

CID REPORT OF INVESTIGATION
(Military Police)

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

PREPARING CID AGENCY U.S. Army CID Agency Investigation Division Washington, D.C. 20315	TYPE OF REPORT 3rd Supplemental	REPORT NUMBER 70-CID011-00013
	PERIOD COVERED 30 Oct - 12 Nov 70	
OFFENSE 1. Murder 2. Assault w/Intent to Murder 3. Aggravated Assault		DATE OF REPORT 31 MAR 1971

SUBJECT(S) (Last name - First name - Middle name - Grade - SSAN - Organization or address and ZIP Code)
 MEDINA, Ernest Lou; CPT; (b)(6)(b)(7)(C) HQ, Third US Army, Fort McPherson, GA 30330

BASIS FOR INVESTIGATION
 Reference is made to CID ROI 70-CID011-00013, 2d Supplemental, dated 13 Oct 70.

INVESTIGATIVE SUMMARY
 During interviews conducted at Fort McPherson, GA and Fort Myer, VA on 1, 7 and 8 Nov 70, MEDINA offered a verbal recount of events connected with the combat assault at My Lai (4).
 MEDINA stated that it was not his intention to kill innocent civilians at My Lai (4) and he didn't think he ordered their death during the preassault briefing he conducted. MEDINA stated that he has since formed the opinion that some of his men misinterpreted the briefing to mean that everyone at My Lai (4) was to be killed.
 MEDINA acknowledged that he saw nothing at My Lai (4) which gave him reason to think the combat assault was a contested action. He acknowledged witnessing the purposeful slaying of several non-combatants by his troops including an incident involving a child who was shot by a member of his command group, possibly in response to commands issued by him. He described his utterances, made at the time of the incident, as irrational and instantly regretted.
 MEDINA stated that sometime during the period 0930 - 1030 hours, the morning of the assault, he became aware that he was not in control of his men and that his troops had killed innocent civilians including some 20-28 Vietnamese he observed sprawled near the CARRIER evacuation site. MEDINA stated that his awareness of the situation came upon him too late.
 (Continued, see attached sheets.)

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OG, Third US Army, Fort McPherson, GA 30330 Staff Judge Advocate USAIRR - CRD (Repos cy) File	2 (1) 1 1	INVESTIGATOR (Signature) (b)(6)(b)(7)(C)
		TYPED NAME, TITLE, AND ORGANIZATION (b)(6)(b)(7)(C) Criminal Investigator
		APPROVING OFFICER (Signature) (b)(6)(b)(7)(C)
		TYPED NAME, TITLE, AND ORGANIZATION (b)(6)(b)(7)(C) LTC, MPC C, Inves Div, USACIDA

INVESTIGATIVE SUMMARY (Continued)

Attached as Exhibit H-13 is Polygraph Examination Report (DA Form 2802). Under the provisions of paragraph 1-7g, AR 190-32 this exhibit must be destroyed not later than 29 JUN 1971. The original of this report, to include associated polygraph records, is in the files of the Criminal Records Division, U.S. Army Investigative Records Repository, Fort Holabird, MD 21219. Reproduction of these exhibits or their contents is prohibited.

EXHIBITS

1. ATTACHED

- D-13 Polygraph Examination Authorization pertaining to MEDINA,
30 Oct 70 (Repos cy only)
- E-13 Polygraph Examination Statement of Consent pertaining to
MEDINA, 1 Nov 70 (Repos cy only)
- F-13 Polygraph Examination Statement of Consent pertaining to
MEDINA, 7 Nov 70 (Repos cy only)
- G-13 Polygraph Examination Statement of Consent pertaining to
MEDINA, 8 Nov 70 (Repos cy only)
- H-13 Polygraph Examination Report, 8 Nov 70 (cy)
- I-13 Polygraph Charts (series I through V) pertaining to MEDINA,
1, 7 and 8 Nov 70 (Repos cy only)
- J-13 Statement of Crim (b)(6)(b)(7)(C) 12 Nov 70 (cy)

2. NOT ATTACHED

- K-13 Three (3) spools of recording tape, 7" X 1/4", marked (b)(6)(b)(7)(C)
1630 hours, 1 Nov 70".
- L-13 Seven (7) spools of recording tape 5" X 1/4", marked (b)(6)(b)(7)(C)
1630 hours, 1 Nov 70".
- M-13 Two (2) spools of recording tape 5" X 1/4", marked (b)(6)(b)(7)(C)
1535 hours, 7 Nov 70".
- N-13 Two (2) spools of recording tape, 5" X 1/4", marked (b)(6)(b)(7)(C)
1600 hours, 8 Nov 70".

Originals of Exhibits D-13 through J-13 are attached to the Repository Copy of this report for the U.S. Army Investigative Records Repository, Fort Holabird, MD.

Exhibits K-13 through N-13 are maintained at the USACTIDA Liaison Office, Fort Holabird, MD, in the custody of Crim Inves (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

70-CID011-00013

WITNESSES

Crim Inves (b)(6)(b)(7)(C) USACIDA, Washington, D.C. 20315

UNDEVELOPED LEADS

NONE

ORGANIZATION OR AGENCY REQUESTING EXAMINATION
Headquarters, 3rd US Army
Fort McPherson, Georgia 30330

POLYGRAPH EXAMINATION AUTHORIZATION

DATE RECEIVED
31 Oct 70

TITLE OF AUTHORIZING REPRESENTATIVE
CO, 3rd MP Group (CI)

PERSONAL DATA OF SUBJECT

SUBJECT (Last Name - First Name - Middle Name)

MEDINA, Ernest Lou

GRADE

CPT

SERVICE NUMBER

05 321 822

SSAN

(b)(6)(b)(7)(C)

ORGANIZATION OR ADDRESS
Hqs, 3rd US Army, Fort McPherson, Georgia

PLACE OF BIRTH

Springer, New Mexico

DATE OF BIRTH
27 August 1936

CURRENT DUTY ASSIGNMENT
CIO, Fort McPherson, Georgia

MONTHS IN ASG
3

NUMBER YEARS EDUCATION
14

GT. SCORE
718 (TC 133)

PREVIOUS POLYGRAPH EXAM
 YES NO

WHERE EXAMINED
N/A

DATE EXAMINED
N/A

AGENCY CONDUCTING EXAMINATION
N/A

PURPOSE OF EXAMINATION To determine if MEDINA was truthful when he denied being involved as principal in incidents of Murder, Harming & Assault during Mar 68 at or near My Lai (4), RVN

PERSONAL AND FAMILY HISTORY

AGE IF LIVING	PLACE OF BIRTH (City, State, Country)	AGE IF LIVING	PLACE OF BIRTH (City, State, Country)
	(b)(6)(b)(7)(C)		
FATHER	(b)(6)(b)(7)(C)	BROTHER	
MOTHER (ECCO)	(b)(6)(b)(7)(C)	BROTHER	
CHILDREN (M/S)		BROTHER	
Female		SISTER	(b)(6)(b)(7)(C)
Male		SISTER	
Male		SISTER	
		SPOUSE	(b)(6)(b)(7)(C)

PERSONAL HISTORY OF SUBJECT

HOBBIES: Fishing, hunting, activities involving children
SPORTS: Tennis, football
HEALTH: Good, no heart trouble, no lung or chest disorder, excessive acid in stomach during past few months. Bronchitis during 1969. No serious illnesses, no medication in past 24 hours except Sominex (sleeping pill) on 31 October 1969.

ARRESTS, CONVICTIONS (Date, Location, Offense)

One moving and one stationary traffic violation (date was not remembered).
No felony apprehensions.

CIVILIAN EMPLOYMENT (Dates, Location, Position)

May 52 to Nov 52, Busy Corner Drug Store, Montrose, Colo; Jul 54 to Sep 54 and Jun 55 to Aug 55, US Forest Service, Telluride, Colo; Aug 55 to Oct 55, Independent Lumber Co, Montrose, Colo; Oct 55 to Mar 56, Safe-Way, Inc., Montrose, Colo.

PREVIOUS MILITARY ASSIGNMENTS (Dates, Location, Position)

National Guard (1952-56); Ft Carson, Colo, Apr 56 - Oct 56; Heilbronn, Ger, Oct 56 - Jan 58; Baumholder, Ger, Jan 58 - May 59; Ft Riley Ks, May 59 - Nov 60; Augsburg & Berlin, Ger, Dec 60 - Aug 63; Ft Benning, Ga, Aug 63 - Jul 66; Novall, Jul 66 - Dec 67; Vietnam, Dec 67 - Dec 68; Ft Benning and Fort McPherson Ga, Dec 68 - present.

REMARKS

None

INVESTIGATIVE SUMMARY

OFFENSE WAS Murder, Harming and Assault during the My Lai (4) operation during March 1968.
DETAILS: An investigation conducted by CIO during the period 16 Jan - 26 Aug 70 revealed that on or about 16 Mar 68, at My Lai (4), RVN, MEDINA utilized an Infantry company under his command to murder 343 identified and an undetermined number of unidentified Vietnamese men, women and children; that on or about 16 March 1968, at My Lai (4), RVN, MEDINA utilized an Infantry company under his command to assault with intent (continued on page 1a)

EXHIBIT NUMBER
17

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<input type="checkbox"/>	NO DECEPTION INDICATED	<input type="checkbox"/>	INCONCLUSIVE	<input checked="" type="checkbox"/>	PRETEST CONFESSION/ ADMISSION	<input checked="" type="checkbox"/>	CONFIRMED BY OTHER EVIDENCE
<input checked="" type="checkbox"/>	DECEPTION INDICATED	<input type="checkbox"/>	NO OPINION	<input checked="" type="checkbox"/>	POST TEST CONFESSION/ ADMISSION	<input type="checkbox"/>	UNCONFIRMED

CONCLUSIONS

During pretest interviews on 1, 7 and 8 November 1970, MEDINA made statements substantially as follows:

- a. That while checking a Vietnamese woman at My Lai (4), who was found lying face down with her eyes closed, he observed her eyelids and chest move, at which time he shot her twice with his M-16 rifle.
- b. That the Vietnamese woman was the only person he shot at My Lai (4).
- c. That in addition to the woman, he fired his rifle at a man riding a bicycle or some type of motor scooter or motorcycle from a distance of from 250 to 500 meters, but that he did not hit the man.

(Continued on page 4c)

NAME OF MONITOR OR WITNESS (include certificate number if certified polygraph examiner)

ROBERT W. ZAZA, Criminal Investigator, 1st AF Detachment (C1), USAC/DA
 DATE: 2 November 1970 EXAMINER: (b)(6)(b)(7)(C)

INVESTIGATIVE AGENCY COMMENT

Not Applicable.

DATE	TYPED NAME, GRADE, AND ORGANIZATION	SIGNATURE (Original only)
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AUTHORIZING REPRESENTATIVE COMMENTS (if appropriate)

DATE	TYPED NAME, GRADE, AND ORGANIZATION OF AUTHORIZING REPRESENTATIVE	SIGNATURE (Original only)
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(b)(6)(b)(7)(C)
 Colonel, AFPC

POLYGRAPH EXAMINATION REPORT (DA Form 2802) CONTINUED:

DETAILS (Continued):

to commit murder, 44 identified and an undetermined number of unidentified Vietnamese men, women and children; and on 17 March 1968, at My Khe (2), MEDINA assaulted an unidentified Vietnamese adult male by shooting at him with a rifle. The murders and assaults at My Lai (4) were allegedly accomplished through means of shooting, grenading and stabbing.

On 19 October 1970, the Defense Counsel for MEDINA formally petitioned the US Army to conduct a polygraph examination of MEDINA in exculpation of the charges served on MEDINA by Third US Army in connection with My Lai (4) and My Khe (2).

A review of the CID Report of Investigation revealed that questions appropriate for utilization in a polygraph examination in exculpation of charges served on MEDINA are as follows:

1. Did you shoot at any person at My Lai (4)?
2. Did you personally shoot any person at My Lai (4)?
3. Did you order your men during your briefing of 15 March 1968, to shoot all persons at My Lai (4)?
4. Did you intentionally infer to your men in your briefing of 15 March 1968, that non-combatants at My Lai (4) were to be killed?
5. Did you believe the bodies observed near (b)(6)(b)(7)(C) evacuation site were killed by artillery or helicopter gunfire?
6. Did you shoot a woman at My Lai (4)?
7. Did you order a member of your command group to shoot a young child at My Lai (4)?
8. Did you witness the shooting of unarmed Vietnamese by members of your command?
9. Did you witness the intentional maiming of any prisoner after linking up with B Company on 16 March 1968?
10. Did you place a knife or pistol to the head of a VC suspect after linking up with B Company?
11. Following My Lai (4) and on 16 March 1968, did you threaten other Vietnamese with the same fate as My Lai (4) if they did not depart the area?

EXHIBIT

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1a

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POLYGRAPH EXAMINATION REPORT (DA Form 2802) CONTINUED:

DETAILS (Continued):

12. Did you suggest to the Vietnamese Field Police on 16 March 1968, that they execute detainees?
13. Did you personally hear or see anything to cause you to believe that the combat assault by your unit at My Lai (4) was contested by the enemy?
14. Did you take any action to reduce firepower by your company?
15. Did LT (b)(6)(b)(7)(C) caution you on 15 March 1968, that your briefing to your men was too strong?
16. Did any superior officer personally order you to destroy the unarmed inhabitants of My Lai (4)?
17. Did you tell SGT (b)(6)(b)(7)(C) that the killings at My Lai (4) had been ordered?
18. Were you aware at anytime during the mission that members of your unit killed non-combatants after they had been assembled into a group?
19. Following My Lai (4) did you caution your men that they should not talk about the combat assault?
20. Did you intentionally falsify the My Lai (4) Casualty Report?
21. Were you positive in your mind that only members of the 48th VC Battalion would be present at My Lai (4)?
22. Did you instruct SGT (b)(6)(b)(7)(C) to have the Vietnamese Police cease killing prisoners?
23. Did you observe CPT (b)(6)(b)(7)(C) cut the finger from the hand of a Vietnamese prisoner?
24. Did you order the killing of Vietnamese prisoners on 16 March 1968?
25. Do you know if CPT (b)(6)(b)(7)(C) gave instructions to kill the Vietnamese prisoners?

POLYGRAPH EXAMINATION REPORT (DA Form 2802) CONTINUED:

CONCLUSIONS (Continued):

- d. That he did not order his men to kill non-combatants at My Lai (4).
- e. That he did not intentionally infer when briefing his company on 15 March 1968, that non-combatants would be killed at My Lai (4).
- f. That upon observing a group of dead Vietnamese civilians, which he estimated to be between 20 and 23, near the (b)(6)(b)(7)(C) evacuation site, he was aware that these individuals had been killed by members of his company rather than by helicopter or artillery fire.
- g. That in addition to the woman he shot, he witnessed the shooting or killing of five non-combatants by members of his company.
- h. That he witnessed the mistreatment of Viet Cong suspects after linking up with Company B, but did not observe the maiming of VC prisoners.
- i. That he placed a pistol to the head of a VC suspect during an interrogation of this prisoner on 17 March 1968.
- j. That he may have placed a knife against the head of a VC suspect during interrogation of a prisoner after linking up with Company B on 16 March 1968.
- k. That he fired twice above the head of a VC suspect while interrogating a prisoner on 17 March 1968.
- l. That on 16 March 1968, following the combat assault on My Lai (4), he may have threatened a group of Vietnamese with the same fate as the people in My Lai (4) if they returned to My Lai (4), but if this statement was made, it was with the intent of impressing these civilians to leave the My Lai (4) area and he did not intend to kill them if they did not heed his warning.
- m. That he did not care if the Vietnamese Field Police killed prisoners and may have suggested that the Vietnamese Field Police kill the prisoners.
- n. That he does not remember if he ordered the killing of Vietnamese prisoners by the Vietnamese Field Police.
- o. That upon arrival in the village of My Lai (4), he did not observe or hear anything that would cause him to believe that the combat assault at My Lai (4) was contested by the enemy.
- p. That sometime subsequent to 1025 hours, 16 March 1968, following a radio message from MAJ (b)(6)(b)(7)(C) of the Tactical Operations Center (TOC) that innocent civilians were being killed by his unit, he instructed his platoon leaders to cease killing innocent civilians.

END

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POLYGRAPH EXAMINATION REPORT (DA Form 2802) CONTINUED:

CONCLUSIONS (Continued):

- q. That sometime subsequent to 1025 hours, 16 March 1968, and immediately following the shooting of a child, estimated to be about six years old and believed to be a boy, by a member of his unit, he may have radioed his platoon leaders to cease killing innocent civilians.
- r. That he does not remember LT (b)(6)(b)(7)(C) cautioning him on 15 March 1968, that his briefing was "too strong".
- s. That he was not informed by any superior officer to destroy or kill the unnamed inhabitants of My Lai (4).
- t. That he was suspicious and possibly knew that members of his unit were killing civilians after they had been assembled into a group when he observed the group of 20 to 23 dead civilians near the (b)(6)(b)(7)(C) evacuation point.
- u. That following the My Lai (4) combat assault he cautioned his men not to discuss the combat assault of My Lai (4).
- v. That he was aware that his Casualty Report was false.
- w. That although he expected a few non-combatants to be in the village of My Lai (4), he believed that the majority of persons in My Lai (4) would be members of the 48th VC Battalion.
- x. That subsequent to the killing of two prisoners by the Vietnamese Field Police, he instructed SGT (b)(6)(b)(7)(C) have the Vietnamese Field Police cease killing prisoners unless they had cleared the action through him (MEDINA).
- y. That he does not know if CPT (b)(6)(b)(7)(C) gave instructions to kill Vietnamese prisoners.

Based on Series I and II of the polygraph examination which were conducted on 1 and 7 November 1970, it is concluded that MEDINA was truthful when he denied ordering or intentionally inferring to his company during his briefing of 15 March 1968, that non-combatants be killed at My Lai (4), and when he denied shooting or shooting at persons other than those incidents described during pretest interview. It is further concluded that MEDINA was not truthful when he denied knowing that his company had killed numerous non-combatants at My Lai (4) prior to 0930 hours, 16 March 1968, and was aware that his company was killing numerous non-combatants at My Lai (4) between the hours of 0730 and 0900, 16 March 1968.

POLYGRAPH EXAMINATION REPORT (DA Form 2802) CONTINUED:

CONCLUSIONS (Continued):

Based on Series III of the polygraph examination, which was conducted on 7 November 1970, it is concluded that MEDINA was not truthful when he denied ordering a member of his command to shoot a young boy at My Lai (4) and when he denied telling SGT (b)(6)(b)(7)(C) that the killings of women and children at My Lai (4) had been ordered. It was further concluded that MEDINA was truthful when he described the circumstances surrounding his shooting of a Vietnamese woman.

Subsequent to the completion of Series III of the polygraph examination, MEDINA admitted that upon viewing a Vietnamese child at My Lai (4), who he estimated to be about six years of age, he believes he stated "stop, stop him, shoot" and maybe "don't shoot", and possibly uttered all of these phrases prior to a member of his unit shooting the young child. Further, that if he gave this order, he considered it an irrational order and was sorry for giving the order immediately after the child was shot.

Based on Series IV of the polygraph examination, which was conducted on 8 November 1970, it is concluded that MEDINA was not truthful when he denied witnessing the shooting of another young child or children at My Lai (4) and when he stated that he was not withholding significant information regarding the shooting of the six or old child.

Prior to the conduct of Series V of the polygraph examination, MEDINA admitted observing CPT (b)(6)(b)(7)(C) striking the finger of a prisoner with a knife while telling the prisoner that he (b)(6)(b)(7)(C) was going to cut the finger off, but he (MEDINA) did not actually observe (b)(6)(b)(7)(C) cutting the finger from a prisoner's hand. MEDINA also stated that he is of the opinion that subsequent to cutting the finger from the hand of a prisoner, (b)(6)(b)(7)(C) told him that he (b)(6)(b)(7)(C) accidentally cut off a finger of a Vietnamese prisoner.

Based on Series V of the polygraph examination, it is concluded that MEDINA was truthful when he denied observing CPT (b)(6)(b)(7)(C) cut a finger from the hand of a Vietnamese prisoner and when he stated that he instructed SGT PHU to have the Vietnamese Field Police cease killing prisoners.

No unusual physiological responses were noted in the polygraph tracings.

MEDINA cooperated during the entire examination.

Following the completion of Series V, counsel for MEDINA requested discontinuance of additional polygraph testing.

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POLYGRAPH EXAMINATION REPORT (DA Form 2802) CONTINUED:

CONCLUSIONS (Continued):

Questions related to the My Lai (4) incident that had been selected for use in additional testing of MEDINA are as follows:

1. Prior to 1025 hours, 16 March 1968, did you take any action to reduce firepower by your command?

2. Did LT (b)(6)(b)(7)(C) caution you on 15 March 1968, that your briefing to your men was "too strong"?

3. Were you positive in your mind on 15 March 1968, that only members of the 48th VC Battalion would be present at My Lai (4)?

A detailed summary of oral statements made by MEDINA during interviews on 1, 7 and 8 November 1970, are reflected in the written statement of the polygraph examiner.

Dissemination of this Polygraph Examination Report is made in accordance with paragraph 1-7h, AR 190-32.

Under the provisions of paragraph 1-7g, AR 190-32, this report must be destroyed not later than 90 days after completion of investigation. The original of this report, to include associated polygraph records, is in the files of the Criminal Records Branch, US Army Investigative Records Repository, Fort Holabird, Maryland 21219. Reproduction of this report or its contents is prohibited.

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 St Holabird, Maryland	DATE 12 Nov 70	TIME .0830	FILE NUMBER 70-CID011-00013
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(b)(7)(C)	SOCIAL SECURITY ACCOUNT NO. (b)(6)(b)(7)(C)		GRADE Criminal Investigator
ORGANIZATION OR ADDRESS 1st MP Detachment (CI), USACIDA, DA			

SWORN STATEMENT

I, (b)(6)(b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 1 November 1970, between 0825 and 1530 hours, the undersigned interviewed CPT Ernest Lou MEDINA, SSAN: (b)(6)(b)(7)(C) Headquarters, 3rd United States Army, Fort McPherson, Georgia 30330, at the office of the Headquarters, 3rd Military Police Group (Criminal Investigation), Fort McPherson, Georgia. Prior to the interview, CPT MEDINA was apprised that he was accused of murder, maiming and assault during the My Lai (4) operation of 16 through 17 March 1968, and was explained his rights under the Fifth Amendment to the Constitution of the United States and Article 31, Uniform Code of Military Justice. At this time, CPT MEDINA was further apprised that any statement or statements he had made prior to this particular interview could not be used against him and should not be considered as having evidential value. At this time, CPT MEDINA made statements substantially as follows:

- a. That on either 14 or 15 March 1968, he and CPT (b)(6)(b)(7)(C) CO, Company B, were briefed by LTC (b)(6)(b)(7)(C) Commander of Task Force Barker, at which time LTC BARKER directed MEDINA to conduct a combat assault of My Lai (4) at 0730 hours, 16 March 1968. This briefing included a helicopter flight over My Lai (4) at which time LTC (b)(6)(b)(7)(C) informed CPT MEDINA that My Lai (4) contained the 48th Viet Cong Battalion and that the women and children would depart for a market away from My Lai (4) at approximately 0700 hours.
- b. That he was informed by LTC (b)(6)(b)(7)(C) that a double coverage of helicopters would exist over the area during the assault and that artillery would be placed into the village from 0720 to 0730 hours.
- c. LTC (b)(6)(b)(7)(C) instructed him to destroy all crops, kill all livestock, burn all houses and pollute the water wells.
- d. LTC (b)(6)(b)(7)(C) did not order him to kill unarmed inhabitants of My Lai (4) and he did not interpret LTC (b)(6)(b)(7)(C) instructions to mean that non-combatant inhabitants of My Lai (4) were to be destroyed.
- e. That on the evening of 15 March 1968, he briefed his unit on the combat assault of My Lai (4), at which time he charged his men to be more aggressive on this assault, that the assault would be a surprise to the enemy, and that the assault upon My Lai (4) would offer an opportunity to avenge previous casualties suffered by C Company.
- f. That he told his men to destroy all homes and crops, kill all livestock and pollute the water wells.
- g. That he did not tell his men to kill innocent civilians and that he did not think that he informed his men to kill women and children, but told them to kill VC and VC sympathizers.
- h. That he is presently of the opinion that some of the men in his unit interpreted his briefing to mean kill everyone at My Lai (4).
- i. That he only expected a few, if any, women and children to be in the village and that the village would only contain the 48th Viet Cong Battalion.
- j. That he intentionally inferred to his men in his briefing of 15 March 1968 and expected that most of the inhabitants of My Lai (4) were to be killed (b)(6)(b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)	PAGE 1 OF 10 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 (b)(6)(b)(7)(C) MADE AT FORT HOLABIRD,
MD, ON 12 NOVEMBER 1970, CONTINUED:

but this was with the thought in mind that only the 48th VC Battalion would be present in the village.

k. That he did not caution his men to avoid non-combatant casualties at My Lai (4) and that in response to a question regarding killing women and children, he had informed one of his men that common sense had to be used and that women or children may be killed if they were armed, trying to harm an American soldier, or were trying to evade and will not halt when directed.

l. That in response to a question from one of the men in his unit regarding the obtaining of poison to use in the water, he retorted by stating that poison could not be obtained and they should attempt to cave the well in or place banana trees or other substances in the well to pollute the water.

m. That he does not recall whether or not he informed his men that innocent civilians had been warned of the impending assault by the dropping of leaflets into My Lai (4) from aircraft.

n. That following his briefing on 15 March 1968, he did not assume that non-combatants would be killed, and that only VC or VC sympathizers would be in the village.

o. That he expected to find only a few women and children at My Lai (4) during the assault as he had been informed that women and children had departed market.

p. That he desired that his troops kill VC and VC sympathizers at My Lai (4).

q. That he does not remember LT (b)(6)(b)(7)(C) cautioning him on 15 March 1968 that his briefing was "too strong".

r. That upon landing at My Lai (4) at 0730 hours, 16 March 1968, he radioed that the landing zone was "cold", meaning that it was not under fire from the enemy; however, at this time he received a transmission from a helicopter that the landing zone was "hot" meaning that the landing zone was under fire from the enemy.

s. That while checking a Vietnamese woman at My Lai (4), who was found lying face up with her eyes closed, he observed her move at which time he shot her twice with his M-16 rifle.

t. That this woman was the only person that he shot at My Lai (4).

u. That in addition to the woman, he shot at a man riding a bicycle or some type of motor scooter or motorcycle from a distance of from 250 to 500 meters but that he did not hit the man.

v. That during My Lai (4) he observed members of his unit shoot a young boy, shoot a woman who was running away but not zig-zagging or running at a fast speed, and heard a shot that killed an old man who was invalid.

w. That during the My Lai (4) assault, he believes that four or five VC were killed.

x. That a member of his unit named (b)(6)(b)(7)(C) who shot himself in the foot was the only casualty suffered by C Company at My Lai (4).

y. That he was originally of the opinion that (b)(6)(b)(7)(C) injury was accidental but has since learned that (b)(6)(b)(7)(C) had intentionally inflicted the wound to his foot (b)(6)(b)(7)(C)

STATEMENT OF (b)(6)(b)(7)(C) MADE AT FORT HOLABIRD,
MD. ON 12 NOVEMBER 1970, CONTINUED:

(b)(6)(b)(7)(C)

z. That he was aware on 16 March 1968, that the majority of inhabitants killed at My Lai (4) were killed by his company rather than by artillery or helicopters and that LT (b)(6)(b)(7)(C) platoon was responsible for the killing of the majority of the innocent civilians.

aa. That he did not know the full extent that innocent civilians had been killed prior to the CID investigation and that common sense had to be used.

bb. That he does not know if his unit employed more firepower than was necessary during the initial phase of the assault.

cc. That following a message received from MAJ (b)(6)(b)(7)(C) sometime after 1025 hours, 16 March 1968, he radioed his platoon leaders to reduce their firepower and cease shooting civilians.

dd. That he cannot be sure, but believes that sometime after 1025 hours, but prior to the receipt of MAJ (b)(6)(b)(7)(C) radio message, he utilized his radio to instruct his platoon leaders to cease shooting innocent women and children. This was at the time that a member of his unit shot a young Vietnamese boy.

ee. That during the initial stage of the assault, he observed about six or seven bodies of non-combatants in the path of the leading elements of his company.

ff. That near the (b)(6)(b)(7)(C) evacuation site, he observed a group of dead civilians which he estimated to be 20 to 25.

gg. That he did not actually count the bodies and merely made a rough estimate which he believed to be lower than the actual count.

hh. That when he saw the dead bodies in a group, he did not desire to make a determination as to whether they were killed by artillery or helicopter gunfire rather than rifle fire from his unit, as he did not want to think that members of his unit would gather groups of people and kill them.

ii. That upon viewing the bodies of deceased personnel near (b)(6)(b)(7)(C) evacuation site, he was aware that these individuals had been killed by members of his company rather than by helicopter or artillery gunfire but that he did not want to believe that members of his unit would commit these type acts.

jj. That originally he did not think that the dead people found on the trail were killed by members of (b)(6)(b)(7)(C) first platoon but upon observing the large group near the (b)(6)(b)(7)(C) evacuation site, he realized that this was the action of his men.

kk. That he became suspicious that (b)(6)(b)(7)(C) platoon had killed non-combatants after they had been assembled into a group, when he observed the group of dead civilians near the (b)(6)(b)(7)(C) evacuation site.

ll. That he avoided looking at the bodies of deceased personnel during his travel in and around My Lai (4).

mm. That it was very possible that he selected a route of travel in and around My Lai (4) calculated to avoid coming upon dead Vietnamese.

nn. That he did not contact LT (b)(6)(b)(7)(C) to ascertain how the dead people sprawled on the trail were killed (b)(6)(b)(7)(C)

STATEMENT OF (b)(6)(b)(7)(C)
MD. ON 12 NOVEMBER 1970, CONTINUED:

MADE AT FORT HOLABIRD,

oo. That following the radio message from the helicopter that the landing zone was "hot", he had no reason to believe that the combat assault of My Lai (4) was contested by the enemy.

pp. That he rendered a final Casualty Report for My Lai (4), believed to be 128, which included casualties inflicted by Company B and that at the time he was aware that he could have turned in a larger Casualty Report.

qq. That to the best of his memory, he reported to GEN (b)(6)(b)(7)(C) by radio that the Interim Casualty Report was 20 to 23 rather than a figure of 10 or 11.

rr. That during the My Lai (4) operation he does not recall any radio or communication failure between the command group and his platoon leaders, and that he did have radio communication with his platoon leaders at all times.

ss. That during the My Lai (4) operation, he lost control of his unit, but that he found out "too late" what had taken place.

tt. That no medical assistance was rendered to Vietnamese Nationals during the My Lai (4) operation.

uu. That following his departure from My Lai (4), MAJ (b)(6)(b)(7)(C) indicated that he should return to My Lai (4) for the purpose of obtaining a body count; however, GEN (b)(6)(b)(7)(C) intervened by radio and he (MEDINA) was not ordered to return to My Lai (4).

vv. That SGT (b)(6)(b)(7)(C) did not make any inquiries as to why women and children were being killed at My Lai (4).

ww. That he did not inform SGT (b)(6)(b)(7)(C) that the killings at My Lai (4) had been ordered.

xx. That following My Lai (4) and on 16 March 1968, he informed a group of Vietnamese that they should leave the area and should not return or go to the village of My Lai (4), but did not inform these individuals that they would be killed by American troops if they did not leave the area.

yy. That SGT (b)(6)(b)(7)(C) did not state to him (MEDINA) that he (b)(6)(b)(7)(C) did not want the people of other hamlets killed as in My Lai (4).

zz. That following My Lai (4) he cautioned his men not to discuss the combat assault of My Lai (4) and that his purpose for this caution was to prevent a discussion that would affect combat operations and since an investigation was apparently imminent, he did not want information leaked to investigators.

aaa. That he did not witness the intentional maiming of detainees after linking up with Company B on 16 March 1968, but that he may have observed some detainee being cut or observed blood from a cut to a detainee.

bbb. That he did not observe CPT (b)(6)(b)(7)(C) cut the finger from a detainee but later CPT (b)(6)(b)(7)(C) admitted that he had cut the finger from a detainee.

ccc. That he placed a revolver to the head of a suspected VC in a "Russian Roulette" type of threat to obtain a confession from the VC; however, he did not intend and would not have killed the suspected VC.

ddd. That he did shoot twice above the head of the VC suspect on the 17th of March 1968 and that this suspected VC later confessed to being the equivalent to a LTC or District Viet Cong Chief (b)(6)(b)(7)(C)

STATEMENT OF (b)(6)(b)(7)(C) MADE AT FORT HOLABIRD,
MD ON 12 NOVEMBER 1970, CONTINUED:

eee. That SGT (b)(6)(b)(7)(C) informed him that the VC suspect which he (MEDINA) frightened by shooting above his head twice, was a "big shot" VC.

fff. That he did not order the execution of detainees or prisoners by Vietnamese Field Police.

ggg. That he is not sure if he heard or observed any American order the execution of Viet Cong prisoners. CPT MEDINA explained this by indicating that CPT (b)(6)(b)(7)(C) may have inadvertently ordered the execution of prisoners by "raising his thumb". This may have been interpreted by the Vietnamese Field Police to mean that the two prisoners should have been executed.

hhh. That he was present and although did not observe the actual killing, he heard the shots of the Vietnamese National Police when they killed two suspected VC prisoners.

iii. That he condoned execution of detainees by the Vietnamese Field Police and may have suggested to the Vietnamese Field Police that they execute prisoners.

jjj. That subsequent to the killing of the two Vietnamese prisoners by the Vietnamese Field Police, he instructed SGT PHU to tell the Vietnamese National Field Police that they would not kill any other prisoners unless they had cleared this action through him (MEDINA).

kkk. That following the My Lai (4) operation, he did not make or sign a written statement in Vietnam, nor was he requested to make or write a statement by anyone in Vietnam.

Between 0935 and 1519 hours, 7 November 1970, and 0900 and 1545 hours, 8 November 1970, the undersigned re-interviewed CPT Ernest Lou MEDINA, SSAN: (b)(6)(b)(7)(C) Headquarters, 3rd United States Army, Fort McPherson, Georgia 30330, at the 4th Military Police Detachment (Criminal Investigation), Fort Myer, Virginia. Prior to the interview, CPT MEDINA was apprised that he was accused of murder, maiming and assault during the My Lai (4) operation of 16 - 17 March 1968 and was explained his rights under the Fifth Amendment to the Constitution of the United States and Article 31, Uniform Code of Military Justice. During these interviews, CPT MEDINA made statements substantially as follows:

a. That he believed the combat assault at My Lai (4) would surprise the enemy and that he does not remember telling his men that leaflets had been dropped at My Lai (4) or that non-combatants had been warned that Company C would conduct a combat assault at My Lai (4).

b. That he did not consider the fact that some women and children would be in the village of My Lai (4).

c. That he expected to find a major force of the 46th Viet Cong Battalion in My Lai (4).

d. That he considers a Viet Cong sympathizer as a person who is helping the Viet Cong cause and it is obvious that he can cause harm to Americans.

e. That he was informed in his briefing by superiors that artillery was supposed to be placed in the village rather than on the landing zone at My Lai (4).

STATEMENT OF (b)(6)(b)(7)(C)
ON 12 NOVEMBER 1970, CONTINUED:

MADE AT FORT HOLABIRD,

f. That while travelling to My Lai (4) by helicopter, he observed smoke from exploding artillery that appeared to be coming from the village.

g. That upon entering the village he did not observe or notice any results of artillery fire in the village.

h. That he did not consider the order by LTC (b)(6)(b)(7)(C) to kill animals, destroy crops, burn houses and pollute the water to be an unusual order as Americans had been killed in this area by land mines, booby traps and the enemy, and it was supposed to be a VC area.

i. That he had no reason to protest the order of LTC (b)(6)(b)(7)(C)

j. That upon arrival at My Lai (4), he does not recall receiving any message changing the order from a search and destroy mission at My Lai (4).

k. That he may have received orders to stop burning the buildings at My Lai (4) but he does not know this for sure.

l. That should he have received an order to cease burning the houses in the village, he would have transmitted this order to his platoon leaders.

m. That he did not request permission to change his mission from a search and destroy to a search and clear mission.

n. That firing by his men existed throughout the morning at My Lai (4) but does not recall that it was heavy at all times.

o. That helicopters were firing on the peripheral of the village during a portion of the combat assault.

p. That he was not aware that there was any return of fire by the enemy at My Lai (4).

q. That he does not recall asking LT (b)(6)(b)(7)(C) to explain why a lot of firing by Company C was taking place.

r. That he observed the group of Vietnamese bodies near the (b)(6)(b)(7)(C) evacuation site between the hours of 0930 and 1030, 16 March 1968.

s. That the first dead Vietnamese that he observed upon entering My Lai (4) was between 0815 and 0830 hours, when he observed a Vietnamese adult male who had been shot and killed.

t. That sometime between 0900 and 0930 hours, 16 March 1968, to the best of his estimation, he shot a Vietnamese woman.

u. That he proceeded to the area in which he shot the woman on insistence from the TOC to investigate a site where a helicopter had dropped a smoke grenade to indicate that a Viet Cong had been shot.

v. That upon arriving at the area, the woman was lying on her back, with her head turned to the left and her eyes closed.

w. That upon viewing this woman he observed no blood or evidence that she was wounded; however, she appeared to be unconscious or dead.

x. That while near the woman he observed what he thought was her eyelids and chest move, at which time he turned and removed the safety from his rifle and shot the woman twice.

y. That he thinks his projectiles hit the woman but he is not sure as he did not return to examine her.

z. That (b)(6)(b)(7)(C) who received a self-inflicted foot injury, was evacuated from My Lai (4) at approximately 1025 hours, 16 March 1968. (b)(6)(b)(7)(C)

STATEMENT OF (b)(6)(b)(7)(C)
ON 12 NOVEMBER 1970, CONTINUED:

MADE AT FORT HOLABIRD,

aa. That he witnessed the shooting of a young child by a member of his unit between 1025 and 1100 hours, 16 March 1968.

bb. That the small child, who he estimated to be about six years of age, ran out of a tree line across the trail in which his command group was walking and into a rice field.

cc. That he brought his rifle up in a position to fire and at the same time observed that one of the soldiers about 20 meters in front of him aimed his rifle at the young child.

dd. That upon observing the young child, he believes he stated "stop, stop him, shoot" and maybe "don't shoot", and possibly uttered all of these phrases prior to a member of his unit shooting the young child.

ee. That he realizes by using the term "shoot", "stop" and "stop him" that he is giving an order.

ff. That if he gave the order "shoot" it was an irrational order and he was sorry for giving the order and "sick" immediately after the child was shot.

gg. That he is not positive but believes that the soldier who shot the young child is named (b)(6)(b)(7)(C)

hh. That he prevented anyone from going to check on the child after the child shot.

ii. That he did not observe the shooting of any other young children by members of his unit.

jj. That in addition to the woman he shot, he observed or was present when members of his unit killed an unarmed man near a hedgerow, a woman running, the young child estimated to be about six years of age, an old invalid man, and an elderly woman who was inside a bunker when the bunker was destroyed with a grenade.

kk. That between 0930 and 1030 hours, 16 March 1968, he realized that he had lost control of his unit.

ll. That when stating he took a route around My Lai (4) so that he would intentionally avoid viewing dead bodies, he means that after 0930 hours or 1030 hours, 16 March 1968, he realized something "was wrong" and that he was not looking for bodies and didn't desire to see dead bodies.

mm. That on 16 March 1968, following the combat assault on My Lai (4), he spoke to a group of Vietnamese civilians and told them not to return to My Lai (4).

nn. That he may have threatened the group of Vietnamese civilians with the same fate as the people in My Lai (4) if they returned to My Lai (4), but if he made this statement it was with the intent of impressing these civilians to leave the My Lai (4) area and he did not intend to kill them if they did not heed his warning.

oo. That he did not want this group of Vietnamese to see the dead bodies and destruction at My Lai (4).

pp. That he may have been afraid that one of his platoons, which was to his rear, would kill these civilians if they returned to My Lai (4).

qq. That his first discussion with his platoon leaders after the My Lai (4) combat assault was after reaching a night defensive position during the late afternoon or evening of 16 March 1968.

rr. That during his conference with his platoon leaders he discussed the possibility of innocent civilians being killed and explained to his platoon leaders that he must furnish information to the TOC (b)(6)(b)(7)(C)

STATEMENT OF (b)(6)(b)(7)(C)

MADE AT FORT HOLABIRD,

(b)(6)(b)(7)(C) ON 12 NOVEMBER 1970, CONTINUED:

s. That LT (b)(6)(b)(7)(C) said about six non-combatant civilians had been killed by his platoon.

tt. That during the meeting with his platoon leaders, LT (b)(6)(b)(7)(C) said a lot of civilian non-combatants had been killed but "hemmed and hawed" about giving an answer as to a number of casualties.

uu. That when LT (b)(6)(b)(7)(C) would not give a specific count of civilians killed, he (MEDINA) asked LT (b)(6)(b)(7)(C) whether the number was 100, 200 or how many civilians were killed.

w. That at the time he linked up with B Company on the afternoon of 16 March 1968, he thinks he may have had 14 or 15 Viet Cong suspects as prisoners.

ww. That he estimates the total prisoners held by Company B and his unit to be between 25 and 35.

xx. That CPT (b)(6)(b)(7)(C), accompanied by six to nine Vietnamese Field Police, arrived in the field after Companies B and C had met.

yy. That he does not remember discussing with (b)(6)(b)(7)(C) on 16 March 1968 a method of interrogating prisoners but they had previously discussed methods of prisoner interrogation.

zz. That (b)(6)(b)(7)(C) did not remain with Company C overnight and he (MEDINA) is of the opinion that (b)(6)(b)(7)(C) remained in the field about 1/2 hour to one hour.

aaa. That he observed (b)(6)(b)(7)(C) holding a prisoner's finger against a rock or stump while he (b)(6)(b)(7)(C) was striking the finger with a knife and telling the prisoner to talk or he was going to cut off the finger.

bbb. That he may have observed blood on the finger of the prisoner as a result of (b)(6)(b)(7)(C) striking it with a knife, but he did not observe (b)(6)(b)(7)(C) cut off the finger of a prisoner.

ccc. That prior to the Vietnamese Field Police killing two prisoners, he believes that (b)(6)(b)(7)(C) informed him (MEDINA) that he (b)(6)(b)(7)(C) had cut the finger off the hand of a Vietnamese prisoner.

ddd. That (b)(6)(b)(7)(C) implied that the cutting of the finger from the prisoner's hand was an accident.

eee. That the Vietnamese Field Police mistreated the prisoners.

fff. That he may have placed a knife against the head of a Viet Cong suspect during interrogation of a prisoner after linking up with Company B on 16 March 1968.

ggg. That he did not care if the Vietnamese Field Police killed prisoners and that he may have told (b)(6)(b)(7)(C) that he did not care if the Vietnamese Field Police killed prisoners.

hhh. That he does not remember if he said or did something that would be construed as an order to kill the Vietnamese prisoners.

iii. That he does not know if the two prisoners killed by the Vietnamese Field Police were prisoners captured by his company.

jjj. That the two prisoners killed by the Vietnamese Field Police were shot at about the same time and that he believes that one was shot with a carbine and one with a pistol (b)(6)(b)(7)(C)

STATEMENT OF (b)(6)(b)(7)(C) MADE AT FORT HOLABIRD,
MO. ON 12 NOVEMBER 1970, CONTINUED:

(b)(6)(b)(7)(C)

kk. That he does not know if (b)(6)(b)(7)(C) gave instructions to kill prisoners but is of the belief that (b)(6)(b)(7)(C) and he (MEDINA) may have authorized the Vietnamese Field Police to kill the prisoners.

This written statement contains, in substance, the verbal statements of MEDINA to the undersigned on 1, 7 and 8 November 1970, but may not include all of the statements or the specific details of each phrase of a statement made by MEDINA.

During the three day interview, MEDINA was apprised of his Constitutional rights under the provisions of the Fifth Amendment to the Constitution and Article 31, Uniform Code of Military Justice, on at least five occasions. (b)(6)(b)(7)(C)

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

CID REPORT OF INVESTIGATION
(Military Police)

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

PREPARING CID AGENCY 1st MP Detachment (CI) USACIDA, DA Washington, D. C. 20315	TYPE OF REPORT Completed	REPORT NUMBER 70-CID011-00013
	PERIOD COVERED 16 Jan - 26 Aug 70	
OFFENSE 1. Murder 2. Assault w/Intent to Murder 3. Aggravated Assault		DATE OF REPORT 10 SEP 1970
SUBJECT(S) (Last name - First name - Middle name - Grade - SSAN - Organization or address and ZIP Code) MEDINA, Ernest Lou; CPT; (b)(6)(b)(7)(C) HQ, Third U.S. Army, Fort McPherson, GA 30330		

BASIS FOR INVESTIGATION
 Investigation predicated upon information developed during course of investigation surrounding alleged atrocities committed by former members of Co C, 1st Bn, 20th Inf, Americal Division, APO SF 96217. (OPMG-C-69-492 & 493)

INVESTIGATIVE SUMMARY
 Investigation disclosed that on 15 Mar 68, at Landing Zone Dottie, Quang Ngai Province, RVN, MEDINA, then Commanding Officer, Co C, 1st Bn, 20th Inf, assembled his company and conducted a pre-assault briefing relative to the unit's combat assault upon the nearby Vietnamese hamlet of My Lai (4), scheduled for the early morning of 16 Mar 68. At the time Co C was part of Task Force Barker, a provisional battalion named after its commander, LTC Frank BARKER (deceased), which was responsible to the 11th LIB, Americal Division.

MEDINA spoke of casualties previously suffered by Co C in the approximate area of My Lai (4) and exhorted his men to destroy the enemy and the community harboring them. MEDINA told his men to expect fierce resistance from regular Viet Cong (VC) forces garrisoned at My Lai (4), thought to include elements of the 48th VC Local Force Battalion. MEDINA acknowledged that My Lai (4) was inhabited by civilians, saying that the hamlet had been warned of the impending assault and its civilian inhabitants urged to leave the area.

MEDINA was reportedly told earlier by BARKER that women and children would routinely be absent from the hamlet, at markets in other communities, when the combat assault began. MEDINA did not openly consider the likelihood that women and children living at My Lai (4)

"Continued, See attached sheets"

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The Judge Advocate General, DA (Info cy)	(1)	(b)(6)(b)(7)(C)
File	1	
	1	(b)(6)(b)(7)(C)
		Crim Inves
		(b)(6)(b)(7)(C)
		(b)(6)(b)(7)(C)
		(b)(6)(b)(7)(C)
		Commanding, 1st MP Det (CI)

CID REPORT OF INVESTIGATION - ADMINISTRATIVE DATA
(AR 195-10 - TB PMG 3)

REPORT NUMBER

SUBJECT(S) (Show last name and following personal data in order listed: Service number; Security clearance; DOB; POB; Sex; Race; Height; Weight; Hair color; Eye color; Build; Identifying marks; Former name, aliases, or service number; Disposition of subject; Results of repository check.)

MEDINA: 0-5321822; TOP SECRET, suspended 26 Nov 69; 27 Aug 36; Springer, NM: M; Mexican-American; 68 in; 175 lbs; black hair; brown eyes; medium build; on duty with unit; USAIRR - Negative.

VICTIM(S) (Show full name and following personal data in order listed: SSAN; Service number; Organization or address; Position occupied; Grade or title; Sex; Race; DOB; POB; Former military rank or service number; Location of victim.)

UNDETERMINED NUMBER OF VIETNAMESE NATIONAL MEN, WOMEN, & CHILDREN (deceased) (1); residing at or near My Lai (4), Quang Ngai Province, RVN, on 16 Mar 68; M & F; Mongolian; remains of victims presumed interred in unmarked graves at My Lai (4), Quang Ngai Province, RVN. (343 victims are identified by name in Exhibits L-7 through C-11 attached to this report) (NFI)

"Continued, See attached sheets"

AGGREGATE DOLLAR VALUE OF PROPERTY

	STOLEN	LOST	DAMAGED	RECOVERED
GOVT				
PRIVATE				

COORDINATION

INTELLIGENCE	DATE INITIAL NOTIFICATION 16 Jan 70	NAME OF PERSON RECEIVING NOTIFICATION S/A (b)(6)(b)(7)(C) 116th MI Gp, Washington, D.C.
JUDGE ADVOCATE	DATE CASE DISCUSSED 12 Jun 70 27 Jul 70	NAME OF PERSON DISCUSSED WITH CPT (b)(6)(b)(7)(C) MA
PROVOST MARSHAL	DATE INITIAL NOTIFICATION DATE COMPLETED REPORT DISCUSSED 10 SEP 1970	NAME OF PERSON RECEIVING NOTIFICATION (b)(6)(b)(7)(C) INSTALLATION PROVOST MARSHAL APPROVAL COL, MPC Commanding, U.S. Army CID Agency
OTHER	SPECIFY AGENCY, DATE, PERSON NOTIFIED	

TOTAL AMOUNT OF CID FUNDS EXPENDED ON INVESTIGATION (Enter on repository and file copies only.) \$ None

REMARKS

(b)(6)(b)(7)(C)

INVESTIGATIVE SUMMARY: Continued

would, for any number of reasons, remain at home. MEDINA in fact had reason to suppose that every precaution had been taken to avoid alerting the hamlet of the impending assault and that the combat assault would be accomplished with speed, precision and surprise.

MEDINA did not instruct, counsel, or even suggest that his men employ discriminate firepower during the initial approach or subsequent sweep of the hamlet. Instead, MEDINA advised that the Vietnamese electing to remain at My Lai (4), without distinction as to age or sex, were enemy by virtue of their presence, and could be expected to perform a variety of combat or combat supporting roles in defense of the hamlet. No instructions were issued by MEDINA relative to the processing and care of prisoners, detainees, or injured Vietnamese, military or civilian.

In his address, MEDINA strongly inferred, and a significant portion of Co C personnel gleaned from his briefing, that the hamlet was to be destroyed and that all inhabitants found there on the day of the assault were to be killed.

The ground assault upon My Lai (4) began at 0730 hrs the following morning and involved ninety-nine infantrymen organized into a command section, three under strength rifle platoons, and a mortar section with a single 81mm mortar which was not employed. A three-man team of artillery forward observers, a two-man engineer demolition team, and an interpreter from the Army of the Republic of Vietnam were attached. Accompanying the combat force was a two-man prisoner interrogation team and a two-man public information team comprised of a photographer and a journalist.

A brief artillery preparation preceding the ground assault was directed upon the helicopter landing zone northwest of the hamlet and is thought to have produced few, if any, casualties.

Supporting fire provided by helicopter gunships accounted for the deaths of three armed VC males who were sighted in open fields as they attempted to evade the assault force during the period 0742-0755 hrs. There is some evidence that several noncombatants were killed by gunship fire as they fled from the hamlet toward and along Highway 521 south of My Lai (4). Infantry ground fire was directed at civilians in the same area from a distance that did not allow witnesses to fully evaluate its effect. Gunners on one helicopter briefly placed random machine-gun fire upon populated areas of My Lai (4). No casualties are known to have resulted.

INVESTIGATIVE SUMMARY: Continued

Accounts of the assault gained through interviews of former Co C personnel, artillerymen, aviators, and other knowledgeable persons, evaluated with available photography, disclosed that although the assault was uncontested, many of the infantrymen involved placed small-arms fire and explosives upon Vietnamese Nationals they recognized for the most part as noncombatant civilians and systematically destroyed the hamlet structures and life sustaining property. The victims, predominately women and children, did not resist the combat force, but were slain as they either fled the hamlet, sought refuge from assaulting small-arms fire in huts and protective shelters, or after they were collected into sizable, controlled groups.

As MEDINA directed the early stages of the combat assault, he had occasion to view bodies of dead women and children lying in the path of advancing soldiers who were firing rifles, machineguns and grenade launchers, but did not caution his troops to avoid similar killings. As MEDINA searched for an armed VC, reportedly killed by gunship fire, he came upon a wounded woman lying in a field and after determining that she was unarmed, killed her with one or more shots from his M-16 rifle.

Allegations that MEDINA fired upon or personally directed the killing of any other Vietnamese while at My Lai (4) proved to have no substance.

During his travel through sections of My Lai (4), MEDINA supervised his men as they burned flammable structures and destroyed the more substantial buildings with explosives, while seemingly ignoring the bodies of women and children he came upon including the massed bodies of approximately 25 people, most of whom were women and children, including infants. The murder of a child by a member of his command group was reportedly witnessed by MEDINA but evoked no response from him.

No evidence was developed that would indicate that MEDINA observed any act at My Lai (4) which would reasonably permit him to believe the assault was a contested action, or that he received any report of resistance encountered by other members of his command. No member of the assault force was injured at My Lai (4) other than PVT (b)(6)(b)(7)(C) who suffered a self-inflicted gunshot wound about 1020 hrs. Witnesses report that MEDINA quickly established that (b)(6)(b)(7)(C) caused the injury to himself and called for an evacuation helicopter. An official Task Force journal entry indicates that (b)(6)(b)(7)(C) injury was reported to have resulted from hostile fire. No enemy firearms were found other than the three rifles found near the bodies of the gunship victims.

INVESTIGATIVE SUMMARY: Continued

No evidence was developed that would indicate that MEDINA, as senior ground commander, took any action to prevent the indiscriminate killing of noncombatants by troops under his command, with the possible exception of a belated cease fire order, described by some witnesses as an order to stop the killing, issued about 1140 hrs over the company radio net. MEDINA reportedly issued the cease fire order after receiving a radio message that BARKER wanted assurances that civilians were not being killed. BARKER's concern for the civilians was reportedly prompted by a report that aviators had observed an excessive number of civilian casualties at My Lai (4). Several witnesses suggested that killings in progress at Binh Tay, part of the hamlet complex, were interrupted by a cease fire order. Survivors brought from Binh Tay were later released by MEDINA, except for several military-aged males who were forced to accompany Co C during their subsequent march to night-defensive positions.

Company C departed My Lai (4) at approximately 1200 hrs and moved overland to laager positions near the South China Sea. MEDINA had officially reported at 0840 hrs that 69 Viet Cong were killed in action. No subsequent report of enemy casualties was made at My Lai (4) and no report at all of civilian casualties was given by MEDINA until later that afternoon. About 1550 hrs, MEDINA was ordered by MAJ (b)(6)(b)(7)(C) Task Force Barker's Executive Officer/S3, relaying instructions from COL (b)(6)(b)(7)(C) Commanding Officer, 11th LIB, to return to My Lai (4). MEDINA was instructed by radio to conduct an accurate body count, determining the exact number of civilian dead and the manner in which they were killed. MEDINA objected on the grounds that he had almost reached his laager positions and was expecting resupply. MEDINA argued further that his unit would be forced to move at night through a mined and booby-trapped area. The order for MEDINA's return to My Lai (4) was reportedly countermanded by MG (b)(6)(b)(7)(C) Commanding General, Americal Division, who interrupted the transmissions and was told by MEDINA that he (MEDINA) had already determined that ten to eleven women and children were killed, either by artillery or gunship fire.

On 17 Mar 68, at the hamlet of My Khe (2), Quang Ngai Province, RVN, MEDINA interrogated an unidentified Viet Cong suspect and induced him to respond to questioning by placing a revolver at the suspect's head and activating the firing mechanism against an empty chamber and, further, by firing at least two rounds from his M-16 rifle close to the suspect's head.

Soon after Co C returned to Landing Zone Dottie on 19 Mar 68, MEDINA informed his men that the combat assault at My Lai (4) would be investigated and assured them that he would accept responsibility for their conduct during the assault.

INVESTIGATIVE SUMMARY: Continued

Vietnamese witnesses stated that the attack came as a complete surprise and that only a few residents of the hamlet were absent when the artillery fire began. It was determined that while several people were already at work in adjacent fields, most of the people at My Lai (4) were eating breakfast when the artillery and helicopters were heard. Some of them attempted to flee while others sought security in protective shelters. A majority of the hamlet's residents waited for the soldiers in or near their homes, confident that they would not be harmed. A few witnesses stated that several Viet Cong spent the night in the hamlet but had departed earlier that morning. None would admit knowledge of other armed Viet Cong occupying the hamlet or knowledge of the three armed men killed by gunships on the hamlet outskirts. Vietnamese witnesses offered descriptions of wanton killings similar to those provided by American witnesses. Several of them described mass executions that took place and their avoidance of fatal injury only because they were shielded, some of them deliberately, by the bodies of other victims.

VICTIM(S): Continued

The below-listed Vietnamese Nationals, identified by name, sex, and age, are victims of offense (2) and are presumed to be residing at Son My Model Village, Son Tinh District, Quang Ngai Province, RVN. (NFI)

(b)(6)(b)(7)(C)



UNIDENTIFIED VIETNAMESE MALE (3); residing at or near Son My Village, Quang Ngai Province, RVN, on 17 Mar 68; M; Mongolian; present whereabouts unknown. (NFI)

SUBSTANTIATION

The grade, duty assignment, and in the case of Vietnamese witnesses, the place of residence, indicated in the following substantiation paragraphs, relate to the contributor's status during the period 15-19 Mar 68. The current status of the same individuals, where known, is reflected in the victim(s) and witnesses sections of this report. Exceptions are explained within the contributor's paragraph.

COMPANY B, 123d AVN BN (AERO SCOUT)

CW2 (b)(6)(b)(7)(C) Observation Helicopter Pilot, stated that when he arrived at My Lai (4), he observed an armed Viet Cong (VC) running toward a tree line south of the village but saw no further evidence of enemy activity that day. Flying low over the village, he noted that ground troops were leaving many dead and wounded Vietnamese in their path and, assuming that other troops would attend the wounded, he marked the location of several wounded Vietnamese with smoke grenades. He observed that responding infantrymen were killing the wounded, instead of treating them. While hovering above a wounded woman he had marked in the same manner, he observed a captain approach the woman and kill her for no apparent reason. Flying east of the main village about 0930 hrs, he observed a ditch containing bodies of fifty or more dead and wounded Vietnamese. Landing his aircraft, he asked a soldier if he would help the wounded, and the soldier responded by saying that the only way he could help was to put them out of their misery. A few minutes later, and airborne again, (b)(6)(b)(7)(C) crew chief reported that the soldier was shooting the wounded in the ditch. East of the ditch (b)(6)(b)(7)(C) observed troops advancing on a bunker occupied by several old men, women, and children and landed to determine if the civilians could be safely evacuated. The troop leader, thought to be a Lieutenant, reportedly told (b)(6)(b)(7)(C) that the only way the women and children could be gotten out was with hand grenades. Instructing the leader to hold his men, (b)(6)(b)(7)(C) called down gunships and had the Vietnamese transported to a safe area. About 0950 hrs, he returned to the ditch where he found a terrified but apparently unharmed child among the bodies. (b)(6)(b)(7)(C) noted that wounded Vietnamese he had observed in the ditch earlier were now dead. The child was taken to a hospital in Quang Ngai City. (b)(6)(b)(7)(C) was uncertain if radioed threats he or other pilots made to report the conduct of the infantrymen reached ground elements during the assault. (b)(6)(b)(7)(C) stated that he was not tuned in to a ground frequency but acknowledged that his complaints may have been relayed to the ground at My Lai (4) through supporting gunships.

SP4 (b)(6)(b)(7)(C) door gunner, stated that during the combat assault (CA) he observed bodies scattered about the village and about twelve bodies on the Quang Ngai Road, and that when smoke was dropped near wounded Vietnamese to signal that medical attention was required the infantrymen responded by killing the wounded. (b)(6)(b)(7)(C) observed the shooting of a wounded woman by a soldier wearing a captain's insignia. (b)(6)(b)(7)(C) recalled seeing about one hundred dead and wounded Vietnamese in a ditch and rescuing a child found among the bodies. (b)(6)(b)(7)(C) saw no signs of resistance to the CA and stated that the majority of victims were old men, women, and children. He thought that some gunship fire was directed on the village.

CW2 (b)(6)(b)(7)(C) Gunship Pilot, stated that he observed the last part of an artillery preparation north of My Lai (4) but saw no rounds strike the village. He saw the bodies of two women near Highway 521 (Quang Ngai Road) and Hill 85, thought to have been killed by a gunship he saw firing in that area. He saw no evidence that the CA or subsequent sweep through My Lai (4) was conducted. (b)(6)(b)(7)(C) stated that during the early morning he went off station to refuel, and when he returned that morning, he saw bodies scattered throughout the village and on nearby roads and trails, including about 25 bodies in one group between the village and Hill 85. (b)(6)(b)(7)(C) He saw seventy-five to one hundred bodies in a ditch further east. (b)(6)(b)(7)(C) stated that none of the bodies he observed after returning to station were seen prior to the arrival of ground troops. He recalled helping THOMPSON evacuate several women and children to prevent their being killed by the infantry.

WO1 (b)(6)(b)(7)(C) Gunship Pilot, stated that his gunship provided relief cover for (b)(6)(b)(7)(C) arriving on station about 0930-1030 hrs. My Lai (4) was already burning and bodies were scattered throughout the village. He recalled that (b)(6)(b)(7)(C) landed near a trench containing one hundred to one hundred twenty five bodies and that a soldier was shooting at bodies in the trench. He remembered seeing twenty to twenty-five bodies clustered near a trail intersection south of the village and helping evacuate civilians from a bunker after (b)(6)(b)(7)(C) assured his crew that the infantry would kill the Vietnamese civilians.

CW2 (b)(6)(b)(7)(C) Gunship Pilot, stated that he flew cover for (b)(6)(b)(7)(C) and recalled escorting (b)(6)(b)(7)(C) aircraft to a hospital in Quang Ngai City. He stated that other gunships fired on Highway 521 but he did not observe their targets. He recalled seeing bodies on Highway 521 and scattered throughout the village. (b)(6)(b)(7)(C) stated that (b)(6)(b)(7)(C) complained about a captain shooting a wounded girl.

SP5 (b)(6)(b)(7)(C) Gunship Crew Chief, stated that when his aircraft arrived on station, ground troops already were moving through the village. Half of the village was burning and about one hundred bodies, mostly women and children, were scattered throughout My Lai (4). At altitudes of fifty to one hundred feet, HODDE saw few military-aged males among the bodies. He recalled hearing angry radio transmissions from (b)(6)(b)(7)(C) complaining about women and children being shot. (b)(6)(b)(7)(C) stated that he saw no signs of resistance by the Vietnamese.

1LT (b)(6)(b)(7)(C) Gunship Copilot, stated that he was in a team which included gunships and an observation helicopter piloted by (b)(6)(b)(7)(C). He provided four suppressive fire runs on a tree line 150 meters south of the village after a radio operator on the ground reported hostile fire from that area. (b)(6)(b)(7)(C) received a report from (b)(6)(b)(7)(C) who was flying just above the tree tops, that he had spotted many dead civilians. From his higher altitude, (b)(6)(b)(7)(C) observed about ten bodies, including at least one woman and a child.

1LT (b)(6)(b)(7)(C) Gunship Pilot, stated that as the troops entered My Lai (4) other gunships made a fire run on a group of about fifty Vietnamese fleeing southwest of the village, killing some of them. He saw no evidence that the CA was contested and recalled that he overflew a ditch at the southeast edge of the village, noting that it contained many bodies, mostly women and children, and that shallow water in the ditch appeared to be red with blood. (b)(6)(b)(7)(C) stated that he later joined with other pilots in making a complaint to their commander relative to the conduct of U. S. Forces during the CA.

SP4 (b)(6)(b)(7)(C) Gunner, stated that he fired on an armed male fleeing southeast of Hill 85 just prior to the ground assault. (b)(6)(b)(7)(C) was cautioned by his aircraft commander to avoid civilian casualties and, seeing no other suitable targets, he did not fire again. He later observed bodies of women and children in the village and watched as a soldier fired into a ditch containing about fifteen bodies.

SP4 (b)(6)(b)(7)(C) Gunner, stated that troops were already on the ground approaching the village when his aircraft arrived. (b)(6)(b)(7)(C) stated that he and the other gunner fired their machineguns into the village for a couple of minutes but saw no people and didn't know what effect their firing had. They left My Lai (4) and went to another area near a river. Upon their return to My Lai (4), he observed many bodies of adults and children, some in groups of ten to fifteen, scattered throughout the village and approach trails, and a large

group of bodies in a ditch outside the village. (b)(6)(b)(7)(C) stated that he could see infantrymen shooting Vietnamese, some of whom were standing and others, fleeing the burning village. (b)(6)(b)(7)(C) by no signs of resistance.

SP5 (b)(6)(b)(7)(C) Gunship Crew Chief, stated that gunships fired on the village prior to the troops' arriving at the landing zone (LZ) and that his door gunner fired upon one armed VC running south from My Lai (4). HILL stated that prior to the sweep by infantry, but after they arrived at the LZ, he saw several bodies in the village and people moving south on Highway 521. His aircraft departed for refueling about 1000 hrs and returned about 1200 hrs. About that time (b)(6)(b)(7)(C) reported that ground troops were killing civilians, and he requested their assistance in evacuating several women and children. (b)(6)(b)(7)(C) recalled seeing about twenty to thirty dead civilians in a ditch southeast of the village.

CPT (b)(6)(b)(7)(C) Flight Platoon Leader, described Aero Scout support provided during the CA and stated that infantry organic to the 123d Avn Bn was on station at 0730 hrs to provide a blocking force in the event an exodus of inhabitants from the village developed after Co C was inserted. None developed and only two gunships and an observation helicopter remained. Later the same day, (b)(6)(b)(7)(C) complained that civilians were killed in the village.

LTC (b)(6)(b)(7)(C) Commanding Officer, 123d Avn Bn, stated that about 2200-2300 hrs, 16 Mar 68, he received a report that (b)(6)(b)(7)(C) had complained of the indiscriminate killing of civilians during the CA at My Lai (4). (b)(6)(b)(7)(C) stated that he reported (b)(6)(b)(7)(C) complaint to BG (b)(6)(b)(7)(C) ADC, Americal Division, on the following morning and that (b)(6)(b)(7)(C) directed (b)(6)(b)(7)(C) to investigate the matter. (b)(6)(b)(7)(C) stated that he recently had occasion to review (b)(6)(b)(7)(C) report and did not think that it was factual because it excluded incidents of civilian deaths, as described by (b)(6)(b)(7)(C)

1st PLATOON, C/1/20

SFC (b)(6)(b)(7)(C) Platoon Sergeant, stated that MEDINA told C Company to prepare for a fight and that they were to destroy everything alive. MEDINA told them to burn the village. (b)(6)(b)(7)(C) witnessed no opposition during the CA and sweep through My Lai (4) but heard much gunfire ahead of him as he brought up the rear of his platoon. He recalled seeing only about five bodies in the village. (b)(6)(b)(7)(C) opined that the assault mission at My

Lai (4) was properly executed according to the orders they received and that, in accordance with those orders, no unnecessary killing of civilians occurred.

SP4 (b)(6)(b)(7)(C) Radio Telephone Operator (RTO), stated that he did not interpret MEDINA to mean that all of the inhabitants of My Lai (4) were to be killed or remember his saying that women and children were to be killed. He did recall MEDINA's telling them to destroy anything useful to the enemy and that the people had been warned to leave. (b)(6)(b)(7)(C) stated that villagers were immediately taken under fire and thought that the 1st Platoon may have received some light sniper fire from Hill 85. He stated that unresisting men, women, and children were killed individually and in large groups. One group of forty to fifty civilians, mostly women and children, was questioned and then executed by PFC (b)(6)(b)(7)(C) and at least one other soldier, in the presence of their Platoon Leader, 2LT (b)(6)(b)(7)(C) Jr. A similar group of twenty to thirty civilians was forced into a ditch and executed by (b)(6)(b)(7)(C) and several other soldiers. (b)(6)(b)(7)(C) recalled that a helicopter landed twice at the ditch site and that (b)(6)(b)(7)(C) spoke briefly with the pilot. Sometime after the ditch killings, (b)(6)(b)(7)(C) was called by radio to meet with MEDINA somewhere in the village interior. He heard MEDINA mention that several rifles had been captured but recalled no conversation between MEDINA and (b)(6)(b)(7)(C) relative to the killings.

SP4 (b)(6)(b)(7)(C) Medical Aidman, stated that MEDINA told them that they were to clear the area from My Lai (4) to "Pinkville", and that all the people in the area were VC or VC sympathizers. (b)(6)(b)(7)(C) stated that after landing near the village the 1st Platoon began shooting anything that moved, animals and people. He stated that unarmed, unresisting men, women and children were massacred. Vietnamese wounded were given no medical attention. He observed thirty to forty bodies scattered about My Lai (4) but estimated that 200 people were killed during the CA.

SSG (b)(6)(b)(7)(C) Squad Leader, 1st Squad, stated that MEDINA told them they would go on a search and destroy mission at My Lai (4) to clean it out, destroy its animals and food, and destroy the enemy in a VC or VC sympathetic village. He didn't interpret MEDINA's briefing remarks to mean that all of the people in the village were to be killed, but he thought that some of the men, especially (b)(6)(b)(7)(C) might have interpreted MEDINA's briefing that way. After arriving at the LZ, his squad moved east along the southern perimeter of the village, on line with other elements moving on their left, with most of the men firing as they moved forward. During the first 30 minutes, he passed about five bodies. About fifteen to twenty-five villagers were rounded up. Most of them were women and children and those

detained were held near a ditch east of the village where they eventually were killed. (b)(6)(b)(7)(C) recognized one of the victims at the ditch as a man he had seen (b)(6)(b)(7)(C) interrogate earlier. (b)(6)(b)(7)(C) saw no signs of resistance or weapons among the villagers and did not recall receiving a cease fire order.

PFC (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that he did not attend MEDINA's preassault briefing. He arrived at My Lai (4) with the first troop lift and, although there was much firing, he didn't know if any of it was hostile. (b)(6)(b)(7)(C) stated that he shot the first Vietnamese he saw, in the rice paddies outside the village. He claimed that the man jumped up suddenly, and it was the natural thing to shoot him. (b)(6)(b)(7)(C) stated that he shot at another man, who appeared to be armed and uniformed, although somebody told him that his target was probably a soldier from the 2d Platoon. (b)(6)(b)(7)(C) stated that he was moving too fast to check the effect of his fire or to recover the weapon. After coming upon many villagers near the center of the hamlet and observing no further evidence of hostile action, he permitted the people to pass through the skirmish line. Then he and several other men secured themselves east of the hamlet to await the rest of the platoon. (b)(6)(b)(7)(C) stated that he heard gunfire behind him and later heard that women and children were killed.

SP4 (b)(6)(b)(7)(C) Grenadier, 1st Squad, stated that MEDINA did not order inhabitants to be killed or the village, destroyed, but only to kill animals and pollute the water. (b)(6)(b)(7)(C) stated that the men were all "psyched up" because they wanted revenge for comrades killed during earlier operations in the "Pinkville" area. (b)(6)(b)(7)(C) recalled being told that not only were there many communist sympathizers at My Lai (4) but also it was possible that they could meet the enemy. (b)(6)(b)(7)(C) stated that they met no resistance at My Lai (4), but women and children were killed for no apparent reason, including twenty to thirty men, women and children who were executed in a ditch. He opined that small arms fire of Co C accounted for all deaths at My Lai (4), with the possible exception of a few killed by gunships. (b)(6)(b)(7)(C) did not recall seeing MEDINA during the sweep and thought that MEDINA would have stopped the killings earlier if he had known of them.

SP4 (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that MEDINA told them that they were to assault a known VC center and had a chance to confront the enemy in the open when he didn't expect it; that any man, woman, or child found there would probably be armed or carrying supplies; and that livestock and anything feeding the enemy should be destroyed. (b)(6)(b)(7)(C) stated that they were reconnoitering with fire as they entered the village. They then collected and pushed the villagers, most of whom were women and children,

in front of them. He witnessed the execution of about fifty villagers by (b)(6)(b)(7)(C) and others, at a ditch east of the village. (b)(6)(b)(7)(C) did not interpret MEDINA's remarks to mean that civilians were to be killed but thinks the other men might have. He recalled that an order to stop killing civilians was circulated after they had completed the sweep at My Lai (4).

SP4 (b)(6)(b)(7)(C) Machine Gun Crew member, 1st Squad, stated that MEDINA called their attention to earlier losses suffered by Co C and indicated that they owed the enemy. Although MEDINA told them to shoot military-aged males running away or firing upon them and to clear the people from the village, he said nothing about their disposition. (b)(6)(b)(7)(C) stated that MEDINA did not and would not have ordered all the inhabitants killed. There was no hostile fire or opposition during the CA, but (b)(6)(b)(7)(C) fired his machine-gun at a fleeing male and at anything he thought would shelter or hide the enemy. Squad and platoon integrity disintegrated during the sweep. Grenades were thrown in huts and bunkers and unresisting men, women, and children -- some, while seriously wounded -- were rounded up and herded east. (b)(6)(b)(7)(C) stated that he heard later that villagers were executed and that he came upon (b)(6)(b)(7)(C) and others standing near a ditch over the bodies of about twenty to twenty-five Vietnamese, mostly women and children. (b)(6)(b)(7)(C) recalled what appeared to be an angry conversation between (b)(6)(b)(7)(C) and a helicopter pilot near the ditch and (b)(6)(b)(7)(C) firing into the ditch after the pilot departed. (b)(6)(b)(7)(C) estimated that he saw 40 dead Vietnamese at My Lai (4). He assumed that MEDINA ordered the village burned since he did nothing to stop it. (b)(6)(b)(7)(C) described the killings at My Lai (4) as a slaughter, attributed responsibility to (b)(6)(b)(7)(C) and stated that he did not report it because he didn't want MEDINA to get into trouble.

PFC (b)(6)(b)(7)(C) Grenadier, 1st Squad, stated that MEDINA told them that they would assault an enemy stronghold where everyone was considered to be the enemy and where women and children were capable of carrying weapons. (b)(6)(b)(7)(C) interpretation of MEDINA's instructions was that everyone in the village, including women and children, was to be killed. (b)(6)(b)(7)(C) was certain that the other men interpreted MEDINA's orders as he had. (b)(6)(b)(7)(C) stated that men, women, and children were killed at My Lai (4) and that he saw their bodies scattered throughout the village, some in piles. He saw about five people, including children, executed at a ditch east of the village. He attributed the destruction of the village and the killing of its inhabitants to MEDINA's preassault instructions and stated that orders to stop killing and burning did not reach him until after MEDINA met with (b)(6)(b)(7)(C) (sic: (b)(6)(b)(7)(C), east of My Lai (4). (b)(6)(b)(7)(C) witnessed no signs of resistance, saw no enemy weapons or equipment, and saw no prisoners taken at My Lai (4).

PFC (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that, based on several preassault briefings he received relative to the CA at My Lai (4), he presumed that the village was to be destroyed with the people in it, although he recalled no specific instructions regarding civilians prior to entering the village. (b)(6)(b)(7)(C) stated that the killing began as soon as they entered the village; those Vietnamese not killed during the initial sweep were gathered together and executed. (b)(6)(b)(7)(C) stated that he took part in two mass executions, the first involving thirty to forty villagers killed in an open area, about the center of the village, and the second involving seventy-five to one hundred villagers killed after they were forced into a ditch in the east sector of the village. Both groups included women, children, and infants. All were killed by M-16 rifle fire, with (b)(6)(b)(7)(C) both directing and taking part in the slayings. (b)(6)(b)(7)(C) stated that other Vietnamese were killed, either in their huts or as they tried to run away. He did not think that any of the Vietnamese resisted.

PFC (b)(6)(b)(7)(C) Grenadier, 1st Squad, stated that MEDINA told them that My Lai (4) was enemy controlled, and they were to kill everything in the village. MEDINA's orders were so unusual that his squad discussed them after the briefing, and all agreed that MEDINA meant that they were to kill every man, woman, and child in the village. As the troops arrived, (b)(6)(b)(7)(C) recalled, helicopters were firing into and around the village. The ground assault began with almost every man firing as they advanced. Old men, women, and children could be seen fleeing the village, but no resistance was encountered. An old man with his hands raised was shot dead at close range, and, after the village was entered, men, women, and children were killed wherever they were seen. He watched as (b)(6)(b)(7)(C) killed a man with a bayonet and later as he killed an old man, with a hand grenade, after throwing him into a well. (b)(6)(b)(7)(C) stated that he observed (b)(6)(b)(7)(C) throwing a grenade into a hut occupied by several villagers and saw fifteen to twenty women and children killed by rifle fire as they prayed at a temple. STANLEY stated that he witnessed SP4 (b)(6)(b)(7)(C) PFC (b)(6)(b)(7)(C) and several others molest and then kill about nine women and children, whom they had gathered together, and a combat photographer took photographs of the incident. (Reference Photograph Exhibit V-12) (b)(6)(b)(7)(C) stated that he saw PFC (b)(6)(b)(7)(C) a member of MEDINA's command group, kill a wounded boy. He opined that MEDINA must have realized the extent of the killings because of the number of bodies lying about the village. (b)(6)(b)(7)(C) stated that he observed as (b)(6)(b)(7)(C) and others forced about seventy-five women and children, with a few old men, into a ditch and executed them. He estimated that Co C killed about 225 people at My Lai (4).

SP5 (b)(6)(b)(7)(C) Machine Gun Crew Member, 1st Squad, stated that MEDINA told them that they were to kill everything that moved at My Lai (4) and to destroy the food and livestock. (b)(6)(b)(7)(C) recalled that on

previous missions the men were warned to avoid civilian casualties, but no such warning was issued by MEDINA prior to the CA at My Lai (4). (b)(6)(b)(7)(C) stated that although no resistance was encountered at My Lai (4), his platoon fired upon elderly men, women and children and threw hand grenades into the protective bunkers in their houses. Other villagers were rounded up. About sixty people, most of them women and children, were led into rice paddies south of the village. He observed 1st Platoon personnel forcing sixty to seventy civilians into a ditch east of the village and firing into the ditch. (b)(6)(b)(7)(C) was unable to see the bullets strike but heard the people scream. He remembered that a helicopter landed near the ditch and (b)(6)(b)(7)(C) spoke briefly with the pilot.

SP4 (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that MEDINA told them that they would CA My Lai (4) and that all of its occupants were VC. (b)(6)(b)(7)(C) recalled MEDINA's saying that animals and food were to be destroyed, but he did not think that MEDINA told them to kill all the Vietnamese at My Lai (4). (b)(6)(b)(7)(C) stated that during the sweep of the village he assisted in rounding up fifteen to thirty-five men, women and children; later he saw a group of bodies, which he thought were the same people, lying on a trail. He came upon the bodies of thirty-five to fifty Vietnamese in a ditch east of the village. Some wounded Vietnamese were among the bodies; (b)(6)(b)(7)(C) standing at the ditch with several other 1st Platoon personnel, told him to have his fire team "finish off" the wounded. (b)(6)(b)(7)(C) stated that he refused, returning to the village interior where, near its center, he saw ten to twelve Vietnamese executed by two unidentified soldiers. (b)(6)(b)(7)(C) recalled that a photographer was at the scene of the execution. (b)(6)(b)(7)(C) also recalled that sometime after (b)(6)(b)(7)(C) was evacuated a youth was killed near the bodies lying on the trail and that earlier (b)(6)(b)(7)(C) had thrown a man into a well.

SP4 (b)(6)(b)(7)(C) Machine Gun Crew Member, 1st Squad, stated that MEDINA told them that they would enter enemy territory and were to "waste" anybody that ran from them or fired upon them; he did not recall MEDINA's saying that everyone at My Lai (4) was to be killed. (b)(6)(b)(7)(C) stated that about thirty civilians were rounded up and executed in an irrigation ditch at My Lai (4) by members of his platoon.

PFC (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that MEDINA told them that the CA at My Lai (4) was their chance for revenge; when they left the village, it would be level and nothing in it would be alive. (b)(6)(b)(7)(C) alleged that during the uncontested assault at My Lai (4) MEDINA both personally shot a woman and a youth and personally directed the killings of

several other noncombatants. (b)(6)(b)(7)(C) described the gathering of civilians by members of his platoon and the summary execution of a large group of civilians that followed. (b)(6)(b)(7)(C) also attributed several murders to (b)(6)(b)(7)(C). He stated that his wound resulted from the accidental discharge of his .45 caliber pistol.

PFC (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that all he could remember of MEDINA's briefing was that they were to go on a search and destroy mission. (b)(6)(b)(7)(C) stated that after landing near the objective, no resistance was encountered. He recalled passing two bodies in the village and that several children were sent forward under escort. (b)(6)(b)(7)(C) stated that he went through the village but remembered no shootings, recalled seeing no other bodies. He couldn't remember just what he or the other men did as they moved through the village. (b)(6)(b)(7)(C) stated that after the mission he was told that 150 civilians had been killed and he couldn't believe it.

PFC (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that MEDINA told them that they would CA a village occupied by VC or VC sympathizers and could expect heavy resistance. MEDINA told the men that the CA would offer a chance to get even with the VC. (b)(6)(b)(7)(C) stated that after landing outside the village, he observed helicopters strafing the village and heard small arms fire from the 2d Platoon's area. During the sweep, no resistance was encountered. Grenades were thrown in bunkers and 150-200 men, women, and children were rounded up. (b)(6)(b)(7)(C) stated that he witnessed the executions of several villagers and came upon other bodies in a ditch and elsewhere in the village. Villagers gathered into groups were released to other soldiers who reportedly were instructed to deliver them to a designated area in the southeast portion of the village.

SGT (b)(6)(b)(7)(C) Squad Leader, 2d Squad, stated that MEDINA told them that they would engage the 48th VC Bn, sheltered by civilians in the assault area, and that they were to kill anyone suspected of being a VC, or helping the VC. While discussing MEDINA's briefing with his squad, (b)(6)(b)(7)(C) determined that the consensus was that they had been instructed to kill civilians. (b)(6)(b)(7)(C) stated that to avoid killing noncombatants he gathered up about thirty men, women, and children and sent them under escort to (b)(6)(b)(7)(C). Soon after they were delivered, (b)(6)(b)(7)(C) reportedly heard a heavy volume of M-16 rifle fire from the area where the detainees had been taken. (b)(6)(b)(7)(C) stated that his helicopter was fired upon during the approach to the LZ but that the CA was otherwise uncontested.

PFC (b)(6)(b)(7)(C) Machine Gun Crew Member, 2d Squad, stated that MEDINA told them that the village which they were to assault was occupied by the enemy, and they were to sweep through the village killing everything there. Dead animals were to be placed in drinking wells. (b)(6)(b)(7)(C) stated that he did not assume that MEDINA intended that women and children were to be killed but acknowledged that they were killed during the sweep. (b)(6)(b)(7)(C) stated that he passed at least 25 bodies during the sweep and that about 15 other Vietnamese were forced into a hole or crater and shot. (b)(6)(b)(7)(C) stated that he saw no villagers alive at My Lai (4) when Co C departed.

PFC (b)(6)(b)(7)(C) Grenadier, 2d Squad, stated that during his briefing MEDINA did not order the destruction of the village or its inhabitants, but (b)(6)(b)(7)(C) did in a subsequent briefing. (b)(6)(b)(7)(C) stated that his platoon expected resistance from an organized VC force during the assault, but, after firing upon several men and women in the western section of the village without receiving hostile fire, he realized that no resistance would be encountered. (b)(6)(b)(7)(C) stated that the killings continued even though the Vietnamese did not resist, and that he took part in rounding up about thirty to forty old men, women, and children who were eventually executed with other villagers near a trail junction. (b)(6)(b)(7)(C) stated that he saw about 200 bodies scattered throughout the village and witnessed the execution of about forty other Vietnamese in a ditch east of the village. The majority of victims were women and children and all of them appeared to have been killed by small arms.

SP4 (b)(6)(b)(7)(C) Grenadier, 2d Squad, stated that MEDINA told them that they were to conduct a search and destroy mission at a place used by the VC as a supply depot and overnight sleeping area and inhabited by VC sympathizers. Excess food was to be destroyed. (b)(6)(b)(7)(C) stated that the CA was unopposed, and he saw only three to five bodies at My Lai (4). (b)(6)(b)(7)(C) stated that he fired about eleven grenades from his grenade launcher but didn't think he killed anyone because they exploded at the village perimeter. (b)(6)(b)(7)(C) stated that he saw no killing at My Lai (4) but was told by other men that people were killed in a ditch. (b)(6)(b)(7)(C) acknowledged that he was in the vicinity of the ditch and observed a helicopter flying low over that area; yet he claimed not to have seen the bodies in the ditch or the executions happening there.

PFC (b)(6)(b)(7)(C) Rifleman, 2d Squad, stated that MEDINA told them that they were going on a search and destroy mission and were to kill everything in sight, everything living. The objective was described by MEDINA as a VC village and supply point. (b)(6)(b)(7)(C) stated that after the

briefing he did not doubt that everyone found in the village was to be killed; the following morning the people at My Lai (4) were killed in response to orders. (b)(6)(b)(7)(C) stated that the inhabitants of My Lai (4) were killed although they did not resist the CA and that he witnessed the killing of about fifty villagers, most of whom were women and children. (b)(6)(b)(7)(C) stated that several women were killed as they carried infant children in their arms, estimating that more than one hundred villagers were killed during the CA. He recalled seeing some of the victims lying in a ditch.

SP4 (b)(6)(b)(7)(C) Rifleman, 2d Squad, stated that MEDINA told them that they would search and destroy My Lai (4), confirmed by overflight to be a VC stronghold. MEDINA told them that crops, food, and livestock were to be destroyed and detainees, passed on to platoon headquarters. (b)(6)(b)(7)(C) stated that although the CA was uncontested the men were firing as they advanced on the village. He recalled taking a man, a woman, and two children from a hut and a grenadier snatching an M-16 rifle from another soldier and executing each Vietnamese by firing bullets into his head. Before reaching the far side of the village, he came upon an old woman seriously wounded by an unexploded M-79 grenade round lodged in her stomach. (b)(6)(b)(7)(C) denied taking part in or witnessing a mass execution staged at a ditch east of the village perimeter but stated, however, that (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) told him the same day that (b)(6)(b)(7)(C) had executed about sixty people at a ditch. (b)(6)(b)(7)(C) stated that his squad sent fifteen to sixteen detainees to platoon headquarters that day. He recalled that upon their return to LZ Dottie after the mission MEDINA or one of the other company officers assembled the company and told them never to talk about My Lai (4).

PFC (b)(6)(b)(7)(C) Machine Gun Crew Member, 2d Squad, stated that MEDINA told them that they would assault a VC village and that everyone seen in it would be carrying a weapon or pack. Although MEDINA did not issue an order to kill everyone in the village, (b)(6)(b)(7)(C) stated, other Co C personnel whom he spoke to just after MEDINA's briefing were of the opinion that everyone in the village was to be killed. Furthermore, (b)(6)(b)(7)(C) stated, although the landing and subsequent sweep at My Lai (4) was unopposed, noncombatants were indiscriminately fired upon as Co C moved through the village; other civilians, including women and children, were detained and then executed. (b)(6)(b)(7)(C) admitted killing a seriously-wounded man, describing the killing as an act of mercy.

PFC (b)(6)(b)(7)(C) Grenadier, 2d Squad, stated that MEDINA told them that they were to CA a VC stronghold at My Lai (4), headquarters of the 48th VC Bn, and to kill everything there. The village was to be destroyed. (b)(6)(b)(7)(C) stated that when the briefing ended he was sure, as were the other men, that they would meet resistance and were supposed to kill everyone in the village. (b)(6)(b)(7)(C) stated that MEDINA had made remarks on earlier occasions which, according to (b)(6)(b)(7)(C) interpretation, were designed to discourage the taking of prisoners. (b)(6)(b)(7)(C) stated that when Co C entered My Lai (4) they killed or gathered up everyone in the village who was unable to escape; forty to fifty of those detained were forced into a ditch and executed. (b)(6)(b)(7)(C) stated that he saw no signs of resistance and estimated that one hundred people were killed at My Lai (4). (b)(6)(b)(7)(C) admitted firing a rifle at a Vietnamese in the ditch, but, during a later interview, he stated that he witnessed the executions but did not take part in them, as previously indicated.

2d PLATOON, C/1/20

SFC (b)(6)(b)(7)(C) Platoon Sergeant, 2d Platoon, offered discrepant sworn statements during interviews conducted by investigators of the Office of the Inspector General (OTIG), DA, on 20 May 1969 and to the CID on 7 March 1970. During the earlier interview, (b)(6)(b)(7)(C) stated that MEDINA reluctantly ordered the destruction of My Lai (4) and all of the inhabitants found there. He stated that the assault was completely unopposed, and troops fired upon every man, woman and child they came upon, until they had swept through the entire village. (b)(6)(b)(7)(C) stated that after the sweep was completed an order to stop shooting civilians was received. (b)(6)(b)(7)(C) recalled seeing MEDINA walking with two children at My Lai (4) but couldn't understand why they were spared since all the other children had been shot. During the later interview, (b)(6)(b)(7)(C) stated that MEDINA told the men that they could expect to be outnumbered by an enemy battalion, but it would be a chance to avenge earlier casualties suffered by Co C. (b)(6)(b)(7)(C) denied during his second interview that MEDINA had ordered My Lai (4)'s inhabitants killed.

PFC (b)(6)(b)(7)(C) RTO, stated that, other than being told that they were to go on a mission at My Lai (4), he remembered nothing of MEDINA's preassault briefing. (b)(6)(b)(7)(C) thought that his platoon leader, 1LT Steven K. BROOKS (deceased), or someone else told him, after their arrival at My Lai, that the village and the people in it were to be destroyed. He recalled that the platoon leader was in periodic contact with MEDINA, informing MEDINA of their location as the sweep progressed. (b)(6)(b)(7)(C) did not recall receiving a cease fire order, but the troops eventually stopped killing people and allowed several people to go unharmed. (b)(6)(b)(7)(C) stated that

he witnessed several killings by members of his platoon and observed bodies, including those of infants, lying throughout the village. He stated that no resistance was encountered although two weapons were removed from VC bodies northeast of the village.

SP4 (b)(6)(b)(7)(C) Medical Aidman, stated that MEDINA told them that they could expect heavy opposition from a VC regiment and that civilians had been warned to leave the CA area. MEDINA told the men that everyone found there would be a VC or VC sympathizer. Expecting heavy combat, (b)(6)(b)(7)(C) doubled his load of medical supplies and ammunition. (b)(6)(b)(7)(C) stated that upon their arrival at My Lai (4) they received occasional sniper fire, and that upon entering the village, his platoon fired at anything and everything that moved. He recalled seeing 30-40 men, women and children killed at My Lai (4) and the bodies of about 10 more in a nearby village he identified as My Lai (5). (b)(6)(b)(7)(C) stated that the only casualty he treated was a child suffering from an arm injury and treated no other Vietnamese because there was just too many to take care of. (b)(6)(b)(7)(C) stated that they were not told to kill civilians but opined that civilians were killed because they were considered to be VC sympathizers. (b)(6)(b)(7)(C) stated that no resistance was encountered at My Lai (4) or at My Lai (5) (sic: Binh Tay), and orders were received "to knock it off" after his platoon returned to My Lai (4) following a sweep through My Lai (5). He interpreted that order to mean the killings should stop. (b)(6)(b)(7)(C) stated that the 16 March 1968 CA was different from others because at My Lai (4) and (5) there was no question concerning the identification of people as VC; they had already been identified as such.

SGT (b)(6)(b)(7)(C) Squad Leader, 1st Squad, stated that MEDINA told them that they could expect to assault a heavily-mined VC area, void of friendly inhabitants. MEDINA told them that all friendly inhabitants of the CA area had been warned to leave and were gone; anyone encountered during the CA would be VC or VC sympathizers armed with a weapon or carrying equipment. (b)(6)(b)(7)(C) stated that he did not hear MEDINA mention the destruction of the village or its inhabitants; as far as he was concerned, revenge was not a factor. (b)(6)(b)(7)(C) stated that during the CA his squad operated along the northern fringe and outskirts of My Lai (4), including the subhamlet of Binh Tay, and after a lunch break, they swept through My Lai (5) and (6). (b)(6)(b)(7)(C) stated that he and his squad fired on only one person, a fleeing male who would not halt on command. He did come upon the bodies of about 30 men and women and a few children, but attributed their deaths to helicopter and artillery fire.

SUBSTANTIATION: Continued

SP4 (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that MEDINA told them that they would search and destroy a VC village, including the people, animals, and food. (b)(6)(b)(7)(C) stated that his squad operated in the northern section of My Lai (4), and after finding a weapon with the body of a VC killed by a gunship north of My Lai (4), they searched a subhamlet in that area (Binh Tay). (b)(6)(b)(7)(C) stated that he observed about 30 men, women and children as they were shot in or near their huts during the sweep at My Lai (4). (b)(6)(b)(7)(C) stated that there was scattered fire in the way of resistance, but no great resistance was encountered. He stated that he did not approve of all the killing, but they had been told all the people were VC; thinking of them as VC was different from thinking of them as women and children.

PFC (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that MEDINA told them that they would assault a VC-controlled area and have a chance to avenge casualties of Co C. MEDINA told them that all the people were to be killed and their houses and crops, destroyed. (b)(6)(b)(7)(C) stated that no resistance was encountered during the CA, but men, women and children were killed wherever they appeared, some of them after being gathered into small groups. (b)(6)(b)(7)(C) stated that his platoon went to a second village a few hundred meters to the north where the killings continued. (b)(6)(b)(7)(C) stated that about 30 people in the second village were spared after orders were received by radio to stop the killing.

PFC (b)(6)(b)(7)(C) Grenadier, 1st Squad, stated that he understood MEDINA to say that the CA at My Lai (4) would be a chance for revenge and that anything and everything that moved was to be killed. (b)(6)(b)(7)(C) stated that during the briefing he was uncertain as to what MEDINA meant about killing everything, but, after discussing MEDINA's remarks with other Co C personnel, he and his squad concluded that MEDINA intended that everything in the village -- animals and people -- was to be killed. (b)(6)(b)(7)(C) stated that troops fired upon and killed an unarmed man soon after their arrival at My Lai (4), and after entering the village they executed men, women and children with rifle fire and grenades. (b)(6)(b)(7)(C) estimated that he witnessed 25 killings at My Lai (4) and came upon the bodies of seven women at My Lai (5) (sic: Thuan Yen), killed by another grenadier using a shotgun round (cannister), fired from a grenade launcher. (b)(6)(b)(7)(C) stated that he saw no signs of resistance during the mission, and no cease fire orders were passed down to him.

CPL (b)(6)(b)(7)(C), Squad Leader, 2d Squad, stated that MEDINA told them that they were going into an area where they had always suffered losses, but this time they were going to kill everything that breathed in the village. (b)(6)(b)(7)(C) stated that he understood the village had been warned that a CA would take place; all inhabitants who were not VC were to leave. (b)(6)(b)(7)(C) stated that he interpreted MEDINA's briefing instructions as orders to kill every living thing in the village, human and animal. (b)(6)(b)(7)(C) stated that during the briefing someone asked about the women and children, and MEDINA responded by saying that everyone would be killed, including the women and children. (b)(6)(b)(7)(C) recalled that he saw about 40 Vietnamese dead and wounded, including children, at My Lai (4) and (5). (b)(6)(b)(7)(C) claimed not to have witnessed the killings as they took place, but when asked if he shot any unarmed civilians during the CA, he replied, "Not on the basis of what my orders were."

PFC (b)(6)(b)(7)(C) Machine Gun Crew Member, 2d Squad, when interviewed at OTIG, on 20 June 1969, stated that he did not attend MEDINA's briefing but was told later by his platoon leader that they would go on a search and destroy mission, at an enemy village; his squad leader told him that they were to kill everything. He interpreted "everything" to mean enemy soldiers. (b)(6)(b)(7)(C) stated that during the CA at My Lai (4) he received hostile fire while in the aircraft approaching the LZ; after he was on the ground, the hostile fire came from the village. (b)(6)(b)(7)(C) stated that he saw bodies at My Lai (4) but could not estimate the number and was unable to tell if they were killed by Americans or caught in a crossfire between Co C and the defending VC. (b)(6)(b)(7)(C) stated that he neither machine-gunned villagers nor saw unnecessary killings at My Lai (4). He stated that after the mission, and their return to LZ Dottie, LTC BARKER (sic: COL (b)(6)(b)(7)(C)) questioned the men about the CA and MEDINA asked (b)(6)(b)(7)(C) to tell him what BARKER's questions were. (b)(6)(b)(7)(C) reportedly told MEDINA that he avoided BARKER. During a reinterview conducted by the CID on 9 January 1970, (b)(6)(b)(7)(C) declined to make a statement but, subsequent to that interview, uttered unsolicited remarks to the effect that (1) they had been under orders and there was not a man in the company who did not kill that day, (2) it was just like the government to get the little guys and let the higher ups off, and (3) he thought they would use BARKER as a "fall guy" inasmuch as he was dead.

PFC (b)(6)(b)(7)(C) Rifleman, 2d Squad, stated that he paid little attention to what MEDINA said during the preassault briefing; he could only remember his saying that the people in the assault area were all VC and

had been warned. (b)(6)(b)(7)(C) stated that the men fired at will from the beginning of the assault at My Lai (4), although he saw no evidence of resistance. He remembered that two rifles were found near the bodies of two VC killed by helicopter fire on the village outskirts. In addition, he passed several bodies during the sweep. A cease fire order was given sometime during the day. Except for an occasional shot, the firing stopped. (b)(6)(b)(7)(C) stated that it was the first time Co C had swept a village with small arms fire; on previous missions they had not fired at all.

SP4 (b)(6)(b)(7)(C), Machine Gun Crew Member, 2d Squad, stated that MEDINA told them that everything in the village which they would assault was considered VC and was to be killed. (b)(6)(b)(7)(C) stated that he interpreted MEDINA's briefing to mean everything moving in the village, including the people, was to be killed. Other men he talked to prior to the CA agreed with his interpretation. (b)(6)(b)(7)(C) stated that (b)(6)(b)(7)(C) killed or wounded a group of about six men and women with a machine gun, and he (b)(6)(b)(7)(C) and SP4 (b)(6)(b)(7)(C) killed the wounded with a .45 caliber pistol to end their suffering, knowing that the medics would do nothing for them. (b)(6)(b)(7)(C) stated that to the best of his knowledge Co C met no resistance at My Lai (4) and left no survivors among its inhabitants.

SP4 (b)(6)(b)(7)(C) Grenadier, 2d Squad, stated that MEDINA told them that My Lai (4) had been warned to expect them; anybody found there would be shot as VC. MEDINA reminded the men that My Lai (4) was in an area where men had been lost on a previous mission; the CA would be a chance for revenge. Everything was to be destroyed, including the people. (b)(6)(b)(7)(C) stated that during the CA animals were shot first; then, as the people appeared, they, too, were shot. Many villagers, including women and children, were machine-gunned in their huts. He saw no sign of resistance to the CA. (b)(6)(b)(7)(C) attributed the killings to MEDINA's preassault instructions and an assumption by the men that the village would be deserted. (b)(6)(b)(7)(C) opined that when so many people were encountered the situation got out of hand; nobody took the initiative to stop the mass killing. He stated that, after learning there would be an investigation, he was told by his squad leader to discuss the CA only as a routine mission.

PFC (b)(6)(b)(7)(C) Machine Gun Crew Member, 2d Squad, stated that MEDINA told them that the company had suffered casualties in the CA area and that a VC battalion, fed by the local villagers, was probably there.

(b)(6)(b)(7)(C) did not gain the impression that civilians were to be killed and opined that civilian casualties could be attributed more to a chain reaction than to premeditation. (b)(6)(b)(7)(C) stated that although no resistance was encountered during the CA a heavy base of fire was placed on My Lai (4) from the LZ and continued as the troops moved through the village, taking its toll of civilians. STEVENSON stated that he observed the bodies of twenty to twenty-five villagers, most of them, women and children.

SP4 (b)(6)(b)(7)(C) Machine Gun Crew Member, 2d Squad, stated that MEDINA told them that they were to destroy food and livestock at My Lai (4) and that North Vietnamese Army units (NVA) were in the CA area. MEDINA told them that Co C had an opportunity to avenge earlier casualties. (b)(6)(b)(7)(C) stated that, although MEDINA did not specifically say all the villagers were to be killed, he gained the impression from remarks MEDINA made during the briefing that they were to shoot everybody in the village. (b)(6)(b)(7)(C) felt that all of the men in Co C interpreted MEDINA's remarks as he had. (b)(6)(b)(7)(C) stated that as his platoon moved from the LZ into My Lai (4) they fired indiscriminately as they advanced. Orders were filtered down to him that all the people were to be killed. (b)(6)(b)(7)(C) stated that they killed every Vietnamese man, woman and child whom they came upon, and he passed thirty to forty bodies as his platoon swept east. He stated that the firing stopped not in response to a cease fire order, but because they had completed the sweep.

PFC (b)(6)(b)(7)(C) Rifleman, 2d Squad, stated that MEDINA told them My Lai (4) and its inhabitants were to be destroyed, that there were no innocent civilians there, only VC. (b)(6)(b)(7)(C) stated that he was with MEDINA's command group most of the time and during the uncontested assault and sweep, he (b)(6)(b)(7)(C) witnessed the execution of about 20 assembled villagers, most of whom were women and children. He saw numerous killings of other noncombatants and observed bodies scattered throughout the village. (b)(6)(b)(7)(C) alleged that after MEDINA had shot a woman from a distance of about 150 meters, he then walked up to her and shot her again. (b)(6)(b)(7)(C) stated that MEDINA later told him not to write his congressman about what he had seen during the CA. (b)(6)(b)(7)(C) estimated that he observed 100 bodies at My Lai (4).

PFC (b)(6)(b)(7)(C) Rifleman, 2d Squad, stated that all he could remember of MEDINA's briefing was that they were going into a VC infested area that was heavily mined and booby-trapped, that livestock was to be killed, and that people who ran and would not heed warning shots were to be shot. (b)(6)(b)(7)(C) stated that to his knowledge the CA was uncontested although

SUBSTANTIATION: Continued

there was much shooting in the village. (b)(6)(b)(7)(C) stated that he didn't think he killed anyone, although he expended about 240 rounds during the sweep. He stated that he witnessed the execution of about 10 men and women at My Lai (4).

SP4 (b)(6)(b)(7)(C) Grenadier, 2d Squad, stated that MEDINA told them that they would conduct a search and destroy CA and could expect heavy resistance from the 48th VC Regiment. He recalled that MEDINA told them that they would have the opportunity to avenge earlier casualties and would completely destroy the village. (b)(6)(b)(7)(C) interpreted MEDINA's remarks to mean that they were to kill everyone and everything in the village, but he still didn't think it would actually happen. He stated that BROOKS ordered his squad to fire at several fleeing Vietnamese prior to entering the village. He neither saw signs of resistance nor received hostile fire but thought a fire fight was in progress somewhere, because of all the shooting. (b)(6)(b)(7)(C) stated that he passed 10-15 bodies, some of which were children, scattered along the northern perimeter. At the end of the sweep, he observed as MEDINA prevented the killing of an old man and two children accompanying him.

SGT (b)(6)(b)(7)(C) Squad Leader, 3d Squad, stated that MEDINA instructed them to destroy everything and anything that offered resistance and to destroy all material things in the village. (b)(6)(b)(7)(C) described the situation at My Lai (4) as a contested action with VC combatants, some armed with automatic weapons and Chinese hand grenades. (b)(6)(b)(7)(C) stated that a considerable amount of small arms fire was placed upon Co C by defending VC, and, on one occasion, his men were attacked by villagers wielding hoes, shovels or similar garden implements. (b)(6)(b)(7)(C) denied allegations that Co C fired indiscriminately upon civilians at My Lai (4) and attributed that sort of conduct to a sizeable force of South Vietnamese Army troops, Field Force Police and Popular Forces, accompanying Co C during the CA. (b)(6)(b)(7)(C) recalled that during the CA old men were acting as VC ammunition bearers and were shot during the early stages of the sweep. He remembered being confronted by a 13-14 year old boy carrying a hand grenade, which exploded when the youth was shot. (b)(6)(b)(7)(C) estimated that 150 inhabitants of My Lai (4) were killed during the assault and about 500, detained and released. He recalled that wounded villagers were provided medical treatment by medics and riflemen. (b)(6)(b)(7)(C) stated that as they swept through a subhamlet just north of My Lai (4) an order was received to stop killing so much of the populace. (b)(6)(b)(7)(C) was asked during the interview

SUBSTANTIATION: Continued

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if he was certain that he was describing events connected with the 16 March 1968 CA at My Lai (4); (b)(6)(b)(7)(C) gave assurances that he was.

SP4 (b)(6)(b)(7)(C), Grenadier, 3d Squad, stated that all that he could remember of MEDINA's preassault briefing was that they could expect a hard fight during the CA. (b)(6)(b)(7)(C) stated that Co C moved through My Lai (4) with reconnaissance by fire. Looking at the bodies he passed during the sweep, he noticed that more of them were killed by small arms than was usual. (b)(6)(b)(7)(C) stated that a cease fire order was issued about an hour after the sweep began.

PFC (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that MEDINA told them prior missions had only been search missions, but they were about to go on the biggest operation the unit had ever participated in. (b)(6)(b)(7)(C) stated that his interpretation of MEDINA's instructions during his briefing was that when Co C left the village everything would be dead. (b)(6)(b)(7)(C) stated that the mission appeared to begin like a search mission, but the men began shooting civilians running from them. During the sweep, (b)(6)(b)(7)(C) missed about three groups of dead men, women, and children (about 20 in each group), some of them, piled on top of each other. All of them appeared to have been shot at close range. On several occasions he saw troops beating people before shooting them. (b)(6)(b)(7)(C) stated that he witnessed the killing of 50-75 men, women and children. He saw no signs of resistance, although he was told that his platoon killed three armed men. (b)(6)(b)(7)(C) stated that he could identify many of the men who did the killing but would not divulge their names unless called to testify in court.

SP4 (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that MEDINA told them that nothing was to be left standing at My Lai (4); everything, including women and children, was to be killed. (b)(6)(b)(7)(C) stated that the sweep through My Lai (4) began with troops firing as they advanced on line; however, platoon organizational integrity dissolved soon after villagers were found in large numbers in the hamlet interior. (b)(6)(b)(7)(C) stated that he shot and killed about eight people; his victims were old men, women and children who tried to hide or run from huts to escape small arms fire and grenades. Two victims, a woman and an infant child, whom he recognized in a photograph exposed by SGT (b)(6)(b)(7)(C) (the photographer accompanying Co C), were reportedly shot by him in response to orders issued by BROOKS at the scene of the killing. (Reference, Exhibit R-12.) (b)(6)(b)(7)(C) claimed to have witnessed the murder of other defenseless women and children by SP4 (b)(6)(b)(7)(C) SP4 (b)(6)(b)(7)(C) SP4 (b)(6)(b)(7)(C) BROOKS, (b)(6)(b)(7)(C) and others.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) recalled seeing 25-30 bodies clustered in one area and 30-40 bodies in an irrigation ditch. (b)(6)(b)(7)(C) stated that several people, about to be shot, were rescued by a helicopter pilot who, after placing his aircraft between advancing troops and their intended victims, then took the Vietnamese away in his helicopter. (b)(6)(b)(7)(C) estimated that 400 Vietnamese were killed at My Lai (4) in obedience to orders issued by MEDINA.

SP4 (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that MEDINA told them that they were going on a search and destroy mission, and they were to kill everything that breathed. (b)(6)(b)(7)(C) recalled hearing, sometime prior to the mission, that the villagers had been warned by leaflet to expect the CA; he thinks that BROOKS might have cautioned him during or before their arrival at My Lai (4) not to shoot little kids. (b)(6)(b)(7)(C) stated that upon entering the village he joined just about everyone else in the shooting of people whom they came upon. (b)(6)(b)(7)(C) stated that he observed 20-25 bodies and offered an estimate of 360 villagers killed, based on conversations with other Co C personnel. He recalled that a cease fire order was received about midway through the sweep and that firing subsided after the order was issued. (b)(6)(b)(7)(C) stated that although villagers attempted to escape, none offered resistance.

SP4 (b)(6)(b)(7)(C) Machine Gun Crew Member, 3d Squad, stated that MEDINA told them that My Lai (4) was a suspected VC stronghold and he had orders to kill everything in it. (b)(6)(b)(7)(C) stated that Co C did not expect to find anyone in the village; when they did they followed orders. He stated that after landing near My Lai (4) no resistance was offered; all Vietnamese, 20-25 in number, encountered by his squad were killed. He estimated that 75 people were killed at My Lai (4), but did not remember receiving a cease fire order at anytime. (b)(6)(b)(7)(C) stated that he machine-gunned and killed women and children because he was ordered to.

SP4 (b)(6)(b)(7)(C) Machine Gun Crew Member, 3d Squad, stated that MEDINA told them that they were to go on a search and destroy mission. People in the village to be destroyed had been warned to leave. MEDINA told them that the objective was a VC stronghold, which would contain only the VC or VC sympathizers and that heavy contact could be expected. (b)(6)(b)(7)(C) stated that MEDINA told them to destroy the village and everything in it. He interpreted his (MEDINA's) instructions to mean civilian supporters of the enemy were to be destroyed, too. (b)(6)(b)(7)(C) stated that civilians were killed at My Lai (4) because he and the other men did not know what else to do with them, considering the orders received from MEDINA and the lack of other instructions for their disposition. (b)(6)(b)(7)(C) stated that MEDINA issued a cease fire

SUBSTANTIATION: Continued

order during the mission, and he thought that MEDINA had to be aware of the killings because he was following the troops; he must have seen what they left behind. (b)(6)(b)(7)(C) stated that he shot some Vietnamese males during the assault at My Lai (4).

3d PLATOON, C/1/20

2LT (b)(6)(b)(7)(C) Platoon Leader, 3d Platoon, when interviewed on 19 September 1969, stated that MEDINA told the men that he had received orders to destroy everything at My Lai (4), but did not specifically say that the hamlet's inhabitants were to be killed. (b)(6)(b)(7)(C) stated that during the CA he took little initiative and relied on his platoon sergeant to provide leadership. After entering My Lai (4) behind lead elements he noticed that there was much shooting by Co C but no sign of enemy opposition. (b)(6)(b)(7)(C) stated that he saw bodies of 25-30 dead Vietnamese, including three children, who were lying in a ditch. He was told that more bodies were in the ditch north of his position. (b)(6)(b)(7)(C) was positive that MEDINA was aware of the killing and destruction taking place. He recalled seeing MEDINA on two occasions, about 1200 hrs, when MEDINA told him to stop destruction of the village, and about 1500 hrs, after leaving My Lai (4), when MEDINA assembled the platoon leaders to ask for a body count. (b)(6)(b)(7)(C) stated that he offered a count of six but did not recall what the others reported. When interviewed on 13 March 1970, (b)(6)(b)(7)(C) stated that during the preassault briefing, MEDINA spoke of casualties suffered from mines and booby-traps in the Pinkville area and remarked that the CA would offer an opportunity to get back at the enemy. MEDINA told them to burn the village and to destroy livestock and all material commodities and to expect heavy opposition at the VC stronghold. A platoon leaders meeting followed, but MEDINA only discussed administrative requirements. (b)(6)(b)(7)(C) recalled seeing MEDINA just inside the northwest corner of My Lai (4). As (b)(6)(b)(7)(C) moved east, he received a radio message from MEDINA telling him that everybody was moving too fast; the men were to search more carefully and burn the huts. Another message from MEDINA followed; he ordered the collection of all men, women and children who were to be taken with the troops as they swept east. Moving south (b)(6)(b)(7)(C) passed six to ten bodies, some of which were children lying on an interior trail. He met with MEDINA near the center of the hamlet, on its southern perimeter, where he observed eight to eleven more bodies of men, women and children. Traveling east again, (b)(6)(b)(7)(C) came upon three unidentified soldiers guarding about 30 men, women and children and radioed MEDINA for instructions. (b)(6)(b)(7)(C) stated that MEDINA ordered them to be held, and he didn't know what happened to

SUBSTANTIATION: Continued

them after that. After reaching the ditch in the extreme eastern sector of My Lai (4) and seeing three bodies in it, he stopped for lunch. (b)(6)(b)(7)(C) recalled that when MEDINA later asked for the body count (b)(6)(b)(7)(C) and BROOKS reported that they had well over 50 bodies each. (b)(6)(b)(7)(C) stated that he offered the figure of six only because it had not occurred to him to count bodies, and he did not wish to appear stupid. He thought that the total count arrived at was 128. Again, (b)(6)(b)(7)(C) opined that MEDINA must have been aware of the killings that took place at My Lai (4). (b)(6)(b)(7)(C) vaguely recalled receiving orders sometime during the mission to stop killing and burning.

SSG (b)(6)(b)(7)(C) Platoon Sergeant, 3d Platoon, stated that MEDINA told them that the people found at My Lai (4) would be the enemy; however, they were not to kill them if they could be captured. (b)(6)(b)(7)(C) stated that MEDINA did not say that all the people were to be killed. (b)(6)(b)(7)(C) stated that his platoon followed lead elements into the village and he noticed many enemy casualties. (b)(6)(b)(7)(C) described enemy action at My Lai (4) as severe, with Co C receiving sniper fire at the LZ, and capturing four or five enemy weapons. He acknowledged that Vietnamese bodies were found in stacks but attributed their deaths to air strikes, artillery and napalm. (b)(6)(b)(7)(C) stated that Vietnamese wounded were treated by his platoon's medic.

SP4 (b)(6)(b)(7)(C) RTO, stated that, although he could not recall exactly what was said by MEDINA during his preassault briefing, he left the briefing with the impression that all the inhabitants of the village were to be killed. (b)(6)(b)(7)(C) stated that he and the combat photographer arrived at My Lai (4) on the same aircraft. Soon after landing, members of his platoon fired upon three groups of Vietnamese males attempting to flee the village. In the village he passed two groups of bodies and observed as a wounded youth was shot by someone behind him. (b)(6)(b)(7)(C) recalled seeing the body of an adult and, an infant on the porch of a house with another dead adult lying nearby. He recalled seeing a total of 30-35 bodies including six in a ditch southeast of the village. He recalled that a radio message to the effect that the killings were to stop was received sometime during the assault. He stated that the CA was unopposed. (b)(6)(b)(7)(C) stated that he later saw MEDINA fire two rounds over a prisoner's head during an interrogation.

SP5 (b)(6)(b)(7)(C) Medical Aidman, stated that MEDINA told them that they could expect heavy VC opposition at the village which they were to assault; however, he did not say that the people in the village were to be killed. The 3d Platoon was assigned the task of burning the village.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that his platoon received sniper fire on the LZ at My Lai (4). He stated that as he moved behind lead platoons he observed about 50 dead men, women and children before being called to treat (b)(6)(b)(7)(C) foot wound. (b)(6)(b)(7)(C) stated that (b)(6)(b)(7)(C) appeared stunned by the killings and radioed MEDINA and the other platoon leaders to determine how the people were killed. (b)(6)(b)(7)(C) thought that a report received by radio mentioned that helicopters had done a lot of firing. A cease fire order was received soon after (b)(6)(b)(7)(C) inquiries, about 30 minutes after the 3d Platoon entered the village. He recalled that one element of the 3d Platoon reported that people were killed in a ditch east of them, but he did not see the bodies himself. (b)(6)(b)(7)(C) stated that he treated no Vietnamese because they were all dead. He attributed their deaths to helicopter fire or accidents. He recalled seeing MEDINA only once as he moved through the village.

SGT (b)(6)(b)(7)(C) Squad Leader, 1st Squad, stated that MEDINA told them the villagers of My Lai (4) had been warned of the CA and were told to evacuate the village. MEDINA implied that no civilians would be found there, only VC or NVA. The village was to be destroyed. (b)(6)(b)(7)(C) was unable to recall what instructions, if any, were issued relative to disposition of people found in the village. (b)(6)(b)(7)(C) expected a fire fight at My Lai (4). After arriving at the LZ, his squad waited almost an hour before entering the village behind lead elements. One squad was sent to search out the flank. He recalled admonishing WEST for firing upon a fleeing woman and child, because his fire endangered the squad working the flank. (b)(6)(b)(7)(C) stated that lead elements were firing inside the village, but his squad encountered no resistance during the mission. With MEDINA's command group walking behind him, (b)(6)(b)(7)(C) entered the village near the center of its western perimeter, viewing what he described as fresh craters and artillery-damaged buildings. Moving east (b)(6)(b)(7)(C) observed about 40 bodies of men, women and children, some of them infants, including about 12 bodies clustered deep inside the village. (b)(6)(b)(7)(C) recalled that (b)(6)(b)(7)(C) walking about 20-25 yards behind MEDINA, shot and killed an already-wounded youth, seconds after MEDINA walked by him.

SP4 (b)(6)(b)(7)(C) Rifleman, 1st Squad, stated that MEDINA told them that they would assault a village held by the 98th NVA Regiment and the 48th VC Bn and could expect heavy resistance. They were to burn the village and leave nothing walking or crawling. Although (b)(6)(b)(7)(C) stated that he expected to find only enemy soldiers at My Lai (4), and at the time of the briefing did not interpret MEDINA's instructions to mean women and children were to be

SUBSTANTIATION: Continued

killed, he admitted taking part in the killing of women and children, seven of whom were photographed by (b)(6)(b)(7)(C) just before they were shot. (Reference, Exhibit V-12) (b)(6)(b)(7)(C) stated that he shot women and children in response to MEDINA's briefing instructions, reasoning that since the other men were killing anyone they came upon he supposed that it was what MEDINA told them to do and was expected of them. (b)(6)(b)(7)(C) stated that the company entered My Lai (4) shooting, after receiving reports that they were fired upon by snipers, but he saw no signs of resistance and was not fired upon. (b)(6)(b)(7)(C) stated that he saw the bodies of about 50 men, women and children killed at My Lai (4), and did not recall receiving a cease fire order during the mission. (b)(6)(b)(7)(C) recalled that the following day MEDINA fired his weapon over a suspect's head during an interrogation.

SP4 (b)(6)(b)(7)(C) Machine Gun Crew Member, 1st Squad, stated that he did recall attending MEDINA's briefing and recalled receiving no instructions to kill civilians after their arrival in the CA area. He understood that other platoons had received orders to that effect. (b)(6)(b)(7)(C) stated that he moved through the village, burning the houses behind the lead platoons, and saw many dead civilians scattered throughout the village. To his knowledge the CA was unopposed.

PFC (b)(6)(b)(7)(C) Grenadier, 1st Squad, stated that MEDINA told them that they were going to destroy My Lai (4) and that he had his orders from LTC BARKER. MEDINA told them that since it was to be a search and destroy mission everything was to be killed and dead animals, thrown in wells. (b)(6)(b)(7)(C) stated that some hostile fire was received at the LZ and an enemy weapon was captured. He was the last to enter My Lai (4), about an hour after the lead platoons, and came upon groups of dead or seriously wounded men, women and children, as many as 10 in a group. All the dead and wounded appeared to be victims of small arms fire. (b)(6)(b)(7)(C) recalled seeing MEDINA at least twice inside the village, and that an order to stop killing civilians was received about 1200 hrs.

PFC (b)(6)(b)(7)(C) Grenadier, 1st Squad, stated that MEDINA instructed the men to kill everything that moved at My Lai (4) (b)(6)(b)(7)(C) recalled that he entered My Lai (4) about an hour after the 1st and 2d Platoons and heard much small arms fire from inside the village as he waited. After entering, he observed groups of dead Vietnamese and somewhere near the center of the village, witnessed six to nine unidentified soldiers molest and then kill seven women and children that were photographed by (b)(6)(b)(7)(C)

just before their deaths. (Reference, Photograph Exhibit V-12.) (b)(6)(b)(7)(C) stated that while he was at the center of the village someone told him that MEDINA had issued an order to stop the killing.

CPL (b)(6)(b)(7)(C) Squad Leader, 3d Squad, stated that MEDINA told them that they were expected to engage a VC battalion at My Lai (4) and that everyone found at My Lai (4) would be the enemy. (b)(6)(b)(7)(C) stated that he did not consider whether or not they would find women and children in the village and that MEDINA issued no instructions relative to the handling or processing of noncombatants. Upon arrival at the My Lai LZ, his squad was tasked to locate the body of a VC southwest of the village and recover his weapon. He recalled that his squad fired at several fleeing villagers while moving to effect the recovery. When his squad did enter the village, behind all other Co C elements, shooting could still be heard from the east. He saw no bodies until arriving at a trail leading south from the center of the village, where he observed 10-12 dead men, women and children. (b)(6)(b)(7)(C) stated that his squad encountered no resistance and recalled receiving a cease fire order three to four hours after landing.

SP4 (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that he did not remember attending MEDINA's briefing, but that orders reached him through others; these orders were to the effect that everybody in the NVA village to which they were going was to be killed. (b)(6)(b)(7)(C) stated that his platoon was fired upon from My Lai (4), and he received reports that the 1st and 2d Platoons had come under intensive enemy fire. (b)(6)(b)(7)(C) stated that he observed the bodies of women and children, all over the village. He estimated that 200 Vietnamese were killed at My Lai (4) and that quite a few of them were civilians. (b)(6)(b)(7)(C) stated that most of the CA was a blank to him, and he could recall few events concerning it.

SP4 (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that MEDINA told them that they were to CA a VC rest area containing an NVA Regiment or Battalion, and all the people there were VC sympathizers. MEDINA didn't say that all women and children in the village were to be killed; (b)(6)(b)(7)(C) didn't think that they would be, but MEDINA did say that they were to kill everything that moved and to search, burn, and destroy the village. After reaching the LZ, (b)(6)(b)(7)(C) moved southwest to search for a weapon sighted by a helicopter pilot. Crossing a trail, (b)(6)(b)(7)(C) saw the bodies of nine to ten men, women, and children. After recovering the weapon, and while enroute to the village, he saw SP4 (b)(6)(b)(7)(C) kill two already-wounded children with a machine gun and SP4 (b)(6)(b)(7)(C) kill a woman and wound a man with rifle fire. (b)(6)(b)(7)(C) described the shootings as senseless. MEDINA

SUBSTANTIATION: Continued

ordered (b)(6)(b)(7)(C) platoon into the village behind the lead platoons, which were already releasing a heavy volume of fire inside the village. As he walked through the village burning the huts, he observed 30-40 dead Vietnamese, almost all of whom were women and children; however, he did not see signs of hostile fire or resistance. (b)(6)(b)(7)(C) recalled that MEDINA passed within 20 feet of about 30 bodies lying on a trail. Rumors reached (b)(6)(b)(7)(C) at My Lai (4), that about 200 people were killed during the CA.

PFC (b)(6)(b)(7)(C) Rifleman, 3d Squad, who carried a light antitank weapon (LAW), stated that he did not gain the impression from MEDINA's briefing that civilians were to be killed but conceded that other Co C personnel may have. (b)(6)(b)(7)(C) recalled seeing about 14 bodies at My Lai (4) during the CA; he didn't know how they were killed. (b)(6)(b)(7)(C) stated that he thought that his squad came under fire about the same time as he was photographed by (b)(6)(b)(7)(C) with his rifle raised in a firing position. (Reference, Photograph Exhibit L-12.)

PFC (b)(6)(b)(7)(C) Machine Gun Crew Member, 3d Squad, stated that MEDINA told them that they would go on a search and destroy mission in an area heavily populated by the VC and NVA; all inhabitants were VC sympathizers. MEDINA instructed them to kill and burn everything in the village; he interpreted MEDINA's remarks to mean that women and children were to be killed, too. (b)(6)(b)(7)(C) stated that Co C carried out their search and destroy orders to the very point by burning everything and killing innocent and unarmed civilians. (b)(6)(b)(7)(C) stated that he witnessed the killing of about 80 men, women and children, without seeing evidence of hostile fire or resistance. (b)(6)(b)(7)(C) stated that he fired upon fleeing villagers and that he killed a young girl, a woman, and three elderly men whom he found badly wounded, because he knew that they would receive no medical attention. (b)(6)(b)(7)(C) stated that he machine-gunned two other teenaged males, one of whom was already wounded. He heard estimates that 485 villagers were killed that day at My Lai (4). (b)(6)(b)(7)(C) opined that the villagers were killed only because they were suspected of aiding the VC.

Statements of SFC (b)(6)(b)(7)(C) and Crim Inves (b)(6)(b)(7)(C) relative to the speculation that (b)(6)(b)(7)(C) might have been under the influence of marihuana or drugs at the time of his interview are attached as exhibits to this report.

SUBSTANTIATION: Continued

SP4 (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that although MEDINA told them anyone that they found at My Lai (4) could be considered as VC, he did not gain the impression that noncombatants were to be killed. (b)(6)(b)(7)(C) thought that they would be involved in heavy combat with the VC. After landing at My Lai (4), he traveled through the village, meeting no resistance, and observed bodies of old men, women and children scattered about the village; in addition, he witnessed in part the execution of one group of Vietnamese which included children. (b)(6)(b)(7)(C) stated that later, near the ocean, he observed as MEDINA fired twice over the head of a detainee during what he thought was an interrogation.

PFC (b)(6)(b)(7)(C) Rifleman, 3d Squad, who carried a PRC-25 radio, stated that all he could remember of MEDINA's briefing was that they could be certain of enemy contact and would have a chance to avenge earlier Co C casualties. He recalled no instructions relative to noncombatants or destruction of houses, crops, animals or sources of food and water. After their arrival at My Lai (4), his squad shot a fleeing VC armed with a carbine, south of the village, and recovered the weapon. (b)(6)(b)(7)(C) stated that later his squad came upon 15 dead men, women and children on the north-south trail leading to the center of My Lai (4) and that all of them seemed to be small arms victims. During search efforts in the village, he saw many burning houses, and he saw, also, the bodies of men, women and children scattered throughout the village. Seven bodies were seen in a ditch south of the village. He recalled seeing MEDINA directing the men and issuing orders several times at different places in the village. (b)(6)(b)(7)(C) saw no signs of resistance and did not recall having received a cease fire order. He estimated that one hundred people were killed at My Lai (4). A day or so later he saw MEDINA as he fired his rifle close to the head of a prisoner, as he interrogated him.

PFC (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that he understood MEDINA to say that they were going to "Pinkville" to kill everything that they found moving there and to destroy everything else. (b)(6)(b)(7)(C) stated that before his squad entered the village they moved away from My Lai (4); his platoon fired upon six men and women seen fleeing the village, killing three of them. His platoon found one male body with a weapon beside it, during the sweep of the flank. (b)(6)(b)(7)(C) stated that they later entered the north-west corner of My Lai (4) and moved southeast, passing the bodies of dead men, women and children. When they emerged at the southern perimeter near the center of the village, he saw MEDINA. Nearby a small child was standing among approximately 15 dead men, women and children. (b)(6)(b)(7)(C) alleged that MEDINA shot the child with his M-16 rifle. (b)(6)(b)(7)(C) stated

SUBSTANTIATION: Continued

that later, southeast of the village, he came upon a ditch containing about 40 men, women and children, all but a few of whom were dead; the others were seriously wounded. He stated that (b)(6)(b)(7)(C) and PFC (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) reluctantly shot and killed the wounded to end their agony, after deciding that they would receive no medical attention. (b)(6)(b)(7)(C) opined that none of the dead or wounded he observed were artillery victims, and Co C met no opposition at My Lai (4). He stated that when they returned to base camp MEDINA called a meeting of the company to tell the men that there would be an investigation into what happened at My Lai (4), and he would b a c k the men who, as far as they knew, did what they were supposed to do.

SP4 (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that he did not remember what MEDINA said during the preassault briefing. (b)(6)(b)(7)(C) stated that his squad was late entering the village because they were ordered to sweep open areas southwest of My Lai (4); however, after entering the already burning village, he observed about a hundred bodies located along the southern edge of the village and in a ditch east of My Lai (4). He recalled that, in southwest My Lai (4), his squad fired upon four to five Vietnamese who were attempting to evade them. However, they didn't see the effect of that fire. During the mission (b)(6)(b)(7)(C) did not remember receiving orders to fire or to cease fire.

PFC (b)(6)(b)(7)(C) Rifleman, 3d Squad, stated that MEDINA told them that they would go on a search and destroy mission at My Lai (4) and would have a chance to retaliate for earlier C Company casualties. MEDINA told them to expect resistance from a combined NVA-VC regiment, and extra ammunition would be needed. (b)(6)(b)(7)(C) did not remember whether MEDINA made specific reference to killing people; MEDINA's words suggested that, "If it is going to hurt you, kill it." (b)(6)(b)(7)(C) stated that at the LZ his squad was dispatched to search for a weapon. He fired upon two fleeing male Vietnamese without knowing whether he hit them. An M-1 carbine was found before they entered the village. They burned structures, shot animals and destroyed food. He observed several bodies scattered about and saw one body in a water well. About 30 more bodies were seen in two groups. (b)(6)(b)(7)(C) opined that they were more likely artillery or mortar victims, due to the positions which they were in. (b)(6)(b)(7)(C) stated that he thought that MEDINA issued a cease fire order because the platoon sergeants lost control over their men. (b)(6)(b)(7)(C) stated that he passed one or two wounded Vietnamese but ignored them.

SUBSTANTIATION: Continued

SP4 (b)(6)(b)(7)(C) LTC BARKER's driver, accompanied the 3d Squad as a rifleman. (b)(6)(b)(7)(C) stated that he attended the task force staff briefing, which preceded MEDINA's briefing, but did not attend the C Company briefing. All he could recall of the staff briefing was that the task force was to engage the 48th VC Battalion. Although MEDINA told him to carry a double load of ammunition and to be careful, he told him nothing more. (b)(6)(b)(7)(C) recalled that after landing on a cold (uncontested) LZ, his squad was tasked to locate a weapon south of the LZ. While moving south, his squad fired upon approximately 20 adult Vietnamese who were fleeing west along Highway 521. When they approached the highway they came upon 10-15 bodies but didn't know whether they were killed by 3d Squad fire or earlier gunship fire. (b)(6)(b)(7)(C) stated that later his squad joined other C Company elements and assisted in the burning of huts and the destruction of livestock. He saw bodies of men, women, and children scattered about. After his squad was ordered to secure an LZ for the (b)(6)(b)(7)(C) evacuation, he saw 15-20 bodies, including those of women and children, lying near the evacuation site. (b)(6)(b)(7)(C) thought that MEDINA viewed those bodies and considered it unlikely that he didn't see other bodies scattered throughout the village. (b)(6)(b)(7)(C) vaguely recalled seeing MEDINA fire his rifle close to the head of a detainee whom he was interrogating near the coast line.

MORTAR SECTION

SFC (b)(6)(b)(7)(C) Platoon Sergeant and Section Leader during the CA, stated that MEDINA told them that they were to conduct a CA at My Lai (4), where everyone was either VC or VC sympathizer. MEDINA told them that everything at My Lai (4) was to be destroyed because anything left in the area would aid the VC. (b)(6)(b)(7)(C) was uncertain of MEDINA's intent concerning the civilians; however, he didn't think that MEDINA intended their slaughter. (b)(6)(b)(7)(C) stated that the single mortar, which was brought on the mission, was prepared to be fired but was not. He recalled that there was much small arms fire in the village. After waiting near the LZ for a brief period, as elements of the 3d Platoon searched for a weapon, his section followed MEDINA's command group into the village. (b)(6)(b)(7)(C) stated that the first things which they came upon were dead Vietnamese men, women and children, scattered about the village. Most of the livestock was dead and troops were burning the huts and destroying the crops. (b)(6)(b)(7)(C) recalled that an old man, soon after he was passed on a trail, was shot by an unidentified rifleman. Although MEDINA was near when the shooting occurred, (b)(6)(b)(7)(C) didn't know whether MEDINA witnessed the shooting. The command group and mortar section rested for about 30 minutes. While at the break area MEDINA arranged helicopter evacuation for (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) observed a group of dead Vietnamese, most of whom were women and children, lying near a trail junction. (b)(6)(b)(7)(C) judged that they had been killed with small arms fire. (b)(6)(b)(7)(C) stated that without searching he came upon 50-100 bodies during the two to three hours he spent in the village. He could recall no cease fire being ordered during the mission.

PFC (b)(6)(b)(7)(C) Radio Telephone Operator, stated that MEDINA told them that My Lai (4) was a VC stronghold serviced by the 48th VC Battalion; therefore, they should expect heavy resistance. MEDINA further told them that warning pamphlets had been dropped and that no "Friendlies" were in the village. They were to destroy food and livestock and burn the village. (b)(6)(b)(7)(C) stated that to his knowledge, the CA was unopposed. He stated that the mortar was not used; mortar personnel assisted in the destruction of dwellings and crops. (b)(6)(b)(7)(C) stated that although he had seen only one dead Vietnamese, other C Company personnel told him that 350-400 people were killed at My Lai (4) during the CA.

PFC (b)(6)(b)(7)(C) stated that he attended MEDINA's briefing but couldn't remember what was said. (b)(6)(b)(7)(C) stated that during the sweep the mortar was set up in stages behind lead elements but was not needed. He stated that, as his section moved through the already burning village, he observed the bodies of 200-300 dead men, women and children, and he saw MEDINA on several occasions, while he was in the village.

SG1 (b)(6)(b)(7)(C) stated that MEDINA told them to destroy everything at My Lai (4) -- men, women and children -- anything that provided food or shelter for the VC. MEDINA told them that the people had been warned to clear the area. (b)(6)(b)(7)(C) supposed that anyone remaining would be VC. (b)(6)(b)(7)(C) stated that he clearly understood MEDINA's orders to mean that women and children were to be killed. He stated that he expected resistance at My Lai (4), but the assault was unopposed and the mortar was not used. Moving with MEDINA's command group, (b)(6)(b)(7)(C) helped burn huts and destroy crops. He noticed that bodies, mostly women and children, were lying everywhere. (b)(6)(b)(7)(C) stated that after (b)(6)(b)(7)(C) was evacuated he thought that MEDINA twice requested permission from task force headquarters to change the mission from search and destroy to search and clear, because all they had encountered were old men, women and children. He thought that MEDINA issued a cease fire order after speaking by radio to headquarters, but, by that time, all the people in the village were dead. (b)(6)(b)(7)(C) recalled seeing the bodies of women and children in a group near the (b)(6)(b)(7)(C) evacuation site and thinking, at the time, that they appeared to have been lined up and shot down. (b)(6)(b)(7)(C) stated that MEDINA appeared distressed when he realized the extent of the massacre.

SP4 (b)(6)(b)(7)(C) stated that MEDINA told them, in approximate language, that when he came through the village he wanted to see it burned to the ground. Moreover, he didn't want to see anything living but C Company personnel. (b)(6)(b)(7)(C) stated that he interpreted MEDINA to mean that women and children were to be killed. He thought that the other C Company personnel interpreted MEDINA's instructions as he had. Although he saw no signs of opposition at My Lai (4), (b)(6)(b)(7)(C) stated, the rifle platoons were using a lot of automatic fire in the village. (b)(6)(b)(7)(C) stated that about 1000 hrs MEDINA received a radio message which recounted that a helicopter pilot had reported bodies lying all over the place; he wanted to know what was going on. MEDINA reportedly replied that he would call forward and find out. He then contacted someone in the 1st Platoon, telling him, "They want the shooting stopped." or words to that effect. About the same time, (b)(6)(b)(7)(C) stated, he watched as a boy was shot while standing among a pile of dead men, women and children;

SUBSTANTIATION: Continued

he thought that MEDINA saw the boy killed. (b)(6)(b)(7)(C) recalled that, on another occasion, MEDINA stepped over the body of a youth. (b)(6)(b)(7)(C) stated that he followed MEDINA along various paths at My Lai (4) and observed numerous dead women and children along their route. (b)(6)(b)(7)(C) stated that MEDINA offered a body count of 310 when asked by radio just after the company broke for lunch.

PFC (b)(6)(b)(7)(C) stated that he did not get the impression from MEDINA's briefing that women and children were to be killed, but he did recall being told that the villagers had been warned and that everyone found in the village should be VC. (b)(6)(b)(7)(C) stated that he observed a large pile of bodies on a trail near the southern perimeter of My Lai (4) and thought that MEDINA saw them too. He recalled that after passing the bodies MEDINA called (b)(6)(b)(7)(C) on the radio, telling him to stop killing all those civilians. In addition to bodies which he saw scattered throughout the village, (b)(6)(b)(7)(C) stated that he saw about 75 bodies stacked three to four deep in a ditch east of the village.

SGT (b)(6)(b)(7)(C) stated that the CA at My Lai (4) was unopposed, but he heard much firing from inside the village. (b)(6)(b)(7)(C) stated that as he walked east along the southern perimeter, he saw about 15 dead men, women and children on a trail leading south. He thought that MEDINA viewed the bodies, because MEDINA was walking just in front of him. (b)(6)(b)(7)(C) stated that later, while still following the command group, he saw several bodies in a ditch about 30 yards east of the village. He recalled seeing 35-40 dead Vietnamese that day at My Lai (4) but did not remember hearing anyone issue a cease fire order. (b)(6)(b)(7)(C) stated that the next day MEDINA, while questioning a prisoner, almost creased his head with rifle fire.

SP4 (b)(6)(b)(7)(C) verbally stated, on 11 October 1969, that MEDINA told them to burn My Lai (4) and to kill everything and everybody therein. (b)(6)(b)(7)(C) stated that he observed about three hundred bodies at My Lai (4) during the CA. On 2 January 1970, (b)(6)(b)(7)(C) stated that during the briefing MEDINA appeared to be angry about earlier losses suffered by C Company, indicating that the CA would provide an opportunity for revenge. MEDINA told them that the people at My Lai (4) had been told to leave the village; those who remained were NVA, VC, or helpers of the enemy. (b)(6)(b)(7)(C) stated that MEDINA only implied that everyone in the village was to be killed; specifically MEDINA stated that the village was to be burned and leveled. Although (b)(6)(b)(7)(C) recalled being told to expect opposition from the 48th VC

Battalion, no resistance was encountered during the CA. (b)(6)(b)(7)(C) saw some helicopter fire, south of the village, but none upon the village proper. He remembered seeing MEDINA once or twice as he moved through the village. (b)(6)(b)(7)(C) stated that while following lead elements through My Lai (4) he saw no killings, but he did observe 20-25 bodies. He recalled that he watched as MEDINA fired two shots close to a prisoner's head; then placing his finger on the prisoner's head, he indicated where the next bullet would strike if he didn't cooperate.

PFC (b)(6)(b)(7)(C) stated that MEDINA told them that they would go to a complex of villages in the My Lai area (held by the 48th VC Battalion), where there would be no "Friendlies." (b)(6)(b)(7)(C) stated that he received no fire upon landing at My Lai (4), but so much shooting was going on that it was difficult to determine whether any of the fire was hostile. Later, walking through the village, he observed 30-40 bodies, including ten in one group, lying near a hut close to the center of the village. The dead were old men, women and children. (b)(6)(b)(7)(C) stated that he only saw one person, an old man who was already wounded, killed. (b)(6)(b)(7)(C) stated that MEDINA was in view of him most of the time, and he did not see MEDINA shoot anyone. He recalled that MEDINA told someone not to shoot women and children but thought that the order might have been given after leaving My Lai (4). (b)(6)(b)(7)(C) stated that MEDINA radioed someone, saying that they had gone through the village, counting many bodies. He recalled that the next day MEDINA pulled the trigger against an empty chamber, after placing a revolver to a prisoner's head, and fired two rounds from a rifle close to the prisoner's head.

SUBSTANTIATION: ContinuedCOMMAND GROUP

During an interview conducted by COL (b)(6)(b)(7)(C) OTIG, on 13 May 1969, in the presence of CPT (b)(6)(b)(7)(C) legal counsel, MEDINA stated that the CA at My Lai (4) on 16 March 1968 was planned by BARKER and that BARKER authorized the destruction of dwellings and provisions at My Lai (4). MEDINA stated that BARKER did not order the killing of noncombatants.

MEDINA stated that previous experience in the CA area and the latest intelligence available to him offered strong evidence that the objective contained a great number of armed, sometimes uniformed, VC personnel. The enemy force reportedly included elements of the 48th VC LF Bn, accompanied and assisted by sympathetic VC women and children, all protected by a complex system of bunkers, mines and booby traps. MEDINA was reportedly told by BARKER that artillery fire would be placed on the village, to reduce American casualties, while innocent women and children would be at market places in Quang Ngai City.

MEDINA stated that during a preassault briefing he conducted, on 15 March 1968, he informed his assembled company of the enemy strength and activity in the CA area and mentioned that the 48th VC Bn was responsible for previous casualties suffered by C Company. MEDINA said that he scratched a rude map on the ground and indicated the line of advance for the lead element, comprised of the 1st and 2d Platoons. The 3d Platoon was instructed to search and burn behind the forward platoons, which would push through the village, moving the people in front of them. MEDINA stated that he did not order the destruction of the village's inhabitants, and in response to a question posed by an unidentified soldier who asked during the briefing whether women could be shot he said "No," qualifying his answer by telling the men that a woman could be shot only if armed, if engaging them, or while running away.

MEDINA stated that he issued no instructions relative to the processing of detained persons or the conduct of troops confronting civilians in the field, because, from previous training and briefings, general standing operational procedures were well known to his men.

MEDINA stated that upon arrival at My Lai (4) he considered the LZ to be cold (uncontested) and reported his evaluation to task force headquarters. MEDINA stated that he was immediately contradicted by a helicopter pilot who announced that the LZ was hot, that his aircraft had received fire, that MEDINA's

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men were being fired upon, and that armed VC had already been killed by supporting aircraft. MEDINA acknowledged that except for a few weapons recovered from the bodies of VC killed by helicopter crewmen he had no other evidence that the action was contested. MEDINA suspected that light enemy fire came from the village while he was still on the LZ. MEDINA stated that he received no reports of hostile fire from his platoon leaders.

MEDINA stated that, in response to a message that a helicopter was hovering over a body and a weapon marked with smoke, he went to the scene to secure the weapon. MEDINA stated that he passed the mangled bodies of a few Vietnamese (including a woman), assuming that they had been killed by artillery fire. He came upon the body of another woman who appeared to be dead. A helicopter hovering about 20 feet above her pulled away as he approached. MEDINA stated that he did not touch the woman, and he found no weapon. As he walked away, he observed a sudden movement by the woman; she appeared to have something in her hand. MEDINA stated that he instinctively turned and fired two or three times, killing her. MEDINA stated that, at My Lai (4), he did not fire his weapon again.

MEDINA acknowledged seeing other bodies, mentioning that two children, whom he observed, were victims of artillery, gunship or small arms fire. He also observed a group of bodies near the perimeter of the village but did not approach or examine them closely. MEDINA stated that he passed some people who appeared to have been killed by heavy shrapnel or artillery fire. MEDINA stated that, at My Lai (4), he observed no medical treatment of injured Vietnamese. He acknowledged having received a radio message from (b)(6)(b)(7)(C) while the sweep was in progress and he was still west of the village. (b)(6)(b)(7)(C) directed him to make sure that his people were not shooting innocent civilians. MEDINA stated that he acknowledged receipt of the message and put the word out to his platoons.

MEDINA stated that about 1300 hrs, while sweeping east toward field positions of B/4/3 Infantry (after leaving My Lai (4)) he directed 90-140 civilians toward Quang Ngai City. He took some of the young men who were among them with him toward the coast. He did not know whether the people were residents of My Lai (4) or whether they came from nearby hamlets.

MEDINA stated that during the third day of the operation he was visited in the field by (b)(6)(b)(7)(C) who told him that he was conducting an investigation and asked MEDINA whether he was aware of any civilians being killed or murdered by MEDINA's men. In addition, he queried MEDINA on whether he

SUBSTANTIATION: Continued

had ordered his men to kill civilians. MEDINA stated that he told (b)(6)(b)(7)(C) "No." In response to (b)(6)(b)(7)(C) asking MEDINA whether he had shot a woman, he offered (b)(6)(b)(7)(C) the circumstances of that shooting. MEDINA stated that he gave a similar report to BARKER after returning to LZ Dottie.

MEDINA stated that he later learned of an allegation that one of his soldiers was observed firing at bodies during the CA. However, BARKER told him to forget it, that the matter would be investigated by others. MEDINA stated that he had no knowledge of the conducting of mass executions by (b)(6)(b)(7)(C) at My Lai (4) or knowledge of the killing of a child, during the CA, by an RTO assigned to his command group. He recalled suggesting to (b)(6)(b)(7)(C) that he await determinations of the investigation concerning the CA at My Lai (4) before contacting his congressman.

MEDINA has made numerous public statements concerning Task Force Barker's combat assault of 16-19 March 1968; his statements have been widely reported by the news media. Typical of these statements is one offered during a press interview conducted on 6 December 1969 and reported by Mr. (b)(6)(b)(7)(C) of the Washington Post on 8 December 1969.

During the interview, MEDINA reportedly responded to allegations of wrongful conduct by saying that he did not receive or issue orders to kill unarmed civilians; that he did not see a massacre and was not told about a massacre; and that he did not kill a small boy or report a body count of 370 enemy dead, as alleged by some accounts.

MEDINA stated that he and BARKER did not fly directly over My Lai (4) during an airborne reconnaissance on 15 March 1968, in order that they might avoid giving away the plan to assault the hamlet. Although BARKER's orders to MEDINA to assault the hamlet were based (as it turned out) on faulty intelligence, he had no reason to doubt what BARKER told him. MEDINA stated that he was told by BARKER and BARKER's staff that perhaps 250-280 men of the 48th VC Bn were in My Lai (4). Intelligence reports predicted that the hamlet's women and children would be gone by 0700, enroute to markets elsewhere. MEDINA stated that on 15 March 1968 it looked as though a tough fight would develop, and he expected to take casualties and to inflict casualties. He stated that he did not give any instructions to his men relative to the disposition of women and children, because it was predicted that none would be present during the attack.

MEDINA stated that, as far as he could tell, he received no hostile fire upon

SUBSTANTIATION: Continued

landing, consequently reporting the LZ as cold. After he was contradicted by the helicopter pilot, however, he instructed his platoon leaders to move with extreme caution and to return any fire. MEDINA stated that he ordered his 2d Platoon to search a cluster of houses north of My Lai (4), after receiving reports that dead VC with weapons were sighted in that area and after being urged by radio message from the Task Force Tactical Operations Center (TFTOC) to recover those weapons.

MEDINA stated that, as he walked toward a smoke signal reportedly marking the location of an armed VC, he observed the torn bodies of a man, a woman and a small boy, all apparently killed by artillery or rocket fire. MEDINA stated that he found a woman, in black pajamas, who seemed to be dead. However, after catching her suddenly move from the corner of his eye, MEDINA thought that she would kill him; therefore he turned and fired. No weapon was found.

MEDINA stated that just after a soldier, with an accidental gunshot wound, was evacuated, he received word from the TFTOC of a pilot's reported sighting of women and children in the hamlet. This information was passed on to the platoons; caution was urged. MEDINA stated that later, at a distance, he observed 20-28 bodies lying about 150 meters south of the hamlet but did not go over to check them out. He stated that while moving north and east through My Lai (4) he saw no more bodies. Afterward he joined the 1st and 2d Platoons in rice paddies east of My Lai (4).

MEDINA stated that on 17 March 1968, after sweeping through and burning several deserted hamlets, he interrogated a captured suspect. First, using an empty .38 caliber revolver, he pretended to play "Russian Roulette" with him. Then he placed the man against a tree and carefully fired two shots, with his M-16 rifle, close to the suspect's head. After telling the man, through an interpreter, that he would shoot him with the next round, the suspect responded to questioning. MEDINA stated that he would not have shot the man even if he had not consented to talk.

SP4 (b)(6)(b)(7)(C) Grenadier, acting as security for the command group, stated that MEDINA told them that they would CA an area where they had experienced casualties and where everyone was VC or sympathetic to the VC. MEDINA said that they were to kill everything (interpreted by WIDMER to mean people and animals). (b)(6)(b)(7)(C) stated that he accompanied MEDINA most of the time that they were at My Lai (4); he did not see MEDINA kill anyone. (b)(6)(b)(7)(C) stated that he saw at least 50 dead civilians in and

SUBSTANTIATION: Continued

around My Lai (4) and that MEDINA stepped over one of the bodies. (b)(6)(b)(7)(C) didn't recall seeing any living Vietnamese in the village when C Company departed. (b)(6)(b)(7)(C) thought it logical that MEDINA said nothing of the killing and burning because he had ordered it done. He recalled that MEDINA did call the platoon leaders, and, in angry tones, told them to stop killing people. However, he couldn't remember whether that order was given before or after BARKER's (sic: (b)(6)(b)(7)(C) visit with MEDINA in the field. (b)(6)(b)(7)(C) stated that the following day MEDINA fired his rifle close to the head of a prisoner whom he was interrogating. He stated that after their return to LZ Dottie MEDINA told a gathering of C Company personnel that someone had complained about the shooting of civilians and that he (MEDINA) was accepting responsibility for the orders he issued and the men followed.

SP4 (b)(6)(b)(7)(C) RTO for MEDINA, on the Company net, stated that he remembered little of MEDINA's briefing, other than MEDINA's saying that they would probably meet resistance from a VC battalion and that non-combatants had been warned to be out of the CA area. (b)(6)(b)(7)(C) thought that MEDINA might have said something about rounding up civilians for interrogation. (b)(6)(b)(7)(C) stated that so much small arms fire was generated by C Company after landing that it was difficult to determine whether there was any hostile fire. However, he didn't see or hear any. He stated that just after their arrival at My Lai (4) Vietnamese could be seen running in open rice paddies south of the village, but he didn't see them being fired upon. (b)(6)(b)(7)(C) stated that six to nine bodies marked by smoke were checked where they fell in the rice paddies, but no weapons were found. One woman lying face down among the bodies moved as the command group was walking away, drawing what appeared to be instinctive and probably fatal fire from MEDINA. (b)(6)(b)(7)(C) recalled that they moved east along the southern perimeter of the village without seeing more bodies until viewing 15-20 bodies lying close to the place where (b)(6)(b)(7)(C) was evacuated. The bodies were lying near and on top of one another and included women and children. (b)(6)(b)(7)(C) stated that it appeared to him that their wounds, viewed from about 40 feet, were caused by rifle fire. (b)(6)(b)(7)(C) after studying (b)(6)(b)(7)(C) photograph of massed bodies on a trail, identified it as depicting the same scene viewed from north to south. (Reference, Exhibit W-12.) (b)(6)(b)(7)(C) could remember no significant radio traffic between MEDINA and the platoons prior to that time. (b)(6)(b)(7)(C) stated that a small boy approaching the bodies just described was shot by an unidentified soldier, possibly a member of the command group. MEDINA at the time was walking in front of (b)(6)(b)(7)(C) between (b)(6)(b)(7)(C) and the child. (b)(6)(b)(7)(C) said nothing to MEDINA about it, and MEDINA didn't comment on the incident. They continued walking east and (b)(6)(b)(7)(C) recalled that a house with barred windows and a locked door

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was blown down with explosives. He didn't see anyone checking the rubble. Several minutes earlier MEDINA called the platoons to ask what all the firing was about. (b)(6)(b)(7)(C) thought that someone replied that he would check it out. (b)(6)(b)(7)(C) stated that radio traffic was reasonably heavy but could remember little of what was said. MEDINA was monitoring radio traffic from a distance via a jeep speaker. (b)(6)(b)(7)(C) stated that he did not remember whether MEDINA used his weapon at My Lai (4), other than when, as described earlier, he shot the woman. (b)(6)(b)(7)(C) stated that they had lunch with two little girls brought to them from the eastern rice paddies before C Company moved away from My Lai (4) to the northeast. (b)(6)(b)(7)(C) later observed as MEDINA fired his rifle close to a prisoner's head during an interrogation.

SP4 (b)(6)(b)(7)(C) RTO for MEDINA on the task force net, stated that while monitoring radios he heard only fragments of MEDINA's pre-assault briefing. He recalled that MEDINA said that My Lai (4) contained a division or brigade of enemy troops; therefore, heavy resistance was expected. He understood MEDINA to say that they would conduct a search and destroy operation, interpreting that to mean that structures, food, livestock and crops were to be destroyed. He didn't think that it meant that civilians were to be killed. (b)(6)(b)(7)(C) stated that he heard bullets strike near them when they arrived at the LZ. He assumed that they were being fired upon. He didn't hear orders issued to fire upon the village but did hear weapons fire within the village, after the lead platoons entered. (b)(6)(b)(7)(C) recalled that the command group traveled east, generally along the western and southern perimeters of the village, stopping briefly to arrange the helicopter evacuation of (b)(6)(b)(7)(C) before moving east again and through the northeast corner of My Lai (4). (b)(6)(b)(7)(C) stated that he did see bodies, including one group of 10-12 bodies, during their travel. However, he remembered no details concerning them, because he made a conscious effort to avoid looking at them. (b)(6)(b)(7)(C) stated that he remembered none of the radio traffic and that MEDINA used his radios directly without utilizing RTO's to relay messages or commands. (b)(6)(b)(7)(C) stated that he witnessed no killings during the mission.

SP4 (b)(6)(b)(7)(C) Demolition Expert, attached to C/1/20 Infantry from C/26 Eng Bn, stated that he did not attend MEDINA's briefing. SP5 (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) another demolition man, told him, however, that they were to destroy bunkers and duds in the CA area. (b)(6)(b)(7)(C) stated that he joined the command group on the LZ. He stated that a VC armed with a rifle was killed by helicopter gunfire after he fired upon approaching aircraft; no other resistance was encountered during the mission. Walking behind MEDINA, he saw

SUBSTANTIATION: Continued

four to five bodies near a cluster of burning huts and saw troops setting fire to other huts. (b)(6)(b)(7)(C) stated that a child was shot as he ran toward a hedgerow. He was certain that MEDINA witnessed the shooting. (b)(6)(b)(7)(C) stated that MEDINA viewed the bodies of about six women and eight children lying on a rice paddy dike, and, although he said nothing, MEDINA's facial expression suggested that he was saddened by the sight of them. (b)(6)(b)(7)(C) stated that MEDINA observed as a woman was shot while running from a hut into a rice paddy, but did not noticeably react in any manner to that incident. (b)(6)(b)(7)(C) stated that he observed about 75 bodies as he walked through My Lai (4) and that MEDINA took no action whatsoever to halt the killings and destruction. (b)(6)(b)(7)(C) stated that he neither saw MEDINA kill anyone nor could identify anyone -- either as an individual or as a member of the command group -- in connection with the shootings he witnessed.

SP5 (b)(6)(b)(7)(C) Demolition Expert, attached to C/1/20 Infantry from C/26 Eng Bn, stated that he didn't remember MEDINA's saying anything about killing or destroying during his briefing, although he was told later that he should destroy bunkers, food stores, and any mines encountered. (b)(6)(b)(7)(C) stated that after joining the command group on the ground at My Lai (4) he saw that helicopters and ground troops were firing although, he noted no signs of resistance. During his travel in and around My Lai (4) with the command group, he passed several bodies scattered about, including one of a child, and more, some of which were women, bunched near the (b)(6)(b)(7)(C) evacuation site. (b)(6)(b)(7)(C) thought that MEDINA might have shouted a cease fire order while at the LZ but remembered no cease fire order being issued after that, although weapons fire was still intense when (b)(6)(b)(7)(C) was evacuated. (b)(6)(b)(7)(C) stated that he accidentally destroyed a building with explosives after MEDINA instructed him to blow a hole in a wall to allow access. He neither saw MEDINA shoot anyone nor order anyone to be shot. (b)(6)(b)(7)(C) recalled that MEDINA held a meeting with some of his men after a lunch break, taken in the east section of the village. (b)(6)(b)(7)(C) stated that the next day he both heard MEDINA threaten to kill a male detainee if he didn't talk and saw MEDINA fire his rifle close to the detainee's head.

SP4 (b)(6)(b)(7)(C) attached to C/1/20 Inf from E/1/20 Inf as Forward Observer for 4.2 mortars [but used by MEDINA as RTO for ground to air communications, because 4.2 mortars were not in range to support the CA at My Lai (4)] stated that MEDINA told them that the CA would provide an opportunity for revenge and that everything that moved was to be killed. (b)(6)(b)(7)(C) stated that during the briefing someone asked about the women and children in the CA area. MEDINA reportedly replied, "Kill everything that moves." (b)(6)(b)(7)(C) stated that on the ground at My Lai (4) MEDINA approached a young woman who was alive but lying face down. After checking a basket

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near her, MEDINA turned her over with his foot, paused a few seconds, then shot her. (b)(6)(b)(7)(C) stated that he saw no sudden move by either the woman or MEDINA. (b)(6)(b)(7)(C) stated that later, after MEDINA instructed an unidentified member of the command group to shoot a wounded child, he saw the boy fall dead, after hearing a single shot. (b)(6)(b)(7)(C) stated that MEDINA had occasions to view bodies scattered along perimeter trails and within the village, including a large group of bodies on a trail close to where the child was shot. MEDINA, none the less, waited until late that morning before radioing a "Stop firing" order to the platoons. (b)(6)(b)(7)(C) stated that he and MEDINA passed within 15-25 meters of a ditch at the east end of the village. (b)(6)(b)(7)(C) was able to see numerous bodies lying in the ditch. He recalled that after leaving My Lai (4) a group of approximately 25 Vietnamese from another settlement was told by MEDINA to go to the main road. (b)(6)(b)(7)(C) stated that the next day he watched as MEDINA fired two rounds from his rifle close to a prisoner's head and suggested that he would kill him with the next round if the prisoner didn't respond to questioning. (b)(6)(b)(7)(C) stated that MEDINA later told his men that there would be an investigation into events at My Lai (4) and instructed them not to talk about the mission, leave the talking to him.

SP5 (b)(6)(b)(7)(C) Senior Medical Aidman, stated that MEDINA told them that they were to destroy crops and animals and could expect heavy resistance. MEDINA told them that a leaflet drop had warned noncombatants to leave the CA area. (b)(6)(b)(7)(C) stated that he arrived at a cold LZ and joined MEDINA there. He remained static for about 30 minutes near the edge of the village as the 1st and 2d Platoons engaged in the sweep and part of the 3d Platoon chased Vietnamese fleeing southeast of the village. (b)(6)(b)(7)(C) stated that he could not remember the route of march taken by the command group after leaving the western outskirts. He remembered very little of events taking place at My Lai (4). He remembered, however, three radio transmissions, in which MEDINA was a communicant: one, by MEDINA informing elements of the 3d Platoon that they were too far away; another, a request from someone for a body count (MEDINA responded that he was uncertain, because of the artillery. Nevertheless, he offered a count of 25-35.); and the third, MEDINA's calling (b)(6)(b)(7)(C) to ask, "What's going on?" (b)(6)(b)(7)(C) could not recall (b)(6)(b)(7)(C) response.) (b)(6)(b)(7)(C) remembered, also, that several transmissions were made by a helicopter pilot who had a complaint. (b)(6)(b)(7)(C) stated that he witnessed no slayings but did observe 20-30 dead Vietnamese, including women and children, as he traveled in and around My Lai (4). (b)(6)(b)(7)(C) heard no commence or cease fire orders and

SUBSTANTIATION: Continued

saw no signs of enemy resistance. (b)(6)(b)(7)(C) stated that on the second day of the mission MEDINA fired over the head of a detained Vietnamese.

(b)(6)(b)(7)(C) stated that when they returned to (b)(6)(b)(7)(C) he and other men were questioned, in a group, by (b)(6)(b)(7)(C) concerning events at My Lai (4). He recalled that the men didn't answer (b)(6)(b)(7)(C)

1LT (b)(6)(b)(7)(C) Forward Observer, attached to C/1/20 Infantry from C/6/11 Artillery, stated that there was no doubt in his mind that during his preassault briefing MEDINA issued orders to his company to destroy everything and everybody in the village. (b)(6)(b)(7)(C) stated that when the briefing ended he pointed out to MEDINA that his briefing was pretty strong and asked him if he realized the implications of what he had told his men; he does not remember MEDINA's response. (b)(6)(b)(7)(C) stated that he viewed about 50 bodies at My Lai (4), most of which were women and children and that he was with MEDINA most of the time. (b)(6)(b)(7)(C) recalled that a woman, who at first appeared to be dead, moved suddenly and was shot by a member of the command group. (b)(6)(b)(7)(C) stated that he didn't identify MEDINA as the person who shot the woman, when the incident took place, and didn't see MEDINA shoot anyone during the mission. (b)(6)(b)(7)(C) opined that all the dead Vietnamese viewed by him at My Lai (4) were victims of small arms fire.

CPL (b)(6)(b)(7)(C) Assistant Forward Observer, attached to C/1/20 Infantry from C/6/11 Artillery, stated that he did not gain the impression from MEDINA's briefing that all the inhabitants of My Lai (4) were to be killed, only that they would have an opportunity to avenge earlier losses inflicted by the 48th VC Bn and to destroy the village. (b)(6)(b)(7)(C) was uncertain of the command group's movements after arriving at the LZ but generally recalled moving primarily on the outskirts or along the perimeters south and east of My Lai (4). (b)(6)(b)(7)(C) stated that, at My Lai (4), he never saw MEDINA fire his weapon. (b)(6)(b)(7)(C) stated that although the command group met no resistance he didn't know whether the lead elements encountered opposition in the village interior. He heard no cease fire order issued by MEDINA. (b)(6)(b)(7)(C) stated that he never saw a dead body at My Lai (4). He did recall, however, that, on the following day, MEDINA fired his rifle over the head of a prisoner during an interrogation.

SP4 (b)(6)(b)(7)(C) ALAUX's RTO, attached to C/1/20 Infantry from C/6/11 Artillery, stated that MEDINA told them that they would assault a village where the VC were active and that everything that moved was to be killed. (b)(6)(b)(7)(C) stated that he was with MEDINA most of the time after their arrival

SUBSTANTIATION: Continued

at My Lai (4). He opined that artillery preparatory fires did not strike the village interior and that no resistance was encountered during the CA. MARTIN stated that MEDINA chased a fleeing Vietnamese; later, after he heard gunfire from MEDINA's position, he observed MEDINA standing over a body. He stated that as he (fifth man in a line following MEDINA) traveled through portions of My Lai (4), he observed about a hundred bodies, the majority, women and children. All of the dead Vietnamese he viewed appeared to have been killed by small arms fire. MARTIN stated that he saw about five soldiers killing villagers and recalled that someone in the command group shot a child. MARTIN stated that he was fully aware that a slaughter was in progress; he and (b)(6)(b)(7)(C) came to the conclusion, during the march, that MEDINA was equally aware of what was happening. MARTIN stated that MEDINA didn't issue an order to stop the killing until the sweep through My Lai (4) was completed. (b)(6)(b)(7)(C) stated that he, MEDINA, and other members of the command group helped burn the village.

SGT (b)(6)(b)(7)(C) Photographer, 31st PI Det, stated that he joined C/1/20 Infantry at LZ Dottie just before their departure to the field on 16 March 1968. (b)(6)(b)(7)(C) accompanied various elements of C Company at My Lai (4) as they moved through the outskirts and interior of the village, traveling south to Highway 521 and as far east as the center of the village's southern perimeter. There, about 1000 hrs, he departed by helicopter to join elements of B/4/3 Infantry. (b)(6)(b)(7)(C) stated that during his travel in and around My Lai (4) he noted (and in some cases, photographed) the following: (1) the CA at My Lai (4) was unopposed; personnel of C Company deliberately killed numerous civilian men, women and children. (2) Troops were systematically destroying the village and speaking to each other in general terms of having been ordered to kill all the inhabitants of My Lai (4). (3) MEDINA or another C Company officer explained to a Vietnamese interpreter the need to kill the villagers. (b)(6)(b)(7)(C) stated that he carried three cameras and took 18 color slides, all involving C Company operations. He also took an undetermined number (later determined to be 39) black and white photographs, some of which (later determined to be the last seven exposures) were taken after joining B/4/3 Infantry. (Reference, Exhibits D-11 through I-12 and K-12 through X-12)

SP (b)(6)(b)(7)(C) Correspondent, 31st PI Det, stated that he joined C/1/20 Infantry just prior to their departure for My Lai (4), and remained with them until about 1100 hrs, when he and (b)(6)(b)(7)(C) departed My Lai (4), to join B/4/3 Infantry. (b)(6)(b)(7)(C) accompanied various elements

of Company C as they moved through the outskirts and part of the village interior. (b)(6)(b)(7)(C) stated that he watched as personnel of C Company deliberately killed defenseless men, women and children and destroyed their homes, livestock and crops. He stated that, about 0900 hrs, MEDINA told him that the interrogation of an old man disclosed that about 40 VC had spent the night in the village but had departed before C Company's arrival. (b)(6)(b)(7)(C) stated that he watched as a child was shot dead while walking among a pile of dead men, women and children, seemingly in search of a relative; MEDINA was in the immediate area when it happened. (b)(6)(b)(7)(C) stated that another boy, already suffering wounds, was shot near the same place and about the same time. (b)(6)(b)(7)(C) stated that MEDINA was often busy directing his men as they searched and burned huts but it appeared to (b)(6)(b)(7)(C) that MEDINA made an effort to avoid witnessing the killings he must have known were taking place all around him. (b)(6)(b)(7)(C) estimated that a hundred or more villagers were killed and that only about five of the victims were military-aged males. (b)(6)(b)(7)(C) admitted that he later wrote a false news release, describing events at My Lai (4) as contested actions.

1LT (b)(6)(b)(7)(C) 52d MI Det, stated that he did not participate in the intelligence preparation for the CA mission, did not attend pre-assault briefings, and did not know what factors caused the selection of My Lai (4) as an objective. (b)(6)(b)(7)(C) stated that he was assigned to accompany maneuver elements of the task force to gather tactical intelligence. (b)(6)(b)(7)(C) stated that he followed lead elements of C Company into My Lai (4). While walking along the southern edge of the village, he came upon the body of a child and later a group of 8-10 bodies lying near the intersection of two trails. (b)(6)(b)(7)(C) stated that after viewing those bodies he reversed his path, traveling back some distance, in order to sit with his interpreter and pacify him, because he was disturbed over the number of bodies which they had seen and the absence of signs of opposition. (b)(6)(b)(7)(C) stated that he returned to the trail intersection about the time that (b)(6)(b)(7)(C) was given medical aid. He departed My Lai (4) to join B/4/3 Infantry soon after (b)(6)(b)(7)(C) was evacuated.

SGT (b)(6)(b)(7)(C) attached to C/1/20 Infantry, stated that (b)(6)(b)(7)(C) did not attend MEDINA's briefing but was told the same evening by one of the men that a mission was planned and that they were going to kill everything, women, children, even the animals. (b)(6)(b)(7)(C) stated that he didn't believe the soldier (b)(6)(b)(7)(C) stated that he joined MEDINA on the LZ at My Lai (4). He noted that they had received no hostile fire and although he asked MEDINA why the Americans were firing so much, he got no reply. Moving through the village

he observed a child's body and later, a pile of about 35 bodies, seemingly those of women and children killed by small arms fire. (b)(6)(b)(7)(C) overheard SGT (b)(6)(b)(7)(C) asking 1LT (b)(6)(b)(7)(C) why the Americans had killed all the women and children. (b)(6)(b)(7)(C) replied that he didn't know. (b)(6)(b)(7)(C) then asked MEDINA the same question; MEDINA replied, "SGT (b)(6)(b)(7)(C) don't ask anything. Those were orders. (b)(6)(b)(7)(C) stated that he saw about 10 more bodies of old men, women and children, as the command group moved east. He stated that after leaving My Lai (4) he told MEDINA that he didn't want the people of the next village killed in the same manner as they were killed at My Lai (4). (b)(6)(b)(7)(C) stated that MEDINA didn't reply. However, the people at the next village were not killed.

SGT (b)(6)(b)(7)(C) attached to the 52d MI Det (and teamed with (b)(6)(b)(7)(C) stated that after reaching the LZ the command group waited while lead elements entered the village. (b)(6)(b)(7)(C) stated that he saw no signs of resistance and could only hear small arms fire of Americans in the village. When the command group first entered the village, (b)(6)(b)(7)(C) saw only dead animals and burning huts. Later, near a pagoda close to the center of the village, he observed about 15 dead women and children. (b)(6)(b)(7)(C) stated that the body of one child, shot in the back and head, was lying near a house occupied by an old, blind man. A soldier led the old man away, and the house was burned. (b)(6)(b)(7)(C) stated that MEDINA saw the bodies just as he did. (b)(6)(b)(7)(C) stated that he left the command group and walked southwest to a rice paddy where he saw 10-15 dead women and children, apparently killed by rifle or machine gun fire. After returning to the command group, he asked (b)(6)(b)(7)(C) why the soldiers had burned the village and killed all the people. After (b)(6)(b)(7)(C) told him that he didn't know, (b)(6)(b)(7)(C) asked MEDINA, who replied that he had been ordered to do so. (b)(6)(b)(7)(C) stated that he, (b)(6)(b)(7)(C) and, probably, the photographer departed My Lai (4) by helicopter, leaving the command group near the center of the village, not far from its southern edge.

PERSONNEL OF AMERICAL DIVISION

SFC (b)(6)(b)(7)(C) TF Communications Chief, stated that although he was at the TFTOC during part of the 16-19 March 1968 CA, he remembered very little of what took place during that period. He did recall that a complaint (which in some manner involved a pilot, women and children) was received at TF headquarters. (b)(6)(b)(7)(C) responded to this by contacting members of a unit in the field, instructing them to be more careful. (b)(6)(b)(7)(C) thought that CPT (b)(6)(b)(7)(C) a TF Staff Officer, recorded routine radio communications during some phase of the CA.

CPT (b)(6)(b)(7)(C) Staff Assistant, Task Force Barker (TFB), stated, during an interview conducted by CPT (b)(6)(b)(7)(C) (OSJA, Ft Benning, GA), that he did not participate in the planning, preparation, or conduct of the March 1968 CA at Son My Village. (b)(6)(b)(7)(C) stated that TFB's officers considered the mission to be an important tactical operation and expected troops to damage VC fighting forces in the CA area. (b)(6)(b)(7)(C) stated that he recorded about one hour of TFB radio traffic at the TFTOC, during the early phase of the CA. (b)(6)(b)(7)(C) stated that because he hadn't slept the night before he took his tape recorder from the TOC and went to bed. (b)(6)(b)(7)(C) stated that he had no knowledge of subsequent events concerning the CA. (b)(6)(b)(7)(C) stated that he later gave a copy of the tape to BARKER. (b)(6)(b)(7)(C) provided investigators another copy, which he advised was identical in content to the original recording retained by him and provided to BARKER. A transcript of the recording provided by (b)(6)(b)(7)(C) is attached as an exhibit to this report.

SGT (b)(6)(b)(7)(C) Mortar Platoon, C/1/20 Infantry, stated that he monitored some TFB radio traffic at LZ Uptight during the first morning of the CA. He remembered hearing one transmission concerning the sighting by helicopters of armed VC, who were firing from a tree line, upon C Company. He also remembered a message from BARKER, to units on the ground, relating that BARKER had received a report of an excessive number of people being killed.

SP4 (b)(6)(b)(7)(C) Radio Relay Operator, Mortar Platoon, C/1/20 Infantry, stated that while monitoring TFB radio traffic at LZ Uptight he heard someone ask MEDINA whether ground troops were checking to determine whether and how many civilians were killed by small arms or artillery fire. (b)(6)(b)(7)(C) recalled that MEDINA replied, in substance, that

the operation was moving too quickly to make such a determination. (b)(6)(b)(7)(C) stated that MEDINA was later told to return to the assault area. He thought that MEDINA refused, claiming that booby traps were in the area.

PFC (b)(6)(b)(7)(C) Rifleman, 1st Squad, 2d Platoon, C/1/20 Infantry, stated that he paid no attention to what was said during MEDINA's pre-assault briefing, because he had a hospital appointment, scheduled for the following morning, at Chu Lai. (b)(6)(b)(7)(C) stated that he departed LZ Dottie the evening of 15 March 1968 and didn't return until the company returned from the field. (b)(6)(b)(7)(C) stated that the men talked of having killed many women and children. He stated that MEDINA assembled the company to tell them that an investigation would be conducted and that he would do all the talking.

PFC (b)(6)(b)(7)(C) Rifleman, 2d Squad, 3d Platoon, stated that he attended MEDINA's preassault and after-mission briefings, but did not go to the field with C Company, because of an ankle injury. (b)(6)(b)(7)(C) stated that MEDINA told them that "Pinkville" was held by an NVA Army and that they were to search and destroy and to kill everything that moved. (b)(6)(b)(7)(C) stated that when the men returned from the mission they spoke of having killed a lot of people. (b)(6)(b)(7)(C) stated that he assumed that they were speaking of suspected VC, but heard nothing of women and children being killed. (b)(6)(b)(7)(C) stated that MEDINA told them that there might be an investigation; if so, they should report that they received sniper fire.

MAJ (b)(6)(b)(7)(C) Executive Officer and S3, TFB, offered information relative to enemy activity and the combat experiences of TFB in the Son My area, prior to 16 March 1968. (b)(6)(b)(7)(C) stated that during the 15 March 1968 TF briefing attended by MEDINA the mission might have been described as a search and destroy one and the destruction of dwellings, possibly authorized, but no instructions were issued permitting the killing of noncombatants (b)(6)(b)(7)(C) stated that (b)(6)(b)(7)(C) and BARKER attended the briefing; the former addressed the unit commanders, urging them to be more aggressive when in contact with the enemy. (b)(6)(b)(7)(C) stated that about 1130 hrs, 16 March 1968, he contacted MEDINA by radio and passed on instructions from BARKER relating that precautions were to be taken to assure that no civilians were unnecessarily killed or structures unnecessarily destroyed. (b)(6)(b)(7)(C) stated that MEDINA acknowledged receipt of the message. (b)(6)(b)(7)(C) stated that about 1500 hrs on the same day he contacted MEDINA by radio and passed on orders received from HQ, 11th Inf Bde, that MEDINA was to return to My Lai (4) to determine both the number of civilians killed or injured and the cause of death or injury (whether by small arms fire or

SUBSTANTIATION: Continued

artillery fire). MEDINA reportedly argued against returning, saying that he was about two kilometers east of My Lai (4), approaching night positions and expecting resupply. MEDINA also expressed concern over mines and booby traps and offered an estimate of 20-30 civilians who were killed by artillery fire at My Lai (4). (b)(6)(b)(7)(C) stated that a radio transmission, preceded by the division commander's call sign, countermanded the order for MEDINA's return to My Lai (4).

CPT (b)(6)(b)(7)(C), Commanding Officer, A/3/1 Infantry, stated that during the TF briefing of 15 March 1968 the company commanders were told that A/3/1 Infantry would act as a blocking force north of the Song Diem Diem, B/4/3 Infantry would conduct a combat sweep southeast of My Lai (4), and C/1/20 Infantry would conduct a combat sweep through the My Lai complex. A VC force of battalion strength was expected to offer heavy resistance in the B and C Company area. (b)(6)(b)(7)(C) stated that he did not remember BARKER's saying anything about either destroying crops or livestock, burning huts, or killing inhabitants of the CA area; none of these things were part of TFB's standing procedures. (b)(6)(b)(7)(C) stated that his company, occupying positions about fifteen hundred meters north of C Company's assault area, experienced no action and intercepted no Vietnamese movement from the assault areas. (b)(6)(b)(7)(C) stated that vegetation obscured a view of C Company's operation, and remembered nothing of C Company's radio traffic. (b)(6)(b)(7)(C) stated that he had no knowledge of events that took place at My Lai (4), until reports were released by the news media.

CPT (b)(6)(b)(7)(C) S4, TFB, stated that he thought that BARKER might have given him a general tactical outline of the CA. In addition, he may have procured explosives needed to destroy a tunnel complex in the "Pinkville" area. Furthermore, stated (b)(6)(b)(7)(C) about 21 March 1968, he overheard MEDINA say that there were 25-30 civilian casualties.

CPT (b)(6)(b)(7)(C) Commanding Officer, A/3/1 Infantry, during the period November 1967 through 26 February 1968, offered a summary of TFB operations in the Son My area. He indicated that firm resistance was encountered by TFB elements at and around My Lai (4) during February 1968. At that time My Lai (4) was inhabited by few civilians. (b)(6)(b)(7)(C) considered it significant that MEDINA and C/1/20 Infantry had not operated in the area of My Lai (4) prior to March 1968. (b)(6)(b)(7)(C) stated that policy of the division, brigade and task force strictly prohibited the unnecessary killing of non-combatants. Instead, the taking of VC prisoners, to gain intelligence, was encouraged.

SUBSTANTIATION: Continued

MG (b)(6)(b)(7)(C) Commanding General, Americal Division, stated that on 16 March 1968 he received word of an aviator's complaint that elements of TFB had used excessive firepower, in the heat of battle, during operations in the Son My area. He, also received word of subsequent allegations, reportedly in the form of VC propaganda, of indiscriminate killings and destruction during the same operation. MG (b)(6)(b)(7)(C) stated that he ordered an immediate investigation. A series of verbal reports, offered by staff officers and ground commanders, and two written reports, submitted by (b)(6)(b)(7)(C) followed. MG (b)(6)(b)(7)(C) stated that he considered the first written report, dated 24 April 1968, inadequate. MG (b)(6)(b)(7)(C) stated that he also queried appropriate Vietnamese authorities concerning the matter; in every instance, he received the assurances of responsible officers and officials that investigation had determined the allegations to be unfounded. MG (b)(6)(b)(7)(C) stated that either an indiscriminate or purposeful attack upon noncombatant civilians or the indiscriminate destruction of their property was diametric to long standing and clearly-defined policy. No exception to that policy was made at division level for the operation at Son My. MG (b)(6)(b)(7)(C) did not remember having participated in radio traffic relative to TFB operational matters at Son My, on 16 March 1968.

BG (b)(6)(b)(7)(C) Assistant Division Commander, Americal Division, stated that he didn't remember being briefed about the CA, but acknowledged that it might have been mentioned by the G3 during MG (b)(6)(b)(7)(C) regular morning briefing on 16 March 1968. BG (b)(6)(b)(7)(C) stated that he had no knowledge of approval being given to TFB to destroy villages or their inhabitants. In addition, he was not in TFB's operational area on 16 March 1968. He did, however, remember receiving a report that an aviator, supporting TFB, complained that ground forces fired upon noncombatants and that the aviator made some effort to remove noncombatants caught between friendly and enemy cross fire. BG (b)(6)(b)(7)(C) stated that the aviator reportedly informed the ground commander that he would fire upon American troops if they continued to fire upon noncombatants. BG (b)(6)(b)(7)(C) stated that he neither received reports that casualties were caused by the alleged indiscriminate weapons fire nor reports, at any time, relative to noncombatant deaths due to purposeful or unnecessary fire by ground troops during the mission. BG (b)(6)(b)(7)(C) recalled that he was surprised, during an evening briefing, on 16 March 1968, to hear reports of a high VC body count. Furthermore, he was disappointed at the low weapons-recovery count attributed to the one-day action. Although he considered the prisoner-to-KIA(killed in action) ratio disproportionately low, he realized that several tactical factors could have influenced the ratio.

SUBSTANTIATION: Continued

BC (b)(6)(b)(7)(C) stated that he heard no reports of casualties, other than that (b)(6)(b)(7)(C) mentioned that some casualties had resulted from civilians being caught in the artillery preparatory fire. He recalled no offering of a separate report relating that artillery fire had struck the village. BG (b)(6)(b)(7)(C) stated that on 17 March 1968 MG (b)(6)(b)(7)(C) directed him to have (b)(6)(b)(7)(C) to investigate the pilot's allegations. After this he went to LZ Dottie, where, in the presence of BARKER, (b)(6)(b)(7)(C) and MAJ (b)(6)(b)(7)(C) (CO, 123d Avn Bn) he relayed to (b)(6)(b)(7)(C) instructions for an in-depth investigation. BG (b)(6)(b)(7)(C) stated that he did not interview the aviators or ground commanders himself, although he was informed by (b)(6)(b)(7)(C) and MG (b)(6)(b)(7)(C) sometime later that the pilot's allegations proved to be unfounded; the only civilians killed were victims of artillery preparatory fire. (b)(6)(b)(7)(C) by that time had already provided a verbal and a written report of the findings to MG (b)(6)(b)(7)(C). BG (b)(6)(b)(7)(C) stated that he did not read (b)(6)(b)(7)(C) written report.

COI (b)(6)(b)(7)(C), Chief of Staff, Americal Division, stated that he remembered being informed, in some manner, of a helicopter pilot's report that many civilians were killed unnecessarily. Also, he recalled reading later a report, submitted by (b)(6)(b)(7)(C) concerning the matter. (b)(6)(b)(7)(C) stated that it is his impression that the report did not cause him to believe that anything serious had happened. (b)(6)(b)(7)(C) stated that he recalled seeing a letter, written by a Vietnamese official, concerning the same incident. He gave the letter to MG (b)(6)(b)(7)(C).

CPT (b)(6)(b)(7)(C) Chaplain, Americal Division Artillery, stated that on 17 March 1968 Aviator (b)(6)(b)(7)(C) told him that during a CA at My Lai (4) approximately 160 civilians (the majority, women and children) were killed by American infantrymen, even though the civilians did not resist the assault. (b)(6)(b)(7)(C) reportedly told him that unidentified officers on the ground at My Lai (4) were hostile to his efforts to rescue some of the civilians.

CPT (b)(6)(b)(7)(C) S5 and Psychological Operations Officer, 11th Inf Bde, stated that, to his knowledge, no leaflet drop or other propaganda effort was directed at My Lai (4) in connection with the 16-19 March 1968 CA at Son My. (b)(6)(b)(7)(C) stated that, after hearing rumors that noncombatants were indiscriminately killed during that CA, BARKER personally assured him that, to the best of his knowledge, not only were the rumors unfounded but also he would not condone such conduct by troops under his command.

COL (b)(6)(b)(7)(C) Commanding Officer, 11th Inf Bde, stated that he assumed command of the brigade the day before the CA; consequently, he had no role in its planning. (b)(6)(b)(7)(C) stated that he addressed TFB staff officers and company commanders on 15 March 1968, when they assembled for a preassault briefing, at LZ Dottie. There, he urged them to be more aggressive when engaging the enemy. (b)(6)(b)(7)(C) stated that he arrived over My Lai (4) soon after C Company reached the LZ and noticed that some artillery fire spilled over into portions of the village. (b)(6)(b)(7)(C) stated that although the members of C Company were opposed by sporadic enemy weapons fire they did not meet the heavy resistance anticipated. (b)(6)(b)(7)(C) stated that he attempted to land near two VC bodies to effect recovery of their weapons but was dissuaded as hostile fire began to come from a nearby cluster of huts. He thought 15-20 weapons were recovered from the enemy during the mission and expressed some disappointment that more were not captured. (b)(6)(b)(7)(C) stated that My Lai (4) was not a village, as normally defined. Instead, it was a system of connecting tunnels, underground chambers, and fighting bunkers. (b)(6)(b)(7)(C) observed several dead civilians on trails near My Lai (4), but he assumed that all were victims of artillery or gunship fire. (b)(6)(b)(7)(C) stated that five hundred to six hundred refugees were moving toward Quang Ngai City, some of whom were wounded; his air crew took custody of two VC suspects, who were among them. Later that afternoon he was directed by MG (b)(6)(b)(7)(C) to determine the number of enemy dead and to determine whether civilians were killed by troops. (b)(6)(b)(7)(C) stated that allegations of indiscriminate shooting by troops, including the shooting of a wounded woman by MEDINA, were made by a helicopter pilot. (b)(6)(b)(7)(C) stated that he ordered MEDINA's company to return to My Lai (4) to establish by age, sex and circumstance the exact number of civilian casualties. Also, he received word from BARKER that 20-30 women and children had been killed by artillery or gunship fire. (b)(6)(b)(7)(C) stated that he never learned whether MEDINA actually returned to My Lai (4). He interviewed aviators and ground troops involved in the mission, (b)(6)(b)(7)(C) stated, determining that there was no substance to the pilot's allegations. Moreover, MEDINA's shooting of the woman appeared to have been justified. (b)(6)(b)(7)(C) stated that he submitted an informal written report of his findings to MG (b)(6)(b)(7)(C). Two weeks later MG (b)(6)(b)(7)(C) directed him to conduct a formal investigation into the single allegation involving MEDINA and the woman. At that time (b)(6)(b)(7)(C) directed BARKER to prepare the report. (b)(6)(b)(7)(C) stated that after the formal report was completed, it was submitted to MG (b)(6)(b)(7)(C). (b)(6)(b)(7)(C) stated that about six weeks later VC propaganda leaflets, alleging that U. S. troops had killed four to five hundred

SUBSTANTIATION: Continued

civilians at My Lai, were found. (b)(6)(b)(7)(C) stated that Vietnamese province officials investigated and reported that the allegations were not truthful.

(b)(6)(b)(7)(C) stated that he knew of no effort to warn the people of My Lai (4).

In fact, BARKER excluded participation by ARVN combat forces in the CA in order to assure that information concerning the CA was not leaked to VC in the target area. (b)(6)(b)(7)(C) stated that no authority was given to TFB to kill noncombatants. Furthermore, when he learned during the assault phase that BARKER intended to burn the villages, he told BARKER that he could destroy only those structures found to be booby-trapped.

1LT (b)(6)(b)(7)(C) 174th Aviation Company and Pilot of (b)(6)(b)(7)(C) Command and Control helicopter, stated that, about 0730 hrs, 16 March 1968, they flew low over rice paddies north of My Lai (4) to check the bodies of two armed VC. (b)(6)(b)(7)(C) stated that, about 0800 hrs, approximately 150 people, the majority, women and children, were moving away from My Lai (4) toward Quang Ngai City. Two military-aged males were separated from the refugees and brought to Quang Ngai City. Two others evaded them. After returning to My Lai (4), they remained until about 1000 hrs, departed again and returned about 1100 hrs, noting that a considerable area of the village was burning. (b)(6)(b)(7)(C) stated that he brought (b)(6)(b)(7)(C) to the ground west of My Lai (4), circled overhead, and returned for him about 1145 hrs. (b)(6)(b)(7)(C) opined that (b)(6)(b)(7)(C) met MEDINA while on the ground. (b)(6)(b)(7)(C) disclaimed that he had knowledge during or immediately after the CA that women and children were killed during the assault.

SGT (b)(6)(b)(7)(C) Radio Telephone Operator for (b)(6)(b)(7)(C) stated that he was airborne with (b)(6)(b)(7)(C) at My Lai (4) as he watched C/1/20 Infantry arrive at the LZ west of the village. (b)(6)(b)(7)(C) stated that he monitored three or four radio frequencies simultaneously; however, he could recall little of what was said over the radios during the CA. (b)(6)(b)(7)(C) stated that he observed unarmed villagers fleeing south from the center of My Lai (4), as the troops began their sweep. Two males were apprehended by (b)(6)(b)(7)(C) crew southeast of the village and taken to Quang Ngai City. (b)(6)(b)(7)(C) stated that when they returned to My Lai (4) he noticed 12-15 bodies scattered near, but not in, a ditch junction east of the village; several more were on a trail leading south from the center of the village. (b)(6)(b)(7)(C) did not remember (b)(6)(b)(7)(C) saying anything about the bodies. The only message of (b)(6)(b)(7)(C) which he could remember sending to the ground troops was a routine one asking how they were (The response he received was, "O. K. "). (b)(6)(b)(7)(C) stated that he couldn't remember having heard any radio traffic

SUBSTANTIATION: Continued

relative to the killing of noncombatants or body counts of enemy slain. (b)(6)(b)(7)(C) stated that (b)(6)(b)(7)(C) did not land in the tactical area on 16 March but did visit MEDINA briefly in the field on 17 March. (b)(6)(b)(7)(C) had no idea of what they spoke about.

LTC (b)(6)(b)(7)(C) S2, 11th Inf Bde, stated that, about 16 March 1968, he accompanied (b)(6)(b)(7)(C) to C/1/20 Infantry's positions in the field. He remembered that (b)(6)(b)(7)(C) had questioned MEDINA about the possibility of noncombatant casualties suffered during the operation. (b)(6)(b)(7)(C) reportedly asked MEDINA whether all reported casualties were military-aged males. (b)(6)(b)(7)(C) remembered MEDINA's saying that, because of the combat situation, he had been unable to get to the scene of all contacts with the enemy, though he had been assured by his platoon leaders that no indiscriminate killing had occurred.

LTC (b)(6)(b)(7)(C) Chaplain, Americal Division, stated that BARKER assured him that he had questioned company commanders who had participated in the My Lai (4) operation and had determined, based on those inquiries and other investigative effort, that no atrocities occurred during the assault.

PFC (b)(6)(b)(7)(C) assigned to C/1/20 Infantry during March 1968 [but after the CA at My Lai (4)], stated that personnel of C Company spoke of the killings which happened at My Lai (4), relating that MEDINA had passed on orders from battalion that everything standing in the village was to be killed.

SFC (b)(6)(b)(7)(C) assigned to C/1/20 Infantry as a Platoon Sergeant, during April 1968, stated that he heard considerable talk in the company, especially from other platoon sergeants, of civilians, including children, being killed during a recent mission. (b)(6)(b)(7)(C) stated that the men were undisciplined, having refused to obey orders and having ridiculed their leaders. (b)(6)(b)(7)(C) stated that the other platoon sergeants warned him that they would get no backing from MEDINA if they attempted to discipline the men.

SP4 (b)(6)(b)(7)(C) assigned to HHC, 11th Inf Bde and E/51 Inf (LRP), Americal Division, during the period December 1967 through December 1968, reportedly learned in conversation with (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) that C/1/20 Infantry had destroyed a village in Quang Ngai Province, killing almost all of its two to four hundred

SUBSTANTIATION: Continued

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civilian inhabitants. Acting on that information, (b)(6)(b)(7)(C) on 29 March 1969, addressed letters, describing allegations made by former C Company personnel, to members of Congress and officials of the Departments of Defense and Army, requesting an investigation of the alleged incident.

SUBSTANTIATION: Continued

VIETNAMESE NATIONALS, (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

Do BA, (M) (15), stated that American soldiers brought him from his home to a trail in another part of his village where he was told to sit with other villagers assembled there. As he walked through the village, he saw the bodies of five women and children he recognized. After more villagers were brought to the trail, two soldiers began shooting them. Wounded in the neck, shoulder and hand, he fell unconscious. He awoke later under a pile of bodies, but waited for nightfall before leaving the village. He estimated that 100 people were killed on the trail, fifteen of whom he was able to identify including his grandfather. The other victims identified by BA were women and children. BA stated that his other relatives survived by hiding in a shelter below his house. Reference is made to photograph exhibit V-12 depicting four women and three children, five of whom BA identified as the dead women and children seen by him as he walked through the village, Do PHU (F), Do BA (F), Nguyen SO (F), Nguyen CANG (F) and Do HAT (M).

(b)(6)(b)(7)(C) stated that she was in the fields drawing water when she saw artillery fire and helicopters at the western outskirts of the village. She ran to a nearby hamlet. BI returned about 1400 hrs, and passed many bodies on the main trail but recognized none of them. She found her home destroyed. Searching the homes of relatives and neighbors, BI discovered and identified the bodies of twelve relatives and fifteen neighbors. Nine of the victims were women, eleven were children and three elderly men. Twenty-three of the victims were found burned in the ruins of their homes. Reference is made to photograph exhibits Q-12 and R-12 wherewith BI identified the bodies of her uncle Nguyen GAP (M), his wife Truong Thi HUYEN (F), and their son Nguyen TAN (M) (6), as she remembered viewing them in the courtyard of their home.

(b)(6)(b)(7)(C) stated that he was working in the fields when the Americans entered his village and that he ran to the nearby subhamlet of Trung An. From Trung An, he could hear shooting and didn't return home until the next day. He came upon the bodies of about 100 old men, women and children spread along the main trail but remembered only four of them by name, one of them his uncle. Inside the village (b)(6)(b)(7)(C) saw about thirty bodies near a well and

SUBSTANTIATION: Continued

several others dead in their homes. Approximately 200 bodies were found in an irrigation ditch (b)(6)(b)(7)(C) stated that the dead were buried in common graves without identifying victims with their gravesites. He didn't think the victims were counted before burial, but a total of 300 dead was arrived at later when survivors counted relatives and friends missing from their households. (b)(6)(b)(7)(C) stated that except for (b)(6)(b)(7)(C) who though wounded, survived the trail shootings, his family was unharmed.

(b)(6)(b)(7)(C) stated that she left the village before daybreak and went to a nearby market where she was told that the people in her village had been massacred. She returned to Thuan Yen the next day and found her home burned down. Her son, his wife and three of their children were never found by (b)(6)(b)(7)(C) and she was told they were slain by the Americans at an irrigation ditch. Two of her other grandchildren survived and reside with (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C) stated that she fled her village when she heard the aircraft and gunfire. During her absence she was told that the Americans had killed many people and destroyed homes in her village. She returned five days later and found her home destroyed. (b)(6)(b)(7)(C) had no relatives at Thuan Yen.

(b)(6)(b)(7)(C) stated that he was working in the fields when the Americans came and that he ran to the base of Hill 85 where he hid until it was dark. He could hear shooting but could not see what was happening in the village. When he returned home that evening he found the burned body of his daughter lying in the ruins of his home. After burying her, he wandered through the village and observed about forty bodies near the main trail and about fifty more in a ditch at the eastern end of the village. (b)(6)(b)(7)(C) helped bury the other dead but recognized none of them because it was too dark. He thought about 200 people were killed at Thuan Yen. (b)(6)(b)(7)(C) stated that he didn't know if there were any VC in the village when the Americans attacked but heard later that three VC fired rifles at the Americans from the tree lines. A month later (b)(6)(b)(7)(C) as reunited with other members of his family who survived the attack.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that his hamlet contained about 500 people when the Americans came, almost all of them elderly men, women and children. Artillery fire preceded the attack, but it landed on the outskirts and to (b)(6)(b)(7)(C) knowledge, killed nobody. (b)(6)(b)(7)(C) stated that the Americans were unopposed at Thuan Yen and that they gathered the villagers into groups, shooting those who did not join the groups quickly enough. (b)(6)(b)(7)(C) stated that he and about 100 other villagers were taken to the main trail south of the hamlet and shot. Others were taken to a ditch east of the village. (b)(6)(b)(7)(C) stated that he was wounded and feigned death. A little while later, he ran into a rice paddy and hid as the soldiers moved eastward. From his hiding place, he saw the women and children depicted in photograph exhibit V-12 shot and killed. After the troops left the hamlet, he went to the ditch where he observed more than 200 bodies. (b)(6)(b)(7)(C) stated that he helped bury the victims in rice paddies near the village. On 17 November 1969, (b)(6)(b)(7)(C) accompanied criminal investigators who entered Thuan Yen, and identified the locations of execution and gravesites. Reference is made to photograph exhibit W-12 depicting massed bodies on a trail, where with (b)(6)(b)(7)(C) identified these bodies as part of a larger group executed on the main trail and identified a child appearing in the lower left corner of the photograph as the son of Nguyen PHOA (M) (NFI). Having viewed photograph exhibit V-12, CHUC identified the woman in the red blouse as Pham Thi SO (F) (56), the woman buttoning her blouse as Do Thi CAN (F) (26) and the child she is holding as Do HAC (sic) (M) (4).

(b)(6)(b)(7)(C) (b)(6)(b)(7)(C) stated that during previous visits by American troops, they gathered the people for questioning, then released them unharmed. When the artillery struck the outskirts of Thuan Yen on 16 March 1968, (b)(6)(b)(7)(C) instructed his family to go with the soldiers when they were called for, while he hid in the family bunker. (b)(6)(b)(7)(C) hid himself and was not harmed although his house was burned and he heard shooting above him. When he emerged about 1200 hrs, he found his mother and grandmother dead, lying with several other bodies on a trail. (b)(6)(b)(7)(C) stated that he found 60-70 bodies on the main trail and learned later that his wife and child, protected by other bodies falling on them, survived a mass execution staged there. (b)(6)(b)(7)(C) stated that he saw about 200 bodies in a ditch east of the hamlet, and several others scattered throughout the hamlet. He was able to identify only ten of them. (b)(6)(b)(7)(C) a VC cadreman, reportedly established by regional census that 350 resident and visiting Vietnamese were killed at Tu Cung on 16 March 1968.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that when she heard bombs exploding, she sought refuge in a protective bunker with her four children. When she heard the aircraft, she fled the village with two of her children, leaving a fifteen year old daughter and fourteen year old son behind. (b)(6)(b)(7)(C) as later told that the two children left in the bunker were killed by the Americans, and later buried by neighbors somewhere near the village.

(b)(6)(b)(7)(C) stated that American soldiers came to his house and took him with his wife and four children to a ditch east of the hamlet, where they were assembled with many other men, women and children. About an hour later two soldiers began shooting them, wounding (b)(6)(b)(7)(C) who feigned death. Later (b)(6)(b)(7)(C) searched among the bodies and discovered that his wife and three year old daughter were dead, and that his two other daughters and a son, although wounded, had survived. (b)(6)(b)(7)(C) stated that other relatives killed at the ditch included his parents, two sisters, a brother, his brother's wife and two children, and one of his sister's children.

(b)(6)(b)(7)(C) stated that his family sought shelter in a bunker near their home, but were discovered by American soldiers and forced outside. When they came out, the soldiers shot and killed his parents. (b)(6)(b)(7)(C) his older sister and her two children were brought to the main trail where they were made to sit with other men, women and children. Later the soldiers began shooting them. (b)(6)(b)(7)(C) who was not hit by the small arms fire, feigned death until the soldiers departed. (b)(6)(b)(7)(C) stated that his sister and her (b)(6)(b)(7)(C) but her six year old son was killed at the trail.

(b)(6)(b)(7)(C) stated that she was preparing breakfast for her family when the Americans came and that a soldier entered the house and began shooting them. (b)(6)(b)(7)(C) stated that she was wounded and fell to the floor. When the soldier finished shooting, another soldier set fire to the house. (b)(6)(b)(7)(C) sought refuge in a front yard shelter taking a wounded eighty year old grandmother and an uninjured five year old grandson with her. Left dead in the burning house were (b)(6)(b)(7)(C) eighty year old husband, a daughter, a forty year old son, his wife, and (b)(6)(b)(7)(C) six other grandchildren, all of whom were below twelve years of age.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that when she heard shooting she entered the shelter in her home, but came out when called by the Americans because the villagers were not harmed during previous round-ups. (b)(6)(b)(7)(C) stated that she, with other members of her family and about seventy villagers were assembled and marched to an irrigation ditch at the eastern end of the village. The people were forced into the ditch and (b)(6)(b)(7)(C) with as many others who were able, sat as far to the rear as possible and burrowed down into the mud to protect themselves. The soldiers began shooting and (b)(6)(b)(7)(C) lay down with her grandchildren and was not injured. (b)(6)(b)(7)(C) stated that two daughters-in-law, and three grandchildren ranging in age from eleven to twelve years, were killed at the ditch.

(b)(6)(b)(7)(C) stated that the Americans came to her home and forced her and six members of her family to join a crowd of other villagers. Two younger brothers working in the fields escaped to a nearby hamlet and a daughter had already departed Thuan Yen for a market at Son Hoa. (b)(6)(b)(7)(C) stated that the villagers were forced to march to an irrigation ditch, but she lagged behind and slipped unseen into some bushes, eventually making her way to Son Hoa. When she returned to the village about 1800 hrs, she discovered the bodies of her father, two sisters-in-law and their three children, ranging in age from two to twelve years in the ditch. (b)(6)(b)(7)(C) stated that while searching for relatives among the dead at Thuan Yen, she saw many bodies of her neighbors, but was able to remember the names of only five of them, including an elderly man, a woman and a child. (b)(6)(b)(7)(C) stated that there were some VC regulars in the village the night before, as there had been every night, but they had departed before the Americans arrived.

(b)(6)(b)(7)(C) stated that as her family prepared to eat breakfast, they heard artillery fire and helicopters approaching, but remained in their home. The Americans came and ordered EM and her two children to join other villagers assembled outside. They were marched to a rice field adjacent to the main trail and made to sit down. A soldier pulled an old man, an old woman, a young man and his infant son from the group, forced them to lie down on the trail and shot them. The soldiers then began shooting into the assembled villagers, ignoring or not understanding people who were pleading for their lives. EM stated that she and her six and ten year old sons fell to the ground as though shot, and after the soldiers left,

SUBSTANTIATION: Continued

they ran to Son Hoa. EM returned later and found her elderly uncle and aunt, her two cousins, and three of her cousin's children ranging in age from three to ten years, dead in an irrigation ditch. EM identified nine villagers other than her relatives, who were seen dead at either the trail site, the ditch, or in their homes.

(b)(6)(b)(7)(C) stated that she and nine members of her family were at home when they heard explosions and saw helicopters firing into the village before landing nearby. EM stated that by the time her family sought refuge in a shelter, soldiers were already shooting in the village and her mother-in-law and the infant daughter of EM's aunt were shot to death before they could reach a bunker. The infant's mother was captured by the soldiers and taken away. Neither she, nor her aunt's husband who was working in the fields, were seen again by their family. Sometime after reaching the bunker they decided to flee the village and during their flight, EM's husband was shot to death as he ran just in front of her. EM and the remainder of her family made it safely to a nearby hamlet. EM stated that she never returned to Thuan Yen.

(b)(6)(b)(7)(C) stated that she and her family waited in their home for the Americans, confident that the soldiers would only talk to them in a friendly way, then release them as on previous occasions. (b)(6)(b)(7)(C) stated that she and six members of her family joined other villagers gathered in groups outside their homes and that as she moved to join them she found her mother dead in her nearby home. The villagers were taken to rice paddies near the main trail. (b)(6)(b)(7)(C) stated that she became more frightened as she viewed another dead villager lying in the doorway of his home and saw soldiers tear open the blouses of two women they detained. After reaching the rice paddies, the soldiers began shooting at them. (b)(6)(b)(7)(C) fell behind a mud bank escaping injury and remained still until the soldiers departed. (b)(6)(b)(7)(C) stated that her three children, ranging in age from four to seven years, her elderly aunt, her aunt's daughter-in-law, and the daughter-in-law's four year old son, were shot to death with other villagers at the main trail. (b)(6)(b)(7)(C) stated that she ran from the village and never returned, and that her family was buried by her brother in the regular village burial ground. Reference is made to photograph exhibit F-12 depicting an elderly man held by SGT (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) wherewith (b)(6)(b)(7)(C) identified Mot LAI (M) (SO), as the decedent seen by her in the doorway of his home.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that he was away from the village when the Americans came and that when he returned about 1700 hrs, 17 March 1968, he found the village all but destroyed, the dead already buried. (b)(6)(b)(7)(C) stated he later learned that his wife and five small children escaped being killed by slipping unseen into rice paddies as other villagers were shot near the main trail. (b)(6)(b)(7)(C) stated he was told that his elderly uncle and aunt and a female cousin were killed by the Americans and buried by friends. (b)(6)(b)(7)(C) offered a description of the hamlet as he found it, and what he was able to remember being told by others concerning the identification of victims and the circumstances of their death. (b)(6)(b)(7)(C) identified his relatives, and identified by name or family relationship, sixteen villagers reportedly killed on 16 March 1968.

(b)(6)(b)(7)(C) stated that she was in her home with her parents, her four year old son and a seventeen year old niece when the Americans ordered them to come outside. (b)(6)(b)(7)(C) stated that when they obeyed, the soldiers shot and killed both her parents, and that she, her son and niece were taken to a gathering of villagers at the main trail. The soldiers began shooting them, killing her son and other villagers, including five relatives, all of whom were women and children. (b)(6)(b)(7)(C) stated that she and her niece feigned death and escaped injury, and that they ran to San Hoi when the soldiers departed. (b)(6)(b)(7)(C) stated that she recalled seeing soldiers enter the house of an elderly couple and heard their weapons fire inside the house. (b)(6)(b)(7)(C) stated that she later saw the old couple, whom she identified by name lying dead in their home. (b)(6)(b)(7)(C) stated that she saw other bodies at Thuan Yen but could remember only two of them by name.

(b)(6)(b)(7)(C) stated that when he heard artillery strike the western sector of the village, he ran north and hid in a rice field. When he returned to his home he discovered that his entire family had been killed. HOA stated that he buried his parents, sister, wife, nine year old daughter and two year old son in the family garden. (b)(6)(b)(7)(C) stated that he also found 22 neighbors dead in their nearby homes. He stated that five were elderly men, five were women and ten were children.

(b)(6)(b)(7)(C) stated that he attempted to hide when the Americans came, but was found and made to join a group of other villagers. (b)(6)(b)(7)(C)

SUBSTANTIATION: Continued

stated that when the soldiers began shooting into the group, he fell under several bodies and feigned death until he was able to flee.

(b)(6)(b)(7)(C) stated that she was eating breakfast with her family when an American soldier entered her home and began shooting them. (b)(6)(b)(7)(C) stated that she was shot in the foot and fled with her grandmother and a brother after a second soldier set fire to the house. (b)(6)(b)(7)(C) stated that they hid in a front yard shelter until later that day and then went to a nearby hamlet. (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C) stated that she went to the market at Son Thanh early on the day the Americans came to Tu Cung. (b)(6)(b)(7)(C) stated that she saw helicopters approach Tu Cung and heard shooting. Villagers from her hamlet told her the Americans were killing everybody at Tu Cung so she did not return home until about 0900 hrs the following day. (b)(6)(b)(7)(C) stated that she saw bodies of men, women and children everywhere in and around the hamlet including about 200 in a ditch, 50-60 piled on the main trail, and others lying on the Quang Ngai Road. She thought the people in the ditch were killed by helicopter fire but could or would not elaborate on why she thought so. She opined that about 500 people lived at Tu Cung prior to the attack and that about 130 survived. (b)(6)(b)(7)(C) stated that her grandmother, an aunt, a half brother and half sister were among these killed.

(b)(6)(b)(7)(C) stated that she was at home with her family when she heard shooting, became frightened and hid in a tunnel. (b)(6)(b)(7)(C) stated that after a while she came out and was forced, with members of her family and many other villagers, to march to an irrigation ditch. (b)(6)(b)(7)(C) stated that during the march she saw American soldiers shoot a woman whom she was able to identify, and two of the woman's nephews. When they arrived at the ditch, (b)(6)(b)(7)(C) stood at the rear and when the soldiers began shooting at them she fell under bodies and was not injured. (b)(6)(b)(7)(C) stated that when she crawled out from under the bodies, the soldiers were gone and she was able to flee the hamlet. (b)(6)(b)(7)(C) stated that somehow her entire family escaped injury.

(b)(6)(b)(7)(C) stated that she was at home with her family when told the Americans were entering the village. (b)(6)(b)(7)(C) stated that everyone began to leave the house and that she ran alone to hide in the fields where

SUBSTANTIATION: Continued

she remained until late afternoon (b)(6)(b)(7)(C) stated that she never saw the soldiers but passed two bodies in the rice fields as she returned home. HUY stated that when she reached the ruins of her home she found the dead bodies of her parents, her eighteen year old brother, a three year old sister, her uncle and his wife, and their five children ranging in age from three to twelve years.

(b)(6)(b)(7)(C) stated that she was at home with (b)(6)(b)(7)(C) and guests when artillery was heard, causing them to seek shelter in a protective bunker inside the house. American soldiers came to the house and ordered them outside. (b)(6)(b)(7)(C) exited first carrying her four year old son, and although the others were thought to have followed her outside, she didn't see them again while they were alive. (b)(6)(b)(7)(C) stated that she and her son were taken to an irrigation ditch where many other villagers were assembled. She stated that the soldiers began shooting them, but she managed to make her way to the bottom of the ditch with her son, and protected by the bodies falling on top of them, escaped injury. (b)(6)(b)(7)(C) stated that she later crawled from beneath the bodies and fled with the boy to San Hoa. She returned the next day to find her husband, (b)(6)(b)(7)(C) burying Do HAT, her six year old son, Do THANH (M) (16), her brother-in-law, and Do Thi NHUT (NFI). All three were at her home when the Americans arrived. (b)(6)(b)(7)(C) viewed photograph exhibit V-12 and identified the woman in the red blouse as Ba SO (F) (60), a fish merchant, the woman buttoning her blouse as Do Thi CAN (F) (35), her sister-in-law, the child held by CAN as Do HAT (M) (6), her son, the child wearing the white blouse as Do Thi NHUT, and the balding woman behind SO as Ba PHU (F) (60), her aunt and grandmother to Do Thi BE (F) (9), all of whom, with Ba MOI (F) (25), SO's daughter, another person identified only as DUOC, and Do Tri BE were at (b)(6)(b)(7)(C) house when the Americans arrived. (b)(6)(b)(7)(C) stated that she is certain that all of them were killed by the Americans that day.

(b)(6)(b)(7)(C) stated that he fled Thuan Yen when he saw helicopters overhead, and was joined by his immediate family at Son Thanh. He returned home about 1600 hrs the same day to find his house and animals destroyed. He saw many bodies along the main trail but was too frightened to attempt identifications. At the ruins of his uncle's house he found the bodies of his eighty year old uncle and his two adult sons. In the ruins of a

SUBSTANTIATION: Continued

neighbor's house he found and identified the bodies of his eighty year old neighbor and his neighbor's seventy year old wife. (b)(6)(b)(7)(C) viewed photograph exhibit F-12 and identified the elderly man depicted as Mot LAI (aka: Phom LOT), whom he saw dead near his home.

(b)(6)(b)(7)(C) stated that he left Thuan Yen early in the morning with his son, leaving his wife and two other children at home. When he returned about 1200 hrs, he was met by his (b)(6)(b)(7)(C) and told that the Americans took her, his children, and about ninety other villagers to the main trail, and began shooting them. His wife and their seven year old son escaped, but his six year old son was shot in the head. (b)(6)(b)(7)(C) stated that he found his son's body among the dead on the trail and buried him. Finding his home destroyed, he left the hamlet but returned the following day to bury other relatives killed on the trail. (b)(6)(b)(7)(C) stated that he buried his uncle, two adult brothers, an adult sister, and a fourteen year old brother. (b)(6)(b)(7)(C) stated that he could not estimate the number of bodies he saw on the trail, or those he saw in an irrigation ditch east of the hamlet.

(b)(6)(b)(7)(C) stated that he and his immediate family were working in the fields when the Americans came, and he didn't learn until later that day of the Americans killing people in Tu Cung. (b)(6)(b)(7)(C) stated that he returned to Thuan Yen the following day and found his brother, his brother's wife, and their two young daughters, dead in the burned ruins of their home. He buried them and noticed that other villagers were being buried near the main trail.

(b)(6)(b)(7)(C) stated that he fled north to Son Hoa when he saw the helicopters. (b)(6)(b)(7)(C) stated that he was armed with a rifle, but later said he only carried a shovel. (b)(6)(b)(7)(C) stated that he returned about 1100 hrs, just as the Americans were leaving the eastern sector of the hamlet. He skirted the western perimeter and entered from the south finding bodies piled on the main trail. (b)(6)(b)(7)(C) stated that he went to the irrigation ditch where he found the dead bodies of his wife, mother-in-law, and two young children. He stated that his other two children survived because they were at the bottom of the ditch. (b)(6)(b)(7)(C) identified two other victims he remembered seeing among the bodies in the ditch.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that he was at home with his mother, wife, and four children, when he heard helicopters and gunfire. He took his family to a shelter where sometime later they were discovered by three American soldiers and ordered to come out. They were taken to a tree line in the southeast sector of the hamlet where the same three soldiers instructed them to leave the area. (b)(6)(b)(7)(C) stated that they fled across fields to the coast road (Hwy 521), and walked to Son Hoi, passing the bodies of about ten men, women and children lying on the road just west of the main trail to Thuan Yen. (b)(6)(b)(7)(C) stated that he never returned to Tu Cung.

(b)(6)(b)(7)(C) stated that he was held at an ARVN prison camp as a VC suspect during the period January 1968 through October 1969, and learned from his sister and friends that his wife and son, his daughter-in-law, and seven nieces and nephews ranging in age from three to fifteen years, were killed by Americans at Tu Cung on 16 March 1968. (b)(6)(b)(7)(C) offered information gained through conversations with relatives and former neighbors concerning other villagers killed at Tu Cung on 16 March 1968. In that manner, (b)(6)(b)(7)(C) identified the ten relatives already mentioned and fourteen other Tu Cung residents, eight of whom were women and children.

(b)(6)(b)(7)(C) stated that when the Americans came to her hamlet she fled with her mother, two sisters and her brother, (b)(6)(b)(7)(C) and that her (b)(6)(b)(7)(C) was already at work in the fields. (b)(6)(b)(7)(C) stated that she never saw the soldiers and never returned to Tu Cung, but was told later by Do BA that the Americans caught him and shot off two of his fingers.

(b)(6)(b)(7)(C) stated that she was at home with eleven members of her family when the Americans came and brought them to the main trail where other villagers were gathered. One of three soldiers present began shooting at them and (b)(6)(b)(7)(C) fopped to the ground covering her six year old son. (b)(6)(b)(7)(C) stated that other bodies falling on top of her prevented her and the boy from being injured. (b)(6)(b)(7)(C) stated that after the firing stopped, another soldier photographed the bodies. When the soldiers departed, she found an uninjured infant nephew and fled with both children to a secure area. (b)(6)(b)(7)(C) stated that she returned the following day and found the bodies of her eleven year old daughter, her mother, brother-in-law, sister-in-law, and

SUBSTANTIATION: Continued

five nephews and nieces ranging in age from one to six years. [REDACTED] identified four neighbors she recognized among bodies at the trail, all of them women. [REDACTED] viewed photograph exhibit W-12 and although she did not recognize the bodies depicted, [REDACTED] opined that the photograph was taken at the scene of the trail murders. [REDACTED] identified five of the women and children depicted in photograph exhibit V-12, stating that she saw their bodies lying near her home.

[REDACTED] stated that American soldiers came to her home and took her with her father Pham DAT (M) (42), her mother, two younger sisters and a younger brother, to a clearing outside the hamlet, and made them get into a ditch with many other villagers. [REDACTED] stated that the soldiers numbering about ten, began shooting at them with rifles, wounding her right leg. Dead villagers fell on her and she didn't move until the soldiers departed. She heard villagers calling out for people still alive and pulled herself out of the ditch. A few days later her father visited her at a hospital in Quang Ngai City and told her that her mother and a sister were killed and her brother and other sister wounded.

[REDACTED] stated that his home was located south of the hamlet perimeter on the main trail between the hamlet and the coast road. [REDACTED] stated that during the early morning his wife and youngest son went into the hamlet and he went to work in the fields leaving his other two children at home. When he saw the aircraft land and heard gunfire, he ran home to take the two children from the house and fled with them to a nearby hamlet. When he returned that afternoon he found his house in ruins and the bodies of his wife and child among many other dead villagers lying on the main trail. [REDACTED] recognized the bodies of a man and his two sons, the elder lying on the trail and the sons within the hamlet perimeter.

[REDACTED] stated that she was away from the hamlet on the morning the Americans came and returned that afternoon to find her house destroyed. [REDACTED] stated that she saw many dead men, women and children lying on the main trail, but recognized none of them. [REDACTED] stated that she had no relatives at Tu Cung.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that he was at home with his family when he heard the sound of artillery and approaching helicopters. (b)(6)(b)(7)(C) sent his wife and three children to another hamlet where they arrived safely, and remained at home with his parents and two brothers. An American soldier came to the house, and apparently overlooking the men, pulled (b)(6)(b)(7)(C) from the house and forced her to join other villagers assembled on a trail. (b)(6)(b)(7)(C) fled to Son Hoa leaving his father, (b)(6)(b)(7)(C) and his brothers behind. He returned about 1700 hrs that evening and found the bodies of his father and brothers lying in the house. (b)(6)(b)(7)(C) stated that he saw bodies piled on the trail but made no attempt to identify them and returned to Son Hoa. He returned to Thuan Yen the following morning to bury his father and brothers and assist in the burial of other villagers. (b)(6)(b)(7)(C) stated that he didn't recognize the other villagers he helped bury and offered no further information concerning (b)(6)(b)(7)(C) parents are identified as Pham VON (M) (75) and Nguyen Thi NHIEU (F) (70) in a statement offered by Do VIEN (M) (34), wherein he reports that both were slain on the main trail. (b)(6)(b)(7)(C) also reported that (b)(6)(b)(7)(C) brother, Nguyen NHIEU (M) (45), survived the attack although according to (b)(6)(b)(7)(C) he was killed.

(b)(6)(b)(7)(C) stated that after hearing explosions and seeing aircraft approach, she and her children joined her husband in the fields, and fled to Son Thanh. She returned the next day using an indirect route to avoid the main hamlet area, and found her home and those of her neighbors destroyed by fire. In the ruins she found the bodies of an old woman and a child she recognized.

(b)(6)(b)(7)(C) stated that she was at home with her husband, (b)(6)(b)(7)(C) and her children when the American soldiers called them from the house. One of the soldiers burned the house and they were taken to the coast road where the soldiers left them after telling them to get off the road. (b)(6)(b)(7)(C) stated that she saw a helicopter firing at villagers on the road and that later her family passed about ten bodies lying on the road. (b)(6)(b)(7)(C) stated that she returned to Thuan Yen about three days later and saw many fresh graves but no bodies. She was told by survivors that about 300 villagers were killed by the Americans.

SUBSTANTIATION: Continued

to join a group of other villagers gathered on the main trail. Two soldiers began shooting at them with rapid fire and (b)(6)(b)(7)(C) holding the child, was protected by falling bodies and escaped injury. (b)(6)(b)(7)(C) stated that when the soldiers departed she found her mother lying dead among approximately forty other villagers, then fled the hamlet with her son. She later learned that her husband escaped in some manner. (b)(6)(b)(7)(C) stated that she remembered seeing MOT (M) (80) (aka: Mot LAI and Pham LOT), lying dead in front of his house as she was taken to the trail site. She identified him as the same person depicted in photograph exhibit F-12. (b)(6)(b)(7)(C) identified a woman and four children reportedly killed with the group on the main trail.

(b)(6)(b)(7)(C) Hamlet Chief during March 1968, stated during an initial interview conducted 16 November 1969, that he was away from the hamlet when the Americans came but was told by survivors that following the artillery fire, the Americans fired upon the hamlet from the western outskirts before entering the hamlet. The villagers were then gathered into three major groups, one of which was forced into a ditch, and shot after they were assembled. (b)(6)(b)(7)(C) stated that 370 civilians were killed. (b)(6)(b)(7)(C) viewed photograph exhibit V-12 and identified the girl in the white blouse as his daughter Do Thi BE (F) (9), and the balding woman beside her as his mother Nguyen Thi CUNG (F) (54) (aka: Ba PHU). During a re-interview conducted on 25 November 1969, (b)(6)(b)(7)(C) stated that he investigated the killings at Tu Cung and determined that the casualties resulted from artillery, aircraft rocket fire, and cross-fire between American ground troops and a Company of VC regulars who held the civilians, using them as a shield from which to fire at the Americans. (b)(6)(b)(7)(C) requested that all investigative efforts cease and indicated that only three Vietnamese witnesses capable of offering information survived the incident.

(b)(6)(b)(7)(C) stated that she was at home with her family when she heard artillery strike and saw helicopters land on the outskirts of the hamlet. (b)(6)(b)(7)(C) stated that she watched as American soldiers approached a nearby house and shot a neighbor and his eight year old son. (b)(6)(b)(7)(C) and her family sought shelter in a bunker built inside their home but were discovered by the soldiers and made to come out. All were taken away except (b)(6)(b)(7)(C) who eluded the soldiers briefly until seen by other soldiers and taken to the main trail where her family and other villagers were assembled. The soldiers

SUBSTANTIATION: Continued

began shooting at them, but (b)(6)(b)(7)(C) fell to the ground uninjured and feigned death until the soldiers departed. Her nine year old brother escaped injury in a similar manner and both fled to Son Hoi. (b)(6)(b)(7)(C) returned that afternoon and found her father, an eleven year old sister, and her two young children, dead among the bodies on the trail. Searching among the other bodies she found an elderly uncle, three adult cousins, and two other cousins, both children. Another elderly uncle was wounded but survived. (b)(6)(b)(7)(C) stated that she saw a great pile of bodies lying in a ditch but recognized none of them.

(b)(6)(b)(7)(C) stated that when she saw artillery fire strike the outskirts of the hamlet, she fled to Son Hoa with her two children. When she returned that afternoon she found her parents, three sisters, a brother, a brother-in-law, a sister-in-law, cousin, an elderly aunt, and five of her sister's young children, dead in an irrigation ditch. (b)(6)(b)(7)(C) stated that she saw many bodies lying on the main trail but recognized none of them. (b)(6)(b)(7)(C) remembered seeing the body of Mot LAI (M) (80), lying in front of his home.

(b)(6)(b)(7)(C) stated that she went to the market at Son Tinh before the Americans came and returned to find her home destroyed and her mother, her husband, a niece and a nephew, lying dead nearby. (b)(6)(b)(7)(C) stated that she found the body of her brother in a neighbor's well. (b)(6)(b)(7)(C) stated that she passed other dead villagers on the main trail and saw many bodies in an irrigation ditch. (b)(6)(b)(7)(C) identified ten of the dead lying in the ditch, seven of whom were women and children. (b)(6)(b)(7)(C) viewed photograph exhibit P-12 and identified two of the decedents depicted as Ba NHI (aka: Truong NHI) and his son, and remembered passing their bodies on the main trail. (b)(6)(b)(7)(C) viewed photograph exhibit V-12 and identified the balding woman as Nguyen Thi CHUNG (F) (60) (aka: Ba PHU), her mother, and the child wearing the white blouse as Do Thi BE (F) (9), her niece.

(b)(6)(b)(7)(C) stated that she was at home with her three children and a grandchild, and that (b)(6)(b)(7)(C) was away from the house when the Americans came. (b)(6)(b)(7)(C) stated that they were ordered from the house and taken to a ditch with many other villagers where they sat for a while before one of the soldiers began shooting them. (b)(6)(b)(7)(C) stated that

SUBSTANTIATION: Continued

she was wounded but that bodies falling on her prevented more serious injury. (b)(6)(b)(7)(C) stated that after the soldiers departed she found the bodies of her daughter and grandchild lying in the ditch.

(b)(6)(b)(7)(C) VC Security Cadre, stated that the American assault at Tu Cung came as a complete surprise, and when he saw artillery fire and helicopters, he hid near the intersection of the coast road and main hamlet trail south of Thuan Yen. (b)(6)(b)(7)(C) stated that he watched as the soldiers entered the hamlet, firing their weapons into houses and that he saw the soldiers shoot and kill six men, a woman, and five children on the coast road and main trail. He identified those victims including Truong NHI and his son Truong CU (Truong Cu BA, oldest of three male children of NHI, Cu BA, Cu BON and Cu NAM), whom he recognized in photograph exhibit P-12. (b)(6)(b)(7)(C) stated that he was able to see the soldiers gather about eighty men, women and children at the main trail and heard weapons fire from their location. (b)(6)(b)(7)(C) stated that after soldiers departed he walked to where the villagers were assembled and found only one person alive there, an elderly man who was wounded. (b)(6)(b)(7)(C) recognized and identified seven women and one child from among the bodies lying on the trail and in adjacent rice fields. (b)(6)(b)(7)(C) identified three men, nine women, and ten children, he reportedly found dead at the irrigation ditch and in other areas of the hamlet. (b)(6)(b)(7)(C) opined that three victims living at the western edge of the hamlet, were killed by artillery fire.

(b)(6)(b)(7)(C) stated that she fled to Truong An when she saw American soldiers enter Thuan Yen and heard their weapons fire. She returned later, passing approximately 100 bodies lying on the main trail and in adjacent rice fields. In the ruins of her home, she found the charred bodies of her parents and six year old sister, and nearby, the bodies of six neighbors, three of them women and one a child, all of whom she recognized and identified.

(b)(6)(b)(7)(C) stated that she fled to Son Thanh when the Americans came, leaving her mother sheltered in a bunker built into their home. When she returned that afternoon, she saw about forty bodies lying on the main trail and in adjacent rice fields near her home, three of whom she identified. When she arrived home she found her mother uninjured although the house was burned.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that he was working in the fields when he heard explosions and gunfire and saw the helicopters approach. He fled to Trung Hoa and didn't return until later that day. He found his mother, his wife and three of his children, ranging in age from four to fifteen years, lying dead among many bodies on the main trail. (b)(6)(b)(7)(C) identified three of the other dead villagers. (b)(6)(b)(7)(C) stated that two of his children fled the hamlet safely.

(b)(6)(b)(7)(C) stated that when the artillery fire struck, he ran with his parents to San Hoa, passing the body of a dead uncle lying on the coast road. (b)(6)(b)(7)(C) thought his uncle might have been killed by helicopter fire. His family returned to Thuan Yen the next day and he saw the charred bodies of his grandfather and another uncle lying in the ruins of his grandfather's home.

(b)(6)(b)(7)(C) stated that she heard artillery fire and jumped into a water filled ditch where she remained until she saw the helicopters. She ran to Son Hoa and didn't return to Thuan Yen until that afternoon. (b)(6)(b)(7)(C) stated that she saw bodies grouped and scattered along the main trail, including those of her grandfather, grandmother, an uncle, two aunts and two cousins, three and five years old. (b)(6)(b)(7)(C) stated that her widowed mother and brother fled the hamlet and were not injured. (b)(6)(b)(7)(C) stated that she helped bury her relatives in the nearby fields and that she saw many other bodies in the hamlet but wasn't able to identify them by name.

(b)(6)(b)(7)(C) stated that when the Americans arrived she went with three of her children to a bunker near her home while (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) sought refuge in another shelter. She heard the Americans calling other villagers from their bunkers, and decided to flee the hamlet with her three children. (b)(6)(b)(7)(C) stated that she arrived safely at a nearby hamlet and several days later found (b)(6)(b)(7)(C) learned that he had survived a mass execution although suffering wounds in his neck and hand.

(b)(6)(b)(7)(C) stated that when he heard artillery fire he entered a shelter beneath his home and didn't come out until the Americans departed. (b)(6)(b)(7)(C) learned that his mother received gunshot wounds in the side and arm, and that other members of his family narrowly escaped execution when they

SUBSTANTIATION: Continued

slipped away from a group of villagers gathered up by the Americans, and watched from nearby rice fields as the villagers were shot. (b)(6)(b)(7)(C) stated that his uncle was among those executed, and that another uncle and (b)(6)(b)(7)(C) cousin were shot and cremated in their burning house.

(b)(6)(b)(7)(C) stated that he was working in the fields when the Americans landed in helicopters on the outskirts of Thuan Yen. (b)(6)(b)(7)(C) stated that he hid and did not enter the hamlet until late afternoon. He saw about 250 bodies lying in rice paddies adjacent to the main trail, and about 150 more in an irrigation ditch. (b)(6)(b)(7)(C) stated that he found seventeen members of his family lying dead in the ditch, twelve of them women and children, including his mother, his wife and his three children. (b)(6)(b)(7)(C) stated that he saw the body of Truong THO (M) (80) (aka: LUONG) in a neighbor's well and identified that incident with the scene depicted in photograph exhibit S-12. THU stated that he and another villager determined, but did not document, the total number of villagers killed by asking each family about their losses, and arrived at a total of 325 dead at Thuan Yen. (b)(6)(b)(7)(C) stated that he heard 250 more were killed in the adjoining subhamlets of Binh Tay and Binh Dong.

(b)(6)(b)(7)(C) stated that he was working in the fields when artillery struck and troops were landed in the outskirts of the hamlet. (b)(6)(b)(7)(C) stated that it appeared to him the Americans were organized into three sections. The first section gathered the people into groups and took them away, the second section killed the animals and burned houses, and the third section destroyed crops. (b)(6)(b)(7)(C) stated that when the shooting stopped he entered the hamlet to find many dead villagers, some of them burned in their homes. At his house he found his wife, daughter, daughter-in-law, and two grandchildren dead, a seven year old grandchild lying uninjured beneath his wife's body, and his wounded son hiding behind a tree stump in the courtyard. (b)(6)(b)(7)(C) identified a neighboring family that included three children, found dead in their home.

(b)(6)(b)(7)(C) stated that she was grazing cattle when she saw the helicopters land and heard gunfire. (b)(6)(b)(7)(C) stated that she fled to Son Thanh and did not return to Thuan Yen for several days. She found her home in ruins and was told by several villagers that her parents, her brother, and three sisters were killed by the Americans and had already been buried. (b)(6)(b)(7)(C) stated that the children ranged from three to fourteen years of age.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that she was with her parents, her nine year old sister, and her seven and thirteen year old brothers when the Americans came to their house. (b)(6)(b)(7)(C) stated that they were taken to a large ditch where many villagers were assembled. The villagers were forced into the ditch and the soldiers began shooting at them. (b)(6)(b)(7)(C) stated that her parents protected her by shielding her with their bodies and that she remained beneath them until the soldiers departed. She first determined that her parents, sister and brothers were dead, and then fled to Son Thanh. She viewed their bodies again the following day and noticed that they all had been shot in the head.

(b)(6)(b)(7)(C) stated that he and one of his two daughters were drawing water in the fields when the Americans came to the hamlet firing their weapons. TO stated that they hid until late afternoon before returning to their home. TO stated that he found his home destroyed and was led by another villager to a ditch where he found his wife and eleven year old daughter lying dead among many other bodies.

(b)(6)(b)(7)(C) stated that when the Americans came he hid in a shelter beneath his house and that when he emerged about 1200 hrs, he found his grandmother, two sisters and an infant niece lying dead on the floor of the house amid rifle shell casings. (b)(6)(b)(7)(C) stated that he found his mother dead among other bodies on the main trail, and identified 22 other villagers that he found dead in their homes or helped bury, including seven women and eleven children.

(b)(6)(b)(7)(C) stated that when she heard explosions and saw helicopters firing upon the hamlet, she sought shelter in a nearby tunnel with her six and seven year old sons. Her husband, Nguyen KHOA (M) (37), and another son were already at work in the fields. (b)(6)(b)(7)(C) stated that American soldiers found her and the children and took them to the main trail where they were told to sit with other villagers. When the soldiers began shooting at them, her youngest son laid on top of his brother to protect him, and was himself shot and killed. (b)(6)(b)(7)(C) stated that during the confusion caused by the shooting, she escaped with the older boy and hid in the fields until afternoon when she rejoined her husband in the hamlet and buried their son.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that he was working in the fields and fled to Son Hoi when he saw helicopters land near the hamlet. (b)(6)(b)(7)(C) stated that he returned later that day and saw many dead bodies on and near the main trail. (b)(6)(b)(7)(C) stated that he found his aunt, a sister-in-law and two young nieces among the bodies. He estimated that 370 people were killed at Tu Cung and about 100 wounded, some of whom died later from their wounds.

(b)(6)(b)(7)(C) stated that when explosions and aircraft were heard, her two sons ran to hide and she remained at home to gather the family animals. (b)(6)(b)(7)(C) stated that the Americans passed her house with a large crowd of villagers and she was forced to join them. They were taken east to an irrigation ditch where in spite of their protests and cries of "no VC," spoken in English, they were forced to sit in a foot of water at the bottom of the ditch. The soldiers began shooting the villagers, wounding (b)(6)(b)(7)(C) and killing others who fell on top of her. (b)(6)(b)(7)(C) stated that the weapons fire was heavy at first, followed by a calm, and then more shooting. She remained still until afternoon when she recognized the voices of other villagers. (b)(6)(b)(7)(C) stated that the ditch was crowded with bodies and she guessed that no more than ten villagers survived the shootings. (b)(6)(b)(7)(C) recalled that while she was enroute to the ditch, she saw bodies scattered about the hamlet and recognized two dead women and a child. She stated that Truong THO (M) (80), was unable to keep pace with the group, and was knocked down and then thrown into a well by one of the American soldiers. (b)(6)(b)(7)(C) viewed photograph exhibit S-12, and identified the scene depicted with the incident involving THO. (b)(6)(b)(7)(C) corroborated the statement of her (b)(6)(b)(7)(C) relative to the escape of other family members from the ditch execution site.

(b)(6)(b)(7)(C) stated that she was taken from her home by the Americans, with her son, daughter-in-law, and their (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) and taken to an irrigation ditch where other villagers were already assembled. (b)(6)(b)(7)(C) stated that she was able to make her way to the rear of the group and slip into tall grass. From her hiding place, she heard gunfire but remained hidden until she was certain the soldiers were gone. When she returned to the ditch she found the dead bodies of her son, his wife, and their son lying with about forty other bodies in the ditch.

(b)(6)(b)(7)(C) stated that she and her mother were working in rice fields west of the main trail, between the hamlet perimeter and coast road, when they saw helicopters approach. (b)(6)(b)(7)(C) stated that her mother was

SUBSTANTIATION: Continued

killed by helicopter fire as she ran toward the main trail. (b)(6)(b)(7)(C) fled to Trung An and did not return to Thuan Yen until that afternoon. She found her home destroyed but discovered that her two children escaped injury by hiding in a bunker. (b)(6)(b)(7)(C) stated that she helped bury her mother and two other villagers killed in the outskirts near her home.

(b)(6)(b)(7)(C) stated that she went to market and didn't return to Thuan Yen until evening when she discovered that her father, two brothers, two sisters, and her aunt had been killed at the irrigation ditch. (b)(6)(b)(7)(C) stated that she helped in the burial of her family. She recalled seeing other bodies at the ditch, but did not recognize them.

(b)(6)(b)(7)(C) VC Propagandist for Thuan Yen, stated that he knew of ten active VC supporters present at Tu Cung when the Americans attacked, all were involved in propaganda, civilian labor management, education, youth guidance, or security efforts, with the exception of one individual identified as a VC Subhamlet Guerrilla for Xom Lang. Two of the VC identified by (b)(6)(b)(7)(C) were reportedly killed by helicopter gunfire as they fled the hamlet. (b)(6)(b)(7)(C) stated that he was in the fields when the Americans arrived and that he fled to Binh Hoa. (b)(6)(b)(7)(C) stated that he was stopped enroute by a hovering helicopter, but was allowed to proceed after opening his shirt and raising his hands to indicate he was unarmed. When he returned to Thuan Yen about 1300 hrs, he discovered that a great number of the hamlet's inhabitants were killed by the Americans and made a determined effort to identify the dead and wounded. (b)(6)(b)(7)(C) stated that he was able to establish the identity or partial identity of 211 men, women and children killed at Thuan Yen Subhamlet on 16 March 1968. (b)(6)(b)(7)(C) stated that four members of his own family were among the victims and that he viewed the bodies of all the dead he identified.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C)

(b)(6)(b)(7)(C) stated that American soldiers came to Binh Tay and took her mother, husband and twelve year old son from their house. (b)(6)(b)(7)(C) stated that six soldiers remained in the house and that she was stripped of her clothing and raped by three of them. (b)(6)(b)(7)(C) stated that she was then taken outside, where still naked, she was placed with a gathering of fifteen villagers. Several soldiers began shooting them and (b)(6)(b)(7)(C) fell unconscious with an arm wound. (b)(6)(b)(7)(C) stated that when she woke, she discovered that all the other villagers were dead including her mother, husband and child, and her house and animals destroyed.

(b)(6)(b)(7)(C) stated that he saw the soldiers enter Thuan Yen and heard gunfire. He stated that when the Americans approached Binh Tay, he hid in a rice field and watched as the soldiers gathered some of the villagers into a group and shot them. (b)(6)(b)(7)(C) stated that he returned to Binh Tay and found people lying dead on paths and in their homes. (b)(6)(b)(7)(C) stated that his wife, daughter-in-law, and three grandchildren ranging in age from fifteen days to twelve years, were slain on the path leading to their house. (b)(6)(b)(7)(C) opined that sixteen of Binh Tay's 45 residents were killed.

(b)(6)(b)(7)(C) stated that she took her family to a bunker when she saw about ten American soldiers approach Binh Tay. She watched as the soldiers fired their weapons into the house and then set it on fire. (b)(6)(b)(7)(C) stated that she ran toward the house to save some possession and was shot in the left arm and side. (b)(6)(b)(7)(C) stated that she woke at a hospital where her arm was amputated. She thought that fifteen people were killed at Binh Tay and recalled seeing several dead villagers, two of whom she recognized, just before she was wounded.

(b)(6)(b)(7)(C) stated that he was working in a rice field a considerable distance from his home and was told that his wife and thirteen other residents of Binh Tay were killed by American soldiers. (b)(6)(b)(7)(C) stated that he was told the Americans had destroyed his home and livestock too, and that he never returned to Binh Tay or learned where his wife was buried.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that she watched from Binh Tay as artillery fire and helicopters landed near Thuan Yen, and fled to Son Thanh when she heard small arms fire. XI stated that she returned home that afternoon and found her parents, sister, aunt, a cousin, her cousin's eight year old son, and a two year old niece, lying dead with nine other villagers at a trail intersection near her house. XI stated that she recognized the others but could not recall their names. She estimated that 100 people lived at Binh Tay before the attack.

SUBSTANTIATION: Continued

BINH DONG SUBHAMLET

(b)(6)(b)(7)(C) stated that he remembered the American soldiers coming to Binh Dong from Thuan Yen, and that he heard automatic weapons fire from the direction of Thuan Yen, but had no knowledge of anyone being killed at Binh Dong. (b)(6)(b)(7)(C) stated that he went to Thuan Yen after the Americans departed and saw about thirty bodies lying in an irrigation ditch. He learned too, that his son, a five year old niece and a two year old nephew, all residents of Binh Dong, were killed at Thuan Yen.

(b)(6)(b)(7)(C) stated that she heard shooting at Thuan Yen, and that later American soldiers came to Binh Dong, shooting people wherever they were found. Villagers who were not killed at Binh Dong, including DI, were assembled and marched west to an irrigation ditch just east of Thuan Yen. (b)(6)(b)(7)(C) estimated that 150 people made the march and were forced into the ditch. The soldiers began shooting at them and (b)(6)(b)(7)(C) though wounded, was protected by falling bodies. (b)(6)(b)(7)(C) stated that her husband and son were killed in their house, and a sister-in-law and her three children ranging in age from three to six years, were killed in the family's shelter at Binh Dong.

(b)(6)(b)(7)(C) stated that she saw the Americans approach Binh Dong from the north and hid in a bunker. She stated that soldiers fired into the bunker wounding her in the leg. (b)(6)(b)(7)(C) didn't think many people were killed at Binh Dong, but her son and two nephews, ranging in age from five to fourteen years, were among those killed.

(b)(6)(b)(7)(C) stated only that he recalled having fled Binh Dong sometime during 1968 after witnessing the execution of two villagers by two American soldiers. (b)(6)(b)(7)(C) could or would not provide further information relative to events occurring that day.

(b)(6)(b)(7)(C) stated that she left Binh Dong early in the morning to fish, and when she was about one kilometer east of Binh Dong she saw helicopters and fire in the sky above Binh Dong. She came upon an American Negro soldier who warned her to hide. (b)(6)(b)(7)(C) stated that she hid in a thicket for several hours after American soldiers traveling with the Negro

SUBSTANTIATION: Continued

passed her hiding place. She returned to Binh Dong and learned that the Americans killed some of the villagers including her brother. (b)(6)(b)(7)(C) stated that she saw seven dead villagers at Binh Dong.

(b)(6)(b)(7)(C) stated that when he saw helicopters in the sky over Tu Cung, he hid in the fields with his wife and two youngest children. (b)(6)(b)(7)(C) stated that he didn't see the soldiers but heard their weapons fire. When he returned home later that day, he found his married son dead in the burned ruins of his house, and the charred bodies of his son's wife and her parents in the ruins of their house. He saw several other dead villagers but didn't recognize them.

(b)(6)(b)(7)(C) stated that she had just departed home for a trip to the market when the Americans arrived at Binh Dong firing their weapons. (b)(6)(b)(7)(C) stated that she hid but was able to see her mother shot in the neck as she stood in the doorway of their home. Later that day, (b)(6)(b)(7)(C) found her parents and her younger brother and sister dead in the burned ruins of their house. She recalled seeing other bodies but could offer no further information concerning them.

(b)(6)(b)(7)(C) stated that soldiers came to Binh Dong about 0900 hrs and departed about 1200 hrs. (b)(6)(b)(7)(C) stated that except for one son, her family hid safely in a bunker while she hid in a stand of bamboo. (b)(6)(b)(7)(C) stated that she watched from about fifty meters as her son was executed with about forty other villagers the soldiers had gathered together. She stated that there were several children but no women among the group. (b)(6)(b)(7)(C) was able to identify only two of them.

(b)(6)(b)(7)(C) stated that his memory was bad but he recalled the American's visit to Tu Cung as "The day the Americans came and killed the women and children. (b)(6)(b)(7)(C) stated that he hid in a bunker when he saw helicopters and did not emerge until late afternoon. He saw no dead at Binh Dong, but did see a pile of bodies in an irrigation ditch near Thuan Yen. (b)(6)(b)(7)(C) stated that the other three members of his family were killed that day but he was unable to remember their names.

(b)(6)(b)(7)(C) stated that he had no knowledge of Americans entering Binh Tay where he resided with his family. He saw smoke coming

SUBSTANTIATION: Continued

from Thuan Yen and saw helicopters circling the hamlet. (b)(6)(b)(7)(C) stated that he did not visit Thuan Yen, but did go to Binh Dong later that day and saw about twenty bodies lying on a road. (b)(6)(b)(7)(C) stated that he helped bury two old men, four women and two children at Binh Dong.

(b)(6)(b)(7)(C) stated that she hid when American soldiers entered Binh Dong and went to each house firing their weapons. (b)(6)(b)(7)(C) stated that the Americans were at Binh Dong during the period 0900-1200 hrs, and that she searched through the burned ruins of houses in the hamlet when they departed. She recognized the bodies of six women and two men, and saw twenty of their children dead in the ruins. She found her parents lying dead in a nearby rice field.

(b)(6)(b)(7)(C) stated that she saw helicopters over Thuan Yen, and later soldiers approaching Binh Dong. (b)(6)(b)(7)(C) stated that she hid in a bunker until afternoon and saw no evidence of killings at Binh Dong. At the irrigation ditch near Thuan Yen, she saw about 25 dead villagers including two adult nephews. (b)(6)(b)(7)(C) identified five families suffering twenty members killed that day, ten of them children.

(b)(6)(b)(7)(C) stated that he saw helicopters land west of Thuan Yen, and about two hours later, American soldiers approach Binh Dong from the west and north. He hid in a bunker but was found by the Americans who were accompanied by a Vietnamese. The Vietnamese told the Americans that (b)(6)(b)(7)(C) was only a small, blind boy and he was left unharmed. TAN was unable to identify the Vietnamese from available photography. (b)(6)(b)(7)(C) stated that he found his father lying dead in their house and the bodies of two adults and five children nearby.

(b)(6)(b)(7)(C) VC Medical Corpsman for Tu Cung, stated that there were no VC fighting men at Tu Cung and that he treated about ten survivors for gunshot wounds. (b)(6)(b)(7)(C) claimed that about fifty villagers were killed by the Americans at Binh Dong and that he saw approximately 150 bodies on a trail and in an irrigation ditch at Thuan Yen. (b)(6)(b)(7)(C) thought the Americans departed Tu Cung about 0900 hrs and could or would not offer the identification of any victim.

SUBSTANTIATION: Continued

(b)(6)(b)(7)(C) stated that when the Americans came to Binh Dong, she hid with her family in a bunker and escaped injury. (b)(6)(b)(7)(C) identified a neighboring family found dead in the ruins of their home. (b)(6)(b)(7)(C) stated that she saw no more bodies but was told that thirty people were killed at Binh Dong.

(b)(6)(b)(7)(C) stated that he was working in rice fields about a mile from Binh Dong when the Americans came and he did not return home until the next morning. (b)(6)(b)(7)(C) stated that after finding his house destroyed, he discovered his daughter-in-law, and his six and eight year old grandchildren dead in a nearby bunker. (b)(6)(b)(7)(C) stated that he saw five other bodies in the bunker and several more above ground, but was unable to identify them. Two other young grandchildren fled and escaped unharmed.

SUBSTANTIATION: Continued

SON MY VILLAGE

(b)(6)(b)(7)(C) VC Medical Corpsman, stated that he went to Thuan Yen about 1700 hrs the day of the attack and treated two women and a child for gunshot wounds. (b)(6)(b)(7)(C) stated that he saw about 100 dead villagers at the irrigation ditch.

(b)(6)(b)(7)(C) stated that the day after the Americans attacked Binh Dong, a resident of Binh Dong came to (b)(6)(b)(7)(C) home at Truong An with (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) as told that the child was wounded and her parents killed at Binh Dong. (b)(6)(b)(7)(C) stated that (b)(6)(b)(7)(C) suffered a gunshot wound in her back and after arranging treatment at Quang Ngai Hospital, she assumed guardianship of (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C) stated that he and about nine other residents of a hamlet near Tu Cung were pressed by a local VC official to serve as a burial detail at Tu Cung. (b)(6)(b)(7)(C) stated that he assisted in the burial of fifteen gunshot victims taken from an irrigation ditch and that many other bodies were seen in the hamlet.

(b)(6)(b)(7)(C) Son My Village Chief, stated that he had officially determined, that the 370 civilians killed at Tu Cung were caught in a cross-fire between American troops and VC forces opposing them. (b)(6)(b)(7)(C) stated that there was no substance to a report he made earlier to the Son Tinh District Chief alleging that the Americans killed the civilians to avenge the death of a comrad struck by sniper fire. (b)(6)(b)(7)(C) stated that members of only six families witnessed and survived the inadvertant killings at Tu Cung.

SUBSTANTIATION: Continued

Statement matter offered by (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)
 (b)(6)(b)(7)(C) was obtained stenographically
 during interviews conducted by COL. (b)(6)(b)(7)(C) and transcribed by Mr. (b)(6)(b)(7)(C)
 (b)(6)(b)(7)(C) OTIG.

Statement matter offered by (b)(6)(b)(7)(C) on 4 December 1969, (b)(6)(b)(7)(C)
 on 9 February 1970, (b)(6)(b)(7)(C) on 23 February 1970,
 TORRES on 9 January 1970, (b)(6)(b)(7)(C) on 7 March 1970 (b)(6)(b)(7)(C) on
 29 September 1969, (b)(6)(b)(7)(C) and
 (b)(6)(b)(7)(C) was received verbally and reported in written statements
 prepared by Criminal Investigators Raymond E. (b)(6)(b)(7)(C)
 (b)(6)(b)(7)(C)

Statement matter offered by Vietnamese Nationals was obtained
 verbally and reported in written statements prepared by Criminal Investi-
 gators (b)(6)(b)(7)(C)
 (b)(6)(b)(7)(C)

INVESTIGATOR'S CONCLUSIONS

a. MEDINA did at My Lai (4) (Tu Cung), Son My Village, Quang Ngai Province, Republic of Vietnam, on or about 16 March 1968, with premeditation, murder an undetermined number of Vietnamese men, women and children, three-hundred-forty-three of whom were identified, by means of shooting, grenading, and stabbing them with the armament of a U. S. Army Rifle Company under his command.

b. MEDINA did at My Lai (4) (Tu Cung), Son My Village, Quang Ngai Province, Republic of Vietnam, on or about 16 March 1968, with intent to commit murder, commit an assault upon an undetermined number of Vietnamese men, women and children, forty-four of whom have been identified, by shooting, grenading and stabbing at them with the armament of a U. S. Army Rifle Company under his command.

c. MEDINA did at My Khe (2), Son My Village, Quang Ngai Province, Republic of Vietnam, on or about 17 March 1968, commit an assault upon an unidentified Vietnamese adult male by shooting at him with a dangerous weapon likely to produce grievous bodily harm, to wit: a rifle.

EXHIBITS

I. ATTACHED

A-1. Superimposed partial reproduction of map, Quang Ngai, Vietnam, 1:50,000, sheet 6739 II, Series L7014, depicting Tu Cung Hamlet [My Lai (4)] and subhamlets.

- B-1. Statement (b)(6)(b)(7)(C) 1 70 (cy)
- C-1. Statement (b)(6)(b)(7)(C) Jun 69 (cy)
- D-1. Statement (b)(6)(b)(7)(C) 9 (cy)
- E-1. Statement (b)(6)(b)(7)(C) 69 (cy)
- F-1. Statement (b)(6)(b)(7)(C) 2 Dec 69 (cy)
- G-1. Statement (b)(6)(b)(7)(C) 69 (cy)
- H-1. Statement (b)(6)(b)(7)(C) Dec 69 (cy)
- I-1. Statement (b)(6)(b)(7)(C) 69 (cy)
- J-1. Statement (b)(6)(b)(7)(C) cy)
- K-1. Statement (b)(6)(b)(7)(C) 0 (cy)
- L-1. Statement (b)(6)(b)(7)(C) c 69 (cy)
- M-1. Statement (b)(6)(b)(7)(C) Feb 70 (cy)
- N-1. Statement (b)(6)(b)(7)(C) (cy)
- O-1. Statement (b)(6)(b)(7)(C) cy)
- P-1. Statement (b)(6)(b)(7)(C) cy)
- Q-1. Statement (b)(6)(b)(7)(C) cy)
- R-1. Statement (b)(6)(b)(7)(C) ec 69 (cy)
- S-1. Statement (b)(6)(b)(7)(C) (cy)
- T-1. Statement (b)(6)(b)(7)(C) (cy)
- U-1. Statement (b)(6)(b)(7)(C) y)
- V-1. Statement (b)(6)(b)(7)(C) o 69 (cy)
- W-1. Statement (b)(6)(b)(7)(C) 9 (cy)
- X-1. Statement (b)(6)(b)(7)(C) (cy)
- Y-1. Statement (b)(6)(b)(7)(C) (cy)
- Z-1. Statement (b)(6)(b)(7)(C) (cy)
- A-2. Statement (b)(6)(b)(7)(C) (cy)
- B-2. Statement (b)(6)(b)(7)(C) 69 (cy)
- C-2. Statement (b)(6)(b)(7)(C) 69 (cy)
- D-2. Statement (b)(6)(b)(7)(C) 70 (cy)
- E-2. Statement (b)(6)(b)(7)(C) 69 (cy)
- F-2. Statement (b)(6)(b)(7)(C) , 17 Oct 69 (cy)
- G-2. Statement (b)(6)(b)(7)(C) Feb 70 (cy)
- H-2. Statement (b)(6)(b)(7)(C) cy)
- I-2. Statement (b)(6)(b)(7)(C) 9 (cy)
- J-2. Statement (b)(6)(b)(7)(C) y)

EXHIBITS: Continued

K-2.	Statement of	(b)(6)(b)(7)(C)	(cy)
L-2.	Statement of	(b)(6)(b)(7)(C))
M-2.	Statement of	(b)(6)(b)(7)(C)	y)
N-2.	Statement of	(b)(6)(b)(7)(C))
O-2.	Statement of	(b)(6)(b)(7)(C))
P-2.	Statement of	(b)(6)(b)(7)(C)	Oct 69 (cy)
Q-2.	Statement of	(b)(6)(b)(7)(C)	Oct 69 (cy)
R-2.	Statement of	(b)(6)(b)(7)(C)	9 (cy)
S-2.	Statement of	(b)(6)(b)(7)(C))
T-2.	Statement of	(b)(6)(b)(7)(C))
U-2.	Statement of	(b)(6)(b)(7)(C)	9 (cy)
V-2.	Statement of	(b)(6)(b)(7)(C)	(cy)
W-2.	Statement of	(b)(6)(b)(7)(C))
X-2.	Statement of	(b)(6)(b)(7)(C))
Y-2.	Statement of	(b)(6)(b)(7)(C))
Z-2.	Statement of	(b)(6)(b)(7)(C)	69 (cy)
A-3.	Statement of	(b)(6)(b)(7)(C)	70 (cy)
B-3.	Statement of	(b)(6)(b)(7)(C)	cy)
C-3.	Statement of	(b)(6)(b)(7)(C)	(cy)
D-3.	Statement of	(b)(6)(b)(7)(C))
E-3.	Statement of	(b)(6)(b)(7)(C)	70 (cy)
F-3.	Statement of	(b)(6)(b)(7)(C)	(cy)
G-3.	Statement of	(b)(6)(b)(7)(C)	(cy)
H-3.	Statement of	(b)(6)(b)(7)(C))
I-3.	Statement of	(b)(6)(b)(7)(C))
J-3.	Statement of	(b)(6)(b)(7)(C))
K-3.	Statement of	(b)(6)(b)(7)(C)	(cy)
L-3.	Statement of	(b)(6)(b)(7)(C))
M-3.	Statement of	(b)(6)(b)(7)(C)	y)
N-3.	Statement of	(b)(6)(b)(7)(C)	0 (cy)
O-3.	Statement of	(b)(6)(b)(7)(C)	9 (cy)
P-3.	Statement of	(b)(6)(b)(7)(C)	0 (cy)
Q-3.	Statement of	(b)(6)(b)(7)(C))
R-3.	Statement of	(b)(6)(b)(7)(C))
S-3.	Statement of	(b)(6)(b)(7)(C)	69 (cy)
T-3.	Statement of	(b)(6)(b)(7)(C)	an 70 (cy)
U-3.	Statement of	(b)(6)(b)(7)(C)	3 Mar 70 (cy)
V-3.	Statement of	(b)(6)(b)(7)(C)	y)
W-3.	Statement of	(b)(6)(b)(7)(C)	cy)
X-3.	Statement of	(b)(6)(b)(7)(C))

EXHIBITS: Continued

Y-3.	Statement of	(b)(6)(b)(7)(C)	(cy)
Z-3.	Statement of	(b)(6)(b)(7)(C)	29 Sep 69 (cy)
A-4.	Statement of	(b)(6)(b)(7)(C)	Mar 70 (cy)
B-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
C-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
D-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
E-4.	Statement of	(b)(6)(b)(7)(C)	30 Sep 69 (cy)
F-4.	Statement of	(b)(6)(b)(7)(C)	Mar 70 (cy)
G-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
H-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
I-4.	Statement of	(b)(6)(b)(7)(C)	8 Sep 69 (cy)
J-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
K-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
L-4.	Statement of	(b)(6)(b)(7)(C)	Dec 69 (cy)
M-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
N-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
O-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
P-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
Q-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
R-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
S-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
T-4.	Statement of	(b)(6)(b)(7)(C)	Oct 69 (cy)
U-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
V-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
W-4.	Statement of	(b)(6)(b)(7)(C)	Mar 70 (cy)
X-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
Y-4.	Statement of	(b)(6)(b)(7)(C)	(cy)
Z-4.	Statement of	(b)(6)(b)(7)(C)	69 (cy)
A-5.	Statement of	(b)(6)(b)(7)(C)	Dec 69 (cy)
B-5.	Statement of	(b)(6)(b)(7)(C)	Mar 70 (cy)
C-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
D-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
E-5.	Statement of	(b)(6)(b)(7)(C)	Apr 70 (cy)
F-5.	Statement of	(b)(6)(b)(7)(C)	9 (cy)
G-5.	Statement of	(b)(6)(b)(7)(C)	9 (cy)
H-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
I-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
J-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
K-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
L-5.	Statement of	(b)(6)(b)(7)(C)	Dec 69 (cy)
M-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
N-5.	Statement of	(b)(6)(b)(7)(C)	(cy)
O-5.	Statement of	(b)(6)(b)(7)(C)	Jan 70 (cy)

EXHIBITS: Continued

- P-5. Statement of CPT MEDINA, 13 May 69 (cy)
 Q-5. OCINFO reproduction, pp. 7-9F, of newspaper article, pp. 1 and A3, authored by (b)(6)(b)(7)(C) Washington Post, 8 Dec 69 (cy)
 R-5. Statement of (b)(6)(b)(7)(C) Oct 69 (cy)
 S-5. Statement of (b)(6)(b)(7)(C) 70 (cy)
 T-5. Statement of (b)(6)(b)(7)(C) (cy)
 U-5. Statement of (b)(6)(b)(7)(C) Jan 70 (cy)
 V-5. Statement of (b)(6)(b)(7)(C) (cy)
 W-5. Statement of (b)(6)(b)(7)(C) (cy)
 X-5. Statement of (b)(6)(b)(7)(C) (cy)
 Y-5. Statement of (b)(6)(b)(7)(C) Mar 70 (cy)
 Z-5. Statement of (b)(6)(b)(7)(C) Mar 70 (cy)
 A-6. Statement of (b)(6)(b)(7)(C) 28 Oct 69 (cy)
 B-6. Statement of (b)(6)(b)(7)(C) Mar 70 (cy)
 C-6. Statement of (b)(6)(b)(7)(C) Dec 69 (cy)
 D-6. Statement of (b)(6)(b)(7)(C) 9 (cy)
 E-6. Statement of (b)(6)(b)(7)(C) ars, 25 Aug 69 (cy)
 F-6. Statement of (b)(6)(b)(7)(C) ars, 25 Aug 69 (cy)
 G-6. Statement of (b)(6)(b)(7)(C) 9 (cy)
 H-6. Americal Division Information Office news release, AM-4-68-343, undated (cy)
 I-6. Statement of (b)(6)(b)(7)(C) Oct 69 (cy)
 J-6. Statement of (b)(6)(b)(7)(C) 27 Oct 69 (cy)
 K-6. Statement of (b)(6)(b)(7)(C) Nov 69 (cy)
 L-6. Statement of (b)(6)(b)(7)(C) (cy)
 M-6. Transcript of taped radio transmissions recorded at TFB TOC, 16 Mar 68 (cy)
 N-6. Statement of (b)(6)(b)(7)(C) n 70 (cy)
 O-6. Statement of (b)(6)(b)(7)(C) 19 May 70 (cy)
 P-6. Statement of (b)(6)(b)(7)(C) n 70 (cy)
 Q-6. Statement of (b)(6)(b)(7)(C) c 69 (cy)
 R-6. Statement of (b)(6)(b)(7)(C) Jan 70 (cy)
 S-6. Statement of (b)(6)(b)(7)(C) 70 (cy)
 T-6. Statement of (b)(6)(b)(7)(C) ar 70 (cy)
 U-6. Statement of (b)(6)(b)(7)(C) Nov 69 (cy)
 V-6. Statement of (b)(6)(b)(7)(C) ov 69 (cy)
 W-6. Addendum to 24 Nov 69 statement of MG (b)(6)(b)(7)(C) 2 Dec 69 (cy)
 X-6. Statement of Crim (b)(6)(b)(7)(C) 13 Dec 69 (cy)
 Y-6. Statement of COL (b)(6)(b)(7)(C) 70 (cy)
 Z-6. Statement of Rev (b)(6)(b)(7)(C) Dec 69 (cy)
 A-7. Statement of CPT (b)(6)(b)(7)(C) (cy)
 B-7. TFB Combat Actio (b)(6)(b)(7)(C) 68 (cy)

EXHIBITS: Continued

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- C-7. Report of Investigation conducted by COL (b)(6)(b)(7)(C)
11th Inf Bde, 24 Apr 68, certified true copy, undated (cy)
- D-7. Statement (b)(6)(b)(7)(C) (cy)
E-7. Statement (b)(6)(b)(7)(C) 0 (cy)
F-7. Statement (b)(6)(b)(7)(C) Oct 69 (cy)
G-7. Statement (b)(6)(b)(7)(C) (cy)
H-7. Statement (b)(6)(b)(7)(C) (cy)
I-7. Statement (b)(6)(b)(7)(C) (cy)
J-7. Letter pro (b)(6)(b)(7)(C) 29 Mar 69 (cy)
K-7. Statement (b)(6)(b)(7)(C) 3 Apr 70 (cy)
L-7. Statement (b)(6)(b)(7)(C) (cy)
M-7. Statement (b)(6)(b)(7)(C) 9 Jan 70 (cy)
N-7. Statement (b)(6)(b)(7)(C) 69 (cy)
O-7. Statement (b)(6)(b)(7)(C) 30 Dec 69 (cy)
P-7. Statement (b)(6)(b)(7)(C) 13 Jan 70 (cy)
Q-7. Statement (b)(6)(b)(7)(C) 4 Jan 70 (cy)
R-7. Statement (b)(6)(b)(7)(C) Nov 69 (cy)
S-7. Statement (b)(6)(b)(7)(C) Jan 70 (cy)
T-7. Statement (b)(6)(b)(7)(C) 6 Nov 69 (cy)
U-7. Statement (b)(6)(b)(7)(C) 5 Jan 70 (cy)
V-7. Statement (b)(6)(b)(7)(C) Dec 69 (cy)
W-7. Statement (b)(6)(b)(7)(C) Dec 69 (cy)
X-7. Statement (b)(6)(b)(7)(C) 8 Jan 70 (cy)
Y-7. Statement (b)(6)(b)(7)(C) 12 Jan 70 (cy)
Z-7. Statement (b)(6)(b)(7)(C) 23 Dec 69 (cy)
A-8. Statement (b)(6)(b)(7)(C) 7 Dec 69 (cy)
B-8. Statement (b)(6)(b)(7)(C) 29 Dec 69 (cy)
C-8. Statement (b)(6)(b)(7)(C) Dec 69 (cy)
D-8. Statement (b)(6)(b)(7)(C) 30 Dec 69 (cy)
E-8. Statement (b)(6)(b)(7)(C) 11 Jan 70 (cy)
F-8. Statement (b)(6)(b)(7)(C) Dec 69 (cy)
G-8. Statement (b)(6)(b)(7)(C) 30 Dec 69 (cy)
H-8. Statement (b)(6)(b)(7)(C) an 70 (cy)
I-8. Statement (b)(6)(b)(7)(C) 23 Dec 69 (cy)
J-8. Statement (b)(6)(b)(7)(C) 16, 16 Dec 69 (cy)
K-8. Statement (b)(6)(b)(7)(C) 5 Dec 69 (cy)
L-8. Statement (b)(6)(b)(7)(C) 29 Dec 69 (cy)
M-8. Statement (b)(6)(b)(7)(C) 12 Jan 70 (cy)
N-8. Statement (b)(6)(b)(7)(C) 30 Dec 69 (cy)
O-8. Statement (b)(6)(b)(7)(C) 25 Dec 69 (cy)
P-8. Statement (b)(6)(b)(7)(C) Dec 69 (cy)

EXHIBITS: Continued

Q-8.	Statement	(b)(6)(b)(7)(C)	70 (cy)
R-8.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
S-8.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
T-8.	Statement	(b)(6)(b)(7)(C)	28 Dec 69 (cy)
U-8.	Statement	(b)(6)(b)(7)(C)	12 Jan 70 (cy)
V-8.	Statement	(b)(6)(b)(7)(C)	6 Dec 69 (cy)
W-8.	Statement	(b)(6)(b)(7)(C)), 28 Dec 69 (cy)
X-8.	Statement	(b)(6)(b)(7)(C)	28 Dec 69 (cy)
Y-8.	Statement	(b)(6)(b)(7)(C)	31 Dec 69 (cy)
Z-8.	Statement	(b)(6)(b)(7)(C)	25 Dec 69 (cy)
A-9.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
B-9.	Statement	(b)(6)(b)(7)(C)	2200 hrs, 8 Jan 70 (cy)
C-9.	Statement	(b)(6)(b)(7)(C)	7 Dec 69 (cy)
D-9.	Statement	(b)(6)(b)(7)(C)	5 Nov 69 (cy)
E-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
F-9.	Statement	(b)(6)(b)(7)(C)	1), 29 Dec 69 (cy)
G-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
H-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
I-9.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
J-9.	Statement	(b)(6)(b)(7)(C)	11 Jan 70 (cy)
K-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
L-9.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
M-9.	Statement	(b)(6)(b)(7)(C)	11 Jan 70 (cy)
N-9.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
O-9.	Statement	(b)(6)(b)(7)(C)	27 Dec 69 (cy)
P-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
Q-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
R-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
S-9.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
T-9.	Statement	(b)(6)(b)(7)(C)	13 Jan 70 (cy)
U-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
V-9.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
W-9.	Statement	(b)(6)(b)(7)(C)	7 Dec 69 (cy)
X-9.	Statement	(b)(6)(b)(7)(C)	Dec 69 (cy)
Y-9.	Statement	(b)(6)(b)(7)(C)	5 Dec 69 (cy)
Z-9.	Statement	(b)(6)(b)(7)(C)	25 Dec 69 (cy)
A-10.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
B-10.	Statement	(b)(6)(b)(7)(C)	3 Jan 70 (cy)
C-10.	Statement	(b)(6)(b)(7)(C)	(cy)
D-10.	Statement	(b)(6)(b)(7)(C)	70 (cy)

EXHIBITS: Continued

E-10.	Statement	(b)(6)(b)(7)(C)	F) (38), 10 Mar 70 (cy)
F-10.	Statement	(b)(6)(b)(7)(C)	19 Jan 70 (cy)
G-10.	Statement	(b)(6)(b)(7)(C)	1), 11 Mar 70 (cy)
H-10.	Statement	(b)(6)(b)(7)(C)	18 Jan 70 (cy)
I-10.	Statement	(b)(6)(b)(7)(C)	19 Jan 70 (cy)
J-10.	Statement	(b)(6)(b)(7)(C)	11 Mar 70 (cy)
K-10.	Statement	(b)(6)(b)(7)(C)), 19 Jan 70 (cy)
L-10.	Statement	(b)(6)(b)(7)(C)	2 Mar 70 (cy)
M-10.	Statement	(b)(6)(b)(7)(C)	3 Jan 70 (cy)
N-10.	Statement	(b)(6)(b)(7)(C)), 11 Mar 70 (cy)
O-10.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
P-10.	Statement	(b)(6)(b)(7)(C)	(12), 11 Mar 70 (cy)
Q-10.	Statement	(b)(6)(b)(7)(C)	5), 11 Mar 70 (cy)
R-10.	Statement	(b)(6)(b)(7)(C)	11 Mar 70 (cy)
S-10.	Statement	(b)(6)(b)(7)(C)	11 Mar 70 (cy)
T-10.	Statement	(b)(6)(b)(7)(C)	11 Mar 70 (cy)
U-10.	Statement	(b)(6)(b)(7)(C)	1 Mar 70 (cy)
V-10.	Statement	(b)(6)(b)(7)(C)	12 Mar 70 (cy)
W-10.	Statement	(b)(6)(b)(7)(C)	Jan 69 (cy)
X-10.	Statement	(b)(6)(b)(7)(C)	, 11 Mar 70 (cy)
Y-10.	Statement	(b)(6)(b)(7)(C)	18 Jan 70 (cy)
Z-10.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
A-11.	Statement	(b)(6)(b)(7)(C)	5), 11 Mar 70 (cy)
B-11.	Statement	(b)(6)(b)(7)(C)	Jan 70 (cy)
C-11.	Statement	(b)(6)(b)(7)(C)	1), 25 Nov 69 (cy)

Photograph Exhibits D-11 through I-12 and K-12 through X-12 were exposed by Mr. (b)(6)(b)(7)(C) on 16 March 1968.

D-11. Depicts helicopters discharging C/1/20 Inf at LZ west of Thuan Yen.

E-11. Depicts (b)(6)(b)(7)(C) and other 3d Plt personnel moving south from LZ.

F-11 Depicts (b)(6)(b)(7)(C) and other 3d Plt personnel as they move toward intersection of Hwy 521 and main trail to Thuan Yen

G-11 Depicts (b)(6)(b)(7)(C) soldiers thought to be (b)(6)(b)(7)(C) with unidentified soldier moving south from LZ.

H-11 Depicts (b)(6)(b)(7)(C) and soldier thought to be (b)(6)(b)(7)(C) with two unidentified Vietnamese decedents, at Hwy 521, south of Thuan Yen

I-11 Depicts (b)(6)(b)(7)(C) and soldiers thought to be (b)(6)(b)(7)(C) and LaCROSS moving through fields southwest of Thuan Yen.

EXHIBITS: Continued

70-CID011-00013

- J-11. Depicts (b)(6)(b)(7)(C) igniting roof at Thuan Yen.
- K-11. Depicts (b)(6)(b)(7)(C) peering into hut at Thuan Yen.
- L-11. Depicts (b)(6)(b)(7)(C) igniting roof at Thuan Yen.
- M-11. Depicts (b)(6)(b)(7)(C) igniting roof, and unidentified soldier at Thuan Yen.
- N-11. Depicts SGT (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) at Thuan Yen.
- O-11. Depicts SGT (b)(6)(b)(7)(C) soldier thought to be (b)(6)(b)(7)(C) and other unidentified personnel thought to be members of Mortar Section, at Thuan Yen.
- P-11. Depicts (b)(6)(b)(7)(C) examining documents at Thuan Yen.
- Q-11. Depicts soldier thought to be (b)(6)(b)(7)(C) destroying corn crop, and an unidentified soldier at Thuan Yen.
- R-11. Depicts scene similar to Q-11, with (b)(6)(b)(7)(C) and unidentified soldiers.
- S-11. Depicts soldier thought to be (b)(6)(b)(7)(C) digging at Thuan Yen, with unidentified soldier in background.
- T-11. Depicts (b)(6)(b)(7)(C) throwing rice mats in ruins of burning house at Thuan Yen.
- U-11. Depicts decedents (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) in the courtyard of their burning home, at Thuan Yen.
- V-11. Depicts soldier thought to be (b)(6)(b)(7)(C) tossing hand grenade, with WIDMER and unidentified soldier in background, at Thuan Yen.
- W-11. Depicts (b)(6)(b)(7)(C) igniting roof of hut depicted in V-11.
- X-11. Depicts (b)(6)(b)(7)(C) soldier thought to be (b)(6)(b)(7)(C) STANLEY and unidentified soldier at the scene of (b)(6)(b)(7)(C) injury, at Thuan Yen.
- Y-11. Depicts scene similar to X-11 with (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) and soldier thought to be MEDINA.
- Z-11. Depicts (b)(6)(b)(7)(C) being assisted by (b)(6)(b)(7)(C) to evacuation site, near main trail at Thuan Yen. One of five soldiers appearing in background is thought to be (b)(6)(b)(7)(C)
- A-12. Depicts (b)(6)(b)(7)(C) being treated by (b)(6)(b)(7)(C) near evacuation site, with SGT (b)(6)(b)(7)(C) and soldier thought to be (b)(6)(b)(7)(C) and another thought to be (b)(6)(b)(7)(C) in background.
- B-12. Depicts (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) evacuation.
- C-12. Depicts (b)(6)(b)(7)(C) being helped by (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) to helicopter, with pilot CWO (b)(6)(b)(7)(C) and crew chief SP4 (b)(6)(b)(7)(C) appearing in background.

EXHIBITS: Continued

- D-12. Depicts scene similar to C-12 with (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) and unidentified crew member.
- E-12. Depicts SGT (b)(6)(b)(7)(C) Mot LAI (M) (80) (Deceased) and (b)(6)(b)(7)(C) at LAI's home, in Thuan Yen.
- F-12. Depicts scene similar to E-12 with SGT (b)(6)(b)(7)(C) and Mot LAI.
- G-12. Depicts Mot LAI on trail in front of his house. LAI reportedly was slain minutes after the photograph was taken.
- H-12. Depicts (b)(6)(b)(7)(C) and six unidentified soldiers resting near intersection of main and southern perimeter trails at Thuan Yen.
- I-12. Depicts (b)(6)(b)(7)(C) MEDINA, (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) and five unidentified soldiers at same location depicted in H-12.
- J-12. Identity key to black and white photographs in which two or more persons appear.
- K-12. Depicts unidentified personnel of C/1/20 Inf landing at LZ west of Thuan Yen.
- L-12. Depicts (b)(6)(b)(7)(C) with rifle at firing position, and unidentified soldier in field southwest of Thuan Yen.
- M-12. Depicts three unidentified Vietnamese decedents lying on Hwy 521 south of Thuan Yen.
- N-12. Depicts Vietnamese female decedent thought to be (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) crouched in a ditch adjacent to Hwy 521.
- O-12. Depicts two unidentified Vietnamese children lying on main trail south of Thuan Yen, reportedly photographed just before they were slain by rifle fire.
- P-12. Depicts decedents Truong Cu BA (M) (9), Truong NHI (M) (45), and unidentified body thought to be Phong Thi CHAN (F)(40) (deceased), lying on main trail to Thuan Yen just north of its intersection with Hwy 521, reportedly photographed just after they were slain.
- Q-12. Depicts scene similar to U-11 with decedents Nguyen GAP and Truong Thi HUYEN in courtyard of their home.
- R-12. Depicts partial scene captured in U-11 and Q-12, revealing body of decedent Nguyen TAN (M) (6) lying beside HUYEN.
- S-12. Depicts decedent Truong THO (M) (80), in well at Thuan Yen and reflection of (b)(6)(b)(7)(C) in water.
- T-12. Depicts scene similar to T-11, (b)(6)(b)(7)(C) throwing rice mats in ruins of burning house at Thuan Yen.

EXHIBITS: Continued

- U-12. Depicts decedent Do MO (M) (70), lying near his home at Thuan Yen.
- V-12. Depicts Ba SO (F) (60), Do Thi BE (F) (9), Ba PHU (F) (60), Ba MOI (F) (25), Do Thi CAN (F) (23), Do HAT (M) (6) and Do Thi NHUT (F) (12), reportedly photographed just before they were slain near the home of Do VIEN at Thuan Yen.
- W-12. Depicts bodies of approximately 25 Vietnamese men, women and children, including Truong Thi BI (F) (13) and Truong Thi THU (F) (4) lying dead on the main trail approximately 25 yards south of Thuan Yen's perimeter trail.
- X-12. Depicts scene similar to B-12, (b)(6)(b)(7)(C) and Dennis JOHNSON, just prior to CARTER's evacuation.
- Y-12. Identify key to color photographs in which two or more persons appear.
- Z-12. Superimposed Engineer Map of My Lai (4), indicating locations where (b)(6)(b)(7)(C) exposed photographs depicted in Exhibits D, H, J, K-R, U and Z-11, C-S, V and W-12, and MEDINA's probable route of march at My Lai (4) (cy)
- A-13. Daily Staff Journal, Task Force Barker, 16 Mar 68. (cy)
- B-13. Daily Staff Journal, S2-S3, 11th Inf Bde, 16 Mar 68. (cy)

Exhibits A-13 and B-13, classified CONFIDENTIAL, forwarded under separate cover, to OSJA, HQ, Third U. S. Army, Ft McPherson, GA., only.

2. NOT ATTACHED

None

Originals of Exhibits B-1, E-1 through F-2, H-2 through K-2, M-2 through Q-2, S-2, T-2, V-2 through I-3, L-3 through U-3, X-3 through F-4, H-4 through O-4, Q-4 through E-5, H-5 through K-5, M-5 through O-5, R-5 through G-6, I-6 through L-6, N-6 through A-7, D-7 through I-7, K-7 through C-11, J-12, Y-12, Z-12, B-13 and the negatives of Exhibits D-11 through I-12 are retained in the files of this office.

Originals of Exhibits C-1, D-1, L-2, U-2, J-3, K-3, V-3, W-3, G-4, P-4 and P-5 are presumed to be in the files of the Inspector General's Office, Washington, DC.

EXHIBITS: Continued

Originals of Exhibits G-2, R-2, and F-5, G-5, and L-5 have been forwarded to the U. S. Army Investigative Records Repository, Ft Holabird, MD, with Reports of Investigation 69-CID011-00074, 69-CID011-00073, and 70-CID011-00043, respectively.

The original of Exhibit Q-5 is presumed to be in the files of the Washington Post-Times Herald, Washington, DC.

The original tape recording with which Exhibit M-6 was produced, is presumed to be in the possession of CPT (b)(6)(b)(7)(C)

The location of the originals of Exhibits H-6, B-7, and C-7 is unknown.

The original of Exhibit J-7 is presumed to be in the possession of Mr. RIDENHOUR.

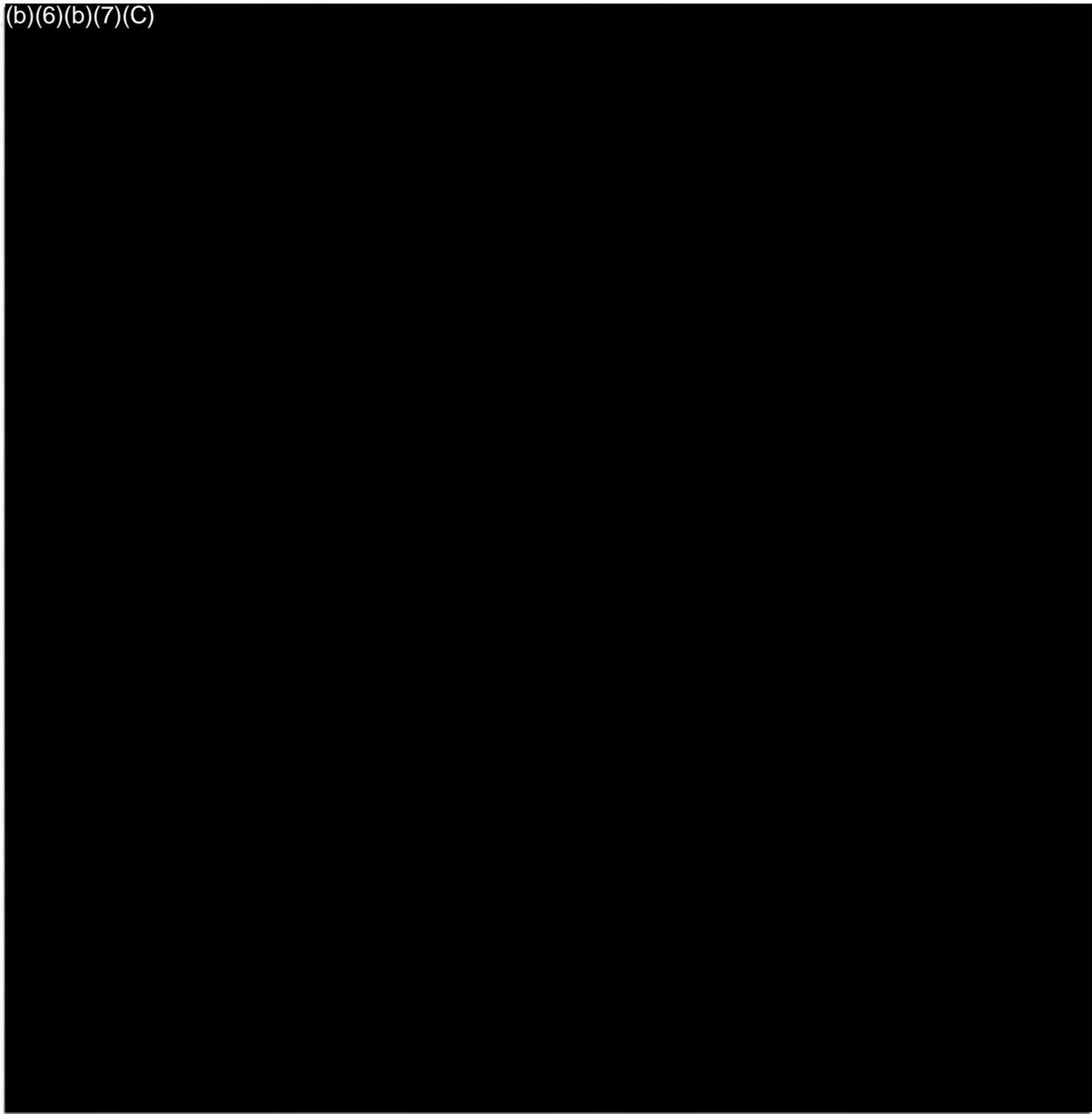
The original of Exhibits A-1, M-6, and A-13 is presumed to be with the original report of the Department of the Army Review of the Preliminary Investigations into the My Lai Incident, maintained at DA, Washington, DC.

The original color slides, from which Exhibits K-12 through X-12 were produced, are presumed to be in the possession of Mr. (b)(6)(b)(7)(C) or Time-Life, Inc., New York City, NY.

WITNESSES

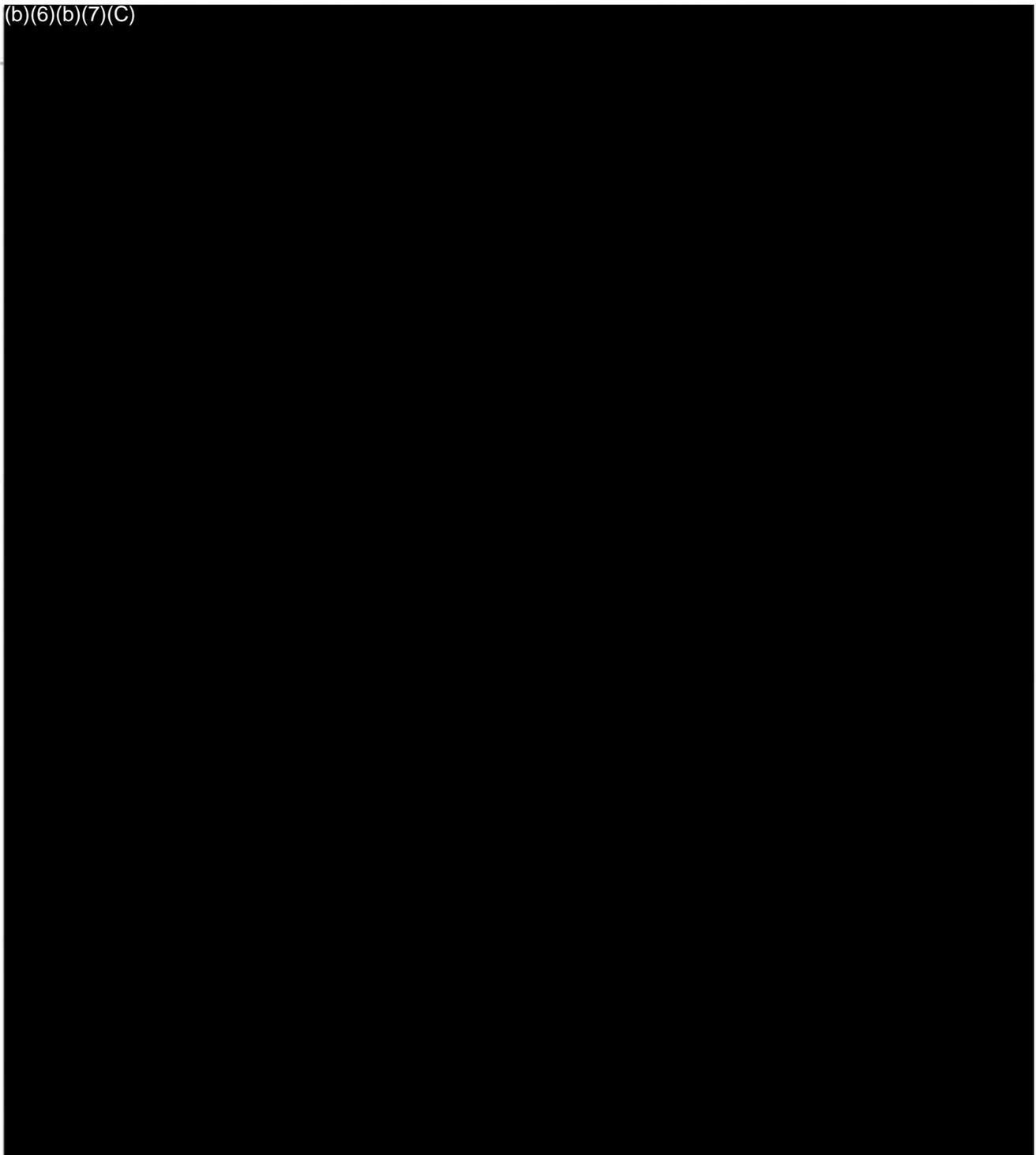
Unless otherwise indicated, the Vietnamese witnesses identified below by name, sex and age, were at the time of interview, residents of Son My Model Village, a refugee settlement located in Son Tinh District, Quang Ngai Province, Republic of Vietnam.

(b)(6)(b)(7)(C)



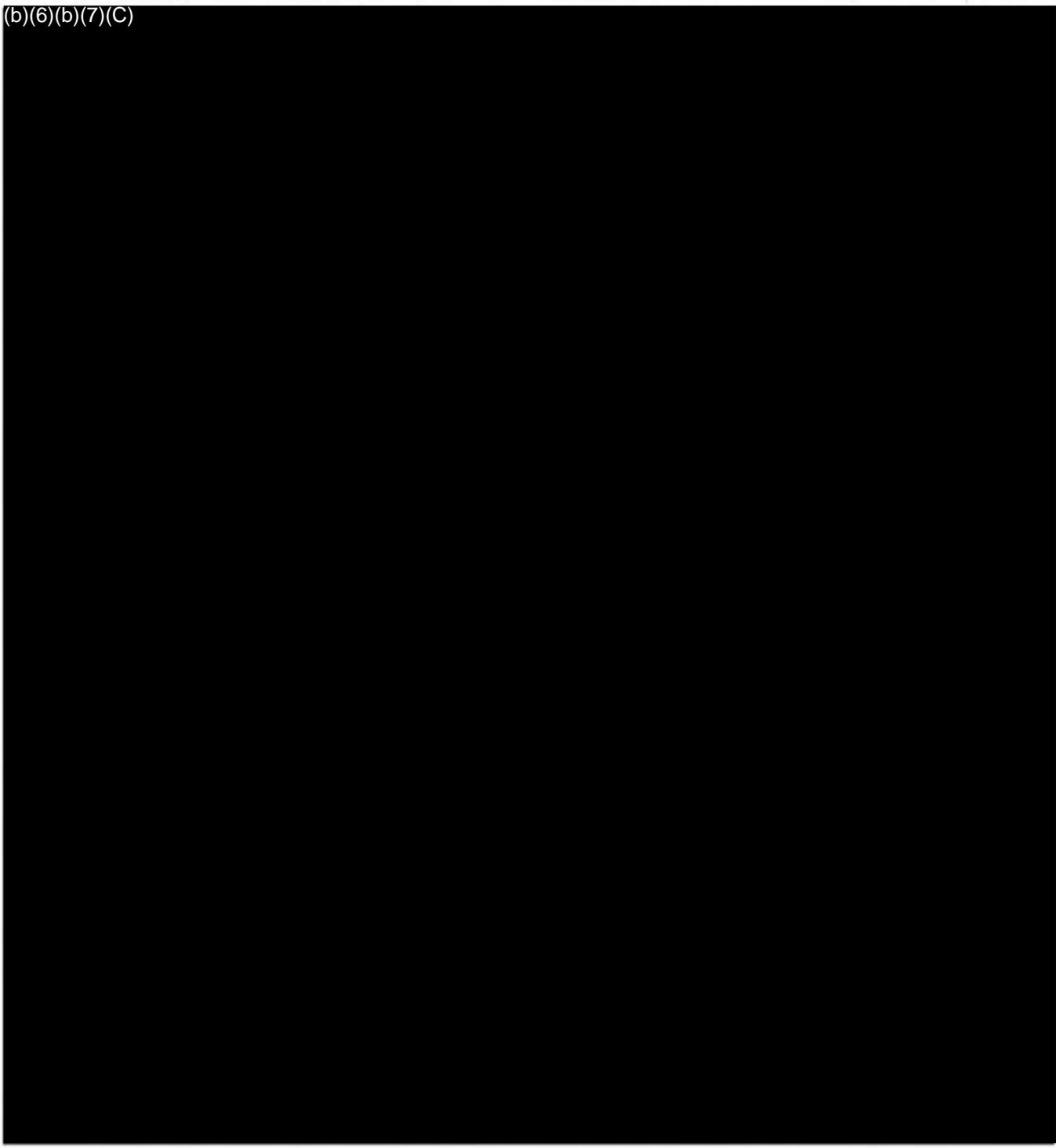
WITNESSES (Continued)

(b)(6)(b)(7)(C)



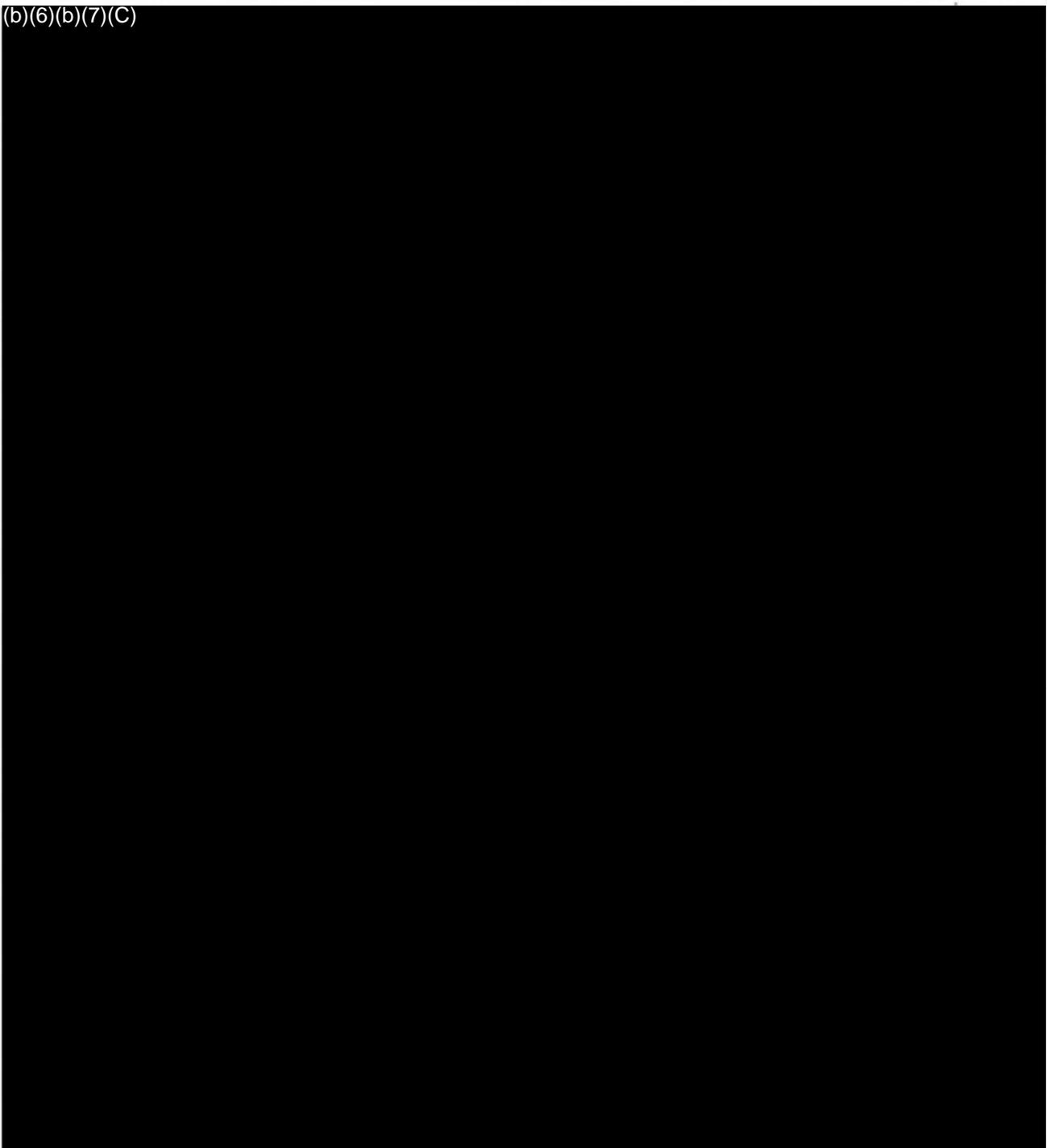
WITNESSES (Continued)

(b)(6)(b)(7)(C)



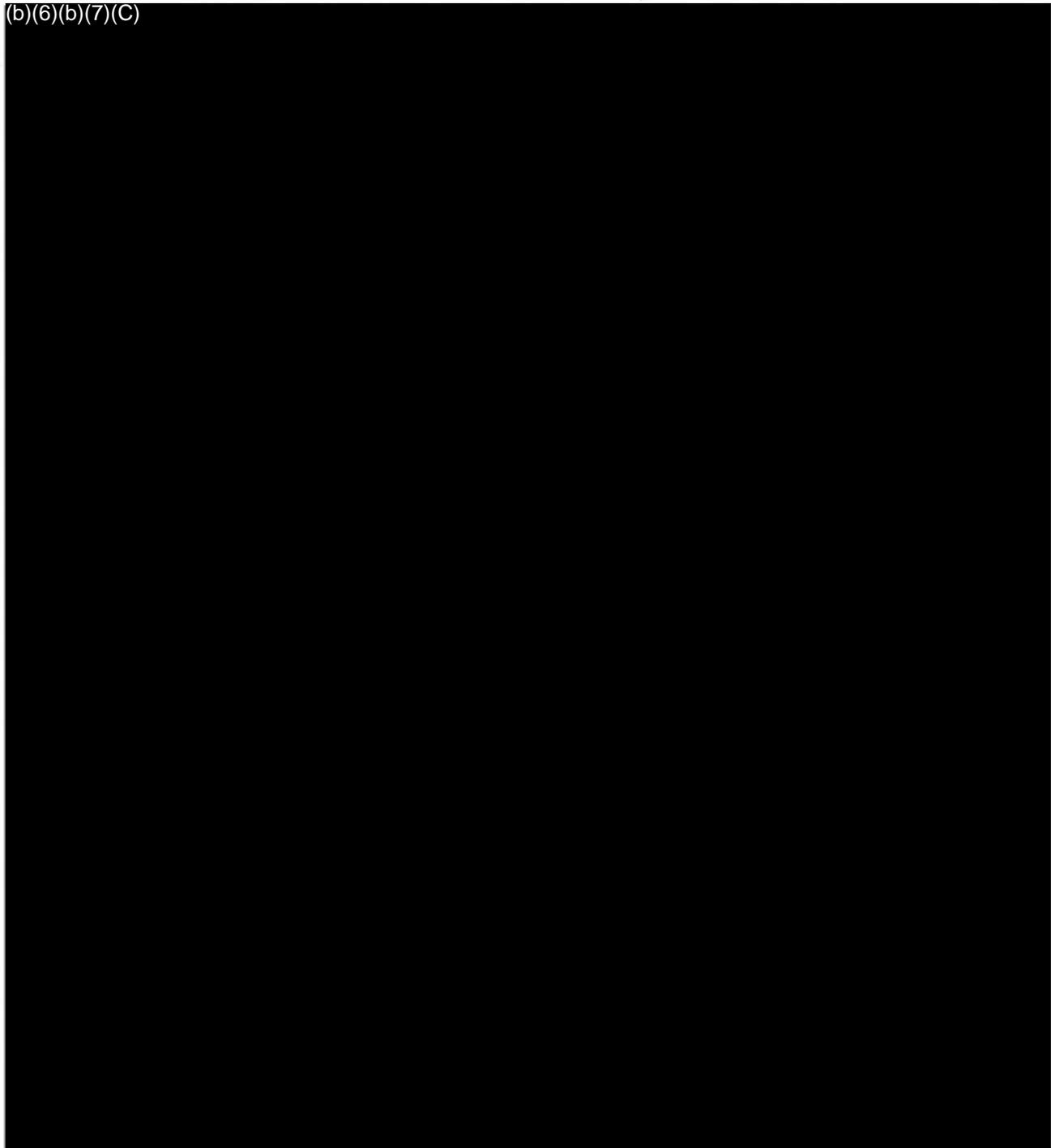
WITNESSES (Continued)

(b)(6)(b)(7)(C)



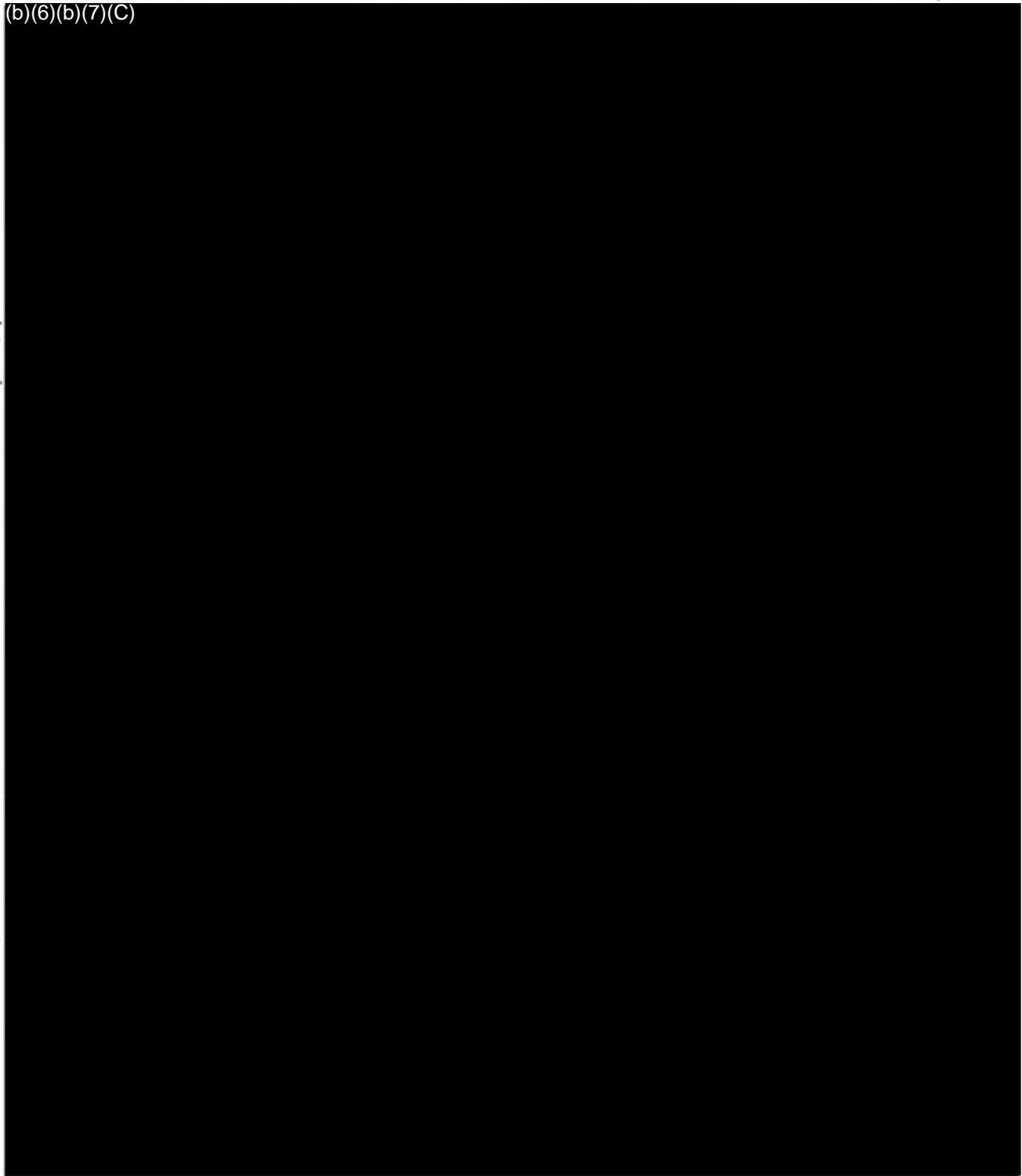
WITNESSES (Continued)

(b)(6)(b)(7)(C)



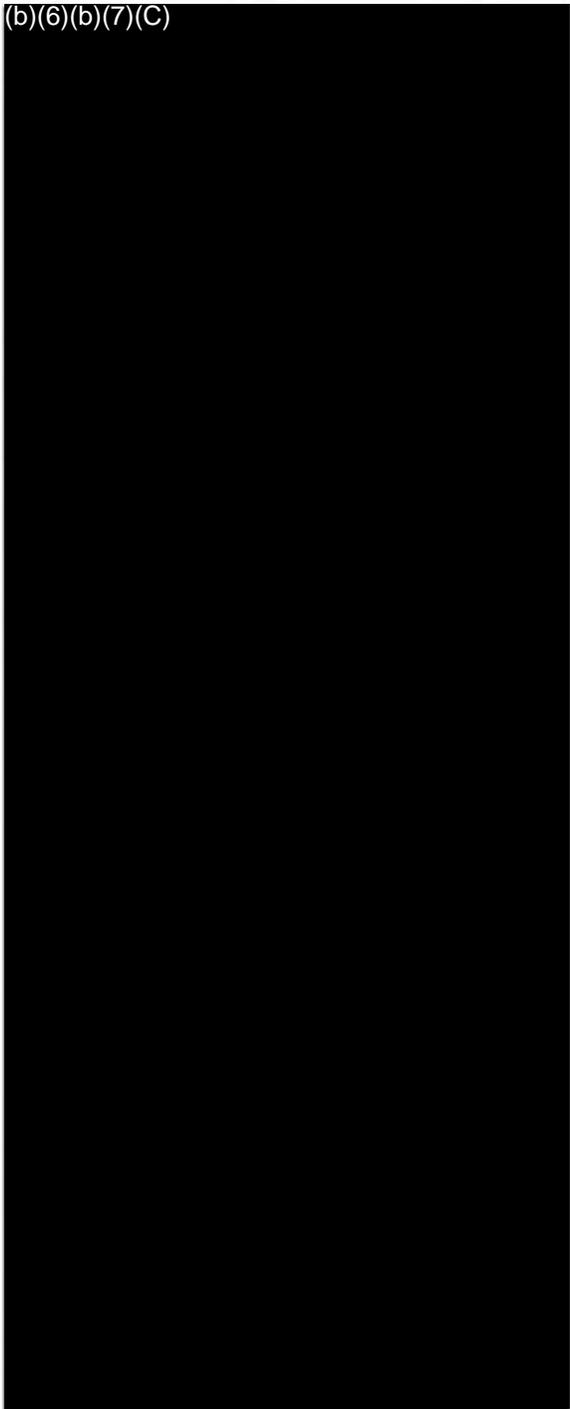
WITNESSES (Continued)

(b)(6)(b)(7)(C)



WITNESSES (Continued)

(b)(6)(b)(7)(C)



WITNESSES (Continued)

(b)(6)(b)(7)(C)



UNDEVELOPED LEADS

NONE