?

A: No. WL

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT WL	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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O-1184-V

(Continued)

WL
Q: Did you hear anything on the radio that would indicate to you that innocent people were being killed?

A: No, other than what PA said.

Q: Why did you remain back at the fire base during the operation?

A: They left troops at the fire base to secure the artillery.

Q: Who was back at the fire base with you?

A: CR and a new man named BH

Q: Did you ever hear anyone talk about having killed or having seen anyone else kill civilians in the village of My Lai?

A: No.

Q: Do you wish to add anything to or delete anything from this statement?

A: No. WL

AFFIDAVIT

WL
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

FFFY
FFFX

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

WL
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of January, 1970

FFFX
(Signature of Person Administering Oath)

FFFX
(Typed Name of Person Administering Oath)

Article 136 (b) (4), UCMJ, 1968

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

WL

PAGE 2 OF 2 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 11 Oct 69	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME LE	SOCIAL SECURITY ACCOUNT NO.	GRADE	
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I, LE, WN, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 8 Oct 69, WN was interviewed at his home at WN stated that he was present at My Lai (4) on 16 Mar 68, as a member of C Company, 1st Bn, 20th Inf, 11 Brig as a part of security for Headquarters Section. WN normally had the job as RTO however on this mission OS was being broken in as a new RTO by EC. WN related that during a briefing on 15 Mar 68, by OS the troops were told that during the mission, Task Force BARKER, everyone was VC or VC sympathizers and supporters and everything was to be killed meaning people and animals. OS reminded the troops that their company had lost persons before in the area they would be going into. There was one other briefing held about the operation the night they returned to base camp. There was no company formation but OS held a "gathering" and informed those present that someone had made a complaint about civilians being shot. OS stated that he was responsible that the troops were following his orders by burning the building and killing everything. OS told those present not to discuss the incident with anyone. WN believed the incident had been reported by a gunship pilot.

WN claimed he went into My Lai (4) with the last lift and was also behind all others while going through the village. He estimated the time spent in and around MY Lai (4) to be between 0900-1200 hrs. WN stated he saw an "easy 50" dead civilians lying dead in and around My Lai (4) and that no one was alive when the unit left the village.

WN claimed he was within sight of OS most of the time and denied seeing OS shoot anyone. WN was about 3 steps past MR when HR was shot in the foot therefore could not state if it was an accident. Most of the time around My Lai (4) WN was with WC the squad or team leader, FP, and FX and he could not remember the others in the team and WN was armed with an M-79.

When asked OS's reaction to seeing the village burned and people shot WN stated that OS had nothing to say as it was his orders. WN did recall that OS called the platoon leaders and was mad and told them to stop killing the people however WN could not remember if this occurred before or after PA visited OS.

According to WN no enemy soldiers were captured at My Lai (4) however a weapon was captured some distance from the edge of the village, ~~which was being carried~~ by MMM XB, and 4 or 5 others. WN made reference to a picture on page 32 of THE AMERICAN, May edition and claimed that MMM was the person closest to the camera when the photograph was taken.

WN opined that although the company went into the village with instructions to kill everything and everybody the situation got out of hand.

Later that day WN claimed he saw some National Police and Military Intelligence personnel interrogate some prisoners (at least 2). One of the prisoners was an old man and dressed in white. The interrogations took place near the CP. WN denied seeing the prisoners shot but a short time later he saw two persons dead in a ditch and one

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF WN TAKEN AT WN DATED WN CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE WN OF WN PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT (Continued)

was the old man dressed in white.

At the beginning of the interview WN stated that he had already talked to WV and did not think he had anything else to add and would make no statement under oath.

WN stated he did not see HZ KC EA JU kill anyone and when ask about DN he said he could not give a definite answer. When ask if he saw anyone actually shoot civilians he replied "No Statement".

WN was then advise of his rights and told of what he was suspected (murder). WITMER then signed part one and II of Waiver Certificate and stated he did not want to make a statement or answer any more questions.

WN will not testify if called.

AFFIDAVIT

I, LE HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

LE
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of Oct, 19 69.

G G G A
(Signature of Person Administering Oath)

G G G A
(Typed Name of Person Administering Oath)
Art 136 (b) (4) UCMJ, MCM, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-10)

PLACE	DATE <u>8 Oct 69</u>	TIME <u>1900 hrs</u>	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <u>WN</u>	SOCIAL SECURITY ACCOUNT NO.		GRADE <u>Civilian</u>
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY LE
OF Army CID
THAT HE WANTS TO QUESTION ME ABOUT Murder
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
DO NOT (DO NOT) WANT COUNSEL WN
I DO NOT (DO NOT) WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS.

(Signature of Person To Be Questioned)

2030 HRS
8 OCT 69

INTERROGATOR

LE
(Signature)

WITNESS:

(Signature)

(Typed Name and Organization)

(Typed Name and Organization)

PART II - SWORN STATEMENT

OATH:

WN WANT TO MAKE THE FOLLOWING STATEMENT UNDER

Q: Before you make any statement I would like to ask you if you understand that the word "counsel" used in the above WAIVER CERTIFICATE means lawyer or attorney or attorney-at-law and do you understand that by stating "I do not want counsel" you mean you do not want a lawyer or an attorney or an attorney-at-law present during your questioning, even though such an attorney would be furnished to you free of charge? Do you also understand that the words "military counsel" as used in the above text means "military lawyer", and not "military superior"?

A:

yes

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF _____ PAGES

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WITNESS STATEMENT (AR 195-10 - TB PNG 3)			
PLACE <div style="text-align: right;">nd, Virginia</div>	DATE 28 Oct 69	TIME 1915	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME <div style="text-align: center;">OC</div>	SOCIAL SECURITY ACCOUNT NO.	GRADE Civilian	
ORGANIZATION OR ADDRESS			
SWORN STATEMENT			
I, <div style="text-align: center;">OC</div> WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>I came into the Army in December 1966 and took basic training at Fort Bragg. I was sent to Hawaii and joined Co C, 1st Battalion, 20th Infantry. During March 1968 I took part in the operation at My Lai (4) in the Republic of Vietnam. At this time I was a Fire Team leader in <div style="text-align: center;">GL</div> squad (2d Sqd, 1st Platoon).</p> <p>The day before My Lai (4) I attended <div style="text-align: center;">DS</div> briefing. He gave the usual information about departure times, etc. He also said that recon flights showed My Lai (4) was an enemy strong-hold. He said we were on a search and destroy mission which I understood to mean to search out the enemy and destroy him. I also understood from the briefing that we were to destroy all the food, including cattle and crops, in the village. I do not recall any briefing about civilians, except that detainees were to be passed on to Platoon Headquarters. I did not attend any other briefing.</p> <p>We flew to My Lai (4) by helicopter. I do not recall which lift I was in, but it should have been either the first or second lift. I usually rode with mv squad in the same helicopter. This would include <div style="text-align: center;">GL FW GX HZ EA</div> and perhaps <div style="text-align: center;">TO</div> As we landed the gunships were firing. I saw no signs of artillery preparation. There was no enemy resistance or firing.</p> <p>Q: Did you see <div style="text-align: center;">DS</div> at this time? A: Yes. He and his RTO's formed at the center rear of the company. I was in the middle of my squad and we were on the right of the company line. Second Platoon was on the left. I did not pay any attention to <div style="text-align: center;">DS</div> and do not recall seeing him again until we were finished with My Lai (4) and had reached the second village. We moved toward and through into the village. All of the men were firing. I did not see anyone killed at that time but did hear someone call out "Somebody got himself one!"</p> <p>Q: It is alleged that <div style="text-align: center;">HZ</div> and others killed some detainees immediately upon entering the village of My Lai (4). Will you comment on this, please? A: I don't know about this; I didn't see it or hear about it. I know <div style="text-align: center;">HO</div> and <div style="text-align: center;">HR</div> killed an old man by throwing him down a well, but this was at another village earlier when we were working out of LZ UPTIGHT. I was in the village when they killed this man, but didn't see it; the others told me about it. Part of that village was burned too.</p> <p>Q: What happened as you entered My Lai (4)? A: I was with <div style="text-align: center;">FW</div> <div style="text-align: center;">GX</div>, I recall. When I first entered the village, a woman suddenly jumped out of her hut and I whirled and fired. My shot creased the</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF <div style="text-align: center;">4</div> PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u> </u> TAKEN AT <u> </u> DATED <u> </u> CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u> </u> OF <u> </u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

STATEMENT OF OC

TAKEN AT RICHMOND, VIRGINIA, ON 28 OCTOBER 1969 (CONT'D)

woman on the side, lightly wounding her. We sent her with her two children (one in arms, the other walking) to Platoon Headquarters. She was not escorted, but was just instructed to move to the center. As we moved further into the village we shot chickens, pigs and dogs.

We came to another hut and found a man, his wife, a teen-aged girl and a younger girl. I grabbed the man and pushed him out of the hut and asked him "VC?". He said, "No VC," and held his hands up as if pleading with me.

Then a stocky Caucasian PFC from the 2d Platoon, Company C, 1/20th, came up. (He was later wounded by shrapnel on a hill we named Hill HG after HG who was wounded on that hill.) The man is about six feet tall and weighed about 195-200 pounds. He was about 20-21 years of age. A Negro soldier named LZ 2d Platoon, Co C, 1/20th Infantry, was with this man and knows him.

This Caucasian soldier grabbed for my M-16 and shouted "Kill them all! Don't turn them over to the company; kill them all!" I was able to hold onto my rifle. He turned and suddenly snatched LZ M-16 rifle from his hands. The Caucasian soldier then shot the man in the head, blowing off part of his skull and blowing away part of his brain. The man fell and I am certain he was killed. Then the Caucasian soldier shot the older girl. He shot her in the head, also, and from what I saw of her wounds I am certain she was killed also. I turned away because what I had seen made me sick. The Caucasian soldier then shot the woman in the head and the little girl in the head, killing them both. Then the Caucasian soldier gave LZ back his M-16. I believe FW G-X HZ witnessed these murders.

I was about 13 feet from the man when he killed these four people. I believe I could identify him, if I see him again. He was armed with an M79 grenade launcher.

Just after we left this area, the Caucasian soldier with the M79 moved off to join the 2d Platoon and I joined part of the 1st Platoon. Shortly thereafter, I saw an old woman staggering down the path. She had been wounded. Someone said she had been shot at close range with an M79 round and that the round had not exploded but was lodged in her stomach. She fell to the ground. I moved on through the village, but saw no one else killed. I saw no other bodies, either. As I recall, I was with G-L at this time. We passed through the far side of the village and set up a position there. After we had been there 15 minutes, I saw a bubble-chopper land and DS and someone else went out and talked to GP (phonetic), who had flown in on the chopper. I don't know what was said.

Q: Did you see HO DV during this operation?

A: I don't recall seeing either during My Lai (4). During the day, DN HZ told me that HO had gathered up some prisoners and executed them. They didn't tell me any further details except that it took place in a ditch and there were 60 or so people involved in the execution.

STATEMENT OF **OC**, TAKEN AT RICHMOND, VA, 28 OCTOBER 1969, CONTINUED

Q: Other than **GP** chopper, did you see any helicopters land at My Lai (4)?
A: No.

Q: Do you know anything of **DV** alleged involvement in the My Lai (4) murders?
A: No, I do not.

Q: It is alleged that on the evening of 16 March 1968, following the My Lai (4) operation, Vietnamese Police executed some Vietnamese prisoners and that certain US Forces personnel may have been involved. Will you comment on this?

A: After we joined B Company, the Vietnamese Police questioned some suspects. I heard shots and later went over and saw some dead Vietnamese. I believe there were two dead Vietnamese. I did not see the shooting and do not know whether or not US Forces personnel were involved.

Q: Do you know anything about the capture of a VC nurse?

A: Yes, I saw them bring her in. As I recall, this was around Landing Zone ROSS sometime after My Lai (4). The men were bringing her to **SF** She had all her clothing on. I did not witness the questioning. I was told that the whole Second Platoon raped her before they brought her in.

Q: What do you know about a soldier named **KC**

A: I was on a patrol out of LZ HPTIOPP and saw him cut a foot of braided hair from a girl's head. He decorated his helmet with it. This made everyone in the village angry and they followed us down the path cursing and shouting at us. He had a reputation as a man who raped Vietnamese.

Q: Do you know **WC** **FY**

A: Yes I do. I don't know anything wrong about them.

Q: **HZ** is alleged to have killed a prisoner at My Lai (4). Do you know anything about this?

A: He's capable of it, but I have no knowledge about this.

Q: Did you hear any message at My Lai (4) to stop killing civilians.

A: No.

Q: Was My Lai (4) burned?

A: Some of it was.

Q: In My Lai (4) did you shoot at anyone?

A: No, none other than the woman I told you about. I shot some cattle and a pig, too.

Q: Did you ever see the ditch with bodies in it?

A: No.

STATEMENT (Continued)

Q: How many detainees did your squad send to Platoon Headquarters?

A: We sent fifteen or sixteen.

Q: Was there any resistance in the village?

A: No. There were just scared people running.

Q: Was there any investigation following My Lai (4)?

A: Not that I know. After we went back to LZ DOTTIE, DS or one of the lieutenants told us at a company assembly never to talk about My Lai (4).

Q: Do you have anything to add to this statement?

A: No.

AFFIDAVIT

I, OC HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

OC
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of October, 1969 at Richmond, Virginia

ORGANIZATION OR ADDRESS

B B B P
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

B B B P
(Typed Name of Person Administering Oath)

Art 136(b)(4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

WITNESS STATEMENT
(AR 195-10 - TB PMG 3)

PLACE	DATE	TIME	FILE NUMBER
	15 Jan 70	1300 hrs	
LAST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

OD, I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In March or April 1967, I was sent to Hawaii where I was assigned to "C" Company, 1st Bn, 20th Inf, 11th Inf Bde, Americal Division. I stayed with this company until August 1968. I went to Vietnam with the advanced party that left Hawaii in December 1967. I was on the mission that went into My Lai (4) in March 1968. On this mission I was armed with an M-79 and assigned to 3d Sqd, 3d Platoon. I do not recall what lift I was on or who was on the plane with me. The first and second platoon entered the village of My Lai (4) first. About one hour after the first and second platoon started through the village the third platoon started through. While waiting to go into the village I heard gunfire inside the village that sounded like the 4th of July. This firing was all small arms fire. Prior to this mission during a briefing, DS told the company to shoot everything that moves.

When I started through the village I started seeing groups of dead bodies lying all around.

Q: I am going to show you a photograph of a group of about seven persons with an old woman in front that looks like she is trying to protect the girl behind her. (Photo # 17). Do you remember seeing this group?

A: Yes. I saw a GI, don't know his name, trying to rip a blouse off one of the women. There was a group of some six to nine GIs present and I believe it was near the center of the village. I believe there was probably about twelve persons in the group, at least more than is shown in the photograph. These people kept saying "No, no." I think they were trying to protect the girl. The GIs sort of moved back from the Vietnamese person then open fire with M-16s. There was so many firing it sounded like a machine gun. I was less than twenty feet from the group at the time. They were shot. After they were shot I was in sort of a daze at what I had seen. I remember seeing a small baby with a shirt or top on but no bottoms. This baby started crawling over one of the women and the baby was not hurt. About this time someone fired a tracer from an M-16 into the baby bare bottom killing it too. I don't believe I know who the GIs were present there and if I did I would not want to say. I do know that the highest ranking GI there at the time was a SP4. This is the only killing I remember seeing in My Lai (4).

While I was still near the center of My Lai (4) someone told me DS gave the order to stop all the killings.

Q: Were you ever told not to discuss My Lai (4) with anyone while you were still in Vietnam?

A: No.

Q: Was there an investigation conducted shortly after the incident?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Unfinished)

A: I don't know, at least I was never talk to by my superiors.

Q: Did you take or do you have any pictures of My Lai (4) or any documents, letters pertaining to My Lai (4)?

A: No.

Q: Have you discussed this incident with anyone since returning to CONUS?

A: I was talked to by persons from T.V. stations, Channels 4, 5 and 9, here in Oklahoma City. Two persons from Life Magazine, a man from Oklahoma City Police Department who said someone had hired him to find me (he ask no question) and about a month ago I was talked to by someone who said he was going to write a book about My Lai (4). About all I told these people was that I was at My Lai (4), and saw a lot of dead bodies. I did not mention about seeing the group of people shot. All I received from these people was \$20.00 from the man from Life Magazine. Also talked wit WV

Q: Did you see DS or I HO in My Lai (4)?

A: I saw DS wt HR was after he was wounded in the foot. I don't remember seeing HO

AFFIDAVIT

OD HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

"A TRUE COPY"

OD (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of January, 1970

LE (Signature of Person Administering Oath)

LE (Typed name of person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136, (b) (4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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WITNESS STATEMENT			
For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.			
PLACE	DATE	TIME	FILE NUMBER
	15 Jan 70	0900 Hrs.	
LAST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY ACCOUNT NO.	GRADE
HN			
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was assigned to the 11th Inf Bde, Americal Div, on 29 Jun 67, in Hawaii and went to Vietnam as t on 2 Dec 67.

Task Force BARKER was formed around 20-22 Jan 68, and I was assigned duties with the TASK FORCE AS MY PRIMARY DUTIES IN THIS CAPACITY WAS and monitoring COMBAT OPERATIONS CONDUCTED BY THE TASK FORCE. AS AN I did not function in the true capacity as an This was due to the fact that the Companies assigned to Task Force BARKER continued to process most of their administration through their parent units, however, I did monitor the logistical support of the units in the field.

The first sizable operation conducted by the TF was during the first part of Feb 68. The Task Force Commander felt that there was a need to conduct a combat operation in the My Lai/Pinkville area. This was based on intelligence and the fact that the 48th VC Bn had use this location as a staging area to launch attacks on Quang Ngai and Son Tinh during the Communist Tet Offensive during late January 1968. Further intelligence indicated that after these attacks the 48th VC Bn had returned to its home station in the My Lai/Pinkville area. The Task Force Commander felt that this enemy force was a definite threat to the security of the District Hq at Son Tinh and the Province Hq at Quang Ngai as well as our own forces within our area of operation. Therefore, a joint ARVN/US operation was conducted. The ARVN forces operated south of the main road that runs east and west from My Lai (1) to highway #1 (possible number of highway is #538). The US forces (Co A, 3-1 Inf, and two platoons of Co B, 4-3 Inf) operated north of this same road. ARVN forces (approximately one Regt) were to sweep the area from highway #1 eastward with a final objective at My Lai (1)(Pinkville). To the best of my knowledge the ARVN forces never reached or entered the Pinkville area. It was common knowledge, due to the concentration of VC forces in that area and the heavy concentration of mines and booby traps, that ARVN forces were reluctant to operate in that area and only did so on this operation after a personal visit and request made by PA the TF Commander, at the ARVN Hqs in Quang Ngai. I am not aware of any resistance encountered by the ARVN forces while conducting their portion of this operation. Late in the afternoon the ARVN forces withdrew from this area and the operation and returned to Quang Ngai city. Based on reports from ND (phonetic) Company Commander of Co B, 4-3 Inf, operating just north of the road, his unit encountered heavy enemy resistance in the My Lai 4 and My Lai 5 area. To the best of my memory ND reported that his unit was receiving heavy small arms and mortar fire. I do not recall the exact number of casualties sustained by US and enemy forces during this phase of the operation. In my opinion, based ND report, his unit encountered at least a company size enemy force. At this point the TF Commander employed armored personnel carriers (approximately four) into the area of contact to help relieve the enemy pressure on ND unit and help them withdraw from the area. Company A, 3-1 Inf, during this time was operating north of the two platoons of Co B, and south of the Song Diem Diem river. To the best of my knowledge this unit had made no sizable enemy contact and was too far away to give any support to Co B. Btrr.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 6 HN PAGES
	HN	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Statement of:

HN

, Taken At: Ft Monroe, VA on 15 Jan 70. (Cont'd)

6^d D, 6-11 Arty, located at LZ Uptight, fired some 400 to 500 rounds of 105 mm in support of elements of Co B. Additional artillery support (105 mm) was provided by an ARVN Artillery Btry located on hill #108, coordinates BS 659754. It was necessary to resupply Btry D on an emergency basis to replenish the rounds fired by this unit in support of the elements of Co B during this action. After the elements of Co B were withdrawn, they were moved back to LZ Dottle coordinates BS 628054. Co A, occupied night defensive position in the vicinity of coordinates BS 628727. The next day Co A swept through the area of the action of the previous day and continued to Pinkville. In Pinkville Co A made heavy contact with an unknown size enemy force. During the entire operation, Co C, 1-20th Inf occupied blocking positions north of the Song Diem Diem river. To the best of my knowledge this unit received sporadic enemy fire. This entire operation lasted for 3 or 4 days with, to the best of my memory, US casualties totaling approximately 30 to 40 for all units participating in the operation.

In the latter part of February 1968, the TF Commander, based on intelligence, decided to conduct a second operation in the My Lai area using only US forces. Co A, and one platoon of armored personnel carriers participated in this operation with Co B, occupying blocking positions to the north of the Song Diem Diem river. Co A, and the platoon of armored personnel carriers (APC) again made heavy contact with an unknown size enemy force. To the best of my knowledge, Co C was operating in the extreme northern portion of the TF area of operation. To the best of my memory this operation lasted 3 or 4 days with a total of approximately 30 to 40 US casualties sustained by all units participating in the operation.

The TF Commander, based on intelligence, decided to conduct a third operation in the My Lai area on 16 Mar 68. The TF Commander decided that to gain surprise and to reduce US casualties that this operation was to be a heliborne operation. He felt that the enemy in the My Lai area employed a combat outpost in the vicinity of My Lai 4 and My Lai 5 in order to delay US forces while a headquarters and other elements of the 48th VC Bn that was possibly located in My Lai 1 would have ample time to disperse and avoid US contact. Keeping this in mind, his concept of the operation was a combat assault Co C just west of My Lai 4 to engage the combat outpost and combat assault Co B just south of My Lai 1 giving them the dual mission of blocking any enemy escaping from Co C and engaging any enemy forces located in My Lai 1. Co A went into blocking positions north of the Song Diem Diem river. The artillery support was to be provided by Btry D located at LZ Uptight. To support the combat assault of Co B and Co C, the TF Commander decided to employ an artillery prep on both landing zones. On second thought I am not sure that an artillery prep was employed to support Co B, however, an artillery prep was used to support Co C, and to the best of my knowledge, it was to be employed at the west end of My Lai 4 and on the landing zone. To the best of my memory, the artillery prep was for a period of five minutes.

On the day previous to the operation (15 Mar) DS

ND, and the CO of BTRY D and their officers whom I can't recall were assembled at LZ Dottle in the afternoon for a dual purpose of being briefed on the next days operation and to meet with XT who had assumed command of the 11th Inf Bde that morning. I would like to make a point at this time that the Task Force Commander PA was present for this briefing. To the best of my memory, XT talked to the assembled group about his assumption of command requesting the continued support of all present. Additionally, he discussed with the unit commanders present that he desired that they become more aggressive when in contact.

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HN

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Statement of:

HN

Taken At: Ft Monroe, VA on 15 Jan 70 (Cont'd)

with an opposing enemy force. To the best of my knowledge, *XT* was not present to take part in the briefing of the next day's operation, but rather as a new commander presenting himself to his officers in his new capacity. *AF*

XT talked with the officers present. A briefing of the next day's operation was conducted. I do not recall whether *XT* remained for this briefing or not. I, as the S-3, gave a brief concept of the operation to those present. I can not recall the exact text of my briefing, however, from previous briefing experience it should have contained the following operational procedures: "Task Force *BANUCR* will conduct a three company operation in the My Lai area tomorrow. Co A will occupy blocking positions north of the river (pointing out the positions on the briefing map). Co A will return to LZ Uptight for security mission tomorrow night. Co C will conduct a combat assault (CA) west of My Lai 4. Pick up zone (PZ) will be LZ Dottie at a designated time (0700 appx). The Landing Zone (LZ) will be the west end of My Lai 4 at a designated time (0730 appx). Once your entire force is on the ground, move into My Lai 4 and search it. Once this has been accomplished continue the same operation through My Lai 5 and 6. Occupy a night defensive position with Co B in this vicinity (pointing at briefing map). Co B, upon completion of Co C's CA, the helicopters will pick your unit up at LZ Dottie and CA it into an LZ just south of Pinkville. When your entire unit is on the ground, proceed to My Lai 1, and conduct a search. Additionally, you will serve as a blocking force for Co C on it's west to east sweep. Occupy a night defensive position with Co C in this vicinity (pointing at briefing map). There will be a 5 minute artillery prep on Co C's LZ at the west end of My Lai 4." I do not recall designating this operation as a search and destroy mission, however, if I was quoted as stating that this was a search and destroy operation I could not deny it. Simply, I do not recall or remember this part of the briefing. Following the briefing, *PA* *DS*,

ND S, D Btry Commander, and possibly *EP* the CO of Co A, 3-1 Inf, conducted an overflight of the operational area. I did not go on the overflight and do not ~~know~~ know what transpired during this flight. *PA* discussion and instructions with the company commanders.

On the day of the operation (16 Mar 68) I was physically located at LZ DOTTIE in the Tactical Operation Center (TOC). *PA* was located in his command control helicopter (C & C ship), initially over Co C's operational area. My responsibility, being located in the TOC, was to monitor the radio nets controlling the operation. One radio was on the TF Command net; one radio was on the TF air/ground net; and the third radio was on the Bde Command net. The two radios primarily concerned with the My Lai operation were the ones on the TF Command net and the TF air/ground net. While monitoring these radios, I don't recall hearing anything other than routine operational transmissions. To the best of my knowledge *PA* returned to LZ Dottie to refuel and ask me if I would like to make an overflight of the operational area. I departed LZ DOTTIE at approximately 1130 hrs, in the C&C chopper for an overflight of the operational area. I do not recall who accompanied me on this overflight, however, I do know that *PA* remained at LZ Dottie. To the best of my knowledge, I was not aware of any ~~any~~ unnecessary killing of civilians prior to my departure from LZ Dottie. While enroute to the operational area I received a radio transmission over the TF Command radio to contact *DS* and pass on to him that he was to take all precautions to insure that no unnecessary killing of civilians or burning of hooches was being done. Additionally, I was told to return t after contacting *DS*. The only explanation that I can give for the foregoing instructions being passed through *DS* was that the TOC was unable to contact *DS* direct. This had occurred on previous operations in certain areas in the My

Page #3 of 6 pages.

HN 477 *HN*

Statement of: M. HN

Taken At: Ft Monroe, VA on 15 Jan 70 (Cont'd)

Lai area. I contacted DS by radio and passed on the forementioned instructions and DS acknowledged the transmission. Upon returning to I told PA that I had contacted DS by radio and passed on the instructions given to me. At this time I asked PA what was the reason behind the instructions that I had given to DS. PA told me he had been contacted by a person whose I believe was WJG, CO of the aero scout Company supporting the task force on this operation, and was told that an unknown helicopter pilot reported seeing an American killing a Vietnamese civilian. I can not recall any discussion of other incidents until approximately 1500 hours, 16 Mar 68. At this time instructions were received from the Brigade to have Co C, return to My Lai 4, and determine the number of civilians killed and injured, and how they were killed or injured (artillery or small arms fire). PA was aware of these instructions and directed me to pass them on to DS. These instructions were passed on to DS. At this time DS stated that he was about two kilometers east of My Lai 4, approaching his night defensive position and was expecting resupply very soon, therefore, did not want to return to My Lai 4. Additionally, he expressed concern over mines and booby traps in the area. I told DS regardless of his desires that orders were for him to return to the area. At this time I would like to insert that at the time I initially notified DS to return to the My Lai 4 area, he informed me that to the best of his knowledge that there was between 20 and 30 civilians killed by artillery fire. Following me telling DS to return to My Lai 4, a radio transmission was received from an individual identifying himself by the radio call sign as the Americal Division Commander stating that it was not necessary for Co C to return to My Lai 4. I acknowledged this transmission and as DS if he had monitored the transmission. DS stated that he did. The Bde Hqs and I PA was aware of the Division Commander's decision that it would not be necessary for Co C to return to the My Lai 4 area. I don't recall of any further operational activity transpiring for the balance of the day as the units went into their night defensive activity positions.

I was informed the night of 16 Mar 68, by PA that an investigation would be conducted by C XT relative to what transpired at My Lai 4. As far as I was knowledgeable of, the investigation was being conducted to determine the facts and circumstances surrounding the killing of the one civilian, as reported by the helicopter pilot, and the 20 to 30 civilians reported to DS as being killed by artillery fire. It was not until the My Lai 4 incident appeared in the news that I was aware of any other people being killed other than reported enemy being killed on this operation. To the best of my knowledge, it was the following day, 17 Mar 68, that C XT came to LZ Dottie and questioned DS and some unknown helicopter pilot(s). I don't recall how DS got back to Dottie, nor do I know what the results of XT's interviews were. I was ~~not~~ not privileged to this information. At no time was I ever aware of being questioned concerning the My Lai 4 operation by XT or anyone else in an official investigation capacity until being called by the IG, Peers Committee, House Armed Services Sub Committee and being questioned by the CID. I am aware of XT reporting that he questioned me concerning the My Lai incident, however, if he did it was done in an informal manner and I was not aware of what he was attempting to accomplish.

Q: During your overflight of My Lai on 16 Mar 68, what did you observe so far as dead bodies are concerned in the My Lai (4) area?

A: I was flying at 1500 feet and did not land in the area, therefore, I did not see any bodies, but did observe a couple of streams of smoke rising out of the My Lai 4 area.

Q: Did you attend the briefing given by DS to his troops on 15 Mar 68?

A: No, I did not attend this briefing, nor do I have any idea what was stated at this briefing. HN

Page #4 of 6 HN pages.

HN 478

Statement of:

HN

: TAKEN AT: Ft Monroe, VA, on 15 Jan 70

- Q: At any briefing that you gave or attended relative to the My Lai operation, was any instructions given, or inferred that all inhabitants and buildings were to be destroyed?
- A: I know of no instructions given to kill civilian inhabitants at My Lai, however, if the mission was a "Search & Destroy" mission, instructions may have been given to destroy the buildings. As previously stated, in all honesty, I do not recall this operation being classified as a "Search & Destroy" operation.
- Q: What were the written, or verbal instruction concerning the handling of civilians on combat operations?
- A: There was no written SOP for Task Force. I think that within the Brigade SOP this was covered. I know that there was no written or verbal instructions that would condone the killing of unarmed and non-resisting civilians. Civilians within a village would be collected, moved to a central location, searched and interrogated for intelligence information. Once, this was accomplished they were either released or retained for further interrogation. During a sweep thru a village, if an individual is observed fleeing the area the order to stop is given (Dung Lai). If the fleeing individual fails to stop at this command, normally a warning shot is fired over his head or at his feet. Then if he fails to stop he normally engaged by fire. I might also explain that in the area in which we were operating that leaflets were dropped telling the inhabitants not to run from the Americans, and if they did they were subjected to being fired upon.
- Q: Were any leaflets dropped in the My Lai area warning the inhabitants of a forthcoming operation in that area and that they were to move out of the area?
- A: To the best of my knowledge there was no leaflets dropped immediately prior to the operation, and the reason there wasn't any leaflets dropped was because we would have lost the element of surprise which we were trying to obtain by the use of a heliborne operation. VM (phonetic), CO, Co A, told me that he had warned the civilians in the My Lai area to move to the District or Province Refugee Center because the My Lai area was not a safe area and not under Government control. I would like to point out that VM was fluent in Vietnamese.
- Q: Do you know of any orders being given by anyone that the officers or men assigned to Task Force were not to discuss the My Lai incident?
- A: I do not of any such orders.
- Q: Do you know of any pictures or tape recordings that were made relative to the operation at My Lai, on 16 Mar 68?
- A: I know of no pictures, however, I was informed by MH of the deceased 1st Lt, PA that MH was in possession of a tape recording relative to the operation. I immediately informed XT when I went to Washington, DC to appear before the Peers Committee, and the Committee was made aware of this tape.
- Q: How many enemy were reported killed and captured during the My Lai operation that was initiated on 16 Mar 68?
- A: I do not recall, however, based on a report that I saw while appearing before the Peers Committee there was a total of about 128. To my knowledge this included the total killed on the operation by all units involved. I don't recall how many enemy were captured or retained for further questioning.
- Q: How many weapons were captured during the operation?
- A: I don't recall, but to the best of my memory there were from 4 to 6 weapons recovered.
- Q: Did you hear anyone that was on the My Lai operation on 16 Mar 68, discussing incidents or details that led you to believe or question that a massacre occurred?
- A: I did not hear anything that would lead me to believe that a massacre occurred.

STATEMENT (Continued)

- Q: Did you question DS or anyone else concerning the My Lai 4 incident?
- A: No, I did not. I had no reason to.
- Q: Do you know of anyone that returned to My Lai 4, following the initial assault there on 16 Mar 68?
- A: I don't know of any US Forces returning to the area, however, I'm relatively certain that other US Forces did operate in that area at a latter date. No one from TF Barker was sent back into that area to investigate to the best of my knowledge.
- Q: Do you desire to add or delete anything from this statement?
- A: I would like to add that any differences in this statement and any previous information I have rendered concerning the My Lai incident is not intended to be deceiving but is due to the lack of memory or refreshment of same at the time the information was given. This concludes my statement.

AFFIDAVIT

I, HN, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 5 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

HN
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of January, 19 70

LS
(Signature of Person Administering Oath)

LS
(Typed Name of Person Administering Oath)

Article 136 (b) (1) UCMJ

(Authority To Administer Oaths)

PAGE 6 OF 6 PAGES

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of the Provost Marshal General.

PLACE	DATE 22 Dec 69	TIME 1000	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME XK	SOCIAL SECURITY ACCOUNT NO.		GRADE SFC
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

XK

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I arrived in Hawaii in July 66 and was assigned to the HHC, 11th Light Infantry Bde. I was assigned duty as the Bde Communication Chief. On 1 Dec 67, I arrived in Vietnam in the vicinity of LZ BRONCO. In January 68, I was committed for a Task Force and selected as for TF BARKER. We moved north to what was called LZ DOTTIE. I periodically acted as the for operation TF BARKER. I worked in TF Headquarters as maintaining communications for the Headquarters and spent many hours in the Tactical Operations Center (TOC) at LZ DOTTIE. This center was used for briefings of operations conducted by TF BARKER. PA and HN, would meet and brief the respective Company commanders on missions to be carried out regarding TF BARKER. My duties placed me in the center during which time PA would conduct his briefings. Normally I did not get involved in the missions but my duties were usually restricted or limited to LZ DOTTIE area. Occasionally it would become necessary for me to go on flights with PA to act in the capacity of a radio operator and periodically assist in evacuation of wounded personnel. Regarding the investigation at My Lai (h) on or about 16 Mar 68, I have no first hand knowledge of this specific mission in that to the best of my recollection I do not recall of attending any briefing given by PA or HN nor do I recall having been in the area of My Lai (h) on or about that date. I have flown in and around My Lai (h) on previous missions with PA.

Q. Prior to this date, did you have knowledge of any investigations being conducted regarding the alleged unnecessary killings at My Lai (h)?

A. Officially being investigated, no I have not. I have been reading about it in the news media and hearing it on TV.

Q. Did you have knowledge of XT conducting an investigation regarding the alleged incident at My Lai (h)?

A. No, it may have been done but I was not personally contacted.

Q. Do you have any additional information or know of anyone who tried to suppress an investigation into the allegations concerning My Lai (h)?

A. No I do not know of anyone who tried to suppress anything.

Q. Do you have or know the location of any documents which might reveal the briefing or significant matter regarding the TF BARKER operation at My Lai (h)?

A. No, but since you have asked me about tape recordings I do recall that BP who I believe was acting as either the

I do recall of him having a recorder in the Tactical Operations Center and I sure that it was his personal recorder. He was recording the routine radio communications being relayed or direct with the field operation. I can not say if this recording he was taking was of the mission at My Lai (h) on or about 16 Mar 68. At the time of this recording I do not recall who the duty officer was.

Q. XK, I have shown you a master set of black and white photographs numbered 1 thru 65, of the My Lai (h) area and incident. Have you seen this area before and

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT XK	PAGE 1 OF 3 PAGES
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DA, FORM 2823

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"Statement of
continued"

XX

taken at Ft Leonard Wood, Mo, dated 22 Dec 69

if so, can you orient yourself with the village of My Lai (4)?

A. Yes, the photograph numbered 9 is the pick up point for assault landings and is located at LZ DOTTIE. In addition, the photograph numbered 19 reveals

BI of the Military Intelligence Det, closest to the injured mans head. I can not identify the injured man or the soldier holding the injured mans leg. Other than the two above photographs, the others are of no significance to me.

Q. XX, I now show you a map of the Quang Ngai Province area, RVN, scale 1:50,000, Sheet 673911. Can you orient yourself with this map of the area we are discussing at this time?

A. Yes, here is Hill 85 which is due south and overlooking the My Lai (4) area. I also note the Pinkville area which is pink in color and lays east-northeast of My Lai (4). I am familiar with both the My Lai (4) area and Pinkville as I have flown over both, evacuating wounded personnel on different occasions.

Q. Do you have knowledge of PA ever having made any tape recordings of the My Lai (4) combat assault operation and if so what might have been on the tapes significant to the mission on My Lai (4)?

A. No, I do not have any knowledge of PA making any tape recordings.

Q. Do you recall of any radio communications regarding allegations that there might have been unnecessary killings at My Lai (4) on or about 16 Mar 68?

A. I remember vaguely of a complaint from a pilot stating that there were women and children in the area. HN called by radio to the area and told them to be careful or he may have called LZ UPTIGHT and had them relay the transmission down to the ground operation more than likely. I am sure the complaint went to

HN who in turn relayed the warning to the field.
Q. Did you have any knowledge of the instruction given to OS regarding the combat assault mission at My Lai (4) on or about 16 Mar 68?

A. No, but I do know OS very well having been in his Orderly room many times and having friends in Co C. I have never been in the field with but have been present on numerous briefings given by OS to his subordinates. I have never heard OS give any orders contrary to regulation regarding a military operation. OS as far as I could tell would always give his orders as given to him by higher headquarters or as the intelligence reports would dictate. I would like to mention that about two or three weeks ago I sent OS a letter offering any assistance that might be beneficial in his behalf by giving him my name and my address. I have not to date received any reply. I may have a copy of this letter at home, I will check after our interview.

Q. Do you know any of the radio operators that were assigned to C Co and might have been on the mission at My Lai (4)?

A. Yes, I know that DJ on many occasions did operate the radio, however I do not know if he participated in the mission at My Lai (4).

Q. Subsequent to the mission at My Lai (4), 16 Mar 68, did you hear or receive any information to the effect that there might have been any unnecessary killing on the mission in question?

A. No.

Q. Do you have knowledge of any persons who took photographs of the assault on My Lai (4)?

A. No.

Q. Did you know VI

A. I might have known him as I have flown with many pilots from the 174th Aviation Company but at this time I can not place him.

Q. During your duties as radio communication chief in RVN, did you ever hear someone, a pilot, make a statement over the radio that if the Americans did not cease shooting all the Vietnamese civilians that he was going to shoot the Americans?

A. No.

STATEMENT (Continued)

Q. XK, do you have any additional information regarding the combat assault mission at My Lai (4) that is significant and that we have not discussed or included in this statement?

A. Not to my knowledge at this time. I have nothing further to add to this statement.

AFFIDAVIT

I, XK, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

XK
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22d day of December, 1969 at Ft Leonard Wood, Mo

B B B R
(Signature of Person Administering Oath)

B B B R
(Typed Name of Person Administering Oath)
Article 136, UCMJ, 1969
(Authority To Administer Oaths)

XK

PAGE 3 OF 3 PAGES

WITNESS STATEMENT
(AR 195-10 - TB PMO 3)

PLACE	DATE 5 Dec 69	TIME 1700	FILE NUMBER 69-01011-00014
LAST NAME, FIRST NAME, MIDDLE NAME W F		SOCIAL SECURITY ACCOUNT NO.	GRADE
ORGANIZATION OR ADDRESS			

SWORN STATEMENT

W F WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I went to Vietnam from Hawaii with the 11th Inf Bde in Dec 67. I was a squad leader in the 11th MP Platoon. I remained with the 11th MP Platoon until I was attached with my squad to Task Force Barker when it was formed in mid-January 1968. At that time I moved with my men from LZ Bronco (11th Inf Bde base camp at that time) to LZ Dottie. I had eight ~~xxx~~ military policemen in my squad at that time. I can recall now the names of only two of them **BBA** (and **CJP** later a Sgt in the 11th Inf Bde MP Platoon at Duc Pho). **CJP** sometimes acted as an RTO for **PA** the CO of Task Force Barker.

At the time that TF Barker was formed, the TF AO extended east from ~~Highway~~ Highway 1 to the So. China Sea, and north from the general line formed by the Diem Diem and Ham Giang Rivers to the AO of the 198th Lt Inf Bde. The TF AO included the Batangan Peninsula, but did not include Pinkville; Pinkville was included in the AO of the 2nd ARVN Division but the ARVN never conducted operations in the Pinkville area.

I was the senior **GGG B** in Task Force Barker. **GGG B** was the squad leader of the Signal Corps personnel attached to TF Barker; they were all from the 11th Inf Bde Signal Platoon. **V F** was the TF Intelligence Sergeant. **BK** as the Sergeant. **H N** was the TF **and also the** S-3. S-2 officers came and went so quickly that I can't recall the names of any of them except **A J** My MP squad strength varied from time to time; it ranged between a high of about 12 men to a low of about six men.

The TF Barker MP Squad was based at LZ Dottie (just east of Highway 1 at coordinates 628856). Our artillery (Btry A, 82nd Arty) was located at LZ Upright, around Lam Son at about coordinates 7385. The TF had 3 infantry companies (A-3-1, B-4-3, and C-1-20). C-1-20 was the first combat element of the 11th Inf Bde to land in Vietnam; they got there in early Nov 67 and sustained casualties even before the rest of the 11th Inf Bde arrived in Vietnam. TF Barker also had a platoon of APC's (3rd Plt, E Troop, 1st Cavalry). The TF Headquarters element (about 30 personnel, Maximum, including the officers) was based at LZ Dottie. One of the infantry companies always operated around LZ Dottie and helped to provide for base camp security; the other two infantry companies conducted operations elsewhere in the TF AO. The three companies rotated in and out so that each company had a chance to operate near the LZ Dottie base camp where they were likely to sustain fewer casualties.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT W F	PAGE 1 OF 6 PAGES
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STATEMENT OF
Continued:

WF

taken at Ft Gordon, GA, 5 Dec 69,

During Tet, in January 1968, Quang Ngai city was attacked by elements of the 48th VC Bn which was known to be based in the Pinkville area. Shortly thereafter the TF Barker AO was temporarily extended south to include the Pinkville area. It seemed that since the 2nd ARVN Division were unable to mount operations in the Pinkville area that it was decided by someone that TF Barker would operate there against the 48th VC Bn.

TF Barker elements first moved down into the new AO on the night of 11 Feb 68. The next day an operation was conducted to the east of the French fort located at coordinates 6977. C-1-20 was in blocking position along the river which formed the southern boundary of our original AO. B-4-3 conducted the operation east of the French fort and was stopped cold with some casualties after the APC's were bogged down by enemy fire. There was no question that the enemy was in the Pinkville area in strength and well dug in.

The next operation took place in the new AO on 23 Feb 68. A-3-1 was sent in this time. I don't know where the other two companies were located during this operation. A-3-1 was badly hurt; the commander, *VM* was seriously wounded on this operation. *PA* set his chopper down during the fight and picked up *VM* and brought him back to the TF TOC at LZ Dottie.

The next operation, on 16 Mar 68, marked the first use of C-1-20 as an assault force in the new AO. They had worked earlier in the original TF Barker AO and had lost quite a few personnel because of mines; and before being assigned to TF Barker, C-1-20 participated in combat operations conducted by its parent battalion (*GP*).

GP C-1-20 had the reputation of being the best company of *GP* battalion; I'm certain that the *DS* had a lot to do with his unit's reputation. *DS* was highly regarded as a combat leader in Vietnam and respected as an outstanding officer by everyone in the 11th Inf Bde even before we left Hawaii; it was said that he was a former E-7 who had gone to OCS. He seemed quite mature, perhaps more so than other company grade officers of the Bde. I was present in the TF Barker TOC at the staff briefing on the night of 15 March 1968; the TOC was my ordinary duty station where I performed a variety of tasks in addition to running my MP squad. One of my main jobs was acting as a liaison man for the TF. I tried to keep two 2-man MP patrols active on Highway 1, operating from the bridge over the Tra Khuc River just north of Quang Ngai city north to Binh Son district headquarters (about 7 miles north of LZ Dottie). I frequently contacted *EV*, the CORDS Representative, who worked at the P.I.C. (I don't know what the initials stand for and we were not encouraged to ask questions.) office in Quang Ngai city; he was part of the Phoenix program. *EV* had contacts (agents) throughout the ~~xxxx~~ Pinkville area and provided much valuable information. Another frequent contact was *PG*.

I an Artillery officer who was the District Advisor for Son Tinh District, which included Pinkville. I also contacted members of the MACV Advisory Team at Binh Son.

At the 15 March 1968 night briefing at LZ Dottie, *PA* summed up after the various staff officers had presented their poop. I cannot recall any special emphasis on the operation to take place the next

WF

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Statement of
Continued:

WF

taken at Ft Gordon, Ga., 5 Dec 69,

morning. PA was not the kind of commander to give pep talks; he was always cool and matter-of-fact in a professional way. I'm sure that DS was probably there since C-1-20 was on the LZ that night. If DS gave his men a briefing before or after the TF staff briefing, I know nothing about it. Our TF staff briefing usually took place about 1900 hrs; I cannot recall specifically, ~~xxx~~ but I suspect the staff briefing on 15 Mar 68 took place about 1900 hrs too.

The planning by the TF staff had been going on for at least several days. Everyone expected that the TF assault elements (C-1-20 and B-4-3) would run into the 48th VC Bn in fortified bunkers and have a pretty bad day of it. All of the information we had was to the effect that the 48th VC Bn was in fact present and would be in a position to give TF Barker all we could handle. At the briefing, I expected to be involved in the assault myself. My squad had a 90 mm recoilless rifle and I figured on taking the 90 mm, two M60 machine guns, and all of my MP's except two who would be left behind for PW control at LZ Dottie. At this time, I had about a dozen MP's in my squad. The plan was that the 90 mm would be used against any bunkers the TF ran into, and the two M60's would be deployed to protect the 90 mm rifle. There was no other heavy, direct-fire weapon in the task force; in fact the four 90 mm rifles of the MP Platoon were the only ones in the entire 11th Inf Bde.

Like everyone else in Task Force Barker, I was pretty apprehensive on the night of 15 March. In fact I was scared to death; I don't believe that I slept a wink. Probably not many others at LZ Dottie, including all of C-1-20, slept very well ~~xxx~~ either. From all we had learned during previous operations during February in the Pinkville area and all we had heard since from the intelligence people in the area, we felt certain that a lot of us would be dead or wounded badly on 16 March.

On the morning of 16 March, HN told me to forget taking the 90 mm rifle. He told me to stay at LZ Dottie with my military policemen. I feel certain that he kept us back at the LZ more out of concern for our welfare than for any other reason. I know that I was a bit disappointed at not going on the combat assault; but I was more relieved than disappointed. There was a heavy artillery preparation before the choppers took off from LZ Dottie with the first elements of C-1-20. B-4-3 did not start from LZ Dottie and I don't know whether they got to their take-off point by chopper or by moving on the ground. The artillery was the most severe that I heard in 28 months of Vietnam service. The volume of fire was so great that all of us had our notions of violent resistance confirmed; surely, we all thought, they wouldn't expend that much artillery preparation without good reason. When C-1-20 was ready to go, nine choppers came in to the LZ. I had set up the pick-up zone beforehand and I directed the choppers in. I had already set the two gunships which had arrived earlier to orbiting around the LZ. All of these choppers were from the 174th Avn Co in Duc Pho. We also had about 10 choppers from the 123rd Avn Co (Aero Scouts); they operated out of LZ Dottie all day and went back to Chu Lai at night because we couldn't protect them when

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taken at Ft Gordon, Ga., 5 Dec 69,

they landed for the night. I don't know if the Aero Scouts had arrived on the scene when the choppers arrived to pick up C-1-20. If they had arrived, they were orbiting too; if they had not arrived, they arrived in the area shortly after troop pick-up operations began. I don't remember whether or not the artillery preparation continued during the troop pick-up. It seemed like there were more guns firing than we had in our battery at LZ Uptight, but I don't know for sure whether there were or not.

[illegible]

To the best of my recollection, C-1-20 was lifted in two lifts from LZ Dottie by the choppers from the 174th Avn Co. I returned to the TF TOC after getting the second lift off OK. There was a lot of excitement, but I don't remember much of what was being said, except that I do remember that the arrival of C-1-20 was right on the exact second that they were scheduled to get there. There was a radio report from someone that artillery had killed a whole lot of people at My Lai (4); I can recall the number 69, but I don't know now for sure whether I heard that number reported over the radio at the time or whether I heard that figure later, after the operation was over. I don't know if the report of artillery killing personnel at the village came from the infantry company on the ground or from one of the helicopters in the air over My Lai (4). I do remember hearing some radio conversation about a mortar on the ground to be picked up, and I can recall a great deal of conversation about weapons to be picked up. I recall learning during the day that the War Lords (the ~~choppers~~ choppers from the 123rd Avn Co) had got three VC with weapons; and I can recall a lot of talk about the small number of weapons being found by C-1-20. I can recall *PA* raising hell about C-1-20 moving through My Lai (4) too fast to find the weapons that *PA* felt certain must be there. The talk in the TOC and over the radio for much of the day dealt with looking for and not finding weapons.

I knew nothing more about the operation at Ex Mv Lai (4) than I've mentioned above until after it was all over. I heard about a month or six weeks later (just before PA was killed) that a lot of hell was being raised about the Pinkville operation. There was no talk about anything going xx wrong on the day of the operation, although there could have been some discussion in the TOC that I didn't hear. In fact, I recall now that the TOC was cleared of all non-essential personnel a couple of times during xx the day on 16 Mar. I believe that this happened when AX visited the TOC. Clearing the TOC was SOP when AX came because he brought a big staff with him and there wasn't room for everyone in the TOC. Guys like me, who performed odd jobs in the TOC, returned to the TOC after AV and his party left the area.

Q. Can you name any other personnel, not mentioned already, who were in the TOC on 16 Mar 68?

A. ^{FET}
day too. the night man in the TOC, was probably there that

WF

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Statement of
Continued:

WF

5 Dec 69,

Q. Can you identify TTF

A. He was of 11th Inf Bde Hq Company for a while and was also one of the officers who served in the S-2 slot at Task Force Barker. I don't know whether he was S-2 at the time of the Pinkville operation or not.

Q. Was there any doubt at the time of the Pinkville operation that C-1-20 had done a good job?

A. No, sir. As a matter of fact, we thought that TF Barker had really done a hell of a good job. Even GEN Westmoreland, then COMUSMACV, sent messages to the commanders of C-1-20 and B-4-3 congratulating them. His message was reproduced in the Americal Division news sheet (sort of a daily bulletin circulated in the Division). I heard absolutely nothing about any unlawful acts at My Lai (4) or anywhere else in the Pinkville area; of course, if there was any talk, I would have been one of the last to hear it because it was widely known that I was an MP and the infantry people from top to bottom generally stuck pretty close together to keep out of any trouble with the Military Police. Even the infantry commanders seldom permitted any of their problems to be passed to the Military Police, preferring to take care of them themselves.

Q. Did you hear anything about chopper pilots making any charges that something had gone wrong at My Lai (4)?

A. I can recall hearing from one of the pilots from the 174th Avn Co JY after PA was killed in a mid-air collision, that something had happened, but he was not specific and he didn't explain what he was talking about. He may have had My Lai (4) in mind and then again he might have reflected the common feeling we all had that Pinkville was a bad experience for all of us --- a rough combat experience --- and best forgotten.

Q. How about the 123rd Avn Co people?

A. After the Pinkville operation, there was a strained feeling between JVF CO of the War Lords, and Task Force Barker people. It was something to be sensed rather than observed directly. I never knew just what was wrong, but figure now that the Pinkville operation must have had something to do with it since that was the first time that the War Lords of the 123rd Avn Co had supported TF Barker in an operation.

Q. Did you or your MP's at LZ Dottie have to care ~~at~~ for any prisoners after the Pinkville operation?

A. We always had prisoners at LZ Dottie, about 20 constantly. We operated the only collecting point between Chu Lai and Duc Pho and got all PW picked up by U.S. units in our area. The ARVN operated their own collecting point in Quang Ngai city. Our prisoners were interrogated at LZ Dottie by the S-2 and MI people (IPW specialists) who came by from Duc Pho. We got basic ID data generally, then shipped our PW personnel to Chu Lai (Americal Division cage) or to Duc Pho (11th Inf Bde cage); at first we shipped our prisoners to Chu Lai, but then we were ordered to send them to Duc Pho, so the 11th Inf Bde could get the first

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Page 5 of 6 pages

Statement of SSG
Continued:

WF taken at Ft Gordon, Ga., 5 Dec 69,

opportunity to question them. On 16 Mar 68, we were taking our prisoners to Duc Pho. I cannot say whether or not we received any prisoners at ~~xxx~~ our collecting point during or immediately after the Pinkville operation; I simply don't remember.

- Q. Did the National Police of the Republic of Vietnam work with you when you were assigned to TF Barker?
- A. No. The 106th National Police Field Force Company was located in Quang Ngai city, but they did not supply any personnel to work with us at all. Any Vietnamese police or military personnel who worked with TF Barker on field operations would have been supplied by *PG* at Son Tinh District headquarters, but they were not actually National Policemen of the Field Force. They were more or less irregulars of some type and sometimes served as interpreters for us in the field. I don't know if any of these people accompanied any elements of our TF during the Pinkville operation.
- Q. Can you identify anyone still in Vietnam who could state with authority what the situation was inside My Lai (4) on the morning of 16 Mar ~~68~~ 68 before the TF combat assault?
- A. Vo Tuy, a VC colonel and the chief VC in the area encompassing Pinkville, was captured west of Highway 1 (at about coordinates 6083 8240) about the time of the Pinkville operation. He is still a PW as far as I know. He was captured by A-4-3 and supporting ARVN and U.S. forces when he got hit in the head by a M79 round (which didn't explode) by one of the War Lord choppers. He was taken into custody by the Americal Division and was probably taken to a U.S. hospital in Chu Lai. Later, I heard, he was turned over to Ragsdale in Quang Ngai city. He might be able to tell something of value, but he's reputed to be a tough bird ~~xxx~~ and probably would lie if he thought it would be to the advantage of the VC for him to do so.
- Q. Is there anything you wish to add?
- A. Yes; all coordinates I have given above are found on Map Sheet 6739 II (Quang Ngai), Vietnam 1:50,000. It's been too long for me to recall anything more specific than I have already stated.
- //////NOTHING FOLLOWS//////

STATEMENT (Continued)
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AFFIDAVIT		
<p> <u>WF</u> HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE <u>6</u>. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. </p>		
WITNESSES:	<p> (Signature of Person Making Statement) _____ </p> <p> Subscribed and sworn to before me, a person authorized by law to administer oaths, this <u>5th</u> day of <u>Dec</u>, 19<u>69</u> </p> <p> <u>GGG C</u> (Signature of Person Administering Oath) </p> <p> (Typed Name of Person Administering Oath) SPECIAL AGENT IN CHARGE, UCMJ </p>	
ORGANIZATION OR ADDRESS _____ _____ _____	ORGANIZATION OR ADDRESS, DO NOT WRITE _____ _____ _____	
INITIALS OF PERSON MAKING STATEMENT	WITNESS SIGNATURE	PAGE OF PAGES

VIETNAMESE WITNESSES

NAME: **CF**
 ID: None
 ADDRESS: Ap Moi, Tu Cung Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1955
 POB: Ap Moi, Tu Cung Village, Son Tinh District, Quang Ngai Province, RVN
 OCCUPATION: Farmer
 SEX: Male

NAME: **ZZA**
 ID: Unknown
 ADDRESS: Co Lay, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1933
 POB: Co Lay (2) [Probably Co Lay (2)]
 OCCUPATION: Ropemaker
 SEX: Female

NAME: **VVT**
 ID: None
 ADDRESS: Truong An, Son My Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1953
 POB: Xom Lang, Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN
 EDUCATION: Can read and write
 OCCUPATION: Farm Girl
 SEX: Female

NAME: **VVI**
 ID: None
 ADDRESS: Son My, Son Tinh District, Quang Ngai Province, RVN
 DOB: 12 Jul 28
 POB: Son My, Son Tinh District, Quang Ngai Province, RVN
 EDUCATION: None
 OCCUPATION: Farmer
 SEX: Male

NAME: **VVS**
 ID: None
 ADDRESS: Son My model village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1897
 POB: Xom Lang subhamlet, Tu Cung Village, Son Tinh District, Quang Ngai Province, RVN
 EDUCATION: None
 OCCUPATION: Farmer
 SEX: Female

NAME: VUU
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1911
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Widow
OCCUPATION: Farm Girl
SEX: Female

NAME: ZZI
ID: Serial Number Americal Division
UNIT: Kit Carson Scouts, A Co, 5th Bn, 46th Inf, Americal
Division
DOB: 1931
POB: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
EDUCATION: Can read and write
OCCUPATION: Scout for the U.S. Army
SEX: Male

NAME: OE
ID: None
ADDRESS: Truong An, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1921
POB: Thuan Yen, Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
EDUCATION: Can read and write
OCCUPATION: Farmer
SEX: Male

NAME: YYZ
ID: None
ADDRESS: Xom Lang, Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
DOB: 1929
POB: Xom Lang, Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
EDUCATION: Can read and write
OCCUPATION: Farmer (Subhamlet Chief of Xom Lang)
SEX: Male

NAME: VVV
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai Province,
RVN
DOB: 1914
POB: Tu Cung, Son My Village, Son Tinh District, Quang Ngai
Province, RVN
MARITAL
STATUS: Widow
OCCUPATION: Farmer
SEX: Female

NAME: OH
ID:
ADDRESS: Hoi Cu, Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 2 Sep 28
POB: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
MARITAL
STATUS: Widower
OCCUPATION: Farmer
SEX: Male

NAME: VVW
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai,
Province, RVN
DOB: 1947
POB: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Male

NAME: VVX
ID: 066316
ADDRESS: Truong An Refugee Camp, Son Tinh District, Quang Ngai
Province, RVN
DOB: 3 Feb 1907
POB: Binh Tay Subhamlet, Tu Cung Hamlet, Son My Village,
Son Tinh District, Quang Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Male

NAME: VVY
ID: None
ADDRESS: Truong An Refugee Camp, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1914
POB: Binh Dong Subhamlet, Tu Cung Hamlet, Son My Village,
Son Tinh District, Quang Ngai, Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: VVZ
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1955
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Single
OCCUPATION: Farmer
SEX: Male

NAME: XXH
ID: None
ADDRESS: Xom Lang (also known as Thuan Yen), Tu Cung Hamlet,
Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: Unknown (age 70 years)
POB: Unknown
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Female

NAME: CCCA
ID: None
ADDRESS: Son My Model Hamlet, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1899
POB: Xom Lang, Tu Cung Hamlet, Son My Village, Son
Tinh District, Quang Ngai Province, RVN
OCCUPATION: None
SEX: Female

NAME: CCCB
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1919
POB: Xom Lang Subhamlet, Tu Cung Village, Son Tinh
District, Quang Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: CCCC
ID: None
ADDRESS: Son My Model Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1931
POB: Xom Lang Subhamlet, Tu Cung Hamlet, Son My Village,
Son Tinh District, Quang Ngai, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: CCDD
ID: None
ADDRESS: Truong An, Tu Cung, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1925
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: None. Can read or write
OCCUPATION: Farmer
SEX: Female

NAME: CCCC D
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1940
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Female

NAME: CCCC E
ID: (Son Tinh District)
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1930
POB: Xom Lang (Tu Cung-My Lai (4) Son Tinh District,
Son My Village, Quang Ngai Province, RVN
EDUCATION: Elementary School (read and write)
MARITAL
STATUS: Married (5 children)
OCCUPATION: Farmer/house builder.
SEX: Male

NAME: CV
ID: ARVN serial number
ORGANIZA-
TION: 1st MI Team, 635th MI Detachment, 11th Brigade
DOB: 1 Jan 37
POB: Ha Dong Province, North Vietnam
Home of Record - 27/474 Pham Ngu Lao, Go Vap
District, Gia Ding City

NAME: CCCC F
ID: None
ADDRESS: Xom Bai Subhamlet of Co Lay (2), Son Tinh District,
Quang Ngai Province, RVN
DOB: 1950
POB: Xom Bai, Son Tinh District, Quang Ngai Province, RVN
OCCUPATION: Fisherwoman and Farmer
SEX: Female

NAME: CCCC G
ID: None
ADDRESS: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 12 Feb 41
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: CCCC
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1950
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: None
OCCUPATION: None
SEX: Male

NAME: CCCC
ID: 066180
ADDRESS: Thuan Yen, Tu Cung, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1938
POB: Thuan Yen, Tu Cung, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: Can read and write
OCCUPATION: Farmer
SEX: Male

NAME: CCCC
ID: None
ADDRESS: Xom Lang (also known as Thuan Yen), Tu Cung Hamlet,
Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: Unknown (10 years of age)
POB: Xom Lang, Tu Cung Hamlet, Son My Village, Son
Tinh District, Quang Ngai, RVN
MARITAL
STATUS: Single
OCCUPATION: School Girl
SEX: Female

NAME: CCCC
ID: Unknown
ADDRESS: Son Thanh Village, Quang Ngai Province, RVN
DOB: 1954
POB: Thuan Yen, Tu Cung, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
OCCUPATION: Fisherwoman
SEX: Female

NAME: CCCC
ID: None
ADDRESS: Son Hoa Subhamlet, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1957
POB: Tu Cung Village, Son Tinh District, Quang Ngai
Province, RVN
MARITAL
STATUS: Single
OCCUPATION: None
SEX: Female

NAME: C C C G
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1953
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Single
OCCUPATION: Farm Girl
SEX: Female

NAME: Y Y C
ID: 432084
ADDRESS: Truong An, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
DOB: 3 Nov 41
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: Can read and write
OCCUPATION: Farmer
SEX: Female

NAME: C C C H
ID: None
ADDRESS: Xom Lang Subhamlet, Tu Cung, Son My Village, Son
Tinh District, Quang Ngai Province, RVN
DOB: 1913
POB: Xom Lang Subhamlet, Tu Cung, Son My Village, Son
Tinh District, Quang Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Male

NAME: C C C I
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1930
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Male

NAME: C C C J
ID: _____
ADDRESS: Son My, Son Tinh District, Quang Ngai Province, RVN
DOB: 22 Jul 33
POB: Son My, Son Tinh District, Quang Ngai Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Male

NAME: CCKK
ID:
ADDRESS: Son My Model Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 14 May 1923 (?) (verbally stated age as 38)
POB: Tuan Yen Subhamlet, Tu Cung Hamlet, Son My Village,
Son Tinh District, Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: CCCL
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1934
POB: Tu Cung, Son My Village, Son Tinh District, Quang,
Ngai Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Male

NAME: CCKM
ID: None
ADDRESS: Xom Lang, Tu Cong, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1912
POB: Xom Lang, Tu Cong, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: CCKN
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1959
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Single
OCCUPATION: None
SEX: Female

NAME: CCKO
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1957
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Single
OCCUPATION: Farm Girl
SEX: Female

NAME: DDDA
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1908
POB: Binh Dong, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Male

NAME: DDDB
ID: None
ADDRESS: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1931
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: DDDC
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1919
POB: Xom Lang, Tu Cung Village, Son Tinh District,
Quang Ngai Province, RVN
MARITAL
STATUS: Widower
OCCUPATION: Farmer
SEX: Male

NAME: DDDD
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1909
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Widow
OCCUPATION: Farmer
SEX: Female

NAME: DDDE
ID: None
ADDRESS: Truong An, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 25 years old
POB: Xom Truane An, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
EDUCATION: Elementary School
MARITAL
STATUS: Married
OCCUPATION: Farmer, stone cutter
SEX: Male

NAME: **YYL**
ID: Unknown
ADDRESS: Son My Village, Quang Ngai Province, RVN
DOB: 20 Jun 29
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
OCCUPATION: Village Chief
SEX: Male

NAME: **DDDF**
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1926
POB: Xom Lang Subhamlet, Tu Chung Village, Son Tinh
District, Quang Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Male

NAME: **DDDG**
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1925
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Female

NAME: **DDDH**
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1937
POB: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farm Girl
SEX: Female

NAME: **DDDI**
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1938
POB: Xom Lan (Tu-Cung) Son Tinh District, Son My
Village, Quang Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: OY (Lieutenant)
ID: ARVN serial number - 67/202896
ADDRESS: (Home of Record) 270 Hoa Binh, Hue, Thua Thien
Province, RVN
ORGANIZATION: C Company, 2d Battalion, 1st Infantry, 196th
Brigade, Americal Division
DOB: 2 Jan 1947
POB: Hue, Thua Thien Province, RVN
OCCUPATION: Interpreter for 196th Brigade
SEX: Male

NAME: CCCF
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1923
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
MARITAL
STATUS: Widower
OCCUPATION: Farmer
SEX: Male

NAME: CCCP
ID: None
ADDRESS: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1943
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: YYO
ID: None
ADDRESS: Phu Hoa Hamlet, Tu Cung Village, Quang Ngai
Province, RVN
DOB: 12 Mar 40
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
OCCUPATION: Hamlet Chief
SEX: Male

NAME: OO
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1929
POB: Xom Lang, Tu Cung Village, Son Tinh District,
Quang Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: CCCR
ID: None
ADDRESS: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1941
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: RA
ID:
ADDRESS: 63/9 Tran Van Thach, Tan Dinh, Saigon
DOB: 2 Apr 33
POB: Thai Binh, North Vietnam
OCCUPATION: LTC ARVN (was G-2 2d ARVN Div May 65-17 Dec 69)

NAME: CCCS
ID:
ADDRESS: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 19 Jan 31
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Female

NAME: RJ
ID: ARVN serial number 65/174735
ADDRESS: (Organization) 4/3 Bn, 11th Bde, Americal Div
DOB: 25 May 45
POB: Saigon, RVN (HOR - 213/5 Phan Dinh Phung, Gia Dinh)
OCCUPATION: Interpreter, 11th Brigade
SEX: Male

NAME: CCT
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1925
POB: Xom Lang (Tu Cung) Son My Village, Son Tinh
District, Quang Ngai Province, RVN
MARITAL
STATUS: Married
OCCUPATION: Farmer
SEX: Female

NAME: DDDS
ID: None
ADDRESS: My Lai (4), Tinh Khe Hamlet, Son Tinh District,
Quang Ngai Province, RVN
DOB: 1928
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
EDUCATION: None
OCCUPATION: Farmer
SEX: Male

NAME: DDDT
ID: None
ADDRESS: Truong An, Tu Cung, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1951
POB: Thuan Yen, Tu Cung, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
OCCUPATION: Farm Girl
SEX: Female

NAME: DDDU
ID: 064986
ADDRESS: 200 Phan Boi Chau, Quang Ngai City, RVN
DOB: 12 Aug 45
POB: Quang Nam Province
OCCUPATION: Interpreter, civilian
SEX: Male

NAME: RB
ID: Unknown
ADDRESS: Sector headquarters, Quang Ngai City
DOB: Unknown
POB: Unknown
OCCUPATION: ARVN
SEX: Male

NAME: DDDV
ID: Unknown
ADDRESS: Q Quang Ngai Province
DOB: Unknown
POB: Unknown
OCCUPATION: Census Grievance Chief for Quang Ngai Province,
RVN
SEX: Male

NAME: DDDW
ID: None
ADDRESS: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1941
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
OCCUPATION: Farmer
SEX: Female

NAME: DDD X
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1913
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: DDD Y
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1957
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
OCCUPATION: Farm Boy
SEX: Male

NAME: DDD Z
ID: None
ADDRESS: Truong An, Tu Cung, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 10 Oct 57
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province
OCCUPATION: Farmer
SEX: Male

NAME: EEE A
ID: None
ADDRESS: Binh Phu Village, Binh Son District, Quang Ngai,
Province, RVN
DOB: 12 Dec 32
POB: Quang Ngai City, Quang Ngai Province, RVN
OCCUPATION: None (formerly S-1 VC Province Quang Ngai Unit
#130)
SEX: Male

NAME: EEE B
ID: None
ADDRESS: Truong An Refugee Camp, Son My Village, Son
Tinh District, Quang Ngai Province, RVN
DOB: 1912
POB: My Khe, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
OCCUPATION: Fisherman
SEX: Male

NAME: CCCZ
ID: None
ADDRESS: Truong Ding Hamlet, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1947
POB: Truong Ding Hamlet, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: DDDJ
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1924
POB: Tu Cung Village, Son Tinh District, Quang Ngai
Province, RVN
OCCUPATION: Farmer
SEX: Female

NAME: DDDK
ID: None
ADDRESS: Truong An, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
DOB: 1959
POB: Thuan Yen, Tu Cung, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
OCCUPATION: Farm Girl
SEX: Female

NAME: DDDL
ID: Unknown
ADDRESS: Tu Cung Hamlet, Xom Lang Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1955
POB: Tu Cung Hamlet, Xom Lang Village, Son Tinh
District, Quang Ngai Province, RVN
OCCUPATION: Unknown
SEX: Male

NAME: DDDM
ID: None
ADDRESS: My Lai (1) Son My Village, Son Tinh District,
Quang Ngai Province, RVN
DOB: 1925
POB: My Lai (1) Son My Village, Son Tinh District,
Quang Ngai Province, RVN
EDUCATION: Equivalent of High School
MARITAL STATUS: Married
OCCUPATION: Farmer and teacher
SEX: Male

NAME: DDDN
ID: None
ADDRESS: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
DOB: 1927
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: DDDO
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1907
POB: Tu Cung Village, Son Tinh District, Quang Ngai
Province
OCCUPATION: Farmer
SEX: Male

NAME: DDDP
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1956
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN

MARITAL
STATUS: Single
OCCUPATION: Farm Girl
SEX: Female

NAME: DDDQ
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province
DOB: 1958
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN

MARITAL
STATUS: Single
OCCUPATION: Farm Girl
SEX: Female

NAME: DDDR
ID:
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 7 Jun 1915
POB: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: EEEEC
ID: Unknown
ADDRESS: Unknown
DOB: Unknown
POB: Unknown
OCCUPATION: Commanding General, 2d ARVN Infantry Division
SEX: Male

NAME: EEED
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1924
POB: Tu Cung, Son My Village, Son Tinh District, Quang
Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: EEEE
ID: None
ADDRESS: Truong An Refugee Camp, Son Tinh District, Quang
Ngai Province, RVN
DOB: 1956
POB: Xom Lang, Tu Cung Hamlet, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farmer
EDUCATION: Can Read and Write
SEX: Female

NAME: EEEF
ID: None
ADDRESS: Thuan Yen, Tu Cung Hamlet, Son Tinh District,
Quang Ngai Province, RVN
DOB: 1939
POB: Thuan Yen, Tu Cung Hamlet, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: FEEG
ID:
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 10 Jan 1937
POB: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
OCCUPATION: Farmer
SEX: Female

NAME: EEEH
ID:
ADDRESS: Son My village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 5 May 1932
OCCUPATION: Farmer
SEX: Male

NAME: EEEI
ID: Serial Number
ADDRESS: 132 Bo Tanh, Quang Ngai City, RVN
DOB: 1 May 27
POB: Ninh Vinh, North Vietnam
OCCUPATION: Interpreter/Translator (MACV) SFC ARVN
SEX: Male

NAME: EEEJ
ID: None
ADDRESS: Xom Lang, Tu Cung, Son My, Son Tinh District,
Quang Ngai Province, RVN
DOB: 1961
POB: Xom Lang, Tu Cung, Son My, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: None
SEX: Male

NAME: EEEK
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1909
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Female

NAME: EEEL
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1896
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: EEEM
ID: None
ADDRESS: Noi Sanh, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
DOB: 12 Jul 1908
POB: Xom Lang, Tu Cung Hamlet, Son My Village, Son
Tinh District, Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Female

NAME: EEEN
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1919
POB: Unknown

MARITAL
STATUS: Widower
OCCUPATION: Farmer
SEX: Male

NAME: EEE0
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1932
POB: Tu Cung, Son My Village, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farm Girl
SEX: Female

NAME: EEE P
ID: None
ADDRESS: Truong An Refugee Camp, Son My Village, Son Tinh
District, Quang Ngai Province, RVN
DOB: 1 May 1954
POB: Xom Lang, Tu Cung Hamlet, Son My Village, Son
Tinh District, Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Female

NAME: EEE Q
ID:
ADDRESS: Xom Lang, Tu Cung Village, Son Tinh District,
Quang Ngai Province, RVN
DOB: 2 April 1935
POB: Xom Lang, Tu Cung Village, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: RF
ID: Unknown
ADDRESS: Unknown
DOB: Unknown
POB: Unknown
OCCUPATION: Cadre of the Census Grievance Committee, Quang
Ngai Province, RVN
SEX: Male

NAME: EEE R
ID: None
ADDRESS: Son My Village, Son Tinh District, Quang Ngai
Province, RVN
DOB: 1933
POB: My Lai (6), Son My Village, Son Tinh District,
Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Male

NAME: EEES
ID: None
ADDRESS: Truong An Refugee Camp, Son Tinh District, Quang
Ngai Province, RVN
DOB: 20 Feb 54
POB: Bin Tay, Tu Cung Hamlet, Son My Village, Son
Tinh District, Quang Ngai Province, RVN
OCCUPATION: Farmer
SEX: Female

ADDED

NAME: EEET
Province Chief of Quang Ngai

U.S. AND OTHER NON-VIETNAMESE WITNESSES

These people were interviewed by CID. No signed statement was given by them.

NAME: *EEFU*
OCCUPATION: Senior Physical Therapist, Quang Ngai Province
Hospital
ADDRESS: Quang Ngai City, RVN

NAME: *SSN*
SSAN:
OCCUPATION: Executive Officer for Development, Quang Ngai
Province
ADDRESS: MACV Advisory Team 17, APO San Francisco 96260

NAME: *SSV*
SSAN:
OCCUPATION: New Life Development Officer, Quang Ngai
Province
ADDRESS: MACV Advisory Team 17, APO San Francisco 96260

NAME: *EEEV*
OCCUPATION: Director, Canadian Assistance Program for
Tuberculosis Control
ADDRESS: Quang Ngai

NAME: *EEEW*
OCCUPATION: Chieu Hoi Advisor, Quang Ngai Province
ADDRESS: MACV Advisory Team 17, APO San Francisco 96260

NAME: *SSM*
SSAN:
OCCUPATION: District Senior Advisor, Tu Nghia District,
Quang Ngai Province
ADDRESS: MACV Advisory Team 17, APO San Francisco 96260

NAME: *EEEX*
SSAN:
OCCUPATION: Assistant Refugee Officer and Political Reporting
Officer, Quang Ngai Province
ADDRESS: MACV Advisory Team 17, APO San Francisco 96260

NAME: *EEFY*
SSAN:
OCCUPATION: Educational Assistant, Vietnam Christian
Service
ADDRESS: Quang Ngai Province, RVN

NAME: EEEZ
SSAN:
OCCUPATION: Volunteer Teacher - International Voluntary
Services
ADDRESS: Quang Ngai, RVN

NAME: DDV
OCCUPATION: Christian and Missionary Alliance
ADDRESS: Da Nang Mission, Drawer 61, APO San Francisco
96337

